

GEORGETOWN PLANNING BOARD
Wednesday, July 13, 2011

Attendees: Harry LaCortiglia, Vice Chairman / Acting Chairman, Matilda Evangelista; Christopher Rich; Tim Howard, Nick Cracknell, Town Planner; Laura Repplier, Minutes

BOARD BUSINESS

Mr. LaCortiglia calls the meeting to order at 7:35 pm.

MINUTES

Mrs. Evangelista – I will abstain from the vote for the September 22 minutes as I wasn't present for that meeting.

MOTION to accept the minutes for Wednesday, September 22, 2010 subject to any changes, including the Executive Session minutes– Mr. Rich / Mr. Howard / 3 Aye, Mrs. Evangelista, Abstain

MOTION to accept the minutes of Wednesday, August 25, 2010, subject to change of Mr. LaCortiglia noted as Acting Chairman – Mr. Rich / Mr. Howard / Vote is unanimous.

Mrs. Evangelista – I would like an update on the official town map.

MOTION to accept the minutes for Wednesday, January 13, 2010 subject to any changes – Mr. Rich / Mr. Howard / Vote is unanimous.

VOUCHERS

MOTION to approve payment of vouchers for \$38, 662.86 including the release of amounts for Stone Row (\$34,524.83) and closing the account for 10 Pine Plain Road (\$4138.03) - Mr. Rich / Mr. Howard / Vote is unanimous.

CORRESPONDENCE

Mr. Cracknell – We have received a letter from the Town of Rowley regarding a site plan review for site plan approval for a new ice cream business.

Mr. Rich – Due to notice of the cancellation of the Affordable Housing Trust meeting (due to lack of quorum), I suggest their hearing be re-scheduled for our next meeting.

Mr. Cracknell – I will make sure they are added to that agenda.

HARRIS WAY

Mr. Cracknell – This street was accepted at Spring Town Meeting. We were authorized to accept the deed for the street at the next Board of Selectmen meeting. The street is finished, and the Form J has been signed. The planting of 7 trees is still outstanding. Mr. Confalones's preference is to do it after the site work has been completed. I will set up a new account as surety for the remaining trees to be planted. He will be back to see us to request full reduction of his tripartite agreement. He has offered a cash bond as surety for the tree planting.

MOTION to accept the cash bond for surety for 7 street trees at Harris Way - Mr. Howard / Mrs. Evangelista / Vote is unanimous.

Mr. LaCortiglia – Is that M account needed any longer?

Mr. Cracknell – We may need to inspect the trees after they are planted. I will look into that and make sure everything is done and the reports are completed.

Mr. Rich – We should let the public know that Mr Confalone has done everything he said he was going to do in a timely and quality manner. It was a pleasure dealing with him.

Mrs. Evangelista – I agree.

Mr. LaCortiglia – This is one of the first sub-divisions where payment to the Affordable Housing Trust were given readily and in a timely order. Mr. Cracknell came up with a formula that was equitable and fair.

Mr. Cracknell – I will ask Michelle Kottcamp to set up the account in the office, as a separate M account.

RAILROAD AVE

Mr. LaCortiglia – On breakdown, it looks like everything is done as all 11 items called out are complete. What is the \$1125 needed for? Outstanding items are not bulleted on the punchlist.

Mr. Cracknell – They still needs a Water shut off service at the sidewalk. It shouldn't take a lot of time. It should bbe complete at least by end of this or next week. There are also some cracks in the concrete sidewalk that need repair. They are minor, but as it is a public way we should start out in near perfect condition. Dave Vargas (Inspector) will be going back out to inspect the work. The -Account has \$1000, which will cover those items.

Mrs. Evangelista – Why don't they just finish it up? It is such a small amount. I think he shouldn't get the money until the work is finished.

Mr. Cracknell – These aren't new items, they are items that their contractor didn't complete so they need to finish it up.

Mr. Carter arrives at 7:49. Mr. Carter assumes meeting Chair.

MOTION to release the bond and reduce the surety by the amount of \$9,800, leaving a balance of \$1125.00. - Mr. Rich / Mr. Howard / Vote is 4 Ayes, Mr. Carter abstains.

