



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

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MINUTES

September 28, 1998

- Report from Educational Forum on Cluster Development sponsored by Acton Conservation Trust, 9/24/98**
- Release of Project Review Fee for Common Driveway Special Permit, Baldwin Road (Evans)**
- Review of draft decision and maintenance agreement: Cross Street - Special Permit for Common Driveway, James Ford, applicant**
- Continued Public Hearing: Definitive Subdivision Plan and Special Permit for Common Driveway for West Meadow, 361 Acton Street, Map 17, Parcel 17A, Robert Koning, 45 Acton Street, applicant**
- Discussion of "informal conceptual plan" for subdivision of land off Curve Street, Map 28, Parcels 7A, 11 and 12, Paul C. Hart, owner**
- Proposed tri-party agreement as performance bond for Pine Meadow Subdivision, Maple Street**
- ANR Plan: Maple Street, Map 12, Parcels 3A, 4, 5, 8 and 10 (O'Rourke land), Town of Carlisle, applicant**
- ANR Plan: 1056 Curve Street, Map 29, Parcels 6, 6-39, 7 and 7A. John Swanson and Tall Pines Realty Trust, applicants 9/24/98**
- Notice of intent to remove property on West Street, Map 17, Parcel 20, from Chapter 61A classification - owners Howard and Janice Hensleigh**
- Discussion of requirements for "as-built" plans**
- Request from Town Administrator regarding possible issues for a Special Town Meeting and for input to the Municipal Land Committee**
- Notice of intent to remove property on Curve Street and Fiske Street, Map 28, Parcels 2 and 8, from Chapter 61A classification - owner Juliette Wang. Request for recommendation from Selectmen**

Chair Hengeveld opened the meeting at 7:35 p.m. Members Abend, Epstein, Holzman, and Reid were present. LaLiberte arrived later and Tice was not present this evening. Planning Administrator Mansfield and David Ives of the *Mosquito* were also present.

Minutes for the meeting of September 14, 1998 were reviewed with one clarification made. Reid **moved to accept the minutes as amended.** Holzman seconded and the minutes were approved 3-0-2 with Abend and Epstein abstaining

Report from Educational Forum on Cluster Development sponsored by Acton Conservation Trust, 9/24/98

Reid explained that Acton has developed 279 acres using various forms of Cluster Development resulting in 434 acres of common land deeded to the town. She provided materials with further information to the PA. Copies will be made for Epstein and LaLiberte who will review Acton's information for the Board. Reid noted that Boxborough was also represented at this meeting but they have been unsuccessful in passing Cluster Zoning Bylaws in their community.

Release of Project Review Fee for Common Driveway Special Permit, Baldwin Road (Evans)

Reid moved and Epstein seconded a **motion to release funds held in escrow for the Common Driveway Special Permit located on Baldwin Road to Mr. Scott Evans in the amount of \$658.43 plus September interest.** The motion was approved 5-0.

Review of draft decision and maintenance agreement: Cross Street - Special Permit for Common Driveway, James Ford, applicant

With receipt of a signed Common Driveway and Utility Easement and Covenant, Abend moved and Epstein seconded a **motion to direct the Board's Clerk Kate Reid to sign the Decision on Special Permit for Common Driveway for James Ford and Paul and Caroline Wolossow at 317 Cross Street, Lots 2B & 3A which was decided on February 9, 1998.** The motion was approved 5-0.

Continued Public Hearing: Definitive Subdivision Plan and Special Permit for Common Driveway for West Meadow, 361 Acton Street, Map 17, Parcel 17A, Robert Koning, 45 Acton Street, applicant

The applicant Robert Koning was present along with his engineer Bill McNary of Stamski and McNary. The Board's engineer Dale MacKinnon of Earth Tech was also present.

The following members of the public were in attendance: Scott Munroe, David Askey, and Rob Koning of Acton Street; Debra Hankey of East Street.

This hearing was opened at 7:45 p.m. McNary presented the revised plans and explained the latest revisions. In addition to a new name, Maplewood Road, the main revision to the plan is a change in the roadway profile to follow the natural grade more closely while still maintaining minimum 1% slopes. This will eliminate the need for 3-4 foot fills. The revision creates additional low points along the roadway which will collect water and direct it to the catch basins. In consultation with the Board's engineer, minor revisions were also made to drainage details. McNary also pointed out that gravel will be placed along both shoulders of the cul-de-sac, but the Board explained that it wished to have gravel only on the inside shoulder. Lastly, McNary noted that the cast iron drainage pipe was changed to a ductile iron pipe.

Holzman asked if Gary Davis has been consulted regarding the detention pond since he will ultimately be responsible for maintenance. He was concerned about animals and debris clogging the pond's 6" outlet pipe. Hengeveld agreed that Davis should be consulted, but noted this has not been the Board's practice. Installation of a grate or basket over the ends of the pipe was discussed.

