



# Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

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## MINUTES

June 8, 1998

- Nitsch engineering services contract
- Request from Town Administrator for staff performance review
- Request for database development for conservation restrictions, trail easements, and other restrictions approved by the Planning Board (request of Conservation Commission)
- Discussion of legal services (request of Selectman Ballantine)
- Appointment of designee to Municipal Land Committee
- Notice of submission of Preliminary Subdivision Plan for Concord St., Map 4. Lot 20, and referral to review engineer
- Overlook Drive Common Driveway Special Permit (Rutland St.): Request for inspection of installation of guardrail and final paving prior to issuance of final occupancy permit (request of Les Bishop)
- Request from Town Counsel for review of proposed Agreement for Judgement re: Hunters Run Definitive Subdivision Plan (disapproved 7/15/97 and appealed 8/4/97) [Executive Session]

Chair Hengeveld called the meeting to order at 7:30 p.m. Members LaLiberte, Reid and Tice were present. Also present were Planning Administrator George Mansfield and David Ives of *The Mosquito*. Abend and Holzman arrived later and Epstein was not present this evening. Michael Anthony of Byron St. in Concord was present for the entire open session.

The **minutes** of May 26, 1998 were reviewed. LaLiberte made an addition for clarification. Tice **moved to accept the minutes as amended**. Reid seconded and the minutes were approved 4-0.

Mansfield explained that the circulating **bills** included a bill from Kopelman and Paige for review of the Judith Nitsch Engineering contract. Tice noted that the **budget** appears to

be on target. He recommended purchasing nameplates for board members during this fiscal year if possible.

*(Abend arrived.)*

#### **Nitsch engineering services contract**

Mansfield explained that he spoke with Sandra Brock of Nitsch today and learned that the contract has been received, but not acted on. Mansfield told her that the PB will not be able to refer projects to Judith Nitsch Engineering until the contract issues are settled. Brock assured the PA that these issues would be addressed before the next PB meeting.

#### **Request from Town Administrator for staff performance review**

Hengeveld noted that the performance review of the Planning Administrator has been completed and his Strategic Plans are before the Board this evening. Hengeveld asked that the Performance Review Forms for the Planning Secretary be returned to her as soon as possible in order to complete the review before the end of June.

#### **Request for database development for conservation restrictions, trail easements, and other restrictions approved by the Planning Board (request of Conservation Commission)**

Based on recent research and taking into account the number and size of the PB's subdivision files, Mansfield estimated 60 to 65 hours would be required to compile a database as requested by the Cons. Comm. He noted that this would not include compilation of other information which might be of use to the Planning Board.

Tice noted that given the proposal of a GIS system, creating this database now may prove to be a wasted effort. The Board discussed and questioned the usefulness of such a database to the Planning Board. It was generally agreed that if other boards have need of this information, they should assume responsibility for the work. Mansfield noted that other boards would find it difficult to locate information in the PB files.

*(Holzman arrived.)*

Holzman questioned whether the information as requested by Cons. Comm. would even be useful. He argued that such a database still won't show actual plans, trails or restrictions. The Board decided to speak directly with members of Cons. Com. to explain that the idea is good, but there is no funding available for such a project. Hengeveld agreed to speak with the Cons. Comm. Chair to explain the PB's position.

Holzman suggested that guidelines should be established for future subdivisions plans so that trail easements and conservation restrictions will be shown directly on the plan. At the Chair's request Holzman agreed to formulate these guidelines over the next few months for review by the Board.

#### **Discussion of legal services (request of Selectman Ballantine)**

Selectman John Ballantine came before the Board to review Town Counsel's legal services. He explained that in the next 3-4 weeks his subgroup will meet with all the Town's boards for similar discussions. He asked that Board members first fill out a simple questionnaire regarding service.

During the subsequent discussion the Board clarified its dissatisfaction with Town Counsel services. In addition to frequent lack of timeliness, the Board described a situation in which Counsel gave advice to the Board and later reversed its position during a public forum. As a result the Board is not comfortable with advice given by the current Town Counsel.

Ballantine asked how the Board would proceed if it had the opportunity to hire new Counsel. Mansfield explained that one and a half years ago the Board had sent out RFQ's (Request for Qualifications) and received approximately six responses from firms. Several of those firms seemed eager to work for the Planning Board and indicated that they do work for other land-use boards.

Ballantine promised to keep the PB informed and expected to make recommendations to the Board of Selectmen by mid-July.

#### **Appointment of designee to Municipal Land Committee**

Hengeveld noted that this committee will be active and the designee would be required to attend monthly meetings. Abend felt it would be best to have a current PB member on this committee and volunteered to represent the PB. Mansfield will inform DeManche of the appointment.

#### **Notice of submission of Preliminary Subdivision Plan for Concord St., Map 4, Lot 20, and referral to review engineer**

Mansfield distributed copies of the preliminary plan to Board members and advised them that a public meeting regarding this plan is scheduled for June 22. The Board designated Earth Tech as the Board's review engineer for this project.

### **Legal Notice for Public Hearing**

The Board reviewed a notice to be posted at Town Offices and published in the *Mosquito* stating that due to the summer publishing schedule of the Carlisle *Mosquito*, public hearing notices might be published in the Lowell *Sun*.

### **Overlook Drive Common Driveway Special Permit (Rutland St.): Request for inspection of installation of guardrail and final paving prior to issuance of final occupancy permit (request of Les Bishop)**

The Board agreed that it will require an as-built plan before an occupancy permit is issued. Abend moved to direct the PA to contact Les Bishop and inform him that the PB will require an as-built plan prior to inspection. Tice seconded the motion and it was approved 6-0. Abend also moved to have the PA inform Bishop that LandTech will review the plans at his expense. LaLiberte seconded and this motion carried 6-0.

*(Tice left the meeting.)*

### **Request from Town Counsel for review of proposed Agreement for Judgement re: Hunters Run Definitive Subdivision Plan (disapproved 7/15/97 and appealed 8/4/97) [Executive Session]**

Reid moved to go into executive session to discuss pending litigation, noting that the Board will not reconvene the regular session. Abend seconded the motion, each Board member was polled and the Board unanimously approved the motion.

Abend moved to come out of executive session. Reid seconded the motion, the Board was again polled and unanimously approved the motion.

At 9:35 Abend moved to adjourn. Reid seconded the motion and it was approved 5-0.

Respectfully submitted,



Anja M. Stam  
Recording Secretary