CHAPLIN HILLS

Mr. Cracknell – The contractor, Artisan Development, started work at the end of last week. They are cleaning up the site with a street sweeper and power washer. The curbing was ajar and needed work. When they cleaned up, it showed that the majority of curbing was in a deteriorated state from sand and salt for 10-12 years. They didn't feel comfortable leaving it and just putting a top course on top of it. Dave Vargas (Inspector) only inspected it 2.5 years ago. A small portion of bedding needs to be replaced. I attended a site visit with Mr. Vargas and Artisan and inspected it all. At least 2,300 linear feet needs to be repaved. We have 63 street trees listed in the initial bid, estimated to cost the contractor \$375 each to plant. The contractor wasn't aware, but we were, that the neighbors didn't want street trees. They have landscaped on their own and like it the way it. So we swapped some trees for new concrete. The priority is to construct the road properly. We don't want to be dealing with it again in 2-3 years. I e-mailed the neighborhood representative with attachments. I included the definitive sub-division plans, but they are very vague. The cost of the new paving equals about 42 trees. The technical recommendation, from myself, Artisan and Mr. Vargas, was to swap out 42 trees for re-paving. This seems to be in accordance with the original bond agreement and the original scope of work. I have heard back from 6 or 7 of 8 current / occupying owners. Therefore, it is nearly unanimous that they want the road to be the priority, and want to swap the 42 trees for paving. I want to ask the Board to ask Artisan to use the 42 trees to complete the concrete bedding for the entire street.

Mr. Carter – Why were there 64 trees originally?

Mr. Cracknell – It was worked out on the basis of the length of the street. The lots have been landscaped in the meantime. It is like a golf course, with very open aspect.

Mr. Carter – I am not in favor of sub-divisions without trees.

Mr. Cracknell – There are dozens of trees on lots outside of the forested area and there are still 21 trees left to plant. I suggested the contractor provide residents with stakes to show where they want the trees be planted. It would normally be along the front lot line, but there are many space conflicts as the plans don't show where they should be planted – there are no trees on plan. And, all the utilities have been buried where trees are normally planted. So these trees don't fit where they would normally go. It is unanimous concurrence amongst the technicians that the road bed has to be repaired. We will work out where the trees can / should go. The road won't hold up if we don't replace the bedding.

Mr. Howard – Have they jack-hammered the original road bed?

Mr. Cracknell – Yes, the Artisan has already done 1000 linear feet at their own cost. It looks excellent and didn't disturb the curbing.

Mr. Carter – Is there no news from the bond company?

Mr. Rich – The spirit of settlement agreement was to a sum certain agreement.

Mr. LaCortiglia – I am fully in favor of swapping trees for work that has to be done. How do we specify it to Artisan so is very clear? I would like to see it clearly in a letter of agreement. Also, in the agreement we signed with SafeCo, it says that we will be in receipt of a bulleted punchlist to show what has been done. One of those items is the installation of those trees. I don't want to run into trouble with that line item when it comes time to get payment from SafeCo.

Mr. Rich – If it is an issue with SafeCo we would have substantial grounds, as it is a latent defect - when we got there the defect appeared. It wasn't there until work had been started. As long as it is in the monetary agreement, all homeowners sign off on the tree reduction, and we consider it to be a minor modification without fee, it can go forward that way. This will go to SafeCo to inform them that this is being done. No more money is being committed. We are making the decision as a win-win situation. This will facilitate the whole progress.

Mr. Cracknell – A sum certain argument is the only one we can go with. We are sending a clear letter to SafeCo and Artisan.

Mr. Carter – And we don't want to incur any more legal fees.

MOTION to treat the request as a minor modification without fee, and approve a reduction of +- 42 trees in lieu of removal and replacement of 2300 linear feet of concrete bedding. Mr. Cracknell will draft a letter to Artisan and ask them to sign off their agreement – Mr. Rich / Mr. LaCortiglia / Vote is unanimous.

MOTION to adjourn at 8:24 – Mr. Howard / Mr. Rich / Vote is unanimous.