Abend explained to the Board that he had reviewed the traffic study and felt that there were discrepancies with his own measurements and observations. While he felt the study results were inaccurate, he was satisfied that sight distances would be adequate.

Reid moved to close the Public Hearing and Epstein seconded. The motion carried 5-0.

(LaLiberte arrived.)

Epstein moved to accept the subdivision plan prepared by Stamski and McNary for Robert Koning entitled "Maplewood" first submitted 6/15/98 and last revised 9/28/98 with the following waivers: 1) Article II, Sec. 6.B.2(a), finding that existing vegetation is distinctive and these plans will minimize the impact of destruction on these features and that the plans include adequate depiction of existing trees near the entrance and the significant tree in the field; 2) Article III, Sec. 2.B.3, finding that it is not feasible to provide this radius given the location of the property lines and the layout of the roadway serving this site and that there is sufficient width provided in the road shoulder of Acton Street to provide for adequate curb radii; 3) Article III, Sec. 2.D.1, given the layout and grade of the property as well as possible alternate access across the meadow; 4) Article III, Sec. 2.D.2, because the plans were reviewed by the Concord Fire Chief and found to be adequate for emergency vehicles and because a gravel shoulder will be provided on the inside of the cul-de-sac; 5) Article III, Sec. 2.C.3, finding that the existing grade provides sufficient room for a single vehicle to rest at a less than 2% grade and with only five homes on the roadway it is unlikely that more cars will be waiting there and it will not create a

safety hazard for traffic on Acton Street; 6) Article III, Sec. 5.E.1, finding that this is not feasible without interfering with abutters; 7) Article III, Sec. 5.F, finding that the plans allow the subdivision to remain true to its natural setting; 8) Article III, Sec. 5.G.5, finding that the catch basins are adequate for this subdivision, its terrain and the number of homes on this site and 9) Article III, Sec. 5.G.6, because the Board required an upgrade to class V reinforced concrete pipe. Approval is also subject to the following modifications: 1) That the plan shows removal of the six feet of gravel on the exterior shoulder of the cul-de-sac and that this area be loamed and seeded and 2) that the plan show a basket meeting the Board engineer's approval installed at both ends of the six inch overflow pipe located under the roadway near station 9+25 provided that this modification is first reviewed and approved by the Superintendent of Public Works. If the Superintendent determines that this modification is not advisable, it will be eliminated. Approval is conditioned upon the property not being further subdivided and not more than five building lots are allowed. Abend seconded the motion and it was approved 6-0.

Robert Koning then submitted a request to withdraw the Common Driveway application for West Meadow. Reid moved to allow the applicant to withdraw the Common Driveway application without prejudice. Holzman seconded and the motion was approved 6-0.

Discussion of "informal conceptual plan" for subdivision of land off Curve Street, Map 28, Parcels 7A, 11 and 12, Paul C. Hart, owner

Paul Hart and his attorney Joseph Shanahan were in attendance. Paul Daugherty and George Senkler of Curve Street were also present.

Shanahan gave a brief history of the property and explained that Hart has entered an agreement to purchase additional land from the Ohs which gives access to the Hart property off Curve Street and will bring the total property to 77 acres. With only one egress he is limited to developing 10 lots under the Subdivision Rules and Regulations. Shanahan asked the Board if they would be inclined to allow 15 lots on this property, served by a single egress. Shanahan went on to explain that a second means of egress was pursued through the adjacent Wang property. With the addition of this property, he stated it would be possible to develop 31 lots. Shanahan said the applicant did not wish to pursue this option because it would be expensive, cause overdevelopment and he preferred to limit development to his own land.

Reid asked about the topography of the land. Shanahan said no topographical study has been done, but that the land is relatively flat and wooded. The large wetland complex to the rear of the property was outlined using information from the assessors map but had not been officially delineated.

The Board asked if Cluster Development had been considered. Shanahan explained that it had been discussed with the PA, but there were several reasons this option would not work for this property. Shanahan did note that the applicant was willing to donate any land that was not needed for development to the Town, but that he would need 15 lots to make the project financially feasible.

Paul Daugherty stated that as an abutter he is in favor of this plan. He felt it would be best to allow the applicant to develop lightly rather than force him to pursue major development. The Board warned that allowing this plan does not preclude development of the adjacent property.

Holzman asked if any soil testing had been conducted on the site. Shanahan said some preliminary testing has been done, but most of the land in this area has sandy soil that will perc well. Holzman contended that the water table is very high and will require extensive fill and mounding for septic systems. Hart interjected stating that he has been consulting with Stamski and McNary and they feel it would not be difficult to install systems here.

