

Minutes
Georgetown Planning Board
September 10, 2003

**MEETING
GEORGETOWN PLANNING BOARD
Memorial Town Hall
Basement Meeting Room
September 10, 2003
6:00PM**

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

Absent:

Meeting called to order 6:05PM.

MVPC/Alan MacIntosh

Discussion on Master Plan with Planning Board and new appointees to the Master Plan Committee.

Douglas and Nora Cannon, Betty Davidson, Harry LaCortiglia, Ida Wye introduced themselves.

Mr. Brett and Mr. Horne came in after introductions.

Mr. MacIntosh gave handouts to the members and gave a brief overview of what the committee would be doing.

Discussion on a date for a visioning session possibly November 6 or 13.

First meeting Wednesday September 24, 2003 at 6:30PM at Town Hall.

Ms. Byerley stated that she would post the meeting for September 24, 2003 and check on the High School for November 13, 2003.

Mr. Gerraughty stated check with the Girl Scouts for babysitting during the meeting.

Minutes

Board looked over minutes of June 25, 2003, July 9, 2003, July 23, 2003, and August 27, 2003.

Mr. Hopkins made a motion to accept the minutes of June 25, 2003 as amended. Second Mr. Evangelista. All in favor 3-0.

Mr. Hopkins arrived

Mr. Evangelista made a motion to accept the minutes of July 9, 2003 as amended. Second by Mr. Gerraughty. All in favor 4-0.

Mr. Gerraughty made a motion to accept the minutes of July 23, 2003 as written. Second by Mr. Evangelista. All in favor 3-0. Mr. Hopkins abstained

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Mr. Evangelista made a motion to accept the minutes of August 27, 2003 as amended. Second by Mr. Gerraughty. All in favor 3-0. Mr. Moultrie abstained.

Vouchers

Millennium

- Whispering Pines-----\$2,275.00
- Crescent Meadow-----\$975.00
- Raymond's Creek-----\$715.00
- Deer Run-----\$650.00
- Chaplin Hills-----\$97.50
- Pillsbury Pond-----\$1040.00
- Bernay Way-----\$812.50
- Littles Hill-----\$162.50

Expenses

- Mass Federation of Planning-----\$80.00

Mr. Evangelista made a motion to pay. Second by Mr. Gerraughty. All in favor 4-0.

Discussion

Cuffee Dole's Update

Mr. Hoover arrived.

Ms. Byerley stated that the lights have been put in and she has a bill from Unger Electric. She stated that some bushes were not in and Mr. Archer was going to put them in.

Mr. Archer stated he hoped to get in next week.

Ms. Byerley stated signage has been done but Graham fee has not been paid.

Mr. DiMento stated that he would bring a check to the office tomorrow.

Mr. Moultrie stated that there are minor issues with the landscaping some missing bushes.

Mr. DiMento stated that they are asking for the bond to be released. He stated that the parking lot does not have to be paved. He asked to discuss Handicapped Parking issues. He stated that the issues of Handicapped Parking are settled.

Mr. Moultrie stated that the letter from Kelly Ryan the ADA Coordinator be entered into the file.

Mr. DiMento stated that everything the board has asked has been done

Ms. Byerley stated that a final as-built has to be submitted and approved by the Planning Board before the SPA is finished.

Mr. Gerraughty stated that he is not comfortable with the parking lot not being finished as per the plan and the Technical Review Agents report on the lot.

Mr. Graham stated that there were some revisions to the plan for drainage that he recommended and Mr. Archers Engineer stated that the lot would be pulverized and re-paved and this is in the decision. He stated it was not a requirement of this process. He stated that it was discussed if an overlay would be acceptable. He stated if an overlay is not done then the lot would develop potholes and these will continue and they will then impact drainage in the lot. He asked why Mr. DiMento is saying it does not have to be paved.

Mr. DiMento stated that he talked to a couple of pavers and they do not see a reason to do an overlay. He stated that the lot is not dangerous or unsafe. He stated that it is not needed and

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does not have to be done. He stated that it looks better now and would look better in the future. He stated that Mr. Archer's engineer made a mistake and overdid it in his planning. He stated that they are asking to Phase the parking lot and do over three years.

Mr. Archer stated that when Meridian did the engineering it was when the drainage system was not as intense as he was required by the ConsCom to build. He stated that there were a lot of things that they had wanted to do and that when they had to tear down the building they did not have the funds for as much as they had planned.

Mr. Moultrie stated that there is no one here who does not feel that Mr. Archer has made a vast improvement to the building and lot.

Mr. Hopkins stated that they know that they are having an economic problem. He stated that he always encourages new business. He stated that Cuffee's is a great new business. He stated that this is an agreement that they entered into and that the board has to enforce the contract. He stated that he is willing to phase the parking lot to allow growth and time to build funds. He stated that this is a private business.

