

**MEETING MINUTES
GEORGETOWN PLANNING BOARD
Wednesday, October 14, 2009
7:00 p.m.**

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

Absent: Mr. Chris Rich

Board Business 7:00 p.m.

Minutes – July 22, 2009; September 23, 2009

Mr. LaCortiglia- Motion to approve July 22, 2009 meeting minutes with corrections.

Mr. Howard - Second

All in favor? 4-0; Unam (Mr. Rich absent)

Ms. Evangelista- Motion to accept September 23, 2009 meeting minutes with corrections

Mr. LaCortiglia- Second

All in favor? 4-0; Unam (Mr. Rich absent)

Vouchers –

Mr. LaCortiglia- Motion to approve the vouchers totaling \$190.

Mr. Howard -Second

All in favor? 4-0; Unam (Mr. Rich absent)

Other Business –

Chaplin Hills Update – HOA/Punch List Discussion

(Several residents of Chaplin Hills are present)

Mr. Cracknell received the proposed scope of work for Chaplin Hills from the Bondholder, Bond Safeguard – This document which contains 20 items is on file in the planning office. The proposed punch list from Dave Varga in response to Paul Gardner’s letter has a total *opinion of engineering and construction cost* of \$176,868.81 and is on file in the Planning office.

Mr. Cracknell- Paul Gardner from SafeCo did a site visit a couple weeks ago. It took several months to hear back from Jeremy Sentmen who also visited the site a few months ago. We received a check in July for \$4,000 to hire Dave Varga and produce a punch

list/site inspection report. His original estimate was \$206,000 - \$209,000 I believe. This would allow the Planning Board to bring the road to town meeting for street acceptance. Dave's proposal was sent to Jeremy for his review. Paul Gardner stepped in for Jeremy and came out to do the site inspection and reviewed Dave's report. I received this afternoon a punch list with proposal dated October 14, 2009 from Paul Gardner. This document is intended to capture the intended scope of work. The bus shelter is not on this list. It is on the plan but was not on the original punch list done by Larry Graham. In response, Dave reviewed Bond Safeguard's proposal and produced a revised punch list and associated a cost to all the items on Paul Gardner's proposed scope of work list. All the Board needs to focus on is the bus shelter and street trees. There was a condition in the Decision referring to the number of street trees. There was no landscape plan done. Mr. Gardner is proposing 63 trees and no shelter since it was left off the original punch list. He did not include anything for inspection services. Dave's cost is \$7,000 and this is not on Paul Gardner's list. The Board needs to make a decision on the following:

1. Keep or remove bus shelter
2. Street Trees – 63 is proposed by Bond Safeguard. Dave Varga recommends 70 based on the Decision requirements.
3. Street Bounds – Dave recommends 16.
4. Drainage Basin/covers on catch basins – Dave recommends 8.
5. As-Built Plan & Street Acceptance Plan/Survey – recommended by Dave
6. Inspection Services – Dave recommends \$7,000 as the cost and this is not on Paul Gardner's list.
7. Street Lights – Three are on the plan; four are in the field and one is missing on the cul-de-sac. There should be five total light fixtures. Dave recommends the Board not deal with this item as it should be a town expense.

Mr. Carter- We need the road paved and get the bondholder to start the work. If we hold things up in negotiations back and forth, the road won't get paved this fall.

Mr. Cracknell- I would recommend what Dave is suggesting in his punch list. I am encouraged after receiving this list. I am interested in hearing from the neighborhood.

Joe Molis, resident of Chaplin Hills- We are fine with the bus shelter being taken off the list. Regarding the street trees – the neighbors would prefer to line the trees in the front of the entrance. We are okay with a quantity of 63 trees. I would like to get a street light at the end of the cul-de-sac if there is a conduit there hidden in the ground.

Mr. Cracknell- [To Mr. Molis] Could you confirm if there is a buried conduit at the cul-de-sac and the cost of a street light?

Mr. Roger LaPointe, Chaplin Hills resident- I saw the area of the location of the conduit with Mr. Faragi (previous owner) when we walked the property.

Mr. Cracknell- You could ask for a waiver to get that light fixture there if you check on the cost. The Board should consider adding that to Dave's list and if there is a conduit there, install the light fixture in exchange for the bus shelter. We just need clarification on the conduit which will help speed up the process in a settlement agreement with Bond Safeguard.

Mr. LaCortiglia- The most important thing to look at is to review their offer and get everything approved to get the road complete by the winter. If it is likely not going to happen this fall, perhaps we sit back and take our time reviewing the punch list.

Mr. Cracknell- In our counter offer I suggest you take Dave Varga's modified scope and consider adding the fifth light. The procurement process will slow down the process. Dave will not have that roadway done if it is not done right so it may not be paved this fall.

