



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

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MINUTES May 22, 2000

- Continued Public Hearing: Special Permit for Common Driveway, 76 and 104 Sunset Road, Map 27, Lots 14 and 15, Matthew and Jennifer Corbett, applicants (Approved 5/08/00)
- 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 St, Paul and Helen Hart, applicants (Approved with conditions 5/08/00)
- Review of draft Certificate of Approval of 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 (Approved with conditions 5/08/00)
- Discussion of alternative forms of roadway curbing
- Review of draft Certificate of Approval of 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 (Approved with conditions 5/08/00)
- 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
- Organization of 2000-2001 Board

Vice Chair Epstein called the meeting to order at 7:30 p.m. Members Abend, Hara, Holzman, Lane and Reid were present. Planning Administrator George Mansfield and *Mosquito* reporter David Ives were also present. New Board member Phyllis Zinicola arrived at 7:40 p.m. during review of the minutes.

The Board reviewed the **minutes** of May 8, 2000 making two corrections to typographical errors and revising several areas for clarity. There was some discussion concerning access to the thirteenth lot on Hart Farm Road and a clarification was made there as well. While discussing the minutes, the Board also realized that it had unintentionally omitted a waiver in its motion regarding Carriage Way. Because this public hearing was already closed, the Board asked that a note be placed in the Carriage Way file stating that the Planning Board had intended to grant a waiver to Art.III,5.B.3 to minimize the gravel base and allow it to remain within the roadway and shoulder profile in order to preserve mature trees. Reid then **moved to approve the minutes of May 8, 2000 as amended**. Abend seconded the motion and the minutes were approved 6-0-1 with Zinicola abstaining.

The Board welcomed new member Phyllis Zinicola and introduced themselves to her.

Epstein, Lane, Reid and Hara agreed to attend the **Personnel Board meeting on May 23, 2000 at 6:30 p.m.**

Continued Public Hearing: Special Permit for Common Driveway, 76 and 104 Sunset Road, Map 27, Lots 14 and 15, Matthew and Jennifer Corbett, applicants (Approved 5/08/00)

The applicants were present for this public hearing. Mansfield presented the revised plan, which showed the stabilization of the slopes and signage. A draft decision and draft maintenance agreement were also presented to the

Board. A waiver was requested to allow no name for the common driveway. Holzman asked if the Fire Chief must approve this waiver. Mansfield explained that Chief Koning has not reviewed this application because he is on vacation, but similar common driveways accessing only two lots have received approval from the Fire Chief in the past.

Reid moved to reconsider the Special Permit application for a Common Driveway for Matthew and Jennifer Corbett at 76 and 104 Sunset Road in order to consider a waiver of Section XV.C of the Common Driveway Regulations which states that the common driveway shall be named. Abend seconded the motion and it carried 6-0-1 with Zinicola abstaining. Reid then moved to approve the Common Driveway Special Permit as in the previous motion with the addition of a waiver of Section XV.C of the Common Driveway Rules and Regulations. Abend seconded the motion and the special permit was approved 6-0-1 with Zinicola abstaining.

The Board then reviewed the Common Driveway Easement and Covenant. Epstein asked the applicant to amend item #8 of this document to reflect that no amendment shall be made unless "approved by the Planning Board." The Board directed the PA to file the decision once this change has been made.

Abend moved and Reid seconded a motion to close the public hearing. The motion carried 6-0-1 with Zinicola abstaining.

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 St, Paul and Helen Hart, applicants (Approved with conditions 5/08/00)

Mansfield noted that the following documents had been received by the Planning Board regarding this application: 1) a letter from the Board of Health dated 5/17/00 stating that they approved the subdivision, 2) a 5/19/00 memo from the ConsCom requesting that the hearing for Hart Farm remain open.

Epstein explained that the applicant has requested a continuation of the public hearing. Reid moved to continue the public hearing for Hart Farm Estates to 8:00 p.m. on June 12, 2000. Abend seconded the motion and it carried 6-0-1 with Zinicola abstaining.

