

**MEETING  
GEORGETOWN PLANNING BOARD  
Memorial Town Hall  
Basement Meeting Room  
December 4, 2002  
7:00PM**

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

**Absent:** Peter Sarno

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

**Minutes**

Board looked over minutes of October 30, 2002 and November 13, 2002.

Mr. Evangelista made a motion to accept the minutes of October 30, 2002 and November 13, 2002 as amended. Second by Mr. Kostura. All in favor 3-0.

**Vouchers**

American Speedy-----Zoning Maps-----\$35.60  
H. L. Graham-----Planning Board General-----\$80.00

**Inspections**

Millennium

- Deer Run Lane-----\$65.00
- Whispering Pines-----\$65.00
- Raymond's Creek-----\$65.00
- Littles Hill-----\$292.50
- Pillsbury Pond-----\$3,477.50
- Chaplin Hills-----\$227.50

**Technical Review**

H. L. Graham

- Cuffee Dole's-----\$1,055.00
- Acorn Way-----\$80.00
- Georgetown Sand & Gravel-----\$80.00
- Georgetown Shopping Center-----\$1798.75
- 113 Jewett Street-----\$80.00

Mr. Evangelista made a motion to pay. Second by Mr. Kostura. All in favor 3-0.

### **Discussion/Cuffee Dole's-SPA**

Mr. Graham stated that he was at the site on Sunday and again tonight and would update the Board verbally. He explained each item in his previous report and what has been done and what has not been done.

1. No change to parking islands.
2. Landscaping in planters is complete they have wood chips and plants.
3. He has not seen a landscape plan.
4. Lights in front have not been installed and the rear light was not on tonight when he visited the site.
5. Gravel drive is stable leave as is.
6. Ramp at entrance is complete.
7. Bit berm at the rear of the site has not been repaired.
8. The paint striping on parking place in question in the front has not been striped.
9. The temporary signs have not been removed and permanent signs put up. Do Not Enter sign has not been taken down.
10. Wheel stops have been done.
11. On the fire hydrant he disagrees with the Fire Chief on this issue but, this has been allowed by the Fire Chief.

Mr. Moultrie stated that he also disagrees with the decision of the Fire Chief but if it is okay with the Fire Chief then he is okay with the hydrant.

12. The shoulder on West Main Street has not been paved and repaired.
13. The parking lot would have to be delayed until spring.

Mr. Moultrie stated that he received a letter November 15, 2002 to Highway Surveyor from Mr. Anderson attorney for Mr. Archer. He read the letter into the record. He stated that Mr. Graham's report was attached and he read Mr. Graham's comment about the shoulder on West Main Street. He stated that the applicant should reconstruct and repair this area. He stated that it is unfinished and has a rough edge and should be fixed by the applicant.

Mr. Anderson gave a copy of this document to the board. He stated that the letter sets out their situation and summarizes by saying that if they repair the parking islands on the lot they may have to replace them if they have to tear up the parking lot. He stated that if they have to reconstruct the parking lot they would have to replace the islands, berm and signage. He stated that the paint stripe was done but may differ from what Mr. Graham stated. He stated that regarding paving the shoulder he had a couple of points. He stated that this condition is unchanged since the start of the project and that there is no notation in the site plan regarding this area. He stated that a year after approval was given this matter came up. He stated that this is not part of the site plan or conditions of the Planning Board. He stated that they should stay in the

boundaries of the site plan. He stated that Mr. Graham stated in his letter that this is not an unsafe condition and is on Town property. He stated that this paving was not in the site plan. He stated that they are in the 11th hour and the Planning Board should not import this at this time. He stated that they should not be raising new issues. He stated that the road might be paved next summer by the State. He stated that the board has adequate security and that the Planning Board has protected the town and his client has worked diligently and the issue should be put to bed. He stated that he hoped the matter could proceed without strain.

Mr. Moultrie stated that they have allowed more time until more favorable weather for the parking lot but safety issues have to be addressed.

Mr. Graham stated that he agrees that the parking islands could wait until reconstruction of the parking lot. He stated that a Landscape plan has been found but he has not seen it.

