

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

**Present:** Mr. Rob Hoover, Chairman; Mr. Tim Howard; Mr. Harry LaCortiglia; Mrs. Matilda Evangelista; Mr. Hugh Carter; Mr. Larry Graham, Consulting Engineer; Ms. Laura Repplier – Recorder

**Absent:** none

Mr. Hoover opens the session at 7:15 pm.

Mr. LaCortiglia motions to pay Laura Repplier for minute recording services for the night. Seconded by Mrs. Evangelista. Vote is unanimous.

**Board Business**

Minutes

Mr. LaCortiglia motions to approve the March 12, 2008 minutes as amended. Seconded by Mr. Howard. Vote is unanimous.

Mr. LaCortiglia motions to approve the October 10, 2007 and November 28, 2007 minutes. Seconded by Mr. Howard. Vote is unanimous.

Mr. LaCortiglia – The only other minutes that are still missing are from the Oct and Nov meetings. After we have those we'll be completely caught up.

Correspondence

Mr. Hoover reads letter from the Wayne Snow at the Georgetown Light Department regarding the removal of 15 trees on Nelson Street and Baldpate Street. All are dead or diseased or dying. There is a danger of electric power outages. They should be removed asap.

Mr. Hoover – If they are dead, diseased & dying it sounds OK to me.

Mr. LaCortiglia – There does need to be a hearing with the town tree warden.

Mr. Howard – Yes, they need to talk to Pete Durkee.

Mr. LaCortiglia – The board should respond to the Georgetown Light Department and ask them to consult with the tree warden. We should cc him on that letter.

Mr. Hoover – We ask that Michelle Kottcamp send a memo to the Georgetown Light Department, copied to Pete Durkee, requesting Wayne Snow to consult with the tree warden as to the proper protocol for removing the trees.

Pulte Homes – Parker River Landing

Mr. Larry Graham – Pulte Homes have provided the \$4k funds for their account, as requested. I need to get to work on the final punchlist.

Mr. LaCortiglia motions to authorize Mr. Larry Graham to move forward in finalizing the final punchlist and resolution of project issues for Parker River Landing. Seconded by Mr. Howard. Vote is unanimous.

Stone Row

Mr. Larry Graham – We have not received their revised plans. The GPB (Georgetown Planning Board) requested an additional \$811 for me to do more revisions. I will follow up with a letter saying they need to provide more, and ask when they will come back with their new plans. They have gone past the deadline to submit them.

Mr. LaCortiglia – If the plans have not been submitted and recorded in certain time, they expire.

Mrs. Evangelista – Could we rescind the sub-division permit?

Mr. Larry Graham – Yes, but they don't have signed plans.

Mr. Hoover – Mr. Graham will follow that up, I'm happy with that. He is authorized to contact the Stone Row applicants in regards to their lack of payment of technical review fees, their lack of plans, and to review their account deficiencies.

Blarney Court

Mr. Larry Graham – There is an outstanding list of items that need to be completed before the board signs the plans. The board should not sign them until these have been completed.

Mrs. Evangelista – He was still working on purchasing the property.

Repeal of the Georgetown Wetland Protection Bylaw

Mrs. Evangelista – The ConComm & Selectboard have said they wouldn't support this. We should say the same and support the ConComm.

Mr. LaCortiglia motions that the GPB recommend that the town retain Chapter 161, the Wetland Protection bylaw as currently constituted. Seconded by Mrs. Evangelista. Motion is unanimous.

Mr. LaCortiglia – We should send that motion is a memo to the GCC (Georgetown Conservation Commission).

Mr. Hoover – We will ask Michelle Kottcamp to send a memo to the GCC and Selectboard with that same wording.