Review of draft Certificate of Approval of 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 (Approved with conditions 5/08/00)

The Board reviewed the draft decision and approved it by consensus. Reid moved to authorize the PA to file a certificate of approval on Carriage Way Definitive Subdivision Plan. Abend seconded the motion and it carried 6-0-1 with Zinicola abstaining.

Mansfield noted that he received a copy of the draft covenant and drainage easement today. Board members agreed that Epstein should review the document and consult with Town Counsel if necessary.

Discussion of alternative forms of roadway curbing

The Board reviewed curbing information forwarded by Judith Nitsch Engineering, and Mansfield provided a summary of that information. The PA was asked to invite Gary Davis of DPW and Sandy Brock of Judith Nitsch Engineering to participate in a discussion regarding curbing. Abend suggested that this should coincide with the meeting with Bicycle and Pedestrian Safety Committee regarding sidewalks on 6/12/00.

Mansfield noted that the Bicycle and Pedestrian Safety Committee would be meeting with the Selectmen at 7:30 p.m. on 5/23 to discuss alternative pathway surfaces. Holzman, Reid and Hara said they would try to attend this discussion.

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. Chris and Rich Puffer of Rutland Street and Silvia Willard of Bellows Hill Road were also present.

Mansfield listed the documents received since the last meeting as follows: 1) A letter dated 5/8/2000 from LandTech regarding review of the previous plan, 2) A revised plan from David Ross and Associates dated 5/15/2000, 3) LandTech's 5/16/2000 review of this plan stating that the revisions are acceptable, 4) A 5/12/2000 letter from the Bike and Pedestrian Safety Committee to Gary Shepard requesting a meandering path with an aggregate, organic material, and 5) A letter from the BOH consulting engineer dated 5/18/2000 outlining concerns regarding the leaching area on Lot 2.

Shepard then presented the revised plans highlighting the following revisions: 1) The drainage easement between Great Brook Path and the Puffer property has been extended to provide access to the fire cistern, 2) the access easement across Lot 3 to the State Park has been extended to allow greater discretion when locating the trail, 3) a wildlife culvert 1.5 ft. high by 4 ft. wide has been added to the plan at the request of the Conservation Commission, 4) the ConsCom also asked for a reduction in the wetland replication area to a ratio 1:1, 5) the common driveway easement no longer overlaps the open space parcel, and 5) the plan shows modified Cape Cod berm throughout the subdivision.

The Board asked if the proposed wildlife culvert has been reviewed by the ConsCom. Gould explained that commissioner Steve Spang requested a culvert and Shepard researched this by speaking with a representative from Oxbow Wildlife Refuge. It was determined that such a culvert would be beneficial and ConsCom approved the subsequent proposal. Chris Puffer asked if the wildlife culvert is necessary. Zinicola explained that she had seen a presentation on such culverts and found that they are useful, especially given the wetlands in the area and the long retaining wall. Hara asked how the culvert would be maintained. Shepard felt that no maintenance would be required because the culvert slopes slightly and debris should not accumulate in it. He agreed to include the culvert in the covenant and maintenance agreement. The Board asked the secretary to note that maintenance of wildlife culverts should be added to the rules and regulations.

Shepard then explained the problem with the septic on Lot 2. This lot has an existing home and its leaching field straddles the newly drawn lot line between Lots 1 and 2. He had agreed to abandon this septic system and build a new system in an alternate location. Because the existing septic system has not failed, the Board suggested that it would be easier to reconfigure the lot lines prior to endorsement of the plans. Shepard agreed to pursue the possibility of adjusting the lot lines while maintaining sufficient acreage and building envelopes.

Regarding the traffic safety concerns raised at the previous meeting, Shepard explained that he visited the site with Abend, Reid and Mansfield. Those present agreed that there was some level of discomfort at the intersection, but that improvements to Rutland Street are the Town's responsibility. Shepard offered to make minor improvements by clearing the existing pavement of debris and leveling the shoulder on the west side of Rutland Street with the pavement. Abend thought that Shepard had agreed to add a few extra inches of asphalt on top of the road to level the cross slope. Abend and Shepard will speak with Gary Davis of DPW to discuss the proposed improvements to Rutland Street.

