

Draft/Minutes
March 10, 2004
Planning Board

**MEETING
GEORGETOWN PLANNING BOARD
Memorial Town Hall
Third Floor Meeting Room
March 10, 2004
7:00PM**

Present: Jack Moultrie, Chairman; Chris Hopkins, Vice Chairman
Chris Hopkins, Vice Chairman; Tim Gerraughty; Rob Hoover;
Alex Evangelista; Jacki Byerley, Town Planner; Kristen Eaton,
Administrative Assistant

Absent: Larry Graham, Planning Board Technical Review Agent & Inspector

Meeting called to order 7:03PM.

Discussion

Fuller Court

Jacki haven't completed all work as of larry's memo 2/24. Want occupancy permit. Do not have bond agreement or cashier's check. She needs the board's approval to sign if this all goes down.

Fuller has been in touch.

As soon as Jacki has everything she can sign occupancy permit.

Jack – do we release that money as we go along?

Jacki – with all that needs to be done we should hold it all til the end.

Jack – My concern is the lack of vested interest

Jacki – Is driveway supposed to be paid looks like it on the plan. With the 59000 are you gonna wanna see the drive way paved.

Jack absolutely otherwise we're asking for a problem.

Larry won't be here tonight, Jack – we can ask him but it makes sense.

Jacki with a one lot sub I thought it would be a wise idea

PB needs to authorize the amount and for Jacki to sign

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Amount 59500.

Tim motions approve jacki's authorization to accept cash bond after all appropriate documents are signed and easements recorded
Rob second
No discussion
3-0 in favor.

Caribou Court

Alan is here to distribute a memo: a follow up to his previous memo.

People read the memo with a new map!

Tim – were the tidd's notified we were discussing this tonight

Jacki – no, it's an informal hearing and was just for the PB's info.

Jack – I think we'll just be taking stuff under advisement.

Jack has question – the professional surveyor who stamped the plans would have to defend the lines, right?

Was this surveyed at the time of the taking?

Alan does not know... there are quite specific metes and bounds and there was significant advertising at the time. 1971

Jack – I remember people were protesting and one resident sued, one did not accept the money.

Alan – record of the town meeting voted was unanimous?

Jack – this was eminent domain and these people had the right to protest but the town takes possession regardless – the protest goes to another leg of the law.

Alan – I haven't found another town that has had this problem

Jack – who's in charge of changing the assessors map.

Alan – you'd have to as the Board of assessors

Jack - The outer boundaries would not have changed with a subdiv

When this was presented to us it was presented by a professionally registered land surveyor and we have to take that as is because he's putting his license and what have you on the line

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Alan – as my memo says I don't think any board has done anything wrong based on the info they had and the by laws that govern them

Jack – who's in charge of fixing this?

Mediation – settled in court? Alan think only the board of selectmen can deal with the legal aspects of this. If this is conservation land and I have no reason to believe otherwise, PB would have to preside....

Jack – adverse possession issue? Anything could happen. This sounds like it started with alterations to the assessors maps.

The issue here is changing the out side perimeter of the property. This would not happen with a subdivision.

What is this survey 1978 –

Alan - That's the ANR plan the house lot was subdivided off.

So there's 3 houses evidently.

Alan – I'm just runniing on the assumption until I'm told other wise

Jack – there's legitimate concern and we have to get to how we're gonna get this fixed...

What has the administrator said?

I don't know.

He'll just be getting this memo tomorrow.

Jack – I think we'll wait for word from the administrator or selectmen.....

How did they alter the delineation of the outside boundary?

The state could interpret this any number of ways.

Will they hold us liable for making a good faith decision based on what was presented to us if that information was incorrect,

We can take all this stuff under advisement and we'll have to take direction from the excutive board.

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Alan – if everyone decides that it's cons land and the selectmen refuse to defend that... huh?

Jack – it's hard to rule on land without professional survey... the court won't take anything else.

Do you have reason to deny a notice of intent?

Even if you don't and you're bound to continue it would stop at the BI cause he can't issue a Building permit when there is a boundary dispute.

We weren't arbitrary and capricious. The surveyor is bound to defend what he said.

Harry I don't think the EOA would blame us for thing in the past, but they'll be watching closely until we get the grant.

Jack – it's out of our hands, our decision is already done.

Alan will make sure that the BI is well aware of the boundary line dispute

Without anything in writing there is no way to know how the state will rule based on past actions. Alan will be sending this eoea MEMO to EOEa saying that something... Oops, I got lost.

Hed like the state to provide the town with guidelines of how they feel.

Jack – I think the BOS will forward all this to Town counsel.

Without sufficient professional proof I don't know how you can deny any applicant their rights to proceed.

Jack – we're gonna take it under advisement.

Alan this memo is his last effort on the matter. Until something comes from BOS or EOEa.

This is highly unusual and complicated.

Tidd has a deed that says that the land is his. Everyone gets upset about jack saying the family owned the land longer than the town.

Harry – if the town questions their own boundaries what dept would that go to?

Jack – BOS (they'd ask me cause I work with surveyors a lot)

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Alan – which boundary will each be defending?

Jack – I think that's for counsel.

Alan is distributing the memo and stuff tomorrow.

Jack thinks that all the boards with interest in this should probably try to meet together to try to figure this out. There will come a time when things will be closed door – law suit and such.

Inhabitants of Georgetown can sue?

The ANR had only one signature,,, fred true was authorized to do so. That was recorded at reg of deeds.

Hopes about what Ogrin looked at for his survey,

Shopping center

Memo from lappin regarding interim as built – plans to be done end of march beginning of april

There's a plan in everyone's packet. Want to make the island a bit larger... turning it? And larry recommends making the island end on the other side.

