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MEETING MINUTES
GEORGETOWN PLANNING BOARD
Wednesday, July 23rd, 2014
Memorial Town Hall – 3rd Floor
7:00 p.m.

Present: Ms. Tillie Evangelista; Mr. Rob Hoover; Mr. Tim Howard (Arrived at 7:16 PM); Mr. Harry LaCortiglia; Mr. Bob Watts; Mr. Howard Snyder, Town Planner.

Meeting Opens at 7:14 PM.

Approval of Minutes:

1. Minutes of July 9th, 2014.

Mr. LaCortiglia – **Motion** to accept the July 9th, 2014 meeting minutes pending discussion.

Mr. Watts – **Second.**

Motion Carries: 4-0-1; (Mr. Howard abstain.)

Correspondence:

1. Town of Rowley: Zoning Board of Appeals – Special Permit.

2. Town of Newbury: Zoning Board of Appeals – Special Permit.

3. Camelot Realty Trust: Request for Release of Funds.

Mr. Snyder – This will be brought up under the Planning Office agenda item.

Vouchers:

1. US Postal Service.

2. H.L. Graham Associates, Inc.

Mr. LaCortiglia – **Motion** to approve the vouchers having a total amount of \$930.00.

Mr. Howard – **Second.**

Motion Carries: 5-0; Unam.

ANR:

1. Form A: 21 Pillsbury Street.

Mr. Snyder – Per the request of Planning Board members, the Fire Department and Police Department were contacted regarding the ANR. Their correspondence included in the packet. Mylars presented tonight reflect changes requested by the board at the last meeting.

Mr. LaCortiglia – **Motion** to endorse the ANR in two sheets titled Tax Map 12 Lot 25 Property of Alan Aulson 21 Pillsbury Street with revision date of 7.16.14.

Mr. Watts – **Second.**

Motion Carries: 5-0; Unam.

Public Hearing:

1. Site Plan Approval: 17 – 19 West Main Street – Continued from July 9th.

{ Applicant along with Attorney and Architect in attendance and prepare to present. }

45 Mr. Snyder – Correspondence from applicant included in the packet. Plans revised per last
46 meeting available on the overhead.

47
48 {Atty. Mann introduces self, architect and owner of the Spot Restaurant.}

49
50 Atty. Mann – What was done was applicant reviewed changes requested by Board and made
51 them. A narrative is provided that outlines our requests of the site plan approval application.
52 Notes encroachment of awning authorized by awning. Changes requested by Board included
53 modifications to site plan, additional surveyor of exiting conditions provided. Provided
54 color rendering and elevation to show burden of awning, photographic depiction of change
55 in elevation. Maintaining seating capacity and existing parking numbers. No additional
56 changes to exterior of building except front elevation.

57
58 {Atty. Mann notes abutters letters and how concerns addressed. Architect explains
59 elevations. Concerns of alley way rights and applicant’s lighting also addressed.}

60
61 Atty. Mann – Some local businesses have raised concerns over parking. It is a problem for
62 everybody. The parking is what it is it is an existing condition. What was done was survey to
63 show public parking available. Also a concern was to provide a handicap parking on the
64 premises. No access to handicap parking if placed in the rear parking area. Better for the
65 applicant, surrounding businesses and the Town if a handicap parking space is installed in the
66 front on the street. If in the rear there is no access. A space in the rear does not provide right
67 or legal access and only seven spaces currently exist. Signage is shown in size and color.
68 Read zoning decision.

69
70 Mr. Howard – One of the concerns is of people walking thru the alley. Existing danger. Able
71 to install a mirror for people to see when exiting?

72
73 {Architect outlines signage and other proposed changes to facilitate people and vehicles
74 using the alley.}

75
76 Mr. Howard – Comment from Georgetown Insurance regarding people using parking
77 afterhours.

78
79 Atty. Mann – There will no body leaving the restaurant with any alcohol. We are not
80 encouraging visitors to use other adjoining parking areas. We will be installing information
81 so customers will know where to go park legally. Other restaurants operated by the owner
82 have this information at the hostess stand.

