

**MEETING
GEORGETOWN PLANNING BOARD
Memorial Town Hall
Basement Meeting Room
January 21, 2004
7:00PM**

Present: Jack Moultrie, Chairman; Chris Hopkins, Vice Chairman; Tim Gerraughty; Rob Hoover; Alex Evangelista; Larry Graham, Planning Board Technical Review Agent & Inspector; Jacki Byerley, Town Planner; Kristen Eaton, Administrative Assistant

Absent:

Meeting called to order 7:01PM.

Discussion

Jack-
Application for ANR National Ave.

Descript- Rizzo property with access roads

Peter obrin- Buyer's attorney Tom Nicholson (current leasee)

Guy since 1975 head of something – yeah he's here too he's with peter

Peter says solomon NA was leased to a couple of trustees
They're looking to build a larger industrial facility
They changed method of operation and moved out

What we wanna do
Leased to hightech hose... wanna buy, but wanna buy more than is currently available. They're renting lot 4 – for National northway nominee trust
The rest of the land is owned by National construction

HH would have bought lot 4 already but they also want lot 5 and part of lot 2.

Lots 9 and 10 would not be building lots but would be held with lots 4 and 5 to be used as one common lot. No change as far as frontage.

Construction of building started when tehre was a one lot subdivision Access road issue.... Taken by state.

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The town wanted national ave for access for a long while. Lots were shown to allow for expansion. Land court would only allow lease to be mortgage separately cause something

Lot 2 must be used in conjunction with 4 that still stands
Lot 8 doesn't change because it's the same land area.

We can note that the remained for lot 2 now lot 8 would have to be used in conjunction with this?

Jack so peter all of that land would all go into this HH sale and lot 8 and lot 7 would be considered outside of this?

Peter – Those would still belong to nmatinal construction

'Mr Welch – the lawyer with peter

Land was bought by National I think for a post office I lost track of it until National came to him and said we are a small partner in lot four with cotrustees who had bought the land... net net net net lease Solomon was going to distribute skis swiss skis. (all lots were going to be bought and used together.

The sheets say lot 2 and 5 are only going to built in conjunction with lot 4

We think this doesn't affect that. Even though it changes to lot 8. (national is who welch is with)

Natioanl got the title back back in 96... the retention basin is on lot 5 (for lot 4?)

Who wants to sell a building with out a retention basin.

We wanna clean things up. From a land planning perspective we took a bunch of smaller lots and combined them to one. We aren't changing the frontage... actually th efrontage is improved by national ave going public

Jack – this retains the one lot subdivision status. There would have been no frontage otherwise.

Hmmm? I don't know.

Jack – access road is moot.... There's nothing owned beyond that Planner is uncomfortable with notations about the plan but start with Larry

Larry – seems that what is proposed does not adversely impact what has been done in the past and it probably does make things better... but the board should

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add a note to the plan about lot 7 and 8 being developed in conjunction with these parcels just to carry over earlier decisions

Chris – 7 and 8 is owned by who

National

Chris so we're spinning off 10 5 4 9?

Jack – Right

Chris so we're cutting off frontage?

Peter – no.

7 & 8 will be owned by National construction
4,5,9, 10 will be owned by Hhose. As one lot?

Jack frontage is illusion because of the one lot subdivision

Peter georgetown was willing to cooperate to develop industrial area. Industry changed. Skis moved to colorado. Hightech hose will be here as a tax payer. Taxes paid?

Yes says HH lawyer

There's a paper road – discussion jack and chris....

Jacki – you create a roadway with driveway standards but you also give it a street usually.

Jack it had a name Natioanl Ave they just never renamed the driveway when the street was named?

Rob – The history has been perfectly legal (Jack said earlier)

Jack – They have a document signed by PB from past... one lot subdivision I agree with larry that is does sort of clean things up a bit

Jack - I recall this went fromm solomon to hh 4 years ago there was a site plan review.

Peter no structural changes but they did change the use as far as occupancy

Jack – use yeah, marshmallows vs. acid.

