



# Town of Carlisle

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Office of

PLANNING BOARD

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## MINUTES MEETING OCT. 16, 1995

**Public hearing: special permit extension Swanson Place common drive**  
**Public hearing: definitive subdivision plan Laurajon Rd.**  
**Public hearing: special permit amendment Overlook Drive common drive**  
**preliminary review Malcolm Meadows SROSC**

Chair Colman opened the meeting at 7:25; present were board members Yanofsky, Duscha, LaLiberte, Hengeveld and Epstein, and *Mosquito* reporter Gaines. On a motion by Yanofsky seconded by LaLiberte, the minutes of 9/25/95 were unanimously approved as amended. Bills were approved for payment as submitted.

**Public hearing: special permit extension for Swanson Place common drive** Colman opened the public hearing at 7:30 by reading the notice as printed in the *Carlisle Mosquito* and as sent by certified mail to certified list of parties in interest and as posted at town hall. Present were Bill Costello, applicant, and Joe March of Stamski and McNary, engineer. No parties in interest were present. Colman noted that an application form, application fee, and letter of request from Joe March of Stamski and McNary had been received in support of this petition. Hengeveld recused herself. Costello explained that he wished to begin cutting and grading work on the far end of the Tall Pines subdivision road, Kimball, from which Swanson Place, serving lots 19, 20, and 21 in the Tall Pines subdivision, derives its access, next spring or summer; therefore, it would be very difficult to begin work on Swanson Place before his existing common drive special permit expires on Nov. 20, 1995. Colman asked whether he could begin construction in nine months. Costello replied that he could. LaLiberte moved that the special permit for Swanson Place common drive be extended for nine months from its expiration date of Nov. 20, 1995, based on the findings that all conditions which favored the granting of the original permit still exist, and that it is in the best interest of the town that construction begin when it can be completed to binder coat before winter, not leaving exposed earth to erode over winter. Yanofsky seconded the motion. Colman, Yanofsky, Duscha, LaLiberte and Epstein voted in favor; Hengeveld abstained. The hearing was closed at 7:45.

March and Costello then requested that the board consider a design change to the curbing in the Tall Pines approved subdivision plan. The approved plan stipulates that where there is curbing, it must be sloped granite. The 1989 subdivision regs, under which the plan was approved, required curbing as approved by the board where slopes exceed 3%. Current

regs require granite curbing where slopes exceed 3%. In this subdivision, of 4000 linear feet (L.F.) of road, 1575 L.F. is curbed with sloped granite as required by the subdivision regs, and 650 L.F. on Hutchins Rd., from station 0+00 to 6+50, is curbed with sloped granite as required by DEP for endangered species crossing. The applicant wishes at a minimum to replace the granite curbing in the balance of the area where it is shown, 1775 L.F., with Cape Cod (low rise, 1:4 slope) bituminous berm. He feels it is more rural and less obtrusive in appearance, and lower cost to build and to maintain. Further, if the board agrees, he would like in addition to replace all the sloped granite curbing which is required because of slopes greater than 3%, except the Hutchins Rd. portion referred to above, with Cape Cod berm because this would be less expensive and would provide more continuity of design. LaLiberte asked if Cape Cod berm is as durable. To bolster his argument that Cape Cod berm is as durable, March showed photos of recently built granite curbing in Westford at Landmark St. off Rte. 225 and much older Cape Cod berm in Carlisle at Munroe Hill. The photos showed, March alleged, damage to the relatively new granite curb from plowing, but a neat relatively undamaged appearance on Munroe Hill. He reported that with granite curb, repaving eventually will require lifting and resetting the granite in order for the levels to be correct. With Cape Cod berm, the paver simply scrapes off the old berm and pours the new one along with the new road surface. He further explained that the bituminous curbing which has a bad reputation is the vertical type one sees in parking lots. Yanofsky noted that granite curb has the advantage of being more visible at night. The board agreed to consider the request, and agreed to determine whether such a change to the approved plan would be significant enough to require a hearing for an amended plan. Costello explained that the timing is such that he must know soon. The P.A. has discussed the matter with Public Works head Davis and with former board member Foote, who was on the board when the reg was changed and when Tall Pines was approved. She will discuss it with town counsel and will provide the board with a full report in time for the next meeting. Yanofsky and Colman will walk the roads with Costello.

**Public hearing: definitive subdivision plan for Laurajon Rd.** Colman opened the hearing at 8 pm. by reading the public notice as published in the *Concord Journal* and sent by certified mail to abutters. Present were Russ Wilson, representing the applicant, and abutters Love and Robert Seawright, Fred Lewis, Patrice Drew, Debra and Mark Hankey, and George and Marjorie Hodgman.

Wilson explained that Laurajon Rd. would lie 1000 feet north of the East St./Bedford Rd. corner and straddles the Res. A/Res. B zoning district line, which runs along the east side of the proposed road. The subdivision shows two one acre lots in Res. A, and one two acre lot in Res. B on a road 700 feet long. The existing house on the two acre lot currently has frontage and access on Bedford Rd. There is significant wetland on the site, and the upland is sandy in character. The P. A. pointed out that the plan has been denied by the BOH because of missing data, but the applicant feels he can supply the missing information in a satisfactory way. Therefore she recommended the planning board continue the hearing to see if the BOH will reverse its denial. The planning board may not approve a plan denied by the BOH. In addition, the plan under scrutiny that night had been submitted to LandTech on Oct. 13, allowing them very little time to review it; the planning

board members had received the review only as they arrived for the meeting. The review letter from Graves of LandTech states that his review is necessarily preliminary in nature; it was given to Wilson with that warning. Duscha asked if the angle of the intersection could be changed to make it safer by increasing visibility. Wilson replied that the ROW has already been established by existing abutting property lines, but that the paving, measured from the centerline of Laurajon, is perpendicular to the centerline of East St. for the first 50 feet, after which it angles more and slopes down. This 50 feet can store two cars. When the hearing was opened to public comment, Mr. Lewis, abutter to lot 2 (on lot 67) asked why Mr. Treibick wasn't present, and why the plan showed a sliver of land running along his property which is to be added to lot 2. Colman explained that the applicant needn't be present. Wilson explained that the land in question was needed to provide lot 2 with the minimum one acre required in Res. A. Lewis asked if lot 2 has adequate set backs. Colman replied that the Zoning Enforcement Officer, Bob Koning, will rule on zoning conformance issues, and if a proposed house does not conform, there will be no building permit issued for it. Wilson noted that the new lot line at lot 3 allows the required 40 foot side setback for this existing house in the Res. B. district. Mr. Hodgman asked if the road could conceivably go through to Bedford Rd. Wislon replied that if a 50 foot ROW could be found, it could. Mrs. Seawright asked the implication of the test holes in the Treibick lot next to hers. Wilson replied that Treibick was considering all his options. Mrs. Hankey asked if it is worth building the road for two new lots. Wilson responded that a third lot, currently having frontage on East St., could gain frontage on Laurajon as well. Drew asked the size of the houses proposed for lots 1 and 2. Colman responded that the planning board cannot ask that question; Yanofsky pointed out that houses in Res. A district may cover no more than 25% of the lot. The abutters had no more questions at this time. At 8:30 pm., Colman continued the hearing to Oct. 30 at 9 pm.

**ANR: East St. for Treibick** The board reviewed the ANR which showed a lot and a parcel. A land swap is shown such that the lot has less, but still adequate frontage in Res. A.; the parcel is gaining frontage, but does not have enough to be a lot in Res. A. The plan includes the usual disclaimers regarding conformance with zoning requirements which are used when parcels are shown with some frontage. The access for the lot is real. On that basis, Yanofsky moved, and Hengeveld seconded, that the board endorse the plan, nevertheless noting that the frontage for the parcel varies from the frontage shown on the subdivision plan just reviewed, of which the parcel is a part. The board voted unanimously to endorse the plan.

**Public hearing: amendment to the common drive special permit for Overlook Drive**  
Colman opened the hearing by reading the public notice as it had been printed in the *Carlisle Mosquito*, and been sent by certified mail to parties in interest, and posted at town hall. Present for the hearing were Les Bishop, applicant, and Ken Bilodeau, Chip Sullivan, and Barbara and Dick Blanchard, parties in interest. Bishop presented the proposed changes to the special permit plan approved on August 14, 1995. The changes were necessitated by ConsCom review of the plan according to the requirements of MGL Ch. 131, Section 40, he said, and they are:

1.) the reduction of the driveway side slopes within the wetland area from 3:1 to 2:1 in order to fill 6 L.F. less of wetland, thereby significantly reducing wetland fill from the 3465 square feet originally proposed to 2800; 2.) the creation of a sedimentation basin outside of the roadway to receive the flow of run-off from the drainage swale; 3.) the addition of 2 feet of trap rock in a subgrade trench below the swale to aid in directing flow; and 4.) a slight pitching of the driveway toward the hill between stations 5+50 and 8+00 adequate to direct water into the swale. The intent of the last three is to keep sand, salt, or other pollutants from running directly from the driveway into the wetland on the opposite side of the drive.

The changes are beneficial, he stated, because there will be less erosion, less disturbance of wetland, and less pollution of the wetlands. The board noted that consultant Graves of LandTech had found no problems with the amendments. Duscha reminded Bishop that the planning board must deal with issues of safety and that he should couch his proposal in terms relevant to the board's charge. He stated that the 2:1 slope is safe, and within good engineering design standards. LaLiberte raised the issue of the guard rail from station 4+50 to 5+50, noting that the rail is even more important in a 2:1 slope situation than in a 3:1. He asked if Bishop planned to use steel or pressure treated wood. Following some discussion, the board agreed to require the steel rather than P.T. wood, and Bishop agreed to stipulate steel. Colman asked for public comment. Chip Sullivan, party in interest, asked if the plan was now "on hold". Colman replied that there is a special permit already approved which is in effect. There was no other public comment. The P.A. noted that the plan which had been submitted was a NOI plan, which was prepared for ConsCom, and that if the board approved the amended plan, one of two things should happen. Either this plan could be made part of the special permit submission, or the changes stipulated by the board could be added to a mylar for the planning board showing changes to the special permit plan already approved. Bishop agreed to add the changes to a plan generated specifically for the planning board. Duscha moved that the board approve the proposal to amend the special permit for a common drive called Overlook Drive to allow the changes shown on a NOI plan dated Sept. 28, 1995, by Norse Environmental Services, and detailed in the letter from Bishop to the board dated Oct. 6, 1995, and requiring in addition that the guard rail be steel construction. Yanofsky seconded the motion. She then suggested the board find that all of the benefits on which the original approval was based are still provided with the amended plan. Hengeveld, Yanofsky, Duscha, Colman and LaLiberte voted in favor; Epstein abstained. The hearing was closed at 9:30 pm.

**Preliminary review: Malcolm Meadows SROSC** Colman opened the preliminary review at 9:30, stating that it was not a public hearing as such, but an opportunity for the plans to be aired and possible improvements to be suggested before the actual special permit is submitted. Present were Ron Peabody of Northwest Structures, applicant, March of Stamski and McNary, Ken Harte and Jay Luby of the Carlisle Conservation Foundation, Trisha Smith and Alex Parra of the ConsCom, and Bill Reeder, Bette Peabody, Debbie Webster, Karen Lawson, and Eunice Knight. Using a colored copy of the master plan for illustration, March explained that the Malcolm land is comprised of 38 acres; of that, 24.2 acres will be proposed as an SROSC called Malcolm Meadows. The development area will include 3.9 acres, leaving 20.3 acres of dedicated Open Space. The O.S. west of Two

Rod Rod will be owned and managed by the Carlisle Conservation Foundation and the Trustees of the Reservation. The O.S. east of Two Rod Rd. will be owned by the Town. The application packet includes, he noted, a table demonstrating conformance to the quantifiable requirements, elevations and floor plans of the 3 unit types, a master plan, a site plan, a proof plan, and a letter requesting specific waivers from the board's SROSC regs. March walked the board through the bylaw, noting in each section the reasons he believes the proposal conforms to its requirements. The discretionary requirements were the following:

5.7.4.1 Does the proof plan provide enough proof that the site could support 8 lots?

5.7.1 Are the goals of the bylaw met?

5.7.4.7 Are the preservation values met?

5.7.4.8 Does the shape and size and location of the O. S. appear appropriate to the intended use?

5.7.4.11 Is access to O.S. from a way adequate?

5.7.4.12 Does the unit design reflect the character of Carlisle's single family residences?

5.7.4.14 Do all residential buildings have safe access from ways?

5.7.4.20 Are the requirements of 7.2.1 met?

Finally, as laid out in SROSC regs Section 2.2: Does the preliminary submission meet the requirements of the regs for preliminary submissions?

Although in his opinion all the requirements of the preliminary submission have been met, March stated, several further requirements of the definitive submission have not yet been addressed, as it makes sense to work out the plan concepts before detailing these. These are bylaw sections involving the conveyance of the O.S., Section 5.7.4.10; the creation of the Homeowners' Assoc. documents, 5.7.4.17; any type of landscape plan, maintenance agreements for private and public O.S. 5.7.5.2.

He then addressed the waivers requested from the SROSC regs, explaining that he feels the regs are meant to include the possibility of a large project and are therefore very extensive. LaLiberte asked him to address LandTech's comments on the requested waivers. March noted that he had received LandTech's review letter, and felt he could comply with LandTech's suggestions.

Peabody commented that he is attempting to maintain the established goal of unit sale prices under \$200,000, and that so far he has been able to do that.

Colman asked Harte to explain the management concepts for the O.S. Harte explained that the private groups have received an anonymous contribution of \$37,000 for maintenance, and that in their area, the goal is to keep the Westerly Meadow open, with isolated islands of white pine. A trail will leave the public lot at the corner of Stearns and the new driveway and move west and south through the meadow to a red maple swamp, which will be accessed via a boardwalk.