83
84 {Discussion of enforcement of vehicles using adjoining property for parking during
85 construction and expected once restaurant opens.}

86
87 Mr. Watts – A theme of parking concerns. Question about condition of parking lot in rear.
88 Could use improvement.

89 {Discussion of parking lot conditions. Crushed stone, asphalt pavement limits. Review of
90 conditions with reference to plan on screen.}
91
92 Mr. LaCortiglia – Concerns of abutter who said they would be here but are not. Abutter who
93 sent letter.
94
95 Atty. Mann – We will be installing signs to address the abutter’s concern.
96
97 Mr. LaCortiglia – Concerns of parking. I see a problem with the parking the way the special
98 permit required you to add a stockade fence. This essentially added the fence around the
99 dumpster but affect the ability to access the parking space near it. Essentially eliminated the
100 parking space next to it. Down one spot. If a handicap space was added then it would all shift
101 down.
102
103 {Discussion of parking space effected reference to plan on screen. Dimensions and alignment
104 of spaces.}
105
106 Atty. Mann – The last space is not counted. We can angle the striping to 9’x18’.
107
108 {Architect discusses notation of employee parking. Space at end for employee only.}
109
110 Mr. LaCortiglia – Handicap parking off?
111
112 Atty. Mann – Not off just it can not be provided. Safety issue of accessing it. Gravel
113 pavement and location to access thru alley way. Handicap parking in rear is not a good
114 location for a space. Best is in the street where it can used for other businesses.
115
116 {Further discussion of requirements and to accommodate handicap parking.}
117
118 Mr. Hoover – Existing alley is a private way. Do you have any rights to make improvements?
119
120 Atty. Mann – We do not. The Owner does. The woman who owns the building next door.
121
122 {Further discussion of requirements and ability to make improvements so the handicap
123 parking might be installed in the rear of the site.}
124
125 Mrs. Evangelista – I see the study done on the public parking areas. I did not see any
126 numbers about the employee parking. Where are they going to park.
127
128 Architect Griffin – Parking calculated per ordinance and shown per existing conditions. Total
129 assumed to include as there was not a separate calculation to determine employee parking.
130
131 Mrs. Evangelista – The liquor license is for 87 seats. This does not consider the employee
132 spaces needed.

133
134 {Discussion of spaces required and how to determine employee parking requirements.}
135
136 Atty. Mann – Employees parked in the rear before expected to do so now.
137
138 Mrs. Evangelista – No previous site plan approval for any of these buildings and uses in this
139 area. This application to set an example for others in the area. We have not addressed the
140 issue of noise. What are your hours? Entertainment?
141
142 Atty. Mann – We have our entertainment thru the liquor license issued by the Board of
143 Selectmen. We are open for the brunch hours.
144
145 {Discussion of hours of operation and flex by season. License limits to acoustic and noise.
146 No place to put anything larger than a three piece acoustic. Anything more is not
147 economically feasible.}
148
149 Mrs. Evangelista – If going to pack in 87 seats I suggest valet parking.
150
151 Architect Griffin – We have considered but will get established first and then consider the
152 logistics in the future.
153
154 {Discussion of restaurant operations by the Owner regarding bar and entertainment.}
155
156 Mrs. Evangelista – Question for the Architect. You said in the lighting analysis about
157 intensity is below zoning requirements.
158
159 Atty. Mann – The fixtures not allowed to achieve light trespass but provide safe trespass. We
160 are below the zoning thresholds. We are provided screens to reflect light so it stays on-site.
161
162 Mrs. Evangelista – Diagram provided looks like it will create glare.
163
164 {Discussion of light fixtures specified and the cut sheets provided.}
165
166 Mr. Hoover – Dumpster shows a bituminous pad. No such thing. Did they mean bituminous
167 concrete pad or concrete pad?
168
169 Architect Griffin – Would be on a bituminous pad instead of gravel. We will provide a
170 concrete pad.
171
172 Mr. Hoover – The two bollards at side entrance shown as 4” diameter. Suggest a 6” diameter.
173
174 Atty. Mann – We will show as 6: diameter.
175

176 Mr. Hoover – The clearance on the sidewalk in front. You have Five foot to planter. Survey
177 shows tree gone.

178
179 Atty. Mann – We are putting another one in.

