

**MEETING
GEORGETOWN PLANNING BOARD
Memorial Town Hall
Basement Meeting Room
June 25, 2003
7:00PM**

Present: Jack Moultrie, Chairman; Christopher Hopkins, Vice-Chairman; Peter Sarno; Alex Evangelista; Rob Hoover; Jacki Byerley, Town Planner; Tim Gerraughty, Alternate Member; Larry Graham, Planning Board Technical Review Agent & Inspector; Janet Pantano, Administrative Assistant

Absent:

Meeting called to order 7:00PM

Discussion/Littles Hill Sign Permit

Mr. Moultrie explained the issue. He stated that the sign is being built in the right of way and an abutter has issue with this. He stated that there is not a sign shown on the subdivision plans and it was never approved by this board. He stated that the abutter had an issue with the electric box being put in this area and it was moved.

Mr. Craig Spear and Shep Spear gave papers to the board showing the wall and some copies of the sign they plan to put in. He stated in 1996 when Three Wells Subdivision was put in there were some stone pillars in this area and they have fallen down and they have saved the stones and they propose to use the stones in the sign. He stated that the stones from the pillars and a new granite piece with Littles Hill on it would be used for the sign. He stated that they are relocating the wall and pillars and the sign would look better artistically. He stated his position is that they are building from the existing wall. He stated that the Building Inspector was going to sign off before the abutter called the Planning office.

Bill Clarke 18 Baldpate Road stated that the sign is less then 26ft from his driveway and is very close to his property line. He stated that there is a wooden sign now and that he would not like to see any signs. He stated that he lost privacy to his side yard and that the Spears have stated they would put in privacy trees and he has not seen any. He stated that he does not want any sign and stated that he has gone out to other subdivisions and their signs are not this large.

Mr. Moultrie stated that the sign they propose is larger than the bylaw allows. He stated that the bylaw is for 12sq ft. He stated that with a foundation it is considered a structure.

Mr. Sarno stated that the temporary signs are common.

Mr. Clarke read a list of subdivisions with signs and their size.

Mr. Sarno stated that it is a shame that this was not presented to the board before. He stated that he never thought the sign now was permanent. He stated that a new sign should meet all the bylaw requirements.

Mr. Hopkins asked if the sign could be made more palpable.

Mr. Clarke stated that it could be if the sign were put within the old stone wall or if they set the sign back so it is not at his driveway and not in front of his home. He stated that they have a road 100's of feet long.

Mr. Spear stated that the sign could be moved back a few feet and that they want the sign to be seen from the street. He stated that on the other side of the street there is an electric easement. He stated that he thought where the sign is would be a happy medium so people coming up Baldpate could see the sign. He stated that they would be putting in screening for Mr. Clarke but in the fall because of the early weather they did not get the screening in.

Mr. Hopkins stated do they propose to do screening to Mr. Clarke's property.

Mr. Spear stated that they plan to put in arborvitae along Mr. Clarke's property.

Mr. Evangelista asked if they could move the sign back to where the old wall is and the pillars.

Mr. Spear stated that they would have to tear down trees to do this.

Mr. Hopkins asked if they could screen the sign with shrubbery so the Clarke's would not see the sign.

Mr. Clarke stated that the trees on his property are maples and do not offer screening. He would rather the screening that they proposed and have the sign in the old wall. He stated that the screening trees he would like to have are on the Hillside Drive side of his home.

Mr. Moultrie asked when the trees for the screening would go in.

Mr. Spear stated that they should have been put in the fall, but with the early winter they did not get in. He stated that they could not go in now.

Mr. Hoover stated that he does not like the location of the sign now and that he feels that moving the wall back to the existing wall and then putting in shrubs would be elegant.

Ms. Byerley stated that she has trouble with the wall in the Open Space parcel and she asked who would be liable for the sign if it were knocked over.

Mr. Moultrie stated that if it is in the Town right of way he would not allow the sign as Highway Surveyor.

Mr. Spear stated that the layout is off center on Baldpate and he would have a surveyor go out.

