

**MEETING
GEORGETOWN PLANNING BOARD
Memorial Town Hall
September 12, 2001
7:30PM**

Present: 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: Peter Sarno, Chairman

Meeting called to order at 7:30 p.m.

Mr. Hopkins welcomed Dan Kostura as a regular member to the Planning Board and Tim Gerraughty as an associate member to the Board. He asked Tim to take full participation in the meeting even though he is not able to vote on all projects.

Minutes

Board looked over the minutes of August 27, 2001.

Mr. Moultrie stated on Page 3 he voted no.

On a motion by Mr. Moultrie to accept minutes of August 27, 2001 meeting with the changes noted above. Second by Mr. Evangelista. All in favor 3-0.

Discussion

Bernay Way/Pillsbury Pond

Mr. Zieff is requesting a six-month extension of the two special permits for the common driveways on Pillsbury Lane and Bernay Way. He handed out a copy of the permits and extensions for both special permits. The permits would then expire on April 13, 2002.

Pre-construction meeting set up for Thursday, Sept. 13 at 4:00 p.m.

Jeff Rhuda from Symes Associates was at the meeting to introduce himself and the Symes Company as the new developers of the Pillsbury Pond Subdivision.

Mr. Evangelista moved to extend the Special Permit for Pillsbury Pond and Bernay Way for six months to expire on midnight on April 13, 2002. Seconded by Mr. Moultrie. All in favor 4-0.

Mr. Zieff is requesting that the subdivision permits for both Pillsbury Pond and Bernay Way be endorsed at this time. Ms. Colwell stated that all of the items required prior to construction have been met and a pre-construction meeting has been set.

Mr. Evangelista made a motion to sign the subdivision permits for both Pillsbury Pond and Bernay Way. Second by Mr. Moultrie. Vote was 3-0 in favor with Mr. Kostura abstaining, as he has not been involved with this subdivision.

Earth Removal Bylaw:

Mr. Moultrie stated that the current earth removal bylaw has no set standards. Lots have 6,000 to 15,000 yards of fill removed without a permit. He has some recommended standards for the board to set up a trigger for review.

There is no limit at the moment. Any severing of soil without a building permit requires a permit. The language needs to be clarified.

Mr. Moultrie suggested that 350 yards would be able to be removed in conjunction with a building permit without an earth removal permit. Anything above that would require a permit with bonds etc. The Building Inspector would enforce it.

Mr. Hopkins stated that the bylaw should discuss not only removal but the relocation of earth as well.

Mr. Moultrie will draft something for the Board to review.

Ms. Colwell stated that the earth removal bylaw is currently in the town code. There may be some benefits to the town to moving it to the zoning bylaw so that the zoning code enforcement officer will enforce it. As it currently stands the bylaw must be enforced through the non-criminal disposition act with fines.

Unaccepted Streets

Long View

Ms. Colwell stated that she spoke with Albert Ellis regarding the acceptance of Long View as a town road at the October special town meeting. She stated that

there is not enough time for the board to review the site in order to give the Board of Selectmen a recommendation in time for October. As-built plans have not yet been submitted and the site needs to be reviewed again by the Board's technical review agent. Given the history of erosion issues on the site the review of the as-builts and the site will not be completed quickly. In addition, prior to recommending acceptance the site would need a certificate of compliance from the Conservation Commission. Hopefully this roadway can be accepted in the spring.

Abbey Road

Ms. Colwell stated that the entranceway and the Cul-de-sac Island are not being maintained. Weeds are growing again. Sidewalk easements have not been submitted. This road should be able to be accepted in the spring however the grass must be established in the shoulders.

Public Hearings

Brock Way/Definitive Subdivision

Alex Evangelista is abstaining from any discussion on this subdivision and has left the room as he has a conflict of interest.

