



# Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

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MINUTES  
April 10, 2000

**Notice of receipt of Common Driveway Special Permit application, 76 and 104 Sunset Road, and assignment to review engineer**

**Review of zoning articles on annual Town meeting warrant scheduled for public hearing on 4/24/00**

**Public Hearing: Definitive Subdivision Plan for Carriage Way, 314-346 East Riding Drive, Map 13 Parcels 21, 22 and 23, Map 22, Parcel 75 and Map 23, Parcel 1, William Costello Realty Trust, applicant**

**Request for extension of completion of Tall Pines Definitive Subdivision from 4/15/00 to 7/30/00**

**Request for extension of completion of Pine Meadow Definitive Subdivision (Davis Road) from 5/29/00 to 7/30/01**

**Continued Public Hearing: Definitive Subdivision Plan, Conservation Cluster and Common Driveway Special Permits for Great Brook Estates, Map 26, Lot 18 & Map 35, Lot 22Y, 195 Rutland Street, Albert I. Gould and Betsy E. Goldenberg, applicants**

**Continued Public Hearing: Definitive Subdivision Plan, Conservation Cluster and Common Driveway Special Permits for Hart Farm Estates, Map 28, Parcels 6, 7A, 11 and 12, adjacent to 893 Curve Street, Paul and Helen Hart, applicants**

**Discussion of procedures for adoption of Rules and Regulations for administering special permits for Personal Wireless Service Facilities**

**ANR Plan: 138 East Street, Map 22, Parcels 62, 62B, 63D and 71, Theodore Treibick, applicant**

**ANR Plan: 64 & 72 West Street, Map 18, Parcels 24 and 26, Ted Bush and Ward Welch, applicants**

Chair Tice called the meeting to order at 7:30 p.m. Members Epstein, Hara, Holzman, Lane and Reid were present. Planning Administrator George Mansfield and *Mosquito* reporter David Ives were also present. Abend arrived at 7:38 p.m.

The minutes of March 27, 2000 were reviewed and Epstein made one correction. Holzman moved and Reid seconded a motion to approve the minutes as amended. The motion carried 6-0.

**Notice of receipt of Common Driveway Special Permit application, 76 and 104 Sunset Road, and assignment to review engineer**

The Board agreed to assign Judith Nitsch Engineering, Inc. as review engineer for this special permit application.

**Review of zoning articles on annual Town meeting warrant scheduled for public hearing on 4/24/00**

The Board discussed the logistics of presenting the four zoning articles at the public hearing on April 24<sup>th</sup>. Abend and Reid will present the SROSC bylaw amendment, Epstein will present the bylaw amendment regarding Site Plan Review, Reid and Hara will use overhead projections to present the proposed amendments to the Lot Regularity bylaw, and Holzman will work with Paul Gill of the WCAC to present amendments to the Wireless bylaw. Because of the tight schedule, each article will be allotted approximately 20 minutes for presentation and discussion.

*(Abend arrived.)*

**Public Hearing: Definitive Subdivision Plan for Carriage Way, 314-346 East Riding Drive, Map 13 Parcels 21, 22 and 23, Map 22, Parcel 75 and Map 23, Parcel 1, William Costello Realty Trust, applicant**

The applicant was present with his engineer, Joe March of Stamski and McNary. The Board's review engineer Sandy Brock of Judith Nitsch Engineering was also present. The following members of the public were also in attendance: Art Milliken of Estabrook Road; Jon Sobin of Cutters Ridge Road; Phil Conti and Brian Anderson of East Riding Drive, Margie Findlay of Rockland Road and Greg Peterson of Indian Hill Road.

March did not have the certified mail receipts (green cards) from the abutters and there was some confusion as to whether the Planning Board or the applicant must send out notices of the Public Hearing. The PA noted that this is the applicant's responsibility with a definitive subdivision plan, but that the Board is responsible for publishing the legal ad. The Board asked the secretary to note that these requirements should be reviewed and amended, if necessary, in the rules and regulations at a future meeting. Several abutters were present and confirmed that they had received notification of the public hearing from the applicant. March agreed to present the green cards at the next meeting.