180
181 {Discussion of tree species, plant pit location and conflict with benches due to width
182 constraint.}

183
184 Mr. Hoover – Width issue. The planter should filled and a new one created for greater width
185 and better tree. Work with the Town planner on species to achieve the right clearance.

186
187 Mr. LaCortiglia – Are giving license for the benches? Similar to the awning?

188
189 Atty. Mann – The Selectmen saw and mentioned them at the meeting regarding the awning.
190 We will be removing the two benches. Do not want to deal with the tree pit moving and the
191 benches would be better gone due to the community bulletin board location.

192
193 Mr. Hoover – Small sign regarding alley way and vehicles should be installed somewhere.
194 Stating traffic or vehicles. A safety item so come up with something that you believes will
195 help with what could be a help to the situation.

196
197 {Discussion of sign location, orientation and text.}

198
199 Mr. Hoover – Waiver requests. Number three is confusing. An editing of the text regarding
200 the Architect’s stamp.

201
202 Architect Griffin – My stamp is relative to the additional information and changes to the
203 existing site plan regarding the exterior façade elevation.

204
205 Mr. Hoover – Indicate what the architect’s stamp is considering regarding the information
206 presented.

207
208 {Summarization of the outstanding items. Recommendations and suggestions noted to clarify
209 what needs to be done to the site plan. Discussion of next steps in the review and approval of
210 the application.}

211
212 Mr. Howard - **Motion** to close the public hearing for 17 – 19 West Main Street.

213 Mr. Watts – **Second.**
214 **Motion Carries: 5-0; Unam.**

215
216 Mr. Howard - **Motion** to approve the application of Site Plan Approval for 17 – 19 West
217 Main Street contingent on the conditions set forth as modifying the site plan to show removal
218 of two benches, new street tree with species identified, 6” diameter bollard, concrete pad at
219 dumpster, markings in the right-of-way for pedestrians, revised parking area with angled

220 spaces and last stall designated as employee only, and modified language of the waiver
221 regarding the architect's stamp.

222 Mr. Watts – **Second.**

223 **Motion Carries: 3-2.**

224

225 {Board takes five minute recess.}

226

227 **Public Hearing:**

228 2. Special Permit: 60 East Main Street Athletic Facilities – Continued from May 28th.

229 {Applicant represented by Jim Dimento from Park and Recreation along with engineers from
230 gale Associates in attendance and prepare to present.}

231

232 Mr. Snyder – Materials discussed tonight distributed to board electronically last Thursday,
233 hard copy on Monday. Supplemental packet includes letter from Larry Graham via email.
234 Larry Graham outlines a review of the final set of plans.

235

236 {Latest letter from H.L. Graham and Associates presented and reviewed.}

237

238 Mr. Perry – Recap of where we are from the last meeting. Bullet points to be addressed.
239 Provided a letter to Planning Office to summarize outstanding items.

240

241 Mr. Snyder – Planning Office sent a letter back on June 30th in response to the Gale letter that
242 summarized outstanding items. Final drawings here reflect all of those changes?

243

244 Mr. Perry – Correct.

245

246 Mr. Snyder – Items. License agreement with church?

247

248 Mr. Dimento – We have with the church. .

249

250 Mr. Snyder – Final letter from Gale dated July 17th summarizes items.

251

252 Mr. Perry – Final license signed and executed with New Life Church. They are no longer
253 waiving the no-cut zone. Agree to the right-of-way being brought thru the property to the
254 gate.

255

256 Mr. Snyder – License agreement in the Town Administrator's office already signed by the
257 pastor of the church but waiting for the Board of Selectmen to sign.

