



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

MINUTES

July 28, 2003

P.O. BOX 827
CARLISLE, MA 01741
(978) 369-9702

Minutes

Budget

Organization of 2003-2004 Board

Preparation of Community Development Plan to meet requirements of Executive Order #418 [Thomas Planning Services and McGregor & Associates]

Development of digital town-wide parcel data layer and GIS technical support [Applied Geographics] – Review of parcel automation pilot

Review of construction and site conditions on Tanglewood Way, common driveway portion of Great Brook Estates Definitive Subdivision Plan (Notice from Conservation Commission)

Peer review of application to Zoning Board of Appeals for Comprehensive Permit under MGL Chap. 40B for an 8-unit condominium, Laurel Hollow, at 302 Lowell Road (Map 21, Parcel 12), 2 units to be offered as affordable housing. (Application of MKCKMK, LLC, referred by Board of Appeals)

Request for a release from Restrictive Covenant of the remaining lots in Carriage Way Definitive Subdivision Plan, and substitution of deposit of money as performance guarantee [Request of William Costello]

ANR Plan: Pine Brook Road, Map 35, Parcel 13, Barbara V. Trainor, applicant

Identification and analysis of potential sites for Wireless Communications Facilities [Broadcast Signal Lab and GPR] – Distribution of Final Report

Chair Louise Hara called the meeting to order at 7:30 p.m. in the Clark Room at Town Hall. Board Members Michael Abend, David Freedman, Dan Holzman, Tom Lane and Phyllis Zinicola were present. Planning Administrator George Mansfield, Administrative Assistant Anja Stam and *Mosquito* reporter David Ives were also present. Member Rich Colman and was not present this evening.

Mansfield listed the items placed on the table for Board members this evening. Among them was a letter dated July 22, 2003 from Joseph Campagna addressed to the Conservation Commission and Planning Board. The Board reviewed this letter regarding alleged illegal dumping of fill at 44 River Road and concluded that the Planning Board does not have authority in this matter. Mansfield noted that he gave a copy of this letter to the Building Inspector.

Minutes

The minutes of 6/23/03 were reviewed. Freedman suggested some clarifications to the discussion regarding the Wireless Communications Facilities report, and corrected a spelling error. Freedman then moved and Holzman seconded a **motion to approve the minutes of June 23, 2003 as amended**. The motion carried 4-0-2 with Abend and Lane abstaining. The PA noted that Anderson & Krieger requested and received a copy of the draft minutes several weeks ago. The Board directed the AA to send a copy of the amended and approved minutes to them as well.

Bills and Budget

The bills were circulated and Lane thanked Mansfield for completing the FY03 budget and encumbering remaining funds.

Organization of 2003-2004 Board

Hara asked if Abend could assist her as liaison to the Board of Selectmen. Abend agreed that this would be helpful and preferred this to being liaison to ZBA. He asked if Colman and Holzman could act jointly as liaison to the Zoning Board of Appeals with Abend as an alternate. The Board agreed to table this discussion, since Colman was expected to arrive later in the evening.

Colman had not arrived by 9:55 p.m. so Abend moved and Lane seconded a **motion to approve appointments and liaisons to other boards as tentatively approved at the 6/9/03 meeting with the addition of Michael Abend as liaison to the Board of Selectmen**. The motion carried 6-0.

Preparation of Community Development Plan to meet requirements of Executive Order #418 [Thomas Planning Services and McGregor & Associates]

Mansfield informed the Board that Carol Thomas expects to have the draft of the housing and economic development section of the plan completed and available for Board review this week. Members asked the PA to forward the report to them after the Board's steering committee members have reviewed it.

Development of digital town-wide parcel data layer and GIS technical support [Applied Geographics] – Review of parcel automation pilot

The PA explained that the assessor has not given feedback on the pilot report, but is scheduled to meet with him this week to review the data format.

Review of construction and site conditions on Tanglewood Way, common driveway portion of Great Brook Estates Definitive Subdivision Plan (Notice from Conservation Commission)

The Board reviewed a letter from Gary Shepard of David Ross Associates dated July 1, 2003. In his letter, Shepard proposed replacing the swale at the end of Tanglewood Way with a 12 inch perforated HDPE culvert. Holzman suggested that the engineers provide a means of preventing siltation and failure of the culvert, such as using filtration fabric. Hara requested that the developer stabilize the slope during construction in order to minimize further erosion.

Board members found it difficult to evaluate the proposed solution to the drainage issues with out a plan and requested that Shepard attend the next Planning Board meeting with plans showing location and details of the culvert.

Peer review of application to Zoning Board of Appeals for Comprehensive Permit under MGL Chap. 40B for an 8-unit condominium, Laurel Hollow, at 302 Lowell Road (Map 21, Parcel 12), 2 units to be offered as affordable housing. (Application of MKCKMK, LLC, referred by Board of Appeals)

Mansfield received communication from Sylvia Willard stating that George Dimakarakos of Stamski and McNary, the developer's engineer, expects to forward a response to the review engineer's comments to the Town next week. A public hearing is scheduled with the Zoning Board of Appeals on Wednesday August 13, 2003.

