

**MEETING  
GEORGETOWN PLANNING BOARD  
Memorial Town Hall  
October 11, 2000  
7:30PM**

Present: Peter Sarno, Chairman; Christopher Hopkins, Vice-Chairman;  
Jack Moultrie, Clerk; Glen Johnson, Alex Evangelista  
Kathleen Bradley Colwell, Town Planner, Larry Graham,  
Planning Board Technical Review Agent and Inspector

Absent:

Meeting called to order.

**Minutes**

Board reviews minutes of September 27, 2000.

Mr. Johnson made a motion to accept minutes of September 27, 2000 as amended. Second by Mr. Evangelista. All in favor 5-0.

**Lot 15 Longview Way**

Albert Ellis explained that the town is holding \$18,000 on Lot 15 Longview. He asked the Board to release the funds.

Ms. Colwell explained that grading plans have not been done. She stated that PLDE asked for a new plan after the re-grading is done.

Mr. Ellis stated that they are not doing grading plans on each lot. He stated only on upper lots not lower lots. He stated that that they are not doing the grading plan until final plan is done. Mr. Ellis stated that the Master grading plan and as-builts would be submitted at the same time.

Mr. Moultrie asked about the Bus Shelter that was to be built.

Mr. Ellis stated that the residents did not want the Bus Shelter.

Ms. Colwell stated that in June of 1999 plans for the Bus Shelter were sent to builder. She stated that the Board has not heard from the residents on the Shelter.

Mr. Sarno stated that the Builder needs guidance on what they should do regarding the Shelter.

Mr. Ellis stated Larry Doyle's wife petitioned the neighbors and they did not want the Bus Shelter. He stated Mr. Doyle works for him.

Mr. Sarno stated that they would leave the Shelter as a condition until they hear from the residents.

Mr. Evangelista stated that Mr. Ellis could get a petition that the residents want or do not the Bus Shelter and then bring to the Board and they can make a decision.

Mr. Ellis stated he would do this.

Mr. Moultrie stated that he went up to the site with Ms. Colwell and they have to clean up the detention basin but otherwise site looks good.

Mr. Evangelista made a motion to release \$18,000 on Lot 15, Longview (held under Lot 27 Development Corporation). Second by Johnson. All in favor 5-0.

### **Longview-Bond Reduction**

Mr. Ellis and Mr. Ogren asked that the Bond be reduced on Longview, they stated the Board is holding \$402,000.

Mr. Sarno stated that the Board would need a punch list of what is left to be finished and that the board would hold 2 ½ times amount of what needs to be finished.

Mr. Ellis stated that the bounds need to be put in and that they would be cleaning the basins. He stated that then PLDE could go out and review. He stated that everything but final as-builts would be done.

Mr. Moultrie asked about compliance to ConsCom.

Mr. Ellis stated that all would be done by May for Street Acceptance at the Spring Town Meeting.

Mr. Moultrie stated with all the problems that the Board had on Longview they should have PLDE go out and check.

Ms. Colwell stated that it would help if the developer had an itemized list of what is left to be finished for Mr. Patrowicz.

Mr. Peter Ogren stated that there are only 3 items that have to be done. He stated that they requested a reduction a couple of years ago and that the Board did not reduce the Bond. He stated that the agreement was that the Bond was to

be reduced as work was finished. Mr. Ogren stated that he needs the funds that the Board is holding.

Mr. Sarno asked Ms. Colwell how much the Board was holding.

Ms. Colwell stated that the Board is holding a Bond for \$402,000.

Mr. Sarno stated that the issue of the Bond can be on the agenda for the next meeting and maybe by then PLDE will have gone out and the Board would have a report.

Mr. Ellis asked if they could reduce the Bond to \$150,000 as to what it should have been reduced to a while ago. Then at the next meeting the Bond could be reduced to the punch list.

Mr. Ogren stated that when he came before the Board a while ago the monies were not released. He stated that he has to have the funds released.

Mr. Sarno asked Ms. Colwell if the Board has a letter from Mr. Ogren asking for the Bond to be reduced.

Ms. Colwell stated that she does not have a letter asking for a reduction to \$150,000 in the file.

