

**MEETING MINUTES
GEORGETOWN PLANNING BOARD
April 11, 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 – 8:00 p.m.
Sign Denials – Pine Meadows

Meeting begins at 7:04 PM.

Mr. Hoover-Master plan re-scheduled to May 2.

Ms. Buck- There are 2 items this evening that were both denied at our last meeting. One is an OSRD Concept Plan denial and the other is a Preliminary Subdivision Application denial for Pine Meadows.

Mr. Moultrie- We voted to deny the waivers.

Board signs both **Certificate of Vote** documents which are on file under Pine Meadows.

Affordable housing: response for TD Banknorth

Ms. Buck- I have another call from TD Banknorth. There is an issue with Parker River Landing. The Town is reforming the Affordable Housing Taskforce and having the town vote to provide them funding for advice. In the meantime, I don't want to leave this woman hanging. My recommendation is to have the Board approve a conservative mortgage for the owner's home at Parker River Landing rather than having her wait for a functioning Taskforce to handle this.

Mr. Moultrie- Did we not consult with Counsel?

Ms. Buck- We did go back and forth. Counsel gave recommendation for the Town Meeting article. In terms of a direct answer on Central Street, they said that was a Town decision, not necessarily the Planning Board.

Mr. Moultrie- What did they comment on regarding this? [Parker River Landing]
I am uncomfortable with this. None of us here were personally involved in that.

Ms. Buck- The Planning Board is actually specified in the deed restriction on this one.

Mr. LaCortiglia- There may have been two things that happened. I spoke to some seated members of the Affordable Housing Taskforce. What you're seeing is the development of the deed writers. As it evolves, there was tweeking done. Template language would be sent down and they would then modify it. There may have been a disconnect.

Ms. Buck- I can either pass it on to the Selectmen or give the woman a decision voted on by the Planning Board. It's been 4 months and the request for a first mortgage is reasonable.

Mr. LaCortiglia- In most communities it is the Selectmen that handles it. In our case, it was passed on to the Affordable Housing Taskforce to take it on (5 years ago).

Ms. Buck- When I first received this request in the fall, the Town administrator advised me to take it to the Planning Board. If the Board would like, however, I will take it to the Selectmen. I could write a letter to the Selectmen to clarify the chain of command.

Mr. Howard- How much is she looking to borrow?

Ms. Buck- The bank said the owner was comfortable with borrowing 80% of loan to value, which is very conservative.

Mr. Hoover- Does the bank take the house back? Does the bank determine what is an affordable price? How realistic is it for the Town to find a buyer within 60 days?

Ms. Buck- She was going to use \$191,000 as the house value, which was the sale price established by the Affordable Housing task force. The bank did not determine the price.

Mr. Hoover- I am not clear on what the control mechanism is on the bank establishing a value for it.

Ms. Buck- This is one reason why we should have a consultant set up a framework. I don't think there are adequate controls. It would be helpful to have someone experienced in the field provide help in this matter.

Mr. Hoover- It is unfair to her yet I am not comfortable with the criteria.

Mr. LaCortiglia- I think that with the letter to the Selectmen, it segues to the warrant article to use money up to \$10,000. There is no mechanism set up as of now. It is beyond feeling comfortable with making that decision. I seriously question whether this Board has the authority to make the decision for the municipality in light of the fact that the Select Board has given it to the Affordable Housing Taskforce for the last 5 years.

Ms. Buck- She could have gone and gotten any mortgage she wanted. When we sold it, it is not our business how someone pays for their house. The Planning Board could write a letter to the Selectmen and state that we have been unclear about our jurisdiction on this issue.

Mr. Moultrie- I can not do that. We are here in the best interest of the Town. Our job is to protect the affordability of this unit. I am unclear whether we have the authority to do that.

Ms. Buck- Before anyone re-mortgages their property and owns an affordable unit, they have to have sign-off from the Town. From now on, I will refer questions to the Selectmen's office.

Mr. LaCortiglia- Can we agree in the future to have a letter sent to the Selectmen?

Mr. Hoover- Unless there are more hours for the Town Planner, the Board just doesn't have time to take on the Affordable Housing Taskforce issue.

Mr. LaCortiglia- The deed writer should actually be written by the Affordable Housing taskforce.

