

**MEETING
GEORGETOWN PLANNING BOARD
Public Safety Building
January 23, 2002
7:30PM**

Present: Peter Sarno, Chairman (8:00PM); Christopher Hopkins, Vice-Chairman; Alex Evangelista; Jack Moultrie, Clerk, Dan Kostura, Tim Gerraughty, Alternate Member
Kathleen Bradley Colwell, Town Planner; Larry Graham, Planning Board Technical Review Agent & Inspector
Janet Pantano, Administrative Assistant

Absent:

Meeting called to order at 7:30 p.m. by Mr. Hopkins.

Minutes

Board looked at the minutes of January 9, 2002.

Mr. Evangelista made a motion to accept the minutes as written. Second by Mr. Moultrie. All in favor 4-0.

Discussion/Street Acceptances

Abbey Road

Ms. Colwell explained what she had for a punch list. She stated sidewalk easements have to be signed by homeowners.

Mr. Thomson stated that they would now work on getting the easements signed.

Ms. Colwell asked if the homeowners know that they would have easements on their property.

Mr. Thomson stated that they do not know about the easements.

Mr. Hopkins asked if the easements are a benefit to the homeowners.

Mr. Graham stated that the easements are not a benefit to the homeowners.

Mr. Thomson stated that there are only four easements.

Mr. Hopkins asked if the pavement was finished.

Mr. Thompson stated that the pavement was done.

Mr. Hopkins asked about grass that was to be put in.

Mr. Thompson stated that this was done in the fall and he had pictures.

Ms. Colwell stated that the island was landscaped in the fall also. Ms. Colwell stated that the applicant would need a Certificate of Compliance from the ConsCom. She stated that the next step for street acceptance is for the Planning Board to make a recommendation to the Board of Selectman.

Ms. Colwell stated that the as-built was submitted last spring.

Mr. Moultrie stated that he would go out and review the as-builts and the subdivision.

Mr. Hopkins asked if the board is comfortable with Moultrie doing the review. He stated that Mr. Graham is unable to do the review as he has a conflict and that Mr. Moultrie did do inspections on this subdivision for the board.

Mr. Evangelista made motion to recommend Abbey Road be on the Town Warrant for Street Acceptance. Second Moultrie. All in favor 4-0.

Mr. Thomson asked if he would have to send a letter to the Board of Selectmen.

Ms. Colwell stated that the letter would come from the Planning Board.

Belleau Woods

Ms. Colwell stated that she had a call from Vera Rodriguez and she stated that she would sign the roadway easement agreement. She stated that the board should do a title search on the street, as there was some litigation involved with the street. She stated that she talked to Joel Bard of Kopelman & Paige and that he recommends doing the title search. Ms. Colwell stated that there may be a lien on the street and we should be aware of this before street acceptance.

Mr. Moultrie stated that there is a lot of history on this street and with this developer. He stated that a Judge had seized funds held on the street and then released the funds to the Town. He stated that he would look into his files and find out what funds are held.

Ms. Colwell stated that the board would have to pay for the as-builts that have been done by PLS and that the board is holding about \$7,000 for this street.

Ms. Colwell asked if she could authorize Kopelman & Paige to do the title search.

Mr. Moultrie made a motion to have a title search done on Belleau Woods by Kopelman & Paige. Second by Mr. Evangelista. All in favor 4-0.

Form A/31 and 33 Longhill Road-lot line change

Ms. Colwell explained the change and had signed forms from both homeowners. She stated that they are just swapping a piece of land to make the lot conforming as one home was built too close to the lot line.

Mr. Moultrie made a motion to approve the Form A.

Discussion as the name of two of the homeowners is spelled incorrectly on the plan.

Board stated to put off approval until later in the meeting to see if the applicant would be present, as there is no one present at this time. Board stated that if no one would be present to withdraw the plan that they would have to deny the plan.

Long View Way

Mr. Sarno asked if Mr. Ellis would be present.

Ms. Colwell stated that Mr. Ellis called the office and stated that he would be present at the meeting.

