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Committee: Planning Board
Date: October 28, 2020.
Time: 7:00 pm.
Location: Virtual Meeting via Zoom

Members present: Harry LaCortiglia, Bruce Fried, Bob Watts, George Comiskey, Joanne Laut.
Staff present: Town Planner, John Cashell; Admin Assistant, Andrea Thibault.

Minutes transcribed by A. Thibault. Note: Video recordings of all Georgetown Planning Board meetings may be found at www.georgetownma.gov and by choosing the Community TV option.

The Meeting was called to order at 7:00 by Harry LaCortiglia.

Minutes:

G. Comiskey: I move to approved the meeting minutes for October 14, with corrections as cited in our packets and on this week's agenda.
B. Fried: Second.
Motion carries 5-0; via roll call vote.

Vouchers:

J. Laut: Motion to approve the voucher for reimbursement to the Admin. Assistant as stated on the agenda for \$47.97.
B. Watts: Second.
Motion carries 5-0; via roll call vote.

Correspondence:

H. LaCortiglia: Planning Board agrees to consider the correspondence as read.

Planning Office: 554 North Street.

John Dunlevy, applicant. I am requesting a minor modification to eliminate references to the Essex County Greenbelt and substitute the language with a conservation entity qualified to hold a Conservation Restriction that meets the requirements of sections 31 to 33, inclusive, of M.G.L. Chapter 184.

{Planning Board, Town Planner and Applicant discuss language modification.}

45 G. Comiskey: Do you realize that town Conservation Commission can be qualified to hold the
46 conservation restriction?

47
48 J. Dunlevy: Yes.

49
50 B. Watts: I move to determine the language modification requested for Notice of Decision for
51 the 554 North Street/Barry Way Special Permit/Definitive Subdivision, to be an insignificant
52 modification and to grant the modification request by eliminating all references to Essex
53 County Greenbelt Association and replacing them with “ a Conservation Entity qualified to
54 hold a conservation restriction that meets the requirements of sections 31 to 33, inclusive, of
55 M.G.L. Chapter 184.”

56 J. Laut: Second.

57 Motion carries 5-0 via roll call vote.

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60 **Planning Office:** Pingree Road.

61 Tony Capachetti, Engineer for the applicant. Hayes Engineering.

62 Jesse Shumer; Attorney for the applicant.

63 David Gallager, Attorney for the applicant.

64 James Tolman, applicant.

65 Kendra Kinscherf, Assistant Attorney General representing the Commonwealth.

66 Jon Eichman, Georgetown Town Counsel.

67 Claude Boulard, abuttor 231 E. Main Street.

68
69 J. Shuman: To frame the issues, this matter was remanded from Land Court. The judge determined
70 that this road must be added to the town map. The judge did not determine whether it is to be a
71 public or private road. Prior to opening for use for 4 residential lots, the town may weigh in on road
72 width, grading, drainage and surfacing. Many of the community comments and concerns are not
73 matters before the Board. The plans as drafted address the issues that are before the Board. We
74 request to move forward with this project. We have the right to use it, whether it is public or private.

75
76 H. LaCortiglia: It was my understanding it was ordered to be added to the town map as a private
77 road.

78
79 J. Eichman: You are correct. That is what the order says. Yet, there is still an open issue in the
80 litigation whether the road is public.

81
82 G. Comiskey: Attorney Eichman, the judge does talk about safety, convenience and welfare. Can we
83 issue conditions that make the road safe, or are we limited to drainage etc.? I would think that safety
84 is an important factor.

85
86 J. Eichman: My recommendation would be to focus on the width, grading, surfacing and drainage.
87 Other safety concerns should be taken up individually.

88
89 *{Planning Board, Town Planner, Residents, Applicant's representatives discuss clear markings at the entrance where it*
90 *comes onto Route 133; apron; drainage; levelling of area; bend in road at E. Main Street; sight line issues.}*

A. Capachetti: My goal is to develop some standards. Is it 20 feet vs. 18 feet for right of way? Range of slopes? Review Mr. Graham comments, State Fire Code requires 20 feet. Some communities allow 18 feet with 2 feet of gravel shoulder.