Mr. Hopkins stated that this happened 2 years ago. He stated that the Board received a letter for release of the \$18,000, why did they not receive a letter for the reduction to 150,000. Mr. Hopkins stated that they should have also received a letter from the applicant asking for this amount to be reduced. He stated that then the Board would have been prepared to address the issue.

Mr. Sarno stated that if they want to have the Bond reduced they should request in writing and then put on the agenda for the next meeting.

Mr. Moultrie made a motion to continue discussion on the reduction of the Bond on Longview to the next meeting pending a report from the consulting engineer.

Mr. Hopkins stated that it is hard to recollect from two years ago and the Board has to have time to research the issue before they release any funds.

Mr. Evangelista stated he seconds Mr. Moultrie's motion and asks that Ms. Colwell find out why the Bond was not reduced two years ago. He stated also that they have PLDE go out and look at the Subdivision prior to any action by the Board.

All in favor 5-0.

## **Woodland**

Ms. Colwell stated that Scott Patrowicz stated that he reluctantly concurs with the plan by Hancock Engineering. She stated that she and Mr. Moultrie feel that the Town should go with this plan. She stated that Mr. Tompkins; owner of the "Pumpkin Patch" has not had any concerns. She stated that she would send the plan to three companies for bids and Mr. Pohas.

Mr. Johnson asked if owner has seen the plan.

Ms. Colwell stated that Mr. Burkenshaw has not seen the plan, but she has been copying letters to him.

Mr. Moultrie stated that Mr. Burkenshaw has called him stating that he was told that he would be losing his driveway.

Mr. Sarno asked Ms. Colwell to send a copy of the plan to the owner.

Mr. Johnson made a motion to send out the plan by Hancock engineering on Woodland Estates to Bid. Second by Mr. Evangelista. All in favor 5-0.

Mr. Moultrie asked who would go out and inspect the work.

Mr. Sarno stated either PLDE or H. L. Graham.

## **Public Hearings**

### **Warrant Articles for Town Meeting**

Mr. Moultrie read the Public Hearing Notices.

### **Independent Senior Housing**

Mr. Sarno asked Mr. Kelly of the Master Plan Committee if he had any changes.

Mr. Kelly stated they took out the density issue.

Mr. Moultrie asked about lot coverage.

Ms. Colwell stated all impervious surfaces included.

Mr. Kelly stated that 165-130 was deleted, this was the exemption to Housing Balance Bylaw.

Mr. Sarno asked why they do not want to give incentive to builders to build this type of housing.

Mr. Kelley stated that they do not feel they need to give the developer any incentives.

Ms. Colwell asked about 165-105 Minimum Lot Area.

Mr. Kelly explained that they changed this to 5,000 sq. feet per unit for small lots in RA District.

Ms. Colwell asked why restrict bedrooms in RA district.

Ms. Evangelista stated that septic systems limit amount of bedrooms.

Mr. Hopkins had a question on 165-110 regarding parking spaces. He stated that it should say "no more than twelve".

Mr. Hopkins asked how they would determine who is a resident and if they have two bedrooms and a college child comes home for the summer when do they become a resident.

Mr. Horne stated that when approved this should be in the condo agreement. He stated that the Board would also have to approve the condo agreement.

Mr. Moultrie asked when are guests considered a resident, after 6 months?

Mr. Hopkins stated that a 55-year old could have a college child. Mr. Hopkins stated that a resident could be anyone who resides at an address for 90 days of one year.

Mr. Horne stated that there could only be one 90-days in a year.

Discussion on whom is a resident and how long they could stay.

Mr. Horne stated that they should change to 30-days in a year.

Mr. Sarno stated that they have to have a range or language for whom is a resident.

Ms. Sachs, Selectmen stated that this is a community for 55-year olds or over and if they all had college children come home for 90 days that would be a lot more people.

Mr. Sarno asked the Planning Board Members how they feel.

Mr. Moultrie stated that a 30 days in a year is enough.

Mr. Johnson stated that he would go with 45-days.

Mr. Evangelista stated that he would also like to see 45-days.

Mr. Hopkins stated that he would like to see 90-days.