March explained that the applicant owns the largest portion of the land to be developed. Brian Anderson owns the existing house at 346 East Riding Drive and the Town of Carlisle owns the land which makes up the majority of Lot 10. March then explained that Lots 1 and 9 have existing homes and the remaining 8 lots will be developed. He noted that Lot 10 is a porkchop lot with 40 ft. of frontage and a total of four acres. The roadway will be constructed with 20-ft. wide pavement and a sidewalk. The length of the right-of-way will be 1086 ft. March also showed the location of the fire cistern and the water quality infiltration trenches.

March then explained the following waiver requests: 1) As many trees as possible will be retained along the right-of-way and therefore he has requested a waiver of Art. II Sec. 6.B.2.a, which requires a landscaping plan. 2) The applicant is making available parcels X-2 and X-3 (part of Lot 10) to the Town and is therefore requesting a waiver of Art. II Sec. 1.E.1 which requires provisions for open space. 3) A waiver of Art. III Sec. 2.B.3 will be required in order to provide for the minimum 250-ft. frontage for the existing house at 314 E. Riding Dr. 4) The applicant has asked for a waiver of Art. III Sec. 2.D.1 in order to allow access to the Town-owned lot. March explained that the right-of-way length will exceed the 1000-ft. limit by 86 ft., however, the pavement will be pulled away from the wetland area such that the paved length of the roadway will be 1062 ft. 5) In order to reduce clearing, grading and paving, the applicant has asked for a waiver of Art. III Sec. 2.D.2, to reduce the cul-de-sac right-of-way diameter to 140 ft. and the pavement diameter to 110 ft. 6) The applicant proposed a waiver of Art. III Sec. 5.B.5 in order to provide Cape Cod berm rather than sloped granite. March explained that the roadway grade would require approximately 300 feet of curbing from stations 4+50 to 7+50 and that sloped granite curbing is provided at the roundings. 7) In order to reduce tree removal, a waiver of Art. III Sec. 5.C.1 was requested which would reduce the 4-ft. width requirement between the sidewalk and roadway pavement and allow for a meandering sidewalk. 8) Similarly, the applicant requested a waiver of Art. II Sec. 5.D.1 in order to provide 2-ft. rather than 6-ft. shoulders on the left side of the roadway. 9) A waiver of the maximum 5% grade at the roadway intersection will also be required. March explained that sight distances at this 6% grade location are better than the sight distances at the 5% grade location. 10) Finally, the applicant requested a waiver of the application fee.

Brian Anderson asked why a sidewalk was being proposed on this cul-de-sac and whether or not it would have a paved surface. The Board explained its intent to discuss these issues in greater detail later.

Greg Peterson asked about the status of the Town-owned parcel and its right of access. March showed the location of the lot and explained that wetlands have been delineated and the soil has been tested. He stated that he is confident this is a buildable lot. Regarding access issues, the Board explained that this lot is part of the subdivision and has the same access rights as other lots in the subdivision.

Epstein asked March if he had reviewed the comments in the March 27, 2000 letter from Judith Nitsch Engineering. March said he had reviewed the letter, and felt that the issues raised could be addressed.

Sandy Brock explained that she expressed concerns over landscaping because the plan does not clearly indicate which trees will remain and whether they are worth saving. March was willing to survey and plot the trees on the plan. Mansfield noted that in the regulations, a landscaping plan should include existing vegetation, vegetation to be retained and vegetation to be planted. The Board asked March to locate trees on the plan.

Hara asked if the applicant had considered alternative drainage systems and plantings. Brock noted that given the soil types in this area, there will be very little run-off and the proposed drainage is appropriate for this site.

Tice noted that the Fire Chief has requested a second cistern on this cul-de-sac. March observed that the PB regulations require a cistern every 2000-ft. while the new fire cistern regulations require one every 1000 ft. He understood that a second cistern is being requested, but he had not spoken with the Fire Chief about this. Epstein felt that the applicant has been proceeding in good faith and that he began the preliminary plan process before the new cistern regulations were enacted. Epstein therefore suggested that the single cistern proposed would be adequate for this site. March stated that the proposed cistern would be located approximately 1100 ft. from the farthest house on this cul-de-sac.

Regarding the curbing issue, Brock stated that the life expectancy of granite curbing is far greater than that of Cape Cod Berm and she felt that over time, granite would prove to be more cost effective. March countered; arguing that granite is more appropriate for an urban setting and is expensive to repair. March suggested that the Board visit Munroe Hill to view an example of Cape Cod berm. Mansfield asked if drainage would be affected by the different curbing. Brock said that drainage would be the same. She recommended that if the Board wishes to allow a waiver of granite curbing, then it should specify modified Cape Cod berm, which is one foot wide and has a low profile. Brock also recommended that the Board look at methods of preventing sediment from settling in the infiltration trenches, causing them to fail. The Board suggested that Brock confer with March and Gary Davis of DPW to discuss various berms and infiltration methods and their maintenance.

Regarding the sidewalk, Reid felt it is important to have shoulders when there are steep grades on either side of the roadway. Abend felt that in general, there is minimal value in having a sidewalk on a cul-de-sac such as this and a shoulder might be sufficient. The Board agreed to discuss sidewalk and shoulder issues further after receiving a landscape plan.

Abend moved to continue the public hearing to May 8, 2000 at 8:15 p.m. Reid seconded the motion and it carried 7-0.

**Request for extension of completion of Tall Pines Definitive Subdivision from 4/15/00 to 7/30/00**

The applicant, William Costello, explained that a site walk had been conducted on March 23, 2000 with the PA and the Board's review engineer, Mark Sleger. In order to complete the subdivision as outlined in Sleger's letter of April 5, 2000, Costello requested an extension of the completion date to July 30, 2000. Epstein moved to extend the completion date of the Tall Pines Definitive Subdivision from 4/15/2000 to 7/30/2000. Reid seconded the motion and it carried 7-0.

**Request for extension of completion of Pine Meadow Definitive Subdivision (Davis Road) from 5/29/00 to 7/30/01**

As an abutter to this subdivision, Abend recused himself from the Board for this discussion. Costello explained that two lots in the subdivision are not completed and he requested an extension to July 30, 2000. As a member of the public, Abend asked if the lot currently under construction has a landscaping plan to close off an old pathway that has been used for construction access. Costello was not sure and agreed to look into this. Reid then moved to extend the completion date of the Pine Meadow Definitive Subdivision from 5/29/2000 to 7/30/2001. Lane seconded the motion and it was approved 6-0-1 with Abend recused.

**Continued Public Hearing: Definitive Subdivision Plan, Conservation Cluster and Common Driveway Special Permits for Great Brook Estates, Map 26, Lot 18 & Map 35, Lot 22Y, 195 Rutland Street, Albert I. Gould and Betsy E. Goldenberg, applicants**

The applicants were present with their engineer, Gary Shepard of David Ross and Associates. Abutters Chris and Rich Puffer of Rutland Street were also present.

Shepard stated that he has met with the Fire Chief and has agreed to include a second fire cistern. Shepard then showed the revised plan and stated that the sight distances on Rutland Street have been calculated at 334 ft. to the east and 401 ft. to the west. Shepard explained that these distances are adequate for approximately 45 mph, which is more than the posted speed limit on this roadway. Shepard then described the landscaping plan for the buffer located along the Puffer property. He noted that in addition to the existing trees, the area would be planted with crabapples, daylilies, mountain laurel, rhododendron and 8-ft. pines on three levels to provide adequate screening. Rich Puffer commented that this was the first time he had seen the plan and he was not certain if the buffer's location would actually shield his house from headlights. Tice suggested that Shepard and Puffer could discuss this issue outside of the meeting.

Shepard then noted that a waiver would be required for a centerline offset to allow the cul-de-sac to be configured as a reverse "P." Alternatively, he suggested that the cul-de-sac radius could be reduced, but he felt that the reverse "P" provides for smoother traffic flow and a better design. He added that this design has been discussed with the Fire Chief and he seemed comfortable with it.

