



Town of Carlisle

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Office of

PLANNING BOARD

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MINUTES MEETING OF FEB. 13, 1995

Vice chair Evans opened the meeting at 8:08. Present were board members Yanofsky, Hengeveld, LaLiberte and Duscha, Bill Holland of *The Mosquito*, and Ken and Jane Evans of Baldwin St. The minutes of Jan. 23, 1995 were adopted as amended on a motion by Yanofsky seconded by LaLiberte. Yanofsky, Evans, Hengeveld and LaLiberte voted in favor; Duscha abstained. The minutes of Dec. 12, 1994, which were handouts, will be reviewed at the next meeting. Bills were approved for payment as submitted.

FinCom update: Yanofsky reported that after her presentation of the board's proposed budget, Fincom members had questions about three items: the consultant's hours, the Master Plan, and MAGIC.

LTCR update: Yanofsky reported that the regional schools proposed budget will require an override vote this year, and that the local school committee will be requesting funds for an expansion to be completed by the year 2000.

Town offices building committee meeting: Board members discussed whether anyone had attended the Feb. 4 meeting. As no one had, Duscha volunteered to contact Ed Sonn and report to the board at the next meeting.

Warrant article: In light of town counsel recommendations, the board agreed to reserve a space on the warrant for a zoning article which would move the common driveway purposes from the regs to the bylaw. Currently, the only purpose in the bylaw itself is public safety. Duscha will draft wording and review it with Bayne before the next meeting. The public hearing scheduled to be held March 13, 1995 on changes to common drive regs and special permit fees can also include consideration of such purpose related changes to the regs.

Queensland lots: In response to a letter from Angela Harkness, attorney for Richard Annese, the board asked LaLiberte to review the letter and the Queensland file and to report back at the next meeting.

Extension request for Tall Pines definitive subdivision approval: Board member Chaput arrived in time for this discussion. Hengeveld recused herself. William Costello appeared before the board to review his request for a 3 year extension. This request had been raised at the meeting of Jan. 23, 1995. Because of public comment at that meeting, the board had agreed to postpone consideration of the extension to this meeting, and to publicize that fact. Costello concurred with Evans' summarization of the purposes for the extension request, which was that with this much additional time 1. the road bed and the first course of pavement could be laid, but the finish course, curbs, and shoulder loaming

and seeding, all of which are likely to be damaged by home construction machinery, can be done after the major portion of home construction is over; and 2. the major portion of the road base would have two or more seasons to weather so that defects can be corrected before the final work is done, allowing the town to consider acceptance of roads which will be likely to last longer before repair is needed. Chaput commented that, in her opinion, the request should be granted, because the longer it takes the developer to complete 40 homes the better it is for Carlisle in terms of planning for services for those homes. Evans ascertained that no member of the public was present to comment. Recognizing that the *Mosquito* article had not included a time for this agenda item (because the agenda had not yet been set when it was published), Chaput asked the planner assistant if any member of the public had called to ask about the time. Bayne reported that no one had inquired. Yanofsky moved, and Duscha seconded, that the approval for the Tall Pines definitive subdivision plan, currently scheduled to expire May 31, 1996, be extended to May 31, 1999. Yanofsky, Duscha, Chaput, LaLiberte and Evans voted in favor; Hengeveld abstained. Costello asked the board to consider, at some future time, the possibility of waiving construction of Barnes Place altogether. He explained that the 1990 subdivision approval had waived road standards for Barnes Place, and instead had permitted him to build what is essentially a common driveway, in order to provide greater protection for the tall pines. As he has now agreed to donate the lot closest to the pines, lot 10 at the end of Barnes, to the town, there are only two lots left to take frontage from Barnes. The request will be discussed with planner assistant Bayne.

