

# Town of Carlisle

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Office of  
**PLANNING BOARD**

**Minutes**  
**July 17, 2023**

**Public Hearing on application for Conservation Cluster and Common Driveway Special Permits for 75 and Lot 6-X West Street, Map 18, Parcels 5 & 6-X, John Reichenbach, Reichenbach LP, applicant.**  
**DISH Wireless 871 Bedford Road Eligible Facilities Request**  
**GIS and ARPA updates**  
**Invoices**  
**Liaison reports**  
**7/31/23 Planning Board meeting – discussion of topics**  
**Continued public Hearing on application for Accessory Apartment Special Permit for 846 Bedford Road, Map 10, Parcel 32-6, Joachim Fiedrich, applicant**  
**Community Planning Grant application – Subsurface Hydrogeology Study**  
**Continued public hearing pursuant to Sec. 5.9 of the Carlisle Zoning Bylaws on application of DISH Wireless for a special permit and site plan approval to install, operate and maintain a personal wireless service facility at the First Religious Society, 27 School St (Map 22, Lot 5-0) within the Church Steeple**  
**Housing Production Plan**

Co-Chair **Court Herschelman** called the hybrid meeting to order at 7:00 pm in the Clark Room and remotely. Members **Adelaide Grady, Eric Adams, Sara Smith** and **Christopher Geggis**, Associate Member **Jason Walsh**, **Town Planner Julie Mercier** and **Assistant to Planner Gretchen Caywood** were present. Members **Joe Gushue** and **Pete Yelle** were absent. The remote meeting was held over a Zoom platform.

Nathanial Cataldo (Stamski and McNary, Inc., Acton, MA), Fritz Reichenbach (Reichenbach LLC, West Newton, MA), Alan Ankers (Pheasant Hill Ln), Stephen Tobin (Partridge Ln), Melinda Lindquist (Acton St), Cheryl Fouche (Westford St), Jennifer Ayres (West St), Maria Bush (West St), Tim and Janis Gordon (Westford St), Robert Melvin (Stamski and McNary, Inc., Acton, MA), Pam Brown (Brown and Brown, Bedford, MA), Joachim Fiedrich (Bedford Rd), Dana Booth (River Rd), Ed Pare (Brown Rudnick, Boston, MA), David Maxson (Isotrope LLC, Medfield), Eric Darling (West St), Mark Levitan (Wolf Rock Rd), Beverly Shorey (Tophet Rd), Kate Reid (Carleton Rd), Brian Waterson (Aberdeen Dr), Chris Johnson (North Rd), Angela Richardson (West St), Don Allen (Pilgrim Path), and Bob Zielinski (Carlisle *Mosquito*) were also in attendance.

**Public Hearing on application for Conservation Cluster and Common Driveway Special Permits for 75 and Lot 6-X West Street, Map 18, Parcels 5 & 6-X, John Reichenbach, Reichenbach LP, applicant.**

Chair Herschelman opened this combined public hearing for a proposed common driveway within a proposed conservation cluster, and the Board authorized Associate Member Jason Walsh to be a voting member for these special permits. Nathanial Cataldo, engineer for the applicant, described this proposal for a 6 lot conservation cluster with access for these lots proposed by a new common driveway. Cataldo reviewed the ANR proof plan provided as part of the application, showing that 5 conventional lots would be allowed per the Zoning Bylaws, each having a separate private driveway. With the Conservation Cluster Bylaw providing some relief on dimensional requirements in lieu of open space, this application proposes 6 lots utilizing a common driveway, with 30% of the total acreage proposed as open space to be deeded to the Town. the OS will surround the development as required by the bylaw, with at least a 40 ft buffer on all sides. The existing home at 75 West St would be accessed by the CD, with its existing curb cut closed.

Cataldo explained that each single family home will have its own septic and well. The CD will be 12-ft wide with 2 ft load bearing shoulders, will cross the wetland at one point toward the center of the parcel. As the proposed CD is 1068 ft in length, a waiver will be requested to Sec. XII.A.5 of the Board's Rules and Regulations for Common Driveways for exceeding the 1000 ft limit. Turnouts will be installed at about 275 ft, and just beyond the wetland crossing at about 575 ft. Cataldo described that a combination of infiltration basins and subsurface chambers will be utilized, with all pavement runoff captured in catch basins and infiltration basins. Contech units which provide a

high level of water treatment will be installed before and just beyond the wetland crossing, and Cataldo noted that using these units will greatly lessen any tendency for wetland filling. The stormwater management system design will mitigate all runoff from leaving the site and running into wetlands.

