

**MEETING  
GEORGETOWN PLANNING BOARD  
Memorial Town Hall  
Basement Meeting Room  
March 12, 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.**

**Form A-Jewett Street & Jackman Street-Tolman**

Mr. Evangelista made a motion to re-endorse the Form A Lots 1, 2, 3 Jewett Street. Second by Mr. Hopkins. All in favor 3-0. Mr. Kostura abstained and Mr. Sarno was not present.

Mr. Evangelista made a motion to waive the fee on the Form A Jewett Street. Second by Mr. Hopkins. All in favor 3-0. Mr. Kostura abstained.

**Colby Village/Newbury/Apple Associates**

William Paulitz of Apple Associates explained where the project was located in Newbury. He stated that the project is on 12 acres that was an old Christmas tree farm. He stated that the lot is mostly open space with some wetlands. He showed the area of the plan that is in Georgetown. He stated that there is 3000 sq. ft in Georgetown. He stated that the land in Georgetown is all in the open space. He stated that 70% of the lot is open space and deed restricted. He stated that the septic and detention basin are in the open space. He stated that there would be a Condo association. He stated that Scott Patrowicz is the technical review agent reviewing the plan for Newbury.

Mr. Moultrie asked if they would be filing with the ConsCom in Newbury.

Mr. Paulitz stated that they would be filing with them soon. He stated that all the homes would be on one septic system. He stated that the system would be inspected four times a year for the life of the system.

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Mr. Evangelista asked if they could give the sliver of land that is in Georgetown to Byfield Parish Church or an abutter.

Mr. Moultrie stated that it would be in their favor to negotiate with a homeowner for this land. He stated that it seems odd that this land is not along the rock wall.

Mr. Kostura asked how the process was treating them.

Mr. Paulitz stated that they are the second senior housing in Newbury and that the process has been slow.

Discussion on project with applicant

### **Board Business/Planner Position**

Mr. Moultrie stated that they should discuss planners. He stated that he received the references on Ms. Byerley and Ms. Van Orman. He stated that the reference on Ms. Byerley from North Andover stated that they were sorry did not hire her and that they did not because she did not have a degree. He stated that he stated that she did a good job kept her knowledge up to date.

Mr. Moultrie stated that on Ms. Van Orman he felt she did not have much experience in the nuts and bolts of subdivision regulations he felt she had more experience in the upper echelon. He stated that both had good references.

Mr. Hopkins stated that they should wait for Mr. Sarno to attend, as he was present for the interviews.

### **Town Meeting**

Jon Bonazoli a Zoning Board of Appeals member stated that two people came to them for a variance to alter the flood plain level. He stated that they told the applicants that this has to be done at Town Meeting. He stated that they gave a finding and told the applicants to go to the Planning board for a change to the flood plain. He stated that Atlantic Engineering came to them with a plan of land but not definitive plans and that they can not grant anything for the applicant to build. He stated that the special permit was to build a road across the flood plain. He stated that there have been two engineering firms that have come to them in this area and that they have told them to go to the Planning Board.

Mr. Moultrie stated that they could not change the flood plain.

Mr. Bonazoli explained.

Mr. Moultrie stated that the engineering firm would have to present an engineering plan to the board and the language for the warrant article.

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Mr. Kostura asked if the ZBA was sponsoring this article.

Mr. Bonazoli stated that they are not sponsoring this article.

Mr. Kostura stated that a public hearing has to be held. He stated that if this is a citizen petition does it have to come before the Planning Board.

Mr. Hopkins stated that all Zoning changes have to come before the Planning Board.

Mr. Sarno stated that by having this discussion they have to move forward and that there are other areas in town with the same flood plain problem.

Mr. Sarno stated that the new planner could target areas through town to fix and be proactive.

Mr. Kostura stated that this is a bigger issue and that it would be very expensive for engineering. He stated that FEMA would be doing a new study in a few years.

### **10 Pine Plain Road-Tidd**

Mr. Tidd explained changes that were made to the plan.

Mr. Graham stated that he was all set with the changes.

Mr. Sarno made a motion to approve the Certificate of Vote for Caribou Court. Second by Mr. Hopkins. All in favor 5-0.

Board signed plans

### **Georgetown Shopping Center-SPA**

Mr. Musman gave copies of the ZBA decision to the board and information on Site Plan Approval. He stated that they do not need a super majority for SPA. He stated that Mr. Rauseo signed a letter to allow the use of his land for emergency use for 20 years but not for perpetuity and with a gate. He stated that the change to Mr. Graham's decision is that they would maintain this land for 20 years or for as long as extended use.

Mr. Graham stated that he recommends approval and that on the decision they cross out number 16 and add the letter from Mr. Rauseo.

Mr. Moultrie stated the approval is subject to the Mass Highway traffic agreement.

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Mr. Graham stated that this is under number 8

Mr. Sarno made a motion to approve the Georgetown Shopping Center Site Plan Approval. Second by Mr. Kostura. All in favor 5-0.

Mr. Hopkins made a motion to sign the Certificate of Vote for Georgetown Shopping Center with number 16 deleted and with the added letter as exhibit 6. Second by Mr. Sarno. All in favor 5-0.

### **113 Jewett Street-SPA**

Mr. Kroner stated that he handed out a letter on Traffic Assessment, Community Impact Assessment, and Town Character Assessment. He stated that also he has a letter requested from the ConsCom on the storage of solvents.

Mr. Kumph stated that they never store more than 20 gallons and would store in a metal cabinet that has a reservoir if there is a spill.

Mr. Graham stated that he has looked at the latest plans and would revise the draft approval for the next meeting. He asked where the 40% landscaping is shown for the ZBA.

Mr. Kroner stated that this was covered with the plan submitted to the ZBA. He stated that if the board is happy with the assessments that they have on file then do they have to be in the decision.

Mr. Graham asked if the board was all set with the traffic numbers. He stated that they were high and may be above the applicant's use and do they feel the road is able to bear this.

Mr. Moultrie stated they are fine with the road and numbers.

Mr. Graham stated that he was just seeing the landscaping tonight and that it looks okay and any lights should be down facing.

Mr. Kumph showed lights on plan.

Mr. Graham stated that the lights shown are shielded and that he is okay with them. He stated that they could be put on the next agenda for a vote.

Mr. Hopkins motion to continue the Public Hearing for 113 Jewett Street until March 26, 2003 at 7:30PM. Second by Mr. Sarno. All in favor 5-0.

### **Planner Position**

Discussion on references on Planners

Mr. Kostura and Mr. Graham stated that they do not need someone to work on bylaws.

Mr. Sarno stated that he would like someone to do this and if enough time to do this then it would be a benefit for the board. He stated that Ms. Van Orman seemed disappointed that there would not be a lot of work done on the bylaws.

Mr. Kostura stated that they could move Ms. Pantano to Assistant Planner eventually and have the Planner work on bylaws.

Mr. Hopkins stated that Ms. Byerley is getting an education but Ms. Van Orman already has the academics but has to learn the nitty gritty. He stated that neither has everything. He stated that he feels Ms. Byerley would be the better candidate as long as she is going to school.

Mr. Evangelista stated that he leans towards Ms. Byerley and that it would be a long commute for Ms. Van Orman.

Mr. Graham stated that it would be a ride for Ms. Van Orman but he does question Ms. Byerley's education.

Mr. Moultrie stated that Ms. Byerley had good references.

Mr. Gerraughty asked if Mr. Graham would still be doing the decisions. He stated that now that the decisions are charged to the developer that by allowing Mr. Graham to do them would allow the Planner to do other things.

Mr. Graham stated that he feels Ms. Byerley would have difficulty writing a decision for a SPA.

Mr. Sarno stated that there is continuity having Mr. Graham do the decisions.

Mr. Graham agreed and stated that he can do the decisions.

Mr. Hopkins made a motion to offer the position to Ms. Byerley.

Discussion on salary of \$20,000 a year for 20 hours a week, subject to review of educational achievements

Mr. Hopkins made a motion to offer Ms. Byerley the Planner position at \$20,000 a year for 20 hours a week, subject to review of educational achievements. Second by Mr. Sarno. All in favor 4-1. Mr. Kostura no.

Ms. Pantano to call and offer Ms. Byerley the position.

**197 Jewett Street**

Mr. Kostura excused himself from the hearing on 197 Jewett Street because of issues with this plan and the ConsCom.

Mr. Mannelta gave a copy of their response to Mr. Graham's review.

Mr. Moultrie asked for explanation of the issue with the ConsCom.

Mr. Mannelta stated at the last meeting that the ConsCom denied the plan under the Wetlands Protection Act. He stated that it was not denied under the town bylaw and that it has continued with the ConsCom under the bylaw. He stated that at the last meeting the plan was continued because of the lack of time for ConsCom to hold a hearing and that they would be returning in May.

Mr. Rhuda stated that the plan was denied and Mr. Seekamp is counseling with them for a truce. He stated that they do not want to go to DEP. He stated that it boils down to that he would not give an extension to the ConsCom and he stated that he has never seen dates so far ahead for a hearing with a board. He stated that it was not a smart move and that repercussions have followed.

Mr. Moultrie asked for Mr. Graham's comments.

Mr. Graham stated that his issue is with the filling of the flood plain getting to the back cul de sac. He stated that the question is if it would be considered a limited project. He stated that the only way to get to the back of the lot is by doing this crossing. He stated that in his initial report he stated that the flood plain filling is doing less in this plan then the first plan submitted under the ISH. He stated that he feels that this plan is not in the best interest for the Town. He stated that he feels that they should wait for some feedback from the ConsCom on how this plan would be permitted.