Mr. DiMento stated that the board controls the permit and the availability of the permit.

Mr. Moultrie asked if he would be willing for them to take this under advisement.

Mr. DiMento stated that this is okay.

Mr. Gerraughty stated that he agrees to wait until spring for the overlay of the parking lot.

Mr. Moultrie stated that the applicant wants the bond released.

Mr. Evangelista stated that they do not want to close the business and to phase would be okay but some type of bond has to be held. He stated that the board has been burned before.

Mr. DiMento stated that they would come back next meeting with some kind of measure.

Mr. Hoover stated if an issue came up as a natural occurrence would they then fix it.

Ms. Byerley stated that they have agreed to pay Mr. Unger for the electrical work from the funds held.

Mr. Evangelista made a motion to pay Mr. Unger \$6,160.83 from the funds held at Georgetown Savings Bank for the electrical work done at Cuffee Doles. Second by Mr. Gerraughty. All in favor 3-0 Mr. Moultrie and Mr. Hoover abstained.

Mr. Hopkins made a motion to pay H L Graham \$1,055.00. Second by Mr. Gerraughty. All in favor 4-0. Mr. Hoover abstained

Mr. Archer to return 7:30PM September 24, 2003.

Acorn Way/Definitive Subdivision (Submitted May 2002)

Mr. Evangelista made a motion to allow Elkhorn Development to withdraw without prejudice the Definitive Subdivision Plan Acorn Way submitted May of 2002. Second by Mr. Hopkins. All in favor 5-0.

65 Jackman Street-SPA

Ms. Byerley stated that the Public Hearing was closed.

Mr. Rollins stated that his engineer reviewed the decision and everything was fine.

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Mr. Evangelista made a motion to grant a Special Permit under Site Plan Approval for 65 Jackman Street as written in the decision. Second by Mr. Hopkins. All in favor 5-0.

Discussion on whom would review the drainage etc.

Mr. Graham stated that he would go out a few times and check if needed.

Board Business

Discussion that the Carleton Drive SPA submitted by East West Realty would be withdrawn.

Cuffee Dole's

Mr. Moultrie asked how does the board feel about the applicant asking to not pave the lot.

Ms. Byerley stated that they could release part of the bond being held.

Mr. Gerraughty stated that his issues have been addressed on the lighting, signs, and screening. He stated that he feels they should still hold funds but could wait until spring for the parking lot. He stated that he is amendable to a tri-partite agreement.

Mr. Hoover stated he agrees the lot could wait until spring and that the springtime would be the worst time for the parking lot.

Mr. Evangelista stated he agrees with Mr. Gerraughty but wants to wait to see what they come back with. He stated that they have had so many promises. He stated why didn't Mr. Archer come back to the Board when Mr. Brett required the building to come down and ask for help.

Mr. Moultrie stated that they agree Mr. Archer has done a wonderful job on the building.

Fall Town Meeting

Ms. Byerley stated Town Meeting has been set for October 27, 2003 and that there are not any Planning issues or zoning changes for the Fall Town Meeting.

Administrative Assistant Position

Ms. Byerley stated that she has a meeting with the Town Accountant and Town Administrator tomorrow to discuss the Budget and the funds that the board has left. She stated that we do not have enough funds for the year. She stated that until a transfer at Town Meeting she does not have enough to pay anyone to fill Ms. Pantano's position.

Mr. Moultrie stated that they have to push for reinstatement of funds to departments before raises are given out. He stated that they have to deal with the employees that have lost time and benefits. He stated that they should do an article to take funds from free cash.

Ms. Byerley stated that we gave funds back last year and if free cash is certified then they can request funds from free cash. She stated that she would now reduce her public hours so she would have time to do additional office work.

Discussion on hours

Ms. Byerley stated that she has a senior aide coming into the office three days a week and this would help a lot.

Mr. Graham stated that in the interim they could have citizen inquiry at the beginning of the meeting to lessen the load in the office.

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197 Jewett Street

Mr. Moultrie opened the Public Hearing on 197 Jewett Street Definitive Subdivision.
Mr. Mannelta stated Mr. Zambouras would hand out new plans and a handout outlining the changes to the plan.

Mr. Graham stated that he has reviewed all the plans and that they meet with all the recommendations that he has had and he recommends endorsement.

Mr. Mannelta went over all changes.

Mr. Hoover asked about trees that they would be saving where and what type.

Mr. Mannelta stated some pine trees in the front of the subdivision.

Mr. Hoover asked that the spruce trees they are using for a buffer if they could put these closer together. He asked about the detention basin depth in the cul de sac. He asked who is responsible for liability.

Mr. Moultrie stated when the road is accepted then the Town is accountable.

Mr. Rhuda stated that they are required to build this under the stormwater management act. He stated that no one has been hurt in these.

