

# Town of Carlisle

MASSACHUSETTS 01741

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Office of

## PLANNING BOARD

66 Westford Street  
Carlisle, Massachusetts 01741  
Tel. (978) 369-9702  
Fax (978) 369-4521  
e-mail: carlplan@rcn.com

### Minutes

March 27, 2006

Minutes 3/13/06

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Town Meeting Warrant

Town Election/Associate Members

GIS Development Task Force

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Feasibility study of adopting Inclusionary Zoning and/or Open Space Residential Design bylaw provisions [Edith Netter & Associates-Planning Board]

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Preparation of proposed amendments to Personal Wireless Communications Facilities bylaw [Broadcast Signal Lab-Planning Board / joint subcommittee]

Preparation of proposed amendments to Accessory Apartment bylaw to provide options for affordable units [Riverside Consulting-Selectmen / joint subcommittee]

Continued Public Hearing on applications for four special permits for a Conservation Cluster, "Greystone Crossing," comprised of 15 building lots and 5 open space parcels within 47.3 acres located on Cross Street and Bingham Road (Map 7, Parcels 35,36,37,38,47 & 59); and three (3) Common Driveways, "Trillium Way," "Captain Wilson Lane," and Greystone Lane, all with access from Cross Street (Request of William Costello, Bingham Road LLC and Carriage Estates Trust)

Request for review and comments on draft 2005 Open Space and Recreation Plan [Request of Conservation Commission]

Review of application to Zoning Board of Appeals for Comprehensive Permit under MGL Chap. 40B for 56 age-restricted, condominium units of attached housing to be known as "Coventry Woods," on Concord Street, northeasterly of 515 Concord Street (Map 8, Parcel 10 – 22.8 acres), 14 units to be designated as affordable housing (Application of Coventry Woods LLC and MCO & Associates, Inc., referred by Board of Appeals)

ANR Plan: 572 Concord Street, Map 7, Lot 46, Flannery Investment Trust, applicant

**David Freedman** called the meeting to order at 7:05 pm in the Clark Room at Town Hall. Board members **Louise Hara, Brian Larson, Michael Epstein,** and Planning Administrator **George Mansfield** were present. **Peter Stuart** joined the meeting at 7:55 pm. **Kent Gonzales** and **Ray Bahr** were absent.

Gretchen Caywood, assistant to the Planning Administrator, Edith Netter (Edith Netter & Associates), William Costello (25 Holdenwood Road, Concord), George Dimakarakos (Stamski and McNary) Rich Gallogly (One Financial Center, Boston), and Bob Zielinski, Carlisle Mosquito reporter, were also present.

### Minutes

The PB reviewed the minutes of the 3/13/06 meeting. Hara moved to approve the minutes as drafted, Stuart seconded and the motion carried 4-0-1, with Epstein abstaining.

### Feasibility study of adopting Inclusionary Zoning and/or Open Space Residential Design bylaw provisions [Edith Netter & Associates-Planning Board]

Netter referred to her recent meeting with Freedman, Mansfield and Hara, and to the recent Mass Housing Partnership meeting on Inclusionary Zoning (IZ) attended by Mansfield and Freedman. She summarized her opinion of the possible approaches for IZ in Carlisle as:

- either a standard IZ bylaw targeted to developments of a certain size, where all developers must set aside a certain amount for affordable housing, and
- an amended Conservation Cluster bylaw to allow for the incorporation of affordable housing.

Netter also summarized Freedman's suggested approach of proposing a bylaw for smaller lot sizes which includes a provision for Open Space (OS), and also includes bonuses for affordable housing (AH). She then suggested the approach of proposing that IZ be incorporated into any development of 3 or more units, and/or that Conservation Clusters be allowed "by right" with the requirement of including some affordable units.

Netter expressed that while IZ does play a role in smaller communities, it generally functions best when viewed as part of an overall approach to affordable housing in the Town. It not only produces some AH, but signals the marketplace that this is what the community is looking for. She stressed the importance of obtaining developer input in drafting bylaw amendments, and of the Town having the capacity to administer the bylaw (such as the housing coordinator position that is being considered).

Freedman expressed that while IZ could result in some affordable units for Carlisle, the standard IZ approach would only supplement the production of units and would likely not enable Carlisle to avoid 40B developments altogether. But it is important to consider such a bylaw, as there needs to be another way (other than 40B's) to create affordable housing. He suggested that there should be an additional approach that would allow for a larger number of units. However, he referred to the IZ bylaw in Concord, which requires that subdivisions with 6 units or more have an affordable unit, and added that this has resulted in many developers proposing 5 unit developments to avoid the affordable housing issue. Netter expressed that it is unavoidable that developers will look for ways around providing affordable housing. She said there are legal means to try and limit developers ability to skirt the bylaw by subdividing parcels before proposing developments.

Epstein referred to an attempt to pass amendments to the Cluster bylaw in the late 1990's, in which the PB had proposed a reduction in lot sizes if OS was created, with a bonus lot provided to the developer for additional OS, while maintaining an overall average land area in the development of 2 acres per lot, and that this met with resistance from the BOH and from Town residents, who were very against reducing two-acre zoning in any way. However, he added that since 40B developments are more of an issue at this time, there may be an opportunity to readdress such proposal. Netter and Freedman discussed the need to set up some carrying capacity performance standards with the BOH, such as limiting the number of bedrooms in the housing if lot size was to be reduced.

Epstein inquired how IZ works with subdivisions, which are "by right" and do not require a special permit. Freedman expressed concern that if IZ is a special permit situation, then developers may tend to opt for standard subdivisions, eliminating their requirement of addressing affordable housing.

Freedman described one possible approach to IZ as eliminating section 3.2.1.2 of the current Zoning Bylaw, which allows for the alteration and use of a single family dwelling existing prior to 5/11/62 as a dwelling for two families, provided that the lot area and width meet current requirements, and replacing it with the right to do so for any building in Town if one unit is affordable. He added that this was problematic as it would be asking those who would be losing what is currently a by-right provision with no AH requirement to support and make use of a replacement bylaw where they would be required to deed restrict the additional unit. At this, Netter advised opting for the least change that will give the desired result, and suggested that it would be difficult to garner Town support for such a significant proposed change. She suggested the approach that houses of any, age but of less than a specified size, could have an option to add a second unit. She added that communities take varied approaches of AH being less than 80% median income, less than 150% median income, or combinations of the two. Freedman suggested that the number of units of various ages in the Town should be examined before considering such a bylaw.

Freