

**GEORGETOWN PLANNING BOARD  
MEETING  
May 9, 2007**

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

**Absent:** none

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

**1. Discussion - eligibility to vote**

Mr. Hoover- opens meeting at 7:10PM

Ms. Buck- The eligibility to vote came up because there has been case law that says if a member misses more than one meeting, they are not eligible to vote. We have one application that has been around since 2005. It means that for a Special Permit, you need 4 out of 5 votes and only three members are eligible to vote on that application. It hinders our ability to get good decisions. Most applicants choose to withdraw when you can't get approval. You'll also see a summary next on Whistlestop Estates where this is directly affected. I have written them a letter asking that they withdraw all three of their applications. If they choose not to, we're allowed to vote to deny. They just don't have enough votes for an approval. If you miss one meeting, you are still eligible to vote. Whistlestop is continued until June. The applicant doesn't have to withdraw the Definitive Subdivision but if he does, the Planning Board has to approve that request. {Memo on file from Sarah Buck, Town Planner, regarding the applicant's options}

Mr. Hoover- I am of the opinion to remove all 3 applications.

Mr. LaCortiglia- It behooves the applicant to do that. Even the best of plans can get caught up in court on appeals.

Ms. Buck- I will pass that along to the applicant.

**2. Stone Row – request for waiver of fee**

Ms. Buck- The applicant wanted us to waive the fee for filing the Definitive Plan. My recommendation would be that they deduct the preliminary cost. Our bylaw says it will never be less than a \$2,500 filing fee. Waiving the fee saves them a \$1,000. It costs the town to process these things. Sarah reads from the memo that was distributed to the Planning Board for the May 9<sup>th</sup> meeting.

Mr. Moultrie- I motion to reduce the application fee for Stone Row by \$1,000 to \$2,500.

Mr. Carter- Second

Ms. Buck- Those fees go into the general fund. Most of our department runs on these fees.

Mr. Hoover- I want to make sure that the fees that are paid are commensurate to the fees associated with the Town.

Mr. Moultrie- In this case we are talking 3 lots. They have been cooperative. Out of fairness, I would be willing to go along with that amount.

Ms. Buck- It is deducting that payment from the way the regulations are written if the preliminary plans are approved.

Mr. Carter- They have already paid twice.

Ms. Buck- We are not cutting them a break.

Mr. LaCortiglia- We as a Board have fixed costs.  
[He notes that he is not in favor of granting rebates due to the high cost associated with running the Planning Office]

All in favor?

3-1-1; (Mr. LaCortiglia-opposed; Mr. Howard – absent)

### **3. Choose new Master Plan date**

Mr. LaCortiglia- Motion to schedule the next Master Plan meeting for June 27<sup>th</sup>

Mr. Carter- Second

All in favor?

4-0; Unam (Mr. Howard absent)

Ms. Buck- Today I am in receipt of the land use, housing and transportation sections for the Master Plan. The implementation and the re-written vision sections will be coming by the end of the week. All the draft sections will then be complete.

### **4. Minutes – 2/28/07 and 4/18/07**

Mr. LaCortiglia- Motion to approve minutes with corrections.

Mr. Howard- Second

All in favor?

3-0; 2 abstentions (Mr. Carter and Mr. Moultrie)

Mr. LaCortiglia- Move to approve February 28, 2007 minutes.

Mr. Carter- Second

All in favor?

4-0; 1 abstention (Mr. Moultrie)

## 5. Other Business

Ms. Buck- Out of the economic section of the Master Plan, I've had some interesting meetings with the Georgetown Alliance Group and the MVPC. There are two things to pursue if Georgetown is interested: 1) A Northeastern study done on *Barriers to Economic Development*. It's a study done by businessmen that come and look at potential sites for development at a cost of \$5,000. The State gives a Grant for half of it. 2) The Board had me write a letter about priority development sites a while back. There's a new state initiative that looks at specific sites in a town if Georgetown is interested in that. It's referred to as, Streamlined Permitting. The benefit is \$150,000 in grants. They are going to notify us when they're going to come out. The hurdle is to get the owners of the parcels to agree. "Priority Development Sites" means that if you have to give a permit in 180 days or make a decision in 180 days. The other marketing tool is that the State has a statewide marketing website that links into other agencies which would also benefit our Town for developable areas such as National Avenue.

Mr. Hoover- I don't know why we'd say no.

Ms. Buck- I think Mr. Lacey of the Alliance Group will want to pursue that.

