

**MEETING**  
**GEORGETOWN PLANNING BOARD**  
**Meeting Minutes**  
**January 10, 2007**  
**7:00P.M.**

**Present:** Mr. Rob Hoover, Chairman; Mr. John Moultrie; Mr. Tim Howard; Mr. Hugh Carter; Mr. Harry LaCortiglia; Mr. Larry Graham, Consulting Engineer; Ms. Sarah Buck, Town Planner; Ms. Michele Kottcamp, Administrative Assistant

**Absent:** Mr. Larry Graham, Consulting Engineer

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

**1. Master Plan – review contract & discuss initial outreach**

Ms. Buck- You all received a copy of the contract from Daylor Consulting for review. I have also asked Steve Delaney to look over it. It was a very thorough contract and I was very pleased with it. I checked on a couple issues that Harry had brought up to me. A couple of issues you had were: Would their work become public documents? And the answer from Erika of Daylor Consulting is “Yes, everything would be turned over to the Town and become public record and domain.” They mentioned that they would post the executive summary and entire document to their website and this could also be posted on the Georgetown website as well. We are here tonight to discuss the contract and how to include people in the Public Meetings that are scheduled in order to keep the process on track with a short window for completion. I can include them in our next Planning Board meeting on January 24<sup>th</sup> for an introductory meeting. This can be posted on our website and on Cable TV. I can also send out a letter to the Boards and Commissions. I think it is also important to get the Draft recommendations out there for people to look at them prior to the March 14<sup>th</sup> meeting.

Mr. Hoover- I don't see why we can't give an overview or update at Town Meeting. At the very least we could share information regarding the National Avenue issue with the town before the Town Meeting.

Mr. Moultrie- On Monday, Selectman Vincent mentioned that they would like to see each official give an overview for each of their departments before Town Meeting but I don't think they have figured out yet the logistics.

Mr. LaCortiglia- It's my understanding that an annual report for each department is to be submitted to the Selectmen and/or Town Clerk at every annual town meeting.

Ms. Buck- We submit an annual budget but I think the formal report has often fallen by the wayside even though it is state law. With the master plan, it should be given an overview at the Town Meeting with a statement from the Board as to where we are.

Mr. Moultrie- I think Harry is right. The Town is actually obligated under Town bylaw to have an annual report by department submitted to the Town and they have not done it. I do believe it states that it is distributed to the general voting population at a minimum of 2 weeks before annual Town Meeting and it is to include the annual report along with recommendations from the Planning Board.

Mr. LaCortiglia-It's a combined comprehensive document (referencing the Master Plan). There must be way to get the word out that we are looking for public comment. We need to give the Town some kind of draft to get comments and feedback on the Master Plan.

Mr. Hoover- It is important that the Town know that we are on schedule to getting the master plan completed and that the contract needs to be signed tonight. In a general sense, there needs to be a schedule for public information.

Ms. Buck- As soon as I am authorized to sign the contract, I can put a link to the schedule on the website.

Mr. Hoover- Some people also use the newspaper. Just add a blurb in the newspaper referring to the website for all Master Plan information so we hit as many people as possible.

Ms. Buck- We are building on the vision and input from the Community Development Plan which is  $\frac{3}{4}$  of the Master Plan. We received a lot of comments from that and it was recorded. What we are looking at next are the following 3 remaining areas (recommendations) from Daylor Consulting- the land use element, implementation, and public facilities. We are looking for public comment on all these issues. The Community Development Plan is on the website. I will include an invitation to attend our first Master Plan meeting, scheduled for January 24<sup>th</sup>, on our webpage, cable TV and the newspaper. I will also notify the various boards.

Mr. LaCortiglia- I gave a few comments/small details to Sarah when I came in to the office. My concern was that they are heavily relying on the 2004 document. Information is updated in the recently-completed Open Space Plan. I wanted Daylor Consulting to be aware of that. I don't want them to use old data.

Mr. Moultrie- The land use plan to be developed will need fine tuning after the fact with a zoning element. Some zoning issues are still unresolved or addressed like National Avenue.

Mr. Hoover- That was a specific item I wanted to address. It's important that they address this zoning issue specifically. Is a big box store good or bad for Georgetown? I

am looking for a specific response to rezone or not and what's in Georgetown's best interest.

Ms. Buck- Under economic development, the contract states that the consultant will focus on big box development. It's on page 5 of 18.

Mr. Hoover- Would it be fair to assume that we will have that dialogue with them when it comes up?

Ms. Buck- Daylor Consulting understands the need for tax revenue and economic development.