Mr. Horne stated that the bylaw should state "No more than 45-days in a calendar year" and let the individual condo associations make final decision.

Ms. Davidson stated that she would like to see "No more that 60-days in a calendar year" and let condo association adjust.

165-112 Ms. Evangelista asked about the no more than 25 dwelling units in all districts except RA. She stated that the language should be clarified if an applicant wants to build over 12 in the RA district. She stated that in the RB and RC that more than 25 should also require a town vote. She stated that in the RA district they should only allow 12 dwelling units. She stated that in the RA district it should state "No appeal allowed".

Mr. Hopkins stated he would like to discuss the change to no more than 25 building units. He stated that as these units will have no impact on schools and the Town wants to avoid comprehensive permits he feels 40 units would be better number.

Mr. Horne stated that at the last Town Meeting the public did not like the high numbers. He stated that Mr. Hopkins could come to Town Meeting and make an amendment to 40 units.

Ms. Colwell stated that on 10 acres of land they could get 30 units. She stated that 25units are not incentive enough for developers. She stated that at Chaplin Hills they have expressed interest in ISH and they could put more units in.

Mr. Brett stated that could it be worded not to exceed conventional housing.

Ms. Evangelista stated that in the RB and RC they should have original dimensions. She stated that the Master Plan is trying to make this bylaw more voter friendly. She stated that they have 25 units with only a 40-ft buffer. She stated that bylaw should conform to current zoning.

Mr. Sarno stated that they have this number because they are hoping this will pass. He stated that if the developer wants to appeal he has to go to Town Meeting. He stated that they could word this that they go to the Special Permit granting Board.

Mr. Evangelista stated that the developer would not want to go to Town Meeting, appeal would not pass. The Town has to trust the Special Permit granting Board.

Mr. Kelly stated that the incentive is that they can build and does not come under Rate of Development bylaw.

Mr. Hopkins stated that so does a Comprehensive Permit.

Mr. Sarno stated that the developer could change and add some concessions as open space or affordable housing.

Mr. Sarno stated that the item should be changed to vote of Special Permit granting Board. And then they can discuss incentives. He stated that they could add an additional 15% to affordable housing if they want to go over 25 units.

Robin Leal, Town Administrator stated that it would be helpful if the language is worked out before they leave tonight.

Ms. Sachs asked Mr. Kelly about 165-130.

Mr. Kelly stated this was deleted.

Mr. Moultrie asked Mr. Kelly about 165-128 Durability.

Mr. Kelly stated that if the ISH is not maintaining the property then the town could step in to maintain. He stated all units would the share cost or a lien would be put on the property. He stated that the property would have value. He stated that they would give the ISH sufficient notice before this would happen.

Mr. Moultrie stated that this has to be fine-tuned. He stated that the taxpayers should not have to pay to maintain this property.

Discussion on 165-128. Take out the whole paragraph on 165-128.

Discussion on 165-112, if does not have adverse effects on community. Not less than 15 % affordable housing for more than 25 units and also donate open space as determined by governing Board. And contribute additional open space and no adverse effects on neighborhood.

165-113-Allowable Lot Coverage was asked what are the 35%.

Ms. Evangelista stated that 5% is for tennis courts, pools, community meeting hall, etc. She stated that the 35% includes roads and impervious areas.

Ms. Evangelista stated in the RA district a community hall could be built in an other area.

Mr. Sarno asked Ms. Colwell if she had any comments.

165-118 Lighting, Ms. Colwell stated that this should state "shall be designed so that the direct rays of light will not shine off site."

Ms. Colwell stated that the bylaw should require a larger buffer around the perimeter.

Mr. Brett stated that the buffer should be no less than what is required by the zoning bylaws.

Ms. Colwell went over some concerns given to her by Cynthia Bateman who was unable to attend the meeting.

- Exempt from Ground Water Protection District.

Discussion on Ground Water Protection District exemption. Ms. Colwell stated that they would have to go to ZBA for an exemption. Decision would have to be case by case.

Ms. Colwell stated that 165-105 Minimum lot area should be reviewed.

Discussion to take out 165-105.