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Jacki 50 ft right of way build according to certain width

Jack – that always waived for one lot subdivisions none of those rules were in place then.

Jack the files? Was there an earlier file?

Jacki didn't find anything before the 1990

Rob what's up with the stub that crossed the town line?

Peter I think someone once thought it would be for access 50 ft wide... but there's wetlands there. The thoughts of 1987 weren't really solid... wetlands act was 1984 people were probably still confused. There was talk for doing something with the strong property but now that longview was

Jacki what are the lot lines of lot 7 show me please

Peter outlines lot 7 on the map in green.... It's like a little OK

Jacki so for lot 8 to work with

Peter lot 7 & 8 are still covered but the note on lot 2

Jacki no, lot 7 used to be lot 3

Peter but there's a note that 3 and the abutting/adjoining lots have to be used in conjunction In my opinion the note still holds

Jack – this came apart... I remember all the news... sounds like he thinks that was a pain.

Peter I think all that was stopped by CC

Jacki so if that's a paper road, how are you creating lot lines through it

Peter that 's an easement

Jack – I didn't want to hear that... If that's a one lot sub then, how can it be an easement? It needs to be in fee

Welch says it looks like the 50 ft wide right of way... huh

Peter why does there have to be a fee so long as the rights are straight... county takes roads by easement

Jack the issue is that since this all happened if someone had an landlot piece of land he could buy 50 ft from each of our neighbors and and develop.

Welch... but you can't have an easement over your own property, so when they buy that land.... It won't be an issue

Jack that small piece there should be conveyed too then

Peter – um okay, yeah it's not on the plan but,,,, something

Jack is there some reason for cutting across the right of way with lot 7?

HH guy says I don't know why we didn't get that too just negotiations... National offered what they did and HH accepted

Peter prob from design standpoint –0 if you're concerned about fee ownership of "easement"

Huh? There's easements everywhere.

Jack is very uncomfortable.... Cause of frontage and future tings

All these notations need to be made on the plan... I'm getting very uncomfortable

Larry affirms his position

Chris If there was a one lot sub there should be a road in fee right?

Jack not then... we passed that by law after issues with a couple roads.
Common drive accesses and such

Chris the language that effects 7 &8 ?

Peter yeah it says that those have to be used in conjunction with 4

Jacki 3 said it should be used with any conjunction 2 said specifically which lot it should be used with.

Peter – I can't get over the issue of what the concern is. If this hasn't been a prob in the poast 16 years, why do we think it'll be a prob in the future

Jack – none of us were on the board then and I understand what you're saying....

Peter lot 9 intervenes with lot 7 what?

Jack where is that one foot strip?

Peter shows him.,

Jacki – I think you have to do more work with the details of where lot 7 ends

P – no it goes to lot 9 I'm showing you right there. This has been approved by the land court.

Lot 9 is only one foot wide.

It's too small on that scale.

Couple conversations at once

Jack - let's focus up

Chris the more I think about it... trail off

Jack - Suggestive wording larry?

Chris in 1990 all the lots created then were only to be used with 4? I think if we reference that plan and that decision on this plan and this decision then we'll be all set.

Lots 7 & 8 would have tyo be developed in conjunction with 4 5 9 10 ?

Jacki do you also want a not about 7 & 8 later being developed then frontage needs to be provided for all those?

Chris – we don't have to cause we've already said they need to be used in conjunction

Jacki just to let future owners of 7 & 8

Chris I think it might be better off just cause we don't' wanna see anything else. We wanna leave this that nothing else should be developed

Peter – this was the drive in theater. I agree with jacki that that should be noted.

Jacki it has to be clear that they need to come back to the planning board

Chris – but it's already there by saying it has to be used in conjunction

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Jack – I think when you look back at the minutes of the meeting they future board would know that. I agree with chris that the more that goes on the plan just muddles it

Wording?

Peter says his wording... board says yeah add that.

We'll vote on it tonight and then they'll provide an amended plan

Jacki - You do need a majority signature so you'll all need to come in to sign it

Chris motions to approve ANR subject to language discussed to be added to plan National ave

Tim 2nds
No discussion
Vote 4-0

We'll need a majority signature.

