

**MEETING
GEORGETOWN PLANNING BOARD
Memorial Town Hall
Basement Meeting Room
January 22, 2003
7:00PM**

Present: Jack Moultrie, Chairman; Christopher Hopkins, Vice-Chairman;
Dan Kostura, Clerk; Peter Sarno; Alex Evangelista
Tim Gerraughty, Alternate Member;
Larry Graham, Planning Board Technical Review Agent &
Inspector; Janet Pantano, Administrative Assistant

Absent:

Meeting called to order 7:00PM.

**Discussion
Fuller Court**

Mr. Moultrie explained that the Fuller's need a new plan signed by the Board showing just the lot lines for Land Court.

Mrs. Fuller explained the changes to the Board. She stated that the Land Court is only interested in the registered land and not the recorded land. She stated that they changed the plan and are asking the board to sign the new plan.

Mr. Evangelista made a motion to endorse the plan for Fuller Court with the changes made for Land Court. Second by Mr. Kostura. All in favor 3-0.

Minutes

Board looked over minutes of January 8, 2003.

Mr. Hopkins made a motion to approve the minutes of January 8, 2003 as amended. Second by Mr. Kostura. All in favor 3-0. Mr. Evangelista abstained.

Vouchers

Technical Review
H. L. Graham

- Chaplin Hills-----\$40.00
- 4 Carleton Drive-----\$827.50
- Nelson Street-----\$40.00
- Acorn Way-----\$133.75
- Pillsbury Pond-----\$750.00

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- Georgetown Sand & Gravel-----\$935.00
- Littles Hill-----\$1,650.00
- Longview Way-----\$40.00
- Planning Board General-----\$160.00

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

Office Supplies

- Champlain-Planners Commission Journal-----\$105.00

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

4 Carleton Drive/SPA

Mr. Graham stated that they have progressed with the plans and has presented a draft decision for the board. He stated that they did a site walk and that the plans reflect observations from the site walk. He stated that they propose a berm with arborvitae's on top and some closer to the building to screen the building from the existing houses. He stated that the Shambergers home is above the site and that this is the best that they can do for the site. He stated that the plans reflect a practical effort to screen the building.

Mr. Moultrie asked if the items Mr. Graham recommends in his report tonight would be done.

Mr. Enos stated that plans tonight reflect all changes except changes to the lighting.

Mr. Kostura asked about the 100ft buffer zone and stated that a swale was gone from the plans.

Mr. Graham showed a shaded area on the plan that would stay in a natural state during construction and that they would put up tape or in some way block to keep workers out. He explained changes to the plan he recommended.

Mr. Kostura asked why they are cutting trees and then adding trees.

Mr. Graham stated that there are not very many trees and that the berm with trees would provide maximum screening for the abutter.

Mr. Evangelista stated that they should make sure they are in compliance with the ADA Coordinator.

Mr. Shamberger asked about the lighting.

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Mr. Enos stated that there would be lighting in the front and rear and explained that if there is no door on the west side then there would be no lighting on that side. He stated that if there were a door then they would have to put up a light. He stated that he does not have a detail on the lighting but it would be shown to Mr. Graham before approval.

Mr. Kostura asked about the fire lane.

Mr. Graham stated that they moved the building over so that they now have room for the fire lane.

Mr. Sarno made a motion to approve the SPA for 4 Carleton Drive subject to Mr. Graham's comments to board in his January 22, 2002 report and Mr. Graham's approval of the lighting. Second by Mr. Evangelista. All in favor 5-0.

Mr. Enos asked for an extension to February 28, 2002.

Mr. Sarno made a motion to grant an extension for 4 Carleton Drive to Feb 28, 2003. Second by Mr. Evangelista. All in favor 5-0.

Board Business/Minutes

Mr. Sarno, Mr. Moultrie, and Mr. Evangelista looked at the minutes of December 20, 2002.

Mr. Sarno made a motion to approve the minutes of December 20, 2002 as written. Second by Mr. Evangelista. All in favor 3-0. Mr. Kostura and Mr. Hopkins abstained.

