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MEETING MINUTES
GEORGETOWN PLANNING BOARD
Wednesday, February 13, 2013
Memorial Town Hall – 3rd Floor
7:00 p.m.

Present: Mr. Harry LaCortiglia; Mr. Christopher Rich; Ms. Tillie Evangelista; Mr. Bob Watts;
Mr. Howard Snyder, Town Planner; Ms. Wendy Beaumont, Administrative Assistant.

Absent: Mr. Tim Howard

Meeting Opens at 7:12 PM.

Approval of Minutes:

1. Minutes of January 23, 2013.

Mr. Rich - **Motion** to accept minutes of January 23, 2013 subject to any changes made by
colleagues at this meeting.

Ms. Evangelista - **Second.**

Motion Carries: 4-0; Unam.

Correspondence:

1. Vouchers:

a. W.B. Mason.

Mr. Rich - **Motion** to accept the voucher as presented.

Mr. Watts - **Second**

Motion Carries: 4-0; Unam.

2. Town of Rowley: Planning Board amendment to Zoning District Map.

Mr. Snyder - The Town of Rowley sent us notice and they are considering revising some of the
district maps. I am going to be following what is accomplished at the upcoming town meeting. I
also included their revised solar bylaws in your packets.

Ms. Evangelista - How is that falling into place with the 40A that is exempt? Will it be a code
bylaw?

Mr. Snyder - I did not notice it in §40A. They allow it by special permit in commercial or
industrial areas, not in residential areas for large scale units.

Mr. Rich - They are talking about a farm.

Mr. Snyder - Yes.

Public Hearing:

1. 6 Norino Way: Continued.

45 Mr. LaCortiglia - We are opening the continuation of the site plan approval.

46
47 Mr. Snyder - Applicant sent a letter from Millennium requesting continuance from the Planning
48 Board for a public hearing to held on the next available date. We have comments from Mr.
49 Graham and the applicant has scheduled a meeting with him to discuss the review comments.

50
51 Mr. LaCortiglia - So Mr. Graham has sent the comments with specifics about the underground
52 storage facility including size and specifications.

53
54 Mr. Rich - **Motion** to continue the hearing to the March 27th meeting.

55 Mr. Watts - **Second**
56 **Motion Carries: 4-0; Unam.**

57
58 **2. East Main Street Athletic Facilities: Continued.**

59 Mr. LaCortiglia - For the record, this is not a continuation of the hearing.

60
61 Mr. Snyder - Applicant has sent in a request for an extension of time, a Form H.

62
63 Mr. Rich - **Motion** to accept the applicant's request for extension of time to no later than
64 April 10, 2013 subject to receiving the original form.

65 Mr. Watts - **Second**
66 **Motion Carries: 4-0; Unam.**

67
68 **Planning Office:**

69 **1. Citizen Planner Training Collaborative.**

70 Mr. LaCortiglia - Tell us a little about this Mr. Snyder please.

71
72 Mr. Snyder - I included in your packet information about an annual conference on March 16,
73 2013. I plan on attending and would like to know if any board member would like to attend
74 as well.

75
76 Mr. Rich - Can the Planning office sign us up?

77
78 Mr. Snyder - Yes.

79
80 {Discussion held about the different sessions offered and who would like to attend.}

81
82 **2. Open Space and Recreation Plan.**

83 Mr. Snyder - Georgetown's Open Space Plan was last initiated in 2005.

84
85 Mr. LaCortiglia - It is currently expired as it was conditionally approved in 2008. ADA
86 issues and other problems were not up to snuff. We did not get final approval until 2011.
87 The whole ADA section needs to be signed off.

88
89 Mr. Rich - I will make the time to get that done.

90

91 Mr. Snyder - We are starting to get quotes back for a consultant so will start engaging the
92 process to put the plan together.

