

**MINUTES**  
**GEORGETOWN PLANNING BOARD**  
**September 26, 2007**

**Present:** Mr. Rob Hoover, Chairman; Mr. Hugh Carter; Mr. Harry LaCortiglia; Ms. Matilda Evangelista; Mr. Tim Howard (arrived after first two items on agenda); Mr. Larry Graham, Consulting Engineer; Ms. Sarah Buck, Town Planner; Ms. Michele Kottcamp, Assistant

**Absent:** none.

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

**Minutes – July 11, 2007**

Mr. LaCortiglia- Motion to approve the meeting minutes of 7/11/07 with corrections as noted.

Ms. Evangelista- Second

All in favor? 4-0; Unam (1 absent- Mr. Howard)

**Construction Review position**

Ms. Buck- Jack Moultrie's temporary assignment as Construction Review Inspector ends on September 30<sup>th</sup>. The RFP is going out tomorrow. Steve Delaney is reviewing it. We than have 2 weeks to interview applicants. We will include Jack Moultrie in that list but we also have other strong applicants including Larry Graham.

Ms. Evangelista- Motion to extend the hiring of Jack Moultrie for another 2 months until November 30<sup>th</sup>, 2007.

Mr. LaCortiglia- Second

All in favor? 4-0; Unam (1 absent – Tim Howard)

**Lot Width proposed zoning amendment**

Ms. Buck-I sent to the Board examples of zoning from adjacent towns. They all seemed very complicated. Sarah reads a few examples from the memo which is on file in the Planning office. What we brought to Spring Town meeting was the simplest and most straight forward definition of lot width. I thought we would just stick with the one put forth at Town Meeting and check with ZBA as to what issue they had with it.

Ms. Evangelista- In my mind, where did you address the depth?

Ms. Buck- You can never be narrower than the lot width given – that addresses the depth.

Mr. Hoover- If you took that dumb bell shaped lot, for example, and used this definition, you could take this measurement anywhere along the lot. It doesn't tell you where. You could argue that "lot width is the horizontal distance between two side lot lines." You need to add some wording, "at any point" and "minimum horizontal distance" to the definition.

Mr. LaCortiglia- If something is less than 65' in an RA district, is that a lot width?

Ms. Buck- If it's parallel to the lot frontage, in between the two side lot lines, then it is lot width.

{After discussion, Ms. Buck reads proposed definition of lot width: "The minimum horizontal distance between side lot lines, measured parallel to the lot frontage at all points on the lot from the frontage to the termination of the lot depth.}"until the minimum lot area for that district is met."(taken from Sarah's notes)

Ms. Evangelista- The lot shall have a width no less than the frontage – you [Ms. Buck] wanted to take that out. We should be more detailed in our "Intensity of Use Schedule." She references the Town of Andover.

{The Board agrees that "minimum lot width would now be 50% of required frontage." Sarah adds this to the definition and it will be noted in the Zoning Regulations.}

Mr. Howard- If, for example, you had one acre zoning and you maintain that half of the frontage all the way to the back of the lot to meet the required square footage, what goes beyond that is irrelevant.

Ms. Buck- Some Towns do exclude that. It keeps them from contorting the lot.

Mr. LaCortiglia- What you are saying, Tim, is that we're trying to prevent someone from taking a tiny front area and connecting through a long narrow strip to the back of the lot to meet minimum lot area by definition.

Mr. Howard- There are some contorted lots. Once you meet that lot area by definition, does that mean that you have to give it up?

Mr. LaCortiglia- We don't want to make someone that has a slightly larger but irregular shaped lot than the zoning requires to be left with a non-conforming lot.

Ms. Buck- A question that came up at Town Meeting was grandfathering. We don't want to create non-conforming lots.

Mr. Hoover-This only wants to apply to new lots.

Ms. Buck- We need to go to ZBA and run this by them.

Ms. Evangelista- The ZBA is the only permitting authority that can make a decision on a pre-existing anything.

Mr. Hoover- As long as it's clear that this only applies to new subdivisions and new lots. We should also talk to John Bonazoli.