Board stated that they would discuss when Mr. Ellis is present.

Public Hearings

Whispering Pines/Definitive Subdivision Plan Raymond's Creek/Independent Senior Housing

Mr. Sarno opened the public hearing.

Mr. Tom Manneta of Atlantic Engineering presented the plan to the Board. He showed plans from the last Public Hearing in August and explained the changes made to the plan. He stated that the property is located at 43 Warren St and would have 23 lots. He stated that the Definitive subdivision would have 21 homes, the ISH one lot and one lot for open space. He stated that Lot 15 would be the ISH with 10.5 acres. He stated the ISH would be in 8 building with 3 units each. Mr. Manneta stated the open space would be 4.9 acres outside of the wetland area. He stated the drainage would be conventional with a sensitive area abutting the Maglio's. He stated that they have made changes to plan.

Mr. Sarno stated that they should start with Mr. Grahams summary and comments at end of his report page 31.

Mr. Graham went over his summary. He explained drainage changes that he suggested. He stated drainage changes would relieve Maglio and Belleau Woods drainage problems. He stated that a lot of fill would be used on this site. He stated that he had concerns on basin A.

Mr. Mannelta stated that they would eliminate this basin.

Mr. Graham stated that they should have the detention basins delineated. He stated that they would require temporary and permanent easements for MacNutt, Clifford and Swett. He stated that Basin C should all be in Georgetown not in Rowley. He stated that the retaining wall and guardrail would look toward abutters and should be esthetically good looking. He stated that a decision should be made on whether property is in the Water Resource District. He stated that the Building Inspector should be consulted on zoning for Lots 1, 7, 8,9, and 10. He stated the applicant should look at his recommendations on No Cut and No Disturb Zones. Mr. Graham stated a decision on what Parcel X is has to be determined so that they meet the rules and regulations. He stated that he has suggested waivers and the developer should submit a list to the board. He stated that street names should be decided. He stated that a decision Street lights and parks should be decided where warranted. He stated that Street trees along lots 3,5 7 and 9 toward Deer Run the proposed subdivision should be put in and a covenant as to no connection to Deer Run. He stated two items that need to be addressed are water availability and traffic issues on Warren Street. He stated that in a traffic study it does not see total impact, he states he does not feel the whole street was looked at.

Mr. Sarno asked if their where comments from the board.

Mr. Evangelista stated that the letter from the Water Department stated that this project would exceed limits. He asked if the state would allow them to go over the limits or would they have to develop wells on site etc.

Mr. Sarno stated that the letter from the Water Department and Traffic Study where before the terrible ZBA decision on the apartments on Norino Way.

Mr. Hopkins asked that the Board to write a letter to the Water Department for a further decision on water availability and that they should reference the new apartments.

Mr. Moultrie agreed with this.

Mr. Hopkins stated that the Board would have to defer to the Water Department on this issue.

Mr. Kostura agreed on the water issue and asked if Mr. Graham looked into the impact on water resources in Rowley.

Mr. Graham stated that he did not but that he would.

Howard Speicher Attorney representing the applicant stated that they moved the ISH as the Board recommended. He stated that they do not reach issues of the Water Resource District.

Mr. Graham asked if they need the permit for Water Resource District.

Mr. Speicher explained how they would fall under the Water Resource District and stated that he does not feel they fall under this.

Ms. Colwell stated that the Building Inspector makes this determination.

Mr. Kostura stated water resource is based on bedrooms per unit.

Mr. Manna stated that they plan two bedrooms per unit.

Mr. Kostura asked to see a plan showing the bedrooms.

Mr. Moultrie stated Warren Street is in terrible condition and should be looked into very carefully.

Mr. Speicher stated that the traffic study stated that the subdivision would not impact the road. He stated that at the last meeting they talked of improvements to the road and the difficulty of widening and going onto people's property.

Mr. Moultrie stated there are problems and they have to be addressed.

Mr. Sarno stated that there are other subdivisions proposed in this area and they all would have to contribute to safety on Warren Street. He stated that widening the road might not make it safe and that there may be other solutions.