### **Other Business**

#### **Deer Run Site**

Rep: Dave Vargas, BSC Group, Sub-Division Inspector

Mr. Vargas, Sub-Division Inspector – I have prepared an estimate based on information from the board regarding the estimate required to close out this project. I did an instant drive-by after I was appointed, but haven't seen the site because I haven't been authorized by the board to proceed. This is my best guess at a long term inspection. I don't know if the pavement there is the final pavement – the binder is there. I thought it would be a day's work installing the top course of pavement.

Mr. LaCortiglia – What board wanted was not an estimate of your services but looking towards an estimate as to what it would take the GPB and applicant to complete the project. It was started many years ago, with a bond. It was so long ago, I don't know if the bond is still adequate if the applicant bails out. We need a number telling us how much it would cost to complete the sub-division if the applicant chose not to.

Mr. Hoover – That's true, but we can't ask him to start without getting paid. This is what we asked for. Once this is OKed then he will get the site drawings, review and go to work. But this needs to happen first.

Mr. Vargas, Sub-Division Inspector – Michelle Kottcamp has given me a copy of the plans. I don't have information on the bond however.

Mr. Hoover – It's a good idea to get that as it has been a long time.

Mr. Vargas, Sub-Division Inspector – Is the bond still in place? It is sometimes only for a temporary period of time. It may have elapsed.

Mr. Hoover – You'll need to get that clarification from Michelle.

Mr. Howard – We did ask for this.

Mr. Hoover – Yes, so we could get going and know if there were sufficient funds.

Mr. Vargas, Sub-Division Inspector – It depends on the remaining scope of work, man hours, and who is assigned to it. Most of the inspections are at least a couple of hours. I would do those because I could visit locally & talk to the contractor.

Mr. LaCortiglia motions to authorize BSC Group to inspect both Deer Run & Railroad Ave for the GPB. Seconded by Mr. Howard. Vote is unanimous.

Mr. Howard – The water tables are currently high at Railroad Ave. Now would be a good time to see where the seasonal high water table would be. We found flooding in a similar house in the same area, so this would be a good time to record the high water table accurately. That determines where the elevation should be for the basement. It didn't show up in the soil, but did show up in the spring – the water will be coming down Andover Hill soon.

Mr. Hoover – The first task was to advise the board as to what we should be holding to make sure both projects are covered.

Mr. Vargas, Sub-Division Inspector – -Also, the Railroad Ave site was subject to a 21E environmental review. That is definitely something that BSC is not specialized in. Simons Environmental may have completed their review but I haven't read it in depth yet.

Mr. Hoover – You should have a phone conversation with Bill Simons to clarify.

Mrs. Evangelista – Did we get anything from the state to say whether the site has been cleared?

Mr. Vargas, Sub-Division Inspector – At some point the GPB should be receiving something like that. The state will be deferring to the Simons review as he is the LSP. I can check with our LSP.

Mr. Howard - A quick call to Bill Simons would be enough to find out where things stand.

Mr. Vargas, Sub-Division Inspector – Good. I went through the zoning and GPB regulations and prepared a pre-construction meeting outline that was distributed to the board a month ago. Are there any comments? I felt I had to do that as an organizational matter to make sure I wasn't missing anything.

Mr. LaCortiglia – It was comprehensive and right on the money. It clearly outlines everything that is expected.

Mr. Vargas, Sub-Division Inspector – I have submitted an invoice to cover that work. I charged it towards some projects – mainly Railroad Ave. Bob Grasso called to object to taking the invoice out of his deposit. He felt that he shouldn't be responsible for this type of review information. It's not really project specific but you don't have a general budget account.

Mr. Hoover – I agree, it shouldn't be burdened on one applicant.

Mr. Larry Graham – You have a general GPB account. I use that if the Town Planner asks me to look at general things.

Mr. Howard – It should come out of the funding we collect as fees.

Mr. Vargas, Sub-Division Inspector – When Mrs. Buck was leaving I told her I was prepping it. She said it sounded great but I didn't ask how to bill it and then she was gone.

Mr. Hoover – Reissue the invoice to the Town of Georgetown.

