



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

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MINUTES
April 9, 2001

ANR Plan: Hart Farm Road, Map 28, Parcels 12-8, 12-9 and 12-Y, Michael Kenny and Town of Carlisle, applicants
Continued Public Hearing: Common Driveway Special Permit, "Laurel Way," 138 East Street, Map 22, Parcels 62B & 63D, Theodore Treibick and Deborah MacDonald, applicants
Notice of receipt of as-built plans for Common Driveway Special Permit serving Lots 2 & 3, 646-650 Concord Street, Map 7, Lots 43-2 and 43-3
Public Hearing: Proposed amendments to the Carlisle Zoning Bylaws, Personal Wireless Communications Facilities, Sec. 5.9
Request for extension of time to complete Maplewood Definitive Subdivision (request of Robert Koning)
Planning Administrator's report on drainage concerns at High Woods Conservation Cluster
Discussion of proposed draft Rules and Regulations for Site Plan Review
Request for Planning Board approval of Carlisle affordable housing plan (Request of Carlisle Housing Authority)
Discussion of proposed amendments to Subdivision Rules and Regulations

Chair Epstein called the meeting to order at 7:30 p.m. Members Holzman, Lane and Reid were present. Zinicola arrived at 7:34 p.m. and Abend arrived at 8:40 p.m. Planning Administrator George Mansfield and *Mosquito* reporter Susan Yanofsky were also present.

Lane recommended two changes to the minutes of 3/26/01. Reid then **moved to accept the minutes of 3/26/01 as amended by Lane**. Lane seconded the motion and it carried 4-0.

(Zinicola arrived.)

Reid noted that in the minutes, the cost of a cistern was estimated at \$55,000 to \$60,000. She recalled hearing different figures at previous meetings and asked the PA to look into the actual cost of installing a cistern.

Lane stated that the **budget** is on target.

Mansfield reported that Michael Epstein was nominated for the Planning Board position at the Town Caucus. Unfortunately, he was not present to accept the nomination and was not able to sign the acceptance papers during the Town Clerk's office hours. Therefore, Epstein was required to collect signatures on nomination petitions. These were collected and this afternoon the Town Clerk certified that enough signatures were obtained to place Epstein on the ballot.

ANR Plan: Hart Farm Road, Map 28, Parcels 12-8, 12-9 and 12-Y, Michael Kenny and Town of Carlisle, applicants

Mansfield explained that this ANR plan removes 800 sq. ft. of land from the Town-owned open space parcel and provides it to Lot 9 in order that the septic system may be graded without the use of a retaining wall. In exchange, 941 sq. ft. of land will be removed from Lot 8 and added to the open space parcel in order to preserve the 40-ft. wide access to parcels X and Y.

The Board then discussed the applicant's request to waive the \$350 filing fee. Reid was opposed to this, stating that the fee would be required in a similar situation if the Town were not a co-owner. Epstein argued that the developer has two other options for remedying the situation, but the ANR plan is preferred by the Planning Board, ConsCom,

Board of Health and Board of Selectmen. He noted that the applicant filed the ANR application based on encouragement from Town officials.

Holzman and Reid were concerned that if the BOH does not approve the revised grading plan, the applicant might decide to build a retaining wall anyway, and then the ANR plan would have been unnecessary. The Board asked the PA to recommend to the Board of Selectmen that the transfer of land should not occur until the BOH approves the revised grading plan and the applicant agrees to grade the septic system without the use of a retaining wall.

Epstein moved to waive the filing fee for the Hart Farm Estates ANR application dated 3/20/01. Lane seconded the motion and it carried 4-1-0 with Reid opposed. Reid then moved to endorse the plan for Hart Farm Estates dated 3/20/01, as approval not required. Holzman seconded the motion and it carried 5-0.

Continued Public Hearing: Common Driveway Special Permit, "Laurel Way," 138 East Street, Map 22, Parcels 62B & 63D, Theodore Treibick and Deborah MacDonald, applicants

The PA reported that the decision on this special permit was filed on 4/4/01 after receipt of an acceptable maintenance agreement and a stipulation for dismissal of litigation. Holzman suggested that the public hearing should not be closed until the dismissal request has been reviewed and approved by Town Counsel. Mansfield felt that the public hearing could be closed because the decision has already been filed with the Town Clerk. Reid moved to close the public hearing. The motion was seconded by Lane and carried 4-1-0 with Holzman opposed.

