

Town of Georgetown

Planning Office  
1 Library Street  
Georgetown, MA 01833



Phone: (978) 352-5713

Fax: (978) 352-5725

RECEIVED  
TOWN CLERK  
GEORGETOWN, MA  
2019 SEP 26 AM 10:02

Kerri McManus  
Town Clerk  
Georgetown Memorial Town Hall  
1 Library Street  
Georgetown, MA 01883

**Re: CNLV CVGTNMA LLC – 55-65 Central Street, Georgetown, MA 01833  
Certificate of Vote and Special Permit and Site Plan Approval with Conditions**

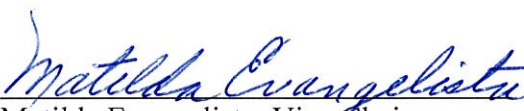
Dear Ms. McManus:

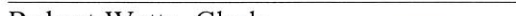
At a meeting of the Planning Board held on September 25, 2019 the Board voted to **APPROVE WITH CONDITIONS** the application of CNLV CVGTNMA LLC for a Special Permit and Site Plan Approval to allow for a Mixed Use project at 55 - 65 Central Street, pursuant to Section 165-83.B(1) of the Zoning Bylaw, converting the existing building to provide seven (7) new residential apartment units on the second floor with retail remaining on the first floor; the subject property is located at 55 - 65 Central Street, shown on the Town Assessor's Map 10B as Lots 3 and 4. Please find attached to this Certificate of Vote the Approval of Special Permit and Site Plan with Conditions decision.

Respectfully,


Georgetown Planning Board

  
Harry LaCortiglia, Chairman

  
Matilda Evangelista, Vice Chairman

  
Robert Watts, Clerk

  
Joanne Laut, Member

  
Bruce Fired, Member

cc: ☐ Conservation Commission  
☐ Highway Surveyor  
☐ Board of Health  
☐ Building Inspector  
☐ Police Chief  
☐ Fire Chief

☐ Light Department  
☐ Water Department  
☐ Assessor  
☐ Zoning Board of Appeals  
☐ CNLV CVGTNMA LLC  
☐ Planning Office: SPA- 239

At a meeting of the Planning Board held on September 25, 2019 the Board, consisting of members: Harry LaCortiglia, Matilda Evangelista, Joanne Laut, and Bruce Fried, voted unanimously to **APPROVE WITH CONDITIONS** the application of CNLV CVGTNMA LLC for a Special Permit and Site Plan Approval to allow for a Mixed Use project at 55 - 65 Central Street, pursuant to Section 165-83.B(1) of the Zoning Bylaw, converting the existing building to provide seven (7) new residential apartment units on the second floor with retail remaining on the first floor; the subject property is located at 55 - 65 Central Street, shown on the Town Assessor's Map 10B as Lots 3 and 4. This Special Permit and Site Plan Approval was requested by CNLV CVGTNMA LLC of 195 North Street, Suite 100, Teterboro, NJ 07608 and filed with the Planning Board and Town Clerk on April 25, 2019.

The proposed Mixed Use project cited above is depicted on plans entitled: Proposed Site Improvement and Subsurface Sewage Disposal System Plan in Georgetown, MA, 65 Central Street, prepared by Merrimack Engineering Services, dated March 9, 2019, revised July 26, 2019, consisting of Sheets 1 – 4, and Architectural Plans prepared by J.D. LaGrasse and Associates, Inc. consisting of Sheets G001 – G007, A100, D100 – D200, C001 – C200, dated January 30, 2019, revised August 6, 2019 (hereinafter referred to as the "Plans").

The Permit Holder submitted a complete application, which was noticed and reviewed in accordance with MGL c.40A, Sec. 9 and §165-8 A.3, §165-71 (Inclusionary Housing Balance Bylaw), §165-74 through §165-79, and §165-83 (Site Plan Approval), of the Georgetown Zoning Bylaws.

The Planning Board makes the following findings as required by §165-79 and §165-83 of the Zoning Bylaws:

**FINDINGS:**

1. The requested use is essential or desirable to the public convenience or welfare, as it fills a need for additional housing options in the center of town;
2. The requested use will not overload any public water or other municipal system so as to unduly subject any area to hazards affecting health, safety or the general welfare, as the site has been properly designed for the use;
3. The requested use will not impair the integrity or character of the district or adjoining districts, as it is adjacent to both residential and commercial areas;
4. The requested use will not cause an excess of that particular use which could be detrimental to the character of the neighborhood, as it would be the only such use in the immediate area;
5. The location of buildings, uses and other site development are properly located on a site, as shown on the Plans;