Mr. Moultrie stated that the ConsCom would have to okay the sign as it is on their property.

Mr. Sarno stated the ConsCom issue could be okay, but they have to find out if the sign is in the Town layout.

Mr. Spear stated that on ConsCom land they have put in a sidewalk and that the Order of Conditions states that a small percent of land could be impervious.

Mr. Sarno stated that the Planners issue is a liability issue. He stated that the land the sign is on should be under the Homeowners Association.

Mr. Moultrie stated that he would like to see a letter from the Building Inspector that this is not a permanent structure.

Mr. Hopkins stated that as it is now they would have to have an agreement with the ConsCom on the wall.

Mr. Spear stated that they do have an agreement with the ConsCom to keep up site distances and trails, etc. He asked if other subdivisions have had to go through this process.

Mr. Moultrie stated other subdivisions signs have been on the plan or the Planning Board has approved the sign.

Mr. Spear stated that the wall was there and all they are doing is adding to it.

Mr. Shep Spear stated that they are trying to make the sign unobtrusive.

Mr. Moultrie stated that they need a permit from the Building Inspector and that the sign has it has a foundation and he does not know if that now constitutes a structure.

Mr. Hopkins stated that if the Building Inspector is okay with the sign and the Highway Surveyor and if other boards sign off on the sign then he would agree.

Mr. Evangelista stated sign is 5ft 8in tall.

Mr. Spear stated that Building Inspector was ready to sign off on the sign until there was a call from the abutter.

Mr. Moultrie stated that he does not know why other sign offs where not requested, they should have been and he would talk with the Building Inspector.

Mr. Sarno asked why they do not want to go with the suggestions by Mr. Hoover and Mr. Evangelista and Mr. Hopkins.

Mr. Hopkins stated that he does not want to see eight or ten trees cut down.

Mr. Clarke stated that he would like to see the trees cut down and the stone wall rebuilt. He stated that he does not want to see a monument in front of his home.

Mr. Moultrie asked the Spear's to do a sketch of the wall and to come back at the next meeting.

Mr. Sarno stated that they have two acre lots at the site and that they could do a land swap with the ConsCom so that they would own the land the sign would be on.

Mr. Spear stated that there are areas that they would maintain that would be owned by the ConsCom.

Mr. Hoover stated that this is an opportunity for the applicant to have a better sign.

Mr. Spear stated that they would come back with a site plan of the sign. He stated that he is flabbergasted that he has to take from two to five meetings of his and their time for this. He stated that they have agreed to check with the Building Inspector, ConsCom and Highway Department.

Mr. Moultrie stated that this sign would be here while they are all gone and they want it to be done right.

65 Jackman Street/SPA

Mr. Moultrie asked what is happening with 65 Jackman Street

Ms. Byerley stated that they sent a letter asking for the Public Hearing to be extended.

Mr. Sarno made a motion to extend the Public Hearing for 65 Jackman Street to July 23, 2003 at 8:15PM. Second by Mr. Hopkins. All in favor 5-0.

Board Business

Mr. Moultrie asked Ms. Konza why she is here.

Ms. Konza Lee Way stated she wants to find out how to have her street accepted.

Board stated that she could go to the Registry of Deeds and find out who owns the street.

Mr. Hopkins stated that she may want to hire an attorney to do this for her.

Mr. Sarno stated that she has to find out who owns the street.

Ms. Konza stated that it was the Elliotts but that she would look into the deeds.

Minutes

Board looked over minutes of June 11, 2003.

Mr. Sarno made a motion to accept the minutes of June 11, 2003 as amended. Second by Mr. Hopkins. All in favor 4-0. Mr. Evangelista abstained.

Acorn Way/PUD & Definitive

Mr. Sarno excused himself as he is an abutter.

Ms. McCann stated that they have been before the board for a year and have a Definitive and a PUD plan. She explained the projects and that they propose 10 single lots on 20 acres with 14 acres of open space. She stated that they have received comments from Mr. Graham and have gone through them.