In response to the letter received from the Bike and Pedestrian Safety Committee, Shepard researched the use of aggregate surfaces and organic stabilizers for the sidewalk. He explained that this type of surface has recently been installed in Minuteman National Park. He recommended against using this material for several reasons: 1) Its durability, particularly in New England, has not been tested for any extended period of time, 2) In order to preserve the surface of the paths, the National Park uses a plow with a rubber blade for snow removal, 3) It is a more expensive surface to install and therefore would be more expensive to repair if it proves to require long-term maintenance, and 4) The aggregate surface may look unfinished next to the bituminous roadway.

Regarding the ownership of the open space parcel, Mansfield stated that he had not spoken with other committees in Carlisle, but he did speak with Town Counsel. Town Counsel advised that the State DEM could be construed as a "non-profit organization" and the open space parcel may be transferred to the State. Mansfield explained that a conservation restriction would be required if the parcel is transferred to a homeowners association. He recommended that the trail easement be conveyed to the State Park so that they may maintain the trail. Gould explained that he envisioned the open space parcel being managed by a homeowners association since the land will be directly adjacent to their own lots, with a trail easement to the State Park to include 20 feet on either side of the trail. Alternatively, he thought that the Town could own the land to the north of the trail and the homeowners association to retain the land to the south of the trail. Gould preferred Town ownership over State ownership of the parcel, so that concerns may be addressed to a local entity if necessary.

Reid suggested that the entire open space parcel be conveyed to the homeowners association, but Epstein felt that if the open space is to be a benefit to the Town, then the open space should be conveyed either to the Town or the State Park. He recommended creating a boundary over the open space from the intersection of Lots B and C to the access to the State Park. He suggested that land to the east of this border could be retained in a homeowners association since it is a narrow strip abutting individual lots. Epstein felt that the remaining open space should be deeded to the Town with a trail easement granted to the State Park. The Board expressed agreement with this proposal.

Mansfield noted that the BOH has asked the PB not to take final action on the subdivision plan until it has received BOH approval. Shepard thought that the plans had been approved by the BOH with the exception of two lots which were recently reconfigured. He noted that because the lot lines have been changed the septic plans for these lots must be resubmitted, but the BOH has soil logs for the entire property. He did not foresee any problems with these two lots, one of which is in the subdivision and the other in the cluster.

Regarding the sidewalk surface proposed by the Bike and Pedestrian Safety Committee, Reid felt that the Board did not have sufficient information on the aggregate material, and asked that the sidewalk be constructed as originally designed. She also recommended the use of Cape Cod berm throughout the subdivision with sloped granite at the roundings. The Board agreed with these proposals.