Mr. Joe Molis- Shouldn't we try to get a settlement agreement as quick as possible? If the paving is done next spring, that is ok. We just need the settlement agreement now. We don't want them to walk away from settling with the Town.

Mr. Cracknell - Let's do our own homework for an additional street light. We can request to remove the extra street trees (accept 63 as opposed to 70) and go with the light instead.

Mr. Howard- Motion to accept Dave Varga's scope of work as titled Chaplin Hills- revised per Paul Gardner items numbered 1-25 and dated 10/14/09 with a total opinion of engineering and construction cost of \$176,868.81.

Ms. Evangelista- Second

All in favor? 4-0; Unam (Mr. Rich absent)

{The residents of the Chaplin Hills neighborhood are in agreement with Dave Varga's scope of work estimate.}

Mr. Dave Masse (resident of Chaplin Hills) - Would the town consider excavating the leaves if the paving is not done this winter?

Mr. Cracknell- Talk with Peter Durkee. It is also on the Scope of Work list to be done.

Parker River Landing Update – Mitigation Measures

Mr. Ed DesJardins- Mr. Cracknell has sent numerous emails to National Grid with no response and we are grateful for all his assistance.

Mr. Cracknell- Regarding the removal of the 61 concrete blocks located on abutting town property to the National Grid corridor (Railbed)- the agreement in December was to have Pulte to go out and get an access agreement from National Grid to cross the tracks and remove the blocks from National Grid's property. The Con Com had rendered a decision to have the blocks removed. It was not in the original punch list. The Board has included the removal of the blocks in the surety. A letter was written to Mark Mastrianni of Pulte on December 8 of last year.

Ms. Evangelista- Are you concerned about the blocks?

Mr. DesJardins- Yes, we were told they would be removed.

Mr. Cracknell- It was Pulte's responsibility to remove the blocks. However, our December 8 letter also stated that if Pulte could not get a license agreement from National Grid within 6 months, the Board would consider a cash payment ~~for~~ the Town to remove the blocks if and when the Town gets an agreement from National Grid. Pulte would be required to do all the work. I propose we do that. We provided detailed drawings to outline the scope of work per the December decision. They were sent to National Grid. In their response, National Grid wanted much more out of Pulte than giving them a license agreement. March 26th of this Spring- Pulte stated that would install the pipe. They have not heard anything back from National Grid. If Pulte is willing to provide a cash payment to the town to remove the blocks, then that is what we should do. The Town will be in a better position to get access. Mark asked for my assistance and I recommended that Pulte consider paying for the design permitting and the construction of a concrete pipe in that drainage swale in the berm and back fill the berms to allow trucks to drive over and get to their utility lines. The berm has to disappear to make the Rail Trail work.

Mr. Cracknell- What legal basis does National Grid have that they are standing between Pulte and the town? National Grid is not going to be able to put a box culvert in. I want Pulte to pay the town the cash payment to have the town remove the blocks. National Grid may feel they have leverage because they are holding Pulte back from leaving this project. Pulte has no obligation to National Grid to do anything.

Mr. DesJardins- If Nick can get Pulte to pay the Town and get Pulte out of the loop, it would be more effective.

Ms. Evangelista- I think we should get the money and cash in the whole bond. Where is the access to conservation land?

Mr. Cracknell- We could sit on our hands here but something has to be done.

Mr. DesJardins- If Pulte can do their work, pay the town to remove the blocks then they are done.

Mr. Howard- To me it is not about the blocks; it is about the culvert that National Grid wants. It is still not resolved out there. Pulte has \$200,000 of their credit tied up in this so they won't stay there forever.

Mr. LaCortiglia- National Grid probably wants a large box culvert there to move big trucks.

Ms. Evangelista- I walked it today and the way it is now, it is not flooded out there. There was about 3' of water.

Mr. Cracknell- Instead of taking money to remove the 61 blocks, we should take the money for the same culvert that Pulte is proposing. We have to assume we have to dispose of the blocks. We need to figure out what the concrete culvert needs to be and the cost of the pipe. You get a \$40,000 payment from Pulte and you wait to see what happens. We want a scope of work with an estimate.

{Mr. Ed DesJardins says this is a reasonable solution}

Mr. Howard-This way Pulte will pay for it.

Mr. LaCortiglia- An H-20 load bearing culvert is what they want.

Mr. Cracknell- Larry Graham will review Pulte's cost estimates from December for the removal of the blocks and will generate a reasonable solution. We will use Larry Graham to do the Scope of Work and generate an estimate of costs to remove the blocks and install an H-20 culvert. We will need to check the Pulte account. Larry's services will need to be paid by Pulte. Larry will review their cost estimates and put a contingency on it.

