



# Town of Carlisle

MASSACHUSETTS 01741

Office of  
**PLANNING BOARD**

MINUTES

April 7, 1981

PRESENT: Coulter, Sillers, Sauer, Raftery, Hannaford, Kulmala, Chaput

Discussion took place regarding the application of Jack Carpenter for a common driveway off Nathan Lane. Carpenter indicated that he would join the Munroe Hill Association when asked. Discussion concerned elimination of two driveways side by side as a reason for approval. Questions arose again about how the Planning Board would know if special permit and covenant had been filed with the Registry. The secretary will search Minutes to determine what had been decided as a way to handle this. Motion made and seconded to approve the common driveway special permit with the following conditions:

Owners of lots served will file notice of decision with the Registry of Deeds within one year of notice of decision.

The driveway shown on the plan shall serve no more than two lots.

Copy of the maintenance agreement as approved by the Planning Board shall be filed with the Registry and shall be referenced in each deed conveying title to the lots shown on the plan.

The motion carried unanimously.

A plan believed not to require approval under the Subdivision Control Law was submitted by Charles Boiteau showing 219.66-foot frontage on East Street and containing 10.7 acres. There was no area on the parcel where a circle of 250 feet could be drawn, consequently the parcel does not meet the Zoning Bylaws as a buildable lot. Mr. Boiteau will see if the lot was previously recorded. If it was recorded before August 11, 1956, the lot will be exempted and would then be considered a building lot. Boiteau asked if he had evidence that this lot is grandfathered, would the Board be willing to sign a letter which the applicant could use (at his bank). Tom Raftery will check out some points and advise the Board regarding this.

The Public Hearing on the application of Jed Mannis for a Common Driveway Special Permit to serve six lots off North Road was called to order. Mannis's plan showed six lots to be built upon and 13 lots which will be restricted or deeded for conservation purposes. The six lots would be served by a 1100-foot common driveway with a 10-foot paved width over a graveled width of 14 feet. Culverts had been suggested by members of the Conservation Commission and had been incorporated in the plan. Turnouts

were shown. A waiver was requested from the 50-foot setback of the common driveway from adjacent property. This waiver was requested because of wetlands, because of a house located across the street from the driveway egress and because that portion of the driveway would go over an existing carpath which would not provide any buffering even if it were not used. Dick Coulter saw a problem with using a common driveway from one road to access land with its frontage on another road. It was felt that if the frontage also provided real potential access, the use of the common driveway was not inconsistent.

The driveway is shown only 20 feet from the adjacent property for the first 150 feet of its length instead of the 40 feet recommended by the Board. In response to a question from Nancy Penhune, the abuttor, it was pointed out that the "40-foot setback" was not a requirement but, rather, a guideline. Robert Soforenko, Rutland Road, and Mr. Sturtz, North Road, both spoke in favor of the plan. Carroll Drive was voted unanimously in favor as an acceptable name. Motion was made and seconded to approve the common driveway special permit with the following conditions:

Owners of the lots served will file notice of decision with the Registry of Deeds within one year of notice of decision.

A copy of the maintenance agreement as approved by the Planning Board shall be filed with the Registry and shall be referenced in each deed conveying title to the lots shown on the plan.

The maintenance covenant shall be modified to contain a provision for plowing to a width of 14 feet.

The motion carried unanimously.

Judy Jones presented a plan of land on North Road showing Lot A, 402,226 sq.ft. with 110.87-foot frontage. The plan was signed under ANR.

An application for a Special Permit Under Section 5.B.6 of the Zoning Bylaws (Wetlands) to permit uses in the underlying District was received from Mr. Rolando, River Road. Rolando's property comes within the Flood Hazard area as shown on the Flood Plain Map. He and his engineers, whose readings indicate that the map is in error, would prefer to request the special permit rather than go before Town Meeting for a zoning bylaw change. Rolando is paying flood insurance and would like to get relief from this. It was pointed out that relief from the insurance could come only from the Federal government by a change in the map. The special permit, if granted, would allow construction in the area. There should be a joint public hearing with Conscom and May 11 was suggested.

Jed Mannis presented a plan for land on Stearns Street showing Lot 22, 191,349 sq.ft. with 62.57-foot frontage, and Lot 23, 191,412 sq.ft. with 40.14-foot frontage. Motion made, seconded and voted unanimously to sign the plan under Approval Not Required.

