



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

Minutes

December 12, 2005

Minutes 11/28/05

Bills

Budget

Wage and salary structure – Personnel Board

Wireless Bylaw Subcommittee

Contract with Broadcast Signal Lab

Town Hall Technology

MIT-I-495 Growth Management Study

Development of additional GIS data layers and technical support (Applied Geographics)

Continued Public Hearing on applications for four special permits for a Conservation Cluster, “Greystone Crossing,” comprised of 15 building lots and 5 open space parcels within 47.3 acres located on Cross Street and Bingham Road (Map 7, Parcels 35,36,37,38,47 & 59); and three (3) Common Driveways, “Trillium Way,” “Captain Wilson Lane,” and Greystone Lane, all with access from Cross Street (Request of William Costello, Bingham Road LLC and Carriage Estates Trust)

Review of application to Zoning Board of Appeals for Comprehensive Permit under MGL Chap. 40B for 56 age-restricted, condominium units of attached housing to be known as “Coventry Woods,” on Concord Street, northeasterly of 515 Concord Street (Map 8, Parcel 10 – 22.8 acres), 14 units to be designated as affordable housing (Application of Coventry Woods LLC and MCO & Associates, Inc., referred by Board of Appeals)

Discussion of implementation of Affordable Housing Plan, Affordable Accessory Apartment study, Inclusionary Zoning, Smart Growth

Request by Carlisle Recreation Commission for informal conceptual discussion of proposed Banta Davis Phase 2 recreation facilities plans, expected to be subject to Site Plan Review under Sec. 7.6 of the Zoning Bylaw.

Request for release of Lot 2A from covenant for Great Brook Estates Definitive Subdivision Plan, 195 Rutland Street (Map 26, Lot 18-1), and status report on completion of subdivision [Request of Ira Gould]

David Freedman called the meeting to order at 7:35 pm in the Clark Room at Town Hall. Board members **Louise Hara, Peter Stuart, Michael Epstein, Kent Gonzales, Ray Bahr**, and Planning Administrator **George Mansfield** were present. **Rich Boulé** joined the meeting at 7:37 pm, and Associate Member **Brian Larson** at 7:39 pm.

Gretchen Caywood, assistant to the Planning Administrator, Patricia Smith (ConsComm), Cindy Nock (RecComm), Allen Deary (RecComm), Richard Harrington (Stamski and McNary), Ira Gould (P.O. Box 654), Betsy Goldenberg, 111 Pine Brook Road, David Trask, 128 Log Hill Road, Evan Carpenito, 493 South Street, and Bob Zielinski, Carlisle Mosquito reporter were also present.

Minutes

The PB reviewed the minutes of the 11/28/05 meeting, and one change was suggested. Epstein moved to approve the minutes as amended, Hara seconded and the motion carried 7-0.

Miscellaneous

Mansfield pointed out from his memo that Greystone applicants are not coming to tonight's meeting. Freedman asked about status of wage and salary issues, and Mansfield pointed out that he, Epstein and Caywood are compiling the necessary information for presenting Caywood's wage setting to the Personnel Board. For the broader issue of wage and salary structure for the Town, Mansfield also referred to a memo from the Gleason Library detailing information they obtained through their consortium on nearby towns' salary structure, which indicates much shorter timeframes required in most towns to reach the top of the salary range for a given position. Epstein pointed out that we should express to the Personnel Board that the PB is similarly concerned with respect to the town's ability to attract and retain high-quality employees, and Freedman suggested that this concern be put forward in a memo to the Personnel Board.

Continued Public Hearing on applications for four special permits for a Conservation Cluster, "Greystone Crossing," comprised of 15 building lots and 5 open space parcels within 47.3 acres located on Cross Street and Bingham Road (Map 7, Parcels 35,36,37,38,47 & 59); and three (3) Common Driveways, "Trillium Way," "Captain Wilson Lane," and Greystone Lane, all with access from Cross Street (Request of William Costello, Bingham Road LLC and Carriage Estates Trust)

Freedman reopened the public hearing with a reminder that the applicant will not be here this evening, but that the issue of Boulé's status as a Board member needs to be discussed, as he is no longer a Town resident. The Town Clerk's office has inquired about Boulé's status on the Board, as he is now a resident of Acton. At this point, Mansfield referred the Board to MGL ch 41, sec 109, which states that "...if an elected or appointed town or district officer removes from the town or district in which he holds office, he shall be deemed to have vacated his office." On conferring with the applicant's counsel, Freedman and Mansfield determined that the applicant wishes to post a new hearing, but does not feel that they need to reapply. Freedman reported that Boulé can continue his membership on the Wireless Bylaw Subcommittee.