Mr. Howard- So Moved

Mr. Cracknell- I will request in a letter to Mark from Pulte to use M-account to have H.L. Graham provide an estimate to remove the blocks and present to the Planning Board. The letter will further state that no response within 2 weeks will mean acceptance to move forward with Larry Graham's scope of work.

Ms. Evangelista- Second
All in favor? 4-0; Unam (Mr. Rich absent)

Correspondence –

Georgetown Shopping Center New Sign Design – Discussion

Lisco Development wants to replace the old Georgetown Shopping Center sign with this new sign. It needs to be 15' from the street line/curb line. They will move it back 2 more feet. A tree will be removed in order to see the sign. Linda Meiggs, property manager, wants to remove 2 trees instead. I suggested the planting of crab trees on the other side but it is not the property of Lisco. However, the Post Office owner does not want plantings from Lisco put on his property. Peter Durkee is willing to do the plantings there at the town's expense. Lisco Development is willing to pay for the plantings and let the town do the planting if Peter gets approval from the property owner of the post office. Linda Meiggs of Lisco will be providing us with an estimate.

Mr. Howard- Motion to approve the minor modification to the sight plan approval of the drawing dated 9/27/09 and presented at the Planning Board meeting on 10/14/09.

Mr. LaCortiglia- Second

All in favor? 4-0; Unam (Mr. Rich absent)

Discussion?

Mr. LaCortiglia- Will there be a sight line at the stop sign as shown on the plan?

Mr. Cracknell- Yes, the shrubs are 18" tall so the sign will be seen. The old sign is coming down. If the Post Office owner does not want the planting, they will be relocated.

Cont. Public Hearing(s):

Pondview Estates-Continued to 10/28/09

Mr, LaCortiglia- ~~Motion to o~~Open ~~the continuation of thes~~ public hearing for Pondview Estates.

Mr, Howard- Second

All in favor? 4-0; Unam (Mr. Rich absent)

Mr. Cracknell- They have re-run all the drainage calculations. They didn't feel comfortable coming in on short notice to give an update. They prefer to come in on October 28th.

Mr. LaCortiglia- Motion to continue the public hearing for Pondview Estates to Oct. 28, 2009.

Mr. Howard- Second

All in favor? 4-0; Unam (Mr. Rich absent)

Recreational Fields Update – Draft Amendments Discussion

No discussion

Whispering Pines Update – Street Acceptance

Mr. Cracknell- Sage Road, Raymond Road and Pineneedle Lane will be going to the Board of Selectmen for fall Town meeting acceptance. Street acceptance plans will be prepared. The three streets are being reviewed by Dave Varga and he will recommend an amount of money to be released from the total surety. As built plans will be ready by Friday.

Blueberry Lane Update – Street Acceptance

Mr. Cracknell- They will be coming in with a Form J at the next meeting. Blueberry Lane will be ready for street acceptance at fall Town meeting. It’s a covenant with 3 lots. The applicant will be requesting the release of two lots in the Form J.

Harris Way Update – Affordable Housing Agreement

Mr. Cracknell- The Board of Selectmen selected 5 people to the Affordable Housing Trustees. A warrant article to transfer the funds will have to happen at fall Town meeting. Nancy McCann, attorney for Peter Confalone of Harris Way, made one minor amendment to the original agreement. I suggested they execute the agreement before the Planning Board signs it. The Trustees have asked me to attend their meeting on 10/21 to discuss our Littles Hill affordable housing accounts that might be transferred at Town meeting.

Mr. LaCortiglia- There should be \$350,000 in CPA accounts ~~to that can be immediately~~ ~~be~~-transferred to the Affordable Housing Trust.

43D Discussion:

Mr. Cracknell refers to a one page scope of work letter from MVPC to assist us Planning with 43D.

Mr. Cracknell- We were encouraged by Mass Development to request technical assistance from MVPC. The state provides regional planning commissions money every year to provide technical assistance within their regions through their own staff locally. Tillie and I inquired that they would pay us cash in matching funds for technical assistance funds. (Memo from MVPC on file in planning office). The time period runs from January 1, 2010 – December 31, 2011 (2 years).

The Board of Selectmen has to make a ~~judgement~~judgment call Monday night if they see this as a match, then it will not have to go back to Town Meeting.

Mr. Carter- This gives us access to the matching funds (\$23,250) that was approved at Town meeting.

Mr. Cracknell- Maybe it would be helpful for the Board to make a motion to the Board of Selectmen meeting on Monday that Mr. Carter can sign. I will present it at the Board of Selectmen meeting.

Mr. LaCortiglia- Motion to acknowledge the proposed scope of services as a match to the \$23,250 to be used to establish the expedited permitting process for the 43D program.

Ms. Evangelista- Second

All in favor? 4-0; Unam (Mr. Rich absent)

Mr. Howard - Motion to adjourn

Ms. Evangelista- Second

All in favor? 4-0; Unam (Mr. Rich absent)

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