

PLANNING BOARD

Minutes - October 9, 1972

Members Present: Herndon, Evans, Heath, Santomenna and Thomson

Bob Thomson had received a communication from the Massachusetts Citizens to Save Open Spaces regarding two referendums on the November ballot. Mr. Thomson suggested that Items No. 1 and No. 5 should receive a "Yes" vote from the people of Carlisle. The objective of No. 1 is to assess farm property as farm property and not as to its potential use. In some areas if the land is zoned for residential use it is assessed as such. However, in most communities the land is assessed as farm property if it is used for such. This is important to keep farms in business. No. 5 expands the bill of rights in our state so far as clean air, water and environment are concerned.

Mr. Robert Connelly of Virginia Farme subdivision appeared before the Board regarding the Board's decision not to release three of his remaining six lots based on the fact that no work had been done on that road for a year and a half. Mr. Connelly said that when the bituminous company was putting down the paving, the roller was in bad shape and scarred the surface. A representative of the bituminous company agreed that the road should be repaired however the company refused and the case is now in litigation. He would like to complete the road. Mr. Connelly has not been in contact with the company for eighteen months regarding the job. Mr. Connelly would not like to see the town collect on the bond as he would never be able to get another bond in the state. He said he would not walk away from the subdivision and leave it unfinished - he still has an investment in these lots. He has started a house that is one-half completed and it is sold and he has another one sold which he has just started. He thought he had releases on these lots. Mr. Connelly asked the Board's cooperation while he is in litigation.

Terry Herndon stated that it is illegal to sell a house before the builder has a release on the lot. Roger Davis who was present said that in addition to the scars in the paving, there was an indentation along the down drains and some bad hollows, also berm was supposed to be placed around the turn-around and a corner was to have been changed. Bob Santomenna pointed out that all civil litigation has come to a halt in Massachusetts but he thought it would resume before too long. He doubted that this case would go to trial - that it would be settled out of court. He asked Mr. Connelly if he had thought about having someone else do at

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least some of the work as he did not think this would prejudice the litigation. Mr. Connelly said he had an appointment the next morning with Dick Hale of Shoemaker & Jennings for an estimate on doing the berm work, the bumps, rounding the corner and fixing the down drains. This expense would have to be borne by Mr. Connelly but he plans to at least talk to Dave Perley and Mr. Hale about it.

Dave Perley and Roger Davis both feel that there is enough bond money to cover the rounding, the berm work and the resurfacing. Roger Davis does not feel the conditions on this road will worsen over the winter. Terry Herndon moved that the Board release the three lots with the proviso that no more lots be released until the work referred to in the letter of January 5, 1971 be completed. The motion was passed with Evans, Santomena and Herndon in favor and Heath and Thomson against the motion. Mr. Connelly pointed out he had come before the Board after receipt of the letter. There may be a modification of the paving if it is approved by Dave Perley.

The next item for discussion was Carleton and Tophet Roads. Grading along the sides of these roads has not been completed and Roger Davis recommended guard rails at two places on both sides of the road. Mr. Moore asked if segments of telephone poles without a horizontal piece would be acceptable. Terry Herndon had talked to Chief Bates regarding this and he was agreeable so long as the poles were no more than 7 feet apart and they must be set 3 feet down. The grates on catch basins have now been turned and are correct. The Board approved the use of telephone pole segments and Cal-Mor plans to have Carleton and Tophet Roads ready for Town Meeting acceptance in March 1973.

Autumn Lane Extension - Roger Davis feels that berm is needed between Lesnicks' and Caney's which is on the left hand side going in to Autumn Lane. He recommended the use of Cape Cod berm. He also recommended that one culvert which is high should be dug up. Deck House will be notified about this. Bill Morton of Autumn Lane asked if all curbs were in. Due to a drainage problem erosion has started that will continue and it is causing pieces along the edge of the paving to break off. He felt that if there could be a continuation of the berm from in front of Bermans' house down to the culvert at Lesnicks', the problem would be corrected. This should be done on the other side of the street also.

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Roger Davis will set up a meeting with Dave Mitchell of Deck House to rectify the problem.

Pine Brook Road - there was a question of a broken curb which Mr. Davis felt was quite minor as it is now filled in behind and is quite solid. He felt the road was ready for acceptance. The Board was in favor of the road being recommended for acceptance at Town Meeting.

Woodridge Road - Roger Davis reported that he will check with the Town Accountant to see if he has set up the \$250.00 compromise money in an account to which Mr. Davis can make charges for work done to this road. He expects to have the road ready for Town Meeting acceptance and will cover and clean the catch basins and cover a pipe.

It should be recommended to the residents of the various streets that they start the paper work in order to get their roads accepted.

A great deal of discussion took place regarding Carlisle Pines Drive and Orchard Acres Road. Both roads have been turned down by Town Meeting and they have deteriorated further. Orchard Acres Road has been turned down twice. An oil job might bring it up to some of the local roads. Mr. Davis feels there should be some drainage installed. The oil job might cost \$500.00 and then at least one catch basin should be put in about half way down the hill to Lowell Road. It is uncertain whether the residents would be willing to pay for any of this work.

It is estimated that it could cost \$18,000 to bring Carlisle Pines Drive up to requirements. There is one very bad culvert and some bad holes so gravel is needed and perhaps if it was oiled every two or three years the road would hold together. Tar and sand might cost \$1500 to \$2000 and if this was done the road might pass. At the present time Mr. Davis is quite reluctant to take town equipment in to Carlisle Pines Drive because it is so bad. He will have to discuss this with the Selectmen as it is their policy to plow all roads whether accepted or not. There might be a two-fold plan started - have the residents put up the money to bring the road up to minimum standards and then the Planning Board might recommend acceptance at Town Meeting. Mr. Davis and the Board members will look at Carlisle Pines Drive and Mr. Davis will get an estimate on repairs. Then the Board will decide what the stand of the Planning Board will be.

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Terry Herndon signed the release of seventeen lots of the J. & E. subdivision. As a result of the easement along the roads, they are changing the lot lines. Work is progressing on the subdivision.

There has been no progress on the boat launching site. Mr. and Mrs. Barbour have talked to their lawyer but they have not made any decision.

It was reported that Harwich has passed a wetlands zoning law and the attorney general has approved it. Bob Santomenna will get a copy of the law.

The meeting was adjourned at 10:10 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Patricia A. Macqueene". The signature is written in dark ink and is positioned above the typed name.

Patricia A. Macqueene