165-114 Maximum Number of Dwelling Units Allowed Town Wide, Ms. Colwell stated that this should be made more clear.

Mr. Evangelista made a motion to recommend favorable action at Town Meeting on the Independent Senior Citizen Housing Zoning Bylaw, Article 12. Second by Mr. Moultrie. All in favor 5-0.

### **Rate of Development Bylaw**

Ms. Colwell talked about the wording in bylaw. She stated that should replace where it uses one unit, two units, or multi dwelling with "Residential Dwelling Unit".

Ms. Colwell explained where "Residential Dwelling Unit" would be put in the Bylaw. She also discussed where to put the definition of a "Residential Dwelling Unit".



Mr. Brett stated that he had thought this Bylaw would include condo units, but as written now they are not included. He stated Kopelman & Paige explained this to him.

Mr. Kroner gave the board a letter from Kopelmen & Paige stated that this Bylaw does not apply to condo units. He stated that as an attorney in town he feels this bylaw is calling for comprehensive permits. He stated that the Board should vote against these changes. He stated that as it is written a 6-unit building would not be able to be built.

Mr. Brett stated that Mr. Kroner is entitled to his opinion. Mr. Brett stated that condos are new to town. He stated that the Town voted to reduce bylaw, he did not agree with this but it is what the Town wants. He stated that he is in favor of 201 Central Street, but feels that condos should come under the bylaw but Kopelmen & Paige did not feel the same way.

Mr. Sarno stated that at a Town Board meeting he asked for the Town to bring the Rate of Development number to a more realistic number, but he was met with opposition from the members.

Mr. Moultrie stated that he does not agree with 20 but as the Town wants this they should define the law and support the Building Inspector.

Mr. Johnson and Mr. Evangelista agree with Mr. Moultrie.

Ms. Colwell stated that they have to define condo and change to "Residential Dwelling Unit".

Mr. Hopkins made a motion to recommend favorable action at Town Meeting for the Rate of Development Proposed changes. Second by Mr. Moultrie. All in favor 5-0.

165-17 Exemptions, Mr. Brett stated to add affordable housing.

Mr. Brett and Ms. Colwell explained change.

Mr. Hopkins stated that this gives the developer of affordable housing two carrots smaller lots and exempt from Rate of Development.

Mr. Evangelista made a motion to recommend favorable action at Town Meeting on the Zoning Change Article 13. Second by Mr. Johnson. All in favor 5-0.

### **Subdivision Regulations**

Mr. Johnson made a motion to continue the Public Hearing on Courts and Lanes to October 25, 2000. Second by Mr. Evangelista. All in favor 5-0.

Mr. Evangelista made a motion for a five-minute recess. Second by Mr. Johnson. All in favor 5-0.

### **201 Central Street-Site Plan Approval**

Mr. Moultrie read the Public Hearing for 201 Central Street.

Mr. Sarno stated that they had a report from Mr. Graham. He asked Mr. Graham to go over his report.

Mr. Graham stated that he visited the site Mr. Paulitz from Apple & Associates and he has looked over the plan. He stated that the areas that need to be addressed are

- details of plantings and lighting and fencing
- separate lines for water and fire, he stated that there is a cross in the back that would not work as proposed
- Health Dept will look over septic systems
- Parking will have to show on plan
- Drainage is not shown and that they should prepare as to town regulations
- Light dept. no maintenance building on site, a pump station on site for septic should be shown on plan
- No dumpsters are shown
- Planner and board should look at plan and facade to see if acceptable
- Access drive is large and could be reduced
- Hammerhead is inadequate for turnaround
- Rear parking area should have a 30-ft width buffer
- ZBA stated in their decision a no cut and no disturbance area, this should be labeled and should not be disturbed
- Side walk, curbing, landscaping, etc. should be shown
- Clean up issues of site and where it is at and where it is going should be relayed to the Board.

Mr. Moultrie asked if the EPA had signed off on the site.

Mr. Morrow stated that the EPA has signed off on their area of the clean up. He stated that he is doing tests under the building and in front of the site. He stated that he wants to confirm what the seller has told him about the soils.

Mr. Paulitz stated that they are working on the drainage and will be submitting the plans soon to the Board and Mr. Graham.