Costello's counsel wishes to advertise the next hearing as soon as possible, following the requirements of notices in two consecutive local papers, and also send out notices to the abutters. Freedman pointed out that continuing the hearing to January 23rd will allow for two consecutive advertisements in the Mosquito (as it does not publish on December 23rd or December 30th). Freedman stated that, with Stamski and McNary revising the plans anyway, it may be possible for everything to come together on January 23rd, and all matters may be able to be finalized in one meeting. Freedman stated that if Larson is interested in being appointed to fill the remainder of Boulé's term, Boulé needs to submit a written resignation to the Town Clerk, then Larson can be appointed at a joint meeting with the BOS on the 20th of December. In this manner, Larson would become a voting member. He is also very familiar with this Greystone Crossing hearing, as he has been present for all but one meeting.

Since all members of the PB, including Boulé, understood the importance of this situation, Boulé submitted his written resignation to Freedman, indicating that he will leave the meeting after he updates the PB on wireless bylaw activities. Freedman, Gonzales and the entire PB expressed their sincere appreciation to Boulé for all of his hard work and devotion to the Town issues. Freedman ascertained that Hara, Gonzales and Bahr will be available to attend the December 20th BOS meeting toward appointing Larson as a full, voting member of the PB. Following this, the PB will advertise for Associate Members.

Freedman directed Mansfield to set the dates for upcoming PB meetings, and the following dates were agreed upon with the Board (second and fourth Mondays of the month): January 9th and 23rd, February 13th and 27th, and March 13th and 27th.

Epstein moved to continue this hearing on Greystone Crossing to January 23rd at 7:45 pm, and noted that this will be the newly advertised public hearing. Bahr seconded and the motion passed 6-0.

Freedman also pointed out that Boulé has been Treasurer to the PB and has been handling our budget issues. He asked for an interested party to take this role, but there were no immediate volunteers.

At this point, Freedman and the entire PB expressed their sincere appreciation to Boulé for all his diligent volunteer efforts on behalf of the PB.

Town Hall Technology

Freedman reported that he will speak with Tice (BOS) concerning the lack of recent progress on technology issues in Town Hall. Bahr also indicated that he will speak with Tice on this matter.

Development of additional GIS data layers and technical support (Applied Geographics)

Freedman reported that Janice Bernsee is completing her OS&L volunteer work for ConsComm. When Bahr inquired as to who will take over this work and how it will continue, Freedman reported the discussion at the recent meeting of all Board Chairs. He stated that GIS was discussed, but no decision was made on how it will go forward. Maintenance of it will need an ongoing, regular time commitment as well as funds. He pointed out that the Assessors office will likely benefit most from the use of GIS. Freedman added that even though Carlisle is a small town, there is still a significant minimum ramp-up cost requirement to getting this system in place, as there is still a basic level of investment required. Mansfield added that along with regular maintenance and updates a complete update would be required every 5 years.

At this point, there was a discussion of other large cost items that the Town needs, such as a generator for the school to handle emergencies, and Freedman expressed that while he feels GIS is helpful, he does not see it as essential to the Town.

Wireless Bylaw Subcommittee

Boulé reported that there had been two subcommittee meetings since the last PB meeting. The subcommittee reviewed the annotated bylaw changes that Maxson had made, and also debated the previously proposed use of a distributed antenna system. Maxson stated that he was having “second thoughts” about suggesting the use of such a system for several reasons. First, since Carlisle is a rural community, there is a good chance that trees and foliage will interfere with the system. Also, he had learned that NStar will not allow anything on top of their primary feed (telephone polls). Boulé also reported that clusters of small towers were being used more frequently (than DAS) in nearby towns.

