

Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

66 Westford Street
Carlisle, Massachusetts 01741
Tel. (978) 369-9702
Fax (978) 369-4521
e-mail: carlplan@rcn.com

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September 27, 2006

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Preparation of rules and regulations for Personal Wireless Communications Facilities bylaw (Broadcast Signal Lab – Planning Board/joint subcommittee.

Public Hearing on application of Omnipoint Communications, Inc. for a special permit and site plan approval under Sec. 5.9 of the Carlisle Zoning Bylaws to install, operate and maintain a personal wireless communication facility at 871 Bedford Road (Map 11, Lot 1) on and adjacent to a previously permitted 189-foot monopole tower, owned by New Cingular Wireless, PCS, LLC.

Review of application to Zoning Board of Appeals for Comprehensive Permit under MGL Chap. 40B for 41 condominium units/12 affordable of attached housing to be known as "Coventry Woods," on Concord Street, northeasterly of 515 Concord Street (Map 8, Parcel 10 – 22.8 acres), (Application of Coventry Woods LLC and MCO & Associates, Inc., referred by Board of Appeals)

Discussion of strategy with regard to pending litigation, Valchuis et al. v. Planning Board, Berry Corner Lane, Map 7, Parcel 29 (motion to go into executive session may be entertained)

Discussion of potential amendments to Special Permit Rules and Regulations for Accessory Apartments to incorporate zoning bylaw amendments (Sec. 5.6) approved by 2006 Town Meeting

Report on progress to obtain necessary approvals and design of footpath parallel to Cross St., as authorized in consideration of approval of Greystone Crossing Conservation Cluster special permit.

ANR Plans: Westford St. Curve St., & Virginia Farm Lane ("Wilkins Hill"), Map 19, Parcels 37, 40 & 41, Map 20, Parcels 9, 10A & 22, Wilkins Hill Realty, LLC, applicant

Chair David Freedman called the meeting to order at 7:30 pm in the Clark Room at Town Hall. Board members **Michael Epstein, Tom Lane, Peter Stuart** and Planning Administrator **George Mansfield** were present. Brian Larson and Kent Gonzales were absent. **Greg Peterson** arrived at 7:55 pm.

Gretchen Caywood, assistant to the Planning Administrator, Rita Maistrellis (Virginia Farme Road), and Bob Zielinski (Carlisle Mosquito) were also in attendance.

Minutes

The PB discussed the draft minutes of September 13, 2006. Lane then moved to approve the minutes as drafted. Epstein seconded and the motion passed 3-0-1, with Epstein abstaining. The PB also reviewed the minutes of the Executive Session of September 13, 2006. Lane moved to approve these minutes as drafted, Epstein seconded, and the motion carried 3-0-1, with Epstein abstaining.

Meeting Schedule

Freedman reported that the special meeting of the PB tentatively set for October 11 for discussion of Coventry Woods will not be needed. The PB also set their December meeting for Monday, December 11, 2006 at 7:30 pm

Public Hearing on application of Omnipoint Communications, Inc. for a special permit and site plan approval under Sec. 5.9 of the Carlisle Zoning Bylaws to install, operate and maintain a personal wireless communication facility at 871 Bedford Road (Map 11, Lot 1) on and adjacent to a previously permitted 189-foot monopole tower, owned by New Cingular Wireless, PCS, LLC.

Freedman reopened this continued public hearing and reported that the applicant had requested a continuance to October 23, 2006. Therefore no testimony was taken. Freedman said that David Maxson (Broadcast Signal Labs) had responded to the PB's request for review of the application, agreeing to do so.

Freedman moved to continue this hearing to Monday, October 23, 2006 at 7:45 pm. Epstein seconded and the motion carried 4-0.

Discussion of potential amendments to Special Permit Rules and Regulations for Accessory Apartments to incorporate zoning bylaw amendments (Sec. 5.6) approved by 2006 Town Meeting

Epstein requested that Caywood provide him with the revised draft of this document as soon as possible, after Mansfield has reviewed it for content, and Caywood agreed to do so.

Peterson joined the meeting at this point.

Fall Town Meeting warrant – Zoning articles

Mansfield informed the PB that a public hearing must be held for the amendment and correction of the wireless bylaw.

Freedman moved to set a public hearing for Monday, October 23, 2006, at 7:30 pm for amendment of the wireless bylaw. Lane seconded and the motion carried 5-0.

Selectmen's 2007 Goals

Freedman asked the PB members to review the BOS goals that had been circulated to all departments, and to forward their comments by email by October 6th. Mansfield added that other boards will also be commenting on the goals, in particular Goal 2 (Manage and Leverage Effectiveness of all Town Boards and Departments) and Goal 8 (Technology Plan for Town Hall).

Personnel procedures

Mansfield reported that the Personnel Board had circulated its procedure for requests for increase staff hours, which they approved at their September 7th meeting. He added that all departments in Town Hall are concerned with equity of enforcement of these procedures.

GIS Development Task Force

Mansfield reported that national offices of Verizon have contacted him twice recently to obtain information from Carlisle's GIS maps. They are gathering GIS information from all MA towns. He explained to them that although we have the information, due to technical problems we cannot access it at this time. Verizon is requesting information on parcel boundaries and assessors data from the maps.

Freedman suggested that Verizon forward a written request for this information, which we can forward to Madonna for her approval before releasing the information.

ANR Plans: Westford St. Curve St., & Virginia Farm Lane (“Wilkins Hill”), Map 19, Parcels 37, 40 & 41, Map 20, Parcels 9, 10A & 22, Wilkins Hill Realty, LLC, applicant

Mansfield reported that the ANR application fee has been received, and that the applicant is looking for endorsement of this ANR by the PB. He added that the applicant has made no mention of utilizing common driveways and/or designing a conservation cluster, alternatives that were mentioned at the September 13th meeting as possibly being applied to these parcels.

Peterson said that a similar approach was originally presented for Clark Farm, where people bought paired lots and one was designated no-build. Mansfield added that Clark Farm then went through the Conservation Cluster Special Permit process.

The PB discussed lot access issues in detail. Mansfield said that every lot on the plan has practical access, and there is no minimum width or depth involved for practical access, as defined by case law. The PB noted that although some of the pork chop lot necks are very lengthy, they remain at least 40-feet wide. Epstein pointed out that the zoning bylaw does not address the length of the access neck of pork chop lots, and the lots do meet all other requirements. Freedman said that ConsComm has expressed concern because there are conservation restrictions on many of these lots.

Rita Maistrellis (Virginia Farm Lane) expressed concern about potential water and septic problems. Epstein explained that the PB has no jurisdiction over these issues, and that as long as the plan meets the size, shape and lot layout requirements, the PB must endorse the plan. Maistrellis asked if other abutters would have the opportunity to view the plan, since she was the only abutter in attendance. Mansfield explained that the agenda of this meeting was published in the Mosquito. Epstein explained that ANRs have very limited technical review by the PB, and if the aforementioned lot requirements are met, the PB must endorse the plan. Mansfield added that the owners have filed an Abbreviated Notice of Resource Area Delineation (ANRAD) with ConsComm on this land, but there are no public hearings on ANRADs. Freedman explained that the use of wetlands is under the jurisdiction of ConsComm. Peterson added that if this plan is redesigned into 3 or 4 common driveways, then a special permit approval process is required and the permit will be before the PB.

Epstein moved to endorse as Approval Not Required the plan of land in Carlisle, MA for Westford St. between Curve St., & Virginia Farm Lane (“Wilkins Hill”), Map 19, Parcels 37, 40 & 41, Map 20, Parcels 9, 10A & 22 dated August 3, 2006 for Wilkins Hill Realty, LLC drawn by Stamski & McNary consisting of 7 sheets and one key sheet, 8 sheets in total, and certified on September 21, 2006 by Joseph March. Peterson seconded the motion and it carried 5-0.

Discussion of strategy with regard to pending litigation, Valchuis et al. v. Planning Board, Berry Corner Lane, Map 7, Parcel 29 (motion to go into executive session may be entertained)

At 9:35 pm Stuart moved to enter into Executive Session, not to return to regular session. Peterson seconded and the motion carried 5-0: Stuart – aye, Peterson – aye, Freedman – aye, Epstein – aye, Lane – aye.

Respectfully Submitted,

Gretchen Caywood
Administrative Assistant
Carlisle Planning Board