The decision was made on the proposed road work on Cross Street, a scenic road. The only trees authorized to be removed were those listed under Proposal No. 3. The work proposed under Proposal No. 7 (near Pole 18) was approved, but the trees will not be removed. Trees to be removed under Proposal Nos. 1, 2 and 4 were not authorized.

A motion was made and seconded that the Special Permit requested by Vivian Chaput to dredge the 9/10-acre pond on their property was not necessary as this is maintenance of an existing water way which is permitted as of right. The vote was six in favor, one abstaining.

In discussion of Article 17 to come before Town Meeting, which article would rescind the previous Town Meeting decision for a split site for the fire and police facilities, it was noted that passage of the article would leave the Town with no voted site. The Planning Board will reiterate its previous position that all sites considered at the last Town Meeting were acceptable.

In discussion of Article 12, Dave Stewart's article to permit lesser widths for subdivision roads to provide frontage for no more than 15 lots, the Board was in favor of supporting the Article. It was felt that a Subdivision Rule and Regulation should be proposed, if the Article passes, to insure that any Road accepted by the Town under the Article could not be used as access for other roads. As a Planning Board R&R, this regulation could possibly be waived under certain circumstances. Motion made, seconded and voted unanimously to support Article 12.

Motion made, seconded and voted unanimously to expend \$150 to send a member of the Board to the APA conference at the end of April. Kay Kulmala will attend.

Meeting adjourned after 12:00 p.m.

Respectfully submitted,

Meredith DeLong  
Secretary to the Board

TOWN OF CARLISLE  
MASSACHUSETTS

10.1 Mannis

THE PLANNING BOARD

NOTICE OF DECISION

ON SPECIAL PERMIT

(To be mailed forthwith to the petitioner, abutters, and owners of land within 300 feet of the property line, the Board of Selectmen Building Inspector, the planning boards of every abutting municipality and to every person present at the hearing who requested that notice be sent to him and stated the address to which such notice was to be sent, as provided in Section 15, Chapter 40A as amended.)

Applicant \_\_\_\_\_ Date April 7, 1981

JEDEDIAH MANNIS Case No. \_\_\_\_\_

Owner \_\_\_\_\_ Address 191 NEWTONVILLE AVE.  
same NEWTON, MA 02128

Premises Affected  
NORTH & RUTLAND ST. (SE corner) Special Permit Application  
<sup>RD.</sup>  
^

Referring to the above application so as to permit

A Common Driveway serving 6 lots off North Rd.

After a public hearing on 4/7/81

the Planning Board at its meeting on 4/7/81

VOTED TO GRANT a special permit under Article \_\_\_\_\_ Section 5.4 of the Zoning By-law subject to the following conditions, safeguards and limitations on time or use, if any.

- (1. Owners of the lots served will file notice of decision with the Registry of deeds within one year of notice of decision. (2. A copy of the maintenance agreement as approved by the Planning Board shall be filed with the Registry and shall be referenced in each deed conveying title to the lots shown on the plan. (3. The maintenance agreement shall be modified to contain a provision

~~VOTED TO DENY the application for special permit~~ for plowing to a width of 14 feet.

The decision of the Board, together with detailed record of its proceedings stating the reasons for the decision, shall be filed within 14 days after hearing in the office of the Town Clerk. Decision filed with city (town) Clerk \_\_\_\_\_.

**IMPORTANT** Any appeal from the decision of the Planning Board can be made only to the Court and must be made pursuant to Section 17, Chapter 40A (G.L.) as amended, and must be filed within twenty (20) days after the date of filing of the decision with the Town Clerk.

THE PLANNING BOARD

Katharine A. Kilmah  
Clerk

(This form is not sufficient for Registry)

to Elia

TOWN OF CARLISLE MASSACHUSETTS PETITION NO. \_\_\_\_\_  
DATE FILED \_\_\_\_\_

THE PLANNING BOARD

RECORD OF PROCEEDINGS

ON APPLICATION FOR A SPECIAL PERMIT

(Copies of this Record of Proceedings with all attachments must be filed within 14 days of a decision by the Planning Board in the Office of the Town Clerk)

I, Katharine A. Kolmelt Clerk of the Planning Board hereby certify that the following is a detailed record of all its proceedings relative to the application

~~I, \_\_\_\_\_, Clerk of the Planning Board hereby certify~~

~~that the following is a detailed record of all its proceedings relative to the application~~

Jedediah Mannis 191 Newtonville Ave. Newton, MA  
(Name and Address of Applicant) 02128

for a special permit under Section 5.4

of the Zoning By-Law.

