

Minutes
Georgetown Planning Board
August 13, 2003

**MEETING
GEORGETOWN PLANNING BOARD
Memorial Town Hall
Basement Meeting Room
August 13, 2003
7:00PM**

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 7:00PM.

Mr. Moultrie stated Kelly Ryan would like to speak to the board.

Ms. Ryan stated that she has been to Cuffee Dole's and the owner has not had her inside to look around. She stated that the outside is not accessible and she has been by three times to visit and has left cards. She stated that speaking with the board is the only way to get the issue resolved. She stated that the men's room is not accessible. She stated that the ADA law states that when you change a building then the bathrooms must be accessible. She stated that a door is hindering this. She stated the selectmen might have to get involved.

Mr. Moultrie stated that the board could address the parking lot but the Building Inspector would have to address the inside of the building.

Ms. Ryan stated that the board could have the applicant get in touch with the Equal Access Commission. She stated that Mr. Lappin did get in touch with her regarding the Georgetown Shopping Center.

Mr. Moultrie stated that on September 10 they would discuss issues with Cuffee Dole's.

Mr. Evangelista asked if a set of plans could be given to Ms. Ryan on Site Plan Approvals before the Board.

Little's Hill

Mr. Spear gave a handout to the board regarding the sidewalk. He stated that three years ago he was before the board on this issue. He stated that they had meetings in 2000 and the sidewalk was to be completed in November 2000. He stated that they stopped discussing the sidewalk and that issues were never resolved. He stated that there is an area with ponding on it that they would have to go before the ConsCom on and there is no way to go around. He read for each lot what would have to be done as with trees removed and rock walls moved. He stated that one resident has gone on record that he is opposed to the wall. He stated that the plans have never been shown to the residents and some may be against the sidewalk. He stated that drainage and the wetland crossings have to be resolved. He stated that the permit has expired.

Mr. Moultrie stated that the time limit was for the easement.

Mr. Hopkins asked if the ConsCom looked at the sidewalk plans when the PUD was approved.

Mr. Spear stated that they did not look at this area.

Minutes
Georgetown Planning Board
August 13, 2003

Mr. Moultrie stated that the rock wall is on town property and the sidewalk was to meander around the trees. He stated that the plan he has shows this and a small bridge could be built across the wetlands. He stated a neighbor is concerned that the sidewalk is not done and it was to be done by the 20th occupancy permit. He stated these issues have always been there.

Mr. Spear stated that since there was no follow up that he considered with all the problems it would be too difficult to put in.

Mr. Moultrie stated that if there was a problem the residents should have to come to the public hearings. He stated that this is on Town land and not on residents property.

Mr. Spear stated that he could go out and mark the sidewalk.

Discussion to bring members not familiar with this issue up to date.

Mr. Moultrie stated that he does not want to get into an issue with this. He stated that he was not part of this approval. He asked the board how they want to handle this.

Mr. Hopkins stated that they could contact the ConsCom regarding the issue.

Mr. Moultrie stated that they could work on drainage with the ConsCom.

Mr. Hopkins stated that most of the stakes are still in with a few missing. He stated that they should minimize the tree cutting and go to the ConsCom with a plan.

Mr. Moultrie stated that the decision has Mr. Spear building the sidewalk to the subdivision regulations and they might have to deviate from some of this.

Mr. Hopkins stated that if he makes a submission then this would have waivers.

Mr. Spear stated that he thought that permits would be up to the board to obtain.

Mr. Moultrie stated that he does not see anything stating this and read from the decision. He asked where they were on occupancy permits.

Mr. Spear stated that they are not up to the 20th but maybe in the spring they would be. He stated that the soccer field is coming along and that the town would like to use the field. He stated that he would want to release the lot first. He asked if they would want the sidewalk done first. He stated that the fence and sidewalk still have to be finished.

Mr. Moultrie stated that they should update the contact list.

Mr. Spear stated that he would check on the contact list and get an updated list to the board.

Mr. Hopkins stated that he is meeting with Mr. Spear to check on the size of the field.

