

# Town of Carlisle

MASSACHUSETTS 01741

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## Office of PLANNING BOARD

### Minutes

November 13, 2006

66 Westford Street  
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#### Minutes 10/23/2006

#### Bills

Budget: FY08 Budget

PB membership

MHC Survey and Planning Grants

Chapter 43D – Expedited permitting

Selectmen's 2007 Goals

Personnel procedures

GIS Development Task Force

Town Hall technology/web site

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

Review of draft decision for Omnipoint Communications, Inc., application 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 potential amendments to Special Permit Rules and Regulations for Accessory Apartments to incorporate zoning bylaw amendments (Sec. 5.6) approved by 2006 Town Meeting

Informal discussion of conceptual plans to subdivide approximately 93 acres of property with frontage on Westford St. and Virginia Farm Lane, aka "Wilkins Hill," (Map 19, Parcels 40 & 41, Map 20, Parcels 9, 10A & 22) [Request of Wilkins Hill Realty, LLC]

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)

**Chair David Freedman** called the meeting to order at 7:32 pm in the Clark Room at Town Hall. Board members **Tom Lane, Brian Larson, Kent Gonzales, Greg Peterson, Peter Stuart** and Planning Administrator **George Mansfield** were present. **Michael Epstein** arrived at 7:37 pm.

Gretchen Caywood, assistant to the Planning Administrator, George Dimakarakos (Stamski & McNary), Rob West (Wilkins Hill Realty, LLC), and Bob Zielinski (Carlisle Mosquito) were also in attendance.

#### Minutes

The PB discussed the draft minutes of October 23, 2006. Two revisions were suggested. Lane then moved to approve the minutes as revised. Larson seconded and the motion passed 6-0-1, with Stuart abstaining.

#### Budget: FY08 Budget

Mansfield reported that FinCom has requested that each department review their New Initiatives with them prior to formal budget submission. Therefore the PB must determine as soon as possible what, if any, New Initiatives it

will require in FY08. Freedman requested that New Budget Initiatives be an item on the agenda for the November 27<sup>th</sup> PB meeting.

#### **PB Membership**

Freedman reminded the PB that three membership terms expire in May 2007, and that now is the time to start searching for new members. The PB plans to advertise for new members in the January and February issues of the Mosquito. Bob Zielinski (Mosquito) said that the Mosquito editor plans a series of articles on the different Town Boards and Committees. He suggested that, for the PB article, a member could be interviewed to describe the Board's function and current activities, thereby possibly generating added interest in citizen participation.

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

Gonzales reported that he will have the draft Rules and Regulations available for the next meeting, and suggested that wireless consultant David Maxson (Broadcast Signal Labs) review the final draft.

#### **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 had provided a revised draft of these Rules and Regulations to the PB prior to the meeting. Freedman asked that no detailed discussion take place tonight, since a public hearing is required for approval of these changes. He asked that if all are in agreement, the draft could be forwarded to the Housing Authority (HA) via Elizabeth Barnett, the new hire for the position of Administrative Coordinator. Barnett reports to the Town Administrator and also works directly with the ZBA and HA. Epstein requested that any comments from the PB on this draft be forwarded to him and to Freedman.

Mansfield reported that several towns in the Lowell area are forming a regional Affordable Housing Initiative, according to Toby Kramer (affordable housing consultant). He said he had suggested that Kramer contact Barnett about this and other housing issues.

#### **Review of draft decision for Omnipoint Communications, Inc. application 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.**

Mansfield reported that he is in process of preparing the decision on this application. Computer problems that appeared to be throughout Town Hall today interfered with the completion of this work. The decision will be reviewed by Epstein, Larson and Freedman and promptly filed with the Town Clerk.

#### **Informal discussion of conceptual plans to subdivide approximately 93 acres of property with frontage on Westford St. and Virginia Farme Lane, aka "Wilkins Hill," (Map 19, Parcels 40 & 41, Map 20, Parcels 9, 10A & 22) [Request of Wilkins Hill Realty, LLC]**

Mansfield, Larson, Stuart and Freedman had attended a site visit on Thursday, November 9<sup>th</sup> along with George Dimakarakos (Stamski & McNary) and Rob West (Wilkins Hill Realty, LLC), at which they walked the perimeter of the site along Westford Street. The centerlines of the two proposed roadway entrances are currently marked with orange-painted stakes. One is across from the driveway to #565 Westford Street. The other is across from the Cross Street intersection. An alternate location across from Acton Street is also marked.

Dimakarakos presented detailed information on the two proposed entrance locations, as well as on two potential alternative locations. One potential alternative was an entrance from the cul-de-sac at Virginia Farme Road. Based on Dimakarakos' explanation that an entrance road would be at an 8% grade at this location, which would require 14-foot retaining walls adjacent to a wetland for support of the roadway (therefore requiring that extreme amounts of fill be trucked in), this alternative was deemed impractical.

The area of Westford Street near the proposed entrance across from Cross Street has a grade of 6.8%. The area of Westford Street near the proposed entrance across from #565 Westford Street has a grade of about 5.8%. Therefore, both cases exceed the maximum 5% grade allowed by the Subdivision Rules and Regulations, and would require waivers from the PB. According to Dimakarakos, while the area of Westford Street with the 5.8% grade could be regraded (with permission from the BOS) to achieve the less than 5% grade that is required, this is not possible for the area of the proposed entrance across from Cross Street (6.8% grade). Another option of relocating this proposed entrance further east on Westford Street across from Acton Street was also discussed. This was deemed too problematic due to sightline issues caused by the curve of Westford Street just beyond this point, and wetlands crossing issues. Dimakarakos indicated that accident data for the intersection with Acton Street suggests that this would not be a good access point to the proposed development.

Dimakarakos calculated that based on the speed limits there would be sufficient stopping distance for each of the originally proposed entrances. Freedman said that the detailed traffic study to be provided will help to determine if a waiver to allow these entrances is reasonable from a safety standpoint. Peterson suggested the placement of four-way intersection signs on Westford Street if the proposed entrance across from Cross Street is approved. Epstein suggested that this proposed entrance could perhaps be designed to accommodate deceleration lanes for turning traffic. Epstein also noted that the applicant will need to test for impact of this proposed development on water supply (quality and quantity) of the surrounding area. Larson asked that the applicant provide data analysis to show how much the stopping sight distances were increased by the amount the grades exceeded the 5% standard.

Dimakarakos noted that a new name will be proposed for this project.

**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)**

Epstein recused himself from the PB for this discussion, as he is an abutter to this proposed development.

Freedman reported that the PB must formulate a response to the ZBA commenting on recent materials provided by the applicant and on the responses of the review engineer (Beals & Thomas) to these materials. Freedman had prepared a draft response and had circulated it to the PB prior to tonight’s meeting. It included detailed comments on:

- Septic system and stormwater management
- Water testing
- Landscaping and LID
- Construction Management Plan (CMP) and blasting
- Traffic and safety
- Lighting Plan
- Waivers
- Deed, Trust and Homeowners’ Association documents
- Stone walls
- Concluding comments

Several members of the PB expressed serious concern with the adequacy of the traffic study being used by the applicant. It is a 1998 study from the Buttrick Woods site, and is therefore neither current nor relevant to this location. Such a study is required by the Subdivision Rules and Regulations. In addition, Epstein recalled a case where a 40B project in another town was denied due to problems with a single-access roadway).

Freedman commented on water testing, and pointed out that his draft includes the suggestion of an escrow account to be held for a recommended 24 months after the last occupancy permit is issued, to help assure the funding for correction of any water problems that arise as a result of the construction and landscaping. This would allow for time to assess the effect of two full growing seasons at peak water demand to establish plantings. The PB also

agreed with the proposed additional \$100,000 amount in the escrow to cover more serious general water supply issues than individual well failures.

Concerning other points in the memo, PB members submitted their comments to Freedman for incorporation into the final draft.

Epstein summarized that this project will be building 41 units on approximately 10 buildable acres. While there are other development projects that are as dense (Rocky Point and Malcolm Meadows), he contrasted the approach of different developers, indicating that this applicant does not seem to have any concern for the abutters. Epstein then thanked Freedman for his consistent support on the abutters' behalf at the ZBA hearings, and asked the other PB members to attend the upcoming hearing on Monday, November 20<sup>th</sup> if at all possible.

At 9:50 pm, Peterson moved and Epstein seconded the adjournment of the PB meeting. The motion carried 7-0.

Respectfully Submitted,

Gretchen Caywood  
Administrative Assistant  
Carlisle Planning Board