

CARLISLE PLANNING BOARD

MINUTES

JANUARY 22, 1990

Present:

George B. Foote, Chairman
Elaine H. Olden,
Planner Assistant

Continued Public Hearing - Common Driveway - River Road - Rolando

At 8:30 p.m., noting that there were no Planning Board members nor any member of the public present, that the applicant was not present or represented, and that no evidence was presented, Chairman Foote continued the public hearing until 8:30 p.m. on Monday, February 12, 1990.

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FEBRUARY 12, 1990

Present:

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

Meeting called to order at 8:05 p.m.

Minutes

On motion by Mr. Lindsay seconded by Ms. Chaput, the members voted unanimously to approve the minutes of the December 18, 1989, meeting, with one change: adding the sentence "No evidence was presented" to the first paragraph under Public hearing - Common Driveway - River Road - Rolando.

Bills

The Board authorized payment of bills as presented. Mr. Tobin noted that the Town Accountant had apparently charged a previously-approved bill from Mrs. Loring for inspection services at Cranberry Hill to the clerk's account in the Planning Board budget. Mrs. Olden was instructed to ask the Accountant to change this to the engineering account.

ANR Plan - Bingham Road

On motion by Mr. Tobin seconded by Mr. Lindsay, the Planning Board voted unanimously to endorse a plan entitled "Plan of Land in Carlisle, Mass., Owner: Richard L. DeFelice," dated November 8, 1989, by Nelson Engineering "Approval Under the Subdivision Control Law Not Required."

Patch Meadow Release of Guarantee

On motion by Mr. Tobin seconded by Mr. Lindsay, Mr. Tobin, Mr. Lindsay, Mr. Foote, and Ms. Hughes voted to release the Town's interest in the performance security for Patch Meadow. Ms. Chaput voted in opposition. Ms. Chaput said that she opposed the release because the road could deteriorate before Town Meeting accepted it. She agreed that holding the guarantee indefinitely was perhaps not appropriate and said she would like some mechanism to be used to make sure the road is in good condition if and when it is accepted by the Town. Mr. Foote asked her to prepare a request for Town Counsel's advice in identifying such a mechanism, and she agreed.

Continued Public hearing - Common Driveway - River Road - Rolando

At 8:35 p.m., Chairman Foote called to order the public hearing continued from January 22, 1990, on the application of Charles Rolando to relocate and pave a common drive constructed off River Street pursuant to a Special Permit granted September 11, 1978.

The applicant presented a plan showing the construction standards for the relocated section of the driveway and the specifications for the surface(s) of the entire driveway and an amendment to the previous Maintenance Agreement as requested by the Board. Mr. Rolando asked the Board for a description of the "hold harmless" clause requested by the Planning Board. The Board instructed Mrs. Olden to provide this information to Mr. Rolando. The Board asked Mr. Rolando to supply a 200-scale drawing in recordable form showing the current owners and the abutters. At 8:55 p.m., Chairman Foote continued the public hearing until March 5, 1990, at 9:00 p.m.

Special Permit Rules and Regulations

On motion by Ms. Hughes seconded by Ms. Chaput, the members voted unanimously to adopt as part of the Board rules and regulations for Special Permits an application presented by the Planner Assistant, with one change: deletion of the line under the applicant's signature saying "Address & tel. # if not applicant." During the discussion of this deletion, the members agreed that

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any application signed by someone on behalf of the named applicant (e.g., an attorney) is to be rejected.

Public Hearing on application of Senkler and Senkler for Common Driveway off Curve Street

At 9:03 p.m., Chairman Foote called to order the public hearing on the application of George E. and Brigitte I. Senkler for a Special Permit to construct a Common Driveway pursuant to Section 5.4.4 of the Carlisle Zoning Bylaw for premises on Curve Street designated Parcels 10, 12, 13, and 16 on Property Map 31 and Parcel 13 on Property Map 28 of the Town of Carlisle.

Stating that his sister recently bought property for which Mrs. Senkler was the broker and that he himself makes purchases at the Concord Lumber company, owned by Mr. Senkler, Mr. Foote said that he has no financial interest in the Senkler businesses.

The following information was presented on behalf of the applicants: An Approval Not Required plan was presented showing that the project involves eight lots on 40 acres; a colored version of the common driveway plan was presented showing six lots served by the driveway; the necessary wetlands crossings are being reviewed by the Conservation Commission; there will be eight dwellings; the proposed driveway uses existing old country road beds; the proposal has the benefit of preserving the rural aspects of the property; a plan was presented showing the alternative means of access; the driveway is 1000 feet to a fork, with one branch 360 feet and the other branch 500 feet from the fork to the end; the topography is flat; the driveway is designed with a 55-foot turnaround; the Town of Carlisle took abandonment procedures for Morse Road; the proposal does not impede existing rights to pass and repass on the old woods road; and the proposed name of the driveway is Mill Pond Lane.

Chairman Foote asked if any member of the public wished to speak to the Petition. Joseph Shanahan said he represents Mr. and Mrs. Hart, who own 70 acres to the rear of the subject property. He said his clients have no objection to the creation of Lots 1 and 8, but that the other lots are affected by the status of Morse Road. He requested that the Planning Board call for the public record that would afford the applicant's right to subdivide the property by the "Approval Not Required" endorsement procedure. He concluded by saying that his clients' access will be impeded by the proposed project.

Mr. Foote stated that the Planning Board does not make decisions of private ownership. Deborah Skauen-Hinchliffe explained the details of some research she had done on the status of Old Morse Road. Mrs. Senkler said that the plan is to lay out the houses

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so that Morse Road is not blocked. Mr. McNary, the applicants' engineer, pointed out that if Morse Road is a public way and access is afforded by it, all of the proposed lots would be buildable except for one, for which the lot line would have to be adjusted to allow for the ellipse required by the zoning bylaw.

Mr. Chrest of 134 Ember Lane inquired if the trail access is to be preserved. Mrs. Senkler described proposed easements. Mr. Foote asked the engineer to try to design the trail easement along the common driveway so that the surface will be snow-covered for cross-country skiing. Mr. Tobin and Jeannie Lieb of the Trails Committee said that the Senkler land is key in the linkage elements of the proposed cranberry bog management plan. Ms. Lieb agreed to speak privately with the Senklers about the trail easements. Mr. Shanahan said that while he is not certain if the county road layout for Morse Road is a public way, he does not want to foreclose legal issues by inaction at this time.

The applicant presented a plan which has been revised since the plan submitted with the application. Saying that he would consult with Town Counsel about the issue presented on behalf of the Harts, at 10:14 p.m. Chairman Foote continued the public hearing to Monday, March 5, 1990, at 9:30 p.m.

"ANR" Plan for Senkler/Salzman property off Curve Street

On motion by Mr. Lindsay seconded by Ms. Hughes, the Planning Board voted unanimously to endorse a plan entitled "Plan of Land in Carlisle, Mass. (Middlesex County) for Senkler dated Nov. 20, 1989, by Stamski and McNary, Inc., "Approval Under the Subdivision Control Law Not Required.

Nichols Lane - Brookview Subdivision

Attorney Shanahan said he represents the Harts, who own the land behind the approved Brookview Subdivision. He explained a proposal to lay out two more lots, with frontage on the stub extending from the cul de sac to the present property line. After consideration, the Board members agreed that there is no major obstacle to an amended definitive plan adding the two lots proposed with a covenant that no further lots will be created on the stub until a further subdivision plan is filed.

Meeting adjourned at 11:30 p.m.

Respectfully submitted,

Elaine H. Olden