Mr. Hoover stated that he has a problem with the location of this basin.

Mr. Hopkins asked Mr. Graham his opinion.

Mr. Graham stated that having a basin with this depth in view of the public is better than hidden and it is a detention not a retention pond. He stated that there is a similar one in Rowley and it has not given them a problem.

Mr. Hoover stated probably not an issue but being the Town's liability this is his issue.

Mr. Gerraughty stated he agrees and that with the loss of funding it would be hard for town to maintain. He stated that they do not have to accept the road.

Mr. Hopkins stated that Town Meeting is the deciding factor for acceptance of the road.

Mr. Moultrie stated that they could not request the applicant to construct to Subdivision Regulations and then not accept the road.

Mr. Hoover asked if they could put a wood guardrail around it on three sides.

Mr. Moultrie stated that they could try to balance but it is the parent's responsibility for their families.

Mr. Mannelta stated that under stormwater management they are required to provide this basin under the law.

Mr. Hoover stated that in planning they have to plan for open space for the community that is developed.

Mr. Rhuda stated that if the town had Residential Open Space regulations they would have done a plan under that.

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Mr. Graham asked that if in the decision they would word that if the applicant has ConsCom or another board make changes that are substantial then they would have to come before the board again.

Discussion on decision and minor changes made.

Mr. Graham stated that the landscape plan is not approved and the applicant must return with a plan.

Mr. Gerraughty stated that the length of road exceeds over 800ft and a plan has not been approved for a long time with a road over 800ft.

Mr. Gerraughty asked Mr. Graham if the road could have been straightened to not exceed the 800ft.

Mr. Graham stated that the road could have if they lost two lots.

Mr. Moultrie stated that at this time it is late to change the plan.

Mr. Evangelista made a motion to close the Public Hearing on 197 Jewett Street. Second by Mr. Hoover. All in favor 5-0.

Mr. Evangelista made a motion to endorse the plans on 197 Jewett Street subject to the conditions read. No second.

Mr. Gerraughty made a motion to deny the plan 197 Jewett Street due to the length of road of over 800ft. Second by Mr. Hopkins. 3-2 Mr. Evangelista and Mr. Moultrie no. Motion passes

192 North Street-Independent Senior Housing

Mr. Graham stated that the plans have been revised and he is satisfied with the project.

Mr. Moultrie asked how they are doing with affordable housing.

Mr. Cohen stated that they are meeting with Kathy Sachs and the AHTF.

Mr. Gerraughty stated that they should have the affordable units sold with no more than three affordable units in each Phase.

Mr. Evangelista stated to add to the decision that if other boards make substantial changes the applicant must return to the Planning Board.

Ms. Byerley stated that this is in the decision.

Mr. Hoover asked about dimensions between buildings.

Discussion

Mr. Hopkins made a motion to approve the Special Permit/Independent Senior Housing at 192 North Street with the decision as amended. Second by Mr. Hoover. All in favor 5-0.

63 Jackman SPA

Mr. Grasso stated he is representing the applicant. He stated that at 63 Jackman Street they are proposing a 60ft by 60ft building for an Auto Body Shop. He stated that they have the approval of the ConsCom and ZBA. He explained the drainage and showed the buffer area and snow storage area. He stated that he had designed the parking by the old standards and they have to amend to the new regulations.

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J R Force an applicant stated that they have an auto body shop on Industrial Way in town. He stated other issues by the Review Agent seem reasonable but the parking spaces are an issue. He stated that they do not have a lot of cars parking in the lot. He stated that cars are not keep on the lot for very long. He explained the process that they use and that they do not use a lot of chemicals. He stated that their equipment is very high tech.

Mr. Moultrie asked if Fire Department does inspections regularly.

Mr. Force stated that they do not but could have them do inspections if asked.

Mr. Grasso stated that the only issue he has is the parking.

Mr. Gerraughty asked if there would be a second floor.

Mr. Grasso stated just for office space.

Mr. Moultrie asked where sheet metal would be stored.

Mr. Force stated all the scrap sheet metal would be stored inside.

Mr. Hoover asked if there is a loading area.

Mr. Hopkins asked how many parking spaces do they propose.

Mr. Force stated that they have three employees and might add three employees.

Mr. Grasso stated that they could store ten cars inside the building.

Mr. Hopkins asked if they would have a ruling on cars parked outside.

Mr. Hoover stated he had a problem with the parking spaces and the area getting into them.

Mr. Grasso stated that they moved the driveway so that the car lights do not go into the home across the street.

Mr. Moultrie stated that they need letters from other departments before a decision.

Ms. Byerley asked if they wanted to see renderings of the building.

Mr. Force showed renderings of the building.

Ms. Byerley asked if they would be putting up a sign.

