

Town of Carlisle

MASSACHUSETTS 01741

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Office of
PLANNING BOARD

Minutes April 26, 2021

Minutes 3/22/21, 4/12/21

Budget

Continued Public Hearing on application for Common Driveway Special Permit under Section

5.4.4 of the Carlisle Zoning Bylaws for Lots 2, 3, 4, & 5 Acton Street (Map 17, parcels 24-2, 24-3, 24-4, & 24-5). These 4 lots are on the north side of Acton Street, adjacent to the Acton town line. [Alison V. Pascarelli & Elizabeth Hudson Valentine, 566 Acton Street Nominee Trust, applicant]

Continued Public Hearing on application for Common Driveway Special Permit under Section

5.4.4 of the Carlisle Zoning Bylaws for Lots 6 & 7 West Street (Map 18, parcels 23-6, & 23-7) These 2 lots are on the west side of West Street, north of Acton Street, opposite 123 West Street [Alison V. Pascarelli & Elizabeth Hudson Valentine, 566 Acton Street Nominee Trust, applicant]

Continued Public Hearing on application for Common Driveway Special Permit under Section

5.4.4 of the Carlisle Zoning Bylaws for Lots 10, 11 & 13 West Street (Map 17, parcels 21-13, 22-10, & 22-11) These 3 lots are on the west side of West Street, south of Acton Street, and north of 488 West Street. [Alison V. Pascarelli & Elizabeth Hudson Valentine, 566 Acton Street Nominee Trust, applicant]

Continued Public Hearing on application for Common Driveway Special Permit under Section

5.4.4 of the Carlisle Zoning Bylaws for Lots 16 & 17 Acton Street (Map 17, parcels 18-16, & 18-17) These 2 lots are on the south side of Acton Street, east of West Street, opposite 382 Acton Street. [Alison V. Pascarelli & Elizabeth Hudson Valentine, 566 Acton Street Nominee Trust, applicant]

Discussion of 2021 applications to the Community Preservation Committee (CPC) for CPA funding

Informal discussion of proposed Zoning Bylaw amendment for a Complete Ban on Recreational Marijuana Facilities in Carlisle

Executive Session pursuant to M. G. L. c. 30A sec. 21(a)(1) for the purpose of approval of draft Minutes from prior Executive Session

Co-Chair **Madeleine Blake** called the virtual meeting to order at 7:00 pm. Co-Chair **Pete Yelle** and members **Jason Walsh**, **Rob Misek**, **Sara Smith** and Planning Administrator **George Mansfield** were present. Members **Ed Rolfe** and **Adelaide Grady** were absent. Planning Administrator Mansfield hosted the meeting on a Zoom platform.

Assistant to Planner Gretchen Caywood, and Wanda Avril (*Carlisle Mosquito*) were also in attendance.

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Co-Chair Blake reopened these continued hearings and explained that there is no new information to report as of this time, and therefore the applicant has agreed that the hearing session will be continued without testimony to the next PB meeting. Misek moved that these hearings be continued to Monday, May 10, 2021 at 7:30 pm, Smith seconded the motion, and it was approved unanimously (5-0) by roll call vote.

Minutes

The Board reviewed the draft Minutes from the 3/22//21 PB meeting. Co-Chair Yelle moved that the PB approve the Minutes as drafted, Smith seconded the motion, and it was approved unanimously (5-0) by roll call vote. The Board reviewed the draft Minutes from the 4/12/21 PB meeting, and one amendment was suggested. Walsh moved that these Minutes be approved as amended, Misek seconded the motion and it was approved unanimously (5-0) by roll call vote.

Informal discussion of proposed Zoning Bylaw amendment for a Complete Ban on Recreational Marijuana Facilities in Carlisle

Co-Chair Blake explained that this item was placed on the Agenda, and had been noted in the Mosquito, as an opportunity for residents to discuss with the Board its proposal for a complete ban on recreational marijuana (MJ) facilities in Carlisle. Assistant Caywood confirmed that there had been no requests from residents for the meeting link, but monitored email as usual throughout the meeting.

Co-Chair Blake reported that she had recently presented the Board's proposed Zoning Bylaw amendment to the Historical Commission, and that it was well received. Blake did note that one member of the Commission expressed that allowing recreational MJ sales was not different than selling liquor, in their opinion, but agreed that the small sites that would be available for such a business were not appropriate and significant revenue would likely not be generated for the Town. Co-Chair Blake also had pointed out to the Commission that many site requirements of the Cannabis Control Commission (CCC), such as minimal windows and doors to assure that products are not visible from the outside as well as significant security requirements, would be a challenge to achieve in the Town's business districts.