Reid moved to approve the **Definitive Subdivision Plan of land in Carlisle, MA, entitled Great Brook Estates prepared by David Ross and Associates for Albert I. Gould and Betsy E. Goldenberg, dated January 2000, last revised May 11, 2000 with the following modifications: 1) A street sign and stop sign shall be located at the intersection of Great Brook Path with Rutland St., and 2) the plans shall be modified to include the statement "Board of Health approval is granted by failure to report" unless BOH approval is obtained prior to Planning Board endorsement of the plan, and with the following conditions: 1) The applicant will provide documents concerning maintenance of the wildlife culvert, 2) the applicant will provide improvements to Rutland Street, to be determined by the PB in accordance with a sketch to be drawn, and 3) the Planning Board will receive copies of all easement and maintenance documents concerning the buffer to the Puffer property and the wildlife culvert. Approval is also granted with waivers to the following sections of the Subdivision Rules and Regulations: 1) Art. III.2.B.3, to allow a five foot property line radius at the street intersection, 2) Art.III.2.D.2, to allow a "reverse P" cul-de-sac with an outside paved diameter of 128 feet, 3) Art.III.5.B.5, to allow bituminous Cape Cod berm throughout the subdivision as detailed on the plan, 4) Art.III.5.B.3, Art.III.5.D.1 and Art.III.5.E.1 to allow roadway design as shown on the plan, in order to reduce disturbance of the wetland, 5) Art.III.5.G.6, to allow a minimum depth of cover of 22 inches over a Class V pipe, 6) Art.II.6.B.1.q, to allow bearings to refer to magnetic north, 7) Art.II.6.B.2.d, to allow elevations to be based on an assumed benchmark, 8) Art.III.2.D.4, contingent upon approval and exercise of the Conservation Cluster and Common Driveway Special Permits, a waiver of this article will be granted to allow access to 6 lots from the cul-de-sac, 9) Art.III.2.A.6, contingent upon approval and exercise of the Conservation Cluster and Common Driveway Special Permits, a waiver will be granted from the requirement that physical access to Lots 7 and 9 be possible without reliance on a common driveway, 10) Art.II.6.B.2.a.v, because the parcel is heavily wooded, the applicant will not be required to locate all trees greater than 8 inches in diameter, and**

11) Art.II.6.B.1.o, to allow narrower line width on the plans, in order to preserve detail. Abend seconded the motion and it carried 6-0-1 with Zinicola abstaining.

Reid then moved to approve the Special Permit for a Conservation Cluster in Carlisle, MA for Albert I. Gould and Betsy E. Goldenberg dated May 2000, last revised May 11, 2000 with the following modifications: 1) A line shall be drawn on the plan, acceptable to the Planning Board that projects approximately from the lot line between Lots B and C to the stone bound shown on the plan, where the open space to the west of this line shall be deeded to the Town of Carlisle, and the open space to the east of this line shall be deeded to a homeowners association, pursuant to documentation which is acceptable to the Planning Board, and 2) a trail easement to the State Park shall be shown on the plan with a bearings description. Approval is subject to presentation of proper documentation for the following: 1) Deeding a portion of the open space parcel to the homeowners association, 2) establishment of a conservation restriction on the open space parcel, 3) granting a trail easement to the State park, 4) establishment of a homeowners association, and 5) deeding a portion of the open space parcel to the Town. The Board finds that approval of the Conservation Cluster is in accordance with Section 5.5.1 of the Zoning Bylaw in that the plan preserves significant woods and natural habitats, expands passive recreation, provides conservation management and enhances linkage of conservation land. Abend seconded the motion and it carried 6-0-1 with Zinicola abstaining.

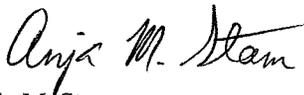
Next, Reid moved to approve the Common Driveway Plan in Carlisle, MA, # L60-40-CD, dated February 2000, last revised May 11, 2000, finding that the common driveway will provide sufficient access for safety vehicles and will preserve land that would otherwise be cleared with the construction of individual driveways, with the following conditions: 1) Appropriate signage with the common driveway name shall be provided at the cul-de-sac and additional signage will be provided at each branch of the common driveway to indicate house numbers, to be approved in the field by the Fire Chief, and 2) the common driveway, Farnham Smith Lane shall remain private and a sign shall so state. Abend seconded the motion and it carried 6-0-1 with Zinicola abstaining.

Abend moved to continue the public hearing to June 12, 2000 at 8:30 p.m. Reid seconded and the motion carried 6-0-1 with Zinicola abstaining.

The Board then chose officers for 2000-2001. The following candidates were nominated: Michael Epstein for Chair, Kate Reid for Vice Chair, Tom Lane for Treasurer and Louise Hara for Clerk. Abend moved to elect the slate of candidates as nominated. Lane seconded and the motion carried 7-0. Epstein asked Board members to review the list of appointments and liaisons to other boards and committees and be prepared to volunteer at the next meeting.

The Board unanimously adjourned at 11:10 p.m.

Respectfully submitted,



Anja M. Stam
Planning Secretary