Nelson Street Informal Discussion

Mr. Dubina stated that they met with the Planner and Larry Graham and have come up with a new plan. He stated that they also met with the ConsCom and that they like the idea. He stated that they have reduced the plan to 14 units. He stated that they took out the wall and that this would work out that they do not have to cut into the hill. He stated that ConsCom has asked them not to touch land above the road. Mr. Dubina stated that Mr. Graham still wants to loop the water.

Mr. Moultrie stated that the Water Department is the one to dictate this.

Mr. Dubina stated that they just wanted to bring the board up to date.

Minutes
Georgetown Planning Board
August 13, 2003

Mr. Moultrie asked how far is the first unit in from the road.

Mr. Dubina stated 500ft in from the road and a distance from the Mazzotta's.

Mr. Hoover asked the length of the road.

Mr. Dubina stated that the road is 1000ft. He stated that they might put in two homes on a court on adjacent lots.

Mr. Hoover asked if they would require a waiver on the road.

Mr. Dubina stated that they would not. He stated that they would still give land to Camp Dennison.

269 Central Street Form A

Engineer stated that they plan to split a lot.

Mr. Moultrie stated that this lot is in two zones.

Engineer stated that he talked to the Building Inspector and he was okay with the plan and would give them a building permit.

Mr. Evangelista made a motion to approve the Form A on 269 Central Street/Steve Flynn. Second by Mr. Hoover. All in favor 5-0.

Elm Street Form A

Joseph Simon Surveyor stated that they are adding a triangle of land to the lot.

Mr. Hoover asked why are they adding this.

Mr. Simon stated that the owner had the opportunity to buy this area and with it would make his lot a better lot.

Mr. Evangelista made a motion to approve the Form A on 81 Elm Street. Second by Mr. Hopkins. All in favor 5-0.

Whispering Pines-Endorsement of Plans/Form G/Form K etc.

George Zambouras stated that the Assessor asked that they come up with a name for the road and they have made it Raymond's Court.

Mr. Evangelista made a motion to approve the name change from Raymond's Creek extension to Raymond's Court. Second by Mr. Hopkins. All in favor 5-0.

Ms. Byerley stated that they have the easement, quitclaim deed, conveyance of utilities, subdivision permit, and form G, and lot release for lot 16 and a Form A for parcel X with them tonight.

Mr. Moultrie stated that there would be no lot release until the utilities are put in.

Mr. Longo stated that he understands this.

Mr. Hopkins stated that this is just for model homes to go in.

Mr. Moultrie stated no one would be living in these homes.

Minutes
Georgetown Planning Board
August 13, 2003
Mr. Longo stated this is correct.

Ms. Byerley stated that they have the modification plans to sign.

Mr. Hoover made a motion to approve the release of lot 16 Whispering pines with the understanding that there would be no approval for occupancy now. Second by Mr. Hopkins. All in favor 5-0.

Mr. Hopkins made a motion stating that substantial work has been done on Raymond's Creek so that the permit would not expire. Second by Mr. Hoover. All in favor 5-0.

Georgetown Savings Bank

Mr. Moultrie asked if Mr. Graham has looked into the drainage at the bank.

Mr. Graham stated that he has not as of yet.

Discussion

Whispering Pines/Form A

Board looked at the Form A on Whispering Pines McNutt parcel for radius of roadway.

Mr. Hopkins made a motion to approve Form A parcel X. Second by Mr. Evangelista. All in favor 5-0.

Public Hearings

197 Jewett Street-Definitive Subdivision

Mr. Zambouras of Atlantic Engineering gave a written response to Mr. Graham's report to the board.

Mr. Manna of Atlantic Engineering representing the applicant stated that they have revised the plans and he described changes to the plans. He stated that there are a couple issues that they can easily incorporate to the plan. He stated that the signage and street name major issues and that they could go for a vote tonight.

Ms. Byerley stated that the board does not have a draft decision and they would have only 14 days to file a decision.

Mr. Graham stated that most items could be taken care of in the next revision. He stated that he has not talked to Wayne Snow but that there are some inconsistencies with what he usually recommends for easements. He stated that they did a fire flow test on the water line for the Fire Department and they are satisfied with the calculations.

Mr. Zambouras explained.

Mr. Graham stated that he does not know if the Board would want more information from the Departments.

Mr. Rhuda stated that this is addressed in their comments.

Mr. Graham stated that they do not have any thing in writing from the Water and Fire Department.

