



Town of Carlisle

MASSACHUSETTS 01741

Office of
PLANNING BOARD

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MINUTES August 4, 1997

LOT RELEASE REQUEST: Lot 12, Tall Pines Subdivision DISCUSSION:

**Report on completion of Ice Pond Road Subdivision
Review of Planning Board's engineering services
Consideration of proposing amendments to the Rules and Regulations**

Chair Yanofsky called the meeting to order at 7:20 p.m. Members Duscha, Epstein, Hengeveld, Abend were present. Also present was Planning Administrator George Mansfield. Members LaLiberte and Tice were not present this evening. The public in attendance were Duncan Grant, David Kelch and Maya Liteplo of "The Mosquito."

The minutes of the meeting of July 21, 1997 were reviewed and amended as follows: 1) On page 2, clarifying that Kathleen Coyle represents "The Mosquito"; 2) On page 5, correcting the spelling of Mr. Sachs. Hengeveld moved to accept the minutes as amended. Abend seconded and the minutes were approved 3-0-2 with Duscha and Epstein abstaining.

With regard to **budget** items, Mansfield noted that the telephone and fax bills that were circulating each amounted to approximately \$10. In the past, the Planning Board had its own fax line, but now the same line is being used by all departments. He recommended that the PB pay this bill in full. Teresa DeBenedictis told him that future bills would be divided among the various departments. Yanofsky asked the PA to have the Town Administrator put this new policy in writing.

Regarding the overage on the 53G account, Kopelman and Paige will reimburse the PB for the amount of the overdraw. Part of the money will go into the Hunters Run account and part will appear as a credit against the fiscal year 1998 budget.

Hengeveld asked if the bill for membership into the Massachusetts Federation of Planning and Appeals Boards was for an association that the Board actually belongs to. This was confirmed and Yanofsky asked if the PB had been receiving copies of their newsletter. Since they have not, Mansfield said he would look into this matter again.

Hunters Run appeal

Yanofsky noted that an appeal was filed today by Brian Hebb in response to the disapproval of the Hunters Run definitive subdivision plan. This issue was not discussed further since Town Counsel had not yet had an opportunity to review the document.

ANR Plan: Acton Road, MSM Trust, applicant

This plan was submitted this afternoon. The property was owned by Mary Marshall Trust (MSM). Lot 6 was sold last week to Mr. Cote. The ANR was submitted by Stamski & McNary for MSM Trust. Mansfield spoke with Bill McNary and he confirmed that the land had been sold. Mansfield suggested to him that the plan needs to have the new owner's name on it. McNary did not withdraw the plans since they are dated July 17, 1997 and on that date the stated owner was correct since the property was not sold until July 25, 1997. He faxed a letter to the PA to confirm this, but the date in the letter said that the property was sold on June 25, 1997. Yanofsky suggested that the record owner should be correct as of the date the plan is submitted to the board.

Duscha moved to deny the plan because the ownership is defective. Abend moved to amend the motion stating that the reason for denial is because according to the letter from Stamski and McNary dated August 4, 1997, the property changed hands on June 25, 1997 and the plans, dated July 17, 1997, do not show the correct record owner. Epstein moved to amend the motion stating that the reason for denial is due to failure to satisfy the Rules and Regs. in the following respects: 1) The application Form A was not properly executed pursuant to Rules and Regs. 2.B.1.a. and 2) The plan was not properly submitted pursuant to 2.B.2.a. Abend withdrew his amendment to the motion and Duscha accepted Epstein's amendment. Abend seconded the amended motion and it was approved 5-0. Mansfield will inform the town clerk.

Request for lot release, Lot 12, Tall Pines Subdivision

Hengeveld recused herself from this discussion.

Mansfield reminded the Board that it had agreed not to release the last 10 lots until there is another form of security. If this lot is released, there will be 14 lots left. Yanofsky

asked if it would be possible to determine when lot 10 would be released to the town before lot 12 is released. Duscha said that Cons. Com. most likely has a mechanism in place for that. Epstein noted that the town may not wish to have this lot along with the associated liability until all construction is completed. Yanofsky suggested that the Board should first understand how the agreement for the conveyance of lot 10 is written before releasing any more lots. She remembered reading that its conveyance was tied to receiving approvals in 1994. Mansfield asked for a copy of that document.

Epstein moved to release lot 12 of the Tall Pines subdivision. Duscha seconded. The motion carried 4-0-1 with Hengeveld recused.

Report on completion of Ice Pond Road subdivision

The PA received a letter from LandTech dated August 1, 1997 verifying that the Ice Pond Road Subdivision project had been completed in accordance with the approved plans. No further requests have been made by Hebb.

Duscha asked if Mansfield had spoken with Katrina regarding the money that was to be transferred to Cons. Com. and to whom the check should be made out. Yanofsky noted that the procedure could be discussed and determined outside this meeting.

Review of Planning Board's engineering services

Abend's rough draft of a "Request for Qualification" was reviewed and discussed. Mansfield noted that LandTech agreed not to represent petitioners in the town of Carlisle. Abend pointed out that this was not necessarily good. LT is already familiar with Carlisle's requirements, and could advise developers before plans are submitted to the PB. Mansfield noted that Earth Tech already reviews things for Cons. Com. Abend also had good experience with Earth Tech noting that they are reasonable and willing to make strong recommendations.

Epstein asked if using one consultant might give the Town a more competitive rate because of volume. The Board generally agreed that it is most important to find a firm that is responsive to its need including ability to attend meetings, municipal experience, inspection services, review of Rules and Regs. and Bylaws.

Abend and Epstein discussed whether it was best to use a different firm for each subdivision hearing or to use the same one for all. Using different firms would prevent one from becoming overloaded and allow the Board to evaluate which firm is best. Using one firm would allow that firm to better understand the specific needs of Carlisle.

Abend agreed to add some specifications to the letter to clarify what the needs of the PB are. He will circulate it to the Board for additional feedback and send the letter out before the next meeting.

Mansfield asked how the Board planned to address LandTech. Yanofsky will call President Chris Lorrain and Mansfield will contact Mark Sleger.

Consideration of proposing amendments to the Rules and Regulations

Epstein proposed to make initial changes to the Subdivision Rules and Regs. based on the input received from other board members. He also noted that Abend was more familiar with roadways and suggested that he oversee revision of Rules and Regs. pertaining to them. Abend agreed to do this.

Some of the proposed changes submitted by board members were discussed. It was generally agreed that the Rules and Regs. need to be easier to follow and less vague.

Epstein also suggested that the percentage of wetlands per lot be limited. Yanofsky said this would require a change to the Bylaws, but feels that there would be enough public support at Town Meeting if a change were proposed. The Board agreed that this should be pursued in the future.

Duscha has already revised the Scenic Road Rules and Regs. and Epstein proposed to include these in the September Public Hearing as well. Yanofsky will call Town Counsel to determine how much lead time she needs to review the proposed changes. Mansfield will provide copies of the disk to Epstein and Abend to make revisions.

Meeting adjourned at 9:30 p.m.

Respectfully submitted,



Anja M. Stam
Recording Secretary