Mr. Force stated that maybe a small conservative sign. He asked whom to see for the sign.

Mr. Moultrie stated that sign would go to the Building Inspector.

Mr. Hoover asked about grading on the lot.

Mr. Grasso stated that they did the GPS from Rt95 and did grading from this.

Mr. Hoover asked about a trash truck being able to turn around in the parking lot.

Mr. Grasso stated he wanted to talk to Mr. Graham about extending a corner of the parking lot for additional room.

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Mr. Moultrie asked Mr. Grasso to remind the departments to respond before their next hearing. He stated that the applicant would have to ask for an extension of time.

Mr. Hoover asked if the lighting would be shielded.

Mr. Grasso stated it would be.

Ms. Byerley stated that they could return on October 8, 2003 at 8:00PM

Mr. Force requested an extension of time to December 31, 2003.

Mr. Hopkins made a motion to grant an extension on the decision date for 63 Jackman Street/Tolman a.k.a. Repairs Unlimited to December 31, 2003. Second by Mr. Evangelista. All in favor 5-0.

Mr. Hopkins made a motion to continue the Public Hearing for 63 Jackman Street/Tolman a.k.a. Repairs Unlimited to October 8, 2003 at 8:00PM. Second by Mr. Evangelista. All in favor 5-0.

Harris Way Endorsement

Ms. McCann stated that usually you would only record the cover page and the lotting sheet. She stated that it would cost over \$1,000.00 to record all the sheets. She asked if they could record first sheet and record the lotting sheets. They board would sign all the sheets. She stated that on both decisions she and Mr. Graham had made a final decision after the decision was signed and time stamped with the Town Clerk. She stated that they wanted to come to the board with an alternative for the affordable housing before the sixth lot. She stated that the decision implies that they would implement by the sixth lot. She stated that they could insert a new page but would prefer to come back with a modification.

Mr. Moultrie stated couldn't he just initial the changes.

Ms. Byerley stated that they could make changes without a hearing.

Ms. McCann stated if that is in the decision then it would be okay.

Mr. Gerraughty stated that he likes the idea of funds being used downtown and believed that Mr. Evangelista wants the affordable unit on site.

Mr. Moultrie stated until there is a sewer system downtown he does not see something built downtown.

Mr. Gerraughty stated that they should have the AHTF come to a meeting and discuss alternatives.

Ms. McCann stated that they know this board makes the decision but they would like to come with a recommendation. She stated that on Acorn Way they thought the easement for access to open space was deleted on the decision.

Ms. Byerley stated that she thought it was only until the subdivision was built.

Mr. Hopkins stated treat as a scrivener's error.

Ms. McCann stated she had a copy to change and she would follow up with the Town Clerks Office.

Mr. Gerraughty made the motion to delete 7C a scrivener's error on the Decision of Acorn Way. Second by Mr. Evangelista. 4-0 Mr. Hopkins abstained.

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Ms. McCann stated that the motion would have to be recorded with the Town Clerk.

Board signed Form M and Form G on Harris Way.

Acorn Way Endorsement

Board signed the plans for Acorn Way.

Board signed Form M and Form G on Acorn way

Ms. Byerley asked what do they want as the completion date on the forms.

Mr. Evangelista stated two years.

Correspondence

Ms. Byerley asked if the board had read the ZBA draft minutes on the Aulson Property and the Planning Boards request for an appeal. Ms. Byerley stated that they had a discussion with the ZBA and that the ZBA felt that the issue is over 30 days and there could be no appeal.

Mr. Evangelista stated that if we file a formal application with the ZBA then they would be able to request an opinion from Town Counsel. He stated that he would not go to court with this.

Mr. Hopkins stated that Town Counsel would have a conflict rendering an opinion.

Mr. Evangelista stated that once a permit is given we only have 30 days to appeal.

Ms. Byerley stated that Mr. Brett stated that he developed the form.

Mr. Moultrie stated that the Selectmen developed the form not the Building Inspector.

Discussion on issue and determination of Building Inspector

Mr. Gerraughty stated that the applicant would eventually have to come in for a change of use and this would bring him to the ZBA.

Mr. Hopkins stated manufacturing is different from retail.

Mr. Evangelista made a motion to file a formal appeal to the ZBA for 118 East Main Street.
Second by Mr. Hoover.

Mr. Gerraughty, Mr. Hopkins, and Mr. Moultrie-No
Vote yes-2-no-3 The motion did not carry.

Mr. Evangelista stated that the board should send a letter to the Selectmen asking for prior notice of a decision to not require SPA within 7days of granting the permit. He stated the letter should be sent to the Building Inspector and cc to the Selectmen.

Mr. Hoover asked if a member could talk with Mr. Brett before a letter goes out.

Discussion

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

Meeting adjourned at 11:00PM

Minutes transcribed by J. Pantano.

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