



## Town of Georgetown

# MINUTES

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Committee: Planning Board  
Date: April 12, 2023  
Time: 7:00 pm.  
Location: Virtual Meeting via Zoom

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

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

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

### Minutes:

J. Laut: I move to accept the draft minutes from March 8, 2023 meeting as stated in our packets and on this meeting's agenda.  
B. Watts: Second.

Motion carries 5-0; via roll call vote.

### Vouchers:

J. Laut: I make a motion to pay the vouchers for BMO/Zoom for March 2023 in the amount of \$15.99; and to reimburse the Administrative Assistance for postage regarding the abuttor notices for 430 Andover Street in the amount of \$93, 21; and \$10.00 for notary swear in fees; as cited in our packets and on this meeting's agenda.  
B. Fried: Second.

Motion carries 5-0; via roll call vote.

### Planning Office:

J. Cashell: We will be going over everything involving the Planning Board tonight as a review.

J. Cashell: Massachusetts General Laws will now allow virtual meetings for municipal Boards and Commissions through 2025, effective March 29, 2023 by the Governor and the Legislature.

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48 *{The Planning Board and Town Planner discusses and agrees to continue with virtual meetings by unanimous consent.}*  
49  
50

51 **1. Update on MBTA Multi Family Non-Age Restricted Housing.**  
52

53 J. Cashell: I thoroughly reported on this in the Comments Report in your packet. I submitted the  
54 grant application last Thursday, and this grant has already been awarded. A very fast grant award! We  
55 were awarded \$20,000.00 for technical assistance to meet the compliance requirement and will be  
56 working with MVPC on this.  
57

58 Once MVPC comes up with an overlay district after their analysis, they will present their  
59 recommendations to the full Planning Board. We are needing to accommodate up to 750 units of  
60 multi-family housing.  
61

62 The other aspect is to analyze our zoning ordinances, and to determine what is needed in a bylaw to  
63 provide compliance.  
64

65 By November, the overlay district will be created. Maybe late September, MVPC will come to the  
66 Planning Board to present their recommendations and findings. MVPC is working with 17  
67 communities helping us all comply with this statute.  
68

69 If we get what we need by late September, then we can finalize it by late November. This will give us  
70 time to schedule public hearings for January and February 2024. We will have any potential warrant  
71 articles for spring meeting 2024.  
72

73 We are supposed to have an overlay district and a bylaw completed by December 31, 2024 as a  
74 deadline with the state.  
75

76 After it goes before the voters at Town Meeting, the Attorney General will review our bylaw.  
77

78 It seems that the state is developing a structure of this that it will pretty much force compliance. It  
79 seems like there is a lot more to it than meets the eye when you get into the details. I do not think it is  
80 going to end up being a choice for communities.  
81

82 In other communities, as well as ours, there are a lot of infrastructure concerns.  
83

84 G. Comiskey: Will MVPC look at infrastructure needs?  
85

86 J. Cashell: No. MVPC has said that communities that lack the infrastructure for the number of units  
87 being mandated, the state will take that into consideration. Municipalities will not be on the hook to  
88 improve infrastructure to accommodate the density of the multi-family housing required.  
89  
90

91 **2. Green Communities update:**  
92

93 J. Cashell: Over the last three years, we have improved the weatherization at Town Hall, Public Safety  
94 Building, all the schools even the Penn Brook, the Library, and the Highway facility.

95  
96 The overall goal is to reduce the energy costs annually for the town by twenty percent. We have not  
97 measured that yet, but before the program is finalized, we will have that measure.  
98  
99 We put together the data baseline, how much we were spending for energy to begin with. It was all  
100 analyzed before anything was implemented.  
101  
102 There may be other things that can be implemented to reach the twenty percent. The program does  
103 not end until we get to twenty percent.  
104  
105 We are also transforming the town's vehicles into electric vehicles. Town Hall has two EV stations  
106 and the Peabody Library also has one. That was another grant, not the Green Communities program.  
107  
108 The EV Zoning amendment will be brought before the votes at Town Meeting in May.  
109  
110 The Green Communities program has been very successful.  
111  
112 B. Watts: Thank John and Orlando for this effort. You have handled this all very well. I appreciate  
113 the aggressive attitude.  
114  
115 J. Cashell: It really seems to be important that there is a team effort. Massachusetts really knows what  
116 it is doing with energy efficiency.  
117  
118 Governor Baker and the Legislature really stepped this up. The Regional Planning Agencies have all  
119 come together on this. Massachusetts is really on the fore front.  
120  
121 There is a lot of brain power in this state that in action constantly. Massachusetts held the National  
122 Planners Conference about ten years ago in Boston.  
123  
124 The keynote speakers that year from Massachusetts were amazing, professors from Harvard and MIT,  
125 all incredible planners. We are at the epi-center.  
126  
127

