



Town of Carlisle

MASSACHUSETTS 01741

Office of
PLANNING BOARD

827
P.O. Box ~~729~~
Ph. 369-9702
Fax 369-4521

CARLISLE EDUCATION CENTER
872 WESTFORD ST.

MINUTES SEPT. 26, 1994

PUBLIC HEARING continued: SPECIAL PERMIT COMMON DRIVE, MILNE
PUBLIC HEARING continued: SPECIAL PERMIT RULES & REGS, SROSC

Chair Colman opened the meeting at 8:01; present were members Evans, Duscha, Yanofsky, LaLiberte and Hengeveld. Chaput was not present. Also present were March of Stamski and McNary, Bill Costello, Bill Holland, and Ms. Hagedorn, attorney for Ms. Milne.

Colman announced that the meeting would need to be an informal one at which no statutory work was done, as it had not been posted in a timely way according to statute. Bills were approved as presented; the minutes of Sept. 12, 1994 were unanimously approved as amended on a motion by Yanofsky seconded by Hengeveld.

Fire Chief regarding common driveway standards At 8:30, Chief Koning met with the board to discuss the troublesome issue of providing safe passage for emergency equipment on common drives. Discussion revealed that there are several factors: width of traveled way and shoulder, whether the drive is built in a cut or fill situation, sight distance, snow accumulation, identification of homes, and maintenance of shoulders were mentioned. As a general minimum, he recommended the board require a 12' wide traveled way, and 2' of shoulders on each side. He explained that his trucks are just under 8' wide, and either snow accumulation or regrowth of plant material can impede the progress of such a vehicle if drives are narrower. In discussing the particular difficulties of wetland crossings, where the goal of wetland preservation causes ConsCom to advocate narrower widths, such as 10' plus shoulders, Koning stated that the length of the crossing and whether it is a cut or fill design are relevant factors. Under the best conditions, i.e. 1.) with turnouts near the crossing, 2.) with adequate sight distance beyond the crossing, 3.) with a fill situation where snow can be plowed off the way and shoulders and 4.) with a crossing length of no more than 50', he feels he can negotiate 10' wide traveled ways, with 2' of shoulder on each side. If the crossing needs to be longer than 50', he requested the board impose the same standard as the rest of the drive. No recommendation was made regarding the cut design.

In general, turn arounds which require backing are problematic for fire trucks, he said. He would prefer, whether road or common drive, to have a circle at the end such that no

backing would be required. In general, he would like to see through streets rather than cul-de-sacs.

Koning reported that maintenance is also a problematic issue. Although the board requires signs identifying homes, many of those are gone after the first winter's plowing, never to be replaced. In addition, it is hard to read the numbers at night if they are there. This is one of the reasons emergency vehicles back up. Yanofsky asked if regular maintenance inspections are done; Koning replied they are not. The P.A. asked whether in his experience the shoulders get plowed. He pointed out that many common drives are not paved, so in those cases there is no distinction to be made between the traveled way and the shoulders. He added that his trucks can drive on properly constructed shoulders. The board then discussed the enforcement powers available under state law. It was agreed that the homeowners' covenant with the town is part of the special permit, and as such is enforceable under MGL 40-A. Whether such enforcement, namely, fines, is likely to be carried out in Carlisle appeared to be a valid question.

Duscha asked whether turning radii have been a problem for Koning. He said that there are some tight ones on older common drives; his trucks need at least a 20' radius to complete a 90 degree turn. March mentioned that in general a turning radius can be shorter where the road being turned from is wider.

Koning made some final comments which clarified some of the earlier discussion.

Regarding 10' wide bridging (ordinarily wetland crossings), he stated that snow is not the only problem, but that visibility is an additional issue. He believes that at night, or in bad weather conditions, oncoming vehicles can see each other early enough to pull over if the drive is 12' wide, but not if it is 10' wide. The board did not clarify whether his use of 10' and 12' in this case included shoulders or not.

Attendees March and Costello spoke regarding the board's lack of minimum standards for width. March explained that during the DEP hearings on the common drive at Tall Pines, DEP stated that unless there is a planning board regulation stipulating minimum width, the road width should be the minimum width the applicant can justify, and that he felt 10' is adequate. Costello stated that DEP would have preferred 8' wide. They urged the board to impose a minimum standard.

Duscha suggested the board forward a letter of intent to the ConsCom notifying them of the consensus on the board that common drives generally should be at least 16' wide, including 12' of traveled way and 2' of shoulder on each side. The P.A. will draft the letter, review it with Colman and Duscha, and provide it for Duscha to submit to ConsCom for their meeting on Sept. 30.

Continued public hearing for Milne special permit for common drive Colman explained that because the meeting had not been adequately posted, the hearing would need to be opened and continued to the next meeting. Duscha moved and Evans seconded that the public hearing on the Milne special permit for common drive be continued to Oct. 17, 1994, at 8:30 PM. The vote was unanimous in favor. The board ascertained that those present for the hearing were March and Hagedorn. March asked to informally discuss some issues; the board agreed that this could be done so long as any information discussed was repeated at the continued hearing on Oct. 17, and as long as no decision was made during the discussion. March told the board he can redesign the drive, which had been

proposed at 10' wide with 2' wide shoulder on each side, to meet the general standards suggested by Koning (12' wide traveled way and 2' of shoulder on each side) at all points, including the wetland crossing, except at the actual location of the culvert. At the wetland crossing, he can shorten the currently proposed 70' long crossing to 50'. At the box culvert, the drive would be 12' wide with 1' of shoulder on each side for a length of 16'; at the smaller culvert, the drive would be 12' wide with a shoulder of 1' on each side for a length of 14'. In his estimation, the proposed plan change would meet the wetland crossing standards proposed by Koning earlier in the evening. The plan, he stated, already meets the three other conditions for narrowed (10' traveled way and 2' shoulders each side) wetland crossings: well placed turnouts, adequate sight distance, and a fill design, allowing snow to be plowed off the drive. The board reiterated its recommendation to Conscom regarding general drive width, but did not vote on the issue of wetland crossing width.