Mr. Gerraughty stated that widening might not be a solution but a sidewalk might be.

Ms. Colwell stated that they should increase the no cut along the Maglio property.

Mr. Manna stated that they have no problem with this but that they might need a temporary disturbance to build the road.

Mr. Sarno asked if the audience had questions.

Larry Mitkus 9 Belleau Woods stated that there is a limit on building permits and how do these people get permits.

Mr. Sarno stated that some developers use Comprehensive permits and then they are not subject to the Rate of Development Bylaw. He stated that the ISH does not fall under the Rate of Development. He stated that some ANR lots may have permits already and some subdivisions have been approved and where not under the Rate of Development. He stated that this subdivision is under the Rate of Development Bylaw.

Mr. Mitkus stated that the traffic has gotten worse and the water quality on Belleau Woods has gone down and with the new developments it would go down ever more. He stated that the traffic in the morning when the kids are waiting for the bus is not good. He stated that the road could not handle more traffic.

Mr. Hopkins stated a traffic study would not say you can not build but should say that you should make improvements.

Mr. Mitkus stated that the improvements should come out of the developers pocket and not the towns as the developer is benefiting . He suggested that instead of developing their land that the Raymond's look into going under the Community Preservation Act.

Dan Fantini 40 Warren Street asked about issue of radius on street.

Mr. Graham stated that this is parcel X and has to be settled.

Mr. Sarno stated that there was a discussion before on this purchase of land.

Mr. Manna stated a family member owns this parcel and they have already settled issue and when they purchase property the owner would sign over parcel X. He stated that they would get the paper work to the board.

Mr. Sarno stated then on road 1 the radius would be met.

Mr. Graham stated that on road 1 the radius would be met but not on road 2. He stated that on road 2 if they can demonstrate that the intersection would be safe he would be ok.

Mr. Fantini stated that he had concerns on safety and traffic. He stated that if they put fewer homes there would be less traffic. He stated that he talked to the developer about building larger homes on larger lots. He stated that the ISH would be broadening the tax base. He stated that he would go behind the plan if smaller amount of homes would be built.

Hopkins stated that they have to go with what is presented.

Mr. Speicher stated that they originally came in with 78 units and that they have come in with a smaller project. He stated that this is a small Senior Housing and could not provide amenities to its residents if it is smaller.

Steve Gondella of Warren Street stated that the road comes in right in front of his driveway. He stated that this would make a four-way intersection at his driveway. Would create a safety issue for his family. He stated that widening the road would not make a difference, as the cars would go faster.

Mr. Speicher stated that residents in Towns have asked that the Town not improve roads.

Mr. Moultrie stated that there are traffic issues and that there are things that can be done.

Mr. Speicher stated that bus stops could be put in they could put a rougher surface on the road to slow cars down etc.

James Yavorski 3 Belleau Woods stated that this is a tree-laden area with sand that was once a racetrack. He stated he was concerned over the trees that would be taken down. He stated he was concerned on the removal of trees and the water flow. He asked how the review of engineering for Deer Run would be impacted by this project.

Mr. Mannelta stated that changes by Mr. Graham's review have reduced drainage to this area.

Mr. Sarno stated that he is concerned about the vegetation in this area. He stated that with acre more cutting he stated that if they look at cluster development they would require more waivers but would be keeping more vegetation.

Mr. Mannelta stated Mr. Longo came before the Board previously with a PUD.

Mr. Sarno stated that he did come with a PUD but that plan did not meet the zoning regulations.

Mr. Graham showed no cut area in the center of the subdivision and described drainage in area of Mr. Yavorski's property.

Linda Maglio 49 R Warren Street stated that there would be no access to Deer Run from this subdivision.

Mr. Graham stated that he asked that the lots adjacent to Deer Run do not access to Deer Run in their covenant. He stated that they could put up a fence or wall to impede anyone from access.

Ms. Maglio stated that they know of the drainage through their property to the Yavorski's and that during construction they make sure that the drainage is working.