Mr. LaCortiglia – This is going to be the SOP for inspections of all existing active sub-divisions, and those in the future. If we have 12 active now the fairest way is to split the amount between them all at this point.

Mr. Howard / Mr. Hoover – I don't think that's right. There will be many done in the future as well. This is for the benefit of the town, not a particular applicant.

Mr. Hoover – We should notify Bob Grasso that we are resubmitting the bill. We also need to determine whether we have the money to do it.

Mr. Vargas, Sub-Division Inspector – Michelle Kottcamp has the information.

Mr. Hoover – Michelle should know that you are resubmitting.

Mr. Vargas, Sub-Division Inspector – I found a few disconnects in your regulations, especially in the standard road detail. I have them itemized in an email, sent to Mr. Howard. (Distributes to the full board and Mr. Graham)

Mr. LaCortiglia – We really do need to examine our regulations.

Mr. Vargas, Sub-Division Inspector – To a large extent where there were conflicts I went with the standard MA Highway standards. For instance, the compaction for MA is 95%, your local is 90%. There were some other items as well.

Mr. LaCortiglia – By July 1 every year we are required to review our own regulations. We should do that in the coming months. I would like to propose regulation changes and fix some conflicting things. It will be done in public hearing.

Mr. Vargas, Sub-Division Inspector – Do you have the funds to cover it? Should I proceed?

Mr. Hoover – I don't know what we have in the account. We need to find out how much money is in there to pay this invoice. Until we know that we can't authorize payment.

Mr. LaCortiglia – If the applicant's balance is not up to the required amount the applicant should be notified. These need to be inspected.

Mr. Vargas, Sub-Division Inspector – I think there is a 5k balance on Railroad Ave. That would be suitable.

Mr. Hoover – We need to communicate that number to Michelle and use that to draft a memo to Deer Run to tell them how much we need.

Mr. LaCortiglia – Michelle runs all the numbers of all sub-divisions, including our own account, so she should know the balances for them all.

Mrs. Evangelista motions for Michelle Kottcamp to check the balances on all sub-division review accounts and GPB expense accounts, and to authorize payment to Mr. Vargas, BSC Group if the balances are sufficient. Seconded by Mr. LaCortiglia. Motion withdrawn by Mrs. Evangelista. Seconded by Mr. LaCortiglia

Mr. LaCortiglia motions to make the inspection of the Deer Run sub-division contingent upon adequate funding in the review fee account to meet BSC's inspection estimate. Seconded by Mr. Carter. Vote is unanimous.

Mr. Hoover – If there is not enough in the Deer Run account to cover the BSC invoice then we need to notify Deer Run that we need that money asap.

Mr. LaCortiglia – If they don't pay then we could rescind their sub-division permit.

#### Railroad Ave

Reps: Edward Lardiere, Owner; Bill Holt, Professional Land Services (PLS)

Mr. Howard – This is regarding the modification of their sub-division permit.

Mr. Lardiere – I don't know what you're asking for. There was a meeting on Feb 27<sup>th</sup> where it was voted unanimously that this was a substantial modification. I didn't have anything submitted with you at that point, only with the ZBA. Was it a public hearing?

Mr. Howard – We were asked by the ZBA if we wanted to revisit this, if we considered it a substantial modification to the original plan.

Mr. Lardiere – It wasn't a public hearing?

Mr. Howard – No, we can't change use.

Mr. LaCortiglia – The ZBA asked us, after reading the sub-division permit that said that if there were any modification from the original the GPB would have to decide if it was significant or not. So we responded. It was a formal vote but was in response to a question asked by the ZBA.

Mr. Lardiere – I submitted an application to the ZBA on March 5, 2008. Have you seen the plans we submitted on March 5?

Mr. LaCortiglia – Yes, all boards are cc'ed on them.

Mr. Holt, PLS – What was basis for your decision that it was a substantial modification?