98/106 Elm Street-ISH

Mr. Scarano stated that he was representing the applicant and he described the plan. He stated that they first had 24 units and after talking with the Town Planner reduced this to 16 units. He stated that the original plan called for two accesses off of Elm Street with one way traffic. He stated that the 16 units are duplex units with bedroom, kitchen, bath, and living room on one floor with a loft with a second bedroom. He stated that the units would be of a colonial look vinyl siding with tile in the kitchen and bath and rug in other areas. He stated that there would be a minimum of 40 ft between the buildings with a 24ft wide road and on one side an ADA compliant sidewalk with granite curb at the radius and cape cod berm on other areas. He stated that they would have a common septic system. He stated that the detention basin is designed for the back of the site. He stated that they are looking for direction on access off of Elm Street. He stated that there are 1.7 acres of wetlands and that they have received a decision on wetlands. He stated that the property borders the PennBrook School and the drive that they propose to put in would be available to the school for an

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emergency access. He stated that the lot is in the Residential C district and that they have tried to comply with the bylaw. He stated that they show $\frac{3}{4}$ acre on the site for the roadway, $\frac{1}{4}$ acre for impervious areas, $\frac{1}{3}$ of an acre for the septic system and 2 acres for drainage. He stated that he would entertain comments from the board on the design.

Mr. Moultrie asked about the driveway of Cook and Johnson.

Mr. Scarano stated that the easement was deeded to Georgetown as a paper street and that they plan to construct a roadway to the site.

Mr. Moultrie asked for a copy of deeded material for the board to review.

Mr. Kostura stated that the plan states that they have more than 35 percent open space.

Mr. Scarano stated that the streets, lawn, and area between the buildings have been deducted.

Mr. Kostura asked about lot utilization.

Mr. Scarano stated that they had 5.51 acres and stated each unit would be 1300 –1400sq. Ft.

Mr. Kostura asked how many gallons per day would the septic system handle.

Mr. Scarano stated the septic would handle 150 gallons per day per unit.

Mr. Moultrie stated that the system should not exceed 10,000 gallons per day.

Mr. Scarano stated that the system would not exceed 10,000 gallons per day.

Mr. Kostura asked about endangered species at the site.

Mr. Scarano stated that if they file a Notice of Intent that this would be addressed. He stated that some abutters have stated that there are endangered species on the site. He stated that they would look at ability to have a single access if needed. He stated that he would protect what is out there for endangered species.

Mr. Evangelista asked what the large dotted line was.

Mr. Scarano stated that this was the 100ft buffer area.

Mr. Evangelista asked if they could access without going through the wetlands.

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Mr. Scarano stated that this may be their only access and that they could reduce the pavement from the 24ft.

Mr. Evangelista stated that he would hope the vinyl siding would not be cheap grade.

Mr. Scarano stated that they would use a sturdy product.

Mr. Evangelista stated that this land has been in the Ventura family for a long time.

Mr. Scarano stated that they would have a condominium association with trash pick up and road upkeep. He stated that they would not require services from the town that this would be a private way.

Mr. Evangelista asked what kind of traffic would they produce.

Mr. Scarano stated that from mature housing the traffic is half of what is seen in a typical subdivision. He stated that in the wintertime some homeowners might leave to go to a second home in the south or north.

Mr. Moultrie stated that 5 trips per day per with two vehicles could be expected per unit.

Mr. Evangelista asked what projects of this type has the developer done.

Mr. Scarano stated that they are building a project in Rowley with 44 units.

Mr. Moultrie stated that there are a lot of issues with the site and with the access and if the town owns this easement. He stated that the Town does not have to allow its use.

Mr. Scarano stated that he could give information to the Board that he has for the Board to have reviewed.

Mr. Moultrie stated that if this land was given to the town they do not have to give access.

Mr. Scarano stated that they would give the information to the board and would be open to their comments.

Mr. Hopkins stated that if the applicant feels that the town is in control of this right of way then they could do with it as the Town wishes.

Mr. Scarano agreed with this.

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Mr. Sarno stated that with an ISH plan the Planning Board can be handcuffed unlike with a standard subdivision where the applicant can come in with a preliminary plan and the board can deny or approve the plan. He stated that if this were a preliminary plan he would deny the plan, as the plan is too dense for this area. He stated that there are a lot of questions on the site.