Mr. Sarno stated that Mr. Graham works well with proponents and if there is anything they have a problem with they should call him.

Mr. Paulitz stated that he feels he can revise plans to meet Mr. Graham's review.

Mr. Sarno asked that once Mr. Morrow receives the test results then would they start on the plans. He asked when they would submit a revised plan.

Mr. Paulitz stated he would like to talk to his assistant as to when they will have the revised plans ready.

Ms. Colwell stated that the Board does not meet week before Thanksgiving and they are only meeting once in November. She stated that there are five Wednesday's in November and that the Board could meet the last Wednesday and continue this hearing to that date.

Board discussed meeting on November 29, 2000 and stated that they could do this.

Mr. Sarno stated to put 201 Central Street on agenda for November 29, 2000.

Mr. Morrow stated that they could put this together very quickly.

Mr. Sarno stated that the soonest the Board could discuss 201 Central Street would be November 29, 2000. He stated that they need time for Mr. Graham to review the plan and for the Board to have time to go over his review.

Mr. Morrow asked to extend SPA for 201 Central Street to January 19, 2001.

Mr. Evangelista made a motion to extend the decision date to January 19, 2001 on 201 Central Street. Second by Mr. Hopkins. All in favor 5-0.

Mr. Graham asked for the plans by November 1, 2000 because of the Holiday.

Mr. Sarno asked Mr. Morrow if he had any further comments.

Mr. Morrow stated that the Fire dept. did look at the plans. He stated that he has talked to the Fire Chief and he has also talked to all other Departments.

Mr. Sarno stated that they would request comments from other Departments.

Mr. Graham asked if the Fire Department had made comments different from his.

Mr. Morrow stated that the Fire Chief did not have the same concerns that Mr. Graham did on the hammerhead.

Ms. Colwell stated that she would send a letter and copy of Mr. Graham's concerns to the Fire Department and see if they have a comment.

Ms. Colwell stated that there are building berms for plants on picture but not on plan, will they be putting these in.

Mr. Morrow stated that yes they would be adding these to the plan.

Ms. Colwell asked about the increase in traffic.

Mr. Graham stated that he does not see a problem with traffic from the site.

Ms. Colwell asked if they all would be two bedrooms.

Mr. Morrow stated that all 14 would be 2-bedroom units.

Mr. Johnson asked why there were no minutes on the plan.

Mr. Paulitz stated that they were not on the recorded plan but he would have them on the revised plan.

Mr. Morrow stated that he had a concern on the no-cut area of trees. He stated that they would try not to touch them but if they need to can they.

Mr. Sarno stated that they do not want them to but if they need to they would have to talk to Mr. Graham or Ms. Colwell.

Mr. Graham stated that the ZBA has made the no-cut area part of their conditions and that the applicant would have to adhere to them.

David Hawksley, 217 Central St. stated that he is a direct abutter and has talked to Mr. Morrow and knows he does not want to cut trees and he stated that they do not know where line is. He stated that the trees are sparse in this area and he does not want to see any go.

Mr. Sarno stated that the applicant would have to go back to the ZBA if they need to cut any trees in a no-cut area.

Mr. Hopkins asked about the lot lines and what is happening.

Mr. Paulitz stated that they would have the Essex County bounds staked out.

Mr. Morrow stated that they would do this and have the bounds marked.

Ms. Colwell stated that they should condition that the line is marked.

Mr. Sarno stated that if there is any change of plans regarding the tests he asks that Mr. Morrow let the Board know as soon as possible.

Ms. Colwell asked where they were with the ConsCom.

Mr. Paulitz stated that they would meet next week with the ConsCom.

Mr. Graham stated that they show a 4-ft sidewalk and should be 5-ft as is the existing.

Mr. Sarno stated that they should meet what is there now.

Mr. Graham stated that they have 7 ft from the face of the berm to the face of the walk.

Mr. Hawksley stated that they have problems with parking on the street. He stated he would like to see curbing and he is concerned about people parking in front of his home.

Mr. Moultrie stated he is aware of some problems in this area but he does not know if curbing would work. He stated that he would have to see where the catch basin is.

