

**MEETING  
GEORGETOWN PLANNING BOARD  
Memorial Town Hall – 3<sup>rd</sup> Floor  
Wednesday, February 9, 2011  
7:30 p.m.**

**Present:** Mr. Hugh Carter; Mr. Tim Howard; Mr. Harry LaCortiglia; Ms. Matilda Evangelista; Mr. Nicholas Cracknell, Town Planner; Ms. Michele Kottcamp – Asst.

**Absent:** Mr. Rich

**Board Business 7:30 p.m.**

**Minutes – December 8, 2011**

Mr. Tim Howard- Motion to accept minutes with changes.

Ms. Evangelista - Second

All in favor? 3-0; Unam. (Mr. Carter and Mr. Rich absent)

**Vouchers – \$6,751.70**

Mr. Howard- Motion to accept as presented.

Ms. Evangelista- Second

All in favor? 3-0; Unam. (Mr. Carter and Mr. Rich absent)

**Correspondence –Notices-**

Mr. Cracknell- The sign application for Keon’s Restaurant at 258 Andover St. has been filed to the ZBA. Public Hearing is scheduled for March 1, 2011.

**Caribou Court Plans-**

Mr. Cracknell- Per the Notice of Intent, the Con Com Agent has been to the site. I was also there. Ms. Evangelista asks question. Mr. Glen Smith has been there three times and the Fire Dept. has been there twice. They are submitting a minor modification to the Definitive Subdivision in order to make some amendments to the utilities and the construction of the driveway leading into the lot. The applicant will also present the ANR plan to saw off the back third of the lot and donate it to the Town in care of the Conservation Commission. There will be minor adjustments to the one house on the lot. See Exhibit 5 of my draft comments for more details on this project. A pre-construction conference checklist has been done with Dave Varga, Town Engineer. Applicant will be present at the February 23, 2011 meeting. We’ll have two plans here for your endorsement on Feb 23<sup>rd</sup>. The Con Com is very happy with the change. We need an ANR to adjust the line. The turnaround came outside the cul-de-sac. The line we originally amended was a line for the turnaround. Jason Barns, new owner, will be donating the land to the Town. He’s building the house and will live in it.

{Mr. Carter arrives at 7:55pm}

**Other Business –**

**Harmony Lane – Surety and Release of the Lots**

Mr. Cracknell- Harmony Lane is a three lot subdivision and Harmony Lane is intended to become a public way. The applicant, Mr. Gatchell, has deposited a check in the amount of \$83,820.00 for surety to release the two lots – Lots 1 and 3. The covenant has been recorded.

Mr. Cracknell- Dec 31, 2011 should be the completion date for the Performance Bond.

Mr. LaCortiglia- Motion to accept the Form I Performance Bond with a completion date of December 31, 2011 and authorize the Chairman of the Planning Board to sign.

Mr. Howard – Second

All in favor? 4-0; Unam

Mr. LaCortiglia- Motion to authorize Nick Cracknell to also sign the Performance Bond in the presence of a Notary.

Mr. Howard- Second

All in favor? 4-0; Unam

Mr. LaCortiglia- Move to extend the subdivision permit for Harmony Lane with a completion date to be Dec. 31, 2011.

Mr. Howard- Second

All in favor? 4-0; Unam

Mr. LaCortiglia- Motion to sign the Form K Release of Lots at Harmony Lane from the Covenant. (Enumerated Lots 1, 3, and 2 which is the existing house)

Mr. Howard- Second

All in favor? 4-0; Unam

**Pondview Estates – Minor Amendment to the Subdivision/ ANR**

Mr. Cracknell- The applicant will be here at the next meeting on February 23<sup>rd</sup>. They will show you what is in Exhibit 7 of my Draft Comments. The lot layout plan (ANR) will be presented. There are still 7 lots. They are creating additional Conservation land which is noted as Parcel A. That thin access trail will be deeded to the town. National Heritage is requiring all conservation parcels be for conservation purposes only and will be noted on the plans. Whoever owns them is to use it for passive recreation. The intent is that the Con Com will take title of the land. They are doing nothing to your approval that is not jurisdictional. The new owner is cleaning it up. My understanding is that there are zero changes to the infrastructure.

Ms. Evangelista- How is that an ANR?

Mr. Cracknell- Because these lots already exist on an approved and recorded subdivision plan. You can make lot line adjustments as an ANR on that roadway layout. There are zero changes to the infrastructure.

Mr. Howard- This is not changing anything we have already approved in the Decision.

Ms. Evangelista- Can we just make it clear in the ANR decision that this does not override anything recorded in the Certificate of Vote for Pondview Estates?

