



Town of Carlisle

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Office of
PLANNING BOARD

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MINUTES

February 23, 2004

Minutes

Budget

**ANR Plan: Cross Street, Map 7, Parcel 21, Regina Costello, Trustee of Carriage Estates Trust, applicant
Request for support of proposal for the Town to purchase "Parcel A" off South Street (Map 5, Parcel 7), a.k.a.
the Benfield property, utilizing approximately \$2 million of Community Preservation Act funds (Request of
Community Preservation Committee)**

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**Request for Planning Board representative to oversee preparation of update to Carlisle Open Space and
Recreation Plan (Request of Conservation Commission)**

**Preliminary discussion of requirements imposed on Planning Board by entry of Final Judgement in AT&T
wireless et al. litigation re: 871 Bedford Road (expected action by United States District Court on or before
2/27/04)**

**Consideration of proposing amendments to the Personal Wireless Communication Facilities bylaw (sec. 5.9 of the
Zoning Bylaws)**

Consideration of proposing amendments to Article 12 of the General Bylaws, Scenic Roads

**Preparation of Community Development Plan to meet requirements of Executive Order #418 [Thomas Planning
Services and McGregor & Associates]**

Town Caucus – March 15

Chair Louise Hara called the meeting to order at 7:30 p.m. in the Clark Room at Town Hall. Board members David Freedman, Dan Holzman, Tom Lane and Phyllis Zinicola were present along with Associate Planning Board members Ray Bahr and Rich Boulé. Members Michael Abend and Rich Colman were not in attendance this evening. Planning Administrator George Mansfield and Administrative Assistant Anja Stam were present. Mosquito reporter Ali Walsh was also present for most of the meeting.

Minutes

The minutes of 2/09/04 were reviewed. Zinicola deleted one phrase, and the staff recommended one change for clarity. Freedman then **moved to approve the minutes of February 9, 2004 as amended.** Lane seconded the motion and it carried 4-0-1 with Holzman abstaining.

Budget

Lane stated that he spoke with two members of the Long Term Cap. committee regarding additional funding for planning. They agreed that such expenses should not be funded by Long Term Cap. Lane also gave information regarding the Planning Board's need to fund actual planning efforts to Lisa Jensen-Fellows, Chair of the Finance Committee. She agreed to review the information and consider it.

Lane suggested that the Planning Board budget remain as originally proposed for FY05, but pursue adding \$3000-5000 to the "Planning/Professional" budget in the future. The Board agreed.

ANR Plan: Cross Street, Map 7, Parcel 21, Regina Costello, Trustee of Carriage Estates Trust, applicant

The following members of the public were present for this discussion: Bonnie Miskolczy, Gabor Miskolczy, Mary Beth Stevenson, Bobby Lyman, Dan Cook and Richard Sibley of Cross Street; George Shepard of South Street; and John Bernardin of Bingham Road.

Mansfield explained that this 21-acre parcel is located west of Cross Street adjacent to Fielding Farm Road. The parcel will be divided into three two-acre lots and a fifteen-acre parcel. He noted that the cart path, watercourses and culverts are now shown on the plan and properly labeled.

Bonnie Miskolczy stated that the Cons Com administrator advised her that the cart path shown as ending on the ANR plan actually continues off the property toward Route 225. The PA explained that Stamski and McNary showed where the cart path ends and becomes a footpath. He suggested that the continuing footpath does not need to be shown on the plan.

Dan Cook noted that the path continues almost to Route 225 and should be preserved if possible. Hara explained the ANR process, noting that the Planning Board has no jurisdiction to ask for or impose conditions. She noted that if the developer came back to the PB for a special permit, then negotiations would be possible.

Bonnie Miskolczy asked if they should approach Costello and ask him what his plans are for the remaining fifteen acres. Hara agreed that this would be appropriate action for a neighborhood group, but the Planning Board has no authority to do so at this point.

Marybeth Stevenson asked if the developer would need subdivision approval to divide the remaining fifteen acres. The Board explained that it would depend on Costello's intentions for the parcel.

Holzman then moved to endorse the Plan of Land on Cross Street in Carlisle, Massachusetts, prepared by Stamski and McNary for Carriage Estates Trust dated 1/5/04, revised 1/27/04 and 2/10/04 as Approval Not Required. Zinicola seconded the motion and it carried 5-0.

Request for support of proposal for the Town to purchase "Parcel A" off South Street (Map 5, Parcel 7), a.k.a. the Benfield property, utilizing approximately \$2 million of Community Preservation Act funds (Request of Community Preservation Committee)

Sarah Hart of Fifty Acre Way and Dan Cook of Cross Street were present.

The Board reviewed a Draft motion for Town Meeting to vote on the proposed Town acquisition of Parcel A using CPA funds, as revised on 2/13/04. Zinicola explained that the motion sets minimum acreage for open space at 24 acres, for active recreation at 5 acres and for housing at 12 acres. Development will be subject to a master planning process and if the Town does not approve the resulting plan at Town Meeting 2005, then a default plan will be built. This default plan is still being discussed and finalized.

