



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

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MINUTES
April 28, 2003

Budget

Summer Intern

Update on construction status of Great Brook Estates Definitive Subdivision Plan (off Rutland Street), and review of completion of structures on Lot 18-D (Map 26) [Request of Albert I. Gould]

Identification and analysis of potential sites for Wireless Communications Facilities [Broadcast Signal Lab and GPR] – Draft final report

ANR Plan: 767 Bedford Street, Map 10, Lots 2 and 3, David R. Woodward, applicant

Review of application to Zoning Board of Appeals for Comprehensive Permit under MGL Chap. 40B for an 8-unit condominium, Laurel Hollow, 302 Lowell Road (Map 21, Parcel 12), 2 units to be offered as affordable housing. (Application of MKCKMK, LLC, referred by Board of Appeals)

Notice of grading and drainage concerns regarding the construction of Hart Farm Estates Definitive Subdivision Plan (off Curve Street) [Letter from Carlisle Trails Committee]

Request for extension of time to complete Carriage Way Definitive Subdivision Plan (Map 13, Lots 22-2 through 22-10) [Request of William Costello]

Request for extension of time to complete Wilkins Lane Definitive Subdivision Plan (Map 29, Lots 28B1, 6-39B, 7C-2 & 7C-3) [Request of William Costello]

Request for additional extension of time to complete Pine Meadow Definitive Subdivision Plan (Davis Road, Map 13, Lots 76-1 through 76-15) [Request of William Costello]

Request for adoption of MIA Decision Procedures Checklist and attendance at CPTC workshops to reduce insurance costs (Request of Town Administrator)

Town Meeting Warrant/Public Hearings

Preparation of Community Development Plan to meet requirements of Executive Order #418 [Thomas Planning Services and McGregor & Associates]

Chair Kate Reid called the meeting to order at 7:30 p.m. in the Clark Room at Town Hall. Board Members David Freedman, Louise Hara (Vice Chair/Clerk), Dan Holzman, Tom Lane (Treasurer) and Phyllis Zinicola were present. Member Michael Abend arrived at 7:40 p.m. following approval of the minutes. Planning Administrator George Mansfield, Administrative Assistant Anja Stam and *Mosquito* reporter David Ives was also present.

The Board reviewed the minutes of 4/14/03. Reid and Freedman each made additions and then Zinicola moved to accept the minutes of April 14, 2003 as amended. Hara seconded the motion and it carried 6-0.

(Abend arrived.)

Budget

Reid noted that the PA's monitor stopped working last week. She suggested that the replacement should be able to support GIS technology, but she had not researched the cost of such a monitor. Audience member Sean Flynn recommended purchasing a CRT because it has high resolution, but is half the cost of a flat panel monitor. Audience member Jennine Blum recommended a flat panel monitor. The Board agreed to look into both options.

Reid also suggested that the Board consider funding an additional presentation by its wireless consultant, BSL. She noted that the Board still has \$200 in its budget for this line item, but anticipated that the presentation might cost up to \$500. She hoped that the Board of Selectmen might offer to pay the difference since it encouraged the study. Mansfield said that he spoke with the Town Administrator who told him that the Board of Selectmen does not have a budget line to cover this item.

Summer Intern

Mansfield reported that a freshman WPI student is available to work for the Conservation Commission, Board of Health and Planning Board for ten weeks over the summer. The Carlisle Conservation Foundation will fund the intern if the land use boards are interested. Reid thought that the intern might be able to research other communities and suggest improvements to Carlisle's requirements for the installation of bounds. She also suggested that the intern might review the Distinctive Structures Bylaw and the regulations to improve correlation between the two. Abend did not feel that bylaw research was appropriate for an intern, but thought that she might accompany the Board's review engineers on site visits as an extra pair of eyes. Mansfield agreed with Abend's suggestions. Freedman, Holzman and Hara felt that the Board should review its stormwater management regulations and suggested that the intern might research other communities for their stormwater regulations. The Board directed the PA to inform the CCF that an intern might be useful if her work can be coordinated among the other land use boards

Update on construction status of Great Brook Estates Definitive Subdivision Plan (off Rutland Street), and review of completion of structures on Lot 18-D (Map 26) [Request of Albert I. Gould]

Applicants Albert I. Gould and Betsy Goldenberg were present. Builder Michael Kenny was also present.

Gould stated that the 4/24/03 letters from his engineer, Gary Shepard, and the Board's engineer, Mark Sleger, indicate that they have agreed on how drainage issues will be resolved. The Board also received a letter from Fire Chief David Flannery indicating that the cistern installations at Great Brook Estates are not complete. Gould had not had an opportunity to speak with the Fire Chief regarding what is necessary for completion. He noted that the cisterns have been installed and filled, but still require a drain and recharge test. Gould also said that lighting, landscaping and final inspections of the cistern are outstanding.

Gould responded to a purported Enforcement Order issued by the Conservation Commission on 4/16/03. Gould noted that because the area in question is an isolated wetland, it is not within ConsCom's jurisdiction. Nevertheless, he has agreed to rake debris out of the wetland and replace the silt fence.

