



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

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MINUTES
February 11, 2002

Staff Performance Review

Town Meeting Warrant

Community Development Plan Task Force

Notice of receipt of application for re-issuance of Common Driveway Special Permit, 138 East Street, Map 22, Parcels 62B & 63D, Theodore Treibick, applicant

Discussion of "informal conceptual plan" for subdivision of land at 570 West Street, Map 6, Lot 66 (request of Michael Brophy)

Discussion of proposed amendments to Subdivision Rules and Regulations

Discussion of Proposed Wireless Study

Discussion of strategy with regard to pending litigation, Valchuis et al. v. Planning Board, Berry Corner Lane, Map 7, Parcel 29 (executive session)

Chair Michael Abend called the meeting to order at 7:30 p.m. in the Clark Room at Town Hall. Board Members Michael Epstein (Vice Chair), Louise Hara (Clerk), Tom Lane (Treasurer), Kate Reid and Phyllis Zinicola were present. Dan Holzman was not present this evening. Planning Administrator George Mansfield and Administrative Assistant Anja Stam were present and *Mosquito* reporter Susan Yanofsky arrived at 8:45 p.m.

Referring to page two of the minutes of January 28, 2002, Hara clarified that Gary Davis would like to review the initial submission of subdivision plans in addition to inspecting the subdivision prior to the Board certifying its completion. Reid then moved and Lane seconded a motion to accept the minutes of January 28, 2002 as amended. The motion carried 5-0-1 with Abend abstaining.

The bills were circulated for signature and it was again noted that the bill from Earth Tech had not been itemized. Stam noted that she had begun preparing a list of other potential engineering review firms, but wanted to contact several other towns before submitting a final list to the Board. Abend recommended adding Donald Graves of Worcester to the list.

Lane submitted the proposed FY03 budget to FinCom, but did not attend their meeting because the budget was actually below the overall 2.5% increase recommended by FinCom. FinCom later asked him via e-mail if the Planning Board foresees any development in the near future. Lane replied, explaining that currently development is slow. The PA reported that the Town Administrator is encouraging representatives from each board to attend the Selectmen's meeting on Feb. 12th at 8:00 p.m. to support employee compensation as proposed last year. Zinicola thought she would be able to attend and Lane agreed to attend if she could not.

Staff Performance Review

Abend reported that both the Planning Administrator and the Planning Administrative Assistant received overall ratings of "Outstanding." He noted that Mansfield's goals for the coming year were to 1) continue to maintain clear processes for filing and reviewing information, 2) develop standard conditions and formats for common approvals, 3) research the possible implementation of a GIS system in Carlisle within the next five years and 4) develop a filing system to better organize materials distributed to Board members in order to minimize the amount paper sent for each meeting. For Stam, the goals are to 1) complete and refine an office procedures manual, 2) assume additional administrative duties and 3) work with the PA on goal #4.

Town Meeting Warrant

Mansfield reported that the Town Warrant is now open and will close on March 12, 2002. Hara asked if there was something the Board could do about tear-downs. Mansfield explained that other Towns have demolition delay

bylaws, but they must have a specific goal during that time. He noted that Newton has a one-year delay intended to preserve the character of neighborhoods. Demolition of any home built 50 years ago, or prior, is reviewed by the Historic Commission. The Board asked Stam to research demolition delay in other communities and report to the Board.

Zinicola asked Hara and Reid why they did not pursue inclusionary housing. Hara explained that it would be difficult to require developers to build a certain percentage of their developments as affordable, since most of the developments are small and Carlisle grants an average of 25 building permits per year. She also noted that Carlisle has no sewer or public water, which also makes affordable housing development difficult. Reid noted that ten years ago, Concord developed an inclusionary housing bylaw, but it is never used. Concord's bylaw required all development of greater than five homes to include affordable housing. As a result all new developments have been planned with five homes or less. Based on their research, Hara and Reid concluded that the Town must assume the responsibility of building its own affordable housing units. Reid suggested that zero lot line zoning, like the SROSC special permit could be very effective.