Mr. Moultrie- My taxes went up substantially as well as a lot of people's. We obviously need to work on economic development.

Mr. LaCortiglia- We need to control costs.

Mr. Hoover- When I read the first paragraph regarding the scope of services, it tells me that they will take the community development plan as is. I think it needs to be clear to them that they are not to take the plan as is but they will look at it and incorporate the changes that have happened and modify it to get it up to date.

Ms. Buck- While the community development plan is good, the open space plan has newer data and will be incorporated into the plan.

Mr. Hoover- We need to add a date and initial it. It needs to be reviewed and updated if required in that section of the contract. An important question would be "is downtown Georgetown a destination town? If not a destination, can it be? And if it can, what will make it a desirable destination? How do we then implement it?"

Additional Questions to ask: What will make it a destination with Rte. 133 should be addressed specifically. When you come in on Rte 97, it's a classic New England town. Rte. 133 is different and has a different feel. This needs to be addressed. Increasing the tax base also needs to be considered. I hope they look at that possibility. In addition to all that, the Box Store/National Avenue issue needs to be addressed. In general, is it good or bad for Georgetown and how will it affect downtown businesses? Lastly, this information comes back to us 30 days prior to annual Town meeting at the very least.

Mr. Moultrie- Subsurface sewage needs to be addressed and then start to begin the process. I have an old report from the Town that describes the preliminary stages of potential sewers in the downtown area. Would the Board agree that I provide this information to Daylor Consulting? I will first bring it to the Board for review.

Mr. Hoover- In a recent MVPC Newsletter, it talked about a new program with hundreds of thousands of dollars from the state for developing businesses in downtown for improvements. It's a new program for economic development of downtown businesses.

Ms. Buck- There's a whole proactive section on their website. There are ways to obtain this information on their database.

Mr. Hoover- Part of the good news on National Avenue is that there were initially a lot of fears out there with this project. The applicant is now going to sit back and wait to see what happens, and we will have information with which to make a decision.

Ms. Buck- Last item is the final presentation meeting on April 25<sup>th</sup>. Could we do it the week before? We will check and confirm dates with clerk.

Mr. LaCortiglia- I move to authorize Sarah to enter a contract and sign as amended with Daylor Consulting after this meeting.

Mr. Howard- Second

5-0; Unam

## **2. Legal counsel received**

Ms. Buck- We received answers to several questions posed to legal counsel. The first was if it was right for the Board to withhold approval on the Heather Road ANR due to it not being on the town map. Legal Counsel states that if it is not on the town map, it is reasonable not to move forward. I will give this information to the applicants. The next question regarded Affordable Housing and whether we could use the affordable housing funds to develop protocols and policies for responding to requests to refinance, take out home equity loans, sell an affordable home. This would likely cost several thousand dollars. Legal says we can do it, but should get Town Meeting vote approving the use of the funds for this. Is the Board open to doing this.

Mr. Hoover- It's another scope of work to fall onto Sarah's shoulders.

Mr. LaCortiglia- It's a simple policy to just not allow it.

Ms. Buck- On this you would want advice and seek answers from other communities.

Mr. LaCortiglia- I don't want to put the town in that position to chase after lost money if any of these mortgages were defaulted on. It's easier to have a blanket policy that this Board will not grant this second mortgage.

Mr. Howard- I don't think that is fair. I don't think we can tell them they can't have a mortgage on their house. I don't think you can say NO. We don't have a right to say no and take away someone's right to their asset.

Mr. Moultrie- I think it's beyond the scope of the town to be policing who can get financing. We can set ourselves up to be liable. We are not experts and this should be handled out of the executive office and counsel.

Mr. Moultrie- The town may not be in a position to purchase the house as an affordable house.

Ms. Buck- We could at least advise the realtors what the resale price is. I don't feel comfortable making this advice. We have consultants, Lynne Sweet and Jill Oonderdunk, that I could talk to about a protocol on how to respond to these types of issues.

Mr. Hoover- Let's get more information from Deborah Eliason on whose responsibility this should be.

Mr. LaCortiglia- There's an affordable housing taskforce in this town who can make these decisions. I don't want to see their money eaten up by the consultants.

Mr. Hoover- Could this just be a specific question to Deborah Eliason? Who does she recommend as the enforcer of this?

Ms. Buck reads from a letter from Joel Bard. (Letter on file) There's a taskforce that is not meeting.

Mr. Carter- Do they have any legal standing?

Mr. Moultrie- How do other towns handle affordable housing?

