

MEETING MINUTES
GEORGETOWN PLANNING BOARD
Memorial Town Hall – 3rd Floor
Wednesday, February 8, 2012
7:30 p.m.

Present: Mr. Harry LaCortiglia; Mr. Tim Howard; Mrs. Matilda Evangelista; Mr. Chris Rich; Mr. Howard Snyder, Town Planner; Ms. Michele Kottcamp – Asst.

Absent: Mr. Hugh Carter, Chairman

Board Business: 7:30 p.m.

Planning Board Meeting opens at 7:40pm.

Minutes – January 18, 2012

Mr. Rich – Makes a motion to approve the minutes of January 18, 2012 as handed out at tonight’s meeting with Ms. Evangelista’s revisions.

Ms. Evangelista - Second

All in favor? 3-0; Unam (Mr. Carter and Mr. Howard not present)

{Mr. Howard arrives at 7:45pm}

Vouchers – \$181.97

Mr. Rich- Makes a motion to pay the vouchers in the amount of \$181.97.

Ms. Evangelista- Second

All in favor? 4-0; Unam (Mr. Carter not present)

Correspondence– Letter to abutter of Pond St from MMC Georgetown Realty Trust

Mr. Snyder- The Planning Office received a letter dated January 22, 2012 from Jeff McMath, MMC Georgetown Realty Trust regarding 100 Pond Street. The letter addressed to the abutter states that when the minor modification was granted for Pondview Estates, the abutter, Justin Collamore, was concerned about the easement on his property and access to the area of the easement. The abutter requested that the total area of the easement would not be clear cut during construction of the drainage system. Mr. McMath agrees in his letter that only the area needed to install and maintain the drainage system would be cleared and that he will make repairs to the site once the subdivision was inspected and complete. {A copy of the letter to the abutter is on file in the Planning Office}

Mr. Snyder also mentions a *Town of Rowley* Notice that informs adjoining Towns the Rowley Planning Board plans to discuss a zoning amendment change. Mr. Snyder notes the zoning change would not impact the Town and not action would need to be made.

Ms. Evangelista- This has always been my concern for new owners of a lot that unless you come up with a process, how would you know about something like an easement?

Mr. Rich- Explains to the Board that when a Decision is recorded, that is notice to everyone. It doesn't have to be attached to the Deed. When someone does a title search, it's incumbent upon their Title Examiner to let them know because easements run with the property and are part of the chain of title of the property.

Ms. Evangelista- Who is to take care of it?

Mr. Rich- Once it is recorded, it goes with the land. Being recorded means it is attached to the Deed that is recorded. This is Mass Title Law.

Ms. Evangelista- It is a lot simpler to attach it to the Deed.

Mr. LaCortiglia- For the legal description of that lot, the Deed describes what is being transferred.

Mr. Rich- In one part of the Deed it will say, "subject to any easements of record," and then usually it will cite the easement location in the Title record. In other words, it should cite the easement of record in the Deed itself.

{Ms. Evangelista- Takes Nelson Woods off of the table that was tabled at the previous Planning Board Meeting on January 18th}

Board Business Cont. – Other Business

Nelson Woods Discussion – Atty. Mitch Kroner (not present)

Mr. Rich- The *Form G Covenant* is recorded at the Essex County Registry of Deeds (Book 23843, Page 448).

Mr. Snyder- The easement sits on Lot 1 and Lot 2 [of Kinson Court]. The easement is not recorded for Lot 3, Dennison Court. There is a *Form G Covenant* for each lot of Nelson Woods.

Mr. LaCortiglia- The owner of the home on Lot 3, Dennison Ct., is asking for the *Release of Covenant* from the Form G. It was never lifted before they purchased the home. This land owner has a cloud over the title to their lot. The Planning Board usually takes the *Form G Covenant* as surety until such time the developer has asked for the covenant to be released. There is usually a cash bond that insures the Town will make good on completion of the road if the developer goes away. In exchange for the surety, the Town through the Planning Board lifts the covenants that were previously in place. We have a

letter from March 2007 that states the Planning Board is requesting the final surety be released. The Town was satisfied back then that the easements were also recorded correctly which I saw on Salem Deeds. When the surety was released in March 2007, the Covenants should have been lifted. It never occurred.

