

**Georgetown Planning Board Minutes  
August 27, 2008**

**Present:** Mr. Hugh Carter, Mr. Tim Howard, Mr. Harry LaCortiglia, Mrs. Matilda Evangelista, Mr. Nicholas Cracknell, Town Planner, Ms. Carol Fitzpatrick, Minutes Recorder

**Absent:** Mr. Christopher Rich

**Board Business 7:00 p.m.:**

**Minutes-July 9, 2008**

Mr. LaCortiglia- Move to authorize payment of minutes taking services for Carol Fitzpatrick

Mr. Carter- Second

4-0, Unam

Mr. LaCortiglia- Motion to accept the July 9th minutes as amended

Mr. Carter- Second

4-0, Unam

**Vouchers-**

None

**Correspondence-**

MVPC will come to Georgetown to present growth strategies to Land Use Boards

Mr. La Cortiglia- It would be great if they would present to the Planning Board Meeting. Tillie will look into to see when Dennis Z. is available. Maybe on a night in October. Nick will get back with a date.

**Other Business-**

**Rock Pond Estates-**

Dean Chongris

Mr. Dean Chongris- We are approved as a private roadway. We want to upgrade to a public roadway and change from bituminous berm to sloped granite curbing.

Mr Cracknell- Larry Graham, Dave Varga and Pete Durkee reviewed this and they all were okay with it.

Mr. Howard- Did Larry look at drainage issues?

Mr. Chongris- The infiltrators are kept clean & there are no drainage problems. It is the 1<sup>st</sup> green building in Georgetown. 48% more efficient, No VOC paint, compounds, etc.

Mr. LaCortiglia- Motion to deem this a minor modification to the Definitive Subdivision.

Mr. Howard- Second

4-0, Unam

Mr. Chongris- I would like the fee waived: \$100 for application, \$100 per lot (5 lots).

Mr. Cracknell: \$600 is the application fee.

Mr. Howard- Motion to reduce fee by 50% . I make motion to reduce fee to \$300.

Mr. LaCortiglia- Second. Final fee \$300

3-1, Mr. Carter said not in favor, doesn't agree with it.

Mr. Cracknell-I will check with Michele Kottcamp to see how we have done it in the past. We will see if we need to change the process.

Mr. Cracknell- Asked Mr. Chongris to record and release the Covenant.

Mr. Chongris- We need to have the Covenant recorded.

Mr. Cracknell- Refers to a note from Sarah in file. The Covenant was not recorded because a bond was posted on 11/14/07.

Mr. Chongris- The Covenant must be signed, then recorded and then released. We couldn't find the Covenant online.

Mr. Cracknell-It was also not signed by the board. It must be signed and clean up missing signatures and then notarized and recorded. We don't need to do lot release tonight. This needs to be notarized with the Chairman's signature. This is housecleaning.

Mrs. Evangelista- Who owns the road?

Mr. Chongris- The road must be bonded by town standards. I own the road.

Mr. LaCortiglia- Do we have a Covenant on the road?

Mr. Chongris- There is a Covenant on the whole road.

Mr. Cracknell- Do we want to fix this by putting in a new completion date? Do you want to come up with a date of completion? When does subdivision expire?

Mr. Chongris- Let's go 10/14/09 for a completion date.

Mrs. Evangelista- We need a road acceptance checklist, a process.

Mr. Chongris- The subdivision started with Kathleen, then Jackie, then Sarah, then lapsed without a Planner.

Mr. LaCortiglia- I move to sign the lot release and reconfirm the Covenant to be recorded for Rock Pond Estates Subdivision.

Mrs. Evangelista- Second  
4-0, Unam

### **Deer Run, Subdivision Inspection Update-**

Atty. David Harris, Adriano Carullo, Trustee, present

Atty Harris- The Board agreed to extend the subdivision approval for 1 year . A meeting was supposed to happen between Franco Carullo, Dave Varga, Nick Cracknell to go over list of things to be done on the subdivision inspection. Six months runs out Sept 3<sup>rd</sup>. Since the meeting has not taken place due to vacations, we request an extension on the Subdivision Permit.

Mr. LaCortiglia- Motion to extend Subdivision Application to 10/8/08.

