

GEORGETOWN PLANNING BOARD MEETING
Wednesday, May 14, 2008
7:00 p.m.

Present: Mr. Hugh Carter; Mr. Tim Howard; Mr. Christopher Rich; Mr. Harry LaCortiglia; Mrs. Matilda Evangelista; Ms. Laura Repplier – Recorder

Absent: none

Mr. Rich opens the session at 7:05 pm.

EXECUTIVE SESSION

Mr. LaCortiglia motions to enter Executive Session for the purpose of interviewing personnel, with the understanding that we will return to public session afterwards. Seconded by Mr. Rich.

Roll Call Vote:

Mr. LaCortiglia - Aye
Mr. Howard - Aye
Mr. Carter - Aye
Mr. Rich - Aye
Mrs. Evangelista – Aye

A candidate was interviewed for the position of Georgetown Town Planner.

Mrs. Evangelista motions to leave Executive Session and return to public session. Seconded by Mr. LaCortiglia.

Roll Call Vote:

Mr. LaCortiglia - Aye
Mr. Howard - Aye
Mr. Carter - Aye
Mr. Rich - Aye
Mrs. Evangelista – Aye

PUBLIC SESSION

Board Business

Minutes

Mr. LaCortiglia motions to accept the minutes of September 12, 2007 as corrected. Seconded by Mr. Howard. Vote is 3 Aye, 1 Abstain (Mr. Rich).

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

Vouchers

Mr. LaCortiglia motions to pay the vouchers dated May 14, 2008, totaling \$1695.47. Seconded by Mr. Howard. Vote is 3 Aye, 1 Abstain (Mr. Rich).

Railroad Avenue

Mr. Howard – This sub-division permit lapsed on Nov 17, 2007 as they did not complete the road within 2 years of Nov 17, 2005. This is according to Clause 16 in the Notice of Decision – Approval of a Definitive Sub-Division, dated Nov 8, 2005, stamped Nov 17, 2005. It also confirms that we permitted 4 single family houses. There was no special permit.

Mrs. Evangelista – We need to send that information to the Building Inspector, he's the notifier in these matters. The letter should say that based on conditions set forth in your sub-division approval, the permit has lapsed. That means the applicant would have to come back to the board.

Mr. LaCortiglia motions to ask Michelle Kottcamp to draft a letter to the Railroad Avenue applicant notifying them of the lapse of their sub-division permit, cc the Building Inspector and the ZBA. Seconded by Mr. Howard. Vote is unanimous.

Mr. Carter – If a sub-division has not been progressing for 1 year, they should be put into dormancy.

Correspondence

Georgetown Light Department letter regarding approval for tree removal on a Nelson St and Baldpate Road, both scenic roads. They met with the tree warden, Mr. Peter Durkee.

Mr. Peter Durkee, Georgetown Tree Warden – Yes, they talked to me about it. I mentioned that we didn't have to go to the Planning Board because of Chapter 87, Sec 5.

Mr. Rich – You've decided you're comfortable with that?

Mr. Peter Durkee, Georgetown Tree Warden – Yes, and the homeowners also support it.

Mr. LaCortiglia – Regarding the ones that are marked in front yards, have those homeowners been contacted?

Mr. Peter Durkee, Georgetown Tree Warden – Yes, but if the tree's dead that's what has to happen.

Mr. LaCortiglia – Are you supposed to hold a public meeting because it's a scenic road?

Mr. Howard – That doesn't apply if they are dead trees.

Mr. LaCortiglia – Yes, this is a public safety issue.

Mr. Peter Durkee, Georgetown Tree Warden – If the tree was alive and there were another reason to remove it, we would hold a meeting, but these are diseased and a threat to public safety.

Mrs. Evangelista – Have you notified the abutters?

Mr. Peter Durkee, Georgetown Tree Warden – Yes we will. The trees have also been marked in an obvious way.

Mr. Howard – It's doing the residents a favor taking them down before they fall on something. And it could not just be the wires that they hit.

Mr. LaCortiglia – If we went through a hearing process it would be about a month.

Mr. Peter Durkee, Georgetown Tree Warden – Yes, but this is a public safety issue, a liability to the town and a public nuisance.

Mr. Rich – Will they be replaced?

Mr. Peter Durkee, Georgetown Tree Warden – No, not as of now. If the homeowner wanted to put something out we would help in any way we could. I would rather see it on their property than right on the road – that's how they became diseased.

Mr. Rich motions to cut down the designated trees on Nelson Street and Baldpate Road, as designated by the Georgetown Tree Warden. Seconded by Mr. Howard. Vote is unanimous.

Road Acceptances

Mr. Peter Durkee, Georgetown Highway Surveyor – There is \$12,600 Chapter 90 money being lost every year as we have many roads that have not been accepted.

Mr. Howard – Do you still plow them?

Mr. Peter Durkee, Georgetown Highway Surveyor – Yes, and we clean the catch basins. We need to get them accepted to get more money for the town. There are 12-15 that could be

accepted. There are actually over 30 but some of them are private, but these 12-15 could be accepted.

Mr. LaCortiglia – Once the new Town Planner gets on their feet this should be a priority to happen in the fall.

Mr. Peter Durkee, Georgetown Highway Surveyor – There is bond money available so it should be done. Some are very old, up to 10 years old.

Mr. LaCortiglia – We should look at how to start with the longest roads.

Mr. Peter Durkee, Georgetown Highway Surveyor – I already have a list of recommended roads.

Mr. Carter – It is the Sub-division Inspector's job to inspect them.

Mr. Peter Durkee, Georgetown Highway Surveyor – I went on a walk-through on Longview Way. Very minor things need to be done. We should just get it done.

Mrs. Evangelista – The better route is to do a tally of how much needs to be done to get the roads up to sub-division regulations and submit a letter to the residents. There is not always bond money available as the developer may be long gone.

Mr. LaCortiglia – When you get the list, find the best roads to proceed with first. Then we can work quickly to get it to Fall Town Meeting.

Mrs. Evangelista – I don't think a bandaid approach is right. We need to fix roads the way they need to be fixed. If they need to be fixed, approach the town to get them fixed.

Mr. Rich – Can we get a list of deficiencies street-by-street?

Mr. Howard – Sarah Buck had that list.

Mrs. Evangelista – We have private roads where the developer is long gone and we no longer have access to bond money. This has been an issue for a long time.

Mr. Peter Durkee, Georgetown Highway Surveyor – I don't plow many of them, some are not completed by the builder.

Mrs. Evangelista – People assume they will get this service but they won't as it's a private road. Mr. Durkee can correct this long-standing issue that the town officials haven't tackled yet. We're helping ourselves in the long run by doing it.

Georgetown Planning Board Reorganization

Mr. LaCortiglia – I nominate Mr. Carter for Chair of the Georgetown Planning Board. Seconded by Mrs. Evangelista. Vote is unanimous.

Mr. Howard – I nominate Mr. LaCortiglia to be Vice Chairman of the Georgetown Planning Board. Seconded by Mrs. Evangelista. Vote is 4 Aye, 1 Abstain (Mr. LaCortiglia)

Mr. LaCortiglia – I nominate Mrs. Evangelista for Clerk of the Georgetown Planning Board. Seconded by Mr. Howard. Vote is unanimous.

Harris Way

This meeting has been re-scheduled for May 28, 2008.

Building Inspector Signoff

Mr. LaCortiglia - The building permit for 20 Lakeridge needs to be signed off. We have no Planner, so we decided the board member who should sign off Building Inspector sheets is the Chair.

Mr. Rich – Is the lot size large enough?

Mr. LaCortiglia – Yes, we signed an ANR and a Mylar. It has appropriate frontage.

Mr. Carter – If it is in RA zone then the lot size is smaller. So, this is just a formality?

Mr. LaCortiglia – Yes.

Mrs. Evangelista _ If the board agreed to an ANR then it should have a book & page.