Ms. Evangelista- Our due diligence was looking at the plans and we researched the easements.

Mr. Rich- The easements deal with Lot 2 and 1 on Kinson Ct that is part of the same subdivision, Nelson Woods. This person making the request of the Planning Board is the owner of Lot 3 on Dennison Ct. Back then, it was considered one subdivision.

Mr. Howard- Motion to release the *Form G Covenant* on Lot 3 of the Nelson Woods Subdivision.

Mr. Rich- Second

All in favor? 4-0; Unam

{Planning Board members sign the *FORM K Partial Release of Covenant* for Lot 3, Dennison Ct, Nelson Woods Subdivision}

Ms. Evangelista- States that she is happy that the attorney for Dennison Court has ordered a street sign where one was never installed.

Informational Session/Rec. Fields off of Main St- Lou Mammolette

Mr. Snyder - Gives a summary. I went out to the site with Lou and had several discussions with Lou Mammolette, engineer. I invited him to come in before the Board for an informational session to get us all up to speed of where they are in the design process.

Mr. Mammolette- The first part of my discussion a few months ago was to tell the Board where the Park and Recreation Commission stood on this project. The Town with Park and Rec. and CPC funds purchased some land off of Martel Way and East Main Street to connect two gateway parcels and to have recreational fields in the gateway areas with connectivity in the middle section for passive open space potential. The piece in the middle is to be determined. [Mr. Mammolette refers to the conceptual design plan] We will have before you the East Main Street section in a Special Permit Application. Last year the definition for “public outdoor recreational facilities” was further defined in the zoning bylaws. This project would be greater than five acres in our long term strategy.

Mr. Rich- When something is done in phases, do we consider it as a whole?

Mr. LaCortiglia- The land totals more than 5 acres or more than one field. That would mean it is “major”, not “minor” Outdoor Active Recreational Facility.

Mr. Mammolette- We have gotten a lot of positive feedback from other boards and committees. I simply wanted to bring the Planning Board up to speed. We are trying to lay out what facilities should lay out the design and what facilities we'd like and how they fit in with the Planning Board rules. This is Mass GIS one ft. contours. This area is tucked in between open bodies of water. The driveway for the New Life Church is part of the land purchased by Park & Rec. The driveway is now owned by the Town. It then works its way to an existing trail in the woods. The road extension will continue to the back to a proposed pony sized baseball field, skateboard park, parking area and ball/soccer fields. {Plans showing locations of proposed fields are on file in the Planning Office} The plan also shows a safety road for emergency vehicles. The distance of the road is 900 ft and 700ft from the parking lot to the end turn around. The blue areas indicated on the plan are wetland boundaries. We are working with the Con Com on an *Order of Conditions* to get their input. We want to work with both Planning and Con Com so the design respects both Boards.

Mr. Rich- How many parking spaces are you proposing?

Mr. Mammolette- 100 spaces including 4 for handicap parking. The state will reimburse a parking project up to 71% of the total cost of a project up to a half million dollars if there are at least 100 spaces. There are other stipulations that we would also have to meet. Park and Rec. determined this number was accurate after seeing other park limitations like the estimated 60 spaces at West Street fields.

Mr. Rich- In the overall plan, there are unique ADA rules to make the parking accessible. Will that be included in the plan?

Mr. Mammolette- Our intent is to comply fully. The problem we will have is funding.

Mr. Rich- On a recreational area, it has to be hard pack for wheel chair accessibility. It does not have to be concrete or pavement.

Mr. Mammolette- The one big challenge is the handicap accessibility in the lower section up the hill.

Mr. Rich- It has to be handicap accessible from the parking spaces. I know of the requirements as I am the handicap accessibility coordinator for the Town. I would be happy to assist you in getting the project to conform to the regulations.

Ms. Evangelista- What are you presenting that is different from last time?

Mr. Mammolette- At this time, we are going away form making any changes to the front of the driveway. The only CPC funds available are for work near the front entrance to the parking lot and skateboard park. Con Com is very hesitant in issuing an Order of

Condition to clear the large site for the other fields if they aren't built immediately thereafter. Park and Rec's mission is to make sure that there are recreational opportunities for sports teams and develop other areas.

