

Town of Carlisle

MASSACHUSETTS 01741

FRANK E. HANNAFORD, Clerk
201 Prospect St.
CARLISLE, MASS. 01741

Office of
PLANNING BOARD

MINUTES

WETLANDS HEARING
April 26, 1976
8:00 p.m.

PLANNING BOARD MEMBERS PRESENT: Pugmire, Hannaford, Kulmala, Santomena, Sauer, and Bridges; Architects Advisory Committee - Freiberg; The hearing was attended by approximately 25 town residents.

A copy of the wetlands motion was passed out. It was noted that there were three changes in the by-law after printing in the newspapers. The first full paragraph of page 7 has been inserted. Page 8, section 5e is new. Page 8, section 6 heading has been changed. Displayed were maps of the wetlands district and tables showing the process of how the district was decided. Mrs. Kulmala explained the purpose of the by-law, protecting our most valuable natural resource, water, and some of the uses permitted with and without special permits. She mentioned that although ponds 0.5 acre or less would be allowed under this by-law, it is still necessary to comply with the Hatch Act.

Mr. Cochran asked if the Planning Board would be prepared with a substitute for page 6, section 5b. He feels it is a procedural matter and intends to raise the question of who shall be the special permit granting authority at town meeting. According to Mr. Cochran, the Board of Appeals is better capable of handling an individual's appeal for special permits. If the Board of Appeals is the granting authority, he suggests that page 6, section 5b be done away with. Mr. Santomena replied that the second paragraph of that section is already law and town counsel feels must be there to be approved by the Attorney General's office. Mr. Cochran disagrees and feels 30 days instead of 65 would be acceptable to the Attorney General. The Planning Board stated they would not endorse an amendment until they have a feel for which way the town meeting is going.

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Mr. Simonds asked if a fire pond which has been flooded could be drained. He was told page 4, section 4b(1) answers that question. He also questioned page 5, (5) i, and asked if joint owned land with a pond jointly owned would have to be sold to one of the owners. The Board answered that the way the by-law presently reads he has the option of either selling to one owner or getting a special permit. Mr. Simonds said he is not comforted by special permits since a board can make getting them impossible and expensive. He wondered the reason for joint owners of land being unable to build ponds. He also asked if one owner owned 900 acres, for example, could he build only one 0.5 acre pond on it.

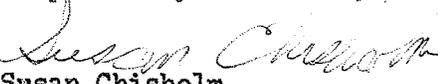
Mr. Berry asked if a owner of a 0.5 acre pond could clean the pond. He was told yes, that would be considered maintenance. He pointed out that the by-law enables you to maintain your pond but the owner still must comply with Chapter 131, Section 40 of the General Laws, the Hatch Act, in building or maintaining ponds. Mr. Santomenna noted that Hatch Act compliance was always there. Mr. Berry felt many people did not know this. He doesn't think so many restrictions are needed to dig a pond.

Mr. Evans asked about page 1, section 2b. He did not understand the third sentence. Mr. Santomenna said the entire section is law now with the last sentence being added with this by-law. Mr. Evans also asked about HUD mapping on the 100 year flood hazard zone. He was told it would begin April 28, 1976. He wondered if HUD maps could be amended to include wetlands. Mr. Santomenna replied that maps cannot be amended without a vote at town meeting.

Mr. Cochran asked of the accuracy of the maps. Mrs. Kulmala reviewed the process of determining wetlands and said that all people who had wetlands were notified. After hearings, some changes were made.

The hearing adjourned at 8:55 p.m.

Respectfully submitted,


Susan Chisholm
Secretary