Mr. Scarano stated that it is his job to persuade the board and balance the needs of the town, owner and the environment. He stated that all items have to be worked out with the board and the neighbors. He stated that Mrs. Ventura would like to see something on the property. He stated that they want to make a successful project.

Mr. Hopkins stated that they do not show any screening for abutters on Elm Street.

Mr. Scarano stated that there is heavy growth in this area and they would propose selected planting.

Mr. Gerraughty asked what they would be doing with the existing house and barn.

Mr. Scarano stated that they have no plans at this point until they have feedback from the board. He stated that they need this lot for frontage for the plan.

Mr. Graham asked if G. T. Developers had a plan in Rowley and what it was.

Mr. Scarano stated that the project in Rowley is a 40B project.

Mr. Graham stated that the address was not on the plan for G.T. Developers and that he could not get his report to the engineer. He stated that this is a concept plan with general terms from an engineering view. He stated that he has concerns on drainage to Elm Street abutters and drainage to Elm Street. He stated that if the access is buildable then he does not see the need for two accesses. He stated that this is in a Natural Heritage area. He stated that he would have a lot of concerns with a more in-depth review. He asked about acreage, as the acreage does not add up.

Mr. Scarano stated that the engineer would give more detail. He stated that there are two parcels one with 5.2 acres and one with 3.1 acres.

Mr. Moultrie stated that they would have to have a purchase and sale agreement on the lots.

Mr. Scarano stated that they have done a lot of research into easement and would give more detail to the board.

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Edgar Johnson 104 Elm Street gave a handout to the board with pictures of the site and easement. He stated that this was common land when he bought his land. He stated that the line was not drawn. He stated that he does not know who has the right to extend the line. He stated that he has gotten maple syrup from trees on this land and has had school children down to show them the process. He stated that he has maintained the way.

Mr. Moultrie stated that they would have to go to Town Meeting to have the way accepted as a town road.

Mr. Scarano stated that they could have a quit claim deed to accept the road. He stated that there has been a grant to the Town already. He stated that the Town does not have to accept the way but can be deeded to the town. He stated that it might be under a State fee deed.

Discussion on land being deeded to the town and land given to the town to give an access to the school in the rear.

Mr. Moultrie stated that the School might not need or want the road.

Mr. Hopkins stated are they to take Mr. Scarano's word that this is town property.

Mr. Scarano stated that he would give a memo to the Town and the Town can have this reviewed by Town Council.

Mr. Hopkins asked if Mr. Scarano is asking or telling the board that they have an easement.

Mr. Scarano stated that they are asking to develop the road on this way.

Bill Buelow 88 Elm Street asked how 24 units would work.

Mr. Moultrie stated that the bylaw allows 25 units.

Mr. Buelow stated that Mrs. Ventura owner and who is landowner of the parcel.

Mr. Scarano stated that current owner of the home is Mrs. Ventura and she has given a purchase and sale to the applicant.

Mr. Buelow asked that the board receives copies of deeds, as he is not sure if they own all the land and that there may be a third owner.

Mr. Hopkins stated that they need a lawyer. He stated that this board could not make a decision on land ownership this would be between the homeowners.

Mr. Buelow stated that he would ask that they show that they own all the land.

Mr. Moultrie stated that a land surveyor would stamp the plan before a decision would be made.

Mr. Scarano stated that the road lines are extended past the property. He stated that this could cause some confusion.

Mr. Buelow asked at which point in the process would ConsCom issues be addressed.

Mr. Moultrie stated that these would be when the applicant files with the ConsCom.

Mr. Buelow asked if they would be notified of ConsCom meetings.

Mr. Kostura stated that they would be notified.

Margaret Messelaar 481 North Street asked about the access to PennBrook School and if the 24ft road would be adequate for buses.

Mr. Scarano stated that the deed ends before the property line. He stated that the land abuts the school land and that they do not plan to build the road to the line.

Ms. Messelaar stated that the school system is in need of a school and that they are looking at this area and might use this road. She stated that Mr. Sarno is on the committee that is looking into land for a school. She stated that they are looking at a new middle school. She stated that the School would be interested in the information on ownership of the way.

