



# Town of Carlisle

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PLANNING BOARD

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## MINUTES MEETING NOV. 14, 1994

Colman opened the meeting at 8 pm. Present were board members Chaput, Duscha, Yanofsky and Hengeveld; also present were *Mosquito* reporter Luch, David Kelch of Oak Knoll Rd., Dorothy Milne of Maple St., and Sally Nash and Philip Meyfarth of Macedonia, Ohio.

The minutes of Oct. 31, 1994 were accepted as amended on a motion by Duscha, seconded by Chaput. Colman, Duscha, Chaput, LaLiberte, and Hengeveld voted in favor; Yanofsky abstained.

Bills were approved for payment as submitted.

**ANR Treibick, 138 East St.** This ANR, having been refused for endorsement earlier in the fall, had been resubmitted with an additional disclaimer as to conformance with zoning area requirements. The board endorsed it.

**Milne common driveway** Chaput recused herself. The P.A. distributed some background material to clarify submissions made during the public hearing, namely: from the assessors' office, a copy of the deed to the abutting Brownell land, which describes the trail easement on that property; the ConsCom minutes of August 23, re the notice of intent for the Milne land; and a copy of the appeal of ConsCom's decision to DEP filed by Milne's attorney, Patricia Hagedorn. Yanofsky questioned whether these items were admissible after the hearing. Other members thought that as clarifying information, they were admissible.

The discussion centered around two issues: the potential trail easement, and the location of the access and house on lot 3. The board considered whether the trail easement should be imposed as a condition of a possible approval. LaLiberte noted there has been no positive response from the public to the Trails Committee's proposal. Colman stated that the Trails Committee had not made its case, and that the information which had been received was not timely. Duscha commented that although there had been no positive comment from the public on this particular trail proposal, the board had certainly received a significant number of positive responses on the desirability of an extensive trails network on Community Planning Day the previous November. Members discussed whether a condition which would require lot 3 access to be off the common drive could be imposed without going beyond the scope of the permit, and whether such a condition could be

phrased so that the access was forced to occur at a point on the common drive beyond the wetland crossing. The P.A. mentioned that the cover letter from Joe March, the applicant's engineer, states that four lots will be party to the common drive. In addition, he had specifically mentioned that since the drive easement runs through lot 3, the common drive might be used for access at the back of the lot for various purposes. The P. A. reviewed the legal notice for the hearing, which cites a common drive for 4 lots. Duscha said she would not be comfortable approving the permit without such a condition. LaLiberte said he felt the only issue of concern was the siting of the house on and access to lot 3. Duscha questioned whether the condition could be phrased to prevent the use of the existing cart path for access. The P.A. suggested station numbers could be used to designate where the access should be.

Duscha moved that the common drive be approved with the following conditions:

- the only access to lot 3 must be beyond the wetland crossing, on the secondary drive, between stations 0+00 and 3+00, with the intent that the house be located away from the street beyond the wetland;
- that the width of the drive at the wetland crossing will be 12' of traveled way with 1' shoulders, for a length of 14' at the principal crossing and a length of 16' at the secondary crossing, as presented at the public hearing on Oct. 17, 1994;
- that the width of the balance of the drive shall be 12' of traveled way and 2' of shoulders;
- that the approved plans are the plan and profile dated 6/10/94, and revised 9/12/94 and 10/17/94, and the Wetland Protection Act Plan (which shows the typical driveway cross section and drainage swale along cut sections of the drive), dated 6/10/94, and revised 9/12/94 and 9/29/94;
- that the decision, the maintenance agreement and above plans, signed by the board, will be recorded within 60 days.

LaLiberte seconded the motion.

The board reviewed the findings which must be made under Sections 5.4 and 7.2.1 of the Carlisle zoning bylaw, and the Carlisle regulations for common driveway special permits, as amended July 1991. The board agreed that, with the conditions regarding the access to lot 3 and the width of the driveway, the plan met the purposes of 5.4, 7.2.1 and the regs. Duscha moved, and LaLiberte seconded, that discussion be closed and a vote be taken on the motion. Yanofsky, Duscha, LaLiberte, Hengeveld, and Colman voted in favor. The special permit was approved as conditioned by Duscha, LaLiberte, Hengeveld, Yanofsky and Colman; Chaput abstained and Evans was absent.

**Draft of common drive reg amendments** Colman asked all members to review the packet before the next meeting and to submit comments to him. The goal is to have new regs in place before a new common drive application is submitted.