Mr. Rich- If this is built, is it to be open for all the schools to use?

Jim Dimento, Park & Rec Commission- Introduces himself and states, "yes."

Mr. Rich- If we build this and they build fields at the new school, at what point is it too many fields?

Rich Aberman, Park and Rec Commission- Introduces himself and states, "If Georgetown is built out at 12,000 residents, it still won't be too many fields."

Mr. Dimento- The access road along the side is for handicapped access. Our thought would be to use it to drop off handicapped people and go further down the road to turn around.

Mr. Rich- I know of a way to send a vehicle to drop off handicapped people and you need to be able to get an ambulance back there if necessary.

Mr. LaCortiglia- [to Mr. Mammolette] You understand you need to apply for a Special Permit and give proper notification to the abutters and other boards in Town for comment. We will see you in about a month.

{Mr. Mammolette dismisses and meeting moves to next issue}

North Street Informational Discussion/76-78 North St- Carl Gardner

Mr. Snyder - Gives a short summary and introduces the developer and part owner, Carl Gardner, of the North Street project.

Mr. Carl Gardener- Gives background of the two proposed lots for development and introduces other owners, Barbara Johnson from Groveland and Jonathan Holt from Georgetown. They are the current owners. He presents two different subdivision conceptual plans for feedback by the Board for informational purposes.

I am providing these concept plans in order to find out the best use of this site. Some of the uses could be conventional house lots or 2-family dwellings. This project has other possible uses like Independent Senior Housing that requires a grid plan of the property to show what could be developed there. The density is doubled. They require no more than three dwelling units per structure. Mr. Gardner cites the ISH section of the Subdivision Regulations. (Sec. 165: 100-134)

Mr. Gardner- Would the Board support an ISH project of three 2-family lots (6 units x 2)?

Mr. Snyder- States the proposed property is just less than 2 acres. If there is a maximum of 12 units, he has enough lot coverage. (5,000 sq. ft /unit)

Mr. Rich- How does that effect the coverage ratio?

Mr. Gardner- The criteria is that the maximum allowable lot coverage is 35% and 35% of open space which can include trails, etc. He reads the Housing Balance Bylaw that states that not less than 20% shall be affordable.

Mr. Rich- With 12 units on 81,000 sq ft, what's the footprint of the buildings?

Mr. Gardner- They would be much smaller buildings since these are senior housing units in the RA district. That would be a 3 unit building. He reads Sec. 165-109 of the ISH section of the Bylaw and states that you are limited to one bedroom condos per unit. Would this Board consider changing that to 2 bedrooms?

Mr. Rich- I also sit on the Board of Health. If a room doesn't have a closet in it, it doesn't have to be called a bedroom.

Mr. Gardner- It doesn't help from a marketing perspective. We would like to market it as 2 bedrooms.

Mr. LaCortiglia - Tell us what you want.

Mr. Gardner- I am looking for guidance of what this Board considers to be more favorable? Do you like independent Senior Housing? What would be the density?

Ms. Evangelista- You have to go before the ZBA if you plan to go to a multi-family home.

Mr. LaCortiglia- If I'm reading this correctly, you have by-right a 4-lot subdivision. This is a special permit on it's own as a yield of 4 which doubles to 8. It appears you don't have adequate lot depth on the 4th single family lot. That would reduce the yield to 3 lots. As one member, I see an additional bonus if you would consider that more of those as were affordable (greater than 20%).

Mr. Gardner- We are talking about four uses. 1. Conventional Single Family Subdivision (Plan #1) 2. Four 2-family dwellings (Plan #2) 3. Independent Senior Housing 4. The soils are excellent so a community leaching facility to allow more creative use of the downtown district to be more economically viable for a mixed use is possible.

{Plans #1 and #2 are on file in the Planning Office}

Mr. LaCortiglia- How far are you from the town square?

Mr. Gardner- Walking distance. Pumping wastewater that distance is nothing.

Mr. LaCortiglia- I'd be interested in knowing how close it is to Perley and the GMHS. That facility has additional capacity.

Mr. Rich- I have been there a number of times and walked the property.

