

GEORGETOWN PLANNING BOARD MEETING
Wednesday, January 9, 2008
7:00 p.m.

Present: Mr. Rob Hoover, Chairman; Mr. Tim Howard; Mr. Harry LaCortiglia; Mr. Hugh Carter (from 7:20 p.m.); Ms. Matilda Evangelista; Mr. Larry Graham, Consulting Engineer; Ms. Sarah Buck, Town Planner; Ms. Melanie Buck – Recorder

Absent: none

Mr. Hoover opens the session at 7:10 pm.

Board Business

Minutes

Mr. LaCortiglia moves to approve the December 19, 2007 minutes with corrections made as well as the Executive Session minutes as drafted.

Mr. Howard seconds the minutes.

4-0-1 (absent)

Mr. LaCortiglia moves to approve payment for Melanie Buck's services tonight.

Mr. Howard seconds the motion.

4-0-1 (absent)

Mr. Carter arrives at 7:20pm.

Town Planner Position

Ms. Buck notifies the Board that she will be leaving her position as Planner in two weeks.

Mr. Howard moves to allow Steve Delaney to advertise for a new Town Planner with the amendment added to the job description if required.

Mr. LaCortiglia seconds the motion.

5-0-0

Ms. Evangelista wonders if Town Hall should be open more to be more available for residents and the Board. She asks whether or not the Planner position should be a thirty hour position to allow that.

The Board agrees that it should be presented to the Finance Board.

Mr. LaCortiglia doesn't want to mention hours in the advertisement at all, but it is agreed that the decision will be left up to Steve Delaney.

Draft Budget

Mr. Hoover requests that Ms. Buck find out when the Budget is due to FinCom so that the Board knows when they have to start talking about the Budget.

Lot Width Zoning Amendment

Ms. Buck says that she brings it to the Board to ask if someone would like to go to the Selectmen and present the amendment. There has already been a town meeting, but it needs to be redone. It has to be advertised again as well.

Mr. Hoover asks if there were specific questions that resulted in the amendment being removed from the warrant by the Selectmen.

Ms. Buck states that she does not recall a specific issue. Ms. Buck and Mr. Howard remind him that there was a meeting where a representative from the Zoning Board of Appeals came to a Planning Board Meeting and the questions were answered and resolved.

Ms. Buck suggests that the Board invite a member of the ZBA to the next Planning Board meeting.

Mr. Hoover would like to ask John Bonnazoli what his specific issue with the amendment was, so that his concerns can be addressed before the Town Meeting.

Ms. Buck's question was whether the Board would like to pursue the Lot Width Zoning Amendment by reaching out to the Selectmen either by going to a meeting or writing a letter or making a presentation.

Mr. Hoover asks if anyone on the Board is willing to push the amendment through. No one is. Mr. Hoover says that he would vote to move it along but he just doesn't see it happening since no one has time.

Rules and Regulations for Impact Statements

Ms. Buck says that a woman came in who was in the conceptual stages of planning on making a pharmacy and a bank drive-through near the entrance to town. They are going to ZBA first since they need to establish a new variance. She asked how it would be best to bring it to the Planning Board. Ms. Buck told her that it would be good to bring it just in the conceptual stages.

Ms. Evangelista says that ZBA stopped all work on the project until they pay the unpaid \$14,000 in back taxes on the property.

Ms. Buck brought this up to remind the board that there is no clarification on impact statements. Ms. Buck has adapted the Rules and Regulations for Impact Statements from Greenfield for Georgetown, and they are currently presented as a chapter within the Subdivision Regulations. Since this draft however, Ms. Buck checked with Greenfield and found they put this chapter directly into the Town Code so that it can be referenced for either zoning applications (like Special Permits) or for subdivision applications.

Mr. Hoover questions, with the Board signing off on this, who they will have for advice on this. Mr. Hoover thinks they need to wait until the new Town Planner figures things out.

Correspondence

Merrimack Training Session

Ms. Buck notifies the Board that Merrimack is having a training session for town Board members.

Ms. Evangelista and Mr. LaCortiglia are both interested.

Faragi letter

Ms. Buck reminds the Board about their history with Faragi. The letter demonstrates that Faragi now wants the Board to advise him on what development team he should choose.

Mr. Hoover says that the Board would get in trouble commenting. He suggests that Ms. Buck kindly respond saying that it is his decision how to structure his development.

Vouchers

Mr. Howard moves to approve the vouchers submitted on January 9, 2008 for \$503.

Mr. Carter seconds the motion.

