

1 GEORGETOWN PLANNING BOARD MEETING MINUTES – January 14, 2015

2 The Meeting was opened by Chair, Rob Hoover, at 7:07 PM, and was held at Georgetown Memorial Town Hall, One Library
3 Street, Georgetown, MA.

4 Board Members Present: Rob Hoover, Tillie Evangelista, Harry LaCortiglia, Bob Watts, Tim Howard arrived at 7:30 PM.

5 Town Planner: Howard Snyder - Administrative Assistant: Mary-Ellen Feener

6 REGULAR BUSINESS

7 Meeting Minutes

8 The draft meeting minutes of December 10, 2014 were reviewed. Board Members suggested edits which will
9 completed by the Administrative Assistant.

10
11 H. LaCortiglia made a motion to approve the Meeting Minutes of December 10, 2014 as amended.

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13 T. Evangelista seconded the motion.

14
15 Motion Carries: 4:0 – Unanimously-One Board Member absent.

16
17 Vouchers

18 H. LaCortiglia made a motion to approve a voucher of \$76.37 to reimburse the Administrative Assistant for the
19 expense of driving to the GEO TMS training she recently attended in Franklin, MA, a voucher for \$3.28 for office
20 supplies purchased at Staples, a voucher of \$2,496.00 for Dave Varga of BSC Group for the Site Inspecting Services
21 at the Turning Leaf Subdivision and a voucher in the amount of \$641.28 to pay Gatehouse Media NE for the
22 publishing of Public Hearing notices. The total cost of the vouchers was \$3,216.93.

23
24 B. Watts seconded the motion.

25
26 Motion Carries: 4:0 – Unanimously -One Board Member absent.

27
28 OLD BUSINESS

29
30 Park and Recreation Special Permit for Major Outdoor Recreational Facility

31 B. Watts signed the approved plans for the Park and Recreation Special Permit for a Major Outdoor Recreational
32 Facility. The plans and the Decision were already signed by H. LaCortiglia, R. Hoover and T. Howard. The Appeals
33 Period for the Decision had ended with no appeals.

34
35 NEW BUSINESS

36 Jefferson Court

37 Real Estate Agent, Dena Dehullu, 32 Benjamin Street, Groveland, was before the Board on behalf of the
38 Developer (her husband) so that she may ask the Board what she needed to have done in order to complete the
39 subdivision.

40
41 The Town Planner, H. Snyder, shared with the Board a brief history of the subdivision.

42 *Board Member T. Howard arrived at 7:30 p.m.*

43 The Town Planner and Dena Dehulla stated the road will remain a privately owned and maintained road.

44 Dena Dehulla shared with the Board a Maintenance Agreement for the road which had been recorded at the
45 Essex South Registry of Deeds. She said the Maintenance Agreement specifically states that all utilities are the
46 responsibility of the property owners.

47 An As-Built Plans had been provided to the Planning Board for the meeting this evening. The Board Members
48 reviewed the As-Built Plan.

49 The Board discussed the notes written on the As-Built Plan by the Engineer. In particular there were two notes
50 that the Board was not satisfied with having on an As-Built Plan without further assurances from the Engineer.
51 The first note that was discussed was the following: "These plans and specifications are intended to be
52 explanatory of the work to be done and of each other, but should any omission, errors, or discrepancies appear,
53 they shall be subject to correction and interpretation by the design engineer thereby defining and fulfilling the
54 intent of the plans. The second note discussed by the Board was the following: "This is an interim progress as built
55 and does not represent the complete project construction. "

56 The Board discussed the fact that these two statements written on the As-Built Plan were not acceptable. (*The
57 purpose of an As-Built is to be a record of the construction and it should illustrate the deviation, if any, of the as-
58 built condition from the original approved Definitive Subdivision Plan.*)

59 The Town Planner and the Board Members discussed the private road and the utilities. The discussed evolved into
60 two questions. The questions were who maintains and repairs the major utilities and if the Town was responsible
61 to repair major utilities would an easement for the Town to access the utilities be required were two topics
62 discussed.

63 It was the general agreement of the Board Members that the Board would require further documentation from
64 the Developer in order for the Planning Board to state the subdivision was completed.

65 The Board Members agreed that the Developer had two options. The first option being that a signed letter from
66 the Engineer be provided and it should state that the Engineer agrees with the information provided on the
67 submitted As-Built Plan. The second option suggested was that an updated As-Built Plan could be submitted.

68 PUBLIC HEARINGS

69 Site Plan Approval: 70 East Main Street (Richdale) – Continued from December 10th, 2014
70 (*There wasn't anyone in attendance for the Public Hearing other than the Board Members and staff.*)

71
72 At 7:40 PM, Chair Rob Hoover, reopened the Public Hearing for the Site Plan Approval for the property located at
73 70 East Main Street which had been continued from the December 10, 2014 Planning Board Meeting.

74
75 The Town Planner shared the fact that the Planning Board Office had received a signed FORM H- REQUEST BY
76 APPLICANT FOR EXTENSION OF TIME, from Attorney Gary Evans on behalf of his clients, the Applicants, which
77 requested an extension of time until March 31, 2015. The Town Planner informed the Board Members that
78 Attorney Evans did request to have the Public Hearing continued to the earliest possible date.

79 H. LaCortiglia made a motion that the Board would agree to the requested Extension of Time for the Site Plan
80 Approval Application for the property located at 70 East Main Street to March 31, 2015.