Mr. Mannelta stated that these are not easy lots but that they meet the setbacks and that he has talked with the Building Inspector.

Mr. Moultrie stated that they are aware that they are proceeding at there own peril.

Mr. Evangelista stated that he leans heavily on Mr. Graham's comments.

Mr. Rhuda stated that these are conforming lots.

Mr. Hopkins stated that he could push the plan and it is within his rights to go forward. He stated that on Warren Street they were surprised with the ConsCom changes to there plan. He stated that they had to make major changes. He stated that he is within his rights to go forward but that it could be for not.

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Mr. Sarno stated that he has already echoed his direction.

Mr. Graham stated that he would not recommend approval of this plan but that he would work through the issues with the applicant.

Mr. Rhuda asked if Mr. Graham is still in disagreement with the Seekamp letter.

Mr. Graham stated that he has stated how he feels in his first report.

Mr. Moultrie stated that they could proceed at their own peril.

Mr. Rhuda and Mr. Mannelta stated that they would proceed.

Mr. Mannelta stated that before there is a comprehensive review they would have to do some work on the plan. He stated changes that he has made to the plan have to do with drainage. He stated that he submitted drainage calculations.

Mr. Hopkins asked Mr. Graham to explain his problem with plan.

Mr. Graham stated that they exceed the CPA. He stated that on the surface and relative to the rules and regulations they meet the law.

Mr. Moultrie stated that must address road alignment and drainage.

Les Warren 207 Jewett stated that he and his neighbors agree that they would be building in a swamp. He stated that there is flooding now and that there would be more flooding if this plan is built. He stated that the board should maintain the quality of what residents now living there have.

Mr. Rhuda asked to extend the decision date until June 30, 2003.

Mr. Evangelista made a motion to extend the decision date until June 30, 2003. Second by Mr. Hopkins. Vote 3-1 with Mr. Sarno no.

Mr. Evangelista made a motion to continue the Public Hearing until May 14, 2003 at 8:00PM. Second by Mr. Hopkins. All in favor 4-0. Mr. Kostura was not present.

## **Board Business**

### **Vouchers**

H. L. Graham

- Planning Board-----\$180.00
- Pillsbury Pond-----\$1250.00
- Chaplin Hills-----\$103.75
- 201 central Street(final)-----\$103.75

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- Nelson Street-ISH-----\$135.00
- 197 Jewett Street-----\$645.00
- Acorn Way-----\$225.00
- 10 Pine Plain Road-----\$927.50
- 192 North Street-ISH-----\$1947.50
- Georgetown Shopping Center-----\$1237.50
- Carleton Drive-----\$297.50
- 113 Jewett Street-----\$1420.00

Crane Neck Investments

- Release bond on 201 Central Street \$5,000 plus interest

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

**Board Business**

Discussion on dates and upcoming plans.

Mr. Sarno discussed density on North Street.

Board discussed density issue.

Mr. Gerraughty asked if a senior center would be an unreasonable request.

Mr. Moultrie stated that a senior center could be asked for.

Mr. Moultrie stated that most boards have a public participation time set and then it is cut off for discussion.

Mr. Gerraughty stated that he feels that they should keep it open for the public.

Mr. Moultrie stated that the ZBA shuts public comments down and written concerns are taken.

Mr. Gerraughty stated that the Planning Board has a broader spectrum of issues then the other boards.

Mr. Sarno stated that Mr. Ogden stated that in the past they would close the public hearing portion and then work on substantive issues with the engineers.

Mr. Moultrie stated that that might work.

Mr. Sarno stated that you have to allow the public to vent their concerns.

Mr. Moultrie gave out a copy of the decision on the Centore legal decision for the board members.

Discussion on what is happening with the land, Selectmen and ConsCom.



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Mr. Graham stated that he would not be at the next meeting but would have a report on Emma Harris Way.

Mr. Moultrie updated the board on Sawmill Way and Mr. Cormier's request. He stated that the town seized the funds of \$6,000 on February 9, 2000. He stated that on September 9, 1999 there was an outstanding Certificate of Compliance on some lots. He stated that he asked Lynne Grayton the ConsCom agent to look into this.

### **Minutes**

Mr. Hopkins made a motion to approve the Minutes of February 12, 2003 as amended. Second by Mr. Evangelista. All in favor 4-0.

Mr. Evangelista made a motion to accept the minutes of March 5, 2003 as amended. Second by Mr. Hopkins. All in favor 3-0. Mr. Sarno was not present so he abstained.

Board stated that they would wait to do the February 26, 2003 as Mr. Hopkins and Mr. Sarno were not present at this meeting and can not vote on them.

Mr. Sarno made a motion to adjourn. Second by Mr. Hopkins. All in favor 4-0.

Meeting adjourned at 10:45PM.

Minutes transcribed by J. Pantano.

Minutes approved as written March 26, 2003.