Chair Herschelman asked for questions from the Board. Grady asked if the TrailsCom has looked at the proposed open space to determine if there is value to it. Cataldo explained that a trail is proposed to run along the southern boundary of the development within the OS, and ending at the enlarged area of OS to the east of the proposed lots. Smith commented on the well heads for Lots 5 and 6, noting that they need to be at least 25 ft from the property line, and Cataldo agreed to address this. Concerning questions about the Fire Chief's input, TP Mercier explained that the Chief has requested a sprinkler system for the SFH on Lot 6, and expressed interest in off-roadway parking for trails users. The applicant has proposed trails parking off the south side of the CD at about 100-ft. The Fire Chief has also approved of the proposed location of the 30,000 gallon cistern to the south side of the common driveway just after the entrance.

Chair Herschelman confirmed from the applicant that a scenic road consent request will be submitted separately. Grady confirmed from the applicant that the cul-de-sac circle will be loam and seed, and asks that maintenance of this be a requirement noted in the roadway maintenance agreement, and added as a condition to the CD special permit. Grady pointed out to Cataldo that truck access on West St can be an issue, and that it needs to be addressed in the Construction Management Plan (CMP).

Chair Herschelman opened the hearing to questions from the public. West St resident Jennifer Ayres asked about traffic mitigation, and said that the traffic at 4 or 5 pm is very bad on West St, noting that she lives across from the proposed development site. Cataldo explained that since this development proposes 1 additional lot to that which would be allowed in a by-right subdivision, this proposal does not require a traffic study. Maria Bush expressed traffic concerns and asked if the PB could prevent having a trail on the site. Smith explained that the Town seeks to have more trails access and increased use of OS, noting that most people walk or bike to a trail. Bush said that there are already some issues with wells in the area not having enough water. Cataldo pointed out that all lots meet the two acre minimum requirement of the Town's Zoning Bylaws. Bush expressed concerns about the visibility of the proposed kiosk from West St, which is a scenic road. Cataldo explained that the kiosk is necessary for the fire cistern controls, and will be located on the far side of the cistern location from West St, and will face the CD, resulting in minimal visibility of it from West St.

Tim Gordon (Westford St) asked about the maintenance requirement of the water treatment systems. Cataldo explained that the catch basins will treat the runoff, noting that they are very advanced design Contech units which passively treat the runoff to over 90% cleaned. All pavement runoff is being captured and treated. The owners of the CD will be bound to hire out maintenance of the catch basins.

TP Mercier explained that input has been sought from all land use groups, with all application materials provided electronically to all groups, and that feedback incorporated into a draft CC special permit decision that was provided to the Board prior to the meeting. Mercier also noted that staff have obtained two quotes for peer review engineering services. On discussion Grady moved that the PB authorize staff to review and determine the best quote/proposal for peer review engineering services, Smith seconded the motion and it was approved 5-1 (Chair Herschelman opposed) by roll call vote.

Smith moved to continue this hearing to 8/14/23 at 7:00 pm, Grady seconded the motion and it was approved unanimously (6-0) by roll call vote.

### **DISH Wireless 871 Bedford Road Eligible Facilities Request**

TP Mercier thanked the PB for commenting on the concealment requirement that was originally conditioned for this court mandated monopole. Mercier confirmed that the original 24 conditions that were approved by all parties before this installation were provided to Town Counsel, and that the applicant has now redesigned the proposed modification so that the new antennas will be completely concealed. This became possible, as another provider vacated the monopole, providing a location possibility at a different height. Counsel has confirmed that the new design does qualify as an Eligible Facilities Request, and that the building permit will be reinstated.

### **GIS and ARPA updates**

TP Mercier explained that with favorable recommendations from the ARPA Committee, on June 13, 2023, the SB voted unanimously in favor of allocating some of the remaining ARPA funds as follows : \$87,000 for the GIS project and \$10,000 for the MVP Grant match. Mercier also noted that the consultant contracts – with CAI Tech for a web-hosted mapping site and parcel updates and with Adam Kurowski for a GIS strategic plan, geodatabase design and local data development – have been signed and the work has begun. TP Mercier thanked the Board for its ongoing support of the GIS effort.

### **Invoices**

Grady moved that the Board approve three invoices totaling \$11,924.68 for GIS work, and to authorize TP Mercier to sign the three invoices. Chair Herschelman seconded the motion and it was approved unanimously (5-0) by roll call vote.

### **7/31/23 Planning Board meeting – discussion of topics**

TP Mercier explained that this meeting will focus on determining goals for FY24 and what priorities the Board would like her to focus on, with a discussion of what level of involvement the Board wants for each goal, and the process for each, as well as a PB vote on prioritization of the goals. TP Mercier asked that the meeting also include a discussion of the Town Governance Committee Report with respect to Land Use departments, and the Accessory Apartment Bylaw. She noted that a PB member has offered to provide feedback on the Wireless Facility Rules and Regulations, and that these will be reviewed if ready.