Ms. Buck- And the taskforce needs to have legal advice as it would give us consistency.

Mr. LaCortiglia- I make a motion for the Planning Board to send a memo to the Board of Selectmen to provide clarification on the jurisdiction either from the Selectmen or the Affordable Housing Taskforce.

Mr. Carter- Second

All in favor?

5-0; Unam

Minutes – 1/24/07 and 3/27/07

Mr. Moultrie- Motion to accept the 1/24/07 minutes with corrections?

Mr. LaCortiglia- Second

All in favor?

5-0, Unam

Mr. LaCortiglia-Move to accept minutes with corrections from 3/27/07 meeting.

Mr. Moultrie- Second

All in favor?

3-0; 2 abstentions {Mr. Carter, Mr. Howard}

Other Business – Longview Way, Design Review

Ms. Buck- We have a \$20,000 cash bond. I received a call from Atlantic Engineering who did the original plans. I want to know what the Board wants to do as far as inspections in order to bring to Town Meeting in May for acceptance.

Mr. LaCortiglia- Motion to authorize Jack Moultrie to attend a meeting and review Longview Way with Sarah and Larry Graham to issue a final report of street acceptance.

Mr. Carter- Second
All in favor?
4-0, 1 abstention {Mr. Moultrie}

Ms. Buck- Speaks about Design Review Board from a discussion with Mr. Desjardins on historic preservation of buildings. It would be wonderful to get design input as in the case with Whistlestop Estates. This Board could focus on building setbacks, landscaping, etc. I would like to have more experts consult with the applicant on such projects.

Mr. Hoover- I would be leery of having two Boards review this.

Ms. Buck- They could be an advisory board for the OSRD and independent senior housing projects,

Mr. Hoover- I would be leery on new home construction. For public buildings and historic buildings it would be beneficial.

Mr. LaCortiglia- What about new construction adjacent to historical buildings?

Mr. Hoover- Yes, that too.

Mr. LaCortiglia- How do you see interaction between them and the Board?

Ms. Buck- Off the cuff, I was thinking it would be similar to an associate member position of the Planning Board. They would be a resource to the Planning Board on a new through-road from two historic streets as with Whistlestop, as this is different than with other developments. On these new developments, having a separate set of eyes, we can request things to make the Town better.

Mr. Hoover- In the end we can only ask a developer to do what the ordinance says. I think the idea is good but it just needs more focus.

Ms. Buck- They would be guided by the Board to be only advisory. I will explore this further.

MASTER PLAN DISCUSSION:

Mr. Hoover- We asked Daylor Consulting to provide a fee proposal for the use National Avenue. I would like to see a way to find a funding mechanism for it that is separate from the Master Plan in the same way that the Master Plan was funded. Would that be something you [Ms. Buck] had talked to them about before?

Ms. Buck- The scope needed to be more clearly defined. Will it matter what we say is a good use of that site if the market is not driving an applicant to that site yet?

Mr. Hoover- If you approach it as a public/private venture, you can come up with creative packages to market that site for what is in the Town's best interest.

Ms. Buck- The last piece is if it is privately owned.

Mr. Hoover- Asks Ms. Buck to contact the same parties of previous funding sources for the Master Plan to ask if they would consider funding the National Avenue use.

Whispering Pines Letter:

Mr. Carter directs Sarah to date her letter to Mr. Longo for the record.

Ms. Buck- Mr. Longo in my office asked if we could hold permits for Whispering Pines. Raymonds Creek is one lot within Whispering Pines. I did suggest that Raymonds Creek is under the umbrella permit of the subdivision. Second, he said that the permit was written so loosely that there is no time table on it. Lastly he stated that for a duplex, he will have to get a waiver from ZBA.

Mr. Moultrie- There is a strong possibility we will see legal action with Mr. Longo.

Vouchers & Correspondence

Mr. LaCortiglia- Motion to pay the vouchers totaling \$75.00.

Mr. Carter- Second

All in favor? 5-0; Unam

8:00 Preliminary Subdivision for Parish Road

Mr. Hoover- Quick introduction from Sarah Buck, Town Planner.

Mr. Moultrie- Makes motion to skip the reading of the Public Hearing Notice for Parish Road.