258

259 Mr. Dimento – Correct. Also ready to be signed is an agreement about the Town's
260 responsibility in plowing.

261

262 Mr. Perry – Licensed agreement discussed with United Foam. This agreement is regarding
263 construction access on their property. No-cut zone no longer being waived as the sidewalk
264 is no longer regarded.

265
266 Mr. Hoover – So the Church once approved the waiver?

267
268 Mr. Dimento – Yes. Previously they did but now they are no longer willing to give
269 permission. Clarification we are seeking a construction easement with United Foam just in
270 case we need access.

271
272 Mr. Perry – Clarification regarding utility easement and access. There is a letter describing
273 the access to the top of the hill.

274
275 Mr. Dimento – Correct. Drafted by Town Counsel. Submitted to Mike Farrell for the Board
276 of Selectmen to sign.

277
278 Mr. Hoover – Do we have copies?

279
280 Mr. Snyder – Copies forwarded to the Planning Board electronically. The documents are in
281 Word format.

282
283 Mr. Perry – Response letter regarding Larry Graham’s letter was issued. Correct dimension
284 of handicap stall shown on plan C5.7. We provided AutoCAD file regarding survey points
285 and spot grades to confirm previous engineer’s elevations. Removed contour lines in water
286 bodies.

287
288 {Mr. Hoover reads into the record Larry Graham’s response letter of July 23rd sent via email.
289 Letter outlines pavement width at entrance, existing grades and 4% grade; not to disturb
290 existing vegetation along westerly side of drive; proposed shrub planting to be shown on
291 plan; if plans revised per these comments recommend Planning Board approve this phase of
292 the application. }

293
294 Mr. Watts – Does the applicant have comments regarding the letter and the items. Come back
295 with plans reflecting the change suggested?

296
297 Mr. Perry – Jim and I spoke about a very similar design change regarding the sidewalk
298 removal and going back to a design close to the existing grade. In short I agree with Larry’s
299 comments.

300
301 Mr. LaCortiglia – If there was no sidewalk, in your opinion as an engineer, if there is no
302 sidewalk and pedestrian where to access where the narrow pavement. Would that create a
303 hazard as there is no sidewalk and the pedestrians need to walk on the pavement. The
304 pedestrians would not have a place to go in case of vehicles. Is that a safe condition?

305

306 Mr. Perry – Right now the existing condition has variable width of pavement. Depends on
307 where and how much pedestrians use the drive to access the site. Sure it does create an issue
308 at times. The discussion we had is that the condition is similar to what it is now with in the
309 future people driving all the way into the site.

310
311 Mr. LaCortiglia – You don't think there will be additional foot traffic with the addition of a
312 ball field, a skate park and a dog park?

313
314 Mr. Perry – In our conversation with the Park and Rec people there will probably be
315 additional foot traffic.

316
317 Mr. LaCortiglia – That is my concern. I am wondering how if we don't have a sidewalk or
318 signage we have an issue.

319
320 Mr. Perry – We could certainly consider traffic warning signs, speed bumps and those type of
321 traffic calming techniques.

322
323 Mr. LaCortiglia – The only other thing I have that I thought was a minor detail is a sign. How
324 will people from other communities know there is a park back there. The applicant would
325 need to come back for a modification or special permit as a sign is not part of this
326 application.

327
328 Mr. Dimento – We just put up a sign at American Legion park after 20 years and now
329 everybody knows about the park.

330
331 Mr. Hoover – You could simply create a place holder on the plans that get approved. Does
332 not mean you need to put it in. Just that you would not need to come back.

333
334 {Further discussion on the need for a sidewalk to access the park from East main Street and
335 the reason for a sign to the park.}

336
337 Mrs. Evangelista – So you will have other communities coming in? This is just a small play
338 field.

339
340 Mr. Dimento – It is a multi-purpose field. We will have little league play involving other
341 communities.

342
343 {Discussion of grants funding and sources. Access to out-of-town residents }

344
345 Mr. Hoover – Want to point out some things on the drawings. C1.4 – Section and existing
346 grading.

