



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

CARLISLE EDUCATION CENTER
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MINUTES OCT. 4, 1993

Chair Ernstoff opened the meeting at 8:06. Board members present were Chaput, Duscha, Evans, Colman and Yanofsky. Present then or later were Lyn DiBiase, Bill Holland, George Foote, Hal Sauer, Dorothea Kress, Tom O'Rourke, Dave Stewart, Ray Pichulo, Tara Hengeveld, Mike Benfield and John Ballantine.

The minutes of the Sept. 13 Executive Session were moved as amended by Colman, seconded by Evans, all in favor. The minutes of Sept. 27 were moved as amended by Chaput, seconded by Colman, with Yanofsky, Duscha, and Colman in favor and Evans abstaining.

Bills were approved as submitted.

Ice Pond: Ernstoff explained that there has been one last change in the stipulation regarding the Ice Pond suit. The change allows the Board to refrain from agreeing that the amount of money in the account is adequate to complete the ways and services; it stipulates that Hebb and Hanscom believe the amount is adequate.

The Board, agreeing with a concern raised by Duscha, instructed the P.A. to write Hebb a letter reiterating the fact that until he completes the fire cistern system, the Town will give no occupancy permit for either of the two houses which are nearing completion.

Boiteau Special Permit Amendment Hearing: Ernstoff opened the hearing, announced that the proper application had been received, that the proper notice had been given to the public, and that Mr. Boiteau had delivered a letter on Friday asking the Board to continue the hearing as his plan is not yet ready. Ernstoff asked if anyone was present for this matter. Seeing a negative response, the Board voted, on a motion by Colman seconded by Yanofsky, to take no testimony and to continue the hearing to Oct. 18 at 8:15. There will be no further notice to abutters.

The Board discussed the Fincom hearing on Oct. 14 which some members will attend to request additional funds for the Planner Assistant budget. The Board asked the P.A. to submit planner billing for the last 4 years to demonstrate the dip in hours during fiscal 92.

Ballantine Common Driveway Special Permit Extension Hearing:

Ernstoff opened the hearing at 8:45. He announced that the proper application had been received, and that the public had been notified in the prescribed manner. He asked whether anyone was in attendance for the hearing other than Mr. Ballantine. There was no one.

The P.A. reviewed her special permit options memo. From town counsel memos and letters, from consultation with Don Schmidt, chief E.O.C.D. planner, and with Stow and Acton planning departments, she determined that in law and in practice, Boards may: waive special permit rules and regs, grant extensions for a longer period than the original permit, and extend lapsed permits. She also consulted Zoning Enforcement Officer Koning as to his understanding of the Zoning Act statement regarding the substantial use of a special permit. He interprets the law such that if construction is more than 50% completed, the permit has been used, and therefore, no further extensions are needed. The Board then considered the facts in the Ballantine case. The original permit had been granted in 1984 for a common driveway to serve two lots and amended later that year to include a third lot. In 1988, the permit was again amended to include a fourth lot, the Ballantine lot. Each time, whether original or amended, the permit was granted for one year. Since then, in '90, '91, '92, and '93, Ballantine has come for an extension because he would prefer to build the driveway as part of selling the lot, which he has not yet been able to do. Throughout, the circumstances have not changed as regards the plan or the neighbors' attitudes toward it. A one year extension has been granted each year. Ballantine requested this year that the Board waive the \$200 fee as there is no need for extensive plan review, and that the Board grant a two year extension, which he feels may give him time to sell the lot. He applied to the Board before his existing permit lapsed, but because of the summer publication schedule of the *Mosquito*, the Hearing could not be scheduled before the permit lapsed. He has also asked Bob Koning whether, in his opinion, the permit had been substantially used. Koning suggested that Ballantine ask the Board for an opinion as to whether it feels the permit has been used. He was reluctant to make the decision himself because the Board has, by granting extensions, implied that it believes the permit has not been used. The P.A. has visited the site and determined that the driveway has been built to serve three of the four lots, and that the unbuilt portion lies almost exclusively on Ballantine's land. The Board analyzed whether a finding that the permit had been used in this case could open the Board to requests from subdividers operating under special permits who have substantially begun ways and services but have not finished. Foote pointed out that we have no hold over common driveway permittees, as we require no bond and no final inspection. He also felt it is setting a bad precedent to make findings which the Zoning Enforcement Officer should make. The Board felt that it is clear an extension is not objectionable to the abutters or to anyone else, and that a two year extension would not be unreasonable and would be beneficial to the Board in that fewer hours of the P.A.'s time will be used in preparing for a hearing. Members felt that while Ballantine tries to get a finding from Koning as to whether the permit has been used, they could make sure he has a permit still in place by extending it. The Board, on a motion from Evans, seconded by Chaput, voted to extend the permit for two years and to waive the fee. In favor were Chaput, Yanofsky, Evans, Duscha and Ernstoff; Colman abstained. Colman moved and Evans seconded a motion to close the hearing; all voted in favor. The hearing was closed at 9:13.