Notice of receipt of as-built plans for Common Driveway Special Permit serving Lots 2 & 3, 646-650 Concord Street, Map 7, Lots 43-2 and 43-3

Mansfield reported that the developer has not submitted plans or responded to his 3/30/01 letter. He offered to work with the Building Inspector upon his return, in order to resolve the occupancy issues.

Public Hearing: Proposed amendments to the Carlisle Zoning Bylaws, Personal Wireless Communications Facilities, Sec. 5.9

For the record, Reid read the proposed amendments from the "Notice of Public Hearing." There were no questions from the public and Epstein then moved to close the public hearing. Lane seconded and the motion carried 5-0. Reid then moved to recommend approval of the proposed amendments to the Carlisle Zoning Bylaws, Sec. 5.9, to Town Meeting. The motion was seconded by Zinicola and carried 5-0.

Request for extension of time to complete Maplewood Definitive Subdivision (request of Robert Koning)

In a letter dated 4/9/01, Koning stated that although construction is 100% complete, due to extreme weather conditions, the Planning Board's engineer has been unable to perform a final inspection of the subdivision. He therefore requested an extension from April 30, 2001 to June 30, 2001.

Reid moved to extend the time to complete the subdivision from 4/30/01 to 6/30/01. Lane seconded the motion. Reid asked if Town Counsel had responded to the Planning Board's question regarding issuing a certificate of completion while there is litigation pending. Mansfield reported that he is still awaiting a reply. The Board unanimously approved the motion on the table.

Planning Administrator's report on drainage concerns at High Woods Conservation Cluster

Mansfield explained that in response to complaints from abutters, he visited the site of the High Woods Conservation Cluster today. He reported that although it appears that infiltration trenches are in place along the common driveway as designed, there is significant flooding of West Street at the base of the common driveway. Mansfield suspects that water might be infiltrating properly, but flowing underground and onto West Street. There

is also significant ponding on Lot 1. The Board directed the PA to ask the Board's review engineer, Dale MacKinnon of Earth Tech, to review the site.

Discussion of proposed draft Rules and Regulations for Site Plan Review

(Abend arrived shortly after this discussion began.)

Zinicola presented the revised draft of the Rules and Regulations for Site Plan Review and the Board discussed it at length. In the course of discussion, the following action items were noted:

- 1) The Board approved of "Section I. Pre-application Conference" and agreed that this section should also be added to the subdivision rules and regulations.
- 2) Several Board members felt that the size requirement for parking spaces in the Zoning Bylaw is too large and should be reduced.
- 3) It was discovered that Sec. 7.6.7 of the Zoning Bylaw requires completion of the project within one year of approval, while Sec. 7.6.9 states that Site Plan approval shall lapse if construction is not commenced within two years of approval. The Board should address this discrepancy in the future.
- 4) Sec. 7.6.10 of the Zoning Bylaw refers appeals to Sec. 7.4 under the jurisdiction of the Board of Appeals. The Board questioned why Town Counsel recommended that this reference be included in the Bylaw and suggested that it should be changed in order to direct appeals to the Board of Selectmen.

Zinicola agreed to revise the draft based on this evening's comments and Mansfield was asked to design an application form.

Special Town Meeting 4/10/01

Abend stated that Art Milliken of the Carlisle Conservation Foundation asked that a member of the Planning Board make a statement at Town Meeting in support of the Community Preservation Act. Abend could not attend Town Meeting, but Reid, Holzman, Zinicola and Epstein planned to attend.

Request for Planning Board approval of Carlisle affordable housing plan (Request of Carlisle Housing Authority)

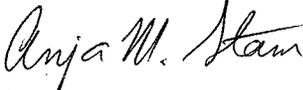
The Board reviewed the draft prepared by Reid and after some discussion agreed to simplify its statement in support of the Affordable Housing Plan emphasizing that this plan sets good goals for affordable housing and that the Town should be flexible in allowing the details of the plan to evolve. Reid agreed to revise the document and prepare it for the Chair's signature on behalf of the entire Board.

Meeting Schedule

Upcoming Planning Board meetings were scheduled for 4/30/01, 5/21/01, 6/11/01 and 6/25/01.

The meeting was **unanimously adjourned at 10:35 p.m.**

Respectfully submitted,



Anja M. Stam
Administrative Assistant