



# Town of Carlisle

MASSACHUSETTS 01741

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Office of

## PLANNING BOARD

### MINUTES

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### Minutes

December 13, 2004

#### Minutes

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**Request for review of the Comprehensive Permit Application for "Carlisle Woods," adjacent to 926 Maple Street at Billerica town line, application of Massapoag Real Estate Development Corporation (Request of Zoning Board of Appeals)**

PB Chair **Louise Hara** called the meeting to order at 7:30 p.m. in the Clark Room at Town Hall. Board members **Rich Boulé, David Freedman, Kent Gonzales, Phyllis Zinicola,** and **Peter Stuart** were present, along with Planning Administrator **George Mansfield**. PB Administrative Assistant **Helen Boos** was also present, as well as **Maya Liteplo** of the *Mosquito*. Ray Bahr was absent.

#### Minutes

The minutes of the last meeting were reviewed. Freedman moved to **accept as amended the minutes of November 22, 2004**. Stuart seconded the motion and it carried 6-0.

The administrative assistant was reminded that minutes of the two Executive Sessions (November 8 and October 25, 2004) need to be submitted as soon as possible.

#### **ANR, 621 West Street, Map 6, Parcels 46, 47, 48 and 54, Janet Lovejoy, applicant**

**Ray Lyons** of the New England Forestry Foundation presented the plan on behalf of the applicant. There are currently four parcels on this land: two registered and two recorded. The plan merges and re-divides them, creating three lots, two of which are buildable, and one larger unbuildable parcel. The applicant wants to reserve a house lot, for which the ANR is needed. The applicant had originally looked at plans for ten ANR lots or twenty subdivision lots.

Conservation restrictions on two parcels are already recorded, and they are getting ready to put on the third conservation restriction (to be recorded contemporaneously). The applicant has to remove two registered parcels from the registration process in Land Court before they can record the conservation restrictions. They hope to complete the process by the end of the year.

The plan provides a wildlife corridor leading to a managed forest. The cart path shown on the plan is being preserved as a right-of-way for the Forestry Foundation to manage the forest. Other paths on the land are not shown on the map. The PA stated that that regulations require that all paths be shown on the plans, but that since these paths will not be affected by development, it is not necessary that they be shown. He advised that the PB may wish to waive that requirement. Lyons confirmed that Parcel C (Lot 54) would remain private.

Freedman moved to **waive the requirement of Regulation Article 2.4.B.1.H. (Location of trails, footpaths, etc.) since all the necessary information is provided for the lots that will remain buildable lots.** Zinicola seconded the motion and it carried 6-0.

Freedman moved to **endorse as Approval Not Required the Plan of Land in Carlisle, MA, prepared for Janet Lovejoy, drawn by Stamsky & McNary, Inc., dated November 30, 2004 showing lots at 621 West Street.** Zinicola seconded and the motion carried 6-0.

#### **Upcoming PB meeting schedule**

Members agreed to meet on the second and fourth Mondays for January through March, 2005 (1/10 & 1/24, 2/14 & 2/28, and 3/14 & 3/28).

#### **Review engineer selection**

The PB has two active review engineers and would like a third. The PA will check references and invite one company to present its qualifications at the PB meeting on 1/10/05 and one on 1/24/05, and the PB will decide between them at the end of the meeting on 1/24/05.

#### **Budget**

Members discussed the upcoming “informal” meeting with the Finance Committee on 12/20/04 to discuss the overview of the PB’s FY06 budget, especially in regards to long-term plans and goals such as the work being done on GIS. Boulé, Hara and Freedman will attend. The PA will provide Boulé with a copy of this year’s budget but said that there is no revenue summary yet. Revenue consists mainly of fees. It was agreed that the PB should discuss project review fees with FinComm. Another point that eventually needs to be addressed (when the Board is preparing a more detailed budget) is that in past years, the PA’s salary has been consistently under-budgeted (by about \$500).

#### **Long-Term Capital Committee**

Bahr, who is a member of this committee, cannot meet at the new meeting time, so the PB needs to appoint a new member. Other PB members are also not able to serve on the Committee and the issue was left open.

#### **Priority Development Fund (PDF) Applications**

The Board discussed the Town’s Commonwealth Capital score of 44 and how it will affect the Benfield and EO418 completion/Affordable Housing Plan/Smart Growth PDF grant applications. Zinicola will find out if the Selectmen have sent the applications.

#### **Community Development Plan**

The Board was reminded to comment on the draft strategies and draft Vision Statement proposed by the CDP Steering Committee that could be presented to the Board of Selectmen in January.

#### **OS&R Plan**

The PA will contact the OS&R Committee and apologize for not meeting their deadline. Freedman and Mansfield will meet to complete the PB response to the Committee. The PB will review this document at the 1/10/05 meeting and send its comments by 1/15/05.