Master Plan Discussion: Community and Education Ernstoff asked all present to introduce themselves, and turned the meeting over to Chaput. She described the process which the Board has been using, and stated that tonight's discussion would be a

continuation of the one begun on Sept. 27, 1993, in that participants were being asked to complete the synthesis and refining of the goals grouped under the value headings Community and Education. The statement on commonalities of community and Town Center, which was formulated at the Sept. 27 meeting, was circulated, and participants responded to it.

Sauer commented that the sense of inclusiveness and caring which is characteristic of Carlisle was missing from the statement. Foote responded that the feeling of one group on Sept. 27 had been that not every one wants to be included in community activities, but may still be valued parts of the community. Sauer responded that policies which force older members of the community to move away deny the commonality of inclusiveness. Kress commented that older people cannot participate in the community if they are not here. After further discussion, the group agreed to these changes to the statement:

To add "Sense of mutual caring" and "Inclusiveness of diverse population".

On the basis that "establishment/maintenance of a trails network" is an implementation, rather than a goal, the words "Opportunity to physically interact" were substituted. The words "opportunity to volunteer" were dropped as they are implied in "Interest in the community" and in "Governmental policies set and directed by the townspeople." "Desire to maintain and reuse existing buildings, etc." was dropped as being an implementation, but was replaced with the statement "Care for our environment, both manmade and natural resources", which includes that implementation. "Place to interact" was also seen as an implementation, and dropped. Benfield, Colman and Duscha, who were in the group which produced these implementations, asked that the Board preserve them so that on Community Planning Day, participants could see the connections between the concepts of commonality agreed to on Sept. 27 and Oct. 4 and the implementations being raised as a result of them. The P.A. was asked to create such a list.

The amended statement of community reads:

* Community is a group of people who relate through their activities.

They share commonalities:

Mutual respect for differences, diversities, and degree of participation.

Sense of mutual caring.

Inclusiveness of diverse population.

Interest in the community.

Desire for governmental policies to be set and directed by townspeople.

Care for our environment, both manmade and natural resources.

Desire for the opportunity to physically interact.

* Town Center:

Physical center

Cultural center

In discussion regarding adding quality of education as a subsection in this statement, Kress commented that if we enumerate one portions of the population (i.e., children) we should spell out concern for the elderly as well. Chaput suggested that we keep educational quality as a separate value. She closed the discussion by inviting participants to return on

Oct. 18 at 8:45 to discuss safety related goals; she pointed out that the statement is evolving still. The discussion ended at 10:40.

The Board then discussed Master Plan process. Chaput had called Simonds twice and had not heard from him. It was agreed that, if he could not act as master of ceremonies, the next people to be asked would be Jean Buckborough, Nancy Wolfe, Marilyn Harte, Grant Wilson and Tom Raftery. Chaput will make these calls.

The Board agreed to move back the date of Community Day to Nov. 20 so that Chaput and Evans, who will be on extended trips in early November, will be able to participate fully in last minute planning and the day itself. Neal Yanofsky is willing to train facilitators. The Board discussed at length its goals for Community Day. A major issue was whether the Board wants that day to produce an unranked list of implementations, or a prioritized list. There was disagreement as to whether participants will have enough knowledge to rank implementation strategies effectively; some members felt four hours are not enough to reach prioritization with even the most knowledgeable participants. Yanofsky suggested that ranking could be accomplished on Nov.20 if a universal test is applied to each implementation, one which asks: Does this arise from an approved goal? Does this arise from our value statements? Is it feasible? Chaput suggested ranking could be achieved if each small group is charged with choosing its top five implementations. Ernstoff suggested that after some period of time spent in ice breaker activity, and after introductory statements, we will have time only to create an unranked list of implementations. He felt the Board, in public meetings over the two or three months following Nov.20, could prioritize the implementations more effectively than Community Day participants. Colman was concerned that time between Community Day and Town Meeting is so short that we may not be ready for T.M. if we give ourselves the assignment of ranking implementations after Nov. 20. Chaput suggested that a land planning strategy game may take more time than we have on Nov. 20. She also felt we have moved past the approved goals; we should be presenting only the value statements, with the goals kept on hand for reference. Yanofsky suggested again that each member submit to the P.A. his/her ideas for the process; Sandy will circulate these in time for the next meeting.* Ernstoff urged that we submit these ideas to a trial run next meeting.

The meeting was adjourned at 11:55 on a motion from Evans, seconded by Duscha. All were in favor.

Sandy Bayne, Planner Assistant

* I mail packets on the Thursday before a meeting; I should have any written ideas by Wed. Oct. 13 in the afternoon.