Mr. Manna stated he would look into this.

Mr. Rhuda gave four names for street.

Board stated that they would be okay with Forest Lane.

Minutes
Georgetown Planning Board
August 13, 2003

Mr. Graham stated the planting on the cul de sac could be similar to what was done on Harris Way.

Mr. Moultrie asked about waivers.

Mr. Graham read waivers and gave his recommendations.

Mr. Hopkins asked when was the last time they did a length of road waiver.

Mr. Evangelista stated not since Chaplin Hills and they received off site improvements.

Mr. Graham stated that for environmental purposes they should approve this waiver.

No GIS waiver

Discussion on trees on the beginning of the road

Mr. Rhuda stated that he would replace canopy with street trees if the trees were lost.

Mr. Graham stated that he recommended highway bounds around the property.

Ms. Byerley had a question on site distance and how would they maintain this.

Mr. Graham stated that Ms. Byerley is looking at site distance along road.

Mr. Moultrie stated that this is on the right of way. He stated they could make a field decision on this.

Mr. Hoover stated could they have a condition that the vegetation be removed before acceptance.

Ms. Byerley asked that wall for detention basin be maintained by homeowner.

Mr. Rhuda stated that he has no problem with this in the decision and would add to deeds of property.

Mr. Hoover asked about the cul de sac and landscaping with a detention basin in it. He asked about the size of the slope.

Mr. Graham stated it is a loam bottom.

Discussion that this is a grass bottom.

Mr. Moultrie stated that a draft decision would be put together.

Mr. Hoover stated that he would like to see the Landscaping plan up front.

Ms. Byerley stated that they could return on September 10, 2003.

Mr. Rhuda asked for comments on plantings on cul de sac.

Mr. Hoover gave suggestions.

Mr. Evangelista made a motion to continue the Public Hearing on 197 Jewett Street now Forest Street to September 10, 2003 at 8:00PM. Second by Mr. Evangelista. All in favor 5-0.

Minutes
Georgetown Planning Board
August 13, 2003

North Street ISH

Mr. Moultrie opened the hearing on North Street.

Mr. Graham stated that there is an August 6, 2003 letter and a draft decision. He went over his letter and comments. He went over the decision and items that should be discussed. He asked if they would need a bond for the roadway, as there is an opening already.

Mr. Moultrie asked if garages would stay until latter or be removed.

Mr. Cohen stated all would come down at the beginning.

Mr. Graham stated he is asking that on Certificate of Vote that every one per every five-market units is an affordable until the eight are met.

Mr. Moultrie stated that the binder coat on the road and the utilities must be in per phase.

Mr. Kiley stated that they might not be able to be built this way as in the development.

Mr. Gerraughty stated that if they can not comply then work with the Affordable Housing Task Force. He stated he would like to see the affordable units spread through the development.

Mr. Graham stated a sign on North Street should be shown on the plan now.

Mr. Kindermen showed the sign on the plans to the Board.

Mr. Hoover stated that on the additional parking spaces the approval process should be Planning board and Building Inspector not and/or.

Mr. Moultrie stated that the sidewalk is not in the decision.

Mr. Kindermen stated that it is on the plan.

Mr. Moultrie stated that it should be tied to a phase or time period.

Mr. Graham stated 10th CO or three years.

Mr. Evangelista asked about boundaries and that some units are in 100-ft wetland buffer area and where does the ConsCom stand.

Attorney stated that they are aware of this and that they might have changes to the plan. He stated that they are working with the ConsCom.

Mr. Hopkins asked about the condominium documents and if they are working with Kopelman & Paige.

Mr. Hoover stated that the photometric plan looked good and that the revised plan is an improvement over the previous plan.

Mr. Graham stated that there are plan revisions. He stated that they could extend the hearing and have the revisions and vote at the next meeting.

Mr. Evangelista made a motion to close the Public Hearing on 192 North Street. Second by Mr. Gerraughty. All in favor 5-0.

Mr. Evangelista made a motion to have 192 North Street return on September 10, 2003 at 8:30PM to review revisions and for a decision. Second by Mr. Gerraughty. All in favor 5-0.