Reid asked the Board if it wished to see a revised estimate for the cost of completion. Hara asked if the estimate could include the cost of improvements to Rutland Street. Gould stated that there is a separate agreement for this work and it is not included in the estimate for subdivision completion. Neither he nor the PA had a copy of this agreement at the meeting. Gould also noted that the original cost estimate for completion was \$93,920. The proposed corrective work would not substantially increase the cost and with seven lots still securing the covenant it is more than enough to cover the cost of completion. Gould also expected that the additional drainage work would be completed by May 15th.

Freedman noted that the Board's engineer states that the location of the cul-de-sac is incorrect. Kenny said that this is actually a minor adjustment and will be shown on the as-built plan.

After some discussion, Hara moved to accept Gould's and Goldenberg's signed agreement dated April 28, 2003, extending the Great Brook Path subdivision covenant to secure performance with respect to the common driveway known as Tanglewood Way. Lane seconded the motion and it carried 6-1 with Abend opposed.

Hara then moved to direct the Building Inspector to allow a certificate of occupancy for Lot D on the common driveway, based on the covenant documentation provided above, contingent upon completion and inspection of the fire cisterns as documented in writing by the Fire Chief. Abend seconded the motion and it carried 5-2 with Freedman and Abend opposed.

Meeting Schedule

The Board scheduled meetings for June 9 and June 23, 2003, at 7:30 p.m.

Identification and analysis of potential sites for Wireless Communications Facilities [Broadcast Signal Lab and GPR] – Draft final report

The following members of the public were present: Matt Hamor of 715 Bedford Road, David Woodward of 767 Bedford Road and Frank Golis representing the Carlisle Revenue Enhancement Committee.

Reid informed the public that a formal, public presentation of the final report is tentatively scheduled for June 23, 2003, and that the Board of Selectmen, Zoning Board of Appeals, Wireless Applications Advisory Committee and other Town boards would be encouraged to attend.

The Board then reviewed the draft report and several typographical errors were noted. Zinicola asked if it would be appropriate to ask the consultant to provide information on potential revenue of wireless facilities to the Town. Reid agreed that this would be useful information, but was not within the scope of the study. Board members thought that it might be appropriate to ask the consultant if he could provide such information orally during his presentation.

Abend suggested some formatting changes to clarify the information and also had some suggested revisions to provide emphasis in certain areas. Abend agreed to compile his comments and circulate them to Board members before the special meeting on Friday. The Board will review his suggestions at that meeting, 6:30 p.m. on May 2nd.

The Board then considered how the final report might be made available to the public. The PA was directed to ask BSL about the cost of making copies and if the report could be made available electronically. The copies could then be made available for purchase by the public.

Frank Golis introduced himself to the Board and noted that determining potential revenue to the Town would be valuable information.

ANR Plan: 767 Bedford Street, Map 10, Lots 2 and 3, David R. Woodward, applicant

Applicant David Woodward was present. Abend noted that he is an abutter to this property and recused himself from this discussion.

Woodward explained that one 4-acre lot of registered land and one 10-acre lot of unregistered land are being combined in this ANR plan. Holzman questioned whether or not it was possible to combine registered and unregistered land, and Mansfield assured him that it was legal to do so. Hara moved to **endorse the Plan of Land in Carlisle MA for David R. Woodward dated April 10, 2003, as approval not required.** Lane seconded the motion and it carried 6-0 with Abend recused.

Review of application to Zoning Board of Appeals for Comprehensive Permit under MGL Chap. 40B for an 8-unit condominium, Laurel Hollow, 302 Lowell Road (Map 21, Parcel 12), 2 units to be offered as affordable housing. (Application of MKCKMK, LLC, referred by Board of Appeals)

Applicant Michael Kenny was present. The following members of the public were also present: Zoning Board of Appeals member Hal Sauer, Conservation Commission members Tricia Smith and Christine Kavalasukas, Steve Hinton of 684 East Street, John Brewer of 280 Lowell Street. Board member Phyllis Zinicola was recused from this discussion.

Sauer said that the Planning Board, the Board of Health and the Conservation Commission each requested that an outside consulting firm review this 40B application. He explained that the applicant has agreed to pay for such a consultant and has recommended either David E. Ross, Judith Nitsch Engineering or Land Tech. ConsCom has indicated that they prefer Ross or Nitsch. Sauer stated that the ZBA would prefer to use one consultant for the entire project.

Kenny said that he spoke with the Board of Health's engineer, and he is willing to review the project for all Title V issues. Kenny also noted that he has agreed to provide the Conservation Commission with a landscaping plan.

Tricia Smith presented a memo and summarized it for the Board. She explained that she has reviewed the Notice of Intent and is concerned about drainage and soil conditions. She thought that the applicant's engineer might have made certain assumptions about the soil conditions that may or may not be true. She would like peer review in this area. Smith explained that the ConsCom has had good experience with Sue Carter of Ross Associates, but would also be comfortable with Nitsch because they are a larger firm with greater depth. She noted that neither firm has specific geo-hydrology expertise.