### **Continued public hearing on application for Accessory Apartment Special Permit for 846 Bedford Road, Map 10, Parcel 32-6, Joachim Fiedrich, applicant**

TP Mercier summarized the status of the last hearing session and noted that the applicant had been provided with the Board comments from that session. She explained that the applicant will present two possible concepts for the AA tonight – a revision to the original detached proposal, and an attached AA proposal. Robert Melvin, engineer for the applicant, and Pam Brown, the applicant’s attorney, were present for this hearing as well.

Melvin reviewed the revisions to the detached AA option. The proposed driveway to the garage is now widened to 12 ft, a roof drain drywell is proposed to infiltrate the AA roof, and revised floor area calculations have been submitted, along with confirmation of the age of the existing structures on the lot. Melvin proposed the addresses of 846A and 846B for the main residence and AA respectively, and noted that a roof drywell has also been provided in order to infiltrate the AA and proposed garage runoff. There is now a swale proposed near the AA to carry water away from the road, and calculations have been submitted demonstrating that, with these measures, there will not be any increasing runoff to Bedford Rd.

Melvin reviewed the attached AA alternative, noting that the main floor plan is the same, with a basement level and a two car garage. The site plan showed the AA repositioned to attach to the main residence via a short, unheated walkway. The proposed garage would be attached to the AA with this version, and the new location of the AA on the lot would result in a shorter proposed driveway to the garage. Melvin noted that the driveway to the new garage is proposed to be 12 ft wide, as the Fire Chief had requested. Melvin also noted that the Building Commissioner had explained to him that only habitable, heated spaces are included in the floor area calculation, and typically not basements or garages, but he offered that the garage could be reduced to one bay if the Board wishes, or the proposed driveway extended to allow for more parking. However he noted that his client would prefer at least one garage space, as the AA will be his retirement home. Melvin noted that for this attached AA option, the septic tank would need to be relocated, but other aspects of the septic system would not be affected.

Melvin asked the Board’s input on the design of the AA as to whether it should be a deck house design similar to the main residence, or more of an outbuilding design. He suggested that for the attached version, a Deck House design may be more appropriate, and for a detached one, a barn-like option. He also asked the Board’s recommendation as to whether the AA should be attached or detached.

Chair Herschelman asked for the Board's input. Grady commented that based on the Building Commissioner's interpretation of floor area, the detached version seems to meet the area limitations. Chair Herschelman commented on the footprint of the AA, and Pam Brown, the applicant's attorney, said that at just under 1200 sq ft, the floor plan is modest. She noted that the existing main residence does not have a basement, and that the AA basement is needed. Brown also noted a prior PB approval of a 900 sq ft detached AA with a garage below the AA, and the garage space was not counted in the total area.

Grady suggested that the salient issue is Sec 5.6.5.13 of the Zoning Bylaw which states that the site must maintain the overall appearance of a single family home. She noted that the application to which Brown had referred had maintained the resemblance of a SFH. Smith noted that the fact that the main house already has a separate garage adds to the concerns that this current application does not maintain the resemblance of a SFH. The Board discussed potential modifications to the application for addressing this, and Grady suggested that the applicant consult with Deck House for design suggestions on adding 1200 sq ft to an existing Deck House site. Brown and Melvin agreed with this idea, and planned to move forward with it. Smith reminded the engineer that the application needs to include the elevations of the existing structure as well.

Chair Herschelman opened the hearing to public comment. Dana Booth (River Rd) pointed out that there is much more existing pavement on the site than is shown on the site plan, and he provided the Board with a printout of the site as shown using GoogleEarth. Booth advised the Board to visit the site, and that the location of the proposed septic system be staked for viewing. Chair Herschelman reprimanded the applicant's engineer on this, and asked TP Mercier to check with the Building Commissioner on this point. Melvin said that he was not aware of the discrepancy. Chair Herschelman suggested a site visit once the final plan is submitted.

Grady moved and Geggis seconded the continuation of this public hearing to 8:00 pm on 8/14/23, and the motion was approved unanimously (6-) by roll call vote. Walsh left the meeting at this point.

#### **Community Planning Grant application – Subsurface Hydrogeology Study**

TP Mercier reported that while this grant was not awarded in the early round, it is eligible in the regular round, and we will hear on that in August. Mercier explained that an application can be submitted in the spring if we are not successful in this round, reminding the Board that the turnaround time for this grant application needed to be very quick.

#### **Peer Review Process**

TP Mercier explained that LU staff is working to find one or more peer review consultants with expertise in both wetlands and civil engineering that can cover the needs of both PB and ConsCom peer review. While there are logistics that will need to be worked out for this, financial and otherwise, it would allow us to operate more similarly to having a Town engineer.