Boulé reported that the outcome was a decision that in the section defining a giant setback from schools, for example, an exception clause could be placed in the bylaw which gives the PB the right to review and approve a tower within the setback, as long as the tower is between 60 and 90 feet in height, with the recommendation being 60 feet. As the technology improves and more is learned, the required height of freestanding towers is reduced. Boulé reported that the subcommittee voted on this suggested bylaw amendment approach, and it will be presented to the BOS on December 20th. Boulé stated that during the meeting, it was determined that sweeping bylaw changes would likely not work in this case. He also stated that they will “clean up” the bylaw, as it is unnecessarily long. Boulé pointed out that joint ventures are taking place between cable companies and wireless carriers, putting up microcells right on the cable, thereby bypassing any local authority. He added that at the wireless meeting, there were two Town residents on opposing sides of the issue, even though both worked in the wireless industry.

Freedman ascertained that Maxson will join Boulé at the next Town Meeting, when the bylaw change will be presented. He also ascertained from Boulé that, according to Maxson, the coverage analysis done 3 years ago should still apply.

Hara moved to approve the contract between the Town of Carlisle and BSL, Gonzales seconded and the motion carried 5-0-1 with Stuart abstaining. Boulé then provided a written resignation to Freedman and left the meeting at 8:35 pm. The PB then signed the BSL contract.

Request by Carlisle Recreation Commission for informal conceptual discussion of proposed Banta Davis Phase 2 recreation facilities plans, expected to be subject to Site Plan Review under Sec. 7.6 of the Zoning Bylaw.

Deary (RecComm) presented the conceptual plans to the PB, along with Harrington (Stamski and McNary) and Nock (RecComm). Deary pointed out that the plan for the tennis courts was approved some time ago. The current conceptual plans include changing the tennis courts near Spaulding into basketball courts, with a new

tennis facility at Banta. Spaulding will include two women's softball fields. The 90 foot baseball field there will remain and will have scheduling priority over the softball fields. When Hara asked why there are so many baseball fields planned in comparison to soccer, Deary pointed out that the Town's facilities have been grossly inadequate for baseball, and most games are played in Concord. He added that there are multi use fields also, and that Banta is only the first piece of the intended recreation facilities modification, with Foss (where there would be two new multi-purpose fields), and Benfield (one new multi purpose) the next. He added that more baseball facilities are being added at Banta as it is not possible to add them at Foss or Benfield without significant disruption. After this build out, the Town will have 3 little league baseball, 1 90-foot baseball, 2 women's softball, and 1 multipurpose softball, and 3 multi-purpose fields. Deary informed the PB that field scheduling is done online between Concord and Carlisle. He described that, at Banta, there will be a back-to-back little league field at the bottom, then (heading up the road) tennis courts on the right, and further up the road adding an all-purpose and a little league field.

Harrington pointed out the proposed enhancement of parking and of paved areas and provision for handicap accessibility to all fields. He also described how the drainage requirements are being met, and pointed out that he was directly involved in Phase I of this project.

When Larson inquired as to whether the recreation area was bike friendly, Deary indicated that they have conceptually laid out a ¾ mile cross country path that they are working to lengthen, but have not planned for biking. When Harrington pointed out the route of the cross country path, Hara reminded him of an easement for a pathway on adjacent property that leads to Rodgers Road that they need to be aware of.

Gonzales expressed serious concerns with the proposed parking situation, and suggested sacrificing one new field at Banta Davis for a parking lot. Deary pointed out that there are 215 total spaces (2.5 times what is currently there), all paved, with the capability of adding 60 more if the spaces were not angled as shown. This averages 33 spaces per playing field now, and adding the 60 would bring it up to 40 spaces. Freedman expressed that the issue is the lack of an overflow parking area.

Stuart pointed out that with this proposed development plan the buffer for the wastewater treatment plant will be gone.

When Hara inquired as to the possibility of a recreation center in the future, Deary responded that it had been discussed, but no definitive plans or timeframe had been proposed. He agreed that the Town desperately needs a recreation center, and that Banta is one potential site.