Shepard explained that a waiver from Art. II Sec. 6.B.1.q has been requested in order to match the bearing system of existing survey plans of abutting parcels. Holzman suggested that the magnetic bearing system may not be compatible with other Town measurements and recommended that the true meridian system be employed.

The final waiver Shepard requested concerned the six lots which would gain access from the cul-de-sac via three common driveways. Regulations allow a maximum of three lots to be accessed from a cul-de-sac. The PA noted that the Board's review engineer has received Shepard's letter dated 5/4/2000, but has not been able to review it.

Abend noted that Lot 9 would be accessed via the common driveway even though it is not part of the cluster. Mansfield also pointed out that the access to Lot 9 would cross the cluster's perimeter open space. Shepard showed that Lot 9 could be accessed through its own frontage on the subdivision road. Abend asked if Shepard had addressed concerns with the turn-around on the common driveway. Shepard said he had discussed this with the Fire Chief and the turn-around will either be widened or reconfigured as a "T" turnaround.

Mansfield asked for clarification regarding which lots are to be included in the conservation cluster. Shepard explained that Lots 4, 5 and 7 of the subdivision plan would become the parcel designated for the conservation cluster. In showing an overlay of the conservation cluster, however, Shepard proposed swapping portions of Lots 6 and 7 to provide more usable open space. The Board questioned whether the parcel could be reconfigured in this way within the parameters of Sec. 5.5.2 of the Bylaws. Tice stated that the PB must consider this matter before proceeding and may wish to consult with Town Counsel. He asked Shepard to work with the review engineer and fire chief on other outstanding issues.

Abend moved to continue the public hearing to April 24, 2000 at 9:45 p.m. Lane seconded the motion and it carried 7-0.

**Continued Public Hearing: Definitive Subdivision Plan, Conservation Cluster and Common Driveway Special Permits for Hart Farm Estates, Map 28, Parcels 6, 7A, 11 and 12, adjacent to 893 Curve Street, Paul and Helen Hart, applicants**

The applicant was represented by his engineer, Joe March of Stamski and McNary, and his attorney, Joe Shanahan. The Board's review engineer Sandy Brock of Judith Nitsch Engineering was also present. Greg Peterson was in attendance representing the Carlisle Land Trust.

March explained that the subdivision plan consists of 115 acres of land off Curve Street. The subdivision plan provides a 44-acre lot and a 65-acre parcel to be donated to the Town. A 1040-ft. long, 20-ft. wide roadway will include a 5-ft. wide sidewalk for the first 50 feet. March explained that the following waivers will be required: 1) a waiver of the property line radius at the entrance to the roadway (March explained that the pavement radius would be adequate.), 2) a waiver of the sidewalk requirement except for the first 50 feet., and 3) a waiver of the 6-ft. shoulder requirement. March noted that the Board had asked for 20 feet of pavement with two-foot shoulders at the preliminary plan stage.

In response to Town Counsel's letter, March stated that he would provide a second lot on the cul-de-sac to create a true subdivision.

Next, March showed a demonstration plan and then a conservation cluster plan with 12 lots and 13.5 acres of open space. A 40-ft. wide easement was provided to access the open space. The common driveway would be 850 feet long with 16-ft. wide pavement. A cistern and a detention basin would be provided on the common driveway.

The Board then reviewed items specified in the March 20, 2000 letter from review engineer Sandra Brock of Judith Nitsch Engineering. Regarding the request for a waiver to Art. II Sec. 6.B.2.a (landscape plan), the Board requested that existing trees be located on the plan. The applicant requested a waiver of Art. III Sec. 2.B.7 because of an existing driveway located 20 ft. from the proposed access to the subdivision road. Abend asked that the applicant approach the abutter to discuss access to this lot via the new subdivision road. March also noted that a waiver for the roadway's length and number of lots accessed will be required. Waivers were also requested to eliminate the requirement for sidewalks and 6-ft. shoulders. Brock recommended that these waivers be considered together in order to insure pedestrian safety. She was particularly concerned about reducing the shoulder width to 2 feet given the amount of fill required for the roadway. Brock expressed concern over drainage patterns given the high ground water level and the elevated houses and septic systems. March agreed to provide grading information on individual lots and drainage calculations for the engineer's review.