#### **Continued public hearing pursuant to Sec. 5.9 of the Carlisle Zoning Bylaws on application of DISH Wireless for a special permit and site plan approval to install, operate and maintain a personal wireless service facility at the First Religious Society, 27 School St (Map 22, Lot 5-0) within the Church Steeple**

Chair Herschelman reopened this public hearing, and explained to the applicant that only 4 eligible voting members are able to be present this evening, and so the Board will not be able to vote on this special permit tonight. TP Mercier summarized this application noting that the plan set has now been revised to include design change requests made by the HistCom. Ed Pare, attorney for the applicant added that the HistCom has issued its Certificate of Approval with Conditions, and reminded attendees that this application is for location of antennas 69 ft above ground level within the lantern area of the church steeple. Pare displayed the revised cable run and noted that the DISH has switched to a hybrid cable which can be flexed to run inside the door frame and inside the Verizon utility pad fence, then inside the church, now being completely invisible from the outside. Pare added that there will be a gooseneck light over the side door to the church to replace the existing one. Overall, the entire installation will be invisible. Pare added that the waiver request remain the same – 7 in total, and that he will send a written hearing extension request to 8/31/23.

TP Mercier screen shared a draft Special Permit Decision on this application, and Chair Herschelman asked Pare for any questions. Pare noted that the applicant is not proposing a generator, but that the condition can remain in case one is later installed.

On opening the floor to public comment, FRS committee representative Eric Darling stated that FRS fully supports the revised plans for this facility.

Smith moved that the Board continue the hearing to 9:00 pm on 8/14/23, Geggis seconded the motion and it was approved unanimously (4-0-1, Geggis abstained) by roll call vote.

#### **Housing Production Plan discussion**

TP Mercier explained that she had received some final comments from Board members, and that these have been incorporated into the HPP document provided to the MAPC, and to the Board this evening. TP Mercier had provided a second document containing the HPP section entitled “CAHT recommendations,” with the PB’s proposed revisions shown. The CAHT had reviewed these proposed changes in its meeting earlier this evening, which they reconvened at this time, jointly with the PB, with Co-Chairs Kate Reid and Beverly Shorey, and members Mark Levitan, Chris Johnson and Brian Waterson also present.

TP Mercier screen shared the HPP section, and Reid explained that the CAHT voted against accepting any of the PB’s proposed changes. Chair Herschelman asked about statements related to friendly 40B in the Plan, and Reid explained that this statement is required in an HPP, and it indicates we are open to friendly 40Bs. Grady explained that 40B is a State law and must be addressed in an HPP in MA. Grady further explained that it is in the Town’s best interest to utilize 40B as a tool to help enable an approach that meets everyone’s goals. TP Mercier added that friendly 40B has a thorough vetting process first that involves more Town government groups than the ZBA.

Grady moved that the PB adopt the June 12, 2023 version of the Housing Production Plan as is, without the further proposed changes in the “CAHT Recommendations” section, Smith seconded the motion, and it was approved 4-1 by roll call vote (two members absent, Chair Herschelman opposed).

At 9:40 pm, Smith moved and Grady seconded the adjournment of the meeting, and the motion 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 office):**

- Town Planner memo to Planning Board re 7/17/23 meeting, dated 7/13/23
- West St ANR Proof Plan prepared by Stamski and McNary, Inc for Reichenbach, dated 6/8/23
- 75 and 6-X West St Conservation Cluster Special Permit Plan [including common driveway plan] prepared by Stamski and McNary, Inc. for Reichenbach, dated 5/10/23
- Application for a Conservation Cluster and Common Driveway Special Permit prepared by Stamski and McNary, Inc. for John Reichenbach/Reichenbach LP, dated 6/20/23
- Revised plan for 846 Bedford Rd Accessory Apartment (detached proposal) prepared by Stamski and McNary, Inc. for Joachim Fiedrich, revised 7/11/23
- Revised plan for 846 Bedford Rd Accessory Apartment, Alternative Layout, prepared by Stamski and McNary, Inc. for Joachim Fiedrich, revised 7/11/23
- Revised materials for an Accessory Apartment Application Packet for 846 Bedford Road, prepared by Stamski and McNary, Inc. for Joachim Fiedrich, revised 7/11/23

- Invoice #s 17641 and 17642 from CAI Technologies, and invoice # 2023-01 from Adam Kurowski for GIS related services
- Certificate of Appropriateness # 2022-08 issued by the Carlisle Historical Commission for DISH Wireless facility at First Religious Society, 27 School St, Carlisle, MA, issued 6/28/23
- Draft Housing Production Plan: [https://www.carlislema.gov/DocumentCenter/View/4547/Carlisle-HPP-Report-Final\\_1129\\_JointBoardReview?bidId=](https://www.carlislema.gov/DocumentCenter/View/4547/Carlisle-HPP-Report-Final_1129_JointBoardReview?bidId=)