

**MEETING  
GEORGETOWN PLANNING BOARD  
Memorial Town Hall  
Basement Meeting Room  
December 10, 2003  
7:00PM**

**Present:** Jack Moultrie, Chairman; Christopher 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:** All Present

**Meeting called to order 7:00PM.**

**Discussion**

**Thurlow Street – ANR**

Jim Senior representing Susan Fraser, an abutter, began discussion of Thurlow Street.

There had been previous confusion as to the survey boundary. Mr. Harding disputed an earlier plan because it seemed to indicate that the lot line encroached on his property. Mr. Senior and Ms. Fraser agree with Mr. Harding's objections. The plan now creates three new lots.

Mr. Moultrie asked if Lot 64 A will be used as an access way. Mr. Senior stated that the lot would be buildable land.

Lot 64 B will be unusable land. Lot 64 C will be conveyed to Ms. Fraser.

Mr. Moultrie stated this new plan conforms to Harding's plot line and corrects prior errors.

No one stated objections.

**Mr. Evangelista made a motion to grant the ANR plan, submitted on behalf of Jon Martin, at Thurlow Street as requested.**

**Mr. Gerraughty 2<sup>nd</sup> the motion.**

**The planning board voted 5-0 in favor of motion and signed the plans.**

Little's Hill wall and sign

Mr. Spear and Mr. Moultrie discussed the composition of the wall. It would be made of granite and stone. Mortar will hold the stone wall together. No concrete will be used. Mr. Spear showed the board a picture

The wall is not considered a structure. It is a bordering wall.

Mr. Gerraughty read the definition of a structure in the zoning bylaws. 65:7

The wall's foundation/footing was discussed.

Ms. Byerley questioned whether a foundation is necessary.

Mr. Spear stated the footing is to support historical 3.5x3.5 granite end pillars. The wall doesn't need the footing but the wall is only part of the "structure." The granite would move at a different rate than the stone wall during frost thaw. Therefore, a foundation is advisable. It would be 12-14 inches thick.

Mr. Bill Clark, a direct abutter to sign, objects to the granite pillars and the sign itself because it is "huge." The three foot square pillars extend the already large wall, making it a 20 ft. x 5 ft. sign.

However, since it's not a structure the sign can go right up to the lot line.

The original issue was whether the wall was a structure. The building inspector has ruled that it is not a structure.

Ms. Byerley stated that the issue was brought to planning board because a building permit was applied for. Because it's not a structure, it doesn't need a building permit. Any objection or appeal would need to go through the building inspector.

Larry Graham arrives at the meeting at 7:53.

Little's tripartite agreement.

Little's Hill wants to reduce its original agreement amount and fund the tripartite agreement through a new bank. Mr. Graham determined the original bond amount and the new amount was determined by Millennium.

Mr. Moultrie reviewed the new estimate and questioned whether offsite improve of the sidewalks was included.

Ms. Byerley explained that the applicant was aware that board might not accept the new estimate tonight.

The board wants Mr. Graham to review Millenium's estimate.

### **Public hearings**

Carleton Drive-Site Plan Approval Map 15, lot 46,63 Maint. Building  
Discussion started at 8:05pm

Mr. Moultrie asked if the board should waive the reading of the legal ad. No one objected.

Todd Lowell from Beals Association, representing the applicant Mirra Co., made a presentation explaining the project. Mr. Mirra was present.

The application for a 12,000 square foot maintenance building at the end of Carleton Drive. The plan involves combining two lots owned by Mirra Co. (approximately 14.5 acres.) Mirra would develop 6 acres in the commercial district. Conservation commission approved based on a different site plan. Mirra has made an application to the Conservation Commission to amend based on this new site plan. They are scheduled to meet with the Conservation Commission on December 18<sup>th</sup>.

The new plan does not encroach into the wetlands and the applicant believes the conservation commission will allow them to proceed.

The intention of the design is to create a maintenance building that mirrors what Mirra Co. already has as a maintenance building at end of another street: a Morton type building that is approximately 12,800 square feet. The building and property would be used for bulk storage, a fueling area with open drainage system gravel surface, and vehicle storage.

The applicant has requested a fair amount of waivers.

Mr. Graham stated he walked the site two weeks ago and went through plans.

He outlined the 18 or 19 comments he discussed in his letter. The site lies in the water resource district so a special permit from ZBA may be required to store fuel. Building size should be clarified. Soil tests should be done. The curbing might be too light with trucks going over it. Plans lack detail of wetland and drainage.

Zoning requires 40 % landscaping open space. Not landscaping against anything except other businesses and highway and wetland wouldn't be touched... only concern is end of Carleton Drive.

Mr. Lowell discussed reasons for requesting waivers including 1) site landscaping, 2) the operation currently exists, 3) lighting, and 4) parking.

Mr. Hopkins questioned what was desired in terms of parking waivers.