Barry Enos, has spoken with Larry Graham and has determined that the expense of doing a three-lot subdivision is prohibitive. He spoke with Larry Graham about a two-lot court. Mr. Enos would like to stay with the same application but would like to submit a new plan. The wetland crossing will be smaller with a box culvert and a riprap slope and eliminates the retaining walls. There will be less impact on the site. No drainage structures on the road, no curbing. Detention basin will not be required. A swale may be required. All of the work can be done at the edge of the wetlands. Lots sizes will be three to four acres. Mr. Enos wants the Board's determination as to whether or not to continue this as a two-lot subdivision. John Enos as the applicant is here tonight.

Mr. Jack Enos stated that he wants to keep the revised plan under this current application. He will be in a partnership with John O'Neil and Bruce Reed. They have a working meeting set up with Larry Graham on Friday. They do not want to submit a new application.

Mr. Hopkins asked what would be the difference between a new and continued application.

Mr. Enos stated that the time frame would be faster.

Mr. Hopkins stated that it would be cleaner if it were a new application as it is a new plan with new road standards.

Mr. Enos stated that the road layout is the same except it does not go in as far to the property. He stated that he would remove all drainage structures from the plan.

Ms. Colwell stated that she recommends a new application, as it is a new plan. She stated that the time frame is not different between a new and a continued application, as the next available agenda is not until October 24, 2001.

Mr. Jack Enos stated that he felt that a new application is not necessary, as the plan will be reduced in size.

Mr. Barry Enos stated that he would like to have the road started this fall.

Mr. Hopkins stated that he is not sure that they can do an extension.

Mr. Moultrie asked how much work it would be to change the file.

Ms. Colwell stated that with Mr. Enos staying on and the plan being under the same name it would not be as much work administratively.

Mr. Kostura stated that as he has not been involved with this application he would be uncomfortable in voting to allow the current application to continue with a two-lot subdivision plan.

Mr. Hopkins stated, as Mr. Kostura will abstain from voting there are only two voting members available. The Board cannot vote on the issue tonight.

Ms Colwell stated that the Board has to vote to extend the time frame as the time to make a decision ends on September 22, 2001.

Mr. Hopkins stated that he would support continuing the public hearing to the September 26, 2001 meeting for the purposes of determining whether or not the application can continue with a two-lot court as opposed to the three lot subdivision originally applied for.

Mr. Moultrie made a motion to continue the public hearing to September 26, 2001 at 9:30 p.m. and to extend the time frame for making a decision on Brock Way to September 28, 2001. Second by Mr. Kostura. All in favor 3-0. Mr. Kostura abstained.

Mr. Evangelista returned to the meeting.

206 West Main Street/Cuffee Dole's/Site Plan Review

Rick Waite and Graham Archer were present at the meeting.

Mr. Waite explained the site and showed plans to the board and audience. He stated that parking is now 20 ft from the pond. He showed where the Parker River was. He stated that the applicant plans to purchase the property from the present owner and refurbish restaurant and keep as a restaurant. He stated that the site needs repair. Mr. Waite stated that they would improve the façade and interior and maximize parking. He showed the Parking layout with 3 defined entrances and exits. He stated that they would define the parking area with islands. He stated that their Key goals are to allow patrons a better view of the pond, appearance of the building to customers, and drainage going to pond. In response to Mr. Graham's letter he stated that they would change the Dumpster location. He stated that they moved the Handicap parking to the side. He stated that some calculations have changed. He stated that the impervious areas were calculated using lot area. He stated that due to age of the deed the lot line is not as accurate as anticipated. He stated that Mr. Graham questioned gravel-parking area being included in calculations and Mr. Graham asks that it not be. Mr. Waite explained about impervious area and where they are adding pavement and eliminating pavement. He stated that their main goals are to beautify area and building, better the traffic flow, and increase the buffer area.

Mr. Graham Archer applicant for Cuffee Dole's explained the landscaping plan. He stated that they made a mistake and had Aborvities on boat ramp property. He stated that these would be a buffer between 202 W Main Street and the building. He stated that they are trying to buffer at bottom of boat ramp. He explained the Function Hall landscaping area. He stated that they would have Plantings on the islands in the parking area and along the front of the building.

