



# Town of Carlisle

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PLANNING BOARD

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## MINUTES MEETING OF APRIL 10, 1995

### CONTINUED PUBLIC HEARING, AMENDMENT TO COMMON DRIVEWAY SECTION OF ZONING BYLAW (5.4.4)

Chair Colman opened the meeting at 8:08. Present were board members Evans, Chaput, Yanofsky, Duscha and LaLiberte; also present were Lois Surgenor and Lois D'Annuzio, both of Carlisle. The minutes of March 27, 1995 were approved as amended on a motion by Yanofsky, seconded by Chaput. Voting to approve were Yanofsky, Duscha, LaLiberte and Chaput; abstaining were Colman and Evans. Minutes of March 20 will be typed by Duscha and submitted later. Bills were approved for payment as submitted. Members asked the planner assistant to contact Koning to ask whether the naming of common drives is required under the new 411 system.

**Continued public hearing on the proposed amendment to the common driveway (5.4.4) section of the zoning bylaw** Chair Colman opened the continued hearing at 8:30. The board members discussed Bayne's memo, which detailed the rewording suggestions from counsel Lane; the changes were acceptable to them. Evans felt counsel's changes strengthened the bylaw; Chaput moved, and Yanofsky seconded that the changes recommended by Lane be added to the proposed amendment. All were in favor. Colman explained that the Bylaw Review Committee, of which he is now a member, had voted not to recommend the article for this change to the zoning bylaw, and that George Foote, chairperson of the committee, would be coming to the hearing to explain, and that he might be late. Colman, ascertaining that no person had come to speak to the article (Mary Hult, of *The Mosquito*, had joined the group) and that no one objected to recessing, tabled the discussion until such time as Foote could arrive. (For clarity, these minutes will continue with a report of the hearing as it was continued.) At 9:55, Foote and *Mosquito* reporter Bill Holland were present. Foote explained that the Bylaw Review Committee understood and supported the intent of the changes, which was to move aesthetic and environmental goals into the bylaw from the rules and regulations. They were, however, concerned that those goals, as broad as they are, could possibly be challenged by an applicant as constituting a taking. Therefore, they recommend that these goals be placed either in a preamble and the findings in a separate subsection of the common driveways section, or in the general special permit requirements section, 7.2. They reasoned that if the goals and findings were challenged and overturned, the common driveways bylaw

would be able to continue to function with its limited extant goal of public safety. Because achieving either of these at this town meeting would require a motion which would fall beyond the scope of the article as advertised, the B.R.C. recommends the board withdraw the article and revise it, returning to fall town meeting with it. Evans moved, and Duscha seconded, that the board tell the moderator it does not wish to move article 28. All were in favor. The hearing was closed at 10:20.

**Chaput farewell** Colman presented departing member Chaput an engraved silver bowl, telling her it represented the gratitude and admiration of the board and the town for her seventeen years of service and leadership. Ron Chaput commented that Vivian, his wife, had been motivated, like other volunteers, by her concern for the well being of the town. He thanked all the board members for their service, and mentioned that volunteering has rewards beyond the satisfaction of a job well done, primarily the friendships made through such service. Vivian thanked the board and volunteered to continue with the Study Plan work which lay ahead.

**Study Plan discussion** Chaput explained to the assembled citizens (Foote, Surgenor, D'Annunzio, Holland, Hult and Alford Peckham) that the purpose of the discussion item was to allow the public to comment on the draft Study Plan. She explained that members of relevant boards and some other interested parties had received copies of the draft, that she and Yanofsky had already visited the FinCom and she and Evans had visited the Board of Health for comments, and that she and other board members would be meeting with the Selectmen and the ConsCom before town meeting.

She explained that there was nothing new or controversial in this detailed statement of values expressed in years of public meetings, or in the list of proposed action items. Also important for people to understand, she said, is the fact that the Plan merely supports the possibility of actions to be taken at future dates, it does not compel them. Any town or zoning bylaw changes, any major commitment of funds, would need to be brought before town meeting individually. The Plan, she said, meets the basic requirements of MGL Ch. 41-D, thereby helping the town obtain positive responses to funding requests made to the state. Further meetings will be conducted to flesh out the recommendations. Last, she emphasized that this is a living, evolving document, reflecting the lives and thoughts of the citizens of Carlisle as they evolve.

Lois Surgenor commented that she was pleased to see so much good work. She said also that she was happy to hear Chaput's call for further work with other boards, as the action recommendations in the Plan have not been ranked according to importance or urgency, and this needs to be done. She added that she would like to see the Plan contain information about Carlisle's very progressive recycling program, and numbering of the action recommendations for ease of use. Finally, she recommended the board bring the Plan to town meeting this April. Peckham commented that he'd like to see, as an example of the interboard cooperation cited, the Plan support the Wild and Scenic River designation and program for the Concord River.

Chaput reported that the FinCom wished to add a statement regarding the long-range financial impact of such Plan recommendations as the expansion of the library, the creation of town offices, and the purchase of additional conservation land; this statement would

confirm that town meeting approval would be required for each such item. Hult asked how, with so few discussion copies distributed, the board felt comfortable going to town meeting with the Plan. Evans commented that, if in the meetings with the other town boards, no major problems arose, the board would feel comfortable. Hult stated she will write a major article on the Plan for *The Mosquito* of April 14. Responding to Hult's query, Surgenor commented that the townspeople rely on the boards to do the work and are not likely to put plans through intense scrutiny; she cited as an example the Open Space and Recreation Report, the recent update of which was accepted on the strength of the ConsCom's recommendations. She also feels the Plan reads true to the public discussions. D'Annunzio commented that she'd like to see more control over aesthetics of roads and homes; therefore she was pleased to see goals which work toward better road design. In response, Foote commented that he felt the Plan was a good start toward the goal of creating incentives for developers to design as the town would like, and that this type of control cannot be gained through regulation. He commented further that he was pleased to hear Chaput refer to the Plan as a living one, one which would be further refined in time. He also felt it must be brought to town meeting this spring or it would die. The board agreed to post a meeting for April 19, which is the latest date at which last changes could be incorporated into the text; at that time, the board expects to have formal comments from the Selectmen, and informal comments from Health, Conscom, and any other interested individuals or groups. Bayne was asked to urge Chisholm and Fantasia to try to elicit comments from their board members. Evans pointed out that any significant comments from ConsCom, which whom Chaput and Duscha are meeting on April 20, could be placed in a one page addendum to the text.

Finally, Peckham asked if there is any correlation between the Plan and the Carlisle 2000 movement. Foote commented that insofar as the Plan contains recommendations for town government function, Carlisle 2000 should reflect the Plan. Yanofsky and Chaput both commented that the Plan and Carlisle 2000 may be inimical insofar as the master planning process revealed volunteerism to be much esteemed, yet the Carlisle 2000 group seems to feel volunteerism is no longer a feasible way to run the town.

Yanofsky commented that she is still not sure the Plan is ready for this town meeting as she is still concerned regarding the completeness and validity of the analyses, in particular the financial implications of land purchase to prevent development. She suggested that if we can't support the financial analysis then the Plan should simply say the board supports land purchase for other worthy reasons. Bayne reported that Lee had not been able to acquire any such analyses from Lincoln. Evans and Yanofsky agreed to work further to either substantiate that analysis, or to modify the Plan statement. LaLiberte commented that if the Burchell work cited in the Plan was broadly based then it might be truly applicable to Carlisle. Foote and Duscha recommended dropping the comparison of number of children in existing homes and in new construction; Duscha felt it might be unnecessarily divisive, and Foote felt the distinction was simply unnecessary. The board agreed to drop it.

As to whether to go forward to town meeting with the article (number 29), Duscha stated she is concerned that there has not been enough circulation of the draft. The board considered the worst case, which would be that voters, disliking either the Plan or the short review period they will have had, vote against endorsement. In that case, the board

will return in the fall, having provided a longer and more thorough review time. Peckham, noting the article's placement as last on the warrant, recommended a brief upbeat presentation. Hult suggested a letter to the editor notifying citizens of the availability of the Plan and an Executive Summary at the town hall and the library. Bayne will research the number of copies needed for town meeting distribution and production schedule and cost. The board recognized that although exact production costs were not yet known, Bayne's analysis of remaining funds indicate a lack of adequate funds to cover them. Members agreed that since there is a \$1500 Master Plan item in next year's budget, they would go ahead and expend the necessary funds, and request the FinCom transfer funds to this year's budget from next year's. Members agreed to postpone a vote on whether to support the Master Plan article until the meeting of April 19.