Mr. Lowell stated that the Mirras do not wish to delineate parking spaces. No one outside the business will be coming in because it will be strictly a maintenance building.

Waivers regarding the landscaping were requested because the construction will leave more than 40 % of the land untouched.

Mr. Hopkins stated that the planning board doesn't generally waive criteria that is met.

Mr. Evangelista inquired as to whether all the trucks stored on the premises would be in operating condition. The property is near delicate areas and storing inactive vehicles could lead to contamination.

Mr. Mirra stated we don't store waste oil on site: no gas, just diesel fuel. Georgetown follows state law requirements regarding above ground fuel storage. Mirra Co. will comply.

Ms. Byerley stated that she had requested information regarding the waivers and had yet to receive the information.

The ZBA granted light industrial use with bulk storage. However, no one addressed that it was in the water resource district. Mr. Moultrie suggested we speak to the building inspector.

At this point, the discussion was opened to the audience.

Lee Craig, an abutter at 3 Spaulding Way, stated that the site has been cleared to within 15 feet of his property line which is established by a flowing stream. What will happen with water run off? Mr. Craig's property is the "buffer" between Spaulding Way and the Mirras' property. Mr. Craig has owned the property for 30 years. The stream flows 9-10 months a year and is approximately 10-12 feet wide. At this time of year you can stand knee deep in the stream.

Mr. Hoover stated that if the stream is on the USGS then it's a highly regulated stream.

Mr. Lowell stated the clearing area was approved by Conservation Commission. The ConCom hired a consultant who reviewed the plans and this area was highly scrutinized. Six months were spent determining the line.

Ms. Byerley stated that a 100 foot buffer is required when you're abutting residential.

Mr. Craig stated from Tenney Street extending 500 feet is a residential zone. But this may be beyond that. His house is residential; however, his backyard is 3 acres of unbuildable land and might be within the commercial zone.

Mr. Craig further discussed his concerns regarding the noise of diesel trucks running, fuel spillage, and possible explosions.

Janet Talbert of 35 Tenney Street expressed that she has many of the same concerns discussed by Mr. Craig. She is closer to the wetlands and wondered if the wetlands will remain mostly untouched or will trees be cut down. B & E engineering cut down lots of trees. Ms. Talbert can see the buildings so lighting is a concern. Also the noise from fueling and turning and running trucks are a concern. When rezoning took place the 100 foot buffer was stressed. "That's why we as neighbors went along with that."

Mr. Moultrie suggested that because Mr. Graham needs more information the applicant should work with Mr. Graham and then return to the Planning Board to work on other issue. Mr. Graham's review would be the Planning Board's starting point.

Mr. Evangelista made note that Ms. Byerley's concerns need to be addressed too.

Mr. Moultrie agreed and suggested that Mr. Graham, Ms. Byerley, and the applicant all meet together.

Mr. Graham stated that paving, curbing, and parking are all big concerns. The ConCom will have to give directions regarding paving. The applicant should go to ConCom and then return to planning.

Mr. Lowell said that he and Mr. Mirra will be meeting with the ConCom and have asked to amend the current order of conditions. They will have a much better direction for Mr. Graham after that meeting.

The planning board needs an extension until March 31, 2004.  
Mr. Mirra signed the planning boards extension request.

**Mr. Hopkins motioned for the extension of time for the Planning Board to issue a decision.**

**2<sup>nd</sup> Mr. Evangelista**

**The planning board voted 5-0 in favor of the extension.**

Ms. Byerley interjected that the January planning board meeting schedule needed to be set.

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The board discussed meeting next either January 7, 2004 or January 14, 2004.  
January 7<sup>th</sup> set as meeting date

**Mr. Evangelista Motioned to continue the public hearing regarding Carleton Drive-Site Plan Approval Map 15, lot 46,63 Maint. Building on January 7<sup>th</sup>, 2004.**

**Mr. Hopkins 2<sup>nd</sup>**

**The Planning Board voted 5-0 in favor of continuing the public hearing on January 7<sup>th</sup>, 2004.**

East Main Street Map 14 lot 10-Site Plan Approval

Mr. Mirra requests a continuance, and the Planning Board requests an extension until March 31, 2004

**Mr. Gerraughty motions to issue a decision by March 31, 2004 and to continue the public discussion until January 7<sup>th</sup>, 2004.**

**Mr. Evangelista 2<sup>nd</sup>.**

**The planning board voted 5-0 in favor of the continuance and extension.**

### Discussion

Mr. Gerraughty wished to discuss the Revenue enhancement bylaws. The Selectman's meeting went through rules of business licensing.

Businesses can't owe a town board money. Licenses are up every year on December 31<sup>st</sup>. The planning board needs to write a letter to Graham Archer, selectman. The board will pay \$500, plus \$1000 to keep in a bank account.