Mr. Thad Berry stated that he does not have any problems with the review by Mr. Graham. He stated that there is only one he would address. He stated on the roadway they request a grade from 6 percent to 8 percent. He stated that if at 6 percent grade is what they want then he would make those revisions. He stated that he feels more comfortable with the 8 percent but does not want to delay the process.

Mr. Moultrie asked how long is the 8 percent grade.

Mr. Berry stated for 50 ft. He stated that they have over designed the drainage.

Mr. Graham stated that he can work out some issues with the engineer. He stated that have not supported the zoning frontage.

Mr. Moultrie stated that the board has given them this direction.

Mr. Graham stated that the proof plan is where the 10-lots come from. He stated that the requirement for open space has not been presented to the board.

Mr. Berry stated that they have talked with the ConsCom and that they were upfront with the board and that they do provide a path around the property for recreation but it is not an easy walk.

Mr. Graham asked if they want this to be a waiver.

Mr. Moultrie stated that they gave direction to the developer on the open space.

Mr. Graham stated that there should be 40 percent active recreational use of open space.

Mr. Hopkins asked how do they determine this.

Mr. Moultrie stated that they could entertain this as a waiver.

Mr. Graham stated that he asked Ms. Byerley to check the administrative issues. He stated that he asks that the water line go through the center of the island. He asked if they want to reflect on street lights.

Mr. Nixon stated that he met with Wayne Snow on the lights.

Mr. Berry stated that usually they go to the Electric Department and they tell them where to put lights, etc.

Mr. Nixon stated that he would talk with Mr. Snow tomorrow again.

Mr. Graham asked if they are using polyethylene pipe under the road.

Mr. Berry stated that they still propose this.

Mr. Moultrie stated that in the right of way of the street the pipe has to be reinforced concrete.

Mr. Berry stated that they have prepared the Notice of Intent for the ConsCom for the work to the road.

Ms. McCann stated that they are providing the plans and doing the work and that the Town is going to do the permitting.

Mr. Moultrie asked that the engineer be a part of the process.

Mr. Berry stated that he would be involved.

Mr. Graham stated that there are a few walls proposed and that he has not seen any plans on the walls.

Mr. Evangelista stated that the wall should not be concrete but should be rock and keep with the character of the area.

Mr. Hoover stated that there are a lot of blocks that are textured and look very nice.

Mr. Berry stated that he usually uses a structural wall like the State uses. He stated has not had a problem with these walls in 24 years.

Mr. Moultrie stated that he is acceptable to this type of wall.

Mr. Evangelista stated that he is also.

Mr. Moultrie stated that they would need a building permit for the wall.

Mr. Graham asked if they would bring back something to show the board on the walls.

Discussion on wall or a berm and future maintenance

Mr. Berry stated that they came out with a large plan and could do a berm if the board wants them to.

Mr. Graham stated that they could make the cul de sac a one-way clockwise.

Ms. Byerley stated that she sent a letter to the Police department and has not had a comment.

Mr. Berry stated that they do not have a problem making the road a one-way but should the road stay at 26ft.

Mr. Hoover stated that under the subdivision regulations road must be 26ft and if they make the road a one-way they should be consistent.

Discussion on snow storage and a one-way

Mr. Evangelista stated leave as two way some homes would not obey anyway.

Mr. Graham stated that they should discuss improvements and maintenance of the island.

Mr. Berry stated that there are some large trees that they would like to leave.

Mr. Moultrie stated that they have tried to leave mature trees and he would like to see the trees left in the cul de sac.

Mr. Graham stated that the trees should be marked as no-cut. If leaving the trees then they can not run the water main through the island.

Mr. Hoover stated if saving the trees then when they do pruning they should do root pruning. He stated that this goes a long way in saving the trees.

Mr. Berry stated that they would do this.

Mr. Graham stated that the Open Space land should be transferred prior to sale of any lots. He asked about the affordable housing concept.

Ms. McCann stated that they are doing off site improvements that are costing \$150,000 to \$160,000. She asked if this could be used for this concept of the bylaw.

Mr. Moultrie stated what is the difference of cost.

Ms. McCann stated that it would be about the same she explained.