Jack that would protect the light.. good idea

Tim mentions show man issues and the line.

They can go right up to the line. They already have an agreement with rossio about coming on the land and sharing driveway and something.

Ramp something....

No landscaping plan that'll be presented the 24th?

Rob- there'll be trees over here and what? I'd rather see that the planting plan is all set before I approve anything.

Everyone would much rather see the curbing.... It protects the light and stuff. Larry gave his okay and has gone out there to see.... He'll write up a memo I'm sure.

Rob- I'm still upset about the landscaping plan.... again... grrrrr. He has no issue with those changes they're all good.

They're just checking stuff.

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They ARE bringing a planting plan on the 24th.

Jack – they need to know that if we're not happy with the planting plan they won't be getting a sign off on the occupancy permit. Let's give them the benefit of the doubt and see the planting plan on the 24th.

Consensus – they like it, but no formal approval til the planting plan comes in.

63 Jackman

plans and bonds ready to be signed. They're looking to have their building permit signed.

Motion to accept 2500 bond and to endorse the site plan mylars – rob.

Tim seconds –

No discussion

3-0 in favor

Plans signed

DISCUSSION OF THE MARTY MEMO

This is just gonna delay his money stuff and he's not on the street

It's never come up with an existing home.

It's the PBs vote on it...

Tim motion to release lot 1 of definitie subdiv at the village of georgetown and that no other's be released until conditions in sub div decision met

Rob seconds

No discussion

In favor 3-0

Pre existing lot pre existing house.... Lame

Tim – what's up with the getty station?

Jacki – nothing.... The guy who works there would love the canopy to be put up. I'm gonna look into it to see if there's any violation or if we can do to it..... it'd go to corporate getty.

Signs gotta come down - it's on town land.

Tim doesn't wanna force a business to update land if it's not economical.

Rob – what's the recourse?

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Jacki- has to look into SPA things. If it were a special permit, BI would fine them.

By the way, Alex and Chris are not here.

Going over the SPAlist. Jacki just catches people up.

1 farm lane issues... no sign off. Larry never told. This is happening a lot. Jack is gonna by pass charlie and go to BOS if this happens again. (they got a building permit without PB sign off)

Rob – what's up with the paving at GSB?

Jack there's a punch list.... Ada issues. We've checked that w/ an instrument. Concrete deteriorating. Didn't seal things- leakage and freezing and breakage of sidewalks... man they suck.

Town counsel sucks.

Tim's looking at the building inspector report

Master plan – Ida has stepped down. She didn't think it was going as quickly as it should.

master plan will address industrial land use and what the town should have for improvement... won't be in depth necessarily but it'll be there.

Rob – will we be able to look at it and stuff?
Yes

1 farm – as built inspection.

This is gonna suck if it doesn't stop.

Jack needs to think about it.

They look at the checklist. It's nice.

We're gonna be getting an updated town website. Few apps. we don't have elec. I'd like approved projects on there.... Agendas, meeting dates, and times.

What about the picture?

North St. plan. and update the pictures as we go along.

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Town map? Nope.

So long as you change it, it works out.

Whispering pines hasn't met at all with the affordable we need to bring that up when they come in,

Harris way

Acorn way duplex something.... Would need to go to us and ZBA.

Vouchers

Tim motions to sign vouchers

Rob seconds

Jack looks at the vouchers.

Larry will start giving inspection reports.

What's with the general stuff?

No more informal hearing right? Right.

Tim amends motion to sign fifteen vouchers minus nelson st.

Rob seconds.

No discussion

Voted 3-0 in favor.

Discussion – cuffee dole's

He's filed a complaint in nov with Mass commission against discrimination

Steve said that they called and asked if he would mediate the complaint. We were not aware of any complaint. (filed against PB) that board usually doesn't deal with government entities. We should be getting a copy of the complaint.

What needs to be done to seize the money if need be?

We can seize it but we can't go on the property to start improvements.

We expect the work done.... We've waited til spring and consequences. Board was openly negotiating with mr archer but they dropped off the face of the planet.

Write a letter to archer and the bank.

Was there an extension given? We'll have to look that up.

“timely manner” –

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Let's get the old minutes and see what we said. I can draft a letter and we expect work to start shortly,

Rob – minutes will show deadline? 30 days is reasonable?

Why not use June 1st that gives him about a month and a half? Timely manner no later than 6/1 or proceedings will start. Consensus.

FINCOM – raising fees

Steve went to FINCOM weirdest meeting Jack has been to.

Needed approval of budget.... They all sort of sat there.

Steve recommends that all non unions get a 4% raise.

FINCOM asked how land use boards can sustain themselves. You can't guarantee that. Amesbury survey... we're comparable. We can't really raise fees much higher than they are.

If we could use our funds then we wouldn't need any money,... they'd wanna take the "surplus"

Bottom line – they'll take that under consideration.

Discussion of Chris's lack of pulling papers.

We don't need to raise fees we'll take it under advisement.

Jack will be attending all the meetings.

We'll look at how much we've put in for deposits.

Jacki is gonna start selling maps. Historic commission. Hooray for the plotter!

Jacki talks about the old abandoned RR

Road acceptance.- holding money per foot

All these streets that haven't been accepted and they all have issues.... Holding a couple dollars per foot isn't much

We've released the 2.5 times. How much does it cost to rebuild a road?
250/running foot.

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120 days to record after acceptance. Otherwise it's void. I don't think it's fair to (tim) hold 240 bucks per foot to developers,

Hold money until accepted at town meeting?

MA has no impact fees by law. NH does.

Motion to adjourn rob

Second tim

No discussion

3-0

adjourned – 9:14