Mr. Hoover – It went from single occupancy to multi-occupancy.

Mr. Holt, PLS – That's use, you have no jurisdiction over that. We don't think it is a change of use. We haven't changed the road, the drainage, etc.

Mr. Hoover – Does a duplex generate more traffic than a single family unit? You are saying that the plan hasn't changed but it went from 4 single-family houses to eight duplex units.

Mr. Holt, PLS – You do not have purview to say. I have an approved sub-division plan, under zoning act 165.11.

Mrs. Evangelista – It still has to go to the ZBA. That's not the final step. You applied to the GPB for a 4-lot sub-division for 4 new single-family house lots on Railroad Ave.

Mr. Hoover – We can disagree all night. We need a legal opinion on this.

Mr. Lardiere – Yes, we do. It's hard selling things now. I talked to people in that area. How does a young person afford a new house in Georgetown? They said they couldn't as it is too expensive. So I thought of duplexes. That's how the whole plan started. I also talked to the Affordable Housing Task Force. I am trying to make something more affordable for people to live in Georgetown.

Mr. Hoover – I agree that the town does need affordable housing, and with your reasoning. The economy plays a part too. Unfortunately the rules are laid out differently.

Mr. LaCortiglia – Are you proposing affordable units on all of them?

Mr. Lardiere – These would be for the average person who could afford it.

Mr. Howard – Are you aware of the building height restriction of 35'?

Mr. Lardiere – Yes.

Mr. LaCortiglia – At this point you have applied to the ZBA. That process will go through, one way or another. In other communities similar things to this have happened as a back-door way into doubling the density. That's where this questioning is coming from. We don't need to do anything else at this point. Let it go thru the ZBA, then we will revisit at that point.

Mrs. Evangelista – We are responsible for sub-divisions and modifications.

Mr. LaCortiglia – Would you like to withdraw your permit and ease your way through a Special Permit?

Mr. Lardiere – Has anyone applied for duplexes in this area? It sounds like duplexes are not allowed here.

Mr. Holt, PLS – They are only permitted in RA, not RB and RC.

Mrs. Evangelista – And it is only allowable by special permit.

Mr. Hoover – This was 4 single-family house lots originally, that's what this board approved. Now you're asking for 3 duplexes and one single-family house, so it would be 7 households vs 4 households. That does affect what the GPB approves in sub-divisions. But that's where we disagree.

Mr. Lardiere – My hearing date with the ZBA is May 6, 2008. We'll see what happens then. Regarding Mr. Vargas's bills, I would like a copy of the bills. Will I be double billed for what Jack Moultrie did before?

Mr. Hoover – Part of that will happen. In the process of changing over sub-division inspectors, he will have to re-do some.

Mr. Lardiere – There are a lot of structures out there. Bill Simons was happy with the clean-up. We'll see how we get on with the ZBA.

### **Public Hearings**

#### 34 Thurlow Street

Reps: Charles Ogden, Applicant; Mitch Kroner, Attorney

Mr. Kroner, Attorney – Our plan shows the areas to be conveyed to the Town of Georgetown and to Mr. Eaton. I mailed Steve Delaney to see how the town would take possession of the town parcel. I can't see why the town wouldn't take it as it would benefit the residents of Phillips Ave to connect to the other town open space. We are going with the assumption that the town would accept it.

Mrs. Evangelista – Doesn't that have to be done first?

Mr. LaCortiglia – It is a good faith offer. If the GCC won't accept it the GPB can, or the selectmen can.

Mr. Kroner, Attorney – There is a notation on plan that says if the town doesn't accept it it will be combined with Lot 3. The Phillips Ave residents would prefer it belonged to the town.

Mr. LaCortiglia – Will this have to go through a Notice of Intent hearing with the GCC?

Mr. Ogden, Owner – Yes, for the pipe.

Mr. LaCortiglia – So they can review that land then.