5-0-0

Other Business

Ms. Evangelista presents a letter displaying a FEMA map change that she received. The Board decides that a copy should be sent to the Building Inspector.

Continued Public Hearings

Stone Row

Cindy Theriot, the engineer from Beals Associates, explains the map. The proposal is a common driveway then three separate driveways that lead to the three separate homes. Each lot will have its own conservation area. There are vegetated easements abutting lot thirteen and lot twelve.

George Agganis says that they have been working with the neighbors the whole time and addressing the issues and concerns. There is only one issue that they just realized tonight that they have not addressed the bounds for the conservation area. There is a small awkward triangle that is not shaded. Besides that one issue he thinks they've done everything.

Tim Rue (8 Stone Row Lane) had all the neighbors sign off stating that they supported the development. Twelve of the fourteen residents of Stone Row Lane have signed in support. One resident is not in town. The last resident is present at the meeting and agrees to the concept but with conditions. Mr. Rue believes that the neighbors are mainly in agreement with the developers based on the covenants that they have developed together including things such as acceptable uses of the land, and the architecture.

T.J. Conte clarifies that it is not a discussion between the developers and the neighbors. They decide what they want to insist on, and the developers agree to it.

Mr. Rue is unsure about the CR [Conservation Restriction] zone and what that means. He wants to make sure that it means that the land cannot be developed on.

George Agganis and T.J. Conte say that they plan for that area to be completely untouchable. It is a protected area.

Mr. LaCortiglia asks who holds the CR.

The developers clarify that the Conservation Commission holds the CR.

Carol Malstead says that her understanding that the owners of the three lots will be in charge of the CR.

Mr. Agganis says that the owners are bound by the CR agreement.

Ms. Malstead says that she wants to make sure that the "no cut" area should be added to the plans that are submitted to the Board.

Mr. Hoover says that it's possible that both the Conservation Commission and the homeowners could be in charge of the CR.

Mr. Rue wonders who owns the Paper Road.

Ms. Buck says that typically it would be owned by the three homeowners who share the driveway.

Mr. Agganis says that their attorney says that it becomes a common area between the three lots.

Mr. LaCortiglia talks about the basin and how easy it would be to clean it.

Ms. Buck says that the town has an easement.

Ms. Malstead thinks that the landscape plan proposed should be a little more robust. She would like to increase the size of the trees and replace what they are cutting down.

Mr. Agganis says that they moved their road in order to avoid cutting a lot down.

Mr. Hoover says that if there are any buffering issues, the best option is an eight-foot evergreen tree.

Mr. Agganis would like to work that out when they are at a later stage.

Mr. Graham thinks that once the applicant has addressed all of his issues laid out in his January 4, 2008 review, the plan is fine.

Mr. LaCortiglia asks if there's a problem with the fifteen-foot buffer zone.

Mr. Graham recalls that he suggested fifty feet but it was mentioned at the last meeting that it shouldn't be quite so wide. However, fifteen feet is a little small.

The applicants agree that it could be increased through discussions with the neighbors.

Mr. LaCortiglia is concerned about the detention basin design. He wants to know if it is going to be the way it should be.

Mr. Graham explains that it is basically fine.

Mr. LaCortiglia doesn't like so much riprap. He thinks it's not aesthetically pleasing. He prefers loam and seed.

Mr. Graham thinks the rip rap is currently graphically overstated. In the detail it is only 4' wide which would be sufficient. He prefers riprap to loam and seed.

Mr. Hoover is more concerned with erosion than aesthetics. He suggests that if Mr. Graham can find a compromise that would be good, but if not, then report back to the Board and say that the aesthetics can't be improved without increasing erosion potential.

Mr. LaCortiglia wants to know if the detention basin can be planted as a wet bottom basin.

Mr. Graham says that he will look into it, but he doesn't think the water table will support that.

Mr. Howard says that whatever is growing in the basin might flow into the wetlands.

Ms. Evangelista asks if Mr. Graham is expecting erosion.

Mr. Graham says that he isn't, but there is a steep slope so he prefers the rip rap.

Mr. LaCortiglia doesn't care if it is a CR instead of being protected Conservation land. He thinks it's the same.

Mr. Howard asks how the CR areas are going to be monumented.

Mr. Agganis says that they are planning to treat it aesthetically. They want to place natural rock boulders to create the boundary. It would be similar to an old New England stone wall.

Mr. Hoover likes the idea.

Mr. Howard asks at what intervals the rocks would be placed.

Mr. Hoover asks the applicants to put the locations of the stones on the maps that will be submitted to the Board.

Mr. Agganis says that they are going to make it visible enough to be very noticeable.

