

Draft/Minutes
June 23, 2004
Planning Board

MEETING
GEORGETOWN PLANNING BOARD
Memorial Town Hall
Third Floor Meeting Room
October 27, 2004
7:00PM

Present: Jack Moultrie, Chairman; Tim Gerraughty, Vice Chairman;
Rob Hoover, Clerk; Tim Howard; Larry Graham, Technical Review Agent
& Inspector; Jacki Byerley, Town Planner; Kristen Eaton, Administrative
Assistant

Absent: Alex Evangelista, MVPC Representative

Meeting called to order 7:09PM.

Discussion

Jack introduced Janet (she's here)

No one was present from Deer Run or Little's Hill.

Nelson Woods –

Jacki says larry reviewed it. And they are trying to submit 3 form Gs... jacki explains that they want to covenant the two roadways separately. Also separate will be the parcel A. So they can hold it with out reworking the paperwork.

Jack says that he is against it because the drainage of one roadway depends on the other.

Speicher says that he doesn't believe that the drainage is connected in this case. There is a buyer for the upper and lower roadways. If we

Jack – why wasn't it presented as two separate projects?

Speicher we didn't know. The project can be build as two separate projects. Two separate systems. They can be constructed independently of each other.

Jack – maybe we should hold on until Larry gets here at 7:30.

Jacki – something about the name of groveland associates in the covenant. But they don't own the

Speicher, we can hold everything until we've done the closing.

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Jack – if there's all these issues, why are we here. Why don't we wait on this?

Odgen says that the subdivision can be recorded... just the covenants can't. we should at least get the plans endorsed.

Jack – I'm very uncomfortable with this. It might be all legitimate, but I am very uncomfortable.

Rob – I think that it puts larry in a difficult position. I'd rather see it in writing that it can be carved up.

Jack – this was approved as one project, with two form Gs you are trying to split it into two projects.

Tim – It seems to make sense but I haven't run into it before, so I'm trying to figure it out.

Speicher – said that the board doesn't have

Jacki – we always knew there were two road, and I don't think that the roads being constructed separately is an issue. So long as the subdivision inspector knows how they have to be constructed.

Ogden – both buyers are aware of the approval of the planning board

Rob – for clarification, who would be the final top guy of the construction,

Speicher – says that you would just be as protected by the covenants.

Jack – this is why we were so adamant about that clause cause I had a feeling that something like this would happen.

Speicher – the board is protected in seeing that the requirements are met and that the work is completed correctly.

Tim – is there a problem having two separate bonds for one project?

Jack – we've had problems with this in the past with sections getting sold and residents being upset and mess and stuff...

Okay

Tim thinks that he doesn't have a problem so long as larry says that the drainage would not be affected. He would have a different feeling if it was ten lots. But where it's a single lot and two lower lots.

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Rob – I wanna hear from Larry but I'd also want to see it on paper, that it works.

Howard came in and was updated and asked why.

The why is the two buyers.

Speicher says that if there was a single covenant then we couldn't sell the single lot to a buy. We could sell the entire subdivision. But we can't sell off the pieces. We could have a single covenant and ask for partial releases of that. But it accomplishes the same goal.

Jack – on hold til larry comes.

DEER RUN BOND RELEASE

Brad goes over his letter and the %s

Carullo agrees with the numbers

Rob questions the landscaping: what it would cover

Brad just some wash out areas and seeding.

Rob – are the trees part of the roadway?

Brad yeah, maybe... but it's a private way.

Jacki – trees still have to be 40 feet apart. (6 ft from right of way.)

Brad – I guess I'll have to go look at that again.

Rob – so I guess that number might want to be adjusted for 17 trees.

Tim – so we can add a line item that says trees 3400

Total 50375

Carullo says that he thinks that 40,000 cash bond is more than enough. They want the lot.

Jacki – we're holding 40,000 and a lot.

Jack – so we don't even have enough for this original figure.

Tim – says it's either 50,375 or we keep the lot.

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Jacki – so as soon as you do the deposit, we can release the lot. And we can do partial releases

Tim motions to release lot 2A3 after a deposit of 50375 is made into the deer run bond account and to authorize the town planner to sign.

Howard seconds
No discussion
Vote 4-0

LITTLE'S HILL

Jack – the sheet it labeled forest st.

Jack doesn't see offsite improvement stuff in here.

Jacki – thought offsite was tied to occupancy not lot releases.

Spear wants to bring up the multiplier... he's running out of money cause it's all bonded. He has 2/3 of a million dollars that he cannot use.... On bonds of the other phases. They have not been complete.

Jack – I thought the idea was to finish one phase and then go on to the next so this didn't happen.

Spear there were legal issues. That were solved in the last few months. We are just finishing up the houses in that first phase. I'm in a catch-22. I have to be getting the next section going.

Jack – if all you have left is a topcoat with one phase.

Spear intends to come in in the next couple weeks to request a partial release.