**Building Committees** Members of both the town office and the library subcommittees of the town building committee met with the board. Present were Ed Sonn, Frank Ferrara, Mike Holland, Patricia Smith, Bill Reeder and Bob Stone. Conant abutter John Lee was also present. The committee asked the board whether it had preferences as to additional uses for the land, and whether it knew of other proposals for use. They stated that they

will consider water quality, traffic, and drainage very important among other site factors, and that the Selectmen had asked them to focus on three sites within the property as potential town hall locations.

LaLiberte asked if neighbors have been consulted. They replied they are working with the neighbors.

Chaput recalled that Kay Kulmala had done a site analysis which was of excellent quality; the committee arranged to have Reeder research the planning board files for it. Smith commented that the 1988 study had a crude site analysis, but that in the RFP, the committee will look for strong site analysis and environmental planning skills.

Chaput reiterated Kulmala's emphasis on the aesthetics of the site, particularly the sense of place conveyed by a well sited town hall. Holland commented they'd like to locate town hall in a place for which no other uses might have been suggested in the past; all agreed some past suggestions had been elderly or affordable housing, trails, and outdoor nature study. He also felt that the library, the churches and the common already convey a strong sense of the center. Therefore, he felt, the importance of the town hall in establishing that sense is diminished; it might be located less centrally than otherwise it would need to be.

Duscha commented that the town hall is a very public place, and should therefore be in a very public location: visible, on a main road and with easy access. Smith added that some abutters feel that the present town center development pattern, one of buildings along the streets, and unbuilt land behind them, should be maintained. This concept would support the location closest to the street.

The committee and the board discussed the fact that affordable housing on the Conant site, proposed by John Ballantine and Carlisle Housing Partnership, had been defeated in the past. The committee will continue to visit boards.

**SROSC draft regs** Board members had no comments in response to the late October draft. The board instructed the P.A. to send the draft to Betsy Lane for review.

**Subdivision reg change** The P.A. reviewed counsel Lane's analysis of bylaw 3.1 as a subdivision reg. The P.A. reported it is not appropriate as a reg because it regulates lots, and it is not effective in that its requirement for "actual and effective access from a way within the town of Carlisle" could allow frontage off a cul-de-sac crossing the border from another town. She then discussed the actual potential for subdivisions which cross town lines on the Acton and Westford borders, and the effect of current zoning (Section 3.1, as amended Sept. 19, 1994), and subdivision regs (Sections 4.A.1. a, and 4.A.2.e) on such potential roads. The desirability of a new reg which would outright prohibit roads which cross town lines without access to public roads on both ends, in other words, cul-de-sacs crossing Carlisle town lines, was discussed. The board agreed to schedule a public hearing on such a reg for Dec. 12, 1994.

**Master Plan** Chaput brought the board up to date on the committee's activities. She explained that she and Duscha have categorized the existing information, and that they need information in certain of the state (Ch. 41) categories, like transportation and economic development. However, she feels she should begin to write recommendations to give the board something to react to, and regarding which the board can test support by

reviewing Planning Day and survey results. Colman will solicit information from the Carlisle Businessmen's Association regarding economic development. Phyllis Hughes has said she will update the demographics section. Bayne and Chaput expect to attend a state sponsored seminar on the effects of the new Title V on zoning, which may prove relevant to the Master Plan recommendations. Bayne will try to find the Orleans master plan to use for a model for structure, if not content. The board agreed to set aside some time to discuss the categories. Chaput requested that some of the P.A.'s hours be set aside for overall coordination and editing of the plan. Chaput will be away on Nov. 28. Hengeveld suggested that the subcommittee present outlines of the sections to the board, and then bring each one to the board for discussion and consensus, eventually turning them over to the P.A. for editing and processing.

**Shields (Senkler/Smith) common drive permit extension** The P. A. warned the board that this common drive permit, extended last January for one year, is due for extension or construction very soon. The new owner, Robin Shields, has asked for an extension, which hearing can be scheduled for Dec. 12. The P.A. is concerned that the board's new thinking on common drive widths may preclude extension; Shields would like a decision soon so that she has time to use the existing permit before it lapses if the decision is negative. The P.A. will send the board a review of the approved construction details for the meeting of Nov. 28, 1994.

The meeting was adjourned at 10:45.

Sandy Bayne, Planner Assistant