



Town of Carlisle

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Office of

PLANNING BOARD

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MINUTES MEETING OF MARCH 28, 1994

Road acceptance reports At the conclusion of the Public Hearing on proposed changes to the Carlisle Zoning Bylaw, the Board discussed the requests of residents of Cranberry Hill Road, Nickles Lane, and Hartwell Road to allow their roads to become public ways. Ernstoff explained that the board's responsibility is to review the roads to determine whether they have been built to planning board standards, as found in the Rules and Regulations for the Subdivision of Land in Carlisle, as those standards were applied in each case, and whether the roads have been built according to the approved plan and the conditions included therein. The board makes a recommendation to the Selectmen, who hold a public hearing. Town Meeting makes the decision. Because of this year's late snow melt, it has been impossible at this date to do a complete review on all roads.

The P.A. reported that Cranberry Hill road has been completed according to the rules and regs and approved plans, and that she had observed the road the previous week. It appeared to be in good condition, but was not completely clear of snow. James Starbuck stated that he lives on the road (ownership of which has been retained by the developer, Larry Moschini) and feels it is in good condition and functions well. Chaput suggested that until the board members could go out and look at the roads, the board simply report regarding their status in terms of subdivision standards.

The P.A. reported that Nickles Lane had just been inspected by LandTech, board engineering consultants, and that LandTech had found several construction deficiencies and damage probably done by plows this winter. She had forwarded the report to George Senkler, developer and trustee of the Homeowners' Association, and to Stamski and McNary, his engineers. The board concluded that a recommendation on Nickles Lane must wait.

The P.A. reported that Hartwell Road had been built according to the requirements of the rules and regs and the approved plan. Mark Green, representing the Homeowners' Association, stated that he hoped the board would recommend the road for acceptance. Foote reiterated the position which he held while on the board: the road was an exceptional design to meet an exceptional need, and as such is not appropriate for acceptance as a public road. Ernstoff asked why there is no record of the board's intent that the road remain private; Foote replied that he sees no need to document the intent. Chaput stated that her position has not changed; she feels there is liability to the town in that the road crosses through another town, and she cited Town counsel's letter asserting that the town need never accept a road. Wendy Wallerstein of River Road stated that she

feels this is an exceptional private way, and that there may be many enforcement problems in the future. She suggested that Russell St. could be an analogous situation in the future. Chris Serago of Hartwell Road asked Chaput to specify what liability issues there might be. Green commented that creation of the Homeowners' Association was a condition of the special permit for cluster, and was required to avoid the possibility of a private road with maintenance by individual homeowners. He cited the sentence in the agreement which states nothing shall prevent the Town from accepting that portion of the road in Carlisle as a public way. Foote replied that the statement does not imply the road would be accepted. The P.A., in answer to a question from Wallerstein, replied that the road does indeed meet Carlisle standards; it is the Concord portion in which Concord standards were waived to meet Carlisle standards. Wallerstein stated that she has measured the road and that it is less than 18 feet wide.

Evans commented that the board can certainly tell the Selectmen that the road meets town standards, but that the board is not yet comfortable in making a decision on the issue of recommending the road for acceptance. Duscha asked whether the recommendation is based solely on technical issues, or whether other issues can be considered. She is not worried about the safety of the road.

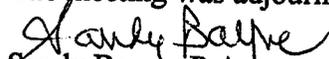
Ernstoff asked the P.A. to report to the Selectmen that the road has a certificate of completion, but also to measure the road.

Green suggested the board develop standards regarding the decision whether to allow a road to cross town lines, and under what conditions this may be allowed. He pointed out that the Russell Road situation would involve a much greater length of road through another town, and that in the Hartwell Road case, the ConsCom forced the road to be moved into Concord, when the planning board had already approved a road entirely in Carlisle. He suggested that because this road was approved without the written requirement of private ownership, it should be recommended for acceptance, but that in the future the situation might be avoided by simply making private maintenance a stipulation of approval.

Interim master plan report The board then discussed the interim master plan report. Chaput reiterated that Simonds felt it important to have a report available, and that the presenter of the SROSC bylaw should mention the report, and mention its finding that senior housing is supported by a sizeable number of citizens who have participated in surveys. She described the report as listing the meetings the board has conducted. Duscha stated that she feels the report should also give a time line for this year's work. It was agreed the report would include Hughes' chart of action areas. Yanofsky will take the draft and work on it, as will Evans. A new draft will be compiled at the meeting of April 11. Duscha recommended that the results of Community Day 1993 be included. It was agreed they should, and the P.A. gave those to Yanofsky. The P.A. will plug dates, names and other meeting details into the completed draft.

Transfer of reserve funds requests After reviewing and approving bills, the board voted to authorize any member to sign these request forms, which will be necessary from now to the end of the fiscal year because the budget has been exceeded as of this set of bills.

The meeting was adjourned at 12:10.


Sandy Bayne, P.A.