Atty. Harris- I can't attend on 10/08. Would like to go to the 22<sup>nd</sup>. We still need to do the topcoat.

Mr. Cracknell- Are you looking for a partial bond release and a partial lot release? When you come back to board everything will be done? Everything of surety will be done on October 22<sup>nd</sup>?

Mr. LaCortiglia- Why put on topcoat when you still have 2 more houses to build?

Mrs. Evangelista- How long is bond good for? What is the status of the bond?

Mr. Carullo- I don't have a bond. \$40,000 cash surety plus 1 lot.

Mr. LaCortiglia- We need to verify this with our town accountants.

Mr. Cracknell- We want to finish this on the 22nd and he wants to finish this. The HOA needs to be set up. At this point it is a private way.

Mrs. Evangelista- Once the top coat is on it is done.

Mr. LaCortiglia-We would like to have a letter sent to the association and we would like to have a contact at the HOA.

Mr. Cracknell- The board needs to know what kind of HOA. From past inspections, the work is not finished and must be prior to release of surety. We need know what was decided regarding this HOA and the original decision. I will look into this, the COV, to see what they have done. Peter Durkee is not plowing private ways with HOAs.

Mr. Howard- Peter D. shouldn't plow but he has once or twice.

Mr. LaCortiglia- Motion to extend Subdivision Permit for Deer Run to 10/22/08.

Mr. Howard- Second  
4-0, Unam.

Mr. LaCortiglia- We need a HOA contact and a HOA document.

Mrs. Evangelista- Let's not approved private ways?

Mr. LaCortiglia- These subdivisions are private roads until they are approved by the town

Mr. Carter-There is more accountability with accepted streets.

Mr. Howard- We should be able to back-bill for plowing.

**Parker River Landing- site visit update/final punch list**

Mark Mastrianni, Pulte Homes

Mr. Mastrianni- We did a site walk with the Conservation Commission and went through the punch list items. Behind the units there is a drain berm issue. Pulte is willing to continue with National Grid. Nick, Steve P., Larry and I came with a resolution to the drainage issue. We should take down 25' feet within the power line easement. National Grid came out and nothing was resolved. National Grid since then has researched the property and noted that the wetland was always there. National Grid owns the land.

Mr. Cracknell- Nick explains leaving the berm on the property. The berm predated Pulte. We are waiting for National Grid to authorize access to get the blocks and the berm out of there. Was the berm there when the project was started is the question? The CC will approve that ½ of berm will be removed as a resolution to the problem.

Mr. Mastrianni- We can't touch it because it is not our property. Sand and Gravel was doing whatever they wanted to do out there. We will continue to work with Steve, CC, National Grid. We want to finish road work and the punch list and then reduce our bond and that is what we are looking for.

Mrs. Evangelista- I don't feel comfortable with reducing the bond. This project has gone on for how many years and the punch list is still not done.

Mr. Carter- I don't have problem with releasing an amount of the bond as you do the work.

Mr. Cracknell- The work can be done in 2-3 weeks with exception of the berm.

Mr. LaCortiglia- We would like you to keep us up to date on what is going on with National Grid.

Mr. Carter- I would like to see some owners of the HOA here at a future meeting so they know what is going on.

Mr. Mastrianni- It is very difficult to work with such a large company such as National Grid.

Mr. Cracknell- There needs to be an expeditious meeting with CC, National Grid and the Planning Board.

Mr. LaCortiglia- Or we could slap them (National Grid) with an EO (Enforcement Order).

### **Review Draft Public Hearing Notice: Subdivision Regulations**

Mr. Cracknell- Are these all the items we want in here?

Mr. LaCortiglia- We have to hold a Public Hearing because we are changing the regulations. We have to advertise before we have the meeting.

Mr. Cracknell- I suggest that the board gets back to us with comments. We could have a vote on the legal notice on the 10<sup>th</sup>. With Mass Highway, the slope granite curbing is vertical, a 4" reveal.

Mr. Carter- Do we need to go before a town meeting to get these new regulations approved?

Mr. Howard- No we don't.

Mr. LaCortiglia- Dave Varga and Larry can modify that if we agree?

Mr. Cracknell- I would recommend that the list go out to Larry and Dave and we compile our own list of revised subdivision regs we want to look at.

Mr. Howard- Are we going to have all of the answers like the OSRD permit fee?

Mr. Cracknell- Are there any additional items we want to add to this? Is there any reason we can't do this for the 10<sup>th</sup> of September and advertise the Public Hearing notice. Let's put this on the agenda for the 10<sup>th</sup>, with a legal notice to go out on the 11<sup>th</sup>.

### **Review/Approve Pre-Construction Conference Checklist/Invoice Format-**

Mr. LaCortiglia- Motion to accept as policy the revisions of the 8/19 Pre-Construction Conference Checklist Revised Draft

Mr. Howard- Second

4-0, Unam

### **Street Acceptances: Pillsbury Village**

Mr. Cracknell- Town Meeting will be looking at street acceptance plan and deed. Kopelman & Paige needs take a look at it prior to Sept 10<sup>th</sup> and have Peter Durkee and Larry Graham have to look at it also and sign it.

Mr. Howard- Who will be paying for this?

Mr. LaCortiglia- Is there a bond being held on this?

Mr. Howard- Motion to check status of M- Account to pay this (K&P) and if not to go back to developer for payment.

Ms. Evangelista- Second  
4-0,Unam.

Mr. LaCortiglia- There is a list out there on street acceptance. Can we grab the low hanging fruit? What are the easy hits?

Mr. Cracknell- Nick goes into the list. Mentions the Bailey Lane ANR. We have a good 10-15 on our ANR process so we do it just once. We have to make things clear.

Mr. Carter- Will we continue the Public Hearing on Pond View Estates? What is going on?

Mr. Cracknell- The earliest this could come back is the 24<sup>th</sup>.

Mr. LaCortiglia- Move to continue the Public Hearing for Pond View Definitive Subdivision to October 8<sup>th</sup>.

Mr. Howard- Second  
4-0,Unam.

### **Housing Balance Bylaw Amendment-**

Paul Nelson, Conservation Commission

Mr. Cracknell- I heard from Paul Nelson and Barbara Hart regarding the inclusionary zoning bylaw. The DHCD (Department of Housing and Community Development) looks at unit and requirements under each program. We pooled units and got permission from the DHCD while I was in Newburyport. Frank Puopulo knows a lot about this. He recommended that I take a look at the Smart Growth tool book. It is the model that they are projecting to cities and towns to get on the SHI. This model is ambiguous to me. There is a concern to how much this has been vetted.

Mrs. Evangelista- I like this because it is general.

Mr. Cracknell- What is the value of onsite, offsite, in leu of or land donation, the 4 options? What is the right combination 70/30, 80/20? What is the right number of units? What they wanted to achieve was to compare apples to apples. It needs to be further wordsmithed.

Mrs. Evangelista- I would not want to have any offsite.

Mr. Howard- It needs to be spelled out to what we have to do.

Mr. Cracknell- How do you achieve equity with developments like Chaplin Hills with \$800,000 homes. We want units and we want equity. I would suggest that we are not there but we are close. The model does not tell us how to be equitable. How do you calculate on a project-by-project basis?

Mr. LaCortiglia-Take a long hard look at DHCD's model.

Mr. Carter- Ours needs to be overlaid with theirs.

Mr. LaCortiglia- We need to form a committee/meeting to go over this: Nick, Paul, Tillie, Frank P, myself.

Mrs. Evangelista- Many communities are asking that the deed restriction be lifted.

Paul Nelson- The LIP Deed Writer and Deed Restriction. What is a Deed Restriction?

Mr. Cracknell- Let's try to have that meeting before the 10<sup>th</sup>. We need to have a conversation with Frank P.

Mr. LaCortiglia- Inclusionary bylaw and payment in leu. I see no reason to move it forward unless we have the trust in place.

Mrs. Evangelista- We don't want to hold up the zoning bylaw.

Mr. Carter- The four alternatives, whose choice is it to choose?

Mr. Cracknell- We need some help with the trust. We want to make the offsite alternative more equitable than it is today. We don't want apples and oranges.

Mr. Carter-Other options would only work with the Affordable Housing Trust. Do we want to add the land option to our trust?

Mr. Cracknell- What I am hearing is we want to keep all four options on the table.

Mr. LaCortiglia- Motion to adjourn the meeting at 9:33pm

Mr. Howard- Second

4-0, Unam