Mr. Moultrie- In my capacity, I received a call from Mr. Chris Gilbert at 3 Sage Road under John Longo. What I found out there is rather disturbing. Jack passes around photos of Whispering Pines. {Photos on file} I was out there looking at a drainage issue. What you are seeing in the photos should not be there. When it rains, there is supposed to be a swale that runs between the two properties to make the drainage run down into a detention basin area. It floods the whole area. The homeowner has had several issues with the home. This situation needs to be corrected and he has not gotten any resolution from Mr. Longo. I feel the Board should contact Mr. Longo.

Ms. Buck- We currently have a HOLD on all permits out there.

Mr. Moultrie- All the information is here and will stay on file. Sage Road is not an accepted street but is under control of the Board.

Mr. LaCortiglia- Who was the inspector?

Mr. Moultrie- Todd McGrath of Millenium Engineering. There is a car on the lot that should not be there. I assume the lot was sold to someone else.

Ms. Buck- We have a bond on the subdivision.

Mr. Moultrie- We need to deal with the drainage issue. I saw this and thought it was something that needed to be addressed. It was built to have a swale between the two driveways. The water is taking a detour.

Mr. Hoover- It looks like someone built a platform for the playground out there.

Mr. Moultrie- It floods the other backyard completely out. There is 3-4 inches of water all the time.

Ms. Buck- Don't we have lot review on Whispering Pines? I will check with Larry Graham.

Mr. Moultrie- The individual grading of the lots becomes a Building Inspector issue.

Ms. Buck- Those homes out there have been there a long time. I don't have anything that tells me that the sidewalks have to be built at a certain time. I am not sure how to move on that issue.

Mr. Moultrie- The complaints have become more numerous.

Mr. Moultrie- Motion for Sarah to contact John Longo to request his presence to discuss issues at Sage Road.

Mr. Carter- Second

All in favor?

5-0; Unam

## **6. Vouchers & Correspondence**

Mr. Carter- Motion to approve vouchers totaling \$2,640.

Mr. Moultrie- Second

All in favor?

5-0; Unam

### **Preliminary Subdivision 8:00 p.m.**

#### **Pondview Estates**

Mr. Hoover- opens meeting back up at 8:00PM to discuss Preliminary Subdivision for Pondview Estates.

Applicant- Mr. Scott Green with TBR properties. He presents a 7 lot subdivision including an existing house on one lot. Address is 100 and 102 Pond Street. Home sizes will be 2,000 to 2,200 sq. ft. with a 2 car garage.

Ms. Buck- This property was subject of a 40B Application in 2001. There are a lot of hills and swales. If the Board decides it should be done, I would like the property staked.

Mr. Graham- I submitted a report to the Board that has been just received tonight. {A copy of the report is on file} On page 2 of the report under item 4- those comments are about the drainage. This proposal is for 7 lots. The property does have a lot of character

and relief. About 90% of it drains from North to South. That was my concern. The plan shows a detention basin. My concern was the handling of the drainage from the roadway. My recommendation to the Board is that you stay in the Preliminary plan phase and come up with a drainage plan that I can make a recommendation to the Board that you might accept. That is my biggest issue. The other concerns are less significant and are all listed in my report.

Mr. Green- I went through item by item with my engineer who could not be here tonight. We agree that we can address all the items. He didn't see anything that wasn't unreasonable. We just need to reduce the runoff on the street down the hill. I sat down with Steve Przyjemski [Conservation Agent] and Sarah last year. This plan reflects that discussion. We are putting a Deed restriction on the property.

Mr. Howard- No comment for now.

Mr. Moultrie- There was another development on Lake Avenue. There was a 50 ft. right of way from that.

Mr. Green- Nothing is being touched with that.

Mr. Moultrie- The developer stripped the trees on those lots and created an issue with a detention basin there. Now it has become infested with mosquitoes. You can't go in there and just fill it in. I know the soils there are good. My concern is drainage on this project.

Mr. LaCortiglia- Are you saying that off the plan there is an easement on a Deed showing 2 new houses that are not shown on current plan? Can you show that on the next set of plans?

Mr. Graham- You might want to find out who has rights to the Deed along your property and to Lake Avenue.

Mr. Green- Agrees to show on next set of plans the two lots on Lake street that are not shown on current plans.

Mr. Moultrie- The easement runs from the stone wall to the town layout of Lake Street / Old Jacobs Road (official name of the road).