The Board reviewed comments from Jesse Johnson of David Ross Associates regarding the Laurel Hollow comprehensive permit. Board members noted that the engineer expressed the same concerns raised previously by the Planning Board. Abend noted that developers generally submit conceptual plans showing maximum buildout and the ZBA may then grant approval with numerous conditions. Hara noted that Johnson's comments must be interpreted for the ZBA if they wish to include them as conditions of final approval. The Board was concerned that the ZBA's contract with David Ross was complete and that no further engineering review would be available. The Board also questioned who is responsible for reviewing the plans to assure that the development is constructed according to the conditioned plan.

Zinicola noted that Technical Assistance grants are available from the Mass Housing Partnership, which provides funds to communities in order to hire a facilitator for 40B projects. She explained that up to \$10,000 are available for a Town's first application and up to \$5000 per application thereafter. She strongly encouraged the Town to pursue this funding source even though the ZBA had declined applying in the past. Zinicola agreed to inquire about the length of the application process.

Abend suggested speaking with Johnson directly regarding his report, but other Board members thought this would be inappropriate and recommended discussing the engineers comments with the ZBA. Abend and Freedman believed that the ZBA would not understand the Board's concerns regarding the engineer's comments and preferred to clarify them with the engineer directly. Abend offered to draft a memo to the ZBA identifying the PB's concerns regarding procedure and recommending Ross's continued role in review of this application. Abend also agreed to recommend applying for a technical assistance grant. Holzman will meet with the Chairman of the ZBA to discuss some of the technical details that still require clarification, and to identify the difficult versus simple issues.

Board members requested a copy of Stamski and McNary's response when it becomes available.

Request for a release from Restrictive Covenant of the remaining lots in Carriage Way Definitive Subdivision Plan, and substitution of deposit of money as performance guarantee [Request of William Costello]

The Board reviewed a letter from Richard Gallogly of Rackemann, Sawyer & Brewster dated June 20, 2003. In the letter, Costello's attorney addressed issues at the Pine Meadow and Wilkins Lane subdivisions, and also requests a release of the two remaining lots in the Carriage Way subdivision. He proposed security in the form of a joint bank account similar to the security submitted in connection with the Wilkins Lane subdivision. Mansfield advised the Board that the current Town Treasurer is not satisfied with the form of security provided for Wilkins Lane because the Town has no tangible access to the account. She recommended receiving the funds directly from the developer and the Treasurer would then set up an account using the Town's tax identification number. In his letter, Gallogly agreed to provide \$50,736.48 security as suggested by the Board's engineer on March 25, 2002. The Board decided to round this figure up to \$60,000 because they did not expect the subdivision to be completed within the two-year inflation allowance in the engineer's estimate. Abend then moved to release Lots 1 and 3 from the covenant of the Carriage Way Subdivision, thereby releasing the covenant and replacing it with a deposit into a savings account in the amount of \$60,000 in a form agreeable to the Town Treasurer with the condition that three Board members sign the release form this evening and the fourth, notarized signature will be provided after the account is satisfactorily established. Zinicola seconded the motion and it carried 5-1 with Freedman abstaining.

ANR Plan: Pine Brook Road, Map 35, Parcel 13, Barbara V. Trainor, applicant

Mansfield noted that a plan for this lot was presented to the Board at its previous meeting and found to have one abutter improperly identified. The plan has been corrected and Lane moved to endorse the plan of land in Carlisle, MA prepared by Stamski and McNary for Barbara V. Trainor, dated June 2, 2003, and stamped June 26, 2003, as approval not required. Abend seconded the motion and it carried 6-0.

Identification and analysis of potential sites for Wireless Communications Facilities [Broadcast Signal Lab and GPR] – Distribution of Final Report

The PA informed the Board that the Board of Selectmen has invited the Planning Board to attend the Selectmen's meeting on Tuesday September 9, 2003 as a joint meeting to discuss the wireless study and the future of wireless facilities in Carlisle. Zinicola, Hara, Freedman and Lane said they would most likely be able to attend. Abend and Holzman were not sure. It appeared that a PB quorum would be likely on September 9, and the PA was directed to confirm the joint meeting with the Selectmen. The Board wished to discuss the report and Planning Board recommendations at its next meeting on August 18 and asked the PA to place this item on the agenda.

The Board then considered how copies of the report might be made available to the public. Stam offered to research the cost of printing copies from the CD at a print shop. Abend suggested that at least one copy should be bound with the consultant's official binding. The PA noted that in addition to having one in the Planning Board office, copies of the wireless report should be provided to the Board of Selectmen and the library. Abend moved to request three, bound, color copies of the report from BSL and one unbound copy for duplicating. Zinicola seconded the motion and it carried 6-0. Board members then decided that it could distribute the wireless report to the public most efficiently by providing copies of the CD for \$10. Lane moved and Abend seconded a motion to make copies of the wireless report available to the public on CD at a cost of \$10 each. The motion carried 6-0. The PA suggested that, initially, at least twelve copies of the CD should be made for the PB office, BOS, library and the public. Holzman offered to burn them on his computer at home.

At 9:55 p.m. Abend moved to adjourn the meeting. Holzman seconded the motion and it carried 6-0.

Respectfully submitted,



Anja M. Stam
Administrative Assistant