

Meeting Minutes
Georgetown Planning Board
Wednesday, May 27, 2009
7:00 p. m.

Present: Mr. Harry LaCortiglia; Mr. Tim Howard; Mr. Christopher Rich; Ms. Matilda Evangelista; Mr. Nicholas Cracknell, Town Planner; Ms. Carol Fitzpatrick, Minutes Recorder

Absent: Mr. Hugh Carter

Minutes: February 25, 2009

Approval of the minutes postponed to the next meeting.

Vouchers:

Mr. Rich: I make a motion to pay the vouchers in the amount of \$2497.00

Ms. Evangelista: Second

All in favor; 4-0; Unam

Mr. Cracknell: I would like to talk about the printing estimates for the Zoning Bylaws. The total cost is \$818.00. What we have now are not up to date. I would like to print 25 of each of the Subdivision Regulations when we get the fees and the forms done, and the Zoning Bylaws and the Zoning Maps. I would like to have this done under this fiscal year budget. We have to make what we sell is accurate and up-to-date. I would like to work with MVPC on updating the Zoning Map and come to the next meeting with that.

Also, I was just downstairs at the Affordable Housing meeting they had a quorum of five people. The payment in leu did not pan out at the DHCD. I would like to walk the Task Force through the 40R because I believe that some of them were not tuned in to our presentations to the Board of Selectmen.

Mr. Rich: I make a motion to authorize Nick Cracknell to print 25 copies each of the Subdivision Regulations, Master Plan, Zoning Bylaws, and the Zoning Map not to exceed the cost of \$900.00.

Mr. Howard: Second

All in favor; 4-0; Unam

Mr. Cracknell: I would like to talk to Gerard and the MVPC and get an estimate from him on how to better interface the GIS with the Pictometry so that it is more useable to other people in the building. There is also permit-tracking software available for the 43D program once we have it in place.

Ms. Evangelista: There is money in the MVPC budget for this kind of thing. Back to the Affordable Housing discussion, they have to know that there has to be some small change for us to bring it back in two years. Are we going to discuss your and our ideas?

Mr. Cracknell: My goal is to explain to them why we want to do the 40R, the benefits and weaknesses. There will be many more meetings with the Task Force in the future. The Affordable Housing portion is something that we get in the trappings but it is not the most important part.

Mr. Rich: Can we let them know in advance a few bullets of information from the 40R plan and what the options are? We need to have a system that generates a notice to the involved parties.

Mr. Cracknell: We don't want to take over the job of administering their funds.

Mr. LaCortiglia: We need to clarify who is responsible for what.

Ms. Evangelista: There is often a lack of understanding and confusion and we need to remove that.

Mr. LaCortiglia: As far as the 43D match with MVPC, you are going to try to get some numbers back to us?

Mr. Cracknell: I will get something in your packets. That will be an agenda item for the next meeting. Back to the Affordable Housing Task Force, they are well aware of the declaration of trust document. A few of the new members wanted to know what it meant.

Mr. Rich: The Affordable Housing Task Force will be the operational and the administrative end. The Trustees will control the money. The Trust is the legal vehicle from which everything operates. It has to be a legal entity. You can set up an escrow account in the name of the Trust so that we have a place to put the money in trust for the Trust.

Mr. Cracknell: We need to figure this out collectively with the Board of Selectman because we are sitting on several pots of money.

Correspondence - Stone Row-recorded Final Covenant

Mr. Cracknell: There is no action required at this time. We haven't received recorded copies. There was no date on the signatures from the Planning Board and no sign off from the town clerk. I had to put the dates on it. It is not a requirement that we get the recorded plans until they come in and decide to proceed with construction. Everything has been completed by both sides.

Ms. Evangelista: We need more training on how this is supposed to happen.

Mr. Rich: They don't get to do anything until it is recorded.

Sign Whispering Pines Subdivision Modification Approval & FORM J Approval - Mr. Thomas O'Connell, Developer

Mr. LaCortiglia – We will start with the Subdivision Modification Approval (signs Decision). That was a 4-0 vote (Chris Rich absent last week and will not sign). This was for the modification of the treeline.

Now we will sign a partial release of surety.

Ms. Evangelista – What are we paying Dave Varga \$952 since it says “inspected by others.” Does this mean that the repairs are okay or outstanding?

Mr. LaCortiglia: The repairs are outstanding. Dave went by Millenium's inspection. They were approved at the time. The amounts match up.

Mr. Cracknell: I can give him a call and check on it.

Mr. O'Connell – This was prior to Dave Varga getting involved in the project. Dave inspected the punch list that was associated with the tripartite agreement. All the driveways are done except for the 5 lots. They will be done when the houses are completed. The trees have been planted. All that is needed to be done is the paving (\$60,000). The latest Pine Needle will be done is end of October. Dave Varga has been out there several times and has also written up the report. His fee is justified.

Mr. LaCortiglia: What Dave Varga, the inspecting engineer, is telling us is that he has inspected this and he believes that it is safe to release the surety.

Mr. LaCortiglia: I make a motion to release from the surety, \$94,825.56, from the Whispering Pines Subdivision surety.

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

The Board authorizes, 4-0, unanimous consent, to have the Vice Chairman Harry LaCortiglia to sign Form J for partial surety release for the Whispering Pines Subdivision.

Mr. Rich: Mr. O'Connell donated trees to the town and the highway surveyor is planting the trees around town where others have died. Thank you very much for that.