Mr. Hoover- In addition to the engineering is what this will look like. Some of my issues are: The cul-de-sac and the retention in the middle, what is it going to be? There is a lot of landscaping that could be done. As part of the stone wall, you could re-use that stone. It is helpful to show the abutting homes to help with the dialogue on views from the homes, etc. Also show existing vegetation, buffers and street trees. You can't add the street trees on at the end of the process. The wall in the back of that house will at it's highest point be approximately 10ft. You may want to step it.

Mr. Green- I made a commitment to abutting neighbor there that I will look at the wall there and correct the drainage.

Mr. Hoover- Double check the slope grades based on the existing grades.

Mr. Green- Should I bring in the house plans? Would they be helpful to the Board? The homeowner may tweek a few things but it will be the overall design and character of the neighborhood.

Mr. Hoover- It doesn't hurt.

Mr. LaCortiglia- Is this proposed to be an accepted street?

Mr. Green- I haven't given thought to that yet. It may end up becoming a private road.

Mr. LaCortiglia- I have never walked this parcel. Would we be open to a site walk?

Ms. Buck- I think it is useful. I want it staked first to get an idea of exactly what we are looking at.

Mr. Green- I will ask my surveyor to come out and mark where the houses will be.

Mr. Hoover- Have existing vs. proposed elevations and numbers of the houses on the marked stakes would also be helpful for the site walk.

Mr. Moultrie- Is there asphalt material out there?

Mr. Green- There is not one bit of asphalt there. The previous developer, however, did something there before with asphalt. Steve Przyjemski made them haul it all out and put back to grade.

{Public comment – None}

Mr. Graham- I would like a couple of weeks to review the changes from the applicant's engineer showing a more complete stage with the Preliminary plan.

Ms. Buck- You need to first do the site walk and get the Preliminary Plan more complete including Larry Graham and the Board's recommendations.

Mr. Green- We will first do a site walk and then make changes suggested by Larry Graham and the Board. The engineer will need to get new site plans.

Mr. Howard- I make a motion to continue the Preliminary Subdivision Hearing for Pondview Estates Hearing to June 13<sup>th</sup>, 2007.

Mr. Carter- Second

Mr. Green- I would like to do the site walk with you.

Mr. Hoover- I know what I am looking at so I will just notify you first before I come to the site walk.

Mr. Green- I will make sure it is staked prior to the site walk on June 9<sup>th</sup>.

All in favor?  
5-0; Unam

Ms. Buck- I will go ahead and schedule the site walk for June 9<sup>th</sup> at 8 AM. If anyone can't make it, then you may contact Scott Green in advance to schedule a separate site visit at another time.

**Public Hearings**  
**Berry Lane - Modification to Subdivision**

Bob Lynch of Atlantic Engineering represents the applicant. He shows the plan to the Board. The applicant wants to put a modified "Y" to do a turnaround in the street. It is an existing subdivision.

Ms. Buck- It was permitted in 1973. You can not create a lot without frontage. The driveway goes back to that rear house. They simply want to shorten the street as it was recorded at the Registry of Deeds. They want to put in a garage. It doesn't affect what is built or anyone in any way. They want to change the drive from a bulb to a "Y."

Mr. Graham- Your frontage will be 186ft. The Board grants waivers, not variances.

Ms. Buck- We would grant them a waiver with a 50ft right of way as part of approving this modification.

MR. Lynch- The other waiver will allow it to be a "Y" drive.

Mr. Moultrie- Is this an RB district?

Mr. Lynch- Yes, the acreage is 120,000.

Mr. Hoover- What is the SU design?

Mr. Lynch- 36ft fire truck design.

Mr. Hoover- My two comments are: One to confirm that the turning radius will work for emergency vehicles and second, are there any issues with the vehicle turning around on private property?

Mr. Lynch- It is all private property but on the Town right of way.

Mr. Moultrie- It is pretty wide in there and you can turn around easily.

Mr. LaCortiglia- If the fire department didn't comment on this within 30 days, should we assume they have approved this?

Ms. Buck- We could approve it by sending the Fire Dept. a letter and have it signed by Mike Anderson, Fire Chief.

{No Public Comment}

Mr. LaCortiglia- Motion to approve the modification of the Definitive Subdivision at Berry Lane contingent upon the lack of objection from the fire chief.

Mr. Howard- Second

All in favor?

5-0; Unam

Mr. LaCortiglia- Motion to close the Hearing for Berry Lane.

Mr. Carter- Second

All in favor?