### 128 **3. Zoning Amendments.**

129  
130  
131 *{Planning Board and Town Planner discuss Note 7: The landscaping being delegated to front yard to industrial and*  
132 *commercial districts.}*  
133  
134

135 G. Comiskey: I watched the Select Board's meeting and they seemed ok with the Stormwater bylaw.  
136 They seemed skeptical about the bylaw addressing electric vehicle charging stations.  
137

138 *{Planning Board and Town Planner discuss Chapter 57 in the warrant article.}*  
139  
140  
141  
142

143 **4. Border to Boston Rail Trail update.**

144  
145  
146 J. Cashell: This has consumed a lot of time with the appraisal letters to the abutters. Our office  
147 received a lot of calls. I made sure everyone had copies of the design and explained what each  
148 easement would involve.

149  
150 Two years ago, when we sent the first round of mailings, we did not get much response. It seems now  
151 that we are approaching twenty percent. There are thirty plus easements that do need to be required.

152  
153 The appraisals have been done. We are moving into acquiring easements.

154  
155 As of yesterday, we will not need town warrant articles. Town Counsel has determined that for all the  
156 properties that we need to secure a right of way for the Boxford-Georgetown portion, none of those  
157 parcels need relief from Article 97. So, we will not need town warrant articles.

158  
159 G. Comiskey: John and I attended the Conservation Commission meeting, and Carl (Chairman) had  
160 reached out to Town Counsel and assured her that the Town would provide that use and that Article  
161 97 is not needed.

162  
163  
164 **5. Planning Office Annual Report:**

165  
166 J. Cashell: The report details all the annual projects of the Planning Office. Every department  
167 publishes their report by fiscal year July 1 through June 30. We need to stay in this timeframe.

168  
169  
170 **6. Housing Production Plan:**

171  
172 J. Cashell: Because MVPC is updating the Housing Production Plan. They will be done with the draft  
173 update for all the member communities in April 2024 and the completion will be in June 2024.

174  
175 In the meantime, they will be doing all the legwork, and working with town staff, and bringing  
176 everything up to speed with all the state statutes.

177  
178 I would like to get two Board members to be part of the core team. Mostly it will be town staff  
179 working with MVPC compiling the data.

180  
181 *{Harry LaCortiglia and George Comiskey volunteer to be part of the team.}*

182  
183 H. LaCortiglia: When a town falls below 10%, the town is vulnerable to 40B.

184  
185 G. Comiskey: Maybe someone from the affordable housing trust, and someone from the open space  
186 committee?

187  
188 H. LaCortiglia: The last time this was done, a private consultant did it.

191  
192       **7. Other Business.**  
193  
194 J. Cashell: Barry Way update – they have submitted their as-built plans and Dave Varga has requested  
195 revisions. Rich Williams is working on plan revisions. Once this has been completed, and we have the  
196 plans, it will be before the Board for sign-off.  
197  
198 The town acquired eight acres and there are three beautiful brand-new homes. It was a very  
199 successful subdivision.  
200  
201 Parish Commons- nothing was ready for Dave Varga to report for this meeting. There are 3 building  
202 permits that are existing. One is occupied, two are under construction.  
203  
204 G. Comiskey: There is still no open space deed to the Conservation Commission. It was required  
205 prior to the first occupancy permit. If he is coming in, I would ask what the delay is?  
206  
207 J. Cashell: I have not talked with him specifically on that topic yet.  
208  
209 For the Sedlers project there are three active building permits right now. The Georgetown Affordable  
210 Housing Trust has been paid.  
211  
212 For the G. Mello project, on April 6<sup>th</sup>, Nancy McCann confirmed that she will submit by the first week  
213 in May, the Major Development Review application.  
214  
215 That is the special permit application, and they are not in any hurry for the public hearing for that.  
216  
217 G. Comiskey: When that comes in, could we have Town Counsel attend our first meeting to discuss  
218 the parameters under the Court guidance?  
219  
220 B. Fried: Great idea. I would like to be clear on what we can and cannot do. A clearer statement from  
221 Town Counsel would help us.  
222  
223 B. Watts: I would like to see a summary from our attorney as the status of the litigation and what are  
224 our options.  
225  
226 J. Cashell: I will talk to Orlando about that. We could schedule that first, and keep the cost to Town  
227 Counsel down.  
228  
229 H. LaCortiglia: This is a separate application for Major Development Review. How much lead time  
230 do you think we will have once you get the application?  
231  
232 J. Cashell: Realistically, they are comfortable with the last meeting in June for a hearing, before the  
233 summer starts.  
234  
235 B. Fried: If there is still litigation on the Conservation Commission ruling, can we even begin another  
236 application?  
237

