

SPECIAL MEETING OF PLANNING BOARD
TOWN OF CARLISLE, MASS.
THURSDAY 6-26-69 - 8 PM - LIBRARY

Present: Clerk Robert Thomson
Farnum Smith
Joe Macone
David Spaulding

1. Two lots on Bingham Road owned by W. D. Sanford (not a subdivision) were brought before the Board for sign-off. There was no Conant lot-line question involved. Both lots had exactly 250.00 feet frontage and just over the minimum 2 acres, according to the plans. On-site inspection has not taken place. As presented, the plans met the rules regarding zoning. The roadway easement requested by the Selectmen along Bingham Road is covered in the area facing these two lots by a written agreement with Mr. Lapham (according to Mr. Sanford) and the easement is all on the North side of the road as it now stands. Land abutting Lapham to the East on Bingham Rd. and on the North side of Bingham Rd. is covered by a verbal agreement between the owner and the Board. This verbal agreement was made between Farnum Smith, Joe Macone and the owner by telephone during the meeting. As all points in question had been covered, the four members present signed the plans off.

2. Peter Maio, his attorney, his engineer, collectively went over all the points agreed to with Mr. Perley. Maio is trying to move according to the new rules of the Board, but expects trouble in these areas:

- underground wiring may not be possible if Edison and Maio cannot get an agreement between themselves,
- the leveling-off approach to East St. cannot be improved to meet new rules,
- drainage down the gutter parallel to old East St., after it leaves Maio land, and before it runs under the road, must get its easement from the Selectmen-Highway Dept.,
- grades on present plans meet old rules, but cannot be improved to meet new rules.

It was noted that Perley has received drainage calculations, and that more points will be cleared with Perley, but that they and Perley are now in agreement on all points in question. Some particular points raised were:

- turn-around at top-of-land dead-end will be according to town specifications,
- burms or curbs will not be provided under the old rules and their expense prohibits their use as an "extra" provided by the developer under the new rules: the Board noted that proper sod on the shoulders of the road would prevent wash-outs and that roadway construction inspection would especially note this element.

Board of Health "unsuspecting buyer" protection and percolation testing are a major bone of contention. It was noted that an instrument recorded with the plans could protect as well as a note on the plans themselves, and would leave the plans uncluttered with verbage, and the instrument could be amended at any time without re-cluttering up the plans with notes. The Board thought the idea had merit. The Board suggested that Mr. Nicholson contact Mr. Bickford to work out the details.

The Board of Health inspector had informed the Board that he felt only about 50% of the lots would be acceptable for house construction.

Maio stated that construction may not proceed until spring, assuming approval is given in July '69.

Maio stated that one buyer had plans to buy four lots to graze horses.

The review of the situation with Maio in person, and earlier with Perley on the same points, indicates that under the old rules the plan seem O.K., subject to final O.K. by Perley. Attempts to live up to the new rules may not be possible or practical for the developer, and he will only go so far in that direction as it is practical for him to go. The main point of contention rests between Maio and the Board of Health.

3. Joe Moore, his attorney, his engineer, reviewed Perley's requests and noted that they believed that they did not have to go according to the new rules. (Under old rules they have met all requirements, according to Perley during earlier telephone discussion.)

The Board took their opinion under advisement for the moment and discussed this matter with Town Council by telephone. The Board took Council's advice in this matter, and proceeded to hear plans proposed by Moore:

- curbing and extra catch basins requested by Perley as "good engineering design" were considered extra and unnecessary expense to the developer,
- under new rules, underground wiring was not planned, radii of curves could not be met, and detailed drawings of all detailed engineering work could not be provided, but typical design sketches could and would be provided,
- more discussion with Perley on points raised earlier would take place.

The Board asked for and received agreement from Moore that he, Moore, would accomplish the following:

- realign the curves in the rear of Melanson's to get longer radii,
- would provide a detailed drawing of the location of the roadway between Melanson and Shay and through the "S" curve beyond, giving relationships to edges of right-of-way and radii of new curves,
- would cut off part of corner of lot behind Melanson's (which land is going to Melanson) to provide a better, longer radius entering the "S" curve,
- would align the roadway next to Volkman and within the right-of-way to provide good turning radii entering East Riding Drive and would show this on a plan,
- Bob Carrig, the attorney, is waiting to see what the Conservation Commission wants for easement wording.

The Board did not agree, and the subject is still open, as to what should be done about the radius of the road at lot #44. Some favor a radius according to the new rules, and others favor a "T" junction, with both sides looking for the best method to control speed within the subdivision.

The Board agreed that if the radii of the curves were made better than the old rules required, and that if all the old rules were met to Pereley's satisfaction, and that if the new rules were applied where practicable, the Board would look with favor upon the final plans, subject always to the final Moore plans being acceptable within the meaning and intent of the terminology expressed by the Board and Cal-Mor Realty. It was noted that some points still are to be discussed with Perley and that these points will be studied at a later date by the Board. Cal-Mor Realty is not going to appeal to Superior Court, but is going to meet the objections raised by the Board in their letter of disapproval of the plans, and hopes to win approval of their plans by meeting these objections and solving each of the problems raised thereby.

Meeting adjourned: 11:15 PM.

Robert B. Thomson, Clerk