Mr. Scarano explained that they have looked at the road for their parcel.

Brad Perry 89 Elm Street stated that if this project goes forward he is concerned about surface drainage and water on Elm Street. He stated he is concerned whether there is sufficient water and electricity for the site. He stated that we have water quality problems now.

Mr. Moultrie stated that they have a letter from the Light Department and he read this to the audience. He stated that the Technical Review Agent would recommend what is needed at the site and it would be at the developer cost.

Richard Zapf 126 Elm Street stated that there is a retaining wall that goes up to the property line and a vernal pool on the Collins' property. He stated that there is a perennial stream over his property. He stated that regarding the traffic not sure of who does not have two cars. He stated that if schools take property for a

new school then there would be additional traffic in the area and row houses. He stated that this project is not in character with the area.

Mr. Scarano stated that they have to find out if the access is viable for this plan. He stated that if not then they would have to know if this project would be allowed with only one access. He stated that density and character of area would be worked into plan.

Mr. Hopkins stated that they should have traffic plan, density and drainage should be addressed. He asked how far the town land goes back and stated that the town owns land that the school is on.

Mr. Moultrie stated that they have to have the information on the land before they can make a decision.

Mr. Hopkins stated that what would they do if not allowed to go over town land.

Mr. Moultrie stated that under a by right plan they could get 4 lots.

Mr. Evangelista stated that he does not like the plan access and being involved with endangered species. He stated that he would recommend that they withdraw without prejudice. He stated that if they do not then he would vote no to this plan.

Mr. Sarno stated that they have not seen an actual subdivision plan.

Mr. Scarano stated that they would like the right to provide information on the way to the board.

Mr. Hopkins stated are they are asking for the board to develop plans or for the right to develop land. He stated that they have no proof that the land belongs to the town.

Mr. Evangelista made a motion to deny the ISH plan at 98/106 Elm Street. Second Hopkins. All in favor 5-0.

Board stated that the plan was not in the best interest to the town.

113 Jewett Street

Mr. Moultrie opened the hearing on 113 Jewett Street.

Mr. Graham explained how relief was given and how it relates to the plan.

Mr. Kroner stated that decision of the ZBA is based on the plan. He stated that the ZBA conditions go with the plan. He stated that the ZBA requested that the

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lot stays in a vegetative state and that the plan is exempt from the Water Resource District.

Mr. Graham stated that this is a special permit and he stated that there is set back relief and asked if the board would be accepting these nonconforming issues.

Mr. Kroner stated that there are four ZBA decisions on this property and that he could get these to the board.

Mr. Graham stated that this lot is not a nonconforming lot.

Mr. Kroner read from a previous ZBA decision.

Mr. Kumph stated that they have taken away the apartment from the building. He stated that they have tried to clean up the lot.

Mr. Graham stated that there is a 40ft min relief area out front.

Mr. Kroner stated that they could put landscaping out in front.

Mr. Graham stated that they do not have a Landscape Plan.

Mr. Halleran stated that they have put the reserve under the parking lot as that area is sandy and they could move back the basin.

Mr. Graham stated that they would have to tear up the parking lot to do this.

Mr. Halleran stated that they would do what is needed.

Mr. Graham stated that the Dumpster is shown in the rear and he has no issue with parking spaces and the 24ft aisle is adequate for this use. He asked about a Fire lane.

Mr. Kumph stated that he talked to the Fire Chief and the rear wall would be a concrete firewall.

Mr. Graham stated the Board should receive a letter from the Fire Chief stating this. He stated that the proposal of pavement is light for industrial use, and they should list the maximum number of employees. He stated that at this time it would seem proper to ask for widening of Jewett Street as an increase of traffic. He stated that the improvement of 6ft widening for 200ft would help traffic in this area. He stated that they could waive the traffic report in lieu of this.

Mr. Moultrie stated that this might involve a taking in this area.

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Mr. Kroner stated that the building would be for Mr. Kumph's use only and is stated in the ZBA decision that there can be no other use.

Mr. Kumph explained his business. He stated that the majority of his work is done on the building sites. He stated that for this project there would not be a large traffic report.

