

**MEETING
GEORGETOWN PLANNING BOARD
Public Safety Building
December 12, 2001
7:30PM**

Present: Peter Sarno, Chairman; 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.

Form A-Andover Street-Maguire

Ms. Colwell stated that the plan had Spofford St spelled wrong and Mr. Maguire had the mylar fixed but the plan the board is looking at is spelled wrong. She explained plan, wetlands and frontage. She stated that one lot does not have accessible frontage (Lot 3) it is under water, lot 2 should be ok. She stated that Mr. Maguire brought in the septic plan for lot 2, which shows a wetland line. The line has not been approved by the ConsCom.

Mr. Hopkins stated why not add lot 3 to lot 2.

Mr. Maguire does not want to add to lot 2 he wants to retain lot.

Ms. Colwell stated he could withdraw and resubmit in January and have plan fixed to say parcel on Lot 3 not a buildable lot. She stated that they would waive the fee.

Mr. Maguire stated that he would withdraw the plan.

Ms. Colwell stated that she would get the correct wording for this to be a not buildable lot and forward to Mr. Maguire.

Form A-Pond Street-Cannon

Ms. Cannon explained that they are fixing lot lines.

Mr. Sarno stated that they are only defining lot lines.

Mr. Moultrie made a motion to approve Form A plan on Pond Street. Second by Mr. Evangelista. All in favor 5-0.

Minutes

Board looks over minutes of November 14, 2001 and November 28, 2001.

Mr. Evangelista made a motion to approve the minutes of November 14, 2001 as amended. Second by Mr. Moultrie. All in favor 5-0.

Mr. Evangelista made a motion to approve the minutes of November 28, 2001 as amended. Second by Mr. Kostura. All in favor 5-0.

Discussion

Brock Way

Ms. Colwell stated that Mr. Enos has not signed the extension of time form for Brock Way.

Mr. Sarno stated that if it were not signed then they would have to vote tonight on the plan.

Mr. Hopkins made a motion to deny the plan effective at Noon on Tuesday if form is not signed.

Mr. Evangelista abstained from this discussion.

Mr. Sarno stated that they would decide later in the evening and Mr. Gerraughty would try to reach Mr. John Enos on the phone and ask him to come in and sign the form.

Tenney St-Common Drive

Motion to open the Public Hearing.

Ms. Colwell stated that Mr. Nixon has asked to withdraw the plan at this time.

Mr. Evangelista made a motion to accept the withdrawal of the Common Drive on Tenney Street. Second by Mr. Kostura. All in favor 5-0.

302 Central Street/Skeirik

Mr. Sarno stated that the Board asked for an opinion from Legal counsel and that Kopelman & Paige agreed with Mr. Graham's reading of the bylaw.

Mr. Ford asked about Amendment 140 access across lot frontage.

Ms. Colwell explained the amendment. Ms. Colwell stated that with 3 lots they could go under the Lane Standards or lose a lot and go with a Common Drive.

Mr. Sarno stated that it would be best for a Court or a Lane. He asked about the other access that was discussed at the last meeting.

Mr. Ford stated that they might have a problem with site distances and if they can do work within 100ft of stream they could have better site distances. He stated that they would then fall under the Rivers Act.

Mr. Graham arrived and Mr. Sarno explained the letter from K & P.

Mr. Ford asked if they would be able to work within the 100ft of stream.

Mr. Graham stated that if they go with a Lane they would need waivers. He stated that he would support that if the egress were moved.

Ms. Colwell stated that they could make a court and not include the existing home.

Mr. Graham stated that he would recommend using Court standards to move this drive for safety.

Mr. Sarno asked Mr. Kostura how ConsCom would feel on the wetlands.

Mr. Kostura stated that the DEP looks for no encroachment within 100ft of a river.

Mr. Moultrie asked if the ConsCom would work on this.

Mr. Kostura stated that they would not want to see them cross the river.

Mr. Moultrie stated that he would hope that safety would be a major issue on the drive.

Mr. Evangelista stated that if they do not cross the river and can make the site distance for access better then that would improve this plan.

Mr. Graham stated that he would like to see the drive moved to a better area for safety and replicate wetlands at another area.

Ms. Colwell stated that the board would like to see the drive moved from the corner to the farthest area for safety.

Mr. Ford stated they would be meeting with the ConsCom tomorrow evening.

Board stated that they are giving the applicant some guidance tonight. Board stated that the plan for the Common Drive could be withdrawn.

Mr. Skeirik stated he needs some guidance from his engineer before he withdraws plan.

Mr. Skeirik and Mr. Ford took 5 minutes to discuss options.

Mr. Ford asked to withdraw the Common Drive application for 302 Central Street.

Mr. Hopkins made a motion to accept the withdrawal of the Common Drive at 302 Central Street. Second by Mr. Moultrie. All in favor 5-0.