Ms. Evangelista- [To Ms. Buck] Also talk to the Building Inspector.

Ms. Buck- Our next step is to advertise for the October 24<sup>th</sup> meeting.

Mr. Howard- As moving parallel to the front lot line, once the minimum lot area is met, the rest of the lot is not applicable. We are trying to prevent/ insure that the house is in the front portion of buildable land.

Mr. LaCortiglia- I'd like to make a motion to authorize Sarah to post a Public Hearing on October 24<sup>th</sup>, 2007.

{No Second was made}

(Chapter 165-7 definition of Lot Width is read by Sarah Buck which will be read at Town Meeting, November 13, 2007)

Mr. LaCortiglia- Changing the definition of "continuous building area" was also an important issue at Town Meeting.

Ms. Buck- Reads the Town warrant. Definition is read by Sarah that was put forth at May Town Meeting. {On file in Planning office}

Ms. Evangelista- I question the slope greater than 20%.

Mr. Hoover- You don't get credit in calculating your buildable lot area for slopes greater than 20% because you can't build on it. "Continuous" should be referred to as "contiguous."

Ms. Buck- If the Board wants to do it, we can put it on Town warrant.

Mr. LaCortiglia- Motion to hold Hearing for the definition of Lot Width and also for the definition for Minimum Lot Width. (Chapter 165-7)

{Public Hearing scheduled for October 24, 2007}

Ms. Buck- It would be a separate issue for the contiguous building area.

{No Second was made}

**Pillsbury Pond Road acceptances**

{Did not cover this at meeting}

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

**Stone Row-cont. to October 24<sup>th</sup>, 2007.**

Ms. Buck- Applicant requests an extension of time to December 30<sup>th</sup>, 2007.

Mr. Howard- Motion to grant an extension of time to December 30<sup>th</sup>, 2007.

Mr. LaCortiglia- Second

All in favor? 5-0; Unam

Mr. Howard- Motion to continue Public Hearing for Stone Row to October 24<sup>th</sup>, 2007.

Mr. LaCortiglia- Second

All in favor? 5-0; Unam

**34 Thurlow Street –**

Ms. Buck-I put a memo in your packets.

Mr. Hoover- Did they know Larry's review would not be ready for tonight?

Mr. Graham- I suggested that they look at it a different way. When Sarah and I looked at it in the field, I called the engineer to take another look at it.

Mr. Hoover- If it is just part of the process, then it is okay to get it pushed out to a later date.

Mr. Carter- Moved to continue decision date to 12/30/07.

Mr. Howard- Second

All in favor? 5-0; Unam

Mr. LaCortiglia- Motion to continue Public Hearing to November 14, 2007.

Mr. Howard- Second

All in favor? 5-0; Unam

**Twisdenwood Farm-W/D**

Mr. LaCortiglia- Motion to allow the applicant to withdraw the application for Twisdenwood Farm.

Mr. Howard- Second

All in favor? 5-0; Unam

Mr. LaCortiglia- Motion to close the Public Hearing.  
Ms. Evangelista- Second  
All in favor? 5-0; Unam

### **Blarney Court**

Mr. Moylan- The Board already knows that Marty Halleran died recently. We don't have any other plans after those dated 8/1/07. We don't have any additional information except those from Larry Graham. Marty indicated that there were just minor changes to be made and we don't know if they had been done.

Mr. Graham- There has been no revised plan since 8/1/07. The Fire Department has reviewed the plans but I don't know if there has been a response. There are 2 major items to consider-one is the intersection and the other sight distance. Both are noted on page 3 of my Technical Review under #19 and #22. The Planning Board should solicit the approval for the work and recommendations of items (1) – (4) from the Highway Surveyor/DPW Director. (Items (1) – (4) are listed on pages 3-4 of the Technical Review.) There are eight items beginning on Page 4 that also need to be addressed by Jeff Hoffman with NorthStar Surveyors. Page 6 under E2 needs to be addressed. The way the note is written the intent was that Blarney Court would be a gravel roadway versus a paved roadway. The Board should review the detail, state its position and the plans should be clarified accordingly.