Deary also informed the PB that Port-a-Potties will be the available facilities at the fields, but there will not be a place for restrooms or refreshments. He pointed to the fact that such facilities at fields in Concord are not getting any use. Bahr and Epstein ascertained from Deary that while power hookups will be available on the grounds, lights will not be setup as of yet, as the residents are split on the issue of having them. Epstein expressed that in his opinion a lighted field for evening use would be a plus for the Town. Bahr expressed the importance of marking the location of the power lines on the plans.

Hara expressed that the proposed plan of carving out the individual fields is somewhat restricting, and that an open space plan may provide benefits.

Gonzales expressed concerns with bottlenecks near the little league fields as parents drop off their children. Epstein and Gonzales also expressed concerns about the ability of getting emergency vehicles quickly to the fields. Harrington assured Epstein that the entryways do meet standards. At this point, Freedman and Deary discussed and agreed that boundaries (such as railroad ties) might need to be put along the pavement edge to encourage children to stay off the roadways on the way to games or between fields. Hara also suggested widening the main entry road. After some discussion, all agreed that keeping the traffic flowing forward around the loop was the best design approach, as a dropoff area may encourage backups and lead to a more dangerous situation.

At this point, Harrington requested a waiver to the landscape plan requirement, but indicated that the trees on the islands can be shown. Freedman verified that there will be buffer landscaping in between the fields and the abutting properties. He also stated that, while a full-blown landscape plan is not needed in his opinion, a clear

statement should be included of what trees are to remain. Also Green Cemetery must be protected from runoff and by planting buffers. Freedman expressed that the PB just needs to be sure of a commitment to do the necessary planting, and that it is not necessary to have a full landscape plan that goes out for bid. Epstein pointed out that a drainage analysis is critical, however, to ensure that the fields are useful for the maximum amount of time during the year.

When Harrington also requested a waiver of the traffic analysis requirement concerning the Bedford Road entrance, Freedman stated that this analysis must be done, as these fields will generate considerable turning traffic and the public will want to know the results. He also ascertained from Deary that all parking will be traffic engineered. Gonzales pointed out that site planning standards do exist for this type of situation, and Epstein suggested to Deary that they check with other towns. Nock pointed out that there is a pedestrian crosswalk across Bedford Road at this entrance, however the PB noted that it needs better marking.

Epstein ascertained from Harrington that the fields will be numbered, with signs around the property. Deary pointed out that the online field scheduling requires it.

Freedman suggested that RecComm meet with the abutters to Banta Davis.

At this point, Smith (ConsComm) pointed out that RecComm had spoken with them on this plan, but with only a very preliminary plan. Mansfield ascertained that all the pathways within the site are planned to be paved. Also, this will make handicapped access easier.

In conclusion, Deary agreed that the group will meet with the PB again to further discuss the plans and their revision.

Request for release of Lot 2A from covenant for Great Brook Estates Definitive Subdivision Plan, 195 Rutland Street (Map 26, Lot 18-1), and status report on completion of subdivision [Request of Ira Gould]

Gould reported that Sleger's report had brought up some deficiencies in the paving on Great Brook Path and erosion on Tanglewood Way, and that the first 250 feet of the roadway along with the erosion had been dealt with. He added that the cost to complete the subdivision improvements will be ready for the next PB meeting.

Gould had requested that Mansfield facilitate the creation of a cash bond account using the appropriate forms. Then at the next meeting, the cash bond could be established and lot 2A could be released to him.

When Freedman inquired how this connects to the ConsComm enforcement order, Gould stated that he feels it does not, but pointed out that ConsComm had issued a second enforcement order regarding paving, and this has now been done. Gould added that he will meet with ConsComm this Thursday. When Mansfield inquired as to what the first enforcement order was regarding, Gould pointed out that it was a cease and desist order for "no further work". At this point, Smith (ConsComm) pointed out to the PB that this first order was issued as Gould did not have a valid Order of Conditions for the work. Smith stated that when all work is complete, the applicant's engineer will inspect the completed project and will write a letter stating that the project was built per plan. Then based on ConsComm's site inspection, a Certificate of Compliance is issued. ConsComm gets a review engineer involved if they feel it is necessary.