6. Adjacent properties are protected from nuisance caused by noise, fumes and glare of lights, and from detracting visual features, based upon the position of the existing building and the additional screening and landscaping features being provided;
7. Unique man-made features, such as stone walls, and significant natural features on a site are preserved as much as possible, as the site leaves in place existing open space and wetland areas;
8. Adequate parking, loading facilities, drainage and methods of solid waste disposal are provided on-site, based upon existing conditions and the improvements shown on the Plans;
9. Pedestrian ways, access driveways, loading and parking facilities are properly designed and operated for public convenience and safety, based upon existing conditions and the improvements shown on the Plans;
10. The proposed building relate harmoniously with the surrounding area, based upon the new aesthetic improvements shown on the Plans;
11. Water resources are protected from depletion and contamination, including drinking water supplies, watershed protection land, aquifers and the Parker River and its tributaries, based upon the site improvements show on the Plans;
12. The proposed use is in harmony with the general purpose and intent of the Zoning Bylaw, based upon these findings and the conditions listed below.

**SPECIAL CONDITIONS:**

1. The proposed Mixed Use project shall not create nuisance caused by noise, fumes, and glare of lights.
2. The proposed use shall not:
  - (a) cause an increase in drainage or water flow to leave the site;
  - (b) cause changes in the groundwater levels;
  - (c) increase runoff or potential for flooding to the adjoining land and roads.
3. The wastewater discharge of sewerage disposal system shall not contaminate the Georgetown water supply.
4. All pavement surrounding the facility shall be maintained in a manner relative to serve its

intended purpose and in relation to maintaining proper management and control of stormwater.

5. The final Plan, and other plans requested by the Planning Board, must be issued on mylar(s) then reviewed and approved by the Planning Board and/or its' agent(s).
6. The Planning Board will endorse the project with application of signatures to the approved site plan(s) mylar(s); and PDF copy.
7. The Permit Holder must submit this decision to the Town Clerk for 20 day appeal period with subsequent certification and then record the certified decision at the Registry of Deeds and required signed site plan(s) mylars within 30 days with proof of same sent to Planning Office.
8. A paper copy set of the signed and recorded site plan(s) and other plans requested by the Planning Board (if any) shall be delivered to the Planning Office.
9. In accordance with §165-71 of the Zoning Bylaw, the Permit Holder and the Town shall, prior to the issuance of an occupancy permit for any of the residential units, enter into a binding, written agreement to provide for a housing contribution payment in lieu of providing fractional affordable housing units at the site. The use requires that .7 units of affordable housing must be otherwise provided at the site, and the Planning Board acknowledges that a payment in lieu of providing this fractional unit is more appropriate given the limited number of actual units being constructed at the site. The Town's Affordable Housing Trust has calculated the payment in lieu to be \$157,200, which shall be paid as a lump sum prior to the issuance of a certificate of occupancy for the use.
10. In order to assist the adjacent Town Public Safety Building with the expansion of an existing access ramp for backing fire apparatus into the Public Safety Building's bays, the Permit Holder shall donate easement rights or similar property rights over approximately 785 square feet of existing open area located in the site's northwest corner near the Public Safety Building, deemed acceptable to the Fire Department and Town Counsel.

**Waivers Granted (from required contents of Site Plan, §165-83.E):**

1. Drainage calculations and analysis, hereby waived because this is an existing built site with no increase in impervious lot coverage, no increase in runoff, and not change to drainage patterns.
2. Site distance, hereby waived because there is an existing driveway entrance with no proposed change.

**Prior to the start of and during construction:**

- The site must comply with applicable State fire and building codes.



**Construction Operation:**

1. During any onsite construction, the site must be kept clean and swept regularly; and,
2. The hours for construction shall be limited to between 7:00 A.M. and 7:00 P.M. Monday through Saturday; and,
3. Any excavation activities shall require the contractor to contact Dig Safe at least 72 hours prior to commencing any excavation; and,
4. Utilities and municipal services shall be installed underground as required and specified by the respective utility companies;
  - (a) Prior to any work, on-site erosion control shall be in place and approved by the Town of Georgetown Town Planner. (Note: erosion control is to be maintained in accordance with approved Erosion Control Program.) The Site Inspecting Engineer will make weekly inspections during active periods of construction to confirm that erosion control has been maintained; and
  - (b) The Site Inspecting Engineer will make periodic site visits during stripping, cut and fill; and
  - (c) The burial of stumps and woody debris is prohibited; and
  - (d) The burial of boulders in excess of 24-inches diameter may only be buried in a site approved by the Planning Board and/or its' agent(s) and must be shown on the as-built plan(s);
  - (e) The Site Inspecting Engineer shall perform daily site visits as scheduled, required or requested by the Planning Board during the active installation of drainage structures, etc. All drainage pipe and structures must be field checked for proper elevation and pitch as per plan and approved by the Site Inspecting Engineer and Town of Georgetown Highway Department prior to back filling;
  - (f) The Site Inspecting Engineer shall provide to the Board a monthly summary of construction activity. The Site Inspecting Engineer shall provide the Board a monthly Master Detailed Invoice Table (MDIT), summarizing of construction-related activities on the project, the hours allocated to each activity and the responsible party used for the inspection service.
  - (g) MDIT shall also be accompanied with a copy of the Construction Observer's Daily Report. The level of detail on such reports shall be commensurate with the level of effort for each task listed on the MDIT. The table shall clearly indicate the employee from the Site Inspecting Engineer was responsible for each line item on the MDIT: If more than one