Mr. Hoover- Page 3 #22 on site distance items 1-5 are major. Minor points are listed on Sheet 3 of 5 of the plan and could be handled by the surveyor. The detail on the last page of the report needs to be addressed.

Ms. Buck- Minimum sight distance was addressed when we went out to the site. We looked to see if you could get the 240 ft sight distance which is equivalent to a stopping distance of approximately 34 mph. We laid out a mark and eyeballed the slope. Sarah reads to the Board the results of the site visit at Blarney Court. {Memo on file in Planning office} My conclusion after talking to Peter Durke (Highway Surveyor) was to remove as little of a slope as possible. We do expect to have accurate plans to register at the Registry of Deeds. I could write a decision now, but we would still have incorrect plans. I do have a letter from the Fire Dept. that says they are satisfied with plans. There are no concerns from the other Boards. Larry Graham needs the lotting plans and it requires a bond. I would be comfortable writing a permit if all these things are met. The driveway using asphalt vs. gravel needs to be addressed.

Mr. Graham- I would not feel comfortable issuing a decision without accurate plans.

Mr. Howard- I would like to do whatever we can but I think we do need a revised plan for the registry.

Ms. Buck- No locations are changing but some details would be different.

Mr. LaCortiglia- I am not comfortable going with less than 18'. How do we ensure that this drive will never be a Court? If it stays private, I don't have a problem with it being gravel.

Mr. Graham- I think you can write in **The Certificate of Vote** that it is approved as a private way and it shall be that of the owner and never the Town. This is a dangerous intersection. It is best to have a hard surface for no spin outs at the entrance of North Street.

Mr. LaCortiglia- All the waivers need to be listed on the first page of the plan. When the plans are revised, could it be shown in the back the parcel to Spruce Pond?

Mr. Moylan- It is shown on page 3 of 5.

Mr. LaCortiglia- The Open Space Plan states that Spruce Pond's perimeter is to be protected.

Mr. Moylan- Sally, the owner, plans to donate Parcel A to the Town. We are not able to make that decision but Sally has always had the intent to donate that land to the Town. Her intent is on record.

Mr. Hoover- I suggest that this is something to think about. The decision doesn't have to be decided tonight. Her intent may be recorded on the plan if that is the desire of the Board.

Ms. Evangelista- There is an intersection there. I don't think lowering that elevation there is going to work.

Ms. Buck- It is about a foot up. It would be awkward.

Ms. Moylan- The slope comes down, tapers off and then slopes off again.

Ms. Evangelista- I think the gravel is better than asphalt.

Mr. Moylan- The sight distance is referred to in my memo to the Board. {Memo on file in Planning Office} The study was done by James Madison University. Copy of the Study is on file in Planning Office} The Massachusetts Drivers Manual states therefore it would be 215 ft. You ought to take into account that all drivers are to abide by this. We are in a RB zone with a 160 ft of frontage. With the speed limit posted at 35 mph, we are still within the 240 ft of sight.

Mr. Graham- Passes out memo that is on file in Planning office. There is a considerable distance between the two reports. ASTO is the bible and it is what we go by.

Mr. Hoover- We are getting the 240' sight distance so what are we missing?

Is it safe to say that this is a non-issue?

Mr. Moylan- There is a recommendation of posting 35 mph speed limit signs and dangerous intersection warning signs from both directions of traffic along North Street at our expense. A "Slow - Dangerous Curve" sign is already up. "Caution - Hidden Drive" is another possibility for a sign.

Mr. Graham- I do recommend posting the 35 mph sign there in this S-Curve.

Mr. Hoover- That should fall under the responsibility of the Town.

Mr. Moylan- I don't know where we stand with the asphalt driveway.

Mr. Graham- I recommend that 50 ft from the pavement edge of North Street in on the driveway should be paved. The two driveways come together at 40ft. (WAIVER #8 – SR-365-38.C)

Ms. Buck- It is giving frontage to your driveway.

