

# TOWN OF GEORGETOWN ZONING BOARD OF APPEALS

**Public Hearing Minutes**  
**43-47 West Street – ZBA FILE #09-05**  
**Request to Modify a 40B Comprehensive Permit**  
**Georgetown West Realty Trust**  
*Continued from 12/1/09, 1/5/10, 2/2/10*  
**March 2, 2010**

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**Board Members Present:** Paul Shilhan, Chairman- Voting member  
Matt Lewis, regular member – Voting member  
Jeff Moore, regular member – Voting member

Board members absent: Scott MacDonald & Jon Pingree (voting member on these hearings)

Zoning Clerk: Patty Pitari,

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P. Shilhan, Chairman asked for a motion to waive the reading of the legal ad for 43-47 West Street, so moved by M. Lewis and seconded by J. Moore, all in favor. Motion carried.

The clerk contacted the applicant's attorney to inform them a member would not be able to attend and asked if they want to continue this hearing with 4 members. The applicant asked to continue to the next meeting via email (see attached).

Motion - J. Moore to continue the hearing for 43-47 West St. per the agreement with the applicant and the board via email letter dated March 2, 2010 to April 6, 2010 at 7:30pm, second by M. Lewis, all in favor. Motion carried.

Patty Pitari  
Zoning Administrative Assistant



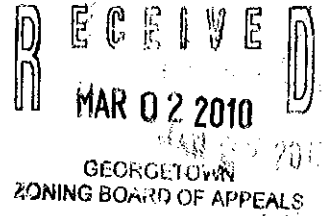
Approved 4-6-10



**Patty Pitari**

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**From:** Doug Deschenes [Doug@dfpclaw.com]  
**Sent:** Tuesday, March 02, 2010 2:13 PM  
**To:** Patty Pitari  
**Subject:** RE: Georgetown ZBA West Street Continuance



Patty,

As per our discussion I would respectfully ask that the Zoning Board continue our hearing until its next meeting.

With regard to the information and materials the Board has requested, please inform the Board of the following:

My client is prepared to provide the \$5000.00 peer review money for deposit in the Town's escrow fund. They are also in agreement that the Pro-forma review and traffic reviews should be initiated (I assume we will see proposals from the reviewers). With regard to the other peer reviewers we would like to discuss those with the Board when we next meet and so would request that no action be taken regarding those peer reviewers.

I have for submission the Letters of Representation requested and copies of all information previously submitted and new information to be submitted. I will submit additional copies of plans as needed. With regard to the well testing and magnetic testing we will discuss those reports with the Board when we next meet.

Thank You for your time and consideration

Regards, Attorney Douglas Deschenes

-----Original Message-----

**From:** Patty Pitari [mailto:ppitari@georgetownma.gov]  
**Sent:** Tuesday, March 02, 2010 10:21 AM  
**To:** Doug Deschenes; Kevin Eriksen; Bill K.; Cheryl Stangle  
**Cc:** Shilhan Company; Jeff Moore; The Pingrees; Scott MacDonald; mlewisgeorge@yahoo.com  
**Subject:** [BULK] RE: Georgetown ZBA West Street Continuance  
**Importance:** Low

Attorney Deschenes,

The Georgetown ZBA will have 1 member absent at your 7:30 hearing tonight, the board is offering you the opportunity to continue the hearing to 4/6/10 if you do not want to go forward this evening with 4 members.

Please let me know asap if you would like to go forward and are attending this evening.

Patty Pitari  
ZBA Clerk



**TOWN OF GEORGETOWN**  
Memorial Town Hall, 1 Library St., Georgetown, MA 01833  
**ZONING BOARD OF APPEALS**  
Office (978) 352-5742\*\*\*Fax (978 352-5725)

February 4, 2010

Douglas C. Deschenes, Attorney at Law  
c/o K. William Krikorian  
One Billerica Road  
Chelmsford, MA 01824-3010

Dear Mr. Deschenes:

At this point the ZBA is moving forward with the hearing, which has been continued to March 2, 2010 at 7:30pm. The applicant shall provide all items listed below as previously agreed to at the December 1, 2009 hearing by Thursday, February 11, 2010.

1. The \$5,000 amount agreed upon at the December 1, 2009 hearing to open the escrow account, which will allow us to hire the consultants (*see attached email of list sent to you on 12/17/09*) to begin reviewing the documents you have provide so far.
2. Signed letters of representation for Mr. Krikorian as well as Attorney Deschenes.
3. The Magnetic Testing report you agreed to provide at the December 1, 2009 hearing.
4. The List of Revised Plans with dates.
5. Mr. Krikorian is to provide a report on the 8 monitoring wells to include test dates and results.
6. We need all documents/exhibits you provide to the board 12/1/09 for all consultants and our administrative assistant for the record, (5 copies).

Due to the delays in this hearing we will require the applicants to sign an extension of time.

Please contact me as soon as possible through our Administrative Assistant, Mrs. Pitari.

Sincerely,

Paul Shilhan, Chairman  
Georgetown Zoning Board of Appeals

Attachment to this letter: email from 12/17/09  
Cc: K. William Krikorian, R. Morello, J. Paquin

A hard copy will be sent to Attorney Deschenes via certified mail today 2/4/10.

## Patty Pitari

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**From:** Patty Pitari  
**Sent:** Thursday, December 17, 2009 11:53 AM  
**To:** 'doug@dfpclaw.com'  
**Cc:** 'Shilhan Company'; 'Jeff Moore'; 'The Pingrees'; 'mlewisgeorge@yahoo.com'; 'Scott MacDonald'; Patty Pitari  
**Subject:** Georgetown ZBA

Dear Attorney Deschenes,

The Georgetown ZBA is awaiting the letter of representation from you for the trustees, Mr. K. William Krikorian, beneficiary of the trust, and owners Jean Paquin and Richard Morello for Georgetown West Realty Trust, and the information I requested from you on December 3<sup>rd</sup> for the Pro-Forma's and all exhibits you passed out to the board for my records and for consultants to review.

Additionally, as mentioned at our last meeting, please find below a list of consultants we intend to use during this hearing process:

Environmental Consultants – Mr. James Luker, Green Seal Environmental for any Hazardous 21 E items, and Mr. Gary James (Civil Engineer) septic and storm water, 114 State Rd. Sagamore MA

Traffic Consultant – Mr. Kenneth Cram, PE, Principal Traffic Solutions, 50 Franklin St., Suite 402. Boston, MA 02110

Financial Consultant – Mr. John C. Bowman, Crosswhite Property Advisors of Boston

Municipal Law Consultant - Attorney Laura Pawle of Kopelman and Paige, P.C. 101 Arch Street, Boston, MA 02110

Could you please forward the requested information needed for our continued public hearing on January 5, 2010.

Thank you....Patty Pitari

*Patty Pitari, Administrative Assistant  
Georgetown Zoning Board of Appeals  
1 Library Street  
Georgetown, MA 01833  
(978) 352-5742  
ppitari@georgetownma.gov*