Welch this definitely simplifies things.

(Alex is missing by the way)

time check 8 pm

Next North St ISH possible revisions

Scott cohen – shows a map there are 2 areas in question that concerns concom.... There's a no build zone that they initially didn't have a prob with.. since then board members have expressed concern with 50 ft zone

We took the units out and pulls others away from wetland area. And we lost the club house... so basically still 51 units... we redistributed them. 17 units change to 15 then. 12 to 13. 22 to 23 Basically moved 5 units... changed parking... now there's more open space. I met with Jacki. If changes are minor then no further spa will be required... hope that's true. We'll of course consult with Larry to be sure that it's a minor revision.

Jacki – still 17 reserve spot?

Scott – yeah, it's just not shown on this plan... but I plan to approve everything with larry and this was done really fast. I'll pass this out to show the changes. Red is original... black is new plan. Units have been shifted.

Jack – this is substantial I think. Parking deliniation – snow removals and such?

Rob – it's discouraging that it won't through conservation and a major revision have to happen.... it doesn't make for an easy planning process

Jack I agree concom isn't really consistent... they've done this before.

Jacki – obviously you'll need full plans to show Larry for him to review... you aren't changing units or length of road.

Tim – I thought what you had changed before 53 to 51 units was to clean up the corner that is getting messy again

Peter – I agree if needs to get cleaned up I just was hoping that it could stay administrative and not need a public hearing

Jack – WHY DID CONCOM DO THIS they've let people build there before.

Jacki because it's possible for him to move this out of that conservation area he should

Jack – conservation does stuff beyond words

Jacki – you wanna write a letter?

Jack they won't change,... why bother... this is just a waste of time though?

Scott – I'd like the plan to stay that way... but concom

Jacki will write a letter tomorrow about the concern of reconfiguring the plan. this could all happen again

Jack – what about that other piece of land?

Scott – rather than going to court, we decided to include it. We're doing restoration work

Jack – how is that connected?

Scott – I don't know... something

Rob – I feel stuck... my concern is the big picture with the letter... changing the rules of the game at this stage isn't in the best interest of anyone. The density has always been there to get used to the units and how close they are. If you have to do this.... My gut says it's not just a minor revision. I'm not going anywhere with that.

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Chris this is impacting the whole site... you've adjusted everything.

Scott – absolutely It's moving everything.

Chris if it was just a couple units fine but it's everything who knows what will happen?

Jack – you obviously need a lot more detail on this plan. Get one together..., have Larry review it and make a report and then the board will have a better idea of what's up. I don't wanna act on a whim of the concomm.

Chris – our initial opinion seems to be that none of us want to change a plan that we worked on for months. And have to open a whole new hearing.

Larry a lot of this won't have to be rehashed.

Chris but everything has to be adjusted. Then there's the density issue and how that will impact every one.

Jack I guess in a tasteful manner we can request why they chose this project to start enforcing this.

Rob can an individual go and speak

Chris you can go as a member of the board and say that you have your own concerns.

Rob _ I'll be there. 8:30 tomorrow.

Jack – I think someone can say that it was a general concensus that this was not well received.

Jacki – I would prefer Rob talk....

Jack – Alright, well we'll do this tomorrow.

Next –

Subdivision revisions

Jacki has anyone reviewed them?

Rob has

Jacki – it's more of a reminder.

Make a copy for larry

Jack – I got an email from millennium asking the board's opinion on for mirra. I said as a member of the board that I thought that was a direct conflict. Mirra asked them to do a design, and I thought that as subdivision inspector they shouldn't do that. Millennium thought it wouldn't be acceptable either. They really can't inspect their own work. (carleton drive)

Jacki larry does site plan inspections

Jack – so I guess it wouldn't be a conflict since they wouldn't be inspecting their own work. So long as they conform with MA ethics laws... and such

Larry they're gonna be presenting this.. hmm... It matters.... I think your caveat is a good one. I think that would throw them into a position with the board during the review process. I think back to stuff in the past that I was involved with.. back in 1995

Chris do we need to check with what what.... It's the same company

Jack – I think that's something the ethics commission has to deal with that. They're a town employee as an independent contractor. I know it's allowable under certain circumstances if a disclosure statement is signed. They wanted to ask but I don't think it's a big deal to them.