**Town Offices article** Mike Holland of the town offices committee met with the board to go over final questions. He was joined eventually by Trisha Smith and Ed Sonn. Duscha left the meeting during the discussion. Holland told the board that the final cost is a comfortable 1.4 million. The board discussed its criteria for making a recommendation on the article. Members felt the following were valid areas of board concern: location and siting relevant to town center, safety of vehicular and pedestrian egress and ingress, quality of pedestrian access, aesthetics of the building's external appearance, and possibility of expansion for future additional use. Holland asserted that the sight distances are quite adequate, that no rubble strip or traffic light is justified, that the building's usable space is adequate for 20 years, that it can be expanded 50% by adding a 16-20 foot wide bay to the west, or it can be expanded to the north, that parking is adequate and expandable but not yet fully defined, and that the orientation of the building with its front (functionally its rear) plane slanted to the street works very well to link the building to the common, and that the architectural details will receive further attention in the next phase if the article is funded. Skeptical board members were reminded that the ledge on which the building is sited will be partially reduced, creating better visibility for both safety and aesthetic purposes. Foote challenged Holland's assertion that the open floor plan for the land use offices will be satisfactory, and that the total usable space will be adequate. Regarding the open floor plan, Foote felt there are sensitive discussions between staff and citizens which necessitate privacy. Regarding the total available space, he felt the town will eventually acquire a geographic information system (G.I.S.), and the space allowed will not accommodate such a system. In response to these two concerns, Holland stated the committee prefers the open floor plan, which allows the sharing of interior light and the easy movement of visitors from department to department; he asked the planner assistant how many private conversations she regularly has. She responded that she may have about one per week, but Health staff is likely to have more. Holland predicts the staff will expand by the creation of full time positions from current part time ones, rather than by the addition of people, and explained that in his architectural firm, sharing of space is commonly done. Smith felt that by the time the town acquires a G.I.S. system, the space required to house it will be less than Foote estimates. All three committee members reminded the board that except for the issue of total space, these are issues for the next phase of funding. Chaput moved the board vote to support the proposal, and to ask the planner assistant to draft a letter to the building committee expressing the board's support,

while detailing the areas of remaining concern, which were: the aesthetics and orientation of the street side of the building, the pedestrian access, the adequacy of the sight distances, and the friendliness of the site to expansion. LaLiberte seconded the motion; all present (Evans, Chaput, LaLiberte, Yanofsky and Colman) voted in favor.

**Preliminary subdivision plan for Ted Treibick** The planner assistant reported that a preliminary subdivision plan had been submitted by Ted Treibick of East St. for land between East and Bedford Road. The submission was incomplete, she reported, but the review fee had been included. She reminded the board they have forty five days to make a finding on a preliminary plan, but she was uncertain whether to consider this an officially submitted application, with the clock running from its submission to the town clerk, and therefore to send it to LandTech for review, or to refuse to accept it officially until the defects in the submission are corrected. Because the board's action on a preliminary plan is not binding on its response to a definitive plan, because there is no such thing as a constructive grant if the board fails to act on a preliminary plan, and because she cannot review the engineering completeness of the plan, the planner assistant recommended the board accept the plan, submit the review fee to the town treasurer to open a 53-G account, and send the plan to Landtech for review. She will discuss the application with the applicant's engineer, Russ Wilson, listing the deficiencies she has found, and recommend that he also submit the plan to the Board of Health. The board, if it accepts the date of submission to the town clerk as the official date, must act at the meeting of May 8.

**Evans board membership** Evans has concluded that he must resign from the board in the near future. He has reached this conclusion for several reasons. Not only must he move out of town while his new house is built, which potential legal obstacle might have been surmountable, but his job is requiring longer and more frequent absences from town. He expressed his interest in serving on the board again someday when his job demands decrease and he is living in his new Carlisle home. Board members commented that although they understood his need to resign, he had made very significant contributions to the board's work when he was able to be present. Chair Colman asked him to continue to serve until after town meeting; he agreed. Foote suggested the board keep him on their mailing list.

Board members agreed to discuss their position on other warrant articles at the April 19 meeting.

The meeting was adjourned at 11:40.

Submitted by Sandy Bayne, planner assistant