238 J. Cashell: Yes, they can put in an application. In accordance with the last Land Court decision, the  
239 appeal process is over and nothing was appealed.  
240  
241 H. LaCortiglia: When the application comes in and it is stamped as complete, would we have time for  
242 a meeting night prior to the public hearing in our regular schedule where we could get the needed  
243 information from Town Counsel before the public hearing?  
244  
245 J. Cashell: We may want to go into Executive Session with Town Counsel. We could have a special  
246 meeting just for the Executive Session if needed.  
247  
248 H. LaCortiglia: That is probably ideal to go into Executive Session.  
249  
250 B. Fried: If we could have Town Counsel answer all our questions, then we will not have to waste any  
251 time in the public hearing.  
252  
253 G. Comiskey: I would like to first get permission that we can do it.  
254  
255 J. Cashell: I will check with Town Counsel.  
256  
257 B. Fried: We want to be sure that we do everything properly and to the T.  
258  
259 J. Cashell: For the Tinn Lizzie project- they are schedule for May 2 for the ZBA.  
260  
261 For the review of 188 East Main Street, a May 2 public hearing by the ZBA is scheduled to discuss a  
262 proposed 6-unit townhouse development. There has been some opposition.  
263  
264 430 Andover Street is withdrawing.  
265  
266 *{Planning Board agrees to cancel April 26<sup>th</sup> meeting.}*  
267  
268 H. LaCortiglia: Is there a motion to cancel the meeting on April 26?  
269 G. Comiskey: So moved.  
270 J. Laut: Second.  
271  
272 Motion carries 5-0; via roll call vote.  
273  
274  
275 J. Cashell: 91 and 93 Tenney Street projects are proceeding along. I was told that construction will  
276 start soon now that spring is here. They have been good keeping the roadway clean of mud.  
277  
278 No complaints whatsoever.  
279  
280 For 34 East Main Street – Dunbar Tavern has recently been granted by the ZBA a two family in the  
281 main structure; and the ZBA also allowed for storage use in the carriage house. It was historically a  
282 tavern, and an inn with 24 rooms.  
283  
284 And the carriage house where the horses were stabled is also part of the interesting history.  
285

286 There are also several dilapidated properties in the downtown area. I want everyone to know that  
287 town officials are working on these two properties with the owners to bring them into safety  
288 compliance.

289  
290 Duplex use is not allowed in the downtown area. If you look at any downtown area in New England,  
291 one of the more attractive features is the dwellings mixed in with the commercial structures.  
292 Georgetown prohibits that use. That causes a problem to rehabilitate or improve them to modify a  
293 non-conforming use.

294  
295 The Planning Board may want to come up with a zoning amendment that will allow for existing  
296 dwellings to be modified and improved without having to get a use variance.

297  
298 A town like Georgetown would want to maintain those dwellings that add to the quaintness and the  
299 village atmosphere.

300  
301 G. Comiskey: The former Town Planner could not come up with a solution to off-street parking in  
302 order to approve this type multi-family housing in the downtown district. 40R district has to provide  
303 25% affordable housing.

304  
305 J. Cashell: It was close to passing but it didn't. The Planner at the time left the position. There should  
306 have been follow through the next year working out the wrinkles, but that didn't happen.

307  
308 To bring it back up now, maybe it is the time to bring back up?

309  
310 H. LaCortiglia: With the 40R, we never came back because the carrot to adopting it was a fund from  
311 the state. Unfortunately, it never came though and we lost by two votes and by the next year, the state  
312 money had dried up and there was no carrot.

313  
314 J. Cashell: For 38 Jackman Road, per your request Harry, I did speak with Julie in Conservation  
315 Commission. It looks like there is a mitigation plan having to do with marking out with boulders and  
316 wetland markings the wetlands of that area.

317  
318 Last update, on the Municipal Vulnerability Preparedness, the town is presently engaged in applying  
319 for a \$400,000.00 grant for engineering services to create a Stormwater Master Plan for the whole  
320 town.

321  
322 A study of all the culverts, finishing the downtown area study that was started, etc. Eventually there  
323 will be a plan in place relative to making all the improvements that need to be done.

324  
325 H. LaCortiglia: Could we get a copy of Orlando's report?

326  
327 J. Cashell: Yes, I will send that out. The proposal is comprehensive, it was done by a consulting  
328 engineer including the work done on MS4.

329  
330 We are up to speed with MS4. This MVP program builds on that.

331  
332 G. Comiskey: Have they made improvements to town hall gutters? I thought I saw one of the spouts  
333 going into the ground now.

334  
335 J. Cashell: They may have, I will look.  
336  
337 Lastly, all Boards in town need to be aware of this. {*Reads the MA Court Ruling regarding Policy on Civility*  
338 *Restraint.*} People do not have to remain civil.  
339  
340  
341 B. Fried: Motion to adjourn.  
342 J. Laut: Second.  
343 Motion carries 5-0; via roll call vote.  
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346  
347 Meeting adjourned at 8:50 pm.