Mr. Hopkins asked if they would work on the exterior of the building.

Mr. Archer stated that they would take the two apartments off of the top of the building and change the roofline. He stated that they would paint the building in a Colonial color and style with clapboard siding on the whole building.

Mr. Evangelista asked about fire hydrant out front.

Mr. Archer stated that the hydrant has been hit by cars a few times and he has talked to the Water Dept. He stated that they would have the hydrant in an island and they would raise it.

Mr. Hopkins asked if the Function Hall was separate from the Restaurant.

Mr. Archer stated that the Function Hall would seat 200 people and the Restaurant would seat 200. He stated that they would be separate. He stated that they would not have music in the restaurant but that there would be in the Function Hall.

Mr. Moultrie stated that there have been problems with sound before.

Mr. Archer stated that they will have new tiles on the ceiling and carpeting will help with sound.

Mr. Moultrie asked how they would handle gas and oil from the parking area.

Mr. Waite stated that they would have a catch basin in the 50-ft buffer.

Mr. Moultrie stated that the town is mandated by the State to treat stormwater in this area.

Mr. Waite stated that they are improving the drainage that is now there.

Candice Crowell, 202 West Main St asked what a swale is.

Mr. Waite explained a swale.

Mr. Hopkins asked if Mr. Waite if he was aware of the flooding in this area yearly.

Mr. Evangelista asked if they had a copy of the letter from the Building Inspector.

Mr. Waite stated that they would note on the plan that this is a Water Resource Area and the Property line.

Richard Aberman, 199 W Main St asked about lighting in the parking area.

Mr. Archer stated that now there are two poles with high powered lights. He stated that they would be putting lights in the traffic islands. He stated that they would be 12-ft high lights and would not be as powerful. He stated that they would have lights on the building and that they are talking with a Lighting Engineer.

Ms. Crowel asked if the lights would go off at night.

Mr. Archer stated that most lights on the building would go off and most parking lights. He stated that the safety for patrons would be an issue.

Lisa Melvin, 201 W Main Street asked if there would be bands playing in restaurant.

Mr. Archer stated that they would not have bands in the restaurant but they would in the function room.

Ms. Melvin asked if they could put insulation for sound in the walls while they are renovating.

Mr. Hopkins asked Ms. Colwell if the Planning Board had control over sound.

Ms. Colwell stated that they did as it related to landscaping on outside of building but not on the inside of the building. She stated that the Board of Health is in charge of sound.

Mr. Hopkins stated Planning Board has no power over sound.

Mr. Archer stated that now there is a high metal ceiling and that they would have acoustical ceiling tiles, carpeting, and curtains. He stated that these would help with sound.

Ms. Colwell stated that this is an existing use of the building and the Planning Board can not change that.

Ms. Melvin stated that wouldn't it be better to fix now before there is a problem.

Mr. Archer stated that they do not want to tear down the 25-ft high walls to put in insulation. He stated that the cost would be too high.

Ms. Melvin asked if the wall as you go in if it would be staying.

Mr. Archer stated that he believes the wall Ms. Melvin is asking about would be staying.

Mr. Gerraughty asked if the garden area would be used by the Function Hall patrons.

Mr. Archer stated that this would be use by the patrons.

Ms. Melvin asked if patrons could be outside at functions with drinks at 1:00AM.

Mr. Archer stated that they could be.

Ms. Crowell asked if soundboard could be installed over the walls. She asked who they go to for this issue.

Ms. Melvin stated that they have a license until December of 2001.

Mr. Evangelista stated that they could go to the license Hearing with their concerns.

Mr. Hopkins stated that they could call the Police if there is a disturbance. He stated that other boards look at the interior. He stated that the Planning Board looks at drainage, landscaping, parking, lights, all on the outside of the building,

Mr. Aberman asked if the arborvitaes would be a buffer for sound.