Mr. LaCortiglia- Second

All in favor? 5-0; Unam

Ms. Buck- Gives overview. Larry Graham has not yet done a full review of the project. He will be here to give a first pass overview of the project. Basically, the applicant has come back with the plan that the Board and the neighborhood has asked for.

Matt Brassard of Brassard Engineering is present representing the applicant. Proposal is for a 10 lot single family home subdivision off Larkin Rd. The main focus for the design was to minimize disturbances surrounding the property. The remaining 4 lots will have a separate access via 2 common drives off Larkin Road. There are a couple stream systems running through the site. To reduce the disturbances, we are proposing the construction of a roadway/common drive to serve the 3 lots at the rear parcel. We would like the Board's input on this. The existing driveway will provide direct access to six of the lots. We are happy with Larry Graham's review of the site. It will maintain a country lane feel

and it will minimize the disturbance to the other properties. All the lots will be served by septic systems. There will also be an open space parcel to be combined with an off-site conservation area.

Mr. Hoover- Let's open it up to the public for 5 minutes.

{No Public Comment}

Ms. Buck- My initial impression is that the combination of common driveways off the existing rural dirt road seems appropriate. There seems to be a lot of natural vegetation in between the lots.

Mr. Brassard- reads from Larry Graham's memo. Larry's most significant comments involve the access road and narrowed common drive as it runs through the site. He did suggest creating a circular turnaround at the end of the standard roadway width just following the first entrance to the initial lots. It could be problematic for Lot 7- there is not too much room to move the right of way. It could be possible on Lot 6. It would increase the amount of disturbance to the stream and it would be cutting into the woodlands. A lot of clearing would have to happen. An alternative would be to provide improved signage to make it obvious where the lots are located. Also, they could loop it towards the end of the cul-de-sac. It protects the environmental disturbance at the front of the development. There would be waivers required for the roadway. We have a meeting next week with Conservation. We can then flush out all the details and re-submit the plans of a finalized preliminary to be submitted for approval. Larry made a comment on the configuration of the open space parcel – there was no reasoning provided in his memo.

Mr. Graham- This is a preliminary plan. I came up with 10 comments which he references in his technical review report.

1. It is explained in the applicant's narrative. The numbering of the wetlands is not correct. There is an issue with the wetland grading.
2. I don't think it is permitted – There is also an electrical issue.
3. I didn't find any requested waivers. The waivers should be identified to the Board. The grade of the road coming down exceeds subdivision and regulation standards. Curbing is not proposed throughout the site.
4. I recommend a turnaround and some signage to keep people from turning around in a private driveway. Signs should note there are private drives.
5. It doesn't look like Lot 8 achieved the minimum frontage. If the Board accepts the open space as proposed, I would recommend the open space go to the buffer lines. I think the Board should see documentation from the owner of the land off Larkin Rd. In general, there is enough information here that Larry is satisfied that it meets the intent.

Mr. LaCortiglia- The roadway at the end of the cul-de-sac from that point - is it a driveway or a lane? Is it a town road?

Mr. Brassard- From our position, it makes more sense to request waivers from the Board to allow reductions in some of those standards/regulations.

Mr. LaCortiglia- If it doesn't fit the definition of the regulation, it should be private. The Town should not have to maintain the road if it is sub-standard. The open space- that is what is being offered as a benefit in order to gain the waivers?

Mr. Brassard- It is being offered to the Town in order to gain approval for the project. The conservation agent expressed a negative opinion on encouraging automobile traffic in the open space. It is being promoted as conservation land, not a park. There is foot access to this open space. They (Con Com) emphasize that it be permanently protected.

Mr. Howard- Is there a stream that the road goes over to the back 3 lots?

Mr. Brassard- There is a large culvert there that is handling drainage.

Mr. Carter- no comment.

Mr. Moultrie- Do they have an easement across that culvert?

Mr. Brassard- Yes. You have to apply for an indirect access permit from Mass. Highway in order to make improvements to that existing drive.

Mr. Moultrie- How do you plan to provide water to the homes?

Mr. Brassard- Individual wells will be drilled.

