



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

MINUTES

January 22, 1979

Present: Chaput, Hannaford, Zielinski, Kulmala, Young, Raftery

Minutes of the January 8 meeting were amended as follows: Page 2, paragraph 5, delete quotation marks and add after "regulations," "with the exception of Section 4.A.1.a." Change "Board" to "Members of the Board." Page 3, paragraph 4, line 4, change to "so that the Board may discuss it with Town Counsel." The correct spelling of the CVP representative's name is Crispen. The 12/21/78 letter from CVP is to be attached to the Minutes and point No. 7 of the letter as reflected in the Minutes is to be deleted. Page 2, paragraph 3, last sentence, change to "Culdesacs and rights of way will take ..." Minutes were accepted as amended.

The following names were nominated for Officers of the Board for the year. Chairman, Tom Raftery; Vice-Chairman, Vivian Chaput; Clerk, Kay Kulmala, Rollin Young. Rollin declined the nomination. The nominations were closed and the slate unanimously voted. These positions will be effective at the next meeting; however, Kay would like to finish the Open Space and Recreation Report before taking over the Clerk's responsibilities.

A plan of land of Philip and Elizabeth Dumka on Fiske Street showing Lot 7, 4.959 acres with 286.31 frontage; Lot 6, 4035 acres with 40.04 frontage; and Lot 5, 6.197 total acreage (2.158 acres in Chelmsford) with 40.04 frontage, was signed under Approval Not Required.

Bob Zielinski read a letter from Mr. Eno, attorney for Munroe Hills Associates, stating they are willing to provide a supplemental access maintained at all times. A letter was also read from Charles Brown, one of the principals of Munroe Hills Associates, stating that the developers would be willing to add an easement to either the Tully or Yntas land to the east of the proposed development. Brown, who was present, showed a plan with such easement indicated. Both letters are to be attached to the Minutes.

Discussion of the sight lines from the private access road to Westford Street was discussed. Brown pointed out that the logging road now present is not the exact location of the proposed road. The present way would be widened quite a bit. He said that sight lines to the east were 320-360 feet measured by tape from the center of what would be the proposed road. Sight lines to the west were well over 1000 feet and not measured by tape.

Frank Hannaford reported that CVP had come up with figures of 800+ feet to the west and 350+ feet to the east. CVP's traffic count was consistent with the one Brown had reported at the last meeting. Brown reported that the proposed road would be level back to 50 feet from the intersection with Westford Road and beyond that the grade could be as low as 3 1/2%. He reported that all other alternatives for another Westford Road access had been exhausted.

Board members felt that the development is a much more practical thing with two accesses, but the private section of the second access cannot be presented to Town Meeting as an acceptable road. Therefore, Town Counsel's advice is needed. Brown reported that his attorney, Mr. Eno, would forward a memorandum of law responding to the question of use of the private access.

Since a decision must be made by February 9, it was discussed and then decided to hold an extra meeting on Monday, February 5, at 8:30 p.m. Mr. Santomenna, representing the Virginia Farme residents, requested to be provided with copies of Mr. Eno's memorandum, letters read at this meeting and the plans presented. He would also like to present a memorandum of law on behalf of his clients.

It was reported that the DPW was in favor of the plan with the second access. No problems were seen with its location. Bob Koning, Fire Department, was reported as believing that long culdesacs with only one access are just not practical; that if there is a second access and it cannot be distinguished from a Town-accepted road, that's OK, especially if some water is available. Brown reported that three waterholes are planned.

Dick Coulter, Virginia Farm, reported that the residents had hired the firm of Cambridge Systematics, Inc., for a safety study on Westford Road. He introduced Paul Roberts and William Lowden of that firm. A letter to the Planning Board was read, stating the results of their study and they made an oral presentation with slides to expand upon the points made in the letter. The letter will be attached to the Minutes.

They said there is stopping sight distance; however, cars entering Westford Road would have to speed up in order to make the entrance safely. A car turning left must have enough time to enter and make the left turn. A school bus must have 480 feet. Cars need less but still more than the sight lines provide. They reported that in 1978 Westford Street had the highest accident rate (21) of any street for the year.

Mr. Petrosky said that his surveyor had not surveyed the line between his property and the land owned by Munroe Hills and proposed to be the private access. Ralph Nelson said that no county lines or property lines have been staked. Frank Hannaford commented that CVP uses the standards cited by Cambridge Systematics (American Association of State Highway Officials). The 480 foot figure is for sight lines that would not affect the flow of traffic. It was reported that the State has no standards as regards space between intersections.