### Minutes

**Mr. Gerraughty motioned to approve the regular and executive minutes of October 22, 2003.**

**Mr. Hopkins 2<sup>nd</sup>**

**The board voted 3-0 in favor of accepting the minutes.**

**Mr. Hoover and Mr. Evangelista abstained from the vote.**

Regarding the minutes of November 12, 2003, Mr. Evangelista asked for clarity of a note on page two ("Planning board stated..."). Comment was clarified and will remain as is. Mr. Hoover noted a change on page one ("would be an effective barrier"). This would be the only change to the November 12<sup>th</sup> minutes.

**Mr. Evangelista motioned to approve the minutes of November 12, 2003 as amended.**

**Mr. Gerraughty 2<sup>nd</sup>**

**The planning board voted 4-0 in favor of accepting the minutes.**

**Mr. Hopkins abstained from the vote.**

### **Vouchers**

**Mr. Moultrie motioned to pay the fourteen vouchers presented to the planning board.**

**Mr. Gerraughty 2<sup>nd</sup>**

**There was no discussion regarding the vouchers.**

**The planning board voted 5-0 in favor of playing the vouchers.**

### **Discussion**

Mr. Graham updated the board on the shopping center. Mr. Graham is onsite on about a weekly basis and working to resolve issues.

Ms. Byerley introduced Kristen Eaton, the new Planning Board administrative assistant.

Ms. Byerley updated the board regarding Mr. Collins and the fence at Little's Hill soccer field. Ms. Byerley met with the town administrator and Mr. Collin's attorney, Mr. Roth. Attorney Roth stated that Mr. Collins is unhappy with the fencing. He wants either landscaping to disguise the fence or a new fence that will face the other direction. Also, Mr. Collins would like to be on the committee that thinks of the name of the soccer field. Town administrator said we'd take it under advisement. It's up to the board of selectmen.

The planning board discussed a letter from Kopelman and Paige regarding a settlement agreement for Jewett Street.

Mr. Moultrie had no issue with the letter.

Originals of the agreement will be received tomorrow (December 11, 2004). The board would need to motion to accept the agreement tonight and for Mr. Moultrie to sign it tomorrow.

**Mr. Evangelista moved to authorize Mr. Moultrie to sign the agreement as presented by town council for signs**

**Mr. Hopkins 2<sup>nd</sup>**

**The Planning Board voted 5-0 in favor.**

### **Village at Georgetown/Jewett Street-Definitive Subdivision**

Before beginning the discussion on the subdivision, the board discussed how we do a measurement of a length of road. It is a concensus that the definition of the measurement of a length of road shall be "that is a measurement from the sideline (right of way line) of the intersected street to the point of the curvature

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(PC) of the throat of the proposed cul-de-sac (in either a circular, tee, hammerhead type turnaround).” Therefore, that shall be the definition the Planning Board will use until regulations are changed.

**Mr. Hopkins motioned to accept the above definition.**

**Mr. Evangelista 2<sup>nd</sup>**

**The board voted 5-0 in favor of accepting the definition.**

George Sanboras from Atlantic Engineering discussed the cul-de-sac and length of road.

Ms. Byerley questioned landscaping surrounding the road and cul-de-sac.

Mr. Sanboras stated there is landscaping: 7-8 evergreens & 28-29 other trees aside from evergreens and pines. The landscaping was to be reviewed later.

Mr. Graham said “we’re all set on this.” Waiver number 5 is a substance of legal matter.

Mr. Evangelista questioned whether there would be any effect to drainage.

An unidentified man from the audience stated the ConCom approved.

No one stated any objections.

**Mr. Gerraughty motioned to close the public hearing.**

**Mr. Hoover 2<sup>nd</sup>**

**No discussion**

**The board voted 5-0 in favor of closing the public hearing.**

Regarding the definitive subdivision, a notice should be drafted with conditions.

Mr. Sanboras stated Atlantic Engineering would like the comment on page two regarding Forest Street to read “has been reviewed and approved.” And on the same page under section 1B, instead of the words “is to be” it should read “has received and will provide.”

Mr. Graham recommends adding “boulders” to the list of things that cannot be dumped on page 6.

On page three, there will be a change to section D.

**Mr. Evangelista motioned to approve the definitive Subdivision for Jewett Street/Village at Georgetown with conditions as amended.**

**Mr. Hoover 2<sup>nd</sup>**



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**No discussion**

**The Planning Board voted 5-0 in favor of approving the definitive subdivision.**

**Correspondence list**

The board discussed recent correspondences.

There have been complaints regarding snow removal at Pillsbury pond. The Highway department is not authorized to remove snow it is up to contractors. Either the highway superintendent or the Planning Board can send a letter regarding this issue.

No one expressed any other issues of question.

**Mr. Evangelista moved to adjourn the meeting.**

**Mr. Hopkins 2<sup>nd</sup>.**

**The Planning Board Voted 5-0 in favor of adjourning the meeting.**

**Meeting adjourned at 10:15 pm.**