Mr. Evangelista asked where are the \$140,000 homes.

Ms. McCann stated that the price is not set by them but by HUD. She stated that they could provide the numbers to the board.

Mr. Hopkins stated that he does not feel that they can waive this component.

Mr. Gerraughty stated that the Affordable Housing Task Force gave them an out that they could give funds to them to purchase a home.

Mr. Graham stated that they are granting waivers and appreciates their suggestion but does not feel that they should waive this component.

Mr. Hoover, Mr. Hopkins, and Mr. Evangelista stated they feel that the applicant should do some affordable component.

Ms. McCann stated that they could put funds into an account for Affordable Housing. Ms. McCann stated that the housing should be where they would be close to services for transportation, etc. She stated that they could make a contribution of \$25,000 per lot minus the off site improvements.

Mr. Moultrie stated that they have to show them on paper.

Mr. Hopkins stated that they are giving the applicant a lot of waivers and this requirement should not be waived.

Mr. Gerraughty stated that they should contact the Affordable Housing Task Force and discuss some options.

Ms. McCann stated that if they receive no credit from off site improvements, and then as discussed at last meeting this would be in the covenant and not hold up the process.

Mr. Graham stated that he had put together a draft decision. He stated that he had a lot of holes in the decision and he went over items with the board.

Mr. Hopkins stated that this is a working document.

Ms. McCann asked if the waiver on frontage must be in the definitive subdivision also.

Ms. Byerley stated that it should be in both decisions.

Mr. Moultrie stated that Ms. McCann sent them a copy of the drainage easement on the abutter's property.

Ms. McCann stated that she did send this to the board and that it is explicit on the drainage.

Mr. Hoover stated in general on grading plans the lot numbers do not jive. He stated that this is a very good plan.

Mr. Graham stated that once he receives new plans from Mr. Berry that he can reduce plans.

Mr. Moultrie asked for comments from the audience.

Andy Applegate 4 Eagle Lane asked what is the town gaining from this PUD. He stated that they are giving open space to the town but it is all wetlands and nothing is going to happen there. He stated what open space is there and with 20 to 30 children in the subdivision where do they play. He stated that they would play on the island and on the wall. He stated that they would provide

affordable housing but nothing in the Constitution states that have to provide. He stated that there is not tax relief on us it is the same use as homes. He stated that there are too many street lights and that it is not in the middle of town and asked that they require low emission lights. As an abutter he asks that they pursue affordable housing in the right area of town, he stated that there should be a plan for affordable housing. He stated that in exchange of infrastructure the applicant is doing some off site improvements. He stated that they have a PUD premise of 10 lots and they are making it fit in this lot. He stated that he came to the Planning Board to look at the proof plan and it was not available to him.

Ms. Byerley stated that he was called that it was in the office.

Elizabeth Potter 150 Tenney Street asked that the lights be kept to a minimum. She stated she is not clear where the driveway would be to the new subdivision.

Mr. Nixon explained the road entrance.

Tom Moore 159 Tenney Street stated that there was nothing in his quitclaim deed on the detention basin when he purchased his home.

Mr. Jim explained that in 2002 the detention basin was not built and he explained how the process proceeded.

Mr. Mansfield whom was involved in the sale stated that the document was referred to in the easement.

Mr. Moultrie stated that the board can not get involved in a legal issue.

Mr. Moore stated that they knew the development was going in and the engineering of the drainage is grossly over planned. He stated that he does not see the detention basins as attractive with weeds and trash on a daily basis. He stated that only two detention ponds are needed.

Mr. Graham stated that the plan is not grossly over designed. He stated that we are starting with drainage problems and this plan addresses these issues and that these are good for long term planning. He stated that at the bottom of the hill is the only site to put the basins.

Mr. Berry stated that the intent of what they are trying to do is to improve the area and the larger that basins are the better they work. He stated that this is best management practices.

Mr. Moultrie stated that they could provide Mr. Moore with drainage calcs.

Mr. Moore asked who would mow this area, he stated that he would not and that it is not likely that the town would.

Mr. Moultrie stated that the town would mow it at times.