Mr. Moultrie asked if the Landscape Plan is referred to in the decision.

Mr. Anderson stated that this is the plan referenced in the decision.

Mr. Graham stated that he remembers that this plan was to change after the project was started.

Mr. Cashell stated that the screening on the abutter side of the site is not shown on the plan.

Mr. Graham looked at the plan and stated that the applicant never revised the plan.

Mr. Moultrie asked about the size of the trees.

Mr. Graham stated that they would be 2 ½ in as is usually requested.

Mr. Brett stated that if Mr. Archer wants to do the function hall could he have an abbreviated site plan and at this time adjust issues.

Mr. Moultrie stated that they have nothing filed at this time and they do not know when he would file this and if the trees would ever be put in. He stated that the abutters were very vocal about the trees in this area.

Mr. Anderson asked if Mr. Graham and Mr. Archer could get together and talk about the trees.

Mr. Evangelista read conditions on the landscaping plan from the decision.

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Mr. Moultrie stated that they have lost time in landscaping because of the weather. He stated that there is no revised landscaping plan. He asked when they could get a revised plan to Mr. Graham.

Mr. Anderson stated that they could get a revised Landscaping plan to Mr. Graham in three weeks to a month.

Mr. Moultrie stated that they have to move along and get things done.

Board agrees to move forward.

Mr. Evangelista asked about signage and when permanent signs would be put in.

Mr. Anderson stated that they are in the ground and he thought that was permanent. He stated standard is a different issue.

Mr. Moultrie stated that this has to be addressed now as it is a safety issue.

Mr. Anderson stated okay.

Mr. Hopkins asked if the sign that is up is how is shown on the plan.

Mr. Graham stated that it is as it is on the plan and should be changed, as it does not work.

Mr. Hopkins stated that on Sunday he was in the lot and saw that all exits and entrances were used as an exit and this is a safety issue and has to be fixed.

Mr. Graham explained why signs were there and what should be put there.

Mr. Moultrie asked if he could put this in writing so that the applicant would know what to purchase and where to put the signs. He stated he could tell him where to purchase the signs.

Mr. Hopkins stated that it is dark in the back and this should also be addressed. He asked how many days does it take are they making the right efforts to do these items.

Mr. Anderson stated that they ordered the lights but had the wrong size and are waiting for the new lights. He stated that the light in back was put in and would check on this.

Mr. Hopkins stated that the safety issue with the signage has to be changed and lightening has to be fixed and they could defer the parking lot until spring.

Mr. Brett stated the he went down and talked to Mr. Archer and confirmed that the lights are on order.

Mr. Evangelista stated that when the Three-G's was there he did not see the rough edge along the road.

Mr. Graham explained that when they put in the berm in made the dip. He stated that during construction of the berms they should have fixed this. He stated that this is not on the plan but should have been fixed. He stated that the same happened at 201 Central Street and the Board had them fix the shoulder.

Mr. Moultrie stated that to put down an inch and a half of topcoat on to fix this would not have taken much time or funds.

Mr. Graham stated that they could stay open and finish paving in the spring, but these two things should be fixed and the stop sign on back side of exit.

Mr. Anderson stated that this sounds good but would like to talk to his client.

Mr. Hopkins asked if he could make a phone call and talk to Mr. Archer. He stated that he is a year late with the landscape plan and the board has made efforts to keep him open. He stated that work he has done at the site is work for his business not for this board. He stated that at the last meeting they stated that the signage must change and it has not been done. He stated that this is a dangerous situation and he has not done everything he could do.

Mr. Anderson stated that his client has done a lot at the site.

Mr. Kostura stated that in the decision it states that we have a landscape plan but we do not have one.

Mr. Evangelista stated that they are not asking him to do more then others have been asked.

Mr. Moultrie asked if he could have a decision on the shoulder at the next meeting December 11. He stated that no other applicant was given so much time and it is their responsibility to make sure conditions are adhered to.

Mr. Anderson stated that the issue with the shoulder is not a safety issue but that the signage is and he would talk with Mr. Archer.

Mr. Moultrie stated that if this had not gone down this way he would not be open.