Mr. Sarno stated that he does not feel that they should waive the Traffic Study or Community Impact Study. He stated that for this project there would only be a page and a half for traffic.

Mr. Kroner stated that would be in proportion to the plan.

Mr. Hopkins stated that the Community Impact Statement could come from these meetings and they do not require a detailed traffic study.

Mr. Graham went through his report. He stated that on page 8 drainage is discussed. He stated that the wall proposed should be blended in to the site for site distance and they could clean up the corner for landscaping.

Mr. Halleran stated that they would look at the grade. He stated that they do not want to take trees down. He stated that if this would require no trees taken down then they would do this.

Mr. Sarno stated that Mr. Graham could start to draft a decision.

Mr. Graham stated that he would need a decision on widening the road.

Mr. Moultrie stated that he would have to look at the site.

Mr. Graham explained site issue.

Mr. Kroner stated that Mr. Kumph should not be responsible to do this.

Mr. Evangelista stated that they do not have a problem with the road now but that they may want to widen the road in the future.

Mr. Kroner requested an extension for 113 Jewett Street to March 31, 2003.

Mr. Sarno made a motion to extend the decision for 113 Jewett Street to March 31, 2003. Second by Mr. Evangelista. All in favor 5-0.

Mr. Sarno made a motion to continue the Public Hearing until March 12, 2003. Second by Mr. Evangelista. All in favor 5-0.

Board stated that the applicant should return with a Landscape plan, a Light plan, and ZBA decisions.

197 Jewett Street-Definitive Plan

John Paulson of Atlantic Engineering stated that this plan is called the Village at Georgetown and is between Warren Street and Crescent Drive. He stated that they are in the RB district with a total lot area of 11.2 acres showing 6 homes with 1 existing home. He stated that the homes would have individual septic systems with town water. He stated that the wetlands have been delineated and accepted by the ConsCom. He stated that the waivers they are requesting are on the first sheet and are for vertical curbing, the grade at the entrance, to not have a grass strip in the right of way, property bounds, and the GIS mapping. He stated that there are 7 lots and he showed lots and wetlands crossing. He stated that the lots would be 40,000 to 98,000 sq. ft. He stated that he houses and grading is shown with septic systems. He stated that the length of road is 800ft. He stated that grading would be done to 50ft set back. He stated exceptions would be show on another sheet. He stated that they show a center island with drainage and that there would be some filling in the wetland area. He described the drainage. He showed areas that they would be filing in the wetlands and flood plain. He stated that on the plan the orange and blue areas are in the flood plain and the replication areas are in dark green. He stated that the light green area is a replication of wetlands. He stated that the entrance is at a 2% grade and the rest of the road is at a 5% grade.

Mr. Moultrie stated that the TRA has some concerns on the ConsCom issues.

Mr. Paulson stated that anything done with the homes is within the 50ft line. He stated that they would be doing some replication and this would be good for the town.

Mr. Evangelista stated that they might have to change lots because of changes by ConsCom.

Mr. Paulson stated that this is a vicious circle and that ConsCom should be the last board that they see.

Mr. Sarno stated that they have another plan that has to come back to the Planning Board because of changes by ConsCom so it might be better for them to see ConsCom first.

Mr. Kostura asked if they have filed with the ZBA and if they have a finding.

Discussion on elevation

Mr. Graham stated that his main concern is ConsCom issues and that he did not do a comprehensive report because of how the ConsCom might rule. He stated that they have filed as a limited filling and that there is no way to get to the back property without crossing the wetlands. He stated that the ConsCom might make changes. He stated that the Lot 6 filling would not be allowed under limiting filling. He stated that they are creating a flood area close to the building site and it would be a better process to know how the ConsCom would act. He highlighted a few items regarding drainage and stated that this is fine except for the inside of the cul de sac were it should be curved. He stated that he would support a maximum grade off of Jewett Street. He stated that he would like to see steeper grades and less filling. He stated that there is a provision that says if a roadway is at 90 degrees and they can provide radius, though they might need a waiver if they can not provide a show of adequate site distance.

Mr. Moultrie asked if they have filed with the ConsCom.