Ms. Moore asked about liability of the basin.

Mr. Moultrie stated that the drainage easement would be the Town's liability.

Mr. Hopkins stated that the issue is with a lawyer not the Planning Board. He stated that the applicant has an easement. He stated that they have a right to build the detention basin.

Mr. Moultrie stated that the easement predates this plan.

Mr. Moore stated that he has a quitclaim deed and the easement was not shown on this.

Mr. Hopkins stated that they should hire a lawyer and could get an injunction.

Mr. Berry stated that he would get a copy of the drainage calcs to Mr. Moore.

Mr. Applegate asked if the ponds could be moved to an area on Tenney Street.

Mr. Moultrie explained why the drainage is in this area.

Discussion on drainage

Mr. Moore asked Mr. Graham if on the off site improvements they could put in curbs and drainage structures.

Mr. Moultrie stated that curbs were discussed and could not be used on this site.

Mr. Moore stated that there is a lot of foot traffic and bikes and it would be helpful to have a sidewalk.

Discussion on road

Discussion on when revisions and affordable housing would be addressed

Mr. Gerraughty stated that he would consider one unit in the PUD as a part of the subdivision.

Mr. Hopkins made a motion to continue the Public Hearing on Acorn Way Definitive and PUD to July 23, 2003 at 9:00PM. Second by Mr. Evangelista. All in favor 4-0. Mr. Sarno had abstained from the hearing.

Emma Harris Way

Ms. Byerley stated that the applicant has requested a continuance of the Public Hearing to July 9, 2003.

Mr. Evangelista made a motion to continue the Public Hearing on Emma Harris Way to July 9, 2003 at 9:30PM. Second by Mr. Hopkins. All in favor 4-0.

Carleton Drive-Soil Importation Permit

Mr. Moultrie stated that this is a Public Hearing for a Soil Importation Permit.

Larry Beals, of Beals Associates stated that present are Bob Orsi, Lenny Mirra & Ralph Mirra. He stated that he has a plan and explained that the soil is coming from the Mirra's land adjacent to Route 95 and being transported to land adjacent to Route 133 on Carleton Drive. He stated that they were in front of the ConsCom a year ago and that they do have some wetlands. He stated that they do have erosion control measures. He stated that they are building the 40B Georgetown Village project and that is where the soil importation is coming from.

Mr. Moultrie asked that they are moving 30,000 yards of soil over how many months.

Mr. Mirra stated that they thought it would take them about 3 months.

Mr. Beals stated that they have an Order of Conditions from the ConsCom.

Mr. Sarno asked for some guidance on 1500 trips and stated that it is hard now to get out of Tenney Street on to Route 133. He asked if they could phase the work. He stated if that if they have an unlimited number of trips we could run into problems on traffic.

Mr. Beals stated that they could make the trips at non rush hour times.

Mr. Moultrie stated truck trips could be between 9AM and 3PM. He stated that they also would need truck-warning signs.

Ms. Byerley stated keep Saturday as is 8AM to 1PM.

Mr. Sarno asked if they could shorten the time frame from one year.

Mr. Mirra stated that they could make for four months with a condition to allow them an extension if needed.

Mr. Moultrie stated that they should put down some dust calcium at the site. He stated that the posting of a Bond would go through him at the Highway Department.

Ms. Byerley stated that they need a grading plan.

Mr. Moultrie asked who would review grading when finished with the importation.

Ms. Byerley stated that they would have to go back through ConsCom.

Mr. Graham stated that he would recommend an as built plan and he could review the plan.

Mr. Sarno stated that the applicant should notify the Police, Fire, Highway, and the Town Planner before work commences.

Mr. Moultrie stated that they have to reword the conditions. He stated that the hours should be 9AM to 3PM weekdays and Saturday 8AM to 1PM. He stated that the bonding also has to be reworded. He stated that the Chief of Police should review signs and where they should be placed. He stated that the decision should state that the applicant must provide a copy of an as-built plan.

Mr. Evangelista made a motion to approve the Soil Importation Permit for Mirra Co at Carleton Drive with noted amendments. Second by Mr. Hopkins. All in favor 5-0.