Deer Run- Form J signature by Chairman -

Mr. Cracknell: This was already voted for release by the Board at the last meeting. The release was subject to getting a copy of the recorded covenants. The Bank attorney Harris was with the applicant 2 meetings ago when we were trying to get this finished. We also needed to have all of the signatures on the Form J before asking the Chairman to sign it. At the time, we didn't notice Steve Pryzjemski, the ConComm agent, did not sign at the time and has since signed. We have the Water and Light signatures and now have everything we need.

Mr. LaCortiglia: The Board authorizes, 4-0, with unanimous consent, to have the Vice Chairman, Harry LaCortiglia sign the Form J for the Deer Run Subdivision. Mr. LaCortiglia signs the Form J. A release of \$42,000 was voted.

Other Business -

Harris Way Affordable Housing

Mr. Cracknell: Peter Confalone, the developer, is not here and in fairness to him not being here, I don't

want to get too much into it. He came into the office and met with me regarding the latest version of the Housing Balance Bylaw and how it might relate to Harris Way. Exhibit 5 is the letter from the Attorney McCann and on the back of the letter, the 3 conditions relating to the Affordable Housing component of Harris Way. In 2003, there were 9 market rate lots and one Affordable Housing lot, Lot 10. B3 is where we are now. If they are going to have another option of where to change and put the affordable lot in, the time is now. In this case, we have a much better formula that is much more equitable. I recommended that he look at an “in leu” payment scenario, to apply that formula to the remaining 7 lots. We should use the same mechanism as Little's Hill. The town stands to receive \$240,000-280,000 when this project is done.

Mr. LaCortiglia: Can you explain this for me?

Mr. Rich: First in time, first in place. The town would be in first position, before the Bank.

Ms. Evangelista: Isn't it more simple to have the house right there. This is too cumbersome.

Mr. LaCortiglia: We stand at the window before the Bank. I like this because of the pragmatic nature. I like the fact that we get a check for \$87,000 from the start.

Ms. Evangelista: This is probably why the state removed that section of the 40R. There are so many pitfalls. Why can't the developers just build the unit on site.

Mr. LaCortiglia: If this was 2003, I would say get the affordable unit built early before you release the remaining lots. How we make it all happen is in the details. There is no timeline saying when he has to finish it.

Mr. Rich: I want to see a default clause. We are in control because we can foreclose. We are a proactive board and we are setting up systems so that any future board can operate with consistency.

Mr. LaCortiglia: I agree with the concept. How do we proceed with this?

Mr. Cracknell: I think we need to have Peter in here to discuss his proposal.

Mr. Rich: Maybe they can bring in a sample mortgage with a default clause built in.

Chaplin Hills Update -

Mr. Cracknell: We had a site inspection last Wednesday with Jeremy Sentman, an engineer, working for the Bondholder out of IL. We have a bond of 2.5 times which is more than sufficient for this project. They are estimating that the construction costs are back to 2003 costs (\$90,000). Our expectation is that Jeremy has gone back to the bondholder; he is going to prepare a report based on his inspection. The report will have a request for funding of Dave Varga's subsequent inspections through the M-Account. We will have a contractor complete this roadway this summer. We will have the bidding done by 5 local contractors. It is our expectation that they can start this project in early to mid-July, complete by the end of the summer, plant the trees in September and close this thing out in October. The street lights are not well defined on the plan. The curbing is out of alignment and will be fixed. There will be 75 trees planted of 5 species and 2.5” caliper. The action item is that we need to give the Bondholder

the species of the trees to be planted. I would suggest that the Board use the same tree species list that we have here.

Ms. Evangelista: I would suggest that we put in shorter trees in the cul-de-sac so the people in the development can take advantage of the view.

Mr. Rich: I make a motion to approve Exhibit 6 Tree Species list for Chaplin Hills Subdivision.

Ms. Evangelista: Second

All in favor? 4-0; Unam

Rosemarie Street Acceptance – Update

Mr. Cracknell: Michele ran into Rich Williams of Hays Engineering who ran into someone at the firm that worked on the original project. He found the as-built plans of the 3 streets and gave them to Michele the other day. The applicant is now deceased. Now that we have as-built plans, we can take them to town meeting once we get all of the sign offs and proceed with preparing the deed. I need to confirm this with Jonathan. I don't think we will need Dave Varga to do an inspection. We can have Peter Durkee do it. We need to confirm that we can use some of the M-Account funds to complete the project and prepare a deed.

Also, I would like to highlight what will be on the next agenda. The Tollman property is a Form A, a CPC property (Map 10, Lot 4), and will be on the agenda. We will sign the ANR at the next meeting. It is landlocked and undevelopable. Jonathan Eichman should review the property. We have somebody interested in an alternate position on the board. Also, take a look at the Subdivision Regulations. I also got a handwritten letter from Jon Pingree and the GAA regarding the ambiguity of the active recreation field bylaws. The question is: How do you permit these? The question is also how much will it cost to find out what we can do with the land. We can find this out through our attorneys. They want to create a zoning amendment and put it forth to the fall town meeting that says that GAA can build fields on any parcel of land "as a right". Let's take a look at the code so we avoid the next Stone Row.

Mr. LaCortiglia: The Park and Recreation will use a portion of this lot for parking once they get in through the church lot. This leads to the 40 acres of land known as the Bussing property. This lot was recorded at the Registry of Deeds yesterday. The CPC will eat the cost of the legal fees for Jonathan Eichman to search the land.

James DiMento, Chairman of the Park and Recreation, arrives and presents the Tollman property plan and drawings and the history of how the town came to purchase the property. 70% of the land is wet. The parcel is 14 acres. The town paid \$50,000. It is more like a park that will have trails.

Mr. Rich: I make a motion to adjourn the meeting at 9:30 pm.

Mr. Howard: Second

All in favor: 4-0; Unam