Mr. Graham stated that the drainage the first item done and they would be able to see if it was working. He stated that during construction they would create sedimentation basins.

Ms. Maglio asked what happens if there are problems. She stated that she wants to be sure that they so improvements that they are required to do and that this would not impede the project that they would do.

Mr. Sarno stated that if there is a problem then they should call the board and they would call Mr. Graham and if needed he would call Mr. Masterson.

Mr. Sarno stated that the Board and abutters have an illusion to off site improvements. He explained to the audience and read from the bylaw about off site improvements.

Raymond's Creek/Independent Senior Housing (ISH)

Mr. Graham went over the summary in his report. He listed items still needed.

- Lighting Plan
- Landscape Plan
- Building/Unit Plans
- Water metering, valving plan
- Designation/Calcs of 35%, Open Space requirement
- Proximity of buildings and parking/drives within 50' of BVW areas
- Vertical datum different to adjoining land
- Redesign of roadway drainage and detention basin
- Detention basin details
- Depiction of stock pile areas plan

Mr. Graham stated that he does not agree with the open space that is shown on the plan. He stated that it is shown as separate parcels. He stated that the detention basins do not belong in the open space. He stated that a decision has to be made as to what should be built first the ISH or the Subdivision and if they should use phasing.

Mr. Moultrie stated that this plan would have a lot of construction traffic and Warren Street as it is now would not hold up to this.

Mr. Graham stated that the import of material is going to impact Warren Street.

Mr. Evangelista stated that they have in the past required resurfacing of a roadway if it is damaged.

Mr. Graham stated they would need an estimate from the developer on the amount of fill to be put in.

Mr. Moultrie stated that they should request testing of any fill brought in.

Mr. Graham agreed that this would be prudent.

Mr. Sarno stated that if the do phasing this would have a condition with hours of work in it.

Mr. Kostura stated that the plan should not impair pedestrian safety. He asked Mr. Mannelta to list the impervious areas.

Ms. Maglio asked if they could restrict construction because of traffic. She stated that there is a dip in the road at road 2 that is very bad.

Mr. Moultrie stated that the road should be rebuilt not resurfaced.

Mr. Sarno asked Ms. Colwell for the decision date.

Ms. Colwell stated the decision date is April 5,2002.

Mr. Mitkus asked for an explanation of the process for a preliminary plan.

Mr. Sarno stated that this is in a definitive stage and the ISH does not have a preliminary process, as it is a special permit. He explained that the have 120 days for a decision unless they request an extension.

Mr. Mitkus asked if their decision would proceed a water department and letters from other boards.

Mr. Sarno stated that they would not be making a decision tonight. He stated that they would look into all issues before a decision would be made. They are not in a hurry the developer may be but they would not be pushed into a decision. He stated that they also would not delay a decision.

Discussion on how long the engineer would need to have changes made.

Mr. Mannelta stated he would need 8 working days.

Mr. Graham stated that he needs 15 days.

Mr. Sarno asked if they should request a new traffic study now that a new plan has been presented.

Mr. Graham stated that a new traffic study would not make a difference and would rather see improvements made with funds.

John Anderson, 6 Belleau Woods thanked the developer for reducing number of homes in the plan.

Mr. Graham discussed phasing and how this would be done.

Mr. Sarno stated that they could return at the first meeting in March.

Ms. Colwell stated that would be March 13, 2002.

Mr. Sarno stated he would not want to wait one and a half months.

Ms. Colwell stated that they could have a workshop.

Mr. Evangelista made a motion to continue the public hearing to February 13, 2002.

Mr. Hopkins asked what issues would they discuss.

Mr. Sarno stated that they could discuss policy issues. He stated that he would come up with a list of items that the board has to make decisions on.

Mr. Hopkins stated that a lot of issues the engineers have to work out.

Mr. Sarno stated that they could discuss issues that do not have to do with consulting engineer. He stated that when they come back in March they would go over the issues with the engineers.