Minutes
Georgetown Planning Board
August 13, 2003

65 Jackman Street/SPA

Tom Neve stated that he would be representing the Rollins family. He stated that they are adding a garage on an existing building. He explained the plan and what they propose to build and that they have gone to the ConsCom. He stated that they now have to file with the State and that they had to file with the ZBA because they are in the Watershed overlay district. He stated that the ZBA approved the plan.

Mr. Moultrie asked if only Rollins would use the building and would they be subletting part of the building.

Mr. Neve stated that the garage would not be rented but they may rent out office space. He stated that the ConsCom has requested plantings and trees.

Mr. Hoover asked if the ConsCom requested this planting program.

Mr. Neve stated that the applicant offered this landscape program.

Mr. Hopkins asked about a street sign.

Mr. Neve stated that they would just change the existing sign.

Mr. Graham stated that the board could make a decision at the next meeting. He stated that he and Ms. Byerley have not put together a draft decision. He stated that they should have a decision from the ConsCom for next meeting.

Mr. Neve stated that there is an easement on a subdivision plan and they are amendable to an easement if the board feels it is appropriate.

Mr. Moultrie asked if the easement was shown on a plan.

Mr. Neve stated that it was not recorded and that they are willing to record the easement.

Mr. Hoover asked if the lights are shielded.

Mr. Neve stated that they are not but they could put up shielded lights.

Mr. Hoover asked about the berm at 6 inches and the slope.

Mr. Neve stated that they agreed with the berm and the slope is not a problem.

Mr. Graham stated that he does not see a problem.

Mr. Neve stated that he would like them to close the public hearing tonight.

Mr. Gerraughty made a motion to close the Public Hearing on 65 Jackman Street SPA. Second by Mr. Hopkins. All in favor 5-0.

Mr. Gerraughty made a motion for 65 Jackman Street to return September 10, 2003 at 7:30PM. Second by Mr. Hopkins. All in favor 5-0.

Board Business

Chaplin Hills/Letter of Credit/Lot Releases

Ms. Byerley stated that the applicant is asking to have lot 1, 5, 7, and 9 released.

Mr. Moultrie stated that the letter of credit from Citizens Bank is for two and half times the estimate from Mr. Graham.

Minutes
Georgetown Planning Board
August 13, 2003

Mr. Gerraughty made a motion to accept the letter of credit on Chaplin Hills and to release lots.1, 5, 7 and 9. Second by Mr. Hopkins. All in favor 5-0.

118 East Main Street

Mr. Moultrie asked if Ms. Byerley heard from the Building Inspector if he was coming tonight.

She stated she did not

Mr. Moultrie stated that he looked into this and that Spaulding moved the retail across the street without a permit. He stated that the Building Inspector might have based his decision on this. He stated that the appeal time period has lapsed to go to the ZBA.

Mr. Evangelista read section on required approval requirements from the SPA bylaw. He stated that he does not see the Building Inspectors reasoning on why this did not come to the Board.

Mr. Moultrie stated that the Building Inspector triggers the process and he would not entertain comments by attorneys.

Mr. Gerraughty stated how could they catch something like this.

Mr. Moultrie stated that the Planner might have caught this if she signed off on the building permit application. He stated that the Building Inspector did not have her sign off on this permit.

Ms. Byerley stated that the Building Inspector does not always have her sign all permits.

Mr. Hopkins stated if they had known how would they have appealed this.

Mr. Moultrie stated that they would have to appeal to the ZBA.

Ms. Byerley stated that they have to make sure that this process is followed.

Mr. Gerraughty stated do they know how many permits are issued per year and how much time would be spent on sign off for all permits.

Mr. Evangelista stated that they should send a letter to the Building Inspector that the Planner should sign the permits.

Mr. Hopkins stated that if they were not given legal notice then they would have the time from when we learned of this violation to file an appeal.

Ms. Byerley stated that they might have to find out how the form was adopted and what is the recourse.

Mr. Moultrie stated that they might have to go to the Selectmen to find out how this should work.

Mr. Hopkins asked how does the board feel on this issue.

Mr. Moultrie stated that he does not know what the Building Inspector based his decision on. He read from Mr. Brett's letter on what he based his decision.

Mr. Gerraughty asked if Spaulding was retailing from the original site.

Mr. Moultrie stated retail was never at this site it was across the street.