Holzman suggested that the ZBA hire a general civil engineer who can subcontract the geo-hydrology review. Lane noted that Nitsch prepared a drainage study for the Planning Board. Abend stated that he has worked successfully with both Ross and Nitsch, but would recommend Nitsch for this project.

Sauer thanked the Board and agreed to maintain close communication with the Planning Board as the plan evolves.

Freedman wished to clarify the headline in the last issue of the *Mosquito*. He explained that the Planning Board does support the overall goal of this 40B application, but has not specifically endorsed the project as presented.

Mansfield informed the Board that Mark Sleger of Land Tech has been approached to represent a Carlisle resident in a new 40B proposal. Sleger asked if this would be a conflict of interest. The Board agreed that it would be.

Notice of grading and drainage concerns regarding the construction of Hart Farm Estates Definitive Subdivision Plan (off Curve Street) [Letter from Carlisle Trails Committee]

Developer Michael Kenny was present and explained that he spoke with Stephen Tobin regarding his letter dated April 7, 2003. Kenny explained that grading of the trail easement and adjacent Lots 2 and 3 was done carefully and according to the plan. He thought that flooding of the trail easement was seasonal and likely due to frozen ground. He stated that it was fine this evening. Kenny will meet onsite with the Trails Committee Chair and with Nitsch this week.

Request for extension of time to complete Carriage Way Definitive Subdivision Plan (Map 13, Lots 22-2 through 22-10) [Request of William Costello]

The Board received a letter from the developer dated April 21, 2003 requesting extensions for the Carriage Way, Wilkins Lane and Pine Meadow subdivisions. For Carriage Way, Costello requested an 18-month extension to November 12, 2004 to build a majority of the homes in the subdivision before completing the roadway. Abend moved and Holzman seconded a motion to extend time to complete the Carriage Way Definitive Subdivision to November 12, 2004. The motion carried 7-0.

Request for extension of time to complete Wilkins Lane Definitive Subdivision Plan (Map 29, Lots 28B1, 6-39B, 7C-2 & 7C-3) [Request of William Costello]

In his letter, the applicant expected this subdivision to be completed by June 15, 2003, and requested an extension to August 22, 2003. Abend moved to extend time to complete the Wilkins Lane Definitive Subdivision Plan to August 22, 2003. Lane seconded the motion and it carried 7-0.

Request for additional extension of time to complete Pine Meadow Definitive Subdivision Plan (Davis Road, Map 13, Lots 76-1 through 76-15) [Request of William Costello]

Abend, an abutter to this property, recused himself from this discussion. Costello requested an extension to August 22, 2003 for this subdivision. Several Board members noted that the applicant might encounter difficulties with completion given the concerns over structures constructed within the right-of-way and changes made within the drainage easement on Lot 15. Lane moved to extend time to complete the Pine Meadow Definitive Subdivision Plan to September 26, 2003. Hara seconded the motion and it carried 6-0 with Abend recused. The PA was directed to inform the applicant of the extensions and the Board's concerns regarding Pine Meadow.

Request for adoption of MIIA Decision Procedures Checklist and attendance at CPTC workshops to reduce insurance costs (Request of Town Administrator)

The Planning Board received a memo from the Town Administrator dated April 1, 2003 and an attached letter from the Massachusetts Interlocal Insurance Association (MIIA) dated March 25, 2003. Mansfield reported that the Planning Board already complies with all but one of the procedures. This would require keeping records of all contacts made with involved parties regarding special permit applications, including outside meetings and phone calls. The PA and AA said this could be done.

The procedures also require Board Member attendance at a CPTC workshop. The Board agreed that this would be useful and worthwhile. The PA agreed to draft a letter for the Chair's signature verifying the Board's compliance with these procedures.

Reid noted that the Board of Selectmen should also be made aware of Carol Thomas' recommendation to provide homeowners with fire cistern information to reduce the cost of homeowner's insurance.

Town Meeting Warrant/Public Hearings

The Board was reminded of the special PB meeting Friday at 6:30 p.m. to conduct the public hearings for proposed Zoning Bylaw changes. The Board also agreed to review Abend's comments regarding BSL's wireless study at that meeting.

Reid reviewed her draft memo supporting adoption and funding of the Footpath Plan, and agreed to read it at Town Meeting on behalf of the Planning Board.

MAPD Conference

The Board supported the PA's attendance at the annual MAPD conference on May 15th and 16th in Sturbridge, MA.

Preparation of Community Development Plan to meet requirements of Executive Order #418 [Thomas Planning Services and McGregor & Associates]

The PA informed the Board that it has received final approval from the State to expend the remaining balance of \$25,000 to prepare a Community Development Plan. Abend moved and Hara seconded a **motion to authorize the Town Administrator to sign the contract with consultant Carol Thomas on behalf of the Board and the Town.** The motion carried 7-0.

At 10:00 p.m. Abend moved and Hara seconded a **motion to adjourn.** The motion carried unanimously

Respectfully submitted,



Anja M/ Stam
Administrative Assistant