Mr. Archer stated that they would be 10 to 12-ft trees.

Ms. Crowell went over to the plan to ask about traffic and cars entering and exiting the parking area. She asked about some changes to make traffic move more smoothly.

Mr. Moultrie stated that this is an improvement over what is now at the site. He stated that he has not looked closely at the entrances and exits yet.

Mr. Graham stated that there is good site distance at the locations and does not see need for a change.

Mr. Abermen asked about a two-lane exit and if that would work.

Mr. Graham stated that they have the room for a two-lane exit.

Mr. Evangelista stated that they could put another entrance by the boat ramp.

Mr. Kostura stated that the entrance offers a drop off area at the front of the building.

Mr. Graham stated that he talked to Mr. Waite and he explained that the plans were lacking. He stated that he has worked with Meridien before and that they are very good but these plans need work.

Mr. Graham stated that the major areas that he came up with are the Parking areas, pond issues and the Water Resource Area. He stated that his issue with parking is more the type. He stated that with this style of spaces there is more conflict with fender benders and cars would park incorrectly. He stated cars would pull out and go the wrong direction in the aisles. He stated that there is no control of drainage in the parking lot. He stated that a large Emergency vehicle couldn't make the turns. He stated that they are in the Flood Plain and Water Resource Area. He stated that they must meet the storm water management needs. He stated that the 140-ft swale does not address these issues.

Mr. Waite stated that he has talked with Mr. Graham. He stated that the applicant would like to address the parking. He stated there are drainage issues and he would respond to Mr. Graham's report.

- Bound on state boat ramp they have, area along pond there are no records, northerly very old records clump of trees to ditch. Went to lower number for impervious area. They are Increasing paving but reducing the gravel area. Have to have 100 spaces have 110. Explained that they would loose 30 spaces to have two way

parking. He stated that what they are proposing is not the best parking but keeps them out of the resource area.

- Added notes to plans #3 & #4
- Not proposing to re-grade anything will keep all the same.
- Stated that they are moving the poles with the lights they do not want to move the pole with the electrical lines at this time.
- Has talked with the Water department and they are okay with the plan.
- Has passed Title 5
- Fire department has reviewed and has no issue with plan. Does not fall under subdivision regulations and does not plan on having size vehicle Mr. Graham mentioned on site to have issue with turning.
- Parking and storm water management stated that they have a large package with the ConsCom.
- Stated major issues are storm water management issues that Mr. Graham has mentioned. Stated that he would have to raise the site quite a bit to conform. He stated that there is a rather large septic system now on site and can not have over 3 feet of fill over septic. Stated that they could increase the grade at the end of the parking but still would have an issue with the septic.

Mr. Waite stated that this is more of an issue for the ConsCom and that they would have the final say. He stated that the Restaurant would not have the funds to do all the drainage requests.

Mr. Moultrie stated that he sides with the Engineer as a Planning Board Member and Highway Surveyor.

Mr. Hopkins stated they have time to change the plans and maybe find a middle ground. He stated that the point taken on raising the whole area and he hopes there can be a middle ground.

Mr. Moultrie asked about the Title 5 inspection and why their report did not show the depth.

Mr. Waite asked if Mr. Graham would be working with the ConsCom.

Mr. Graham stated that he has not been asked to look at the plans for the ConsCom as of yet.

Mr. Waite stated that he would work with Mr. Graham on this issue.

Mr. Hopkins stated that a new restaurant would be beneficial to the Town and they will take efforts to be understanding.

Mr. Kostura asked about a ground water infiltrator.

Mr. Waite explained why they couldn't use an infiltrator.

Ms. Crowell stated that the water level is 4-feet lower at this time than usual.

Mr. Kostura asked that they find out why there is this gravel area. Also asked for the drawing of the outside of the building be in more detail and have verbiage to describe.