H. LaCortiglia: I believe the Fire Chief requires 20 feet, yet I don't have that in writing.

B. Watts: Stone walls that form a boundary cannot be moved. There is some area where it goes up a hill, and it will be very difficult to shave those off.

A. Capachetti: The right of way was deeded at 30 feet.

{Planning Board, Town Planner and Applicant's representative agree to request that the applicant's engineer work directly with the Town Engineer, Larry Graham.}

H. LaCortiglia: The entryway of the road is a reverse curve; the sight line is not good.

J. Shumer: Yes, it is concerning. Especially the left-hand view, east bound approach from Route 133.

{Planning Board, Town Planner and applicants' representatives discuss sight line, posted speed limits, brush around the road entryway, resident's fence; expected traffic in and out of Pingree Road.}

G. Comiskey: I understand the goal, but how is that accomplished Attorney Eichman? What is the process? Right now, we are dealing with hypothetical.

J. Eichman: I don't think it would be difficult to determine county right of way. The town has the right to move any obstruction in the right of way and any request would go to the Board of Selectmen. The Planning Board would indicate in its decision, to request the applicant clear obstructions in the right of way.

Martha Endicott: abuttor. I believe that is Bob and Theresa Mitchell's property, the owners of the fence. What is the number of sites he is planning to sell? I believe there is one-acre zoning, he has about 9 acres. We have 20 acres; we have a horse boarding and training facility. We bought those 10 acres for safety. It is catastrophic to the safety of our business. If we sell our property, this will become a very dangerous intersection for a large subdivision. I want that on the record.

H. LaCortiglia: We are very concerned about the safety—we will focus on that to the maximum extent allowed from the judge's order.

J. Cashell: Also, Attorney Eichman, could you advise Larry Graham in the scope of the litigation?

J. Eichman: Yes, absolutely.

J. Shuman: Our site is zone for 2 acres, for maximum development is 4 lots. The Board is in charge of conditions. Possibly they could impose a condition on any further development and that his approval is limited to the current development? That is just a suggestion.

J. Eichman: I will take a look at that; I have some reservations frankly.

139 H. LaCortiglia: You could have 13-14 homes there very quickly with ANR's.

142 Asst Attorney General: On that idea, I would be concerned about any limitation language as an access
143 point to the state forest.

145 Steve Hermiosis: 255 E. Main Street. Would a school bus be required to go down to the end of the
146 road, and pull out onto Route 133? That is such a dangerous turn.

149 G. Comiskey: Can Attorney Eichman clarify safety such a speed control, length of toad- it is dark and
150 narrow, lighting? These haven't been discussed yet tonight.

153 H. LaCortiglia: The Fire Chief is to review the plans, and has input regarding hydrants along that
154 roadway.

156 J. Eichman: Things like lights and utilities the Planning Board can consider, under safety concerns.
157 Speed limits, no. The Board of Selectmen is in charge of traffic regulations. Where the utilities, lights,
158 water go, may be important as to the standards of the road.

160 A.Capachetti: We can reach out to Georgetown Light, and can show those on the plan. And, I will
161 be sure to address the issues that were brought up to me on the site walk.

163 *{Planning Board agrees to continue discussion to December 2, 2020.}*

167 **Planning Office: 2 Norino Way.**

168 Jayme Fishman, Applicant.

169 Jill Mann, Applicant's attorney.

170 T. J. Melvin, Applicant's Engineer

172 J. Mann: This is an informal discussion regarding a marijuana facility in the Industrial B Marijuana
173 overlay district focusing on a possible waiver for the 300-foot setback requirement. This is a 4-acre
174 property. This will be for cultivation and not retail.

176 B. Watts: I would like to see shrubbery in front and buffering along Norino Way, 20-30 feet.

178 J. Mann: We will keep a portion of the tree line and provide additional plantings.

181 J. Cashell: This is the largest remaining single lot with in the marijuana business overlay district.

183 Motion to adjourn: B. Watts.

184 Second: B. Fried

185 Motion carries 5-0; via roll call vote.

187 The meeting was adjourned at 9:10pm.