Ms. Buck- I have contacted a few other towns. I didn't get much help. Let's seek the advice from Deborah Eliason, our legal counsel. I need a resale price for an affordable house. If the taskforce can give me an answer, that would be great.

Mr. LaCortiglia- I am not aware of any mechanism to use that affordable housing money.

Ms. Buck- Last issue- Longview Road has a bond. How do we use that money to get that road accepted?

Mr. Hoover- The action item on this is that Sarah will get back to Board after discussion with Deborah Eliason.

### **3. Set meeting date for zoning amendment discussions**

Ms. Buck- Do Monday or Tuesday nights work for the Board to have a special meeting to discuss Zoning Amendments? In terms of dates, I can propose Tuesday dates.

Mr. Howard- Mondays and Tuesday don't work for me. We have the alternate Wednesdays.

Mr. LaCortiglia- We need to do this as soon as possible.

Ms. Buck- We have to let the Selectmen's office know how many Warrant Articles we will need by end of January.

Mr. Hoover- Jan 25<sup>th</sup> looks to work for everyone to start at 7 PM. Needs to be confirmed with Town Clerk.

Mr. Moultrie- Are we agreeing to email a draft to Sarah to go into the packets for the Jan 24<sup>th</sup> meeting?

Everyone agrees to do so.

#### **4. Parker River Landing**

Ms. Buck- You have a memo from Larry Graham. One of the concerns was a construction trailer out front. He didn't feel there was another area for it to be moved.

Mr. Hoover- It still looks like a project that is still under construction. The sodium vapor lighting is not part of the final project. The trailer and the light could be moved somewhere else. They need to get rid of the light on the trailer which is a nuisance.

Mr. Moultrie-The light is there for security reasons. We could make a quick inquiry at the police station to determine if it needs to remain there.

Ms. Buck- I can check with the police and Pulte Homes. They did come back and start doing more work. I will follow up with some more questions.

Mr. Hoover- Put the ball back on Pulte Homes and come back with a solution.

Mr. Moultrie- We also had several complaints about the curbing issue at the front entrance. Having a few shrubs planted there is not working. Could we ask for a representative from Pulte Homes to come?

Mr. Hoover- There was a sketch showing a revision to correct the entrance.

Mr. LaCortiglia- Is Larry Graham acting as our construction inspector on this project?

Ms. Buck - Yes. He's always been on this project. I will look into these 2 issues.

## **5. Building Height – memo from Building Inspector**

Ms. Buck- The applicant received a three year zoning protection by filing the ANR prior to the town meeting last year. So in fact, he is under the old zoning. He will still have to show the height and he will need to come within the 35ft. of the grading.

Mr. Hoover- Issue a memo to confirm that we recognize the ANR and we would like confirmation of height under the former ordinance. We will not pursue this issue any longer.

### **Continued Public Hearings: 8:00 p.m.**

#### **Harmony Lane (to be continued):**

Mr. Hoover- My suggestion is to let applicant withdraw without prejudice.

Mr. LaCortiglia- I make a motion to continue the Public Hearing for Harmony Lane to Feb. 14<sup>th</sup>

Mr. Carter- Second.

5-0 in favor; Unam

#### **34 Thurlow Street:**

Ms. Buck- No new information on this, but the applicant is present. Bill Simmons is here from Simmons Environmental. (Mr. Simmons delivers documentation which is on file. He summarizes.)

Mr. Simmons- We installed 12 test pits. They were advanced from 2-4 ft. below grade... We uncovered solid waste like auto debris. We did not encounter heavily contaminated soils or anything looking like a gasoline tank in that regard. We had good special coverage on the sight. We sampled and analyzed it .We screened all 12 samples which is an extraction method and looked at the highest concentrations. We saw the highest concentrations of hydrocarbons , pcbs and 13 pah's. We found a reportable exceeded concentration in 2 of the 12 test pits. We saw chromium in 2 of the test pits. It is presumed that it is in its worst form when you do this analysis. We need to make further analysis until the chromium disappears. At pit #11, it was reported a 27 and it should be 20. My recommendation to Mr. Ogden is that we return and collect additional samples in the vicinity of the test pit. We will expand the analysis to look at the arsenic. All the metals were below the threshold. I was surprised at the results. As you'll see in the packets, it appears to be a solid waste issue on this site. We have 120 days to indicate that the arsenic will be under 20.

Mr. Howard- Is arsenic a naturally occurring substance?

Bill Simmons- Yes. Test pits are 6 feet long and 8 feet below grade. We wanted to open up a test pit to see what we were dealing with.

