



# Town of Carlisle

MASSACHUSETTS 01741

Office of

## PLANNING BOARD

### MINUTES

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

### Minutes

January 24, 2005

#### Minutes

**Public Hearing for request for Common Driveway Special Permit at 70 Orchard Acres (Map 27, Parcel 23), Mark Lemos, applicant**

**Waste Water Treatment Facility site plan review, Carlisle Public School**

**Update of Comprehensive Permit Application (to the Zoning Board of Appeals) for "Carlisle Woods," adjacent to 926 Maple Street at Billerica town line, application of Massapoag Real Estate Development Corporation**

**Purchase of software for the Planning Board office**

**Budget**

PB Chair **Louise Hara** called the meeting to order at 7:30 p.m. in the Clark Room at Town Hall. Board members **Rich Boulé, David Freedman, Kent Gonzales, Ray Bahr** and **Peter Stuart** were present, along with Associate Board member **Tom Lane**, Planning Administrator **George Mansfield**, and PB Administrative Assistant **Helen Boos**. Board member Phyllis Zinicola was absent.

#### Minutes

The minutes of the last meeting were reviewed. Boulé **moved to accept the minutes as amended of January 10, 2005**. Stuart seconded the motion and it carried 6-0.

#### Public Hearing for request for Common Driveway Special Permit at 70 Orchard Acres (Map 27, Parcel 23), Mark Lemos, applicant

Associate Member Tom Lane was appointed for this public hearing, making a total of seven members eligible to vote. **Bill McNary** of Stamsky & McNary presented the plan. Also present were **Farhad Vazehgoo** of 41 Orchard Acres, and **Daniel Ellard** of 48 Marlboro Street, Belmont, MA, who had previously informed the Board that he is interested in purchasing 70A Orchard Acres.

Hara informed the Board that this Common Driveway Special Permit is a re-hearing (because of a breach in advertising procedure for the first hearing on November 22, 2004, at which the application had been approved by the Planning Board). McNary informed the Board that advertising was done correctly this time and that notices of this hearing were sent to abutters by certified mail on 1/18/05. He also explained that although the abutters were not given fourteen days notice, as is required by Carlisle PB regulations, State law makes no mention of a time limit in notifying abutters, and he asked that this requirement be waived. He explained that most abutters cards have been returned and that, of the remainder that have not been returned yet, all have either been delivered or are waiting to be signed for. He reminded the Board that abutters had been given fourteen-days notice at the 11/22/04 hearing, and that although several abutters were present at the last hearing, none spoke in opposition. Farhad Vazehgoo reiterated that if the plan has not changed, he and other abutters would be happy to see the special permit granted. McNary reiterated that there is no change in the plans.

Given that abutters had been given adequate notice for the first hearing, and that the second hearing is basically for a technicality in that regard, Freedman **moved to waive the fourteen-day notice requirement**. Boulé seconded the motion, and it carried 7-0.

Members noted that (as had been noted in the previous hearing) the plan does not call for any new construction that would need a review engineer.

Freedman moved to **waive the requirement that the Common Driveway be named and to waive the Project Review fee**. Stuart seconded the motion, and it carried 7-0.

McNary explained that the decision had been written after the previous hearing and, since the plans have not changed, it would not need to be rewritten.

Because the \$500 filing fee is adequate to cover the cost of the re-hearing, Freedman **moved to waive the filing fee for the second application.** Bahr seconded and the motion carried 7-0.

Freedman moved to **grant the Special Permit for the Common Driveway on 70 Orchard Acres Drive as per the Plan of Land in Carlisle prepared by Stamsky & McNary dated October 18, 2004 for Mark Lemos, with the condition as outlined in the draft decision from November 22, 2004, and with the additional condition that the maintenance agreement as referenced to this document be signed as part of the decision.** Gonzales seconded the motion and it carried 6-0-1 (abstained by Lane).

### **Waste Water Treatment Facility site plan review, Carlisle Public School**

Present were **Christy Barbee** and **Bob Pauplis** of the School Building Committee, and **Paul Clinghan**, the engineer with Hoyle, Tanner & Associates (HTA) who is designing the proposed site. Although the Board of Selectmen had approved previous plans for the WWTF last year, the construction estimates proved too high and the Town is now investigating alternatives.

Barbee explained that the site being reviewed is at Banta Davis recreation area, closer to the traveled way than it was on the previous plan. Board members expressed a preference for this plan because it eliminates the need for a long service road (which involved grading issues, guard rails, and paving issues).

Clinghan presented the preliminary plans, explaining that specific building details have not been worked out yet. He asked for the Board's feedback. To get a full picture of the plan, the Board discussed a wide range of issues, including:

- The amount of pumping involved in pumping untreated effluent to the WWTF, where it would be pumped again to the leach field.
- Projections of school enrollment and the possibility of school expansion, as these factors determine the land needed as well as the flow capacity of the WWTF (calculated for 13,500 gallons per day, 10 gallons per day per student). Clinghan said that, regarding flow capacity, the main issue is the leach field capacity and finding a suitable location with the perc rate and mounding as allowed by DEP. (The location of the leach field at Banta Davis recreation area is the same as on the previous plan).
- Power to the WWTF. In response to questions from the Board, Pauplis explained that power lines (currently single-phase) are insufficient and will have to be changed to three-phase in a conduit.
- Cost issues and savings in moving the site.
- Issues of disruption to the area by construction vehicles and materials.
- Drainage around the building site.
- The building's appearance. Clinghan said they plan is for an unobtrusive look (brown bricks, with a row of trees to block it off from view from the ball fields).
- Placement of the Facility where a minimal amount of trees would have to be cut either for the Facility itself, or to make space for contractors' materials and work during construction.
- The trail that crosses through the site of the proposed tennis courts.
- The proposed well for the WWTF, and the Recreation Commission's proposed well and restroom facility.