LaLiberte asked whether lot 7 could be approved by ConsCom. March replied that the driveway/road and seven of the lots would require no wetland filling. Lot 7 would require less than the allowed 5,000 square feet of filling for access to upland. Duscha asked that March provide the calculations for the amount of filling that would be required for that lot; he agreed to do that. He mentioned that all lots had at least two deep hole tests and perk tests, and that he believed they would all prove acceptable to the BOH.

LaLiberte asked about sight distances at the Stearns/driveway intersection; March replied that they are up to standards. Abutter Debbie Webster asked whether any thought had been given to the effect of vehicular lights shining into her house. Peabody suggested this type of issue is the purpose of the preliminary review and that the drive could be moved a little. March commented that the location is constrained by the curve on Stearns, and by vegetation. He will locate abutting homes on the plan. Trisha Smith of the ConsCom asked why the application will include two septic systems for the project; March replied that DEP had suggested this design would help avoid triggering certain unclear requirements of Title V.

Duscha asked how the number of units per building had been determined. Peabody explained that the original layout, which showed units per building, had not been drawn to scale on the site. When that was done, the scale was too massive. Yanofsky commented that in the proposed layout, three buildings present their largest face to Stearns St., but that landscaping may mitigate that impact. Duscha commented that although the overall architectural design looks good, she feels a garage in the middle of a building is not single family home like. Peabody responded that they had reviewed several senior residence projects, and that this layout seemed the most desirable. Yanofsky thanked the presenters for their considerable work. When asked his preferred schedule, Peabody responded he would await a memo from the board responding to the proposal and the waivers list, and that he would prefer to have a permit before winter; however, if the process was ready for spring implementation, he could live with that.

**Interview LandTech** Chris Lorrain, president, and Paul Graves, Carlisle liaison, were interviewed by the board. Lorrain stated that he had come to Carlisle's attention through the efforts of Pat Loring, former ConsCom administrator, and Westford resident. He has done much private work in Westford. He explained that his firm is growing rapidly, and soon will increase from 18 employees to about 35. His work is 95% word of mouth, he said. Peter Parent and John Judd, former employees who were Carlisle liaisons and who have now begun their own consulting firms, formerly worked for Lorrain at a firm which went out of business. Graves, he explained, is a professional engineer in Florida, and expects soon to receive Mass. registration. To become a registered engineer, one must have 4 years of experience under a registered engineer. Hengeveld asked if Graves has had experience with low density residential development. Graves replied that he worked for Collier County, which has rural areas.

Yanofsky asked whether he has experience with wetland issues as well. He replied that Collier county is also very wet. Colman asked whether Graves could offer general advice about good engineering practice as well as review of compliance with our regs; Graves replied that he can do that, and has. Colman pointed out that the board is concerned about the lack of continuity on Carlisle work Lorrain responded that he used to do all Carlisle review, but that now, even though he must do more management, he still reviews reports and is available for consultation with his engineer. Epstein asked what other towns he does work for. Lorrain responded that Carlisle is the only municipal account he has currently, but he has worked for Westford and Chelmsford ConsComs. Epstein asked what other responsibilities Graves has. He does private septic system plans and subdivision plans, replied Graves.

Duscha asked if the turnover at LandTech is, in Lorrain's opinion, typical. Lorrain replied that it is less than would be typical. His organization is flat, he explained, so an experienced engineer has no growth room.

Epstein asked how billing for catch up time for new employees is handled. Lorrain replied that it is not at the client's expense. Epstein asked how Lorrain would characterize the factors which distinguish his firm from others. Lorrain explained that he was trained in a company which became large, impersonal and expensive. When that company failed, his goal was to found one which would stay small, interactive, and modest in cost.

Hengeveld commented that the board often gets last minute information from applicants, and asked if Graves can respond in a preliminary way at the last minute. Graves responded that he can and has already done that in response to the Treibick and Bishop plans.

Lorrain's final comment was that he knows the private development side of the table as well as the municipal side. He intends to keep Paul around, he said, but in any case, he will be there; it's his company.

**Planning assistant resignation and replacement** The board reviewed Bayne's letter of resignation, in which she explained that her two part time jobs had grown so that she could no longer do both. Board members reviewed a draft ad for the *Boston Globe* and the Beacon papers. Yanofsky will review the final draft, which will ask for responses by Nov. 1. Epstein, Colman, Hengeveld and Yanofsky volunteered to attend extra meetings to review applications and to interview candidates.

The meeting was adjourned at 11:20.

submitted by Sandy Bayne, planner assistant