Mr. Archer stated that they only have so much funds for this project and would invest additional funds to find a middle ground, but will not be able to go too far. He stated that for them this is a financial concern. He stated that there are oil drums, and an old oil tank, trailers and a lot to clean up on the property. He stated that he would have the Engineers get together as soon possible.

Mr. Hopkins stated that they would not duck the issue but they would make a decision. He stated it is not their purpose to make this impossible.

Mr. Waite stated that he had a waiver list to give to the board.

Mr. Graham asked to be present when they do the soil test.

Ms. Colwell stated that the next available meeting would be October 24, 2001 at 8PM.

Mr. Moultrie made a motion to continue the Public Hearing for Cuffee Dole's to October 24, 2001. Second by Mr. Evangelista. All in favor 4-0.

Mr. Evangelista made a motion to extend the decision to November 16, 2001. Second by Mr. Moultrie. All in favor 4-0.

1 Farm Lane/Site Plan Review

Martin Halloran, Engineer for 1 Farm Lane stated that what they propose to do is finish an original site plan from 1989. He stated that at that time they did not complete the original building. He stated that the addition would put in infiltrators for drainage. He stated the equipment now outside would go into the warehouse. He stated that they would have the whole second floor with the warehouse. He showed the board a rendering of the building. Mr. Halloran stated that the

garage door would be on the north side. Stated that the Infiltrators would be on the backside. He stated that the exterior would match the existing building.

Ms. Colwell asked what they do at the site.

The Applicant stated that they build bridges.

Mr. Graham stated on page 4 item 6 lot of equipment on site. He stated that the requirement for parking has to be met. He stated that if they use this area for other use is up to them. Item 7-the fire lane around the building has to be accessible. He stated that they could gate across and give a key to the Fire Department. He stated that they could not landscape or store equipment in outer 10 feet for the area has to be clear for the Fire equipment. He stated that the maximum number of employees and waivers have to be shown on the plan. He stated that they do not need a traffic study. Page 5-landscaping required to be 10 % of entire site. Mr. Graham stated their lot is nicely landscaped and he sees no problems here.

Mr. Halloran stated if 10% of entire site than they would ask for a waiver.

Mr. Graham stated that the site lighting should be transferred from the north side to addition north side and this would be fine. He stated that he would like to see soil testing in the back. He stated that the site does not need a lot of calculations and that they provided enough.

Mr. Halloran stated they would be in the 100-ft buffer and would have to talk to the ConsCom.

Mr. Halloran stated that they have a Rubber roof

Mr. Graham asked about water quality inlet.

Mr. Halloran stated that they would like to use leeching blankets and stated that the ConsCom likes these and they are using them for the shopping center. Mr. Halloran stated that with the catch basin they could put in a water quality inlet as Mr. Graham requests if ok with the ConsCom.

Mr. Halloran stated item-7 C overflow detail upside down Y.

Mr. Graham stated that he is happy with the infiltrators in the back and could work on issues.

Mr. Kostura asks if they would be repaving the area.

Mr. Halloran stated that they would not be.

Mr. Hopkins stated that they could return on October 24, 2001 for a Public Hearing at 8:30PM.

Mr. Moultrie made a motion for 1 Farm Lane to return for a Public Hearing at 8:30PM October 24, 2001. Second by Mr. Kostura. All in favor 4-0.

Mr. Moultrie made a motion to extend the decision to October 26, 2001. Second by Mr. Kostura. All in favor 4-0.

84 R Thurlow Street/Definitive Subdivision

Mr. Hopkins stated that the Applicant has made a request to withdraw the plan without prejudice.

Ms. Colwell read the letter.

Mr. Evangelista made a motion to accept the withdrawal of 84 R Thurlow. Second by Mr. Moultrie. 3-0 Mr. Kostura abstained from voting.

Brock Way

Mr. Hopkins asked Mr. Graham if he had a comment on this plan. He stated that they would vote when Mr. Sarno returns.

Mr. Graham had no comment.