Continued public hearing on SROSC bylaw rules and regs Colman again stated that he was opening the public hearing, but that it should be continued because the meeting notice had not been posted in a timely way. Duscha moved and Hengeveld seconded that the hearing be continued to Oct. 17, 1994 at 9:00 PM. The vote was unanimous in favor. The board did take comments from former board member Ernstoff, who was the only person indicating his presence for this discussion. He felt that the references to staff were confusing; he recommended the wording reference "the planning board or its designee". He also questioned the cost of a preliminary discussion, feeling applicants may be discouraged from a preliminary discussion if they have to pay to talk with the staff (the planner assistant.) The P.A. suggested that the board may not charge directly for her time, and that a discouraged applicant who decides not to apply won't be likely to pay such a bill anyway. Ernstoff asked what the content of the preliminary submission might be. LaLiberte suggested adding the statement "We strongly recommend a preliminary review submission which includes a plan in substantially the same detail as set forth in Section 3.2." to the preliminary review section. Ernstoff suggested a phrase in addition which states that our purpose in urging the preliminary review is to save the applicant time and money. Evans suggested a cover page which lists the salient points of the bylaw and regs because regs are heavy reading. The P.A. concurred, stating that applicants often do not read the material they should read. In discussing what the preliminary requirements might be, she suggested the board provide a checklist of the bylaw; this would let the applicant know if he or she meets the basic requirements for application. Ernstoff asked if we need to know the information in Section 3.5.6. He also questioned the traffic study threshold of 400 trips per day; it seemed to him to imply a very large development could escape a traffic study using that standard. The board asked the P.A. to ascertain the number of units implied by 400 t.p.d. Yanofsky asked if the subcommittee had considered the comment made earlier in the hearing process by Dave Stewart that common drive special permit should not enter this process, as no common drives would be used. The board felt that the possibility exists, and in general, if a section of the regs does not apply to a project, then no review and permit under that section is necessary. The P.A. mentioned that the Board of Health had scheduled a review of the regs for Sept. 27 at 7 PM. LaLiberte volunteered to attend.

Tall Pines common drive special permit discussion March and Costello came to find out if the board would consider giving them some guidance as to whether they should reapply for a special permit for Swanson Place. Yanofsky asked them if there were any significant changes which they could make in the plan. Costello said he felt he could, but not in the wetland or wetland buffer, as the design of those areas had been stipulated under the DEP appeals process. He explained that were he to redesign those areas, the appeals process might take years. He would rather do a non-discretionary process like a subdivision road. He suggested that he could perhaps alleviate the concerns of the board member who voted against the special permit by designing a circle at the end of the common drive, so that no truck or car need back up. He explained that in his opinion many delivery truck drivers are fairly careless, so that the danger is not only that emergency vehicles may not have safe access, but those who live on or use the common drive are endangered, as pedestrians, by backing trucks. March commented that turnarounds are often not plowed, because residents don't feel they need them; they may simply be used for snow storage. This common drive, March stated, was proposed at 16' wide, except for the 10' wide traveled way and 1' of shoulder on each side at the wetland crossing, and the layout is fairly straight, providing good sight distance. He cannot shorten the length of the crossing, which is 75', as it is part of the DEP agreement. The board asked March to explain the construction of the crossing. He indicated the headwall rises 6" above the grade of the drive at the crossing. It is surmounted by a metal guardrail, which is able to withstand a very low speed impact, but which is there predominantly as a guide. Yanofsky was concerned that a vehicle could push through the railing and fall some distance to the stream below.

The P.A. mentioned that the board will need to decide whether this would be a repetitive petition at all; if it is different enough, it would be considered a different application, and therefore it wouldn't need board approval to return within two years. Costello suggested the situation is analogous to the amendment of a special permit, in that no matter how minor the change, the Carlisle special permit rules and regs consider it significant and require a new special permit, requiring a new public hearing.

Evans cautioned Costello that the board had not adopted new common driveway design standards yet.

Colman stated that he understands Costello to be asking whether the board would listen to a new application with an open mind, not retaining judgments made about the first application. Costello concurred. Yanofsky reiterated her concern that a vehicle could fall over the edge of a fill design such as the one proposed, which has a 6" high wall topped by a metal guard rail. She told Costello that she felt it is important that he detail for the board some existing 10' wide common drives so that the board could examine their level of apparent safety.

Costello said he will submit an application soon, aiming for an Oct. 31, 1994 hearing.

Master Plan discussion Duscha raised her concern that none of the three subcommittee members has time to do the master plan, yet she feels sure the town expects us to produce one this coming year. It was agreed, considering the lateness of the hour, that the board would put this item on the agenda for the next meeting. Evans volunteered to try to create a first draft by then.

The board briefly discussed the sense of "pressure cooker" meetings which some members feel. Yanofsky, Duscha and Hengeveld said they would rather meet more often if meetings could be shorter.

Hengeveld has volunteered to bring food on the 17th; Chaput has volunteered to bring food on the 31st.

The meeting was adjourned at 11:09.

Sandy Bayne, Planner Assistant