Mr. Evangelista made a motion to continue the Public Hearing on Whispering Pines and Raymond's Creek to February 13, 2002 at 9PM to respond to non-technical issues and to continue the Public Hearing to March 13, 2002. Second by Mr. Kostura. 4-1 Mr. Moultrie opposed.

Form A/31 and 33 Longhill Road-lot line change

Mr. Moultrie made a motion to deny the Form A at 31 and 33 Longhill Road for inaccuracies on plan. Second by Evangelista. All in favor 5-0.

Mr. Hopkins stated the board could waive the fee when the applicant resubmits a corrected plan.

Board Business

Board members signed forms for Board Member appointments to other boards.

- Mr. Kostura as the Community Preservation Committee Representative
- Mr. Sarno as the Schools Facilities Committee Representative

Ms. Colwell stated that Robin Leal asked for the Board to forward these to the Town Clerk. She stated the members would have to see the Town Clerk to be sworn in.

Warrant Articles/Earth Removal

Ms. Colwell gave copies of the Earth Removal bylaw that she has been working on. She highlighted issues for the board.

Board read bylaw and went over with Ms. Colwell.

Discussion on the amount of fill that would initiate the need for a permit. Board stated 50 cu. yards as a minimum for a single lot and 1,000 cu. yards would be the minimum for when a permit would be required. 50 to 1,000 cu. Yards would fall under the Building Inspector.

Board asked to include import and export of earth and to include:

- Conditions on each permit may require different hours, etc.
- Keep 6 feet from Groundwater protection to remove.
- Have Restoration requirements and security requirements.

Ms. Colwell stated she would try to have final language by the end of February. She stated that for a town bylaw they do not need a public hearing.

Mr. Sarno asked if we had funds for Mr. Graham to review the bylaw.

Discussions on site plan approval or special permit exemptions.

Ms. Colwell stated that on February 20 they would go over this bylaw again.

Mr. Kostura stated that they should have a time limit of a yearly removal of 50 cu. Yards.

Mr. Moultrie and the Board stated that Ms. Colwell did a lot of work and a good job on the bylaw.

Open Space

Ms. Colwell stated that there are a lot of different views of open space. She explained her view of open space, no building, contiguous, left in original state.

Mr. Sarno stated that we could use what was used in Littles Hills and Herrick Woods.

Mr. Hopkins stated that these are large areas others and that some would be small and require different language.

Discussion on definition.

Mr. Kostura stated that he agrees that under certain circumstances you may want ball fields etc.

Discussion on what was intent of open space in ISH.

Mr. Graham stated bylaw states passive recreation.

Mr. Hopkins stated that the open space should not be within so many feet of buildings 20 ft. buffer around building or impervious structure.

Vouchers

Office General

H. L. Graham, Associates-----P. B. General-----\$40.00
NetWay-----1/28/02 through 2/27/02-----19.95

Mr. Moultrie made a motion to pay. Second by Mr. Kostura. All in favor 5-0.

Technical Review

H. L. Graham, Associates

- 201 Central Street-----\$385.00
- Jewett & Tenney Street (Nixon)-----347.50
- Getty Station-----133.75
- 302 Central Street-----160.00
- Deer Run Lane-----2,131.25
- Brock Way (Crescent Meadow Lane)-----1,105.00
- Chaplin Hills-----165.00
- Pillsbury Pond-----86.88
- Littles Hill-----1,825.00

Mr. Moultrie made a motion to pay. Second by Mr. Kostura. All in favor 5-0.

Payroll

Kathleen Bradley Colwell-----\$886.96
Janet Pantano-----\$353.32

Board Business
B & W Press

Ms. Colwell explained that Mr. Beegan asked the board to sign the mylar for the Site Plan Approval for his property. She stated that as this is under litigation she talked to Mr. Brett and Joel Bard at Kopelman & Paige and they both stated that the board could sign the plans.

Ms. Colwell stated that the language is incorrect in one area on the plan that the board requested certain language.

Board stated the language would have to be corrected to the language they requested before the board would sign the plans.

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

Meeting adjourned at 11:00PM.

Minutes transcribed by J. Pantano.

Minutes accepted as amended February 13, 2002.