Jacki will contact ethics commission. Jack will send jacki a copy of the email.

So larry can leave.

Jack across the street – have you been looking at that wall? Is that in the right of way? That looks close? Are the poles in the right of way?

Larry – I'll look. I looked at the trees

Jack I had a run in with a guy about a hole.

Jacki hasn't gotten a full set of plans yet

Larry – trees have been left exposed... looks unhappy about that

Bank revised design....

Jack is any of that substantial enough to bring back to the board?

Larry – I don't think so

Jack well that's something

Rob I had asked for a complete new plan to see what has been going on

Jack if they destroy those trees they won't get an occupancy permit unless they replace them.

Jack - Is the bank elevation lower than the street? What the hell is that all about? How is that gonna? That's at least a foot lower than the road and huh? Is there a wall going in there?

Larry – no... I'll have to look at the plan.

Rob can you get them to get us a plan...

Larry get them to come in

Rob – let's get them to bring a graphic.

Jack – let's put that on the next agenda

Jacki - okay.

Larry – I'll look back at the plans

MEETING ARTICLES

One for Master development plan one for zoning map

Rob I have some of my stuff

Jacki articles need to be in by 26th.

(8:38)

Rob – I've given you material and I don't know what you're using. I circled stuff. I thought those issues were going to be addressed when you took Newburyport stuff. And there's more ipswich stuff..

Jacki – I don't know if there's more ipswich stuff

Rob – I don't know how to do this with out A finished draft to work with..

Jacki – I'm doing a community thing getting everyone's input

Rob – have you looked at the stuff I gave you before?

Jacki no up to section 5 is more administration than road standards and landscaping.

Rob- okay, maybe I'll grab you separate than talking about it today

Chris – will there be subdiv reg changes before the board?

Jacki – that was last meeting. You got a disk.

Chris – I would like it done for may or june but I don't have a specific date.

Jack – Did you fix my disk?

Jacki – you want a disk or do you want those 20 pages?

Jack – whatever is easier.

Rob – I was gonna bring additional warrant articles and I've got that stuff here.... I have one copy I can give to Jacki.

Jacki – Monday is for reserving a spot...

Board yeah let's reserve a spot and then we can always withdraw it.

Rob you wanna talk about this or not? Open space stuff.

Jack let's run them quickly

Rob – zoning won't be revised in time by next meeting

1) def of building height – same as now except something something... he's giving these things to Jacki right?

2) open space – lot area calcs was what I meant last time. Not open space.

Chris that's gonna make a bunch of fights with concom... we're talking about changing the def of lots

Tim would this include ANR?

Rob – yeah

Jack – we already have a law like that about continuous buildable land....

Rob – is it a %?

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Jack yes

Rob- what about easements and other stuff not just wetlands?

Jack – we have a slope by law and another one

Rob – okay so this may all be there in pieces but it doesn't seem to be working in Georgetown.

Jack – I agree that this stuff is scattered about the zoning by laws... I think everything you're trying to do is in the by laws and it just needs to be draw together. I agree with the concept just not the method

3) completed application clause? When the clock starts running.

Jacki – but that's all state law

Rob but you can decide when you have all the application material

Jacki – according to MGL they need to submit an application to clerk and planning and clock starts ticking 65 days to public hearing then 90 days to make a decision.

Jack – are you talking about a checklist

Jacki – it doesn't says that if you don't have this all in you won't be approved

Chris – I don't wanna be boxed in

Rob – I don't think it boxes you in... I think it just gives you all the informations.

Tim – you wanna know clapboards and vinyl siding...

Rob- lighting plan, planting, landscape, site, surveys, reports. Basically planting and lighting should be necessary.

Jacki – it's actually all in the zoning bylaws... it just doesn't say that we'll deny if this stuff isn't in.