Brown said that choosing between "low," "moderate" and "heavy," his estimate was that the number of cars exiting Virginia Farme was very low. If all of Munroe Hills traffic came down Virginia Farme, it still would not be an excessive situation and by providing another exit they have decreased it even further. It was reported that another possibility for access was investigated but the sight lines were terrible, and the Towle land, which was not available, is also not as desirable regarding sight lines. Brown reported that after talking with the Police Department he did not come away with the feeling that the Virginia Farme intersection was a particularly dangerous one.

It was felt that CVP review is needed on the points raised. The site should be staked so that members of the Board may walk the land at the site of the intersection with Westford Road.

George Nickerson, Hemlock Hill, requested that Laurelwood Road be presented for acceptance at Town Meeting. Frank Hannaford reported that he had located all the stone bounds as shown on the as-built plan. February 7 is the deadline for including an article on the Warrant. Nickerson also requested releases for Lots 6,7,8,9,10,11 and 12 on Hemlock Hill Road, leaving Lot 5 on Hemlock, Lot 15 on Laurelwood and Lot 20 which is in conservation. He reported that hot top and berms were done. Seeding, sidewalks and one headwall (about \$10,000 work) remain to be done. Motion was made, seconded and unanimously voted to release the above lots.

Mary Kelly presented for Approval Not Required a plan for land of Yntas on Morse Road, a/k/a County Way. She reported that according to county personnel Morse Road was a county way in 1803. The town had applied in 1962 for Chapter 90 funds to improve the road. In 1977 the Town sought to discontinue Morse Road (some abutters were informed that they now own to the center) and was told that the Town could not abandon the road as a county way. However, the Town is responsible for maintenance of Morse Road--not the county or the state. (Chapters 40 and 41)

Kelly reported that all abutters of the 116-acre Yntas land had been notified in addition to all residents of Sunset Road. She said the prospective purchaser was Mr. McHugh who proposed to build six houses, renovate the existing house and build a home for himself. The plan showed 12 lots fronting on Morse Road. The Board was concerned that although apparently still an accepted road, Morse Road is not passable by regular vehicles and the question of using it as legal frontage should be investigated. Since a decision must be made within fourteen days on this application, it will be added to the February 5 meeting agenda. The opinion of Town Counsel will be sought.

Tom Raftery presented a rough draft for Rules and Regulations proposed for deadend streets and access to subdivisions. It was suggested that Board members look at the Assessors' maps to see if the numbers proposed for limitation in the proposal are practical.

The fee for Driveway Permits was changed to \$50 and one form was changed to add more space. The Procedural Rules for Special Permits for Driveways, as finalized, were moved, seconded and unanimously voted.

To prepare for a February 1 Fincom meeting, reconsideration of the budget was discussed. The members were in favor of maintaining at \$7500 and putting the Fincom on notice that if something totally unexpected occurs, the Board might request reserve funds. It was suggested the advice of the Fincom might be sought regarding this approach.

There was a brief review of the Planning Board Annual Report to be incorporated in the Town Report.

Kay Kulmala reported on a MAPC notice regarding a program which grants awards for technical assistance to Towns studying areas of concern to two or more communities. She said that the water study and center planning in Carlisle might some within this definition. The first step is to submit a one-page preliminary application by February 28. The Town would be under no obligation. Kay will draft the application.

Kay also suggested we bring the zoning map up to date and said it would be desirable to revise the base map (with lot lines). Tom Raftery suggested that the Master Planning subcommittee be revived.

It was noted that names should be recommended for people to run for Planning Board during the coming elections. Bob Zielinski said Hal Sauer had decided to run for reelection. Bob said he will not run for reelection.

Meeting adjourned at 12:00 p.m.

Respectfully submitted,

Meredith DeLong

Munroe Hill Associates

18 Westford St. (Box 1) Carlisle, Massachusetts 01741 (617) 369-6674

January 19, 1979

Mr. Robert Zielinski, Chairman
Carlisle Planning Board
Carlisle, Mass.

Ref: Subdivision Preliminary Plan - Munroe Hill

Dear Sir:

With reference to our discussions at several meetings with the Planning Board and to our subdivision preliminary plan "Homesites on Munroe Hill", and at your suggestion we are stipulating herewith that we will add the following features to the subdivision plan:

1. We will construct a private access road running westerly and south from the subdivision to Westford Street. This private access will be subgraded, finish graded, and paved to your subdivision specifications. It will exit upon Westford St. according to the plan by Ralph Nelson submitted herewith.