The Applicant desires to: Build a Common Driveway to  
serve 6 lots

The premises affected are located at S.E. corner North Rd. <sup>Rutland St.</sup>, being in Res B District, in which the above-mentioned use requires a permit from the Planning Board.

1. On 3/9/81 an application of which a true copy marked "A" is made a part of this record, was presented to the Planning Board.

2. Thereupon, an advertisement, a true copy of which marked "B" is made a part of this record, was published in the Carlisle Gazette a newspaper published in Carlisle on 3/20 and on 3/27/81.  
(Date) (Date)

(This form is not sufficient for Registry.)

3. Notices of the hearing, a copy of which marked "C" is made a part of this record, were mailed postpaid to the petitioner, abutter, and owners of land within 300 feet of the property line, being the same persons named in the Assessors certificate which was a part of the petition heretofore referred to and marked "A", and to the Board of Selectmen, Building Inspector, and the planning boards of every abutting municipality.

4. On 4/7/81, a hearing was held at the Town Office at which opportunity was given to all those interested to be heard in favor or opposition to said petition, application or appeal at which hearing

all members of the public who spoke were in favor of the plan.

Members present: All present, \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_

5. Following the hearing the Board made the following specific findings regarding the land in question and the proposed use

One driveway shared by six lots was seen as a safer means of accessing those lots rather than six individual driveways onto the public way.

(This form is not sufficient for Registry.)

NOTE: Restatement of mandatory provisions and requirements are not to be taken as findings.

6. The Board voted at its meeting on \_\_\_\_\_, as detailed below, to

DENY the application based on findings as recorded under item 5 herein for the following reasons:

GRANT the application subject to the following conditions, safeguards and limitations on time or use, if any:

- a. Owners of the lots served will file notice of decision with the Registry of Deeds within one year of notice of decision.
- b. A copy of the maintenance agreement as approved by the Planning Board shall be filed with the Registry and shall be referenced in each deed conveying title to the lots shown on the plan.
- c. The maintenance covenant shall be modified to contain a provision for plowing to a width of 14 feet.

NOTE: Show the vote of each member upon each question or, if absent or failing to vote, indicate such fact, and set forth clearly the reason or reasons for its decision, and of its other official actions.

Members present:

*All present, unanimous vote*

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_

Signature Katherine A. Kulweb  
Clerk

(This form is not sufficient for Registry.)

# JEDEDIAH MANNIS

191 NEWTONVILLE AVENUE  
NEWTON, MASSACHUSETTS 02158

(617) 527-8738

March 27, 1981

The Planning Board of  
the Town of Carlisle  
Carlisle, MA 01741

Dear Sirs:

I hereby request street names for two common driveways  
in Carlisle, Massachusetts, as follows:

Street Name

Location

CARROLL DRIVE

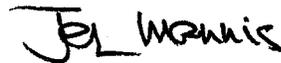
Common driveway off East Street,  
serving land shown on a plan  
entitled "Plan of Land in  
Carlisle, Massachusetts," R. D.  
Nelson, Civil Engineer, dated  
June 27, 1980.

ALDERSHOT LANE

Common driveway off North Road,  
serving land shown on a plan  
entitled "Land in Carlisle,  
Massachusetts," Charles Perkins,  
Civil Engineer, dated March, 1981.

Thank you for your consideration.

Sincerely yours,



Jedediah Mannis

JM:cb

# JEDEDIAH MANNIS

191 NEWTONVILLE AVENUE  
NEWTON, MASSACHUSETTS 02158  
(617) 527-8738

March 9, 1981

The Planning Board of  
the Town of Carlisle  
Carlisle, Massachusetts

Re: Application for a Special  
Permit for a Common Drive-  
way on Land at North Road  
and Rutland Street,  
Carlisle, Massachusetts

Dear Sirs:

Enclosed herewith please find my application for a hearing on the above-captioned special permit. The following attachments are appended to the application:

- ATTACHMENT A: General Statement in Support of Application
- ATTACHMENT B: List of Abutters
- ATTACHMENT C: Form of Maintenance Agreement
- ATTACHMENT D: Request for Waiver of Regulation

The plans and maps of the land required by Section 5(H) (3) of the Zoning By-Law of the Town of Carlisle are filed herewith.

My check in the amount of \$50.00 is also enclosed in payment of the required fee.

Sincerely yours,



Jedediah Mannis

JM:cb

Enclosures: Attachments as stated  
Check in the amount of \$50.00