Mr. Hoover- Are we going to require that these plans be updated with these changes? I want to make sure they know the direction.

Ms. Evangelista- I think they deserve consideration and it has been under extreme circumstances. I don't feel like that the Board should not grant it.

Mr. Graham- I'd like to make a suggestion that might help which would be to use a disclaimer so that the Board can accept it.

Mr. Hoover- Is there any way these modifications could be boiled down?

Mr. Graham- No

Ms. Moylan- All the other items boiled down to waivers after the lot lines have been cleaned up by the surveyor.

Mr. Hoover- The health, safety welfare issue to the Town is not something I am willing to risk.

Mr. Moylan- When I spoke to the attorney, the plans are certified whether he [Marty Halleran] is alive or not. {Mr. Moylan agrees to ask the new engineer if the registry will accept the plans signed by Marty Halleran}

Mr. Graham- In this situation, the Board might consider only recording Sheets 3 & 1. The lotting plan is really only the definitive plan. Add the necessary Waivers to Sheet 3 so that Sheet 3 becomes Sheet 1 of 1.

The only drawing required at the registry is the lotting plan and that could be stamped by the surveyor. It could reference on that lot plan that the full set of plans are on file with the Town.

Mr. Hoover- I would be comfortable with that due to the situation.

Mr. LaCortiglia- Where is the cover sheet that lists the waivers? I can't vote for that unless they are filed at the registry.

Mr. Moylan- I will include the waivers on the cover sheet.

Mr. Hoover- Is there anything that we can do to help the applicant understand what the waivers are that we agree on as a Board? Can we all agree on the WAIVER stating, "40 ft from the edge of the right of way for pavement?"

Mr. Howard- Motion to grant WAIVER for a 12' wide roadway on the new proposed house lot. (365-38C)

Mr. Carter- Second

All in favor? 4-1; (Mr. LaCortiglia)

Mr. Carter- Motion to grant waiver on 365-38C (Watershed outline and drainage plan)

Ms. Evangelista- Second

**{Motion withdrawn}**

Mr. Carter- Motion to waive the pavement except for the first 40 ft. from the right of way (50 ft total from North St.) (365-38C)

Ms. Evangelista- Second

All in favor? 4-1(Mr. LaCortiglia)

Waiver request #5 on Sheet 1 of the plan requests relief from SR 365-38C. (One 15' radius and one 5' radius.)

Mr. LaCortiglia- Motion to not grant relief for requested waiver of 365-38C in reference to pavement radius at intersection with North Street.

Mr. Carter- Second

All in favor? 5-0; Unam

Mr. LaCortiglia- 365-62B Stone bounds at lot corner is based on the regulation for a subdivision that abuts Town-owned property. My only concern is that it needs to be marked where you abut Town land.

Ms. Moylan – We have a stone wall for most of our boundary line. The back section is completely under the water.

Ms. Buck- You need the engineer's revised plans and the surveyor's plan.

Mr. Howard- Motion to continue Public Hearing for Blarney Court to November 14th, 2007.

Mr. LaCortiglia- Second

All in favor? 5-0; Unam

Ms. Buck- Applicant requests an extension of time to December 30<sup>th</sup>, 2007.

Mr. LaCortiglia-Motion for an extension of time to December 30, 2007 for Blarney Court.

Mr. Carter- Second

All in favor? 5-0; Unam

### **Vouchers**

Mr. LaCortiglia- Motion to approve vouchers totaling \$4,198.48.

Mr. Carter- Second

All in favor? 4-0; Unam (Mr. Howard absent)

### **Other business:**

Signing of approved plan for Berry Lane - Board agrees to sign mylar.

Ms. Buck reads letter from Mr. John Longo requesting approval to plant a Sugar maple. Board denies due to salt issues. Board asks applicant to come back with another suggestion.

### **Continued Board Business**

#### **Michael Howard, proposed CIP Representative**

Board requests that Mr. Howard come to the next Planning Board meeting on 10/10/07.