Railroad Ave/Grasso

Ms. Colwell stated that the applicant is requesting an extension of time for their plan. She stated that she talked to Mr. Grasso today and he could not attend the meeting.

Mr. Cuneau stated that they are waiting for a counter offer from abutter on land they are trying to acquire for radius of the road.

Ms. Colwell stated that they have asked to extend to February 28, 2001.

Mr. Cuneau stated that the big issue is the 5 feet of land they are trying to acquire.

Mr. Graham stated that most of the calculations that they have could be used for the Definitive Plan.

Mr. Hopkins made a motion to extend the Preliminary Plan on Railroad Ave to February 28, 2002. Second by Mr. Moultrie. All in favor 5-0.

Mr. Evangelista made a motion for the discussion for the Preliminary Plan on Railroad Ave to be continued to February 13, 2002. Second by Mr. Kostura. All in favor 5-0.

Brock Way

Mr. John Enos asked for an extension of time for Brock Way to January 31, 2002.

Mr. Hopkins made a motion to extend the plan for Brock Way to January 31, 2002. Second by Mr. Moultrie. All in favor 5-0.

Mr. Sarno asked Mr. Cuneau about the As-builts for Belleau Woods.

Mr. Cuneau stated that they are working on them.

Georgetown Savings Bank

Ms. Colwell stated that the Selectman voted to eliminate the parking spaces on North Street as is shown on the plan, so board does not have to do anything on this issue.

Board Business/Town Meeting

Ms. Colwell stated that Town Meeting would be held May 6, 2002. She stated that at the February 20, 2002 meeting they should discuss warrant articles.

Mr. Moultrie stated that they should try to have work on Sawmill and other streets that are unaccepted finished for Town Meeting. He stated that they have to know legal procedures for finishing some of these streets where the developer is gone.

Ms. Colwell stated that she would have to find out how to do this. She stated that Abbey Road, Longview, Cedar Lane, and Belleau Woods should be ready for Town Meeting.

Ms. Colwell stated that at Town Meeting the Board should go for an Earth Removal Bylaw change. She stated that there is an online service called ordinance.com that has Zoning Bylaws and Regulations of all towns. She explained the service and fees and she stated this would help to develop new bylaws for Common Drive and Earth Removal Permits.

Board stated that they would like her to purchase a year subscription to Ordinance.com.

Mr. Sarno asked for Street acceptance to be on the January 9, 2002 agenda.

Ms. Colwell explained process for street acceptance. She stated that she would invite developers to the January meeting. She stated that Longview and Abbey Road are the only ones she can call.

Deer Run/Definitive Plan/Maglio

Mr. Sarno opened the hearing on Deer Run. He stated that Mr. Graham had a report.

Mr. Cuneau stated that Mr. Graham had some concerns on drainage. He stated that they are proposing four lots including the existing home.

Mr. Graham stated that he had hoped to have this report to the board sooner. He stated that the applicant is requesting three waivers

1. Street lights
2. MLS vertical datum
3. Country drainage curb requirement

Page 6; item 10 drainage easements to benefit of Homeowners Association and to the town. Item 11- he stated that there is a no cut and no disturb area of 20 feet all around the property except for an area with a 10-ft. no cut. He stated that all septic systems are out of 20ft area.

Mr. Graham stated that for Parcel C they need the wordage for the ownership of this parcel. On Page 8, the four legs of the turnaround should be extended. He stated that the water line stops and goes toward the Raymond's property and two of the homes would be on wells. He stated that one hydrant should be changed. He stated that he would like to see them turn the detention basin and move the basin back to the west. He stated that there is a shallow freeboard and would like to see that higher.

Mr. Cuneau stated that the front basin might be hard to change.

Mr. Graham stated that the no cut should be extended in line with hay bales and that this would enhance the hold of rainwater. He stated that he was not sure of the condition of pipes under the road and would recommend replacement. He stated that he would recommend the Board condition two dry wells at each house Page 10 #9 he stated that he had concerns on how to hold water in swale and that they should do some post development calculations.

Page 11 #13 he stated that they should raise the embankment.

#16 he suggest a detention area on either side of road at the entrance of the road.

Page 13 he stated that they should have a maintenance schedule that homeowners would abide.

He stated that on the Yavorski drainage the applicant has supplied a plan of their land and the culvert. He stated that the Belleau woods culvert is 7ft below common line. He has outlined 7 steps for board and applicant to go with.

Mitchell Kroner attorney for the Maglio's ask to address the Board about the length of road and legal opinion of K & P on the covenant.

Mr. Sarno stated that K & P stated that they could go forward discussing the plan. He stated that the Board did not vote on the covenant.

Mr. Kroner stated that this was before the land was purchased from the Schwartz family.

Mr. Hopkins stated that there was no clear answer from K & P.