Mr. Howard- What are you suggesting with the leaching area?

Mr. Gardner- When I encounter soils like this, I know it has viability because it allows for us to be more creative there.

Ms. Evangelista- I don't see 12 units there on 2 acres. It's an ideal location for senior housing with the ease of walking to the Town Square but density is an issue. With a Special Permit, abutters have to be notified and discuss with them what your intentions are for this project.

Mr. Gardner- One proposal shows 4 single family homes at 1,200 sq ft.

Mr. LaCortiglia- If you propose an ISH, you would then have to go before the ZBA because you are in the water resource district. That would require a Special Permit from that Board as well.

Ms. Evangelista- If they request anything beyond what is written, they have to go to ZBA.

Mr. Snyder- For reference, he states the bylaw to the Board Sec. 165-112. I'd like to take a look at the drawings and review his other alternatives as it relates to other things going on in the downtown area. Your fourth alternative is new to me so I would like to review that further with Carl.

Mr. Gardner- I would like to see an amendment change to the RA zoning allowing 2 bedrooms per dwelling unit. One bedroom units discourages a lot of developers because they are not economically viable with the affordable housing component.

Ms. Evangelista- If affordable, 20% of the total units have to be affordable.

Mr. LaCortiglia – Two parking spaces are to be provided per dwelling unit. If the Board wanted to waive it, can we?

Ms. Evangelista - No, it's a special permit.

Ms. Evangelista- Special Permits are a town meeting vote. Otherwise you would have to go to the ZBA and they would determine whether it's a viable solution. It can't be detrimental to the neighbors.

Mr. Snyder- What we can do is take what you presented and outline answers to your questions and what waivers would be required in order to help you decide on how you choose to proceed with this development.

Mr. Gardner- Is it the consensus from this board that 6 dwelling units doubled to 12 under an ISH may not be favored by this Board?

Mr. Snyder - A 2-family unit means you would be required to request a variance. That is not a conventional subdivision.

Mr. LaCortiglia- Lot 4 [as shown on the Conceptual Subdivision Plan #1] is in question. The Planning Board can waive dimensional requirements if under an OSRD plan.

Ms. Evangelista- What do you plan to do with Parcel A [as shown on Conceptual #2]? Perhaps that can be Open Space since it's right on North Sreet.

Mr. Gardner- Yes, that could be considered as open space.

Mr. Ed DesJardins, Chair of Historical Commission- Introduces himself. As an architect, I have comments. Trying to squeeze 12 units is too much. If you have a common septic, they could be tied in together. Architecturally you are in an area of historic homes. I would hope they will be in character with the historic neighboring homes.

Mr. Gardner- One thing you could achieve, you could use some of the ISH and preserve more of a streetscape there and get more flexibility with your site planning.

Mr. Snyder- I would look into less straight forward development and explore some options with the OSRD to get the development you are thinking of with less density and less of a roadway footprint. Look at the setbacks that are required.

Mr. LaCortiglia- The Board can waive the dimensional requirements with an OSRD. You can work off a standard yield plan.

Mr. DesJardins- The Historic Commission has looked at the existing house and it can be removed without a problem. The neighbors are anxious to see some activity or progress at the site. There's a security issue and it's a hazard there.

Mr. Gardner- I prefer to do something more creative. We just took title to #76 on January 12th so we are moving expeditiously separately or combined.

Mr. Rich- You should talk with the Building Inspector. The footprint is what is grandfathered. You need to talk with the Building Inspector on how to secure the dwellings.

Mr. Howard- If you take the structures down, the foundation buys you nothing.

Mr. LaCortiglia- Howard, look into an OSRD special permit along with an ISH special permit that runs concurrently.

Mr. Snyder- Together we will look at what is the best use for that property.

Ms. Barbara Johnson, owner- Introduces herself. We could have sold 3 years ago. We would like to see something go in there that is a definite benefit to the town. We are just looking for your guidance because of its unique location to the village center.

Mr. Howard- I like seeing the houses lined up down the street to fit in with the character of North Street. As one member, I'd like to see more high density in the back where it is unseen and preserves the look of the street.