5-0; Unam

### **Twisdenwood Farms – Definitive Subdivision**

Ben Osgood, Jr. of New England Engineering Services is representing the owner (Mr. Bowden) of Twisdenwood Farms- The site is located at 240 Andover Street near Baldpate Road. It is the large horse farm which has a total of 19 acres. Site is open with fields. The site is at the back. Owner wants to keep the horse farm and develop some of the land with a couple of lots at the back of the property and keep it a working farm. The access to his property has a reserved 50 ft strip. He wants to put two houses out there and preserve the farm. We came up with a court in this current design that meets the regulations. We met with Sarah. As we read the bylaw, we would need many waivers by doing what he wanted to do. I have been through this process before because of having a lot of opposition when not meeting the regulations. We designed a 970 ft. court. We do have a drainage system, water system, and a full turn around. The drainage is the biggest issue – it is a catch basin system to capture runoff that leads into the detention basin behind the farm. The houses are serviced by septic. We kept the road away from the wetlands. It's and 80,000 sq. ft. zone.

Ms. Buck- It's a beautiful piece of property. The area for the two is big open field. They are in an RC zone so they have a 1,000 ft. of length of road. It's not truly a waiver from the zone they are in. It would be pretty if you do a common driveway but I just want to know what the future is for this property?



Mr. Bowden – I want to keep the farm for another 10 years before any other development is done on my property.

Ms. Buck- I have a 2 page review of the site. There is an easement that has to be put on the plans. My main concern is drainage. I would say that the less grading you could do would be the best for the area. The lots further north need to be shown on the plans as they are wetlands.

Mr. Osgood- The state GIS doesn't indicate that that area is wetlands. It was looked at by Epsilon Associates and they agree.

Ms. Buck- I do support the lower impact approach with waivers if the drainage is taken care of adequately.

Mr. Osgood – There is a lot of relief here. A lot of the drainage issues drive the elevation of the sites. The problem with a low impact green development is that we need to show that we can build it first under the regulations.

Mr. Graham- A modified lower impact design is also my recommendation. He refers to his summary from his Technical Review which is on file. Waiver requests are as follows:

- Maximum length of cul-de-sac- this would be a required waiver

- A waiver request for no sidewalk is required. There is no sidewalk there on Baldpate Road.

- A waiver request for sloped granite curb and a sloped granite curb detail is required.

- Fire alarm lines or boxes

- Street lights

- Graded at intersection where they are steeper than grade

I see no reason to grant the waiver request for no street trees.

{Summary of technical issues are on page 15 of Mr. Graham's review and are on file}

What is driving the design is the drainage and fill over the top of the pipes.

You'll see there is quite a bit of fill proposed to build these roads. The question is:

Do you [The Board] want to bring this plan forward to some sort of compliance? I would disagree with Sarah that a common driveway would not work.

Mr. Osgood – I think it is more appropriate to do it as a court.

Mr. Moultrie- There are several issues. I will need to pull these easements to review the discharges from the pipes on Baldpate Road that runs there. The soils there are terrible and not very permeable. The lots on the southwesterly side have serious drainage issues.

Mr. Carter- No comment

Mr. Howard- No comment

Mr. LaCortiglia- Have you been to the Conservation Commission?

Mr. Osgood- We still have to file with the Conservation Commission.

Mr. LaCortiglia- I am in favor. However, I do have one big concern. We would be allowing the creation of a roadway that would be a driveway standard. In this location, I see a large undeveloped parcel of land to the north.

Mr. Hoover- How would you upgrade the existing right of way driveway?

Mr. Osgood- It might be so difficult that it might have to stay a horse farm forever.

Mr. Hoover- A driveway is too small. A court is what is doable with the least impact as possible.

Ms. Buck- If you look at the plans, you could access the whole property if you come in from Andover Street instead. You would have two back-to-back cul-de-sacs. You don't want anyone coming through there as a connector.

Mr. LaCortiglia- I would feel a lot more comfortable going with the court if there was protection that the northern section would not be developed in the future. I am not opposed to granting waivers. I want to see it kept as a horse farm. What's the benefit to the Town?

Mr. Hoover- As far as waivers are concerned, there is a lot here that I would support. I prefer the less development the better. Regarding the waiver for no sidewalk - Can we take that sidewalk development money and apply it to another part of Town as part of a waiver?

Mr. Moultrie- The offer has to come from the developer.

Mr. Hoover- Second, street trees. As far as one of the waivers that I would consider would be the design of that paved circle using less pavement. I would push this thing and grant more waivers to have low impact development if I could see the benefit to the Town long term and there would be no future development. On an engineering issue - if going with fewer waivers using the more standard design, you could reconfigure that storm water basin.

