

CARLISLE PLANNING BOARD

MINUTES

JULY 10, 1989

Present:

George B. Foote
Vivian F. Chaput
Stephen F. Davis
Sylvia Sillers
Stephen Tobin
Phyllis W. Hughes
Norman S. Lindsay
Elaine H. Olden,
Planner Assistant

Bills

The Board approved bills for payment as presented.

Unaccepted Roads

Chairman Foote pointed out that the real estate buying and selling public may not be aware of the possibility that roads approved by the Planning Board are not necessarily accepted by Town Meeting. The members discussed his suggestion that a press release and/or a memorandum to local realtors would inform sellers and agents of this possibility.

Request for Release of Lots 18 and 19 at Monroe Hill

The members instructed Ms. Olden to research the file before presenting this release for action by the Board.

Elizabeth Ridge Modification

The members decided that a proposal to add a guard rail along a portion of Elizabeth Ridge Road was within the Board's jurisdiction and would require a request to modify the approved plan.

Ice Pond Road

At 8:30 p.m., Chairman Foote called to order the public hearing on application of Charles Boiteau for a Special Permit for a Conservation Cluster pursuant to Section 5.5 of the Carlisle Zoning Bylaws for property known as "Ice Pond Road" on a Definitive Plan submitted concurrently with the Special Permit application and application of Charles Boiteau for Special Permits for two Common Driveways ("A" and "B") pursuant to Section 5.4 of the Carlisle Zoning Bylaws for property known as "Ice Pond Road" on a Definitive Plan submitted concurrently with the Special Permit applications, continued from June 26, 1989.

Mr. Boiteau submitted a revised demonstration "ANR" plan showing the open space areas and the natural resources to be protected. He said that it is his intention that the trail be part of the natural resources to be protected and that he will add to the plan to show the easement for the trail.

The Board took the following actions concerning the open space shown on the plan:

| Open Space | Bylaw Section | Vote For/Against/Abstain |
|------------|---------------|-----------------------------|
| 1 & 2 | 5.5.1.1.1. | 5-2 |
| | 5.5.1.1.2 | 7-0 |
| | 5.5.1.3.1 | 7-0 |
| | 5.5.1.3.2 | 6-1 |
| 3 | 5.5.1.3.2 | 7-0 |
| | 5.5.1.3.3 | 5-2 |
| | 5.5.1.3.4 | 5-1-1 |
| | 5.5.1.4.3 | 0-7 |
| Trail | 5.5.1.4.3 | 6-1 |
| | 5.5.1.4.2 | 2-5 |

On motion by Ms. Chaput seconded by Mr. Davis, the Board voted three in favor and four opposed that the natural resources connected with open space 1, 2, and 3 and the trail easement shown or to be shown on the Ice Pond Road Conservation Cluster demonstration "ANR" Plan merit preservation. Chairman Foote declared that the proposed natural resources fail on the question of aggregate merit.

On motion by Ms. Chaput seconded by Mr. Lindsay the members voted unanimously on advice of Town Counsel not to accept the substitution of a trail easement permitting horses which contained the provision that "The grantor reserves the right to challenge the grant of this easement in any State or Federal Court, including without limitation the right to seek a determination that the granting of same in connection with and as a condition of the approval of the grantor's 'Conservation Cluster Special Permit Plan' is unconstitutional and void and further reserving all rights to seek compensatory damages relating thereto."

At 9:32 p.m., Chairman Foote continued the public hearing until July 24, 1989, at 9:15 p.m. The members instructed Ms. Olden to send a copy of the Declaration of Trust for holding the open space to Town Counsel for review.

Public Hearing - Clark Farm Road Pond - Wilson

At 9:35 p.m., Chairman Foote called to order a public hearing on the application of Grant M. Wilson for a Special Permit pursuant to Section 5.2.5 of the Carlisle Zoning Bylaws for a private pond in excess of 0.5 acre at premises at 201 Clark Farm Road in a Wetland/Flood Hazard District.

The following information was presented on behalf of the applicant:

The request is to construct a pond of 1.3 acres with less than one acre in the wetlands off Clark Farm Road for wildlife preservation and fire protection. The spoil is to be spread, dried, and graded out. The pond meets the requirements of the subdivision regulations for a fire pond.

After a brief discussion, Chairman Foote noted that the time has not elapsed for recommendations by the referral agencies and continued the public hearing until July 24, 1989, at 8:15 p.m.

Alternative Ice Pond Road Plan

Charles Boiteau presented a plan involving a 2,011' road for his property off of East Street referred to as "Ice Pond," which he said he created as the result of input from everyone who has touched the Ice Pond Road project and which has the following characteristics: the trail runs through public property; there are 11 lots; the road built to town standards offers the best access to the houses; the cost is equal to the cluster plan with common driveways; the lots are "normal"; no wetland crossing is required to access the houses and only 4500 square feet for the road; the entrance is realigned; and Mr. Boiteau will give a piece of land to the Town for unrestricted use of the trail in harmony with uses all around the parcel.

Mr. Boiteau said he would appreciate rigorous consideration of the plan, which he said he sees as an "opportunity to stop the argument." He pointed out that the first house is 300-500 feet back from the entrance and said he is willing to put a restriction for a 200' buffer on the lot at the entrance. He added that there are two extra lots for the extra road length.

Chairman Foote polled the Board for the members' opinions. Mr. Tobin said that in his view 1000 feet is the absolute limit for road length and he recommended taking out the front lot. Mr. Boiteau clarified that the construction of the trail along the right-of-way is at the discretion of the Board. Mr. Davis spoke about approval by the fire chief and the donation of the first lot to the Town. Ms. Hughes said that the long road is the best solution from a public safety point of view. Ms. Sillers said approval of this plan would be tantamount to rewriting the

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subdivision road length provisions.

Meeting adjourned at 10:42 p.m.

Respectfully submitted,

Elaine H. Olden
Planner Assistant