Epstein pointed out the many, long, parallel driveways that would be required to serve the proposed lots. Shanahan said these could be combined into common driveways, but the Board was still concerned about their length, some well over 1000 feet. Abend noted that many of these driveways cross wetlands and extend to lots which, as shown on the plan, are on marginal land very close to the wetlands. He suggested that if two or three of these lots were removed from the plan, he might be inclined to support a waiver for two or three additional lots, but not for the 15 total as requested. Epstein agreed, adding that the issue of the long driveways was not only an environmental concern, but also one of safety.

The Board expressed their agreement with Epstein and Abend emphasizing that they would not be inclined to support a waiver for more than 13 lots. LaLiberte asked to see a more concrete plan of how the Town would benefit from this development. Epstein reminded the applicant that there will be a discussion of the abutting Wang property later in the evening which may influence how the Board views this conceptual plan.

Proposed tri-party agreement as performance bond for Pine Meadow Subdivision, Maple Street

William Costello and his attorney Richard Gallogly were present. Costello noted that incorrect "outside completion" date had been inserted on page three of the document approved at the September 14, 1998 PB meeting. The document has been revised with the correct date of May 29, 2000 inserted. LaLiberte **moved to approve the Performance Bond as amended.** Reid seconded and the motion was approved 5-0-1 with Abend recused. The Board signed the document and it was notarized by the Town Treasurer.

ANR Plan: Maple Street, Map 12, Parcels 3A, 4, 5, 8 and 10 (O'Rourke land), Town of Carlisle, applicant

Joe March of Stamski and McNary presented the ANR plan on behalf of the Town of Carlisle. He explained that this ANR will be used by the Selectmen to establish eminent domain and to sell the property to the Federal Government. The ANR combines individual parcels and defines the boundaries of the property. LaLiberte **moved to endorse the ANR**. Epstein seconded and the motion carried 5-0. *(Reid was absent for this vote, but returned immediately thereafter.)*

ANR Plan: 1056 Curve Street, Map 29, Parcels 6, 6-39, 7 and 7A. John Swanson and Tall Pines Realty Trust, applicants 9/24/98

Hengeveld recused herself from this discussion. Mansfield explained that this ANR was identical to the plan rejected by the Board 8/10/98 with the exception of the two lots that had been in question. The PA spoke with Town Counsel who did not have a copy of the plan, but thought it could be endorsed. The Board chose to defer a vote on this ANR until it has been reviewed by Town Counsel to determine its impact on the pending litigation.

Notice of intent to remove property on West Street, Map 17, Parcel 20, from Chapter 61A classification - owners Howard and Janice Hensleigh

The Board of Selectmen have asked the PB for a recommendation on this property. The Board asked Mansfield to notify the Trails Committee and the Carlisle Conservation Foundation of this intent and to gain their input. This discussion was tabled until further information is available.

Minutes of the Executive Session 9/14/98

Reid moved and Abend seconded a **motion to accept the minutes of the executive session held on September 14, 1998 as drafted**. They were accepted 4-0-2 with Epstein and Abend abstaining.

Discussion of requirements for "as-built" plans

The Board reviewed the recommendations drafted by Holzman and discussed how they should be used in the planning process. It was agreed that they should be incorporated into the rules and regulations for subdivisions, SROSCs, common driveways and conservation clusters. Epstein suggested a blanket amendment to all four sets of

regulations. He and Holzman will work together to draft such an amendment to present to the Board.

Request from Town Administrator regarding possible issues for a Special Town Meeting and for input to the Municipal Land Committee

The Board has no issues that would warrant a special town meeting. Discussion of the Municipal Land Committee will be taken up at the next PB meeting.

Notice of intent to remove property on Curve Street and Fiske Street, Map 28, Parcels 2 and 8, from Chapter 61A classification - owner Juliette Wang. Request for recommendation from Selectmen

John Ballantine of Fiske Street, Stewart Roberts of Nickles Lane, Dave Kelch of Oak Knoll Road and Wayne Davis of Concord Road were present.

Ballantine presented the plan and the Town's options to the Board. The property has 43 acres of open space which is actively farmed with good yields. The water table is approx. 6"-12" below grade. There is a barn on the property which is in a two acre no-build zone until the year 2006. He noted that the Town must exercise its option by December 22, 1998.

Davis, of the Carlisle Land Trust, outlined various Town options and the role that the Trust might play in the purchase and use of this land. Options such as partial development of the property were discussed.

Abend moved to direct the PA to draft a letter to the Selectmen recommending that the Town exercise its option on this parcel under 61A and that the Board review this letter at the next PB meeting. Epstein seconded the motion and it was approved 6-0.

At 11:15 p.m. the Board unanimously adjourned the meeting.

Respectfully submitted,



Anja M. Stam
Recording Secretary