Brock recommended that guardrails be provided for the detention pond in the subdivision cul-de-sac. March agreed to this. Abend asked that unpaved parking be provided at this cul-de-sac to provide access at the trailhead. March agreed to this as well.

The Board discussed the use of sidewalks versus shoulders and concluded that wider shoulders with no sidewalk would be preferable.

Greg Peterson asked who will own Parcel X and the open space. Shanahan stated that the applicant is flexible and willing to work with the Town. Hara noted that the Trails Committee has asked for possible boardwalks through Parcel X to link with existing trails. Shanahan agreed to speak with the applicant about this request.

Epstein felt it would be in the Town's best interest to allow this subdivision road to remain private in order to allow all homes to become part of the homeowner's association and simplify the maintenance agreement. Holzman disagreed, feeling that it would be easier if the Town simply accepts this roadway. After some discussion, Shanahan assured the Board that many of their concerns could be addressed when drafting the deeds for the lots.

Greg Peterson commended the Board for promoting use of the conservation cluster. He also asked if the applicant would be willing to sell the Town several lots at full market value, for use as affordable housing. Shanahan agreed to discuss this with his client, but felt it was late in the process to do so.

March asked if the PB would require three cisterns as requested in the Fire Chief's memo dated 4/6/2000. The Board asked him to discuss the issues raised in this memo directly with the Fire Chief.

Abend moved to continue the public hearing to April 24, 2000 at 9:50 p.m. (This might be continued without testimony to a later date if the preceding public hearing for Great Brook Estates is lengthy.) Reid seconded the motion and it carried 7-0.

**Discussion of procedures for adoption of Rules and Regulations for administering special permits for Personal Wireless Service Facilities**

Paul Gill and Rick Blum of the Wireless Applications Advisory Committee (WAAC) were present. Gill was also representing the Wireless Communications Advisory Committee (WCAC) which drafted the original wireless bylaw. Greg McGahan and Erin Hickey of Woburn were also present.

Epstein asked if the WCAC had met to discuss the proposed bylaw changes. Gill explained that they had met this afternoon and would meet again on Friday at 2:00 p.m. to prepare an opinion letter. Reid agreed to attend this meeting to represent the PB. Gill stated that the WCAC had a few concerns regarding the proposed bylaw changes. Epstein stated that it is important for the committee to communicate these concerns to the PB as soon as possible. The Board explained that Holzman will present the proposed bylaw amendments at the public hearing on April 24<sup>th</sup> and hopefully the WCAC will agree with these amendments and co-present the article at Town Meeting.

Comments from Town Counsel regarding the March 26, 2000 draft of rules and regulations for wireless facilities are expected within the next week and the Board agreed to discuss this at their meeting on April 24, 2000.

**ANR Plan: 138 East Street, Map 22, Parcels 62, 62B, 63D and 71, Theodore Treibick, applicant**

Engineer Russ Wilson was present to represent the applicant. He explained that this 4.05-acre porkchop lot has 40 feet of frontage plus a 15-ft. access strip onto East Street for a possible driveway. Abend moved to endorse the plan of land in Carlisle, MA for Theodore and Carol Treibick and Deborah MacDonald dated 3/22/2000 prepared by R. Wilson and Associates. Tice seconded the motion and it carried 7-0.

**ANR Plan: 64 & 72 West Street, Map 18, Parcels 24 and 26, Ted Bush and Ward Welch, applicants**

Wilson explained the corrections he made to the ANR plan and Epstein then moved to endorse the plan of land in Carlisle, MA for Ted Bush and Ward Welch dated 3/13/2000. Tice seconded the motion and it carried 7-0.

**Review of zoning articles on annual Town meeting warrant scheduled for public hearing on 4/24/00**

The Board discussed presentations for the SROSC and Lot Regularity articles, stressing the importance of communicating the purpose and intent of the proposed amendments to the public.

At 12:25 a.m. the meeting was unanimously adjourned.

Respectfully submitted,



Anja M. Stam  
Planning Secretary