Board Business

Letter from Attorney General stating that Article 15 that amends Section 165-15 "Individual development phasing" was disapproved because of the date. Ms. Colwell read the letter. Ask if planning board would want to add to Fall Town Meeting warrant with the date removed.

Mr. Hopkins ask why they put in the date.

Mr. Gerraughty stated that it was stated at the Hearing that they put in the date of the Rate of Development Bylaw.

Mr. Gerraughty asked if they could add had to live at address for 15 years.

Ms. Colwell stated that this would still restrict to whom could use.

Mr. Kostura stated intent was to give a one time exemption to people who have lived in town awhile.

Ms. Colwell stated she did not like that it had no guidelines.

Ms. Colwell asked if anyone on the board want to rewrite the Rate of Development Bylaw at this time.

Board stated not at this time.

Ms. Colwell stated Marty Halloran has property on Jewett Street and wants to change the Flood Plain. She stated that they know it is off in this area. She stated that he would work on this with the Board. She stated that the Flood Plain is under the Jurisdiction of ZBA. She stated that in this area the Flood Plain level does not seem to be right and should be accurate. She asked who is the appropriate board and to whom should he go. She stated that Mr. Halloran went to the ZBA and they sent him to the Planning Board.

Mr. Kostura stated that Mr. Morehouse did the floodplains for the Town. He stated that the ConsCom has jurisdiction over what gets done in these areas.

Ms. Colwell stated that there never was an engineering study done. She stated that Mr. Halloran stated that he would help with the map.

Mr. Hopkins stated that this should go to the Selectmen.

Mr. Graham asked why the town does not use the FEMA map.

Mr. Moultrie stated that they do and that the ZBA would have jurisdiction.

Ms. Colwell asked if they wanted to get involved.

Discussion.

Board does not want to get involved at this time.

Open Space Plan

Ms. Colwell stated that there was a Draft letter in their packets on the Open Space Plan. She stated that she was not aware that the ConsCom had a policy adopted in 1999 on acquiring land for the Town.

She stated that if the letter was all right she would send it out.

Board stated the letter was all right.

Master Plan committee

Ms. Colwell stated that a Meeting is posted for September 17, 2001 at 8:00PM at the Public Safety Building.

201 Central Street

Ms. Colwell asked the Board about the drainage issue at 201 Central St that was in the letter from an abutter. She stated that Mr. Morrow did not want to do anything, as the plan is already approved and under way. She stated that she has to get back to him.

Mr. Moultrie stated that he does not feel they should go back over this as the plan has already been approved.

Pumpkin Patch

Ms. Colwell stated that the work on the Pumpkin Patch is done and they have a bill for \$18,500. She stated that after the bill is paid the balance to be released to Mr. Pohas is \$43,638.84.

Mr. Evangelista made a motion to release \$18,500 to Larry Kelly and return the balance \$43,638.84 to WPT Realty. Second by Mr. Moultrie. 3-0 Mr. Kostura abstained.

Vouchers

Payroll:

Kathleen Bradley Colwell-----	\$886.96
Janet Pantano-----	\$201.08

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

Kopelman & Paige-----Review covenant Deer Run-----	\$412.50
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Mr. Evangelista made a motion to pay. Second by Mr. Moultrie. All in favor 4-0.

Supplies:

Allied-----	\$30.20
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Mr. Evangelista made a motion to pay. Second by Mr. Moultrie. All in favor 4-0.

Dues:

Massachusetts Assoc. of Planning Directors-----Dues-----	\$75.00
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Mr. Evangelista made a motion to pay. Second by Mr. Moultrie. All in favor 4-0.

Mr. Moultrie made a motion to adjourn. Second by Mr. Evangelista. All in favor 4-0.

Meeting adjourned at 11:15PM.

Georgetown Planning Board
September 12, 2001

Minutes transcribed by K. Colwell and J. Pantano.

Minutes approved September 26, 2001.