Mr. Rhuda stated that they have and that they have a hearing in April.

Mr. Leslie Warren 207 Jewett Street stated that this area is Hawk Meadow area and all the water drains through this area and by his property to his home. He stated that if they are building he wants to know where the water would go. He stated that the culvert was rebuilt and is still not sufficient. He stated that he just spent \$3,000 on pumps does not want to see more flooding.

Mr. Graham stated that he has looked at calculations and the pre and post drainage would not be an issue. He stated that they are doing a filling of wetlands to compensate. He stated that they look at pre conditions and post and take drainage and release of water to equal that of now. He stated that the area has sandy soils and a high water table. He stated that the detention basins would infiltrate the soils. He described the drainage and how it works.

Patricia McDonald 205 Jewett Street stated that she wished that they saw the site before all the snow and ice. She stated that she wished she took a picture of the water in the area. She stated that she could not imagine where the water would go. She stated that she is concerned about the water and does not understand drainage.

Mr. Moultrie asked if when Rowley replaced the culvert, did they do drainage.

Mr. Halleran stated that when there is a large storm the water topped the road. He stated that on Farnham Street there is a culvert also.

Mr. Sarno asked Mr. Graham about the issue of the radius.

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Mr. Graham stated that with a 30ft radius if it is at right angles this a 75-degree angle. He stated that this is close to and that they should have the radius. He stated that they could grant a waiver if they have the site distance.

Mr. Halleran stated that they do have 200ft-site distance.

Mr. Graham read the regulation on site distance. He recommended that the applicant goes to the ConsCom first and then comes back to the Planning Board.

Mr. Paulson stated that they see the ConsCom in February and April. He stated that they would not have a decision from them until summer. He stated that it is the combination of two lots that are causing a problem. He stated that they would like to move this process along.

Mr. Hopkins stated that they had a plan that they approved and now they have to refile a new plan with the Planning Board. He stated that if they get an approval from the ConsCom then they would not have to go through this.

Discussion on how many days for a decision

Mr. Graham stated that they have 135 days, as there was no preliminary plan.

Mr. Sarno stated that they could go to the first ConsCom meeting and see what happens and then come back to the Planning Board.

Mr. Paulson stated that they want to move the process along.

Discussion

Mr. Sarno made a motion to deny the plan for 197 Jewett Street. Second by Mr. Evangelista for discussion.

Mr. Rhuda stated that they would not be intimidated.

Mr. Hopkins stated that all the are asking is to wait and see how the ConsCom would vote.

Mr. Sarno stated that he made a recommendation for them to go to the ConsCom and to come back after the first meeting.

Mr. Kostura stated at the first hearing of the ConsCom they would set up a site walk and do just a cursory review.

Mr. Moultrie asked for a vote to deny the plan.

Mr. Kostura abstained.

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Mr. Evangelista-no

Mr. Moultrie-no

Mr. Sarno=yes

Mr. Hopkins-no

Motion did not carry.

Mr. Evangelista made a motion to continue the Public Hearing to March 12, 2003 at 9pm. Second by Mr. Hopkins. Vote 4-1. Mr. Sarno-no

Mr. Evangelista asked about a decision date.

Mr. Rhuda stated that they do not need an extension now.

Mr. Paulson stated that he was not making a comment regarding this board and stated that delays are frustrating from a developers and engineering position.

Board Business

Mr. Gerraughty stated that some Planning Boards have a policy on extensions that they extend them on a quarterly basis. He explained the process and dates March 31, June 30, September 30, and December 31.

Mr. Hopkins made a motion to make this the board's policy having extension given on a quarterly basis.

Discussion

Second by Mr. Evangelista. All in favor 5-0.

Planner position

Board had copies of all resumes. They stated that they would look at resumes and e-mail Ms. Pantano with top five candidates for the position.

Bylaws

Mr. Kostura stated that they should look at a Green Neighborhoods Bylaw for town meeting. He stated that it is a PUD done better. He described the bylaw.

Board agreed that this should be looked at.

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

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Meeting adjourned 11:30PM.

Minutes transcribed by J. Pantano.

Minutes approved as amended February 12, 2003.