Mr. Orsi stated that they would leave a copy of an ANR plan for Mr. Moultrie to look over.

Whispering Pines-Modification

Mr. Moultrie explained that the modification is because of ConsCom concerns.

Mr. Halleran explained changes by ConsCom. He stated that they are here tonight because law requires them. He stated that they are changing some internal lot lines and that the ConsCom has approved these changes.

Mr. Graham stated that he had no comments on the changes.

Mr. Moultrie asked if anyone in the audience had a comment.

Mr. Yarvoski stated that they are concerned that if any changes are made and if they would impact Deer Run Lane and Belleau Woods.

Mr. Moultrie stated that the modification would not change the drainage or impact Deer Run Lane or Belleau Woods.

Mr. Hopkins made a motion to approve the modification to Whispering Pines Definitive Subdivision. Second by Mr. Evangelista. All in favor 5-0.

Board Business/Minutes

Mr. Sarno made a motion to approve the minutes of June 11, 2003 as amended. Second by Mr. Hopkins. All in favor 5-0.

Whispering Pines

Ms. Byerley stated that the original mylars for Whispering Pines Definitive Subdivision were never signed.

Board signed the mylars.

Computer

Ms. Byerley stated that she has ordered a new computer and that her old computer would go to the plotter. She stated that she would have to encumber the funds for the computer.

Master Plan

Ms. Byerley stated that Betty Davidson has stated that she would serve on the committee and that Ida Wye has called and had some questions and may serve. She stated that these are the only people she has heard from so far.

Vouchers

Technical Review

H.L. Graham, Assoc.

- 65 Jackman Street-----\$322.50
- 192 North Street-----2,786.25
- Acorn Way-----823.75
- Emma Harris Way-----2,420.00
- 197 Jewett Street-----2,450.00
- Nelson Street-----135.00
- Georgetown Savings Bank-----135.00
- Whispering Pines-----342.50
- Pillsbury Pond-----1,575.00
- Planning Board General-----180.00

Conference

- CHAPA-----Planner-----\$50.00

Office Supplies

- U. S. Postmaster-----postage meter-----\$300.00
- American Speedy-----\$1000.46

Board Business

Mr. Graham stated that he has new plans on North Street. He stated that he approves of the changes to driveways that they have made.

Mr. Graham asked if the board felt it would be a conflict if he did a septic redesign on Crescent Meadow Drive.

Board stated that they do not feel that it would be a conflict of interest if Mr. Graham did the redesign on Crescent Meadow Drive.

Mr. Evangelista stated that he is sending a letter to all boards and the Building Inspector on the building going on at East Main Street where Spaulding Antiques was. He stated that he believes this property should have gone before the ZBA and the Planning Board.

Mr. Graham and Ms. Byerley have a meeting with Mr. Christiansen on Nelson Street next week.

Mr. Graham stated that he went on the Emma Harris Way site walk.

Mr. Graham asked about Bailey lane.

Mr. Moultrie stated that Mr. Centore and Mr. Bartlett have gotten together for 20 lots that may float.

Mr. Sarno asked if the Board sent a letter on Cedar Lane to Kopelman & Paige.

Mr. Hopkins stated that he would abstain on any discussion on the litigation on Cedar Lane.

Mr. Sarno asked Ms. Pantano or Ms. Byerley to get Mr. Moultrie the latest punch list for Cedar Lane.

Mr. Sarno stated that at 6:45PM on June 30, 2003 the Selectman and Planning Board would have a joint meeting to make an appointment for his Planning Board position.

Correspondence

Ms. Byerley stated that there was a letter from Attorney Joel Bard of Kopelman & Paige regarding Littles Hill.

Mr. Moultrie asked Ms. Byerley to send a letter to Mr. Sarno for his years of service to the Planning Board.

Mr. Hoover made a motion to adjourn. Second by Mr. Hopkins. All in favor 5-0.

Draft/Minutes

Meeting adjourned at 11:15PM.

Minutes transcribed by J. Pantano.