2. We will install a "STOP" sign at the exit as shown.

3. The maintenance of this private access will be assured under the provisions of either of the alternative methods suggested in the letter to you from our attorney Mr. Eno forwarded to you on January 16, 1979. (see attached)

In addition we are enclosing a copy of the subdivision plan and have marked in red two suggestions for your consideration:

1. We wish to add the name "Nathan Lane" to the road in the subdivision leading northerly from the intersection of Drummer Way and Munroe Hill Road.

2. We suggest to you that should you deem it necessary we will provide a 50 foot wide parcel or easement from Nathan Lane to the boundary of the Tully or the Yntas property to the east of the subdivision as shown.

Munroe Hill Associates

18 Westford St. (Box I) Carlisle, Massachusetts 01741 (617) 369-6674

Since our last meeting I have personally discussed the features of this subdivision plan and the details of the private access road with Mr. Koning, the Chief of the Carlisle Fire Department, Chief Hersey of the Police Department and Mr. Davis of the Dept. of Public Works. Each has responded favorably to the subdivision plan as well as the layout of the private access and its relationship with Virginia Farme Lane.

The Fire Chief feels that the safety of the residents of the subdivision is assured by the existance of the private access and is pleased with the availability of water in the subdivision.

Each of the above would be willing to respond directly to the Planning Board regarding the subdivision plan.

With regard to procedures that the School Dept can adopt to service the subdivision with buses there are several alternatives that can be chosen depending on the bus route policies of the School Dept. One is to pick up and discharge students at both ends of Virginia Farme Lane with the residents of this subdivsion walking to those points. Another is to enter Virginia Farme Lane and travel the loop through Munroe Hill Road and exit via the private access or vice versa.

Very truly yours,
MUNROE HILL ASSOCIATES

Charles P. Brown

Charles P. Brown

Arthur L. Eno, Jr.

Attorney at Law

22 Shattuck Street

Lowell, Massachusetts

GLENOVIEW 2-8902

January 15, 1979
ALEj/59/79

To the Planning Board
Carlisle, Massachusetts

Re: Munroe Hill Associates
preliminary plan

Although the petitioners believe that a subdivision plan containing only one access is proper under the present subdivision rules and regulations, they are willing to provide a supplementary access to Westford Road, the only other available access, upon any terms which the Board wishes.

In accordance with the suggestion of the Planning Board, the following proposals are made to assure that the supplementary access to Westford Street (if used) is maintained at all times in a safe and accessible condition.

1. The developers will be happy to enter into an agreement with the Town providing that, whenever, in the opinion, of the Highway Surveyor (or, in the alternative, of the Selectmen), said access road is in need of repairs, he or they shall notify the abutters on Munroe Hill Road of the fact. If the abutters have not, within _____ days, commenced the necessary repairs, the Highway Surveyor is authorized to make such repairs and to assess the cost thereof, proportionally, on all the abutters, by billing or by a betterment assessment.

2. In the alternative, the area of the access road will be conveyed to trustees for the benefit of an unincorporated association of the lot owners. The trustees shall have the right and obligation of maintaining and repairing the road and shall assess the cost thereof, proportionally, on all the lot owners, with the right to record a notice of lien for unpaid assessments against the lot of any owner who fails for 60 days to pay the assessment, following the procedure set forth in Chapter 84, sections 12 through 14, of the General Laws.

Arthur L. Eno, Jr.

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January 15, 1979

In either case, the deed to each purchaser will contain language substantially as follows:

"By the acceptance of this deed, the grantees agree, for themselves, their heirs and assigns, upon the request of the trustees (OR the Highway Surveyor of the Town of Carlisle), to pay _____ % of the cost of repairing and maintaining that portion of Munroe Hill Road extending between the Southerly corner of the Munroe Hill Subdivision and Westford Street. Upon the completion of any such work the Trustees (OR the Highway Surveyor) shall assess in writing _____ % thereof, to the owners of each of the lots on said subdivision. If such assessment is not paid within 60 days after it is rendered, the Trustees (OR Highway Surveyor) shall be entitled to record in the Registry of Deeds for the Northern District of Middlesex County, a notice of lien in the amount of such assessment, and thereupon the Trustees (OR the Town) shall have a lien against the interest of the record owner of the lot at the time of recording. And the grantees, by the acceptance of this deed, agree that such lien shall be valid as against the grantees and all those claiming under them and also subject to being enforced by complaint in equity by the Trustees, (OR the Town); and that, in such complaint in equity the Trustees (OR the Town) shall be entitled to collect, in addition to the amount of the assessment, the cost of collection, including reasonable attorney's fees.

