

CARLISLE PLANNING BOARD

MINUTES

NOVEMBER 12, 1990

Present:

Vivian F. Chaput, Chairman
Norman S. Lindsay
Stephen P. Tobin
Sylvia Sillers
Phyllis Hughes
George B. Foote
Elaine H. Olden,
Planner Assistant

Meeting called to order at 8:04 p.m.

Minutes

On motion by Mr. Lindsay seconded by Mr. Tobin, the members voted unanimously to accept the minutes of the September 24, 1990, meeting as presented. On motion by Mr. Lindsay seconded by Ms. Hughes, the members voted unanimously to accept the minutes of the October 15, 1990, meeting as presented. On motion by Mr. Lindsay seconded by Ms. Hughes, Mr. Lindsay, Ms. Hughes, Mr. Tobin, and Mr. Foote voted to accept the minutes of the October 29, 1990, meeting as presented. Ms. Sillers abstained because she had not been present.

Bills

The members authorized payment of bills as presented.

Confirmatory Approval for Brookview/Nickles Lane

On motion by Mr. Foote seconded by Mr. Lindsay, Mr. Foote, Mr. Lindsay, Ms. Chaput, and Mr. Tobin voted to file a confirmatory approval for the Brookview/Nickles Lane subdivision to correct a plan reference.

Endorsement of Brookview/Nickles Lane Modified Definitive Plan

The applicant presented all of the executed documents required by the approval dated October 2, 1990, except those requiring bank signatures. The members noted that the ANR plan recording reference was missing. On motion by Mr. Foote seconded by Ms. Hughes, the members voted that upon the presentation of signatures by the bank and the missing plan recording reference, the Board find that the conditions necessary to endorsement of the plans entitled "Amendment to Brook View, Carlisle, Mass. Plan and Profile/Grading and Drainage For: Nickles' Lane Realty Trust" (Sheet 2 of 2), dated June 29, 1990, Revised September 7, 1990,

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and "Amendment to Brookview, Carlisle, Mass. Lot Layout Plan For: Nickles Lane Realty Trust" (Sheet 1 of 2), dated September 7, 1990, have been met. Three members signed the plan and Mr. Foote reserved his signature until presentation of the bank signatures and the missing plan recording reference.

Ice Pond Road Definitive Plan Fire Protection

The members began discussion of a letter from Attorney Stephen Nelson dated November 1, 1990, concerning fire protection for Ice Pond Road. When it was pointed out that the subdivision owner, Charles Boiteau, had not yet fulfilled the condition for extension for the common driveway special permit which is part of the project, Ms. Hughes volunteered to telephone Mr. Boiteau immediately to remind him of the deadline. When discussion of the project ranged beyond the fire protection item on the agenda, Chairman Chaput continued the matter until later in the evening.

Common Driveway Public Hearing - Baran - Cross Street

At 9:25 p.m., Chairman Chaput called to order the public hearing on the petition of Clover Realty Corporation for a Special Permit pursuant to Section 5.4 of the Carlisle Zoning Bylaws for a Common Driveway to serve two lots at 481 Cross Street. continued from October 15, 1990. After discussion of the report of the petitioner's representative, Joe Cataldo, that the Conservation Commission prefers the common driveway location to the location of the alternative private driveway on Lot 16-44.04, the members agreed that the petitioner has not demonstrated that the suggested alternative driveway is a possible access to the house site. The members explained at length to the petitioner's representatives that in the absence of a legitimate alternative access to the house site completely contained within the lot on which the house is sited, the Planning Board cannot grant a permit for a common driveway. After consideration, the petitioner's representatives requested permission to withdraw the petition. On motion by Mr. Foote seconded by Ms. Sillers, the members voted unanimously to permit the petitioner to withdraw the petition.

Chairman Chaput closed the public hearing at 10:11 p.m.

Ice Pond Road Definitive Plan Fire Protection

After discussion of a letter dated November 1, 1990, from Attorney Stephen Nelson concerning fire protection for Ice Pond Road, the members instructed the Planner Assistant to inform Mr. Nelson as follows:

- (1) An item first mentioned in Ms. Olden's letter to Mr. Boiteau

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on October 1, 1990, and subsequently discussed at the October 15th meeting has not been addressed: reference in the easement to a plan in order both to locate the pond and identify its boundaries and to allow access to the pond for maintenance purposes. The members recall that at the October 15th meeting, Mr. Foote and Mr. Boiteau discussed the technicalities of improving the plan submitted as "Exhibit A" to provide the information requested. The members also recall that there was agreement that the improved plan labelled Exhibit A could be attached to the easement as an 8 1/2 x 11 sheet and referenced in the document.

(2) The "letter of authorization" is not acceptable. The Board requires that the permission be incorporated in an agreement between Mr. and Mrs. Brooks and Mr. Boiteau with the usual elements of a contract, that the agreement run with the land and to the heirs, successors, assigns, etc., of all parties to the agreement, and that the agreement be in recordable form.

(3) Because of the open items described above, the Board is not ready to comply with the applicant's request to prepare a letter to the Board of Selectmen indicating their endorsement of the easement and requesting the Selectmen to accept it.

At 11:00 p.m., the members noted that Ms. Hughes had dialed Mr. Boiteau's home telephone number repeatedly since 8:45 p.m. and had found the line busy each time.

Subdivision Regulation Revisions

Ms. Olden and Mr. Foote reviewed proposed changes to the Board's subdivision regulations and the members made suggestions for a final draft to be distributed to the Board with the November 26 packet.

Meeting Schedule

After lengthy discussion of members' schedules and holiday dates, the members decided to meet next for regulatory business on December 3, to schedule a public hearing on an accessory apartment application for December 17, 1990, and to devote the November 26th meeting to Master Plan workshops.

Master Plan Workshop

Ms. Hughes distributed bar graphs created by Suzanne Wurtz from some of the data which Ms. Hughes has gathered on housing and land use. Members made suggestions for refining these graphs.

Meeting adjourned at 11:40 p.m.

Respectfully submitted,