93
94 Mr. LaCortiglia - Before it was done under the volunteer committee – it was bad timing.
95 EOEEA changed the rules and we were a victim of that as we were using the old standards.
96 It took us three more years to meet the standards.

97
98 Mr. Snyder - Merrimack Valley Planning Commission (MVPC) will be taking care of the
99 mapping.

100
101 Mr. Rich - Why are we putting it in Mr. Snyder's lap? Shouldn't it be under the open
102 bidding law?

103
104 Ms. Evangelista - Actually it's the Conservation Board that forms the committee.

105
106 Mr. Rich - I have a problem with having a department head signing the contract.

107
108 Mr. LaCortiglia - I have seen the contract. I don't have a problem signing it myself or having
109 the planner sign it.

110
111 Mr. Snyder - The Conservation Commission officer will also be signing it.

112
113 Mr. Rich - I don't want it to come back saying that you delegated a responsibility that you
114 should not have. It's not a matter of just signing it should be the terms. I trust Mr.
115 LaCortiglia's decision as he has seen the contract.

116
117 Mr. Rich - Keep in mind that the planner has the authority to bind the town. We want to
118 make sure we do it right.

119
120 Mr. Rich - **Motion** to allow the Town Planner to sign the document/contract that Mr.
121 LaCortiglia has reviewed for the Board for the Open Space and Recreation plan.

122 Ms. Evangelista - **Second.**
123 **Motion Carries: 4-0; Unam.**

124
125 Mr. LaCortiglia - The Master Plan for the town which needs to be updated and is done pretty
126 much by the Planning Board has eight elements to it. Out of those eight elements, this covers
127 five of them I believe. So once this is done, five of the elements for the Master Plan are done.

128
129 Mr. Rich - I have no problem with the Planning Board being involved, I just want to make
130 sure that it is done right.

131
132 Mr. LaCortiglia - One thing we did not do in the 2001 plan and for the first time in 2007 it
133 was called the Georgetown Open Space and Recreation Plan. Conservation Commission
134 only did the Open Space Plan not recreation. The members said they would help but would
135 not do it. Conservation Commission, Planning Board, Open Space, will all have a hand in it
136 now.

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138 Mr. Snyder - Public outreach will be a part of it also.

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Ms. Evangelista - If there is anyone watching and is interested in being on the committee please call Mr. Przyjemski of the Conservation Commission.

Mr. LaCortiglia - I draw your attention to the mapping requirements that are in your packet, some are older ones and need new information.

Mr. Rich - Mr. Snyder will you coordinate that?

Mr. Snyder - Yes.

Mr. Rich - **Motion** to have Mr. Snyder ask the MVPC to estimate the hours for Letter of Technical Assistance for the mapping to update the Open Space Plan.

Mr. Watts - **Second.**

Motion Carries: 4-0; Unam.

Mr. LaCortiglia – One of the things that we really need is a very comprehensive look at the active recreational needs of the town. The last update was the first time we ever addressed the active recreation plan. I think we should put a focus on it this time. It is an incredibly expensive endeavor. This has to be coordinated in one plan.

Ms. Evangelista - The most important part in my mind is to find out how many acres we have reserved for both active and passive recreation for Chapter 40B.

{Discussion held in regards to the difference between active and passive recreation.}

Mr. Snyder - There is a growing need to have more sports facilities, soccer field, baseball field, or skate parks.

Mr. Watts - I was brought up in Long Island and their county and state parks are incredible. We had beaches, bocce courts and it adds to the quality of life.

Mr. LaCortiglia - What are the needs of the community – we need to determine the demand.

Mr. Rich - Looking back, it's too bad the Town didn't have right of first refusal for the golf club because they could have bought that.

Mr. LaCortiglia - That would have been under Chapter §61 – my understanding is that the Chapter §61 did not happen because it does not kick in because of a sale but because of its use. Chapter §61 is for a change of use of a parcel. Recently there was a Chapter §61 Notice of Intent sent to the Town for a small section of land. By the time the Board got it the Selectmen had already released the land. By the time we got the letter the Selectmen voted to allow the transfer saying that the town passes on their right of first refusal.