81 T. Evangelista seconded the motion.

82 Motion Carries: 5:0 – Unanimously.

83 H. LaCortiglia made a motion for the Continuation of the Public Hearing for the property located at 70 East Main
84 Street to January 28, 2015.

85 T. Howard seconded the motion.

86 Motion Carries: 5:0 – Unanimously.

87 Proposed Zoning Bylaw: Solar Energy Generation Facility – First Public Hearing
88 *(There wasn't anyone in attendance for the Public Hearing other than the Board Members and staff.)*
89

90 The Public Hearing was opened by Chair Rob Hoover at 7:50 PM.

91 The Town Planner read the Public Hearing notice for the Board.

92 The Town Planner shared a brief history of the proposed Bylaw. He reminded the Board Members that the
93 proposed Zoning Bylaw had been reviewed extensively by the Board. The proposed Bylaw had been presented at
94 the most recent Annual Town Meeting. At the most recent Annual Town Meeting the Proposed Bylaw had been
95 withdrawn on the floor. Following the Town Meeting the Planning Board asked Town Counsel for their
96 suggestions.

97 The Board and the Planner discussed the five suggestions made by Town Counsel and it was decided that the
98 Planner would incorporate those suggestions at his own professional discretion. The Planner will present a revised
99 Bylaw to the Board at the next regularly scheduled Planning Board Meeting on January 28, 2015.

100 H. LaCortiglia made a motion that the Town Planner will incorporate the suggestions for the Solar Energy
101 Generation Facility proposed Bylaw which were presented by Town Counsel and the Board would review the
102 revised copy at the next regularly scheduled meeting of the Planning Board.

103 T. Howard seconded the motion.

104 Motion Carries: 5:0 – Unanimously.

105 T. Evangelista shared with the Board her two concerns with the proposed bylaw was the actual amount of
106 words/length Bylaw and also the fact that there wasn't a proposed Overlay District to accompany the proposed
107 Bylaw.

108 H. LaCortiglia made a motion that the Board would continue the Public Hearing for the Proposed Zoning Bylaw:
109 Solar Energy Generation Facility to January 28, 2015.

110 B. Watts seconded the motion.

111 Motion Carries: 5:0 – Unanimously.

112 Zoning Bylaw: Schedule of Use – First Public Hearing
113 *(There wasn't anyone in attendance for the Public Hearing other than the Board Members and staff.)*
114

115 The Public Hearing was opened by Chair Rob Hoover at 8:04 PM.
116

117 The Town Planner read the Public Hearing notice for the Board.

118 The Board discussed the proposed Bylaw. It was suggested that two definitions be referenced in this Bylaw. The
119 definition(s) for Medical Marijuana and for Solar Energy should be referenced and the example discussed as to
120 how they could be referenced was, "Medical Marijuana: See Section _____ of the Georgetown Bylaws."

121
122 H. LaCortiglia made a motion that the Board would continue the Public Hearing for the Proposed Zoning Bylaw
123 Schedule of Use to February 11, 2015.

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125 T. Howard seconded the motion.

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127 Motion Carries: 5:0 – Unanimously.

128
129 BOARD MEMBER OR PUBLIC CONCERN

130
131 Turning Leaf Subdivision

132 The Board Members discussed the private easement which was recently recorded with the Essex South Registry
133 of Deeds. T. Evangelista shared her concerns regarding the easement. The majority of Board Members agreed
134 they did not share her concerns regarding this easement and the consensus was that the easement did not affect
135 the subdivision in a manner that would be the jurisdiction or concern of the Planning Board and that it was a
136 private agreement between private parties.

137
138 The Board reviewed the email sent to the Town Planner on January 13th from the Agent of the Conservation
139 Commission which stated that Conservation Commission would be responsible for the care and management of
140 Lot F (land which is being donated to the Town as Open Space).

141
142 The Planning Board Members discussed the idea of the Conservation Commission being the responsible party for
143 this parcel of Open Space land and the majority of Board Members present agreed that that was not a feasible
144 idea and that the request by the Conservation Commission to manage Lot F should have been presented when
145 the Definitive Subdivision Application had been submitted and the Planning Board had asked other Boards and
146 Commissions for their comments/ideas. The Planning Board approved the Definitive Subdivision Plan and changes
147 to the management of Lot F cannot be made now.

148
149 T. Evangelista stated for the record that she would like to have the Conservation Commission manage Lot F.

150
151 It was decided the Town Planner would contact the Agent for the Conservation Commission and explain the
152 decision of the Planning Board.

153
154 Open Space and Recreation Maps

155 The Town Planner informed the Planning Board the need to use 4 hours of the annual allotted LTA (Local
156 Technical Assistance) hours contracted with MVPC (Merrimac Valley Planning Commission).

157
158 The purpose of the 4 hours is to update the current Open Space and Recreation Maps to show the recent addition
159 of the four parcels.

160
161 H. LaCortiglia made a motion that the Board would approve the use of 4 hours from the allotted hours for Local
162 Technical Assistance from the Merrimac Valley Planning Commission to be used to update the Open Space and
163 Recreation Maps to show the four parcels which were recently acquired by the U.S. Fish and Wildlife Service.

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165 T. Howard seconded the motion.

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167 Motion Carries: 5:0 – Unanimously.

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171 T. Howard made a motion to adjourn.

172 B. Watts seconded the motion.

173 Motion Carries: 5:0. Unanimously

174

175 The Meeting was adjourned at 8:15 PM.

176

177 The Next Regularly Scheduled Meeting will be held on January 28, 2015 in the Georgetown Memorial Town Hall.