Mr. Hoover- My comments/concerns are as follows:

- 1) The bio-retention cells long term maintenance should be addressed.
- 2) Loop driveways to the 3 estate lots - less is more regarding pavement. Change the last loop with less pavement and make it smaller.
- 3) Deed Covenants with chemicals on lawns – that will be of concern later.
- 4) Access to open space should be looked into and thought about
- 5) The design of the drive to the 3 rear lots - for a waiver to be granted, I would see extending those waivers and turning the whole thing by using less pavement and continue that same look throughout.
- 6) The idea of a turnaround vs. a hammerhead - after those first 3 houses, you could create a gateway with a possible wooden gate entrance with signage.

Mr. Brassard- Would there be a possibility of creating a turnaround by means of an easement in order to maintain the lot area?

Ms. Buck- As a provision in the common driveway, we could wave the construction of the common driveway if the rear 3 homes go through Con Com with approval. It could be a common drive laid over the approved right of way.

Mr. Moultrie- Leave it all a private way off of Larkin Road.

David Powell (Newbury Planning Board) – Where is your entry point, what are proposing as transition, and what would you be proposing to Newbury as mitigation? Will it be an accepted street by the Georgetown Board or a private street?

Mr. Brassard- In terms of ownership, this entire roadway would be privately maintained. The intersection to these two roads, there would be a curb connection from gravel to pavement. It is a fairly stable intersection off of Larkin Road. It seems that long term it should not be a problem at the intersection.

Mr. LaCortiglia- Motion to continue Public Hearing to May 23 – for site plan development.

Mr. Carter- Second
All in favor?
5-0; Unam

Ms. Buck- Requests an extension of time from Matt Brassard.

Mr. LaCortiglia- Motion to grant the applicant an extension of time for Parish Road to June 30th.

Mr. Carter- Second
All in favor?
5-0; Unam

Continued Public Hearings 8:30 p.m.
8:30 Whistlestop Estates – new plans

Ms. Buck- The last time we asked the applicant to follow the OSRD procedure for using a landscaped architect to lay out home sites. The applicant also paid for a traffic study to look at Brook Street to Chaplin Hills Road. It was found that a through road was better than a long dead end road. The applicant is in tonight with a new access to the site from Central Street. The applicant will present the revisions to the board tonight. It is a complex project.

William Paulitz of Apple represents the applicant- Last time we left to team up with the landscape architects. At 175 Central Street, that part of the project will be incorporated into the proposal. The landscape architect is also here to continue where we left off.

James Emmanuel (Landscape architect) - We prepared a site analysis plan. The revised plan shows the potentially developable area. This dark area is in fact the only areas that can be developed. We also wanted to incorporate the trails as part of this plan. With the revised site plan, we moved some of the units out of the buffer zones. At the center is a community building in a central common area. It brings the units off of the main road. It is more of a country road. Regarding traffic common measures, we would add vegetation

and create a gateway as the arrival into the development. We wanted to create a walking experience throughout the site. The trail system cuts across the site and the plan shows a proposed soccer field. Will Paulitz also has a connection to the Border to Boston Rail Trail. Significant trees will be planted along the street. As it stands now, more than half of the units will be off of the main road. Some clustered units will share a common driveway. Total open space is 83% of the site. We are minimizing the overall disturbances. We have focused on the developable areas.

William Paulitz – We are prepared to discuss a low impact design development.

Paul Alunni of Apple- First objective with storm water design is to safely control peak discharge rates and to maintain them from predevelopment and post development conditions. The second objective was to try to maintain the country rural feel and tie into existing drainage systems on site. We achieve this with low impact development. We have proposed using grass swales and porous pavement on a number of driveways to infiltrate the direct runoff. These will be used in conjunction with bio-retention areas. We placed detention basins along the roadway. They would blend into the natural landscape.

Mr. Larry Graham- I want to mention a couple of things. I don't see enough parking for soccer fields. The biggest issue is we didn't want Whistlestop Road to be used as a cut-through road. I felt a more curvilinear road with cross walks and stops should be added into the plan. What I see on the current plan is not enough.

Mr. Hoover- I agree with Larry Graham. Stop signs will help. That loop in the center could be part of the main road and it would be as tight a curve as the ordinance allows. That is just a suggestion. You reverse your intersections conceptually and it truly becomes a stop.

Mr. LaCortiglia- How big is the soccer field?

Mr. Paulitz- 265 ft. x 155 ft.