Freedman and Epstein ascertained from Gould that the cost to rectify any wetlands issues that ConsComm may have with the property can be ascertained by the next PB meeting on January 9th. Freedman pointed out that ConsComm and the PB overlap on some of the issues they feel must be resolved. For example some drainage issues are on wetlands and some are not. Mansfield clarified that the goal is to set a dollar value on a performance guarantee so that work could be completed by the Town in the event that a contractor vacates without completing the work. That amount is based on Gould's engineer's estimate and confirmed by our engineer. Mansfield also pointed out that some issues that ConsComm has may not be on the list, and ConsComm has no performance guarantee that it can fall back on. Epstein then suggested that the PB include in its list of items to complete the items that ConsComm is interested in also, and the engineers could estimate the entire dollar amount. In this way, it would guarantee that both Boards' issues with the property are resolved to the Town's satisfaction. Gould agreed to this approach, pointing out that this is basically how things are taking place anyway. He stated that he

had given ConsComm a letter requesting a Certificate of Compliance. They then asked Gould to have his engineer render a report and this is in process and should be ready for the Thursday night ConsComm meeting or shortly thereafter. Freedman pointed out to Gould that it would be very helpful to the process to have the report for this Thursday's ConsComm meeting.

Mansfield described to Gould that the Mass Federation of Planning and Appeals Boards uses a Form J for release of a lot from a covenant, and offering a form of funds for the lot. Mansfield stated that in the case of Hart Farm, a statement savings account was offered for a lot release, and he circulated a copy of the document. Gould stated that he would like to draft a form that consolidates the engineer's letter, Sleger's comments on the inspection, and ConsComm's comments.

At this point, Epstein ascertained from Gould that his goal was to come back and ask for piecemeal releases of the one lot, which has an estimated value of \$500,000. Epstein made it clear to Gould that it was not possible to release "part" of a lot, and that therefore it is the PB's preference not to have piecemeal releases of the escrow. Epstein also suggested to Gould that he seek a definitive list from ConsComm (at the Thursday meeting) of their points of concern. Gould pointed out to the PB that he had called Sleger to inspect the area, but Sleger did not get to do so before the recent snowfall.

Epstein requested that Mansfield ascertain that Town Counsel had reviewed the document employed in the Hart Farm case.

Review of application to Zoning Board of Appeals for Comprehensive Permit under MGL Chap. 40B for 56 age-restricted, condominium units of attached housing to be known as "Coventry Woods," on Concord Street, northeasterly of 515 Concord Street (Map 8, Parcel 10 – 22.8 acres), 14 units to be designated as affordable housing (Application of Coventry Woods LLC and MCO & Associates, Inc., referred by Board of Appeals)

Larson reported that, as a result of his site walk of the property for this proposed development, he feels that it can be reengineered to be better laid out with respect to appearance to the abutters. He reported that three ZBA members, along with many abutters, attended the site walk. Epstein agreed with Larson's assessment, and reported that there may be another site walk with Beals and Thomas (ZBA engineers), if any PB members are interested in coming along. Freedman stated that he planned to attend the next ZBA hearing to present the PB's views on the application.

MIT-I-495 Growth Management Study

Mansfield requested that if any of the PB had comments on this issue, that they inform him so he can take them to the meeting on this study scheduled for December 19th, as he has been asked to represent Carlisle at the meeting.

Miscellaneous

Gonzales pointed out that Boulé was an alternate to the CPA committee which meets this Thursday at 7pm, and inquired as to who would go in his place, since Gonzales cannot attend. Freedman requested that Gonzales forward the information to him, as there were no immediate volunteers.

Bahr moved to recommend that Larson be appointed as a PB member to replace Boulé until the next election. Hara seconded, and the motion carried 5-0.

Epstein moved to adjourn the meeting, Hara seconded, and the PB meeting was adjourned at 10:24 pm.

Respectfully submitted,

Gretchen Caywood,
Planning Board Administrative Assistant