Mr. Snyder - It was an acre and a half putting into Chapter §61.

Mr. LaCortiglia - The reason I bring it up is that there was no input from the Planning Board.

187 Ms. Evangelista - Were we notified?

188

189 Mr. LaCortiglia - Yes, we got a letter and the applicant did it properly. Before we could get
190 it on an agenda it was acted upon. The bottom line is that they did not wait to hear the
191 recommendation of the Planning Board before acting.

192

193 Mr. Rich - Should we communicate with them to let them know there was an oops?
194 Something tells me there is a timeline prior to the decision.

195

196 Mr. LaCortiglia - It was not an oops. They do not have to take our recommendations. The
197 town has 120 days to make a decision.

198

199 Mr. Rich - How long, do we know from the date of the Board of Selectmen receiving the
200 letter and their decision? Within two weeks there was a letter and it was passed before we
201 had a meeting? We should be notified. There is a reason why the Planning Board is down to
202 be notified. I appreciated the Board of Selectmen but they will not dictate to this member.
203 My concern is that if something happens that fast, it is a big red flag.

204

205 Mr. LaCortiglia - Maybe an email from Mr. Snyder reminding them that in the future the
206 Planning Board would appreciate the opportunity to chime in on Chapter 61A issues?

207

208 Mr. Rich - I would still like answers in regards to the timeline and statue. Can you email it to
209 me? I like to think it could be done in two weeks. I went before Open Space and I had to
210 pay five years of back taxes and had to follow all the steps.

211

212 Mr. LaCortiglia - There is a process. Mr. Snyder can you send a letter to the BOS and the
213 Town Administrator asking them to please ensure to let us know in a timely basis?

214

215 **3. Zoning Reform Bill: House Docket #3216.**

216 Mr. Snyder - They are proposing minor changes in regards to Chapter §40A in regards to
217 minor subdivisions and allowing city and towns to replace their Approval Not Required
218 (ANR) provisions.

219

220 Ms. Evangelista - Do you know when it will be voted? This has been worked on for about
221 ten years.

222

223 Mr. Rich - They want to take the 2/3 vote and make it a simple majority which I feel is
224 dangerous.

225

226 **4. M-Account: 20 Nelson Street.**

227 Mr. Snyder - This M-account was established by Groveland Associates for an Independent
228 Senior Housing (ISH) development. The applicant later withdrew. We provided in the
229 packet information regarding the withdrawal.

230

231 Mr. Rich - **Motion** to release the funds

232

233 Mr. Watts - **Second.**

234

234

Motion Carries: 4-0; Unam.

235
236 **Member or Public Reports:**
237 **1. Any Concern of a planning board member or member of the public.**
238
239 Mr. LaCortiglia - Any concern to bring up?
240
241 Mr. Snyder - This is an item I will include for future meetings and by having this on the agenda
242 any person can bring up a concern.
243
244 Mr. Watts - This encourages participation which is good.
245
246 Mr. Rich - I sent an email for executive session and why is it not on the agenda?
247
248 Mr. Snyder - I don't recall receiving an email from you requesting this.
249
250 Mr. Rich - **Motion** to enter into an **Executive Session** with the intent of not returning back into
251 public session for the purpose of discussing potential legal strategies for potential litigation.
252 Ms. Evangelista - **Second.**
253
254 **Roll call** vote held as to whether or not to enter into Executive Session.
255 Ms. Evangelista - Aye.
256 Mr. LaCortiglia - Nay.
257 Mr. Rich - Aye.
258 Mr. Watts - Aye.
259
260 Mr. Rich - **Motion** to enter into executive session.
261 Ms. Evangelista - **Second.**
262 **Motion Carries: 3-1.**
263
264 **Meeting adjourned at 8:30 PM**