Community Development Plan Task Force

Lane reported that the Community Development Plan must address the following needs: 1) open space and resource protection, 2) housing, 3) economic development and 4) transportation. In order to participate in the program, a town must submit a Community Development Plan that touches upon these areas. The town may also submit existing plans. Lane looked at the Carlisle Study Plan, Growing Pains, the Affordable Housing Plan and the Open Space and Recreation Plan. He felt that these documents may meet minimal submission requirements, except for transportation. Lane noted that the transportation item is intended to encourage regional plans and he agreed to speak with representatives from Acton, Concord and Bedford at the MAGIC breakfast on Thursday 2/14/02. Lane suggested that Carlisle should pursue this source of funding, if there is indeed a particular study that should be done. Hara felt this would be an excellent means of encouraging the housing plan to move forward. Epstein agreed and also thought that a representative of the Recreation Commission might be included in the Task Force.

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Abutter Fred Lewis of 141 Bedford Road was present.

Mansfield explained that a new application has been filed because the previously granted special permit was not recorded within 60 days of the appeal period and has therefore lapsed and expired. The Public Hearing will open on February 25, 2002.

Discussion of "informal conceptual plan" for subdivision of land at 570 West Street, Map 6, Lot 66 (request of Michael Brophy)

Michael Brophy was present, but stated that he simply happened to be in Town Hall and noticed that his name was on the PB agenda. Abend explained that the Board had asked Town Council for an opinion on the informal conceptual plan presented by Brophy in October, and had recently received a reply. The Board agreed that this document was not confidential and forwarded a copy to Brophy.

Discussion of proposed amendments to Subdivision Rules and Regulations

The Board discussed including landscaping and planting plans in the subdivision regulations. Abend recommended ENSR as an engineering firm that has designed detention and retention basins with wetland habitats. The Board felt the rules and regulations should specify remedial plantings to clean runoff. Stam was asked to research landscaping plans in other subdivision regulations on *Ordinance.com*.

(Yanofsky arrived.)

Mansfield noted that the Pedestrian and Bicycle Safety Committee approved of the changes made to Rules and Regulations and asked if a representative from their committee should be present at the public hearing. The Board agreed that the committee should be present to explain changes to sections pertaining to them.

After reviewing the changes discussed at the last meeting, the Board discussed the concept of requiring subdivision maintenance by a homeowners association, even if the Town accepts the roadway. Abend was skeptical and felt that this should only be required if the development is expected to bring an excessive maintenance burden to the Town. Lane was concerned that newcomers would be expected to take on the burden of maintenance while still paying taxes. Other Board members noted that this already occurs on common driveways and in conservation clusters. Hara felt that the concept of homeowner subdivision maintenance should be pursued because it will provide the Board with a negotiating tool. She noted that most new development is taking place on marginal land and may create novel maintenance issues. The Board agreed to resume discussion of this topic after receipt of Town Counsel response to Mansfield's memo dated 2/6/02.

The Board directed the PA to submit the proposed amendments to the Subdivision Rules and Regulations to Town Counsel for review. They requested a reply to both Mansfield's 2/6/02 memo, and the proposed amendments by 2/21/02 if possible.

In reviewing the Fire Cistern Regulations, the Board found that there is no consensus among various communities regarding minimum requirements. Abend noted that the Cistern Regulations are actually designed to protect property value, but not necessarily safety, and thought that perhaps the Board should not be overly concerned with this issue. Lane felt it was appropriate for the developer to have a meeting with the fire chief to determine fire safety requirements. In order to be fair to the developer, Abend preferred to offer minimum guidelines regarding cistern requirements. He agreed to draft cistern regulations.

Discussion of Proposed Wireless Study

Mansfield confirmed that the Town Administrator supports the PB's initiative to conduct a study of potential wireless sites in Carlisle. The Board directed the PA to send out the Request for Proposals.

Discussion of strategy with regard to pending litigation, Valchuis et al. V. Planning Board, Berry Corner Lane, Map 7, Parcel 29 (executive session)

At 9:30, Reid moved to go into executive session to discuss the pending litigation, not to return to regular session. Lane seconded the motion. The Board was polled and unanimously agreed to go into executive session.

At 10:15 p.m. Reid moved and Lane seconded a motion to exit the executive session and to adjourn. The Board was polled and unanimously approved the motion.

Respectfully submitted,



Anja M. Stam
Administrative Assistant