Mr. Howard- You pick random areas for the samples, correct?

Mr. Simmons- Yes. We try to get a good sampling covering the entire area. We checked where vehicles were stored in order to obtain samples from those areas.

Mr. Moultrie- A lot of activity was taking place where the septic is. Are those soils very permeable? Is it possible that trace elements of hydrocarbons would be found there?

Mr. Simmons- The only concern is that they don't migrate very far down. They bind to the soil and don't move down too far. We rarely see anything below 200 ft. from the source. There is some discussion if this property is in a Zone 2 for a public water supply well. Most of the input was taken from neighbors as to what areas looked suspect in order to determine the location of the test pits.

Mr. Howard- One neighbor noticed the wet areas had bulldozers moving debris into those areas.

Mr. Simmons- Neither one of those areas showed anything.

Mr. Hoover- The only concern is the 12 test pits. How representative are those? I will read the information when it comes in.

Ms. Buck- Does the applicant have more information to present or say?

Mr. Simmons- HL Graham hasn't yet done the full review.

Ms. Buck- What is the schedule on the 21E?

Mr. Simmons- We should have results on the chromium next week. Then we will complete additional samples and have a window of 120 days to complete the sampling.

Mr. Hoover- Let's schedule the next meeting?

Mr. Howard- How do you recommend dealing with solid waste?

Mr. Simmons- We use a screener to separate the waste. The change of the episoils is dark. Screening is not difficult.

Ms. Buck- February 28<sup>th</sup> would be the next time. Will you have the information by then?



Mr. Simmons- We should have the information one week ahead of the meeting to continue. The only thing that would delay us would be a snowstorm. The sampling will be around test pit 11 which will be more focused.

Mr. LaCortiglia- Next time, I still want another L.S.P. (licensed sight professional) to review it.

Mr. Simmons- Agreed. It's common in our industry to have peer review.

Mr. Moultrie- Motion to continue meeting to Feb 28<sup>th</sup>.

Mr. Howard- Second

5-0 in favor; Unam

Ms. Buck- Can I get an extension of time?

Mr. Moultrie- I move to grant an extension of time to 3/31/07.

Mr. Carter- Second

5-0 in favor, Unam

### **Continued Board Business: 9:00 p.m.**

#### **6. Budget**

Ms. Buck- There is a request from the Town Administrator to submit the budget by the end of the month. Sarah then reads the Town memo. In the numbers, the huge difference is the expenses on page 3. It stays relatively the same. The salary goes up a lot in FY 07 and FY 08. Planning has been understaffed for a long time. A full time Planner would be preferable because it is necessary and similar to other departments.

Mr. Hoover- It's the ordinances that go on through time. That's where you get continuity and expertise. Conservation and the Building Inspector are full time agents. When Jack leaves, his expertise will need to be transferred to the Town Planner.

Mr. Moultrie- I agree. I volunteered to assist Sarah to drive home the fact that we deal with the character of the community. This Board plays a huge role in that. When there is a lot of turnover, the quality of life in this Town is affected. It will be a tough decision. There's a lot of departments looking for free cash this year, especially the schools.

Mr. Hoover- I would also like to attend that meeting to make this case. The more of us there the better.

Ms. Buck- Planning has grown over the years in towns and the legalities get complicated. The town will never get the expertise it deserves in a part time planner.

Mr. Moultrie- The term for this job on the Board is 5 years. It's complicated and it takes a least one year to get up to speed.

Mr. Hoover- The value of the full time Planner is invaluable to those towns that have them. They are the experts and they stay in their positions longer because it's full time.

Mr. Hoover- Other towns have the town planner actually present first on behalf of the applicant which makes the meeting so efficient and effective.

Mr. LaCortiglia- How do we justify this?

Ms. Buck- We this year brought in \$53,500 in fees. Our total proposed expenses would only be \$76,600.

Mr. LaCortiglia- \$24,000 is a large increase by comparison to the previous years. I want to be sure people understand that we are balancing the department.

Mr. Hoover- It would be helpful if the Board unanimously states the importance of this. I see that the all the departments have been under-funded for some time. There's no question about what's in the best interest of the town - that you need a full time planner with a volunteer board. Budget has to be presented when?

Ms. Buck- By the end of the month.

Mr. Moultrie- He wants it electronically by the 15<sup>th</sup> of the month.

Mr. LaCortiglia- I want to abstain from voting on this since I have not been on the board for very long. I don't feel qualified to say whether the department deserves a full time planner. I am too new to this board.