Mr. Hopkins stated that it is a change of use, and a dangerous area for a retail use.

Minutes
Georgetown Planning Board
August 13, 2003

Mr. Moultrie stated that there is only one curb cut.

Mr. Hoover asked what is the board's choice. He stated more cars are coming to the site.

Mr. Hopkins stated that we should have reviewed this plan. He stated that are our rights he feels begin when we found out about the situation and that is when the appeal is from.

Mr. Hoover stated that this is a serious safety problem.

Mr. Gerraughty stated that they should find out from selectman the process of the building permit sign off.

Mr. Hopkins stated for safety they should file an appeal with the ZBA now that we have the information and see if they shoot it down.

Mr. Moultrie stated that when he paints the lines he would have no parking on the sidewalk and he would ask the Police Department to enforce.

Mr. Evangelista stated that he received a letter from Mr. Aulson's Attorney that this was a political process. He stated that he filed a disclosure statement with the Town Clerk.

Mr. Hopkins made a motion to go to the ZBA to appeal the Building Inspector decision at 118 East Main Street without SPA from the Planning Board. Second by Mr. Hoover.

Mr. Evangelista yes'

Mr. Gerraughty no

Mr. Hopkins yes

Mr. Hoover yes

Mr. Moultrie abstained He stated that he wanted more information

Motion approved 3-1.

Ms. Byerley stated that they might be able to work with the Building Inspector on the safety issue. She stated that he might be able to shut down the retail portion.

Board stated they do not want to alienate the Building Inspector.

Mr. Hoover made a motion to reconsider the motion. Second by Mr. Gerraughty.

Mr. Moultrie abstained

Mr. Hopkins no

Mr. Evangelista no

Mr. Hoover yes

Mr. Gerraughty yes

Motion did not pass

Cuffee Dole's

Mr. Moultrie stated that the ADA coordinator came in at the beginning of the meeting and stated that the parking lot is in violation of ADA codes and that she heard the men's room is not conforming.

Mr. Gerraughty stated that the board should send Mr. Archer a letter to let him know Ms. Ryan came before the board.

Ms. Byerley stated that the landscape plan was an old plan and one plan has no name on the plan but is stamped by us.

Minutes
Georgetown Planning Board
August 13, 2003

Mr. Moultrie stated that she may have to go out with Mr. Graham he knows the site. He stated he has to go the ConsCom and ZBA if he plans to do any work on a patio.

Ms. Byerley stated she does not know what to go by to see what he should plant.

Mr. Graham stated that the Police assigned the lights.

Mr. Gerraughty stated the Police Department wanted lights in the front for safety of cars entering the lot. He stated that signage and landscaping was to be done by now and lighting by the end of the month.

Mr. Graham stated that he remembers that the ConsCom removed some landscaping.

Mr. Moultrie stated that Ms. Byerley should call the landscaper for a legend.

Ms. Byerley stated that she thought they would pay Mr. Archer after he pays the bills.

Mr. Moultrie stated his interpretation is that no funds are to be released.

Board Business

Mr. Evangelista asked if the board could receive smaller plans from the applicants.

Mr. Hoover stated that they should ask for 50% reduction plans.

Appointment

Board signed appointment for Mr. Evangelista to CPA.

Vouchers/Technical Review

H. L. Graham

- Planning Board General-----\$90.00
- Pillsbury Pond Lot 21-----\$135.00
- Nelson Street ISH-----\$180.00
- 197 Jewett Street-----\$180.00
- Harris Way-----\$2,222.50
- Acorn Way-----\$1,432.50
- 192 North Street ISH-----\$405.00
- Georgetown Shopping Center-----\$45.00
- Bailey Lane-----\$373.75

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

Correspondence

Ms. Byerley stated that a letter was received by the Selectmen from Mr. Collins regarding Mr. Hopkins and Littles Hill soccer field.

Ms. Byerley stated that she would like to send a letter to the Selectmen on the process of the Planning board.

Mr. Moultrie stated that the Selectmen should respond to Mr. Collins letter.

Mr. Hopkins explained the letters.

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

Meeting adjourned at 11:50PM.

Minutes
Georgetown Planning Board
August 13, 2003
Minutes transcribed by J. Pantano.

Minutes approved