Co-Chair Blake updated the Board on a few things that have changed with respect to the recreational MJ landscape in MA since the Board's discussions of this topic in the summer and fall of 2020. She explained that in November 2020, the CCC authorized delivery of recreational MJ products, which means that because our Zoning Bylaws at this time allow for both a retailer and a delivery business, we allow delivery in town by default. If the ban were to go into effect, the Select Board (SB) would need to make a decision as to whether the town should allow delivery. Misek asked whether this means the State is allowing MJ delivery in town or allowing someone in town to have an MJ delivery business. Co-Chair Blake explained that it is both, adding that since Carlisle is a "yes" town in which a majority voted to legalize MJ, without specific zoning bylaws in place we automatically allow one of each type of facility in town, including a retailer and delivery, so there is no reason for the Select Board (SB) to determine whether we allow delivery until specific zoning is in place prohibiting MJ facilities.

Co-Chair Blake explained that there has also been some change regarding outdoor growing facilities, with 5 farms in western MA applying for provisional licenses for outdoor MJ growing. One specific example is Wiseacre Farm in West Stockbridge, MA.

With the discussion concluded, Co-Chair Blake reported that she has contacted several other Boards to present and discuss the PB's proposal and is waiting to hear back.

Discussion of 2021 applications to the Community Preservation Committee (CPC) for CPA funding

Co-Chair Yelle provided further information on the four applications that have been received for CPA funding for 2021, reiterating that the information he provides should not be taken to represent the opinion of the CPC. Co-chair Yelle reviewed the 4 applications:

1. A \$149,000 request for funds to replace a failed septic system at Benfield Farms.
2. A request from the Affordable Housing Trust (CAHT) for \$50,000 to educate the residents on affordable housing, and \$50,000 for a non-refundable deposit on a possible land purchase.

3. An application from the First Religious Society (FRS) for: 1. restoration of railings around the Town bell which, if left in disrepair, could result in damage to the structure of FRS itself, and 2. restoration of the 12 antique windows in the church, for a total of \$49,000.
4. An application for funds to repair the Greenough Dam in the amount of \$775,000.

Concerning the first application, Co-Chair Yelle reported that Town Counsel has determined that CPA funds from the housing category can be used for this purpose, and he explained that the septic system is currently in failure. Yelle recommended that the PB support this application for CPA funding.

The Board discussed the application from the Affordable Housing Trust and agreed that much more detail is needed both in the resident education part of the application and concerning a possible land purchase.

Concerning the FRS application, Co-Chair Yelle explained that the CPC Chair will further discuss the request with Town Counsel to discern if some of the request is maintenance, which is not covered by CPC funding. Yelle added that there is much CPC discussion on this application and that the Carlisle Historical Society has yet to vote on whether or not it will support the application.

Co-Chair Yelle explained that the state has not agreed to fund the Greenough Dam repair, as it is not seen as a State priority since the dam does not create a dangerous situation for nearby developed land, and MA's goal is to reduce the dam count in the State. Co-Chair Yelle further explained that the goal of the dam when it was installed in the 1920s was to provide bird habitat, but that bird boxes were put in place in the 1940s. He added that ConsCom does view the dam as a key link in the trail system, and the body of water as of recreational value. Misek asked how close the dam is to failure, and Co-Chair Yelle said that the sluices are failing but the berm seems sturdy. Co-Chair Yelle did point out that having the dam in place is not a natural state for the environment. Misek said that he does not see why this large amount of funds (\$775,000.00) should be spent to keep this land in an unnatural state. Co-Chair Blake suggested that a bridge could be installed as the trail link if the berm failed. She asked that members Grady and Rolfe (not present this evening) have a chance to provide their opinions on this application, as well as the others. Walsh said that he is not in favor of using CPA funding for repair of the dam. Smith noted that an environmental impact statement on the Greenough Dam would be helpful in rendering a decision whether to support this application, and Co-Chair Yelle offered to seek more information in this regard.

Co-Chair Yelle planned to return to the next CPC meeting with the PB's input, and to obtain additional information on the applications from the CAHT and for the Greenough Dam repair.

At 7:41 pm, Smith moved that the PB enter into Executive Session, not to return to regular session, for the purpose stated on the meeting Agenda. Co-Chair Yelle seconded the motion and it was approved unanimously (5-0) by roll call vote.

Respectfully Submitted,

Gretchen Caywood
Assistant to Planner
Carlisle Planning Board

List of documents associated with this meeting (available via the Planning Board office):

1. CPC application for Benfield Farms Leaching field replacement, dated 1.21.21
2. CPC application from Carlisle Affordable Housing Trust for funding for public education and potential land purchase, dated 1.29.21
3. CPC application from First Religious Society for repair and restoration work, dated 1.29.21
4. CPC application from Conservation Commission for repair of Greenough Dam, dated 1.29.21
5. Letter to the Editor of Carlisle Mosquito re: Recreational Marijuana, dated 4.16.21