Jack – then why don't we wait until you get that in order, and release money then. I doubt that you will get any reduction in the multiplier.

A discussion of compassion.

More discussion of times the town has been burned. Nobody wants to clean up someone else's mess.

Spear disagrees... cause the project is so big. You don't do factors of 250% you do maybe 150%

Rob would have a hard time changing the rule of 250%. Also it sounds like the original agreement of phasing has changed. I don't think that the board should take that on.

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Howard feels that it's not the boards fault that the phases were not completed

Tim – you're looking for 8 lot releases.... Could we hold two of those as part of your bond?

Jack – doesn't have a issue with that.

Lots are valued at 100,000.

Spear wants to talk to his bank. To have the board approve both as an either or scenario.

Jack will bond off site stuff through highway.

Tim made a motion to accept the tripart for littles hill Londonderry lane in the amt of \$215,087.00 and authorize jacki to sign the lot releases of (refer to form K – 8 lots)

Rob seconds.

No discussion

Vote 4-0 in favor

NELSON WOODS REVISITED

Jack tells Larry the scoop.

Larry says as he remembers the upper road was independent of the lower road. No drainage issues really. Larry doesn't think that you can split that into two definitive subdivisions.... Cause it was approved as one.

Speicher says they aren't asking that... they are only asking to covenant the road separately cause they can be build independently of each other. Both buyers will be subject to this same decision and subdivision plan. no problem to the board with enforcement and the inspections cause they are independent.

Larry – this is comparable to phasing a larger project.

Jack but there you are dealing with one proponent, here you'd be dealing with two.

Larry says from an engineering point of view, it can be split.

Jack wants to look at the decision

Rob understands both sides, he feels the town is being put in a position.... One person. Two projects is potentially twice as many issues. The upper road is a pretty good piece of engineering.

If withdrawing and refileing would have the same result, why not just do this? I don't think I get it.

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Jacki says covenants are transferable.

Tim moved to endorse the nelson woods sub div plans
Rob seconds
No discussion
Vote 4-0 in favor.

118 jewett

Rob moves to continue to dec 8th 2004.
Tim seconds
No discussion
Vote 4-0

ROCK POND

Janet makes know that she lives across the pond and will not be taking part in the discussion or voting in anyway.

Tim mentions that he just got everything today and he doesn't feel that this will be a very productive meeting.

Rob agrees.

Larry – got it Thursday, was out Friday and Monday, and got right on it yesterday.

Joe – we agreed to have it to larry and the board by last Thursday.

Jack – mentions Jacki's DEP email. And that fire with the railroad cars.

Bill Simmons - I don't think anyone is saying that there was no contamination He had no knowledge of the fire until tonight. He got involved in this site in 1999. they found petroleum and notified DEP. He discusses how DEP works. (He talks slow.) MGL 21E. There is no risk in the property. There is no single clean up standard that applies statewide. (He whistles when he talks.) Outside of the most contaminated sites, LSPs make the determination and characterize risk and decide how clean is clean.

Jack – so the bottom line is that the property has not been checked for heavy metals. But in your professional opinion it meets the standards.

Yes

Bill doesn't think that there would be much risk of heavy metal in the foot print of the building. It's not a big deal to take a couple of samples.

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Tim said that um, something... sorry how he worded it two weeks ago.

Howard no comment

Rob thanks for requesting that bill show up. Question: is residential exposure the same as the pond and the water quality?

Bill says no. You have to look to risk to human health, soil, groundwater, air, and environmental receptors. Groundwater concentrations would be so dilute by the time they get to rock pond, there is not impact to the surface water.

Rob – it is disconcerting to know that you didn't have this info and that this is how the process goes. I'm not going anywhere with that. I'm thankful you are here and that you have the info. I look forward to your opinion with this info.

Jack – if you look over this new info, then I as one member will be satisfied.
We have a review from Larry.

Larry review is a recommendation of 12 notes to be updated before endorsing the plans. Once completed he would recommend endorsement. He did not get the landscape plan.

Discussion of the buffer. And the right of jacki, the board or brad to request trees and stuff. Extra plantings. Tagging trees.

Rob explains everything. Hooray for landscaping.

Wall detail is not on plan. must be somewhere. So the inspector and contractor will know to what standard it should be constructed.

Tim Moved to continue to nov 10th, 2004
Rob seconds

Wait any comment from audience.

Louise Richardson two questions: retaining wall on left hand side? That will abut my property? And: the 20 ft no cut zone is on the back? Okay.

Vote 4-0 in favor.

ANR plan – 23 nelson st.

Jacki goes over the plan. There will have to be a scenic road hearing.

Tim moves to approve the anr plan for 21/23 nelson st with addition of a note and will follow the scenic road bylaw

Rob seconds

No discussion

vote 4-0

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rob moves to adjourn
tim seconds
no discussion
vote 4-0 in favor

9:40