Mr. White, Architect explained façade to the Board. He stated that the outside would be Colonial clapboard. He stated that the garages would be setback and the units would have bay windows. He stated that color would be light tones of white, grays, or beige.

Mr. Evangelista asked about the garages.

Mr. White stated that the garages are set back from each unit. He stated that they may use a vinyl siding and that this can look very good.

Mr. Moultrie asked about shutters on the windows.

Mr. White stated that a wide molding trim is a more colonial look.

### **Bernay Way**

Mr. Johnson excused himself from the meeting.

Mr. Favaloro gave a copy of the deed to Ms. Colwell.

Mr. Zieff explained that they are not at the same level with ConsCom as they are with the Planning Board. He stated that they have a small number of issues still on the Notice of Intent. He stated that they might want to integrate these into the plan before they are done.

Mr. Sarno asked what the change would be.

Mr. Zieff stated that after meeting with ConsCom and Seekamp they might have a no-cut area that would have to be relocated. He stated that they might have to extend a no-cut area.

Mr. Graham stated that if ConsCom backs off so would he.

Mr. Zieff stated other issues are erosion control measures and Seekamp has asked for the sloped granite curb to be rolled back so amphibians would be able to cross over.

Mr. Sarno asked if Mr. Moultrie had any concerns on this change in the curbing.

Mr. Moultrie asked how they would accomplish this.

Mr. Zieff explained how it would be done. He stated that the material of the critter tunnel has also been changed.

Mr. Favaloro gave Ms. Colwell an Executed deed and the board will hold.

Mr. Evangelista made a motion to approve the Bernay Way Subdivision. Second by Mr. Hopkins. All in favor 4-0.

Ms. Colwell stated she needs a final set of plans. Ms. Colwell stated that she could not give him a release of liability form for paving.

### **Chaplin Hills**

Mr. Evangelista stated Mr. Graham would like to leave the road as is until after the winter.

Mr. Graham stated he told Mr. Faragi he could leave road as is for now and do other work that needs to be done now and in the spring redo the road.

Mr. Favaloro stated that Mr. Faragi has done some erosion control at the site.

Mr. Graham stated that Mr. Faragi has done some erosion control but he has to do some more in the front on left.

Mr. Sarno stated that the Board was confused as to what Mr. Graham wanted if he wanted the road done now or in the spring.

Mr. Graham stated that he does not feel there is enough time to do all the work on the road now before winter. He stated that he does feel that the road needs to be reclaimed but this should be done in the spring.

Ms. Colwell stated she would write a letter to Mr. Faragi that after talking with Mr. Graham that the Board understands he will not do work on the road this fall.

**Correspondence**

Ms. Colwell stated that Wednesday October 18, 2000 there would be a meeting at the Public Safety Building for Board members on Town Meeting.

**Computer Class**

Mr. Sarno asked Ms. Colwell about the computer classes and if they had gone through to be paid and if she sent a letter that the Board would like for Ms. Colwell and Ms. Pantano to take these classes.

Ms. Colwell stated that she would send a letter of the boards concern that there was a delay in approving the classes.

**Vouchers**

Allied-----	Office Supplies-----	\$304.00
Kathleen Bradley Colwell-----	Mileage-----	48.92
F. M. Bridges & Son-----	Belleau Woods-----	6827.17

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

**Payroll**

Kathleen Bradley Colwell-----	\$856.96
Janet Pantano-----	216.45

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

**Littles Hill**

Mr. Graham explained to the Board the progress at Littles Hills.

Mr. Moultrie stated that he has heard that Mr. King is upset about the sidewalk and has stated that he owns the property to the middle of the street. Mr. Moultrie stated that he gave a deed and a layout to Mr. Rudolph.

**FYI**

Ms. Colwell stated she received a plan from Mr. Belkin.

Georgetown Planning Board  
October 11, 2000

### **Abbey Road**

Ms. Colwell stated that she has received a time line and progress report on Abbey Road and seems to be moving along.

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

Meeting adjourned 11:30PM.

Minutes transcribed by J. Pantano.

Minutes accepted as amended October 25, 2000.