Ms. Buck says that other boundaries say "Conservation Commission" on them so that it is clear what they mean. This might be a good idea for this case. She also says that normally the frequency of the boundaries is usually left up to the Conservation Commission.

The applicant agrees to put plaques. Mr. Agganis says that their goal is to protect the area from "no cut, no build."

Mr. Hoover asks Mr. LaCortiglia if a CR is the same as just making notes on the plans.

Mr. LaCortiglia says they are the same since the CR would not have a holder, so it would be ineffective. The only benefit would be that the CR would pass down on the deed from owner to owner. Just placing the restriction in writing on the plans and in the deed, rather than a CR, would make it easier since the applicant would not have to switch between the Planning Board and the Conservation Commission.

Frank (6 Stone Row Lane) says that their intent was not to eliminate the formal CR by placing the no-cut notations on the plans. It seems that the bounds would be done in a different manner. Their intent was not to change the bounds. He says that they want clear boundaries that are not movable. He asks if you could go to the Conservation Commission to enforce a CR.

Mr. Hoover wants to rap things up and asks the applicant to do both.

Mr. Conte says that he was told that the CR should not be put on until the plans are accepted. He suggests putting a Conservation Commission protection on the plans in the meantime.

Mr. Hoover wants clarification on the boundaries.

Mr. Conte says that the Conservation Commission is going to take care of where the boundaries should be and what they should be.

Mr. Graham doesn't think that the Conservation Commission is going to say where the boundaries should go. He recommends that it be monumented as shown on the plan with granite and that between the granite (that would be 340ft or more apart) should be signs that say "No Cut Zone." He does not agree with putting rocks randomly because in a few years they won't look like a boundary.

Mr. Hoover summarizes that the plan would have granite corner posts, the wording would be on the plans, and the signs would be shown on the plans every hundred feet or so.

Mr. Howard asks whether or not horses would be allowed on the property.

The applicant says that they are not allowed.

Mr. Organis says that the covenant is going to be completely followed.

Ms. Buck suggests that the Board decide on the width of the buffering strip between Noyes Road and the property. She says that a fifteen foot strip isn't formidable enough to stop anything.

Mr. LaCortiglia is in favor of a fifty foot buffer. Mr. Howard wants a minimum of thirty-five feet.

Mr. Agganis says that there is a stream right on the other side of the buffer so nothing could be built there anyway. He would rather make it twenty-five feet. He thinks it was only meant to prevent a road being built through it.

Mr. Hoover suggests that it will be easier for the applicant if they just make the buffer fifty feet.

Mr. Agganis agrees to make the buffer fifty feet.

Ms. Buck asks that the engineer clarify the boundaries of the town's drainage easement. She also asks where the Board would like to require the draft Conservation Restriction agreement as approved by the Conservation Commission.

The Board determines to put it in the Order of Conditions at "Prior to any work on site."

Ms. Evangelista asks about the resident who was out of town and who did not sign the paper.

It is clarified that he is not known to be opposed to the plan.

Mr. Hoover clarifies that the three issues were the buffer zone, the covenant issue, and the CR zone. He thinks that these have basically been covered. He says that if the applicant does everything discussed at the meeting, they should be in good shape.

Ms. Buck suggests that the Board approve the plans pending proof of compliance with suggestions.

Mr. Agganis says that they have addressed every issue that has been brought to them. He would greatly appreciate avoiding coming back to another meeting.

Mr. LaCortiglia is concerned about closing the hearing.

Mr. Carter moves to approve the Definitive Subdivision as submitted subject to
Granting the waivers noted on the plan except number eleven,
Meeting Larry Graham's report requirements,
Adding "No Cut/No Disturb" wording to all CR zones to the plan,
Increasing the buffer width to 50 feet on the north side of the property,
Increasing the buffer width to 25 feet at lot thirteen Stone Row,
Placing concrete monuments in the locations shown on the plans with construction detail shown on plans and conservation restriction signs per Larry Graham's detail at one hundred feet on center,
Homeowners' Covenant is finalized and accepted by abutters,
Include any previous specifications in the first draft Certificate of Vote as applicable, and
Prior to construction the Planning Board being in receipt of final covenants.

Mr. Howard seconds the motion.

5-0-0

Mr. LaCortiglia moves to approve the Special Permit for a Common Driveway.

Mr. Howard seconds the motion.

5-0-0

Blarney Court

Mr. Howard moves to continue the Blarney Court Public Hearing until January 23, 2008.

Mr. Carter seconds the motion.

5-0-0

Meeting adjourned.