Rob – I just want it to say that we aren't going to start reviewing until we have everything.

Tim... And if it happens a couple times we just make a motion to deny for lack of info

Jacki- I just don't think you have to change the by laws to do that

Chris – each site is site specific and there might be instances when a waiver might be applicable.

Jacki- I think rob is saying that the waivers should be part of

Jack – I just want to be sure that we're within state law.

Yeah we are.

(9:03)

Rob – so it doesn't have to be a warrant article it will just be a policy thing

Jacki – right

Rob 4) Site plan landscape parking lots? Maximums and minimums? Landscape requirement. Parking lot landscaping. It forces a developer or designer to landscape into the interior.

Chris and it would apply to any site plan?

Jack – what about pre-existing things?

Rob- grandfathered in?

Tim – Amendment 108 might be a lot of what you're talking about.

Rob - Intensity of use. <mubble mubble> that is part of it

Jacki – zoning article to change zoning map. In 1999 this article was entered to change map 16 17 and 19 to change industrial something

16 and 19 are fine

map 17 – these lots (ABC and these 2) are tolmans properties, they were deleted from article... they should be residential lots.

The map is being cleaned up cause some of the area around 95 is showing as residential and it should be industrial. Working with MVPC, we figure the best way to clean it up is to get the map fixed and accepted at town meeting so it will be all set in the future. It's all owned by the state now so it isn't a problem and shouldn't be in the future. But this cleans things up and makes so there won't be probs in the future.

(9:15)

Master community development plan-

Jan 13th plan we went through visioning statement

Another meeting feb 4th to accept the document. From that meeting they'll outline other stuff so it can go for acceptance.

Rob- history?

Jacki- they don't want a historic district. It would be individual for houses and those owners would have to research it

Rob- businesses could be identified as historic?

Jacki – sure if they do the research

East Main Street

There was a request by letter

Tim motion to accept withdrawl without prejudice (see agenda)

Chris seconds

No discussion

4-0

carleton drive continuance

request made – info in by feb 4th

chris isn't this the third such request

Jacki yeah I recommend denial if not done by next meeting

Tim motion to continue PH til feb 11th time TBD

Rob seconds

No discussion

Vote 4-0 in favor

PLANNING BUDGET

Jacki – any issues? I need to submit it

Jack – Jacki gave herself a raise

Jacki expenses went down and salaries go up
2% raise. Get amount of change from Jacki.

Jack – you should get a higher raise...

Jacki – I would have to take more out of expenses

Jack - let's just request money.

Tim – I say put in for 4% raise.

Jack the justification is that no one took raises last year at all. Negotiations said 0% 4% and 4%

Rob- when does that stop. Is there a cap.

No, it's just negotiations.

Jacki – there's job grades.... Kristen can make between 10 and 15 dollars per hour.

Jacki – I'll make changes to salary and keep this as a back up if I get shut down by steve.

Minutes-

From January 7th meeting.

Jack – page 9 - 1st para.... Listed streets bellview it should say belleau

Jacki – do you have that printed list of unaccepted streets?

Jack – It's in the town report... I have it but I didn't bring it with me.

Rob a ok with me

Chris was absent

Tim motions to approve as amended

Rob seconds

No discussion

vote 3-0

Chris abstains

Jacki- we discussed signing payroll see the paper we copied for you. You can voted the department head to sign.

Jack – are you a department head

Tim – wasn't this done in august?

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Jacki that was to let the chairman do it

Tim motions that we authorized the town planner/dept head to sign payroll, salary compensation etc

Rob seconds

No discussion

Payroll only not vouchers

Vote 4-0

Board signs the paper.

(9:40)

Tim motions to pay the 13 invoices

Rob seconds

No discussion

Vote 4-0

The board signs the vouchers

Correspondence list

Nothing really – littles hill something

Jacki – inspection daily progress reports.

Any problems

Just me

Cuffee doles: is there anything we have to do to control that money?

Passbook 38000....

Motion to adjourn tim

Chris 2nds

4-0

adjourn 9:55pm