Mr. LaCortiglia- It doesn't meet regulation size.

Mr. Paulitz- We thought it could be a practice field.

Mr. LaCortiglia- Make it 360 X 200 if it is possible and 45 parking places. Why wouldn't porous pavement be the full length of the road?

Mr. Paulitz- We thought of the possibility that the Town would not want to maintain it. Also, we have a large concern that the base would be damaged. We may have issues with storm water management. The control during construction could be a problem and would be damaged during construction. The other issue is, have we discussed Yield? Has this Board discussed Special Permit?

Ms. Buck- Refers to a court case. Even though we voted as a Town last year, we have changing board members. We've had multiple applications (3). I came back to you on Yield. We have not resolved that. Under ISH where it is a 123 acre site, they are so far below I don't think it is an issue.

Mr. Moultrie- I have a concern regarding drainage proposal and the traffic.

Ms. Buck- New proposed entrance – have you looked at the flooding and the drainage at Mr. Morrison's property?

Mr. Paulitz- I did see where it could back up. We would look at it again for the next meeting as a potential for flooding.

Mr. Moultrie- It will all have to be replaced.

Ms. Buck- Our concern is that Chaplin Hills will be a connector road. I think the neighborhood would want to see their road narrowed and grass strips made wider to make it feel like a quiet street instead of a cut-through. You do have a connection to Nelson Street. If it were to be properly sized, you could put a narrow driveway from Nelson Street into the soccer fields. Lastly, I still see a lot of buildings in a straight row instead of staggered. I also see that they are clustered too close together.

Mr. Hoover- I notice Unit #1 sits on knoll. The whole athletic field components are not a good match. Look at the grading issue. Lessen the density and create a lane further out past the houses. Bio-retention cells are an unproven commodity – that's a big issue. Porous pavement has to be maintained – I don't know how it is maintained on private property. I don't like seeing so many walls which looks forced. Resolve main through road so it's not a main through road. Can you put a true curve in the road?
Any public comment?

John Morrison- What will happen to Brook Street? There are 3 houses.
Also, the flooding occurs to all of Central Street from that Pond every time it rains.

38 Brook Street resident- My leaching field runs behind that garage. The culverts are so under sized. What would be become of my leaching fields?

7 Chaplin Hill Road resident– This will be a construction road for a long time. I don't see why this has to be a pass-through road from the early construction phase? The soccer field is not in a good location. It needs a separate exit road. There is a porous pavement as the existing pavement of Chaplin Hills.

Mr. Moultrie- We don't advocate using it on high traffic roads.

Mr. Bill Ingraham- Has the Board addressed the 50 ft. right of way of adjoining properties?

Ms. Buck- There is no dead end street on the plan.

9 Chaplin Hill Road resident- The whole flow seems a little out of order in Chaplin Hills. It seems odd that someone would be allowed to market Chaplin Hills as a dead end street. Now that all the houses are sold, are we no longer going to have a dead end street? Now we are going to have a connecting road to Rte. 97?

Mr. Hoover- I would like to see something in writing from your deed - that would help me. Whatever conservation has said, that would also be helpful as well as any marketing that was done when you bought your home.

1 Chaplin Hill Rd resident- My concern is that Mr. Faragi owns two houses on the street. How long was this plan even thought about?

Mr. Paulitz- About three years ago.

1 Chaplin Hills Rd resident – The conservation agent also said that it was conservation land and could not be built upon.

6 Chaplin Hills Rd resident- Why couldn't they do staged development? What about water pressure? What about speed bumps on roads? I like walking trails but don't want them in my back yard.

Ms. Buck- We have comments on file from the water dept. Conservation also still has many concerns and comments.

9 Chaplin Hills resident- Would a new traffic study be done to incorporate this?

Mr. Hoover- I recommend that we wait for all the reviews and comments from the Board and the public.

Mr. Graham- My concern is that it doesn't show a through-road.

Ms. Buck- We could have a technical review meeting to work out things like traffic.

Mr. LaCortiglia- I'd like to make a motion for the applicant to withdraw without prejudice. The Mullins Law may be eliminated. He says to the applicant that they would require 4 out of 5 votes for that permit.

Ms. Buck- It has to be pushed out the first week in June. We need a procedure and guidance from Town Council.