Mr. Cracknell and the Board agree to make it clear in the decision.

Ms. Evangelista- National Heritage has agreed to what?

Mr. Cracknell- National Heritage should be providing the applicant with a letter regarding the turtle crossing.

#### **Little's Hill - As-Built Review – BSC Group**

As Built has been submitted for a surety reduction. Dave Varga is reviewing the As-Builts.

#### **Update on 34 Thurlow Street – OSRD**

The Open Space has not been given to the town. It has gone once to the Board of Selectmen and was not accepted.

#### **Budget Discussion**

Mr. Cracknell- February 23<sup>rd</sup> is the Budget meeting and I would like to have a Planning Board member also attend. March 5<sup>th</sup> is the second Budget meeting at GMHS hosted by the Board of Selectmen and the Town Administrator. They asked departments for a level-funded budget. I came back with a zero-based budget. [To the Board] Please review and send me your comments.

#### **Weekly Report**

Mr. Cracknell- It comes out every Thursday. It is posted on-line and is emailed.

#### **Zoning Bylaw Update – E-Code**

Mr. Cracknell- The E-Code is completely updated. It is on-line.

Mr. LaCortiglia- I would like to see a project suggestion for FY'13 where the E-code is funded by the CPC. It was not done this year.

**Potential Articles for ATM**

Mr. Cracknell- I will prepare a document for review on February 23rd that we could take to Town Meeting.

**Village Lane – Street Acceptance Documents**

Mr. Cracknell- We have an official town map. Village Lane is coming back to the Board of Selectmen from the HOA. They will hopefully accept it.

**Cont. Public Hearing: 8:00 p.m.**

**Subdivision Regulations: Low Impact Development Amendments –**

Tim Puriton and George Comisky are present for discussion.

Mr. LaCortiglia- The Public Hearing for these subdivision regulations were opened on December 8<sup>th</sup>, 2010 and continued to Jan. 12, 2011. The January 12<sup>th</sup> meeting was administratively postponed to the 26<sup>th</sup> which was not held and administratively postponed and then continued to tonight’s meeting of February 9, 2011.

Mr. LaCortiglia- I motion to reopen the continuation of the subdivision regulations hearing.

Mr. Howard- Second

All in favor? 4-0; Unam

Mr. LaCortiglia- Introduces Mr. George Comisky and Mr. Tim Puriton

Mr. Cracknell- Asks all present to review Exhibit 9 of the Town Planner Draft Comments that are on file in the Planning office. We received two revised sketches of the porous pavement sections from Larry Graham. Dave Varga is in agreement. Larry Graham, Technical Engineer, wanted to explain that the designs are from a UNH study done 2-3 years ago. Dave Varga, engineer, gave a summary as to why this design is appropriate and what the maintenance responsibilities are and comments on the stormwater management handbook. Mr. Cracknell advises that the bullet points from Dave Varga should be included in the handbook.

Ms. Evangelista- Does this tie in with the new stormwater regulations?

Mr. Tim Puriton – There is reference to the most current DEP stormwater manual. I agree to put some of these practices in there as guidance.

Mr. LaCortiglia- Would it be possible to make these as “notes” on the porous pavement drawings?

Tim Puriton –Suggests that the “notes” could go into §365-51 Pervious Pavement. You could add in the Porous Pavement Design Sketch. I recommend the pavement piece go after B-3.

Mr. Cracknell- Insert them after the first page of Sketch B. Then we will re-paginate them. The non-curbed roadway section will be first, porous pavement second.

Mr. LaCortiglia- I’d like to deal with the LID Amendments to the Subdivision Regulations tonight and deal with the non-LID Amendments on another night.

Mr. Comisky – The LID Amendments are part of a restoration effort. This is why Tim Puriton is here from Fish & Game. This is to help the Parker River Status and it is part of Fish & Game. The Planning Board has been very amendable to these changes and will help influence applicants when they see the new regulations.

Mr. LaCortiglia- Asks the Chairman and Board members to make any changes as they go down the list of amendments – otherwise, the track changes are to be deemed as acceptable. {Mr. Carter and Board members agree }

Mr. Puriton - §365-18: Contents of a Preliminary Plan. The infiltration plan or LID is best management practices. Drainage may be implied and may be useful to pull that out. This is part of a drainage piece in a preliminary plan.

Mr. Puriton continues down the list of proposed amendments.

Sec 365-20 (A) & (B): ok

Sec 365-24.3(b) & 3(e): ok

Sec. 365-34.C (9): Reference would be “As shown on Sketch B” which will be re-named.