#### **Benfield Planning Task Force update from Phyllis Zinicola**

Zinicola gave an update of the latest developments, including plans for another community meeting to present two development scenarios (one with the ball field in the back of the parcel, and one with the ball field in the front, with different housing configurations to go with each plan). PB members suggested that the cost differences between the different plans should be part of the presentation. Zinicola said that they would be included. Zinicola explained the location of the road in regards to wetlands crossings, and the care taken in regards to Native American “Indian Stones” on the site.

#### **Wilkins Lane**

There is no current extension certificate in our files. Several PB members recalled having granted an extension fairly recently. Mansfield and Boos will check the records to see if there has been an extension request filed/granted.

## GIS

It is estimated that the work for the common driveway layer is 75% complete, but the remaining 25% is labor- and time-intensive, especially in resolving disparities between documentation and what was actually built. Resolving these issues was determined to be useful in keeping track of potential issues in documentation or the accuracy of the GIS map. In any case, before the common driveways can be sent to Applied Geographics for mapping, it must be determined whether to show where the driveway actually is or where it should be according to the documentation.

In regards to the status of the Applied Geographics contract, Phase 1: boundaries for parcels are done but there is a minor issue with text size and placement; wetland/flood boundaries need to be rechecked; roads are in place. Regarding Phase 2: CRs are done but not checked; the historic district is on hold awaiting a response from the Historical Commission; the zoning district is done except for the business district boundary on one parcel, which Hara will go to the registry to check on.

Bernsee expects to be finished with all the work by the end of February.

The PA will look into the cheapest way to acquire the latest version of Microsoft Office.

Stuart moved to **authorize the Chair and Vice Chair to approve the purchase of Microsoft Office software costing up to \$520.** Gonzales seconded and the motion carried 6-0.

Freedman moved to **extend Janice Bernsee's contract through the end of January and to give her two specific tasks: to finish the easy common driveways and document where the conflicts are on the difficult common driveways; and to officially be the liaison to coordinate corrections with Applied Geographics.** Zinicola seconded and the motion carried 6-0.

## Request for review of the Comprehensive Permit Application for "Carlisle Woods," adjacent to 926 Maple Street at the Billerica town line, application of Massapoag Real Estate Development Corporation (at the request of the Zoning Board of Appeals)

Carlisle residents **Ed Rolfe** of 916 Maple Street, **Yan Cheng and Jim Li** of 926 Maple Street, and **George Vendura** of 898 Maple Street were present.

Members reviewed and discussed the latest materials on this issue, including BOA minutes of 11/18/04; letters from abutters; response to the application from the BOA's peer reviewer (Ross Associates) and the applicant's response to the peer review, including a revised list of waiver requests; and the response from the Fire Chief to BOA's questions on his earlier recommendations. Zinicola noted for the record that she works for the Massachusetts Housing Finance Agency, which issued the site approval for the proposed development.

Reviewing the application from Massapoag developers, the BOA's peer reviewer (Ross Associates) has deemed the plans incomplete. The developer has promised to submit further information to Ross Associates within seven days, and Ross Associates has promised to complete another review by January 16<sup>th</sup>. PB Members expressed concern about the HAC deadline of January 13<sup>th</sup>, saying that the Town cannot be expected to approve or deny the application based on incomplete plans. There is also concern that there is not enough time to coordinate with the Town of Billerica to work out necessary agreements for fire safety, sight distances, drainage, and other relevant issues.

Members decided to recommend that the BOA request an extension from the HAC and that they enumerate the circumstances and the specific information that is lacking that makes it impossible at this point to approve or deny the application.

Members also decided to recommend that the BOA consult Town Counsel to determine whether an extension could be granted without the applicant's consent.

Hara reported on the 12/09/04 BOA meeting attended by herself and Boulé. PB members discussed a question that came up at that meeting concerning why the PB had not studied the land behind the proposed development land and prepared

a plan for this land. Members noted that all plans for this land had indicated that this land has no access and is, therefore, not developable based on PB regulations and precedent.

At 11:00, Freedman **moved to extend the meeting to no later than 11:30**. Gonzales seconded and the motion carried 4-0-2.

Planning Board members discussed, point-by-point, the specific issues raised in the peer review, the applicant's response to the peer review, and the applicant's list of requested waivers. Abutters **Ed Rolfe** and **George Vendura** also contributed greatly to the discussions, reiterating specific points made at the previous PB meeting. **Yan Cheng** (whose property directly abutts the proposed development property) appeared before the Board for the first time regarding this issue to express her specific concerns about drainage onto her property. She also raised the issue of safety of young children in the area sharing the same road as construction vehicles.

The PA will write a memo to the BOA responding to the issues raised in the peer review documents, enumerating the Planning Board's and abutters' concerns and comments. (See that memo for details, dated 12/17/04.)

At 11:30 p.m., the Board voted unanimously to adjourn the meeting.

Respectfully submitted,

Helen Boos  
Administrative Assistant