Ms. Buck- It would be a real loss if Con Com, Building Inspector or the Planner were to leave. Con Com and the Inspector are full time positions. You want people to stay in their positions in order to be effective. The Planning Board will have to decide if we send this in as a draft budget. If you're comfortable with it, I can send it in.

Mr. Moultrie- The narratives can wait to go in there. They are looking for justification in the narrative section.

Mr. Howard- I think we can raise our fees to cover our expenses. We can adjust our fees to compensate for that. We don't need to go to Town Meeting to do that. I don't think residents will care. Gary Evans may be able to talk to you, Sarah, about that. Also check Wilmington's Planning Department.

Mr. Moultrie- How do we go about figuring out the fee increase based upon what we took in?

Mr. Howard- Gary could assist with that.

Ms. Buck- The majority of fees will come from subdivisions so we know to compare with other communities in order to make sure we are in the right range.

Mr. Moultrie- I have to agree that there is a lot in the pipeline to justify this.

Mr. Howard- It should not be a tough sell to convince the town to agree to increase the fees to compensate for increased expenses.

Mr. LaCortiglia- I notice expenses have dropped.

Mr. Hoover- Put in a contingency amount of \$250.

Mr. Moultrie- Better to put it under Planning Board expense.

Mr. LaCortiglia- I feel much more comfortable that a professional company handle the updates for the Zoning codes. A small amount of money should be in this budget for zoning updates of \$1,000. All departments have to do zoning updates at the same time.

Mr. Moultrie- I motion to recommend the budget numbers as amended in the FY08 with a total of \$10,000 for expenses + \$70,606.85 for salaries and wages.

Total budget to be \$80,606.85.

Mr. Carter- Second

4-0 in favor, 1 abstention (Harry LaCortiglia)

## **7. Request from New Schools Facilities' Committee**

Mr. Hoover- All the committee wants to do in order to move the project along is to give their opinion on the two schemes showing entrances. Can we have an informal meeting? Right now there is a schematic plan but no traffic study has been done.

Mr. Moultrie- Larry Graham will need to charge for that.

Mr. Hoover- If you came in the back, it allows all that space to have better circulation. With two ways in, you are developing land there.

Mr. Moultrie- PennBrook and MS/HS have serious issues with parking. They don't have traffic controls there. They need a draft opinion.

Mr. Hoover- What that plan did not have, was use of athletic space. Coming in from the Johnson property and Elm Street was creating all that parking there. The building got a lot smaller. The architects moved the building up.

Mr. Moultrie- I would be happy to add input at their meeting. I think it would be good to have any planning board member there. How far along are they with the feasibility study?

Mr. Hoover- It's nothing but an idea on paper right now. A traffic study will be huge.

Mr. LaCortiglia- What's the meeting date? Will the conservation agent be attending?

Mr. Moultrie- A 26 ft. roadway would be a problem.

Mr. Hoover- I will find out a date.

### **8. Release funds for 113 Jewett Street**

Ms. Buck- Simple request to release funds for a project that never happened.

Mr. LaCortiglia- Motion to release residual funds from the M-account of 113 Jewett Street in the amount of \$139.69.

Mr. Howard- Second

5-0 in favor; Unam

Mr. Hoover- Can we look at old M-Accounts and review one per meeting?

Mr. Moultrie- I will sit with Sarah to look at site plan reviews. I assume the as-builts have been granted.

### **9. Temporary license agreement – 21 Pillsbury Lane**

Ms. Buck- This is what was holding up the acceptance of Pillsbury Lane. My only question: Do you want me to run it by town counsel?

Mr. Moultrie- I noticed a couple of things. This is not binding on all sides. (Binding on successors in title.) The shed needs to be moved by the owner at the owner's expense if drainage access so requires.

Mr. LaCortiglia- Is there already a shed on the land?

Everyone – yes

Ms. Buck- I should just get legal opinion on this. I will get a quote from the Kopelman and Paige, P.C.

Mr. Howard- There also needs to be a release of liability if it is damaged.

Mr. LaCortiglia- Requests old minutes to bring him up to speed.

### **10. Vouchers**

Mr. LaCortiglia- Motion to sign the vouchers for Jan 10, 2007.

Mr. Carter- Second

Mr. Moultrie- Abstains from payment on Acorn Way only.

5-0 in favor for payment on all vouchers except Acorn Way; Unam  
4-0 in favor for payment of Acorn Way (1 abstention- Mr. Moultrie)

Mr. Carter- Motion to adjourn

Mr. LaCortiglia-Second

Meeting adjourns at 10:15 pm.