



# Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

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## MINUTES

December 11, 2000

- Public Hearing: Common Driveway Special Permit, "Laurel Way," 138 East Street, Map 22, Parcels 62B & 63D, Theodore Treibick and Deborah MacDonald, applicants**
- Review of draft decision for amendments to Malcolm Meadows Senior Residential Open Space Community, Special Permit (approved 11/13/00)**
- Request for release of covenant for Carriage Way Definitive Subdivision Plan, East Riding Drive (Map 13, Parcels 21, 22 & 23, Map 22, Parcel 75 and Map 23, Parcel 1) to allow for the transfer of ownership among the three property owners only (William Costello, Brian & Nancy Anderson and Town of Carlisle)**
- Discussion of "informal conceptual plan" for Conservation Cluster off Oak Knoll Road (formerly Deer Creek Estates - Preliminary Subdivision Plan approved 7/14/99) [Request of Jonathan Longley]**
- Request of refund of project review fee balance for Pine Meadow Definitive Subdivision Plan, approved 3/11/96 and automatically rescinded 1/97 [Request of William Costello]**
- Discussion of Conservation Clusters as suggested by MAPC Conservation Subdivision Design seminar and reports (Request of Reid and Hara)**
- Discussion with Carlisle Housing Authority and Carlisle Affordable Housing, Inc. of avenues for creating/retaining affordable housing in Carlisle [Request of Marty Galligan]**
- Discussion of Conservation Cluster build-out process re: Buttrick Woods (Concord Street)**
- Notice of submission of lot grading plans for Lots 1-12, Hart Farm Estates Conservation Cluster, for Planning Board approval in accordance with condition #4 of the special permit (granted 5/8/00) [Referred to consulting engineer for review]**

Vice Chair Reid called the meeting to order at 7:30 p.m. Members Abend, Hara, Lane, and Zinicola were present. Planning Administrator George Mansfield and *Mosquito* reporter Chris Jones were also present. Epstein and Holzman were absent this evening.

The minutes of 11/13/00 were reviewed. Abend moved and Hara seconded a motion to accept the minutes of November 13, 2000 as drafted. The motion carried 5-0.

The bills were circulated and the PA noted that one bill from Judith Nitsch Engineering, Inc. includes a \$13.20 parking fee. He explained that this fee is charged by the review engineer who incurs parking fees in Boston whenever his car is needed for site visits. After some discussion, the Board agreed to sign the bill for payment, but asked the PA to follow up with JNEI and request consistent billing in the future.

Mansfield stated that the budget for FY02 is due to the FinCom by January 22, 2001. He and Lane will prepare the budget in early January.

**Meeting Schedule:** The Board agreed to continue meeting on the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of each month through April.

**Public Hearing: Common Driveway Special Permit, "Laurel Way," 138 East Street, Map 22, Parcels 62B & 63D, Theodore Treibick and Deborah MacDonald, applicants**

Mansfield explained that this hearing has been cancelled due to an incomplete application and defective notice. It has been rescheduled for January 8, 2001 at 7:45 p.m.

**Review of draft decision for amendments to Malcolm Meadows Senior Residential Open Space Community, Special Permit (approved 11/13/00)**

The Board directed Mansfield to file the decision as drafted.

**Request for release of covenant for Carriage Way Definitive Subdivision Plan, East Riding Drive (Map 13, Parcels 21, 22 & 23, Map 22, Parcel 75 and Map 23, Parcel 1) to allow for the transfer of ownership among the three property owners only (William Costello, Brian & Nancy Anderson and Town of Carlisle)**

Abend moved to release the covenant for Carriage Way Definitive Subdivision Plan in order to allow transfer of lot ownership. Hara seconded the motion and it carried 5-0.

**Discussion of "informal conceptual plan" for Conservation Cluster off Oak Knoll Road (formerly Deer Creek Estates – Preliminary Subdivision Plan approved 7/14/99) [Request of Jonathan Longley]**

Engineer John Boardman of David Ross Associates was present to represent the applicant. He explained that the applicant is looking into simpler development options and would like to cancel the discussion at this time.