Ms. Evangelista- Asks question regarding the curved vertical granite curbing and LID. (ie. to enable low impact development stormwater practices)

Mr. Cracknell- We are promoting LID. We are not going to be able to do LID sites everywhere with the soils not being suitable for all projects.

Mr. Comisky- You can lessen the road widths and lower lot sizes. If you don’t have the soils, there are things you can do.

Sec. 365-34.C (10) ok

Sec. 365-36 (A): ok, but change “reduce” to “narrowed” for street width.

Sec 365-36 (D): Mr. Cracknell agrees to consult with Fire Dept.

(E): “The minimum width of the right of way for streets shall be 50 ft. as shown in Sketch B.”

(F): Mr. Cracknell is in agreement as long as there is approval from Peter Durkee.

Mr. Puriton- This language is pretty flexible and you can consult your DPW Director.

Ms. Evangelista- Reads a statement encouraging LID and asks if it can be incorporated into the Regulations.

Mr. Cracknell- Perhaps it can be placed in Article 1 and agrees to review it further.

(F): Tim Puriton questions the 150 ft and asks for Nick to check with Dave Varga, engineer, and Peter Durkee, DPW Director.

(K): Mr. Puriton - Many of these are federal regulations. This would help raise the profile of these standards for wetland crossings. Steve P. in ConCom would be familiar with these standards and Con Com would regulate these standards.

Mr. LaCortiglia- What does this have to do with earth removal? {Refers to Sec. (K) regarding the Erosion Control Bylaw }

Mr. Cracknell- This bylaw refers to a profile plan relate to culverts and equalizers. He recommends putting the last sentence of the amendment in (K) at the end of the entire paragraph.

(L): ok

Sec. 365-37(C) – ok

Sec. 365-39.C(1): The Board makes change which is on file in planning office.

C(3)(a): ok

C(4): ok

Water Quality (A) 1: Board agrees to 50 year storm instead of 10 year storm.

Mr. Tim Puriton – This is under water quantity and you're trying to mitigate the most powerful storm events. I would like to defer to an engineer on this. Mr. Cracknell agrees to check with Dave Varga, town engineer or Larry Graham.

Sec. 365-44: Mr. Puriton adds comment to page 18 of proposed amendments under the *Water Quality* section and asks for Nick to defer to Dave Varga. He explains that there is no discussion in the regulations about removal rates.

Board has a discussion regarding loam and it's recommendation by Paul Lowenstein of it being 6" thick.

Mr. Puriton- I believe that 6" should be the minimum.

Mr. Cracknell- I believe it should be a settled 6" thick loam.

Mr. LaCortiglia- Motion to continue the Public hearing to February 23<sup>rd</sup> at 8pm.

Mr. Howard- Second  
All in favor? 4-0; Unam

Mr. LaCortiglia- Move to enter into Executive Session for the purpose of discussing litigation with the understanding that we will not be returning to Public Session.

Mr. Howard-Second  
All in favor? 4-0; Unam

Mr. LaCortiglia- Aye

Mr. Carter- Aye

Mr. Howard- Aye

Ms. Evangelista – Aye

**EXECUTIVE SESSION MINUTES  
GEORGETOWN PLANNING BOARD  
Memorial Town Hall – 3<sup>rd</sup> Floor  
Wednesday, February 9, 2011**

**Present:** Mr. Hugh Carter; Mr. Tim Howard; Mr. Harry LaCortiglia; Mr. Nicholas Cracknell, Town Planner; Ms. Michele Kottcamp – Asst.

**Absent:** Mr. Rich

Mr. LaCortiglia- Move to enter into Executive Session for the purpose of discussing litigation with the understanding that we will not be returning to Public Session.

Mr. Tim Howard- Second

All in favor? 4-0; Unam

Mr. LaCortiglia- Aye

Mr. Carter- Aye

Mr. Howard- Aye

Ms. Evangelista – Aye

**Executive Session: Chaplin Hills**

Mr. Cracknell- During the first meeting in January we needed to get formal action per the Board members. We instead got informal action. Our attorney, Kopelman & Paige, received a settlement offer. Our response was that the opinion from the Board was that we would take a settlement agreement if we use the original punchlist totaling \$209,000. We had also agreed to a performance schedule with milestones. I said that we would look at a settlement offer but we do not want to slow down the litigation process in any way.

Mr. Howard- Will they [SafeCo] be responsible for legal fees?

Mr. Cracknell- Yes

Mr. LaCortiglia- Have you heard from them?

Mr. Cracknell- Nothing yet.

Mr. LaCortiglia- Meeting adjourned at 10:38pm

Mr. Howard- Second



All in favor? 4-0; Unam