Mr. Brett stated that he would like to see this ended tonight. He stated that he does not want to be issuing a temporary occupancy every 30 days.

Mr. Kostura stated that a landscape plan should be given to Mr. Graham. He stated that there was a plan used by ConsCom and that this may be a landscape plan. He stated that it was dated November 2001.

Mr. Brett stated that there have been developments in the last few days and he read a statement. He stated that there have been charges put forth on him and he handed out a document that was handed to him yesterday. He stated that this is a Police report issued from Arthur Greenberg he read the report. He stated that he talked to Mr. Archer and Mr. Anderson and talked to his attorney and was told to read at this meeting. He stated that he never made these statements and has never had this happen before.

Mr. Moultrie stated that he has seen the report and that this has been given to other people. He stated as Chairman of board this kind of behavior is not called for and he is appalled.

Mr. Kostura stated that he does not feel this should be discussed at this forum.

Mr. Evangelista stated agrees with Mr. Kostura and that the content is disgusting. He stated that if we ask Mr. Brett to withhold the occupancy permit we should let him know in writing.

Mr. Brett stated that he talked to Mr. Archer and Mr. Anderson and let them know he never make the statements in the report.

Mr. Moultrie stated some confidentiality in this and report should be taken as the garbage it is.

Mr. Brett stated that he would not put this under the rug and wants papers and the public to know what is being said about him.

Mr. Moultrie stated that this is a serious issue and that he has this boards support. He stated that there was never any racism by this board and all have worked in a professional manner. He stated that the system did not work as it should but that was the only issue.

Mr. Anderson stated that they disassociate themselves from this document.

Mr. Gerraughty stated that 6 of 8 items are not done and that he took time out of his life to be here and Mr. Archer could not be here. He stated that the timing is not this boards fault that Mr. Archer has had from October to get this items done. He stated that they should shut him down and give him back his passbook.

Mr. Evangelista stated lights and signs could be done now.

Mr. Gerraughty stated that electricians could put in temporary lighting and that the signs could easily be obtained.

Mr. Hopkins stated that have a landscape plan that slipped through, signage is as plan states although it is not working and lighting is adequate. He stated that he wants to be on the record as pro-business but this has taken a rocky road. He stated efforts have been made and additional time of four or five months to finish. He stated that they could come back in March and April but he does not want to be in this position again and to be putting in lights and paving. He stated that he does not want to have to come back to this every 30 days.

Mr. Brett stated that he could renew the occupancy permit every thirty days. He stated that the ADA Coordinator has not been through the building yet.

Mr. Cashell stated that on June 1, 2003 all work should be done.

Mr. Hopkins stated that at the first meeting in April, April 9, 2003 all lighting and signage should be done and they should have a landscaping plan.

Mr. Graham asked if they would be making a decision on the signage and shoulder tonight. He stated that if the board is going to give they should give.

#### Discussion on signs

Mr. Kostura asked Mr. Anderson to let them know about paving the shoulder and when signs would go in.

Mr. Anderson asked if they could make a decision in March of 2003 when the board meets on this.

Mr. Moultrie stated that they want a decision now and that Mr. Archer shows some good faith and takes care of these issues. He stated that if there is a reasonable excuse if any of these issues are not going to be done than the board should be notified in writing.

Mr. Brett stated that there is a bond in place. He stated that in March a decision would be made on the pavement and that it must be fixed by June 1, 2003.

Mr. Moultrie stated that the board usually asks for 1 ½ times what is needed to finish a project.

Mr. Hopkins stated he would make a motion to return the funds now with the understanding that the occupancy permit is pulled if these issues are not met.

Mr. Kostura asked if the Building Inspector could pull the permit without ramifications.

Mr. Brett stated that he does not want to stop a business.

Mr. Moultrie stated that this has to get done in a timely manner and that some businesses have stayed closed until work is finished.

Mr. Brett stated that paving in the street is an issue for Mr. Archer.

Mr. Evangelista stated that before no one noticed this shoulder and now when it was improved with a berm it changed and is causing a problem and it is not that big of an expense. He stated that not all of his expenses have been from this board.

Mr. Kostura stated if this falls apart then next spring we do not want to go in and do this work. He stated that holding the funds is not helping.