Mr. Osgood- The olive green colored area is a wooded area.

Ms. Nancy McCann (Attorney) represents the Frackletons who are abutters- They would agree to this plan if the drainage is addressed. They have a large problem with this now and they don't want it worse than it is currently. Secondly, buffering. They asked for a wave of street trees. They want them to buffer the driveway coming in. Their home is impacted by headlights on three sides. Proper screening of trees can take care of this.

Mr. Osgood- 18ft is the width of the driveway. Elevation is 232 vs. 229 on the other plan which we don't recommend. The court plan shows the grading raised anywhere from 2-5 ft. This design of the roadway has a curb so the water is controlled and not draining on the abutters.

Ms. McCann- Do you anticipate any blasting?

Mr. Osgood- No

Ms. McCann- We would support a waiver of no sidewalks. We are also looking for limited hours of construction.

19 Baldpate resident - Who makes the decision of whether there is wetlands there or not?

Mr. LaCortiglia- ConCom will agree or disagree by what is noted.

Mr. Osgood- We will ask you to take a look at your property.

5 Baldpate Road resident- It is a beautiful farm. Three things that are bad are: manure, show times for the horses, and can the manure be moved?

22 Baldpate Road resident- We deal with drainage issues on an on-going basis. The screening of the area would be important there. Lights will show directly into our home as the street is directly across the street from our home.

Patty (School committee)- Will this impact that culvert that crosses Andover Street?

Mr. Moultrie- This will have to be looked at pre and post development. We hope this development will improve that. I am confident it will not bother your property. How close is the manure to your house?

5 Baldpate Road resident - It is 150 ft to my home and 20 ft to the boundary line.

Patty - There should be a Zoning decision on that property at the time of sale.

Mr. Hoover- Maybe there can be some discussion with the abutters regarding location of the manure pile.

Mr. Howard- Where is your proposed drainage of the roadway?

Mr. Osgood- The whole site flows and comes into the pipe along the golf course property not shown on the plan currently. The drainage runoff will not increase.

Dr. Peter Watchkin (owner of Georgetown golf course)- I am in support of the plan but I will not support anything less than a high impact road and drainage. The drainage does not go across the golf course. We have right of way onto the road (as he points out on the

plan) out to Baldpate Road. Any overload of drainage will go out on to Spofford Road which our pipes are not designed for. I want screening of trees between the road and the golf course. We're a 61B at the golf course. If they don't claim the 61A for 10 years, they have to pay the rollback taxes going back those 10 years.

Mr. LaCortiglia- Will the easements will be represented on the next plan?

Ms. Buck- Yes

Mr. Osgood- The road will be built to handle trucks. The golf course owner uses trucks for golf course maintenance only.

Mr. Hoover- Do we want to move this plan further and approach the waivers or not?

Mr. Moultrie- I agree. It's very preliminary. There's a lot of issues yet to be addressed like drainage and rights of use.

Ms. Buck- The two waivers being asked are: Not planting street trees and for a length of a roadway in an RC district. When the Board talks about waivers, how far does the Board want to encourage waivers for it's own interest?

Mr. Hoover- Do you [Mr. Osgood] have an indication of what the Board says are acceptable?

Mr. Osgood- The one comment I have is putting future restriction on the balance of the development. That is just not acceptable.

Mr. Hoover- Maybe the compromise is the future development off of Andover Street. It would be stating that there would be no connection between the two properties in the future. Therefore, put a restriction on no connection between the two roads so there would not be a cut through.

Ms. Buck- We need an extension of time. Are you [Mr. Osgood] comfortable with a direction and coming back with revised plans? Could you come back on June 13<sup>th</sup>?

Mr. Osgood- I can come back with plans on that date.

Mr. LaCortiglia- I make a motion to continue the extension of the decision date to September 30<sup>th</sup>, 2007.

Mr. Howard- Second

All in favor?

5-0, Unam

Mr. LaCortiglia- I move to continue the Public Hearing of Twisdenwood Farms Definitive Subdivision plan to June 13<sup>th</sup>, 2007.

Mr. Carter- Second

All in favor?  
5-0, Unam

**Preapplication Meeting**

**83 Baldpate Road – Independent Senior Housing**

{ Applicant did not appear at Hearing }

Mr. Moultrie- Motion to adjourn the meeting at 10:20PM

Hugh- Second

All in favor?

5-0; Unam