At Fin Com's request, the CPC hired a consultant to put together financial analyses of housing proposals. Riverside Consulting presented two potential alternatives, both requiring additional subsidies to develop.

Zinicola noted that the Board of Selectmen is still negotiating with the Carlisle Conservation Foundation (CCF) regarding specific conditions on the P&S. Therefore, the CPC has been unable to finalize the motion for Town Meeting. She expected the P&S to be finalized at the BOS meeting tomorrow night. The CPC will then conduct a public hearing regarding this motion on Wednesday February 25, 2004 at 8:00 p.m.

Freedman asked if the PB should explain the benefits of well-planned community housing versus development of five mansions. Holzman said this could easily be quantified by measuring the percent of impervious surface. He stated that there is a direct correlation between impervious surface and watershed degradation, and the goal should be to keep the impervious surface below 10% of the entire parcel. Holzman noted five individual mansions could have a significant

amount of impervious surface, which could easily exceed the impervious surface required for 24 units of clustered housing. Hart said this information was valuable and should be published in the Mosquito before Town Meeting. Holzman also suggested that the voters be advised that the Town-wide planning process will produce high quality development and will be better than private development of affordable units through 40B.

Zinicola suggested that the CPC should make up a list of potential questions regarding this parcel and decide which board or committee should answer them at Town Meeting.

Dan Cook said that Parcel A has different interest groups, such as those interested in playing fields, who might try to push their agenda. Mansfield noted that even after the Town approves the purchase and plan, the Rec Com must come before the Board of Selectmen and Planning Board for Site Plan Approval for any such facilities.

Holzman agreed to attend the BOS meeting tomorrow night regarding the purchase of Parcel A.

(Zinicola left the meeting.)

2003 Town Report and Staff Reviews

Mansfield explained that due to continuing problems with the server at Town Hall, these items are not completed.

Request for Planning Board representative to oversee preparation of update to Carlisle Open Space and Recreation Plan (Request of Conservation Commission)

Mansfield explained that a committee, headed by Steve Spang, is being organized to update the OS&R report, and Cons Com has requested that the Planning Board be represented on this committee. The first meeting is scheduled for March 16, 2004. Lane said he was not available on 3/16, but might be able to attend future meetings. Hara agreed to go to the first meeting.

Preliminary discussion of requirements imposed on Planning Board by entry of Final Judgement in AT&T wireless et al. litigation re: 871 Bedford Road (expected action by United States District Court on or before 2/27/04)

Mansfield explained that the judgment is expected to be entered by February 27, 2004, and the Planning Board must then hold a public meeting within 30 days. The PA noted that the Plaintiff is offering \$3000 for consultant review and he asked how the Board wished to proceed. Holzman suggested that Broadcast Signal Lab review the plan, while Freedman suggested that review of site conditions might be more important. The Board questioned who would be responsible for inspecting the tower construction. They asked the PA to ask the Town of Concord if they have an inspector who is familiar with tower construction. They also asked the PA to invite the Building Inspector to the public meeting regarding the wireless facility plan. Finally, the Board asked the PA to alert Broadcast Signal Lab and LandTech that the Board might require review services within the next month.

Consideration of proposing amendments to the Personal Wireless Communication Facilities bylaw (sec. 5.9 of the Zoning Bylaws)

Freedman, Hara, Holzman and Boulé will meet on Monday March 1, 2004 to discuss proposed amendments.

Consideration of proposing amendments to Article 12 of the General Bylaws, Scenic Roads

The Board agreed to propose the bylaw as drafted in 1996, but delete Section 12.8 regarding enforcement. After approval of the bylaw at Town Meeting, the Board will adopt associated rules and regulations.

The PA noted that the warrant closes on 3/9/04. He and Freedman will reread the 1996 article and redraft if necessary, then submit it to the Selectmen.

Preparation of Community Development Plan to meet requirements of Executive Order #418 [Thomas Planning Services and McGregor & Associates]

The Chair asked the PA to call Carol Thomas tomorrow and let her know that the EO #418 Steering Committee is waiting for Thomas to review her subcontractor's work and forward it to the committee.

Town Caucus – March 15

The Board discussed the upcoming election. All seven Planning Board seats will be open with 2 one-year terms, 2 two-year terms and 3 three-year terms available. Holzman and Lane said they would not run for reelection. Freedman will run for a two-year term and Hara will likely run for a one-year term. Other Board members were not present to express their preferences. Bahr and Boulé expressed interest in running for election also, but were waiting to see which positions the current Board members were interested in.

Subdivision Frontage Requirements

Holzman said that he had been reading the State's subdivision frontage requirements and they require a minimum of 20' of frontage in the absence of local bylaws. He suspected that the proposed 40B development off Maple Street would be subject to this minimum frontage requirement despite Town Counsel's opposite opinion. The Board discussed this further, but came to no conclusion.

At 10:30 p.m., the Board unanimously adjourned the meeting.

Respectfully submitted,



Anja M. Stam
Administrative Assistant