Recreation Committee plan: Members Bob Hall, Nancy Brown and Mark Spears described the committee's proposal to build additional recreation fields on the Banta-Davis land, a proposal they expect to bring to town meeting this spring. At the present time, they propose to build a baseball diamond on a rather flat well-drained area, provide parking for 40 cars, and clear the land for a future soccer field. The access to these facilities will be from Bedford Rd., which, all agreed, currently affords a difficult right turn when exiting because of the acute angle. Board members asked the length and width of the driveway extension which will be required, and were told it will be 1000 feet long and 16-18 feet wide. Most abutters will be protected, they were told, by natural vegetative screening approximately 60 feet deep. Marshall Simonds is also an abutter, and they will discuss plans with him. The cost will be approximately \$200,000; no irrigation, lighting or paving is planned. Clearing and grading simultaneously for the baseball field and for the future soccer field will provide an estimated savings of \$25,000 on heavy equipment. If voted this town meeting, the fields could be ready for play in spring of 1996. Because there is an existing trail, board members recommended the committee discuss their plan with the Trails Committee. The committee will also discuss cemetery expansion needs with the Selectmen. The committee estimates that with these facilities augmenting existing ones, the team sport field needs of the next 10-15 years will be met.

Jane and Ken Evans regarding development of land at end of Baldwin St. Acting chair Evans left the meeting and Chaput chaired this portion of the meeting. Ken Harte was present for this discussion. The Evans explained that they'd begun negotiation with the Forest Legacy Program in 1993, but had recently broken off negotiation because they felt nothing would come of it. They wished to get board comment on their concept to build a SROSC on the northeastern quadrant of their land with access from Stearns St.

over Two Rod Rd. They explained that they believe they have right of access over the northern portion of Two Rod. A concept plan with a loop road from Baldwin to, and over, Two Rod, with lots laid out, was presented to the board for a preliminary conceptual discussion. Before preparing a proof plan for an SROSC, with the incumbent wetland mapping, engineering and deep hole testing, the Evans agreed with the board members that the first issue was to resolve whether or not the Evans have legal access over Two Rod Road. If the town finds there is no legal access, the Evans may not do the proof plan. The board suggested that Evans' counsel call LaLiberte and present her case. Chaput asked the planner assistant to provide the MGL Ch. 41 definition of a way for the purposes of subdivision for the next meeting.

Proposed common drive regs amendments In the absence of member Colman, who had drafted the amendments, the board agreed to discuss these and amendments to the special permit application fee structure at the next meeting. In preparation for that discussion, Bayne will calculate her hours spent on various special permits. Because the *Mosquito* will not publish on Feb. 24, the public hearing notice will be run in the *Concord Journal*.

Milne special permit appeal Acting chair Chaput recused herself from this discussion. Bayne reviewed the comments she had received from town counsel Cutler, who had discussed the situation with town counsel Lane. They had agreed that, in light of the absence in the bylaw of any purposes except safety issues, the condition the board had imposed on Mrs. Milne regarding the access to lot three and the location of the house on lot three would likely be overturned. Cutler suggested the board accept an agreement for judgment which would require the access to be off the common drive, as this requirement is defensible under the safety purpose. However, the requirement that the house be at the back of the lot does not serve a public safety purpose. The applicant had stated she would be willing to provide a landscape buffer at the front of lot three, and Cutler felt the board could ask for that, but should limit the request to the 40 foot set back area. The board also discussed Cutler's recommendation that the purposes found in the regs be moved to the zoning bylaw. LaLiberte moved, and Yanofsky seconded, that the board authorize Kopelman and Paige to negotiate an agreement for judgment to provide for a proposal from the applicant which would revise the special permit plan which had been approved with conditions, such plan to satisfy the safety concerns of the board by showing access to lot three off the common drive, and to show a landscape easement in the front setback area which would protect existing vegetation and infill with additional vegetation. LaLiberte, Yanofsky and Hengeveld voted in favor; Duscha abstained, and Chaput recused herself.

The meeting was adjourned at 10:15.

Sandy Bayne, planner assistant