Mr. Sarno stated that they could get another opinion from K & P.

Mr. Michaud stated that this land did not have to do with opinion.

Mr. Kroner stated that it does.

Ms. Colwell stated that the road is longer than a lane but meets subdivision requirement.

Mr. Sarno stated that they do not usually have a vote on a philosophical issue. Board member can change their mind and he can not call for a vote. He stated that the plan does fall under the guidelines of length of road.

Mr. Moultrie stated that the length of road is not an issue for him but the drainage is more of an issue.

Mr. Kostura stated he read opinion and stated he did not see the covenant and could not express an opinion.

Ms. Colwell stated that this is a new plan and is a new situation and can go to K & P again. She stated that she does not know if it would make a difference.

Mr. Hopkins stated that it should be stated that the issue of the neighbors is that they were under opinion that no further subdivision would be done when this lot was first developed.

Mr. Evangelista stated that this covenant had a boiler plate condition so applicants would have to come back to board before they developed their land further.

Ms. Colwell read letter from the Schwartz family to the board and audience then entered into file.

Mr. Sarno asked if it would benefit to contact K & P.

Board stated no.

Mr. Sarno suggested Mr. Maglio ask for an extension from the February 6, 2002 decision date.

Mr. Maglio asked for an extension of time for the Deer Run/Definitive Subdivision to April 3, 2002.

Mr. Moultrie made a motion to extend the Deer Run/Definitive Subdivision to April 3, 2002. Second by Mr. Evangelista. All in favor 5-0.

Mr. Evangelista made a motion to continue the Deer Run/Definitive Subdivision Public Hearing to Feb 13, 2002 at 8:30pm. Second by Mr. Moultrie. All in favor 5-0.

Ms. Colwell stated that their attorney should draft a Homeowners Agreement and then the Town's attorney's at Kopelman & Paige would review the agreement.

Mr. Sarno asked if the Maglio's had talked to the Yavorski's and if they would permit work on their property.

Mr. Maglio stated that he is waiting for a response from the Yavorski's.

Mr. Yavorski stated he has not seen any plans or been contacted since the land was surveyed.

Mr. Graham stated plan could be done without improvements to Yavorski's property.

Mr. Moultrie stated that their property would be damaged if no improvements to drainage were made.

Mr. Graham stated that the drainage might worsen if nothing is done.

Mr. Gerraughty asked if what they were doing now would it improve Yavorski's property.

Mr. Graham stated that it does not make a change to Yavorski's property.

Mr. Hebert asked what would the drainage do to other areas past Yavorski's.

Mr. Sarno stated that there is a culvert but it does not work, water does not go into culvert as now designed. He stated that they would do work to culvert to make it work.

Mr. Moultrie asked about soil test where the leaching basins are going in.

Mr. Cuneau stated that they have not done any soil test at the street area.

Discussion

Ms. Colwell explained that some applicants are sending plans to Mr. Graham and not to the Board. She stated that all documents should come to the board first and then sent to Mr. Graham. Ms. Colwell stated that her only concern is cost to mail plans to Mr. Graham is not in our budget.

Mr. Graham stated Don Stone is in Georgetown often and could come and pick up plans at the office.

Executive Session

Mr. Kostura makes a motion to go into executive session to discuss litigation on Pillsbury Pond. Second by Mr. Evangelista.

- Mr. Moultrie-yes
- Mr. Hopkins-yes
- Mr. Evangelista-yes
- Mr. Kostura-yes
- Mr. Sarno-yes

Board resumes after executive session.

Vouchers

Payroll

Kathleen Bradley Colwell-----	\$886.96
Janet Pantano-----	361.94

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

Office Expenses

Janet Pantano-----	Cressy's-Heater for office-----	\$17.99
Janet Pantano-----	Pearson's-Key's for office-----	6.30
American Planning Association-----	Journal-----	97.00
NetWay-----	Internet Service-----	19.95
American Speedy Printing-----	Subdivision Regulations-----	39.95
American Speedy Printing-----	Zoning Bylaws-----	154.10
Ordinance.com-----	Internet access-----	295.00
Postmaster-----	postage meter-----	25.00

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

Technical Review

- H. L. Graham Associates
 - Littles Hill-----\$40.00

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- Chaplin Hills-----175.00
- CAI-----80.00
- Whispering Pines-----2,727.50
- Brock Way-----120.00
- Fuller Court-----160.00
- Cuffee Dole's-----667.50
- 1 Farm Lane-----373.75
- 6 Railroad Ave-----100.00

Construction Engineering

- B & W Press-----150.00

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

Mr. Evangelista made a motion to adjourn. Second by Mr. Kostura. All in favor 5-0.

Meeting adjourned at 10:45pm.

Minutes transcribed by J. Pantano.

Minutes accepted as amended January 9, 2002.