Mr. LaCortiglia- Keeping that facade of the streetscape, an OSRD plan can sub-divide the parcels with the dimensional requirements you need to be more creative. The ISH can be in the back lands.

Mr. Howard- You don't need the wide road going to the back as the current plans show as long as it complies with the requirements for emergency vehicles.

Mr. Snyder- The property offers unique opportunity there. That allows for flexibility with the development and this Board.

Mr. Gardner- If I go with the ISH plan, it's up to me to demonstrate that creativity.

Mr. Howard- My concern is what you visibly see as you drive down North Street. The houses all line up along the road.

Official Town Map – Review print quotes for filing at the Registry

Mr. Snyder – Explains to the Board that the Planning Office received two price quotes to reproduce the Official Town Map onto a mylar for recording at the Registry of Deeds. The first quote has a \$40 total cost for a color mylar and the second quote from the BSC

Group has a total cost of \$20 for a black and white mylar. The registry prefers it to be black and white since it is reproduced in black and white.

Mr. Rich- Motion to hire BSC to print the black and white mylar, 24" x 36."

Tim Howard- Second

All in favor? 4-0; Unam

Office Hours Discussion

Mr. Snyder- My recommendation would be 9- 4pm for open office hours in the Planning Office.

Mr. Howard- Affordable Trust hours?

Mr. Snyder- Portions of the Trust hours will be done at Town Hall and some will be done from home.

Mr. LaCortiglia- The Planning Office will be open to the public from 9-4pm. The Town Planner is actually working the remainder of the 40 hours in the office to handle his other responsibilities.

Mr. Snyder- Planning Board Meeting start time is also in question as it had changed over the summer with the previous Town Planner. Would this Board like to go back to the original start time of 7pm?

{By unanimous consent, meeting times will go back to 7pm. Meeting times will need to be re-posted}

Mr. LaCortiglia- My goal for meetings for the Planning Board would be to go to the 1st and 3rd Wednesdays of every month as they currently conflict with CPC meetings on Tuesdays of that same week.

Mr. Snyder tells the Board he will look in to making the change to the 1st and 3rd Wednesdays.

Donation of old Planning Office Plotter

Mr. Snyder- The old plotter is no longer compatible for the Planning Office. We looked at donating to either the GMHS for their CAD program or the library. The library has responded to us that they don't have a need or space for it.

Mr. LaCortiglia- I am of the understanding in talking with Mr. Laut of the Library Commission that they may have a need for the plotter. Please correct me if I'm wrong as he may not have read the email from the Library Director stating they have no use for a plotter.

Mr. Snyder- I will go back and check my emails from Ruth, the Library Director, and confirm that the library does not have a need for the plotter. If it is determined that the library doesn't need it, then it can go the High School.

Mr. Howard- I make a motion that if only one of the two interested parties has a request for the plotter, whether it be the High School or the Library, they are entitled to come and pick up the plotter at their own expense. Otherwise, the Planning Board will need to discuss the donation at the next meeting and determine who is to be the recipient of the plotter.

Ms. Evangelista- Second

All in favor? 3-1; (Mr. Rich- not in agreement)

Mr. Snyder- Discusses the need to add filing cabinets in the area of the office where the old plotter now exists.

Minutes:

Mr. LaCortiglia- Explains to the new Town Planner that insuring the accuracy of the minutes is one of the most important things a planner does. He also indicates that on the Town Website the minutes up to 2009 are electronically filed in their own separate yearly folders but beyond '09 the minutes are not separated yearly and are not in chronological order. Michele, Planning Asst. indicates that she is working with IT of Virtual Town Hall. (Website Host)

Draft Form J revision: Board reviews the revised Form and approves.

Planner's Assistant Hours:

Mr. Snyder- It would be beneficial for me to have her stay on at 20 hours through the month of February.

Ms. Kottcamp- Indicates to the Board that she will be on vacation during school vacation week from Feb 21-23.

Mr. Rich- Motion to continue Michele's hours to 20 hours to February 16 after which the assistant's hours will revert back to 15 hours per week.

Mr. Howard-- Second

All in favor? 4-0; Unam

Ms. Evangelista motions to adjourn at 10:05pm

Mr. Howard- Second

All in favor? 4-0; Unam