Mr. Larry Graham – I have about a dozen small comments on the plan, only two or three to talk about now. For Parcel A – the notation on the plan does say that if the town doesn't accept it it would be deeded to one of the abutters on Phillips Ave. I don't think that's right. It should be combined with Lot 3 with a CR on it. That was how we discussed it. It is not shown that way on the plan. If the board is agreeable, we need to work out the language on that. Parcel B will be done by deed – it doesn't need to be done by a plan.

Mr. Kroner, Attorney – That's right.

Mr. Larry Graham – The landscaping plan the board saw before is different. It has been expanded since we eliminated the infiltration.

Mr. Ogden, Owner – Yes, more trees have been added.

Mr. Hoover – How does the abutter feel about this new landscaping plan?

Mr. Kroner, Attorney – He's fine with it.

Mr. Larry Graham – I have no other comments. If there is a meeting on April 23<sup>rd</sup>, the items that need to be revised on the plan can be dated for that meeting. I will draft a certificate of vote for that date.

Mr. Kroner, Attorney – Can we close hearing tonight?

Mr. Howard – With such contorted lots you should have the property boundaries clearly marked. I was thinking of a stone pipe to mark it in case you sell it on to someone else.

Mr. Hoover – Is there any reason we can't approve this, contingent on Mr. Graham taking care of those couple of items?

Mr. Howard – Wayne Snow called today to ask if we really needed the telephone pole moved. Is it important for sight obstruction?

Mr. Larry Graham – The pole is the obstruction for sight distance for up to 300'. It is a 16" pole which will obstruct sight for an instance from the east. I don't think it's essential that it has to be moved. The line of sight will only be blocked for a split instant. I would like to have it moved, but it's not really a problem. Let's leave it on the plans to be relocated, but if they can't do it, leave it. It might be further obstructed in the future by vines or signs, but for now it's not bad.

Mr. Ogden, Owner – I checked it from 10' back from the pavement and the distance was fine.

Mr. Larry Graham – Fine, take it off the plan and we'll go with that. Leave the pole where it is.

Mrs. Evangelista – When is the property deeded to the town?

Mr. Larry Graham – I can put that on the certificate of vote. I say should be done prior to the issuance of the first occupancy permit.

Mr. Kroner, Attorney – Why wouldn't the GCC accept it?

Mr. LaCortiglia –They look for access to open space. This is the access, so they will be very happy to accept it. I can't see any reason why they wouldn't.

Mr. Larry Graham – I would tie it to the houses, a building permit.

Mr. Carter motions to approve the definitive sub-division plan contingent on a certificate of vote for Cronin Ct, as prepared by Mr. Larry Graham and approved by the GPB. Seconded by Mr. Howard . Vote is 4 aye, 1 abstain (Mrs. Evangelista).

Mr. Howard motions to close the hearing. Seconded by Mr. Carter. Vote is 4 aye, 1 abstain (Mrs. Evangelista).

### **Executive Session**

Mr. LaCortiglia motions to enter Executive Session to review Town Planner resumes and not return to public session. Seconded by Mr. Carter.

Roll call vote:

Mr. LaCortiglia – Aye  
Mr. Howard – Aye  
Mr. Hoover – Aye  
Mr. Carter – Aye  
Mrs. Evangelista – Aye

Mrs. Evangelista – I have reviewed the resumes and wish to interview numbers 3, 6, 8, 11

Mr. Carter - I have reviewed the resumes and wish to interview numbers 3, 6, 7, 8,11, 15, 16

Mr. LaCortiglia – I have reviewed the resumes and wish to interview numbers 3, 8, 11

Mr. Hoover - I have reviewed the resumes and wish to interview numbers 3, 6, 11, 15, 16

Mr. Howard - I have reviewed the resumes and wish to interview numbers 3, 7, 8

The board decides to interview candidates 3, 8, 11, and 6.

Meeting adjourned at 10:00.