employee was involved in the specific task then all employees shall be listed as separate items with hours and sub-tasks; and

(h) The Site Inspecting Engineer shall provide final site visits for preparing "punch lists" or to verify As-Built Plans will be conducted as requested by the Board.

5. Stockpiling of materials: In connection with the construction of the site as approved (dirt, wood, construction material, etc.) must be shown on a plan and reviewed and approved by the Planning Staff. Any approved piles must remain covered at all times to minimize any dust problems that may occur with adjacent properties.

**Prior to issuance and verification of the Certificate of Occupancy:**

1. The Permit Holder must submit a letter from the architect and engineer of the project stating that the building, signs, landscaping, lighting and site layout substantially comply with the plans referenced at the end of this decision as endorsed by the Planning Board.
2. The site must comply with applicable State fire and building codes. The Permit Holder shall have conducted Fire Flow Tests as required by the Water Department.
3. The Planning Staff, Planning Board and/or Site Engineer may review the site.
4. Please note Special Conditions 9 & 10 on pg. 4 of this decision.

**Provisions:**

1. Any action by a Town Board, Commission, or Department, which requires changes in the plan or design of the building, as presented to the Planning Board, may be subject to modification by the Planning Board; and,
2. Any revisions shall be submitted to the Planning Board for review. If these revisions are deemed substantial, the Permit Holder must submit revised plans to the Planning Board for approval and could warrant a new public hearing process; and,

**Other Special Conditions:**

This decision does not invalidate any previous conditions required by any other permit granting authority relative to the subject property.

**Expiration of Approval:**

This Special Permit and Site Plan Approval shall be deemed to have lapsed on September 25, 2021 (two years from the date approval granted) unless substantial use provided by this



decision has commenced. Substantial use will be determined by a majority vote of the Planning Board.

**Documents considered in Decision:**

1. The following engineer drawings and plans shall be deemed part of the decision:

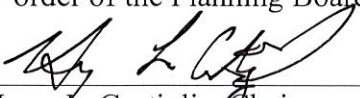
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2. The following owner provided information shall be deemed part of the decision:

- (a) Permit Holder testimony, presentations and documents submitted during Public Hearings of June 12, 2019, August 14, 2019, September 11, 2019 and September 25, 2019.
- (b) Letters and other documents submitted by the Applicant, municipal staff and consultants thereof, commencing on April 25, 2019 and leading up to September 25, 2019, including any and all email correspondence received at the Planning Office.
- (c) Testimony presented at said public hearings of June 12, 2019, August 14, 2019, and September 25, 2019;
- (d) Written and verbal testimony of residents and other concerned parties, including Town department heads and/or staff and presented to the Planning Office at said public hearings.

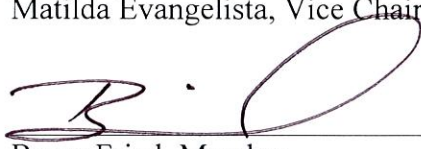
This document shall serve as a letter of notification to the Georgetown Town Clerk and Permit Holder as to the above described action of decision taken by the Georgetown Planning Board, relative to the Special Permit and Site Plan Approval described herein and in accordance with the applicable Georgetown Zoning Bylaws.

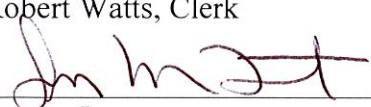
By order of the Planning Board this 25<sup>th</sup> day of September 2019

  
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Harry LaCortiglia, Chairperson

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Matilda Evangelista, Vice Chairperson

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Robert Watts, Clerk

  
\_\_\_\_\_  
Bruce Fried, Member

  
\_\_\_\_\_  
Joanne Laut

CNLV CVGTNMA LLC  
55-65 Central Street

Special Permit and Site Plan Approval with Conditions  
Voted September 25, 2019