Building Permit for 20 Lakeridge signed by Mr. Carter, Planning Board Chair.

Blarney Court

Reps: Dick and Martha Moylan, Owners

Mr. LaCortiglia - Larry Graham and I discussed the Certificate of Vote. Under most circumstances it would be signed by us after the decision, stamped by the Town Clerk, then the appeal period expires. The applicant records it and we have a book & page to refer to for the Mylar. That was not done. They would like the Mylar and recording done all at once. On the Mylar we would normally have a book & page referring to the Certificate of Vote. Larry Graham suggested we write on the Mylar, “See certificate of Vote from March 14, 2008”. He thought that would be satisfactory.

Mr. Carter – This is a court off of North St, with 1 house lot. Work had to be done to create sight distance on North St. We approved it.

Mr. Dick Moylan, Owner – We are here to get the Mylar signed. It can't be recorded without that. It has been approved and met the conditions from Larry Graham. Everything was complied with in the March 13 plan of endorsement from Larry Graham.

Mrs. Evangelista – Let’s get this moving.

Georgetown Planning Board – Record that it says “See Certificate of Vote by Georgetown Planning Board dated March 24, 2008 as stamped by Town Clerk”. That’ll make it easier to record.

Mr. LaCortiglia – The only other issue was that an easement over the right of way wasn’t necessary. The conveyance of utilities is not necessary, and the release of liability of the sub-division is not necessary. This is a private road and will remain so forever.

Rock Pond Estates

Rep: Dean Chongris, Applicant

Dean Chongris, Applicant – I need the requirements for road acceptance, to change from a private road to a public accepted right of way.

Mr. Howard – I would need to review the original decision.

Dean Chongris, Applicant – I reviewed the outstanding issues with Sarah Buck. I want to make sure the varieties of street trees that were planted are acceptable.

Mr. LaCortiglia – There is an M-Account. We need to send the Sub-division Inspector to look at it. The M-Acct for this sub-division review is light.

Dean Chongris, Applicant – The road is totally up to grade. The only thing left are sidewalks, and the finish coat. I turned in the complete as-built plan. The drain is complete. We are finished with the sub-division with the exception of plantings and curbing. It was inspected by Millenium. The bond amount is minimal as we did the work up front. I’d like to finish the road this year. I would like to have it accepted as a public right of way.

Mr. LaCortiglia – We want to dedicate some time to this. We should re-schedule.

Dean Chongris, Applicant – Can I have permission to contact the office for more information?

GPB – Fine.

Mr. Rich – I have one question. Do we have a list of what you’re looking for?

Dean Chongris, Applicant – It’s only one item, just the curbing.

Mr. Howard – There were two issues, granite curbing and another one.

Dean Chongris, Applicant – I’d be happy to do whatever. The decision I have is stamped from the registry, I believe.

Mr. LaCortiglia – We'd like a copy of that. Let's find out what we need to know, as soon as we feel comfortable with that we'll put you on the agenda.

Dean Chongris, Applicant – We'd like to do this sooner than later. Three out of the five houses are up. The fourth one is starting in a short time. The sub-division was granted a waiver for the curbing. I want to remove non-granite curbing and put granite in so it can be a public road.

Mr. Rich – We don't have right to change it from private to public.

Mr. LaCortiglia – It was originally permitted as a lane which intended to remain private.

Mr. Rich – Why do we have to give permission to bring curbing up to greater standard for a public way? Trees might be an issue but the curbing not. Only town meeting can take something that was private to public.

Dean Chongris, Applicant – Even if it's still under construction?

Mrs. Evangelista – We need it inspected before we can decide.

Dean Chongris, Applicant – I went from reinforced concrete pipe to high density polythene – that was a waiver.

Mr. Howard – The Sub-division Inspector needs to look at it.

Mr. Rich – Does the water service dead end?

Dean Chongris, Applicant – Yes.

Mr. Rich – Can it be looped?

Dean Chongris, Applicant – No, it goes to Rock Pond and there is no contiguous tract of land to loop it onto.