**Request of refund of project review fee balance for Pine Meadow Definitive Subdivision Plan, approved 3/11/96 and automatically rescinded 1/97 [Request of William Costello]**

Mansfield explained that although this plan was automatically rescinded in 1997, money in the project review account has not been refunded to the applicant. He also noted that there are sufficient funds from the second application in the 53G account to allow for completion of the Pine Meadow Subdivision. Abend moved and Zinicola seconded a motion to refund the amount of \$5863.25 from the Pine Meadow project review account. The motion carried 5-0.

**Discussion of Conservation Clusters as suggested by MAPC Conservation Subdivision Design seminar and reports (Request of Reid and Hara)**

Reid said that the MAPC model bylaw differs from the Open Space Neighborhood Bylaw proposed by the Planning Board in 1997. She explained that the model bylaw allows significant parcels of land to be set aside for preservation, before the development is designed. Building sites are then chosen and lots are delineated, in that order. The OSN bylaw, Reid explained, allows no extra building lots, but does allow smaller lot sizes. Hara noted that the problem with the OSN bylaw is that standard set backs are still required and development then tends to follow a very regular pattern. Hara also explained that in order for the model bylaw to work well, shared septic systems should be considered.

Abend was not convinced that the MAPC bylaw would have provided a better alternative for development of conservation clusters such as Buttrick Woods. He was concerned that while the view from the road may be improved using the MAPC standards, such development may provide less benefit to abutters. He also wondered what incentive the developers would have to pursue development on smaller lots with no bonus lots.

Lane noted that other Towns have not been as successful as Carlisle with conservation clusters. He suggested that the Planning Board might take elements from the MAPC model bylaw and incorporate them into the existing Conservation Cluster Bylaw. Abend agreed.

Mansfield provided the Board with some history of the Planning Board's attempt to pass the OSN Bylaw in 1997. He explained that originally, the Board had contemplated making changes to the existing Cluster Bylaw, but found that there were far too many changes, and opposition to those changes. Therefore, they opted to retain the Cluster and proposed the OSN as an additional option.

Reid noted that the MAPC model bylaw would allow cluster development by-right, thereby eliminating the special permit process. She felt this would be a great incentive for developers to consider this alternative form of development.

**Discussion with Carlisle Housing Authority and Carlisle Affordable Housing, Inc. of avenues for creating/retaining affordable housing in Carlisle [Request of Marty Galligan]**

Marty Galligan, Chair of the Carlisle Housing Authority and Tom Bilotta, Chair of Carlisle Affordable Housing, Inc. attended this discussion.

Bilotta explained that their objective is to build approximately 35 units in the next 3 to 7 years. Their main approach in reaching this objective would be to build 5-10 unit developments throughout the town. Bilotta stated that an alternative method of providing units by refurbishing individual homes has not been ruled out, but this method is slow and expensive. He also said that larger 50 unit developments are not in keeping with the character of Carlisle and will not be encouraged.

Bilotta then explained that the CAHI will go to Spring Town Meeting to request \$3-4 million over the next ten years. The Town will build the units using the comprehensive permit. CAHI is proposing that these units shall be rentals in order to maintain their affordability.

Galligan asked Board members to review the "Town of Carlisle, Carlisle Housing Authority Housing Plan" dated December 3, 2000, presented to the Board this evening. He requested input from the Board and also asked for Planning Board endorsement of the report prior to Spring Town Meeting. The Board agreed to discuss comments at their meeting on 1/22/01.

Reid explained that she and Hara are working with Galligan to draft an inclusionary bylaw, but have not been successful in obtaining information from other Towns. She felt that this may not be a viable means of creating affordable housing.

#### **Discussion of Conservation Cluster build-out process re: Buttrick Woods (Concord Street)**

Conservation Commission Administrator, Sylvia Willard was present along with Commission Chair Carolyn Kiely and Commission Member John Lee. Theresa Lober of 128 Robbins Drive was present as well.

Mansfield stated that with five conservation clusters currently under construction, many reviews and inspections are being conducted by, not only the Planning Board but also, the Board of Health and the Conservation Commission. He noted that there is no coordination of inspections among the land use boards.