With regard to snow plowing, the Town has, under section 6C of Chapter 40 of the General Laws, the right to plow the snow from the private way.

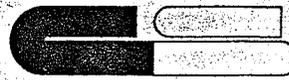
Respectfully submitted,

ALEj/mjp



William A. Jessiman
Marvin L. Manheim
Daniel L. Mc Fadden
Wayne M. Pecknold
Paul O. Roberts

Moshe E. Ben-Akiva
Elizabeth A. Deakin
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cambridge
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Kendall Square Building
238 Main Street
Cambridge, Mass. 02142
(617) 354-0167

22 January 1979

Planning Board
Town of Carlisle
Carlisle, Massachusetts 01741

Dear Board Members:

The Carlisle Neighborhood Association has asked the firm of Cambridge Systematics, Inc. to examine the subdivision plan for the Munroe Hill Subdivision off of Westford Street in West Carlisle and to report their findings to the Planning Board on behalf of the Association. We have performed our examination and will report our findings in this letter.

Cambridge Systematics, Inc. is a transportation planning and research firm which performs consulting services in traffic, transportation and urban planning. The firm has offices in Cambridge, Massachusetts, and Berkeley, California, and employs approximately 30 professionals, including professional engineers registered in the Commonwealth of Massachusetts.

We have visited the site of the proposed subdivision and examined the plans of the proposed development prepared by Ralph D. Nelson of Concord, Massachusetts. Our site visit included a review of the views and visibility from the proposed point of access from Westford Street and the visibility of vehicles travelling along Westford Street from the proposed access point of the subdivision. We have taken photographs of the most important views which are available for your use. We have also performed various computations of stopping and clearing sight distances that are relevant to the situation.

We feel as the result of our visit and our analysis that it would be unwise to extend the cul de sac access provided by Virginia Farm Lane to include (as the only access) the proposed new subdivision associated with Munroe Hill Road. There is substantial precedent in the subdivision regulations of other towns in the Commonwealth to limit the number of residences that are served from a single access road. For large developments, access from two or more directions is highly desirable in order to

provide continuous access to service vehicles such as fire, police or ambulances. It is also worth noting that the Town has recently increased the minimum widths of public streets to 50 feet to include room for sidewalks and/or bicycle paths. Neither Virginia Farme Lane nor the proposed private access to Munroe Hill Road meets that new standard.

The proposed private access from Munroe Hill Road to Westford Street has a number of deficiencies which render it undesirable as the "second" entrance/exit to the proposed subdivision. These are:

- 1) The sight distance for cars entering Westford Street from the private access road is below those indicated as minimum standards by the American Association of State Highway Officials (AASHO). The measurements indicated on the subdivision plan show 360 feet available. AASHO standards suggest that 480 feet would be necessary to allow entry by a normal school bus. Similar figures for trucks and autos are also in excess of the sight distances available.
- 2) The angle at which the proposed private access road enters Westford Street and the lack of room to allow a suitable turning radius for westbound vehicles turning from Westford Street onto the private access will severely limit their exit speed from Westford Street. This will pose a danger from closely following vehicles since they will be forced to slow to the speed of the exit vehicle which will be no greater than 20 miles per hour. Research on the relationships between accidents and the "speed differential" of vehicles using a rural highway shows that the involvement rate for two-car rear-end collisions is approximately 500 times greater than that of situations in which vehicles are at equal speeds.
- 3) The spacing between Virginia Farme Lane and the proposed private access road is not optimal. Although there are no explicit Massachusetts standards on spacing that we are aware of, some states do pose 300 feet as a standard for spacing of access roads on rural highways. Clearly, the number of driveways, the existence of Virginia Farme Lane, the curving nature of Westford Street, the restricted sight distances and the generally confusing nature of the road system that would exist if the proposed private access were built all mitigate against its construction.

In summary, it is our feeling that better solutions can be found by selecting other access points along Westford Street or using roads to the east or north. It is unwise in our opinion to construct substandard access to a major subdivision when other possibilities are available. We will be glad to elaborate on any of these points and to make available to the Board our references and our computations if you feel these would be of use to you in your deliberations.

Sincerely,


CAMBRIDGE SYSTEMATICS, INC.
Paul Roberts
Principal