Mr. Hoover- There are some basic core issues that could be resolved first.

Mr. Paulitz- My client would prefer to stay the course and look at the reviews from Sarah and a general review from Larry Graham.

Ms. Buck- June 13th would be the continued public hearing for reviews and responses on Whistlestop.

Mr. Carter- Motion to continue the Whistlestop Estates Public Hearing to June 13th.

Mr. LaCortiglia-Second

All in favor?

5-0: Unam

9:00 34 Thurlow Street – Simmons Environmental report

Ms. Buck- Bill Simmons of Simmons Environmental is present representing the applicant for 34 Thurlow Street. It is a 3 lot subdivision. The neighborhood had concerns about junk on the property. They hired Simmons to take samples. He has prepared a report which is on file.

Mr. LaCortiglia- It needs to be reviewed by an expert.

Mr. Bill Simmons- When I was here in January, we had installed 11 or 12 test pits. We had indicated that we had exceeded levels of arsenic in some of test pits and a potential for exceeded levels of cromium as well. We have done more analysis on those original test pits. We re-tested those samples and they showed that they were not hexavalent. The issue with cromium went away. At the end of January, we installed a total of 21 test pits. Roughly, we've covered the area with a dense number of test pits over 1 1/3 acres. We focused a number of test pits on the areas of concern fro the abutters. We found some elevated concentrations in Test Pit #11 in the first testing. Second testing showed that the 9 additional test pits had no exceeded levels. To go forward, we must notify Mass DEP. That starts a number of time clocks. 1) To use a site-wide average. We go to a Class B outcome statement. 2) Take voluntary action to remove a small amount of soil around test pits #11 and #18 with the highest concentrations that would be submitted to DEP. They would be sent off site to Aggregate Recycling. This material could be used for landfill cover and be recycled out of state. This is what my client wishes to proceed with. We then have to submit a response action outcome statement (RAO). This is the plan that is on the table at this time. We have to send notification to DEP at the end of this month telling them what we are going to do. There is no approval process at DEP. We then coordinate with Conservation and then file a class A-RAO.

Mr. Howard- Arsenic is naturally occurring correct?

Mr. Simmons- It is. I don't know where it came from. It was not widespread on the site.

Mr. Moultrie- It could have been from coal or wood ash from the old houses that were there previously. They have since been torn down.

Mr. LaCortiglia- Motion to hire an independent licensed professional or LSP?

Mr. Moultrie- I have no issues with his report.

Ms. Buck- It seems that the sampling was not done closer to the dwellings/ houses.
Test Pit #11 showed arsenic. It didn't seem elevated but did you check around that pit?

Mr. Simmons- We did three more testings around pit #11. We will test both the side walls and the floor of the excavation.

Mr. Hoover- "Testing side walls" - What is that exactly?

Mr. Simmons- A side wall goes 20 x 20

Ms. Buck- Reads review from the conservation agent. Review is on file. His review notes that the southwest corner of the house is a leaching field and not tested. The arsenic in Test Pit #11 was high. He suggests an LSP review.

Mr. Simmons- There is two very important concepts that you have to look at.
1.) The reportable concentration threshold that you exceed or you don't.
2.) Exposure point concentration average- soil from 0-3 feet where all samples were taken from. That is why those numbers are averaged and we came up with 9.8 as an average. The decision was made to remove it.

Mr. LaCortiglia- Motion to hire an LSP to review?

Second? None

Mr. Hoover-The Motion dies.

Ms. Buck- We need to vote to continue the plan to the second meeting in June. I will confer with Larry Graham on the review of the plan. Larry did an initial review of this project and there were some initial concerns with project. I hesitate to do a full review.

Mr. Hoover- If the applicant wants Larry to do the full review, he can do it.

Ms. Buck- I recommend that you come back and have another discussion with the Board. Just let me know what you want to do.

Mr. LaCortiglia- Motion to extend the Public Hearing for 34 Thurlow Street to June 27th.

Mr. Carter- Second

All in favor?

5-0; Unam

Applicant agrees to notify Ms. Buck of decision to request a full review on April 12th.

Mr. LaCortiglia- Motion to adjourn.

Mr. Carter- Second

All in favor?

5-0; Unam