Town Planner Hire

Mr. Carter – We interviewed four candidates. We will vote in open session.

Mr. Rich – I have not been present for three of the four interviews so I will recuse myself from voting.

Mr. LaCortiglia motions that the Georgetown Planning Board contact Steve Delaney, Town Administrator to ask him to offer the Georgetown Town Planner position to Nick Cracknell. Seconded by Mr. Howard. Vote is 4 aye, 1 abstain (Mr. Rich).

M-Accounts

Mr. LaCortiglia – I have a list of all M-Accounts for active/incomplete sub-divisions. M-Accounts are for project review fees. According to our regulations, at the definitive plan stage the account should have a balance of \$4k. Otherwise, there is not enough to cover the fees to hire the Sub-division Inspector for site reviews. We need to catch up on it and get those who don't have enough to bring it up to the amount stipulated in the regulations. When projects are in the permitting phase this allows us to engage the services of engineers, studies, and sub-division inspections. They are paid after approval. The account has to stay at a certain level through completion of the project to the as-built review stage. Notification should be done with a formal letter.

Mr. Carter – What if they don't provide additional funds?

Mr. Rich – The way it is written in the regulations, the fee is for an initial project review fee. If it is put down and the balance falls below 25% of the initial project review fee the Board should decide if we need supplemental funds. It doesn't say they must maintain a balance of \$4k, just that it has to start at that amount. If it falls below \$1k we can request a further deposit for review fees.

Mr. Howard – But not necessarily the \$4k balance.

Mr. Rich – It is stated in regulation rule 7.a) i and 7.a) ii and 7.a) iii. Also 7.c. A letter can say we need another amount, but it shouldn't say what initial deposit amount. After that it is a supplemental project review fee.

Mr. Howard – If we know an inspection needs to be done and there isn't enough in the account, we should be able to ask the applicant to provide that.

Mr. Carter – We ask for \$4k up front, but \$1k is too low. I think \$2500 may be right. I don't think we should call them ad-hoc every time we need money. That would be a waste of time.

Mr. Rich – On page 9, at rule 7.d under the "Inspection Phase of Project" it says the board may wish to make an adjustment in the account balance. We may need a supplemental project review fee. Review fees are listed on page 9 for rule 7.d iii. The suggested levels are listed by size of development.

Mr. Carter – I have no issue with that, it sounds like realistic levels.

Mr. LaCortiglia – Those were the review fees in 2000. Costs have changed since then.

Mr. Rich – The Board has the right to request supplemental review fees if the account is depleted. We do not require a formal hearing or prior notice to parties.

Mrs. Evangelista – These are in the regulations so can be changed within the board. Without an inspection on sub-divisions we can't make a decision. We can deny for lack of information.

Mr. LaCortiglia – That covers the permitting phase. What about the building phase where the sub-division is half built?

Mr. Rich – When the applicant knows there will be no activity for 1 year they can ask for dormant status, leaving their account level at \$500. To reactivate, the M-acct must be restored before the first inspection. It says we can shut the inspection status down and they get nothing if they don't provide the funds needed.

Mr. Carter – Good, we have some teeth to enforce this.

Mr. LaCortiglia – I'm thinking of a letter asking them to bring levels up to the required amount. If it has not been done 6 weeks later, bring it to their attention in public meeting and take the appropriate steps at that point. Make it the first order of business when we see them.

Mrs. Evangelista – We should give them information when we first start working with them. Then we can follow up with letters if they are not following our requirements. They must notify the Board. We can make the decision to close it if they aren't complying. This shouldn't be done by the Town Planner.

Georgetown Planning Board - Good. Michelle Kottcamp will write the letters for this, including quoted sections from the regulations. The letter will be reviewed by the Board.

Mr. Rich – We are authorized to review and revise the fees schedule as we see fit, but we need to do it in public hearing.

Mr. LaCortiglia – We are supposed to do that every July. I thought it needed a hearing.

Mr. Rich – Let's just hold a hearing to make sure.