Mr. Graham stated that holding the funds is a financial obligation.

Discussion on holding funds and the occupancy permit

Mr. Moultrie asked if the motion would be made to return the funds.

Mr. Kostura stated a gesture by this board to hold funds and the applicant do the paving.

Mr. Anderson stated that you are asking him to commit to the paving. He stated that this board is in the business of holding surety and it is in your bylaw. He stated that this is a financial incentive and not something this board has just came up with.

Mr. Moultrie stated that they do this for subdivisions but not usually for site plans.

Mr. Hopkins stated that there is no public interest here in a subdivision they would own road this is a business.

No second to motion.

Mr. Hopkins made a motion to extend their decision on the occupancy permit to Jan 10 for 30days and a decision on the paving and signage to return January 8, 2003. Second by Mr. Evangelista.

Mr. Brett stated that they want him to extend the Occupancy Permit to January 10, 2003.

Mr. Hopkins amended his motion that they want a decision on the paving and the signs done by December 16, 2002. Second by Mr. Evangelista. All in favor 4-0.



## **Planner Position**

Mr. Moultrie stated that Mr. Cashell is leaving he gave two weeks notice and his last day would be Thursday December 5, 2002.

Mr. Cashell stated he did a draft copy of an agreement with MVPC and the Town of Georgetown. He stated that Jerrard Whitten wanted a draft to follow up to materials done this fall. He stated that these documents get the board in the process to go forward with the 418. He stated that if received by Dec 31, 2002 they would qualify to get the \$30,000 for Georgetown. He stated that MVPC has all the software GIS and Pictometry. He forwarded the draft to MVPC and he went over it with Ms. Leal and he would work on numbers tomorrow so Ms. Leal could talk with the Selectmen that they need \$30,000 from the town to go with the \$30,000 from the State. He stated that the least the Town could do, would be a Community Development Plan. He stated that the Town has an updated Open Space Plan and has affordable housing. He stated it would be the cheapest to go with MVPC. He stated that they focus a lot on Georgetown.

Mr. Moultrie stated that Mr. Evangelista is our liaison with MVPC and they are a great resource. He stated that it would be in Ms. Leal's hands now. Mr. Moultrie stated that they need certification from the Town accountant and this may be a problem.

Mr. Cashell stated that the CPA might be a source of funds.

Mr. Kostura stated that he does not think the funds could be used this way.

Mr. Evangelista asked if the Master plan had any funds.

Mr. Cashell stated that he was not sure but that they may have.

Mr. Moultrie stated that he felt the townspeople would come up with the funds.

Mr. Cashell stated that they have to have a visioning session and this would be a start to the community development plan. He stated that a visioning session would cost \$ 5,000. He stated that at the end the facilitator would produce a document and that they then would know what is important to the town.

Mr. Kostura asked if this could be a scope of services and not a contract. He stated that this would be more than \$30,000.

Mr. Cashell stated that they have to have by December 31, 200. He stated that the Town is in excellent shape.

Mr. Moultrie asked if he would act on a consulting basis.

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Mr. Cashell stated Hudson meets on the 1<sup>st</sup>, 2<sup>nd</sup>, and 4<sup>th</sup> Wednesday of each month and that are meetings would conflict.

Mr. Moultrie stated that he could put a proposal together.

Mr. Cashell stated he would be available by e-mail, phone, cell phone. He stated that the board has Mr. Graham, Millennium, and Ms. Pantano. He stated that a weakness is that she does not have enough time in the office and there is a lot of paperwork.

Mr. Kostura made a motion to advertise for a Town Planner. Second by Hopkins. All in favor 4-0.

Mr. Kostura asked if a meeting was set up for Emma Harris Way.

Mr. Cashell stated that it was not set up.

Mr. Kostura asked if there was a meeting on the traffic issue at the Georgetown Shopping Center.

Mr. Moultrie stated a meeting was to be set up by the ZBA.

Mr. Kostura stated that Chief Roeder should be involved and Chief Beaton.

Meeting adjourned 9:45PM.

Minutes transcribed by J. Pantano.

Minutes approved as written January 8, 2003.