Willard explained that with Buttrick Woods, she had a problem with the lack of delineation of the open space parcels in the field. She felt that it would be difficult to police encroachment by abutters onto Town-owned lands without clear delineation. Kiely noted that currently there are two cases of encroachment at Buttrick Woods, including drainage across the boundary onto the open space parcel. Kiely explained that the State will not allow the land to be placed under conservation restriction unless it is clearly delineated. She requested that the PB require such delineation during the approval process. In the case of Buttrick Woods, Willard has requested an additional 13 bounds along the open space boundary. She stated that since her request, she has noticed wooden pegs with flags have been located, but she would prefer granite bounds.

The Board suggested that a representative of the ConsCom or the Conservation Restriction Advisory Committee, attend PB meetings when plans are being reviewed. Reid also suggested that, at a minimum, bounds should be required at each intersection of the lot line with the open space boundary, and at each turn of the lot lines. The Board agreed to review its rules and regulations to improve its requirements for bounds. Mansfield noted that the Town's existing bylaws do not require conservation restrictions on Town-owned land.

Theresa Lober asked about the process of obtaining occupancy permits in a conservation cluster. Abend explained that with special permits, occupancy permits cannot be issued until all the infrastructure, such as roadway and utilities, are in place.

#### **Notice of submission of lot grading plans for Lots 1-12, Hart Farm Estates Conservation Cluster, for Planning Board approval in accordance with condition #4 of the special permit (granted 5/8/00) [Referred to consulting engineer for review]**

#### **Discussion of fill at Hart Farm Estates**

Willard, Kiely and Lee remained for this discussion.

Kiely remarked on the difficult placement of houses on the lots as laid out in Hart Farm Estates. ConsCom expressed frustration at the amount of land within the buffer zone on many of the lots. Reid suggested that the Board move forward in proposing a bylaw change that would require the entire building ellipse, or a large percentage thereof, to be located outside the buffer zone. Abend offered to work with ConsCom to jointly propose such an amendment.

Willard then explained that during an inspection of Hart Farm Estates, she noticed a significant amount of debris in the roadway fill. She defined "debris" as including such materials as concrete, re-bar, odd pieces of metal, brick, asphalt, ceramic tile, rubber, wood, fabric and inner tubing. She noted that 43 piles of this fill were located around the cul-de-sac. Willard had the contractor remove this fill from the buffer zone, but it is still in place in other areas under the roadway.

In response to Willard's report on 11/16/00, Mansfield requested a site visit by Judith Nitsch Engineering to review the characteristics of the fill. Richard Gorman's report dated 11/17/00, stated that the reprocessed material he observed was very suitable for common fill. Reid asked the PA to send a letter to Judith Nitsch Engineering stating that the Board does not feel the material as described meets the PB's regulations for "ordinary" fill. Abend also suggested requiring "clean" fill unless otherwise specified by the PB.

### **Lot Grading Plans**

Mansfield reported that Sandy Brock of JNEI called today to verbally report that lot by lot, the grading seems approvable, but she is concerned about how the individual lot grading will affect the entire subdivision. Brock also noted that the proposed grading is designed for a generic house. She thought that actual grading could change significantly with final house designs. Brock recommended a two tiered approval process, approving first the generic design and then the final design. Hara agreed with this approach, noting that most houses are likely to include a finished basement, which will require larger septic and more grading. She also noted that in the generic phase of approval, overall drainage patterns can be reviewed. Later, as individual lots are developed, overall drainage will not be available.

Abend asked the PA to encourage JNEI to be thorough in its review of lot grading and drainage. He asked that the JNEI report include a statement noting "any changes made to individual lots, or changes required by another board, may render other lots unbuildable." Mansfield agreed to ask Brock for a draft drainage report and to circulate it to the Board for review.

Mansfield also advised the Board that the Board of Health will not approve the roof drain drywells shown on septic plans as part of those plans' approval.

The meeting was **unanimously adjourned at 10:55 p.m.**

Respectfully submitted,



Anja M. Stam  
Planning Board Secretary