347
348 Mr. Perry – If we go by Larry's comments and go back to existing grade we can preserve
349 many more trees.

350
351 {Discussion of existing and proposed high points. Match existing grade and wall goes away.
352 Achieves watershed and view corridor going back to existing. Retaining wall on different
353 side of sidewalk to preserve trees, some 60” in size, may be possible. New sidewalk
354 alignment}
355
356 Mr. Hoover – Crosswalk attaching to travel isle to church parking lot.
357
358 Mr. Perry – Option to park in church parking lot to cross over to sidewalk.
359
360 Mr. LaCortiglia – Parking on the church’s private property?
361
362 Mr. Hoover – Why a crosswalk and a suggestion of pulling it out of the traffic isle. Road
363 section text issues. On all of detail sheets, titles and text issues.
364
365 Mr. Perry – When PDF gets generated issues are created.
366
367 Mr. Hoover – Detail text to be created.
368
369 {Town Planner reviews existing drive width and if existing grades are preserved, stormwater
370 issues may be resolved.}
371
372 Mr. Hoover – Public comment.
373
374 Mr. Aulson – Question on payments to technical review engineer. How much did it cost the
375 taxpayers for this technical review?
376
377 Mr. Hoover – We can’t speculate and we do not know at this time in the meeting. We can
378 find out.
379
380 {Discussion on Park and Rec and how payments made, and how much, from CPC. Chairman
381 of park and Recreation speculates on an amount between \$5k and \$8k. Public comment on
382 signs up at American Legion Park.}
383
384 Mr. LaCortiglia - **Motion** to close the public hearing for East Main Street Athletic facilities.
385 Mr. Howard – **Second.**
386 **Motion Carries: 5-0; Unam.**
387
388 Mr. Hoover – So proceeding ahead. I have heard there changes to be made to the drawings.
389 We have two options. Approve contingent upon changes being made. I think there are
390 enough changes to be made to wait for the next set at the next meeting.
391
392 The Board discussed the new formatting for Meeting Minutes which will be non-verbatim,
393 more concise and follow the Open Meeting Law.

394 Mr. LaCortiglia – In the spirit of the last public hearing for the site plan approval application.

395
396
397 Mr. LaCortiglia - **Motion** to approve the special permit application of East Main Street
398 Athletic facilities with the condition that the plans are amended as discussed at this meeting
399 to include location on plan to show location and size of future sign, re-grade front entry to
400 follow existing conditions as much as possible up to high point, to re-grade sidewalks to
401 preserve existing trees as much as possible, revise entry road width to 18’.

402 Mr. Watts – **Second.**

403 **Motion Carries: 4-0-1;** (Mr. Hoover abstain due to ineligibility to vote.)

404

405 **Member or Public Report:**

406 1. Any other concern of a Planning Board Member and/or member of the Public.

407

408 Mr. Hoover – Would like the Board to adopt the position of if not in the packet then we can
409 not accept or discuss at the meeting. Would like to avoid and minimize the information
410 coming in prior to meeting. Let the applicant know.

411

412 Mr. Snyder – Accept the information just make sure you state you can not discuss it and will
413 take up at the next meeting.

414

415 Mrs. Evangelista – Concern of Chapter 165--71 bylaw. I would like a finding from K&P
416 regarding the position the Planning Board should have with the bylaw. There is a lot of
417 different talk about the interpretation of the bylaw.

418

419 Mr. Snyder – Happy to contact K&P regarding the concern. Can not discuss the finding
420 regarding Turning Leaf as the public hearing is closed.

421

422 Mrs. Evangelista – The public hearing is closed but the decision has not been voted. Want to
423 find out limits of the Planning Board and clarification of the bylaw section.

424

425 {Discussion of the bylaw and concern over the use of unit. Clarity need from town Counsel
426 so the Planning Board has a defensible position.}

427

428 Mr. Howard – **Motion** to adjourn.

429 Mr. Watts – **Second.**

430 **Motion Carries: 5-0; Unam.**

431

432 **Meeting adjourned at 9:30 PM.**