Regarding site plan issues, the Board discussed the following points:

- Safety issues for children: Clinghan explained that there are manhole covers that would be locked; doors would have locks; the outside generator would be housed within a structure and locked.
- Lighting: Clinghan said the doors would have outside lights; the Board expressed a preference for lights with on-off switches, rather than automatic lights.
- Alarms: Clinghan said the plan includes intrusion alarms.
- Grading and guardrails: There are no grading or guardrails issues.
- Parking and turnaround for emergency vehicles: Similar turning space as previous plans.
- Drainage and runoff: Gravel road minimizes drainage and runoff.

- Gate or sign to deter recreation visitors from parking in the WWTF: Some members and Pauplis expressed a preference for a sign rather than a gate or fence, suggesting that a bollard and/or chain can be added later if needed.

**Ed Rolfe** (who was present for the “Carlisle Woods” discussion), asked about the size of the generator and where the fuel is stored. Clinghan said it uses either natural gas with a line to the mainline, or diesel with a tank under the generator. The generator itself is housed within a metal cabinet that is enclosed and locked.

Barbee said she will report to the PB what is discussed in their meeting with the fire chief (1/25/05). The PB observed that the plans before them simply superimposed the WWTF on the tennis court site plan. Clinghan promised a detailed plan for this site soon, and the Board agreed to write a letter with its recommendations when plans are more developed.

**Review of Comprehensive Permit Application for “Carlisle Woods,” adjacent to 926 Maple Street at Billerica town line, application of Massapoag Real Estate Development Corporation (request of Zoning Board of Appeals)**

**Ed Rolfe** of 916 Maple Street was present. The Board reviewed copies of documents that the BOA forwarded to the Planning Board, including letters between the applicant and the BOA, the Carlisle Fire Department, and Ross Associates (review engineer). The materials were submitted by the BOA without a formal request for PB input.

Hara reported on the BOA meeting she attended with Bahr, Boulé and Freedman on Thursday 1/20/05, which Rolfe had also attended. Rolfe summarized the meeting as having been, basically, a review of the latest reports and plans, with further pressure to accept the still incomplete plans within the allotted time frame.

Board members expressed continued concern for unresolved access road issues (such as grading, drainage and safety) and the fact that the road technically falls within Billerica, while the residents living on and near that road are (or would be) Carlisle residents. There are also unresolved drainage issues, and concerns that continued delays in obtaining complete plans do not allow enough information to give an adequate review of the plans within the timeframe the BOA has been given by the State Housing Appeals Committee.

Rolfe expressed concern that the proposed cistern may intrude on the leaching area for his home, which is not clearly delineated on plans for his property. This area appears to be drawn on the plan as being within the Town right-of-way. There is also a stone wall along Maple Street (a Scenic Road) that would have to be torn down to put the cistern in. There is also a sidewalk proposed along Carlisle Road that would necessitate the removal of a protected stone wall. Board members pointed out that 40B authority does not override Scenic Road regulations.

Rolfe also asserted that an owner who abuts a private road technically owns the land up to the middle of that road, despite the access easement, while the abutter on the other side owns the other half of that road; however, he said, this is only true when so referenced in the deed. He said that it is referenced in his deed, but that it is not referenced the other abutter’s deed which, he said, means that he owns all the land that is Carlisle Road. Board members said this would explain why the developer maintains that he cannot change the grade of the road.

Board members agreed that, despite the lack of a request by the BOA for input, it was important to reiterate the concerns the Board had expressed in previous correspondence (most importantly the Board’s view that the application should be denied due to the applicant’s stated inability to control the grade of the access road making it difficult if not impossible for the applicant to adequately address the drainage and safety issues that have been raised), plus new concerns about the proposed cistern placement. Mansfield will write and send that letter.

**Purchase of software for the Planning Board office**

The Board started to discuss the software needs for the three computers in the Planning Board Office and decided to continue the discussion in detail at a later date.

### **Budget**

Freedman presented the documents that he, Hara and Boulé have been preparing: a memo to the Finance Committee and copy of the budget request that Boulé will submit to FinComm on Wednesday; a memo that Freedman and Hara will present to the Selectmen on 1/25/05 about drafting an Affordable Housing Plan; a document explaining State regulations on Affordable Housing.

Freedman explained that the issue of affordable housing has come to the forefront of Town concerns because of a recent proposal for 66 units of age-restricted housing on Concord Street. In a recent meeting with two Selectmen, he said, it became clear that they are eager to see an affordable housing plan completed, and they indicated the possibility of finding funding to develop the plan. Freedman said he expects the meeting on 1/25/05 to include a request for funding for consultant services and for the full support of the Selectmen for a plan.

The Board also reviewed and discussed the memo to FinComm and the "Proposed FY06 Planning Board Budget." The most significant change in the budget request is that, where the Board had previously discussed requesting approval of the level services budget and submitting a warrant article at Town Meeting to cover the cost of long-range planning, Board members now suggest requesting approval of a growth budget rather than a one-time warrant article to ensure that the Town's planning needs will be met on an ongoing basis.

Noting this change, Bahr **moved to accept the budget request as presented (with the correction of \$20,000 for Planning & Professional) to present to the Finance Committee.** Stuart seconded the motion and it carried 6-0.

At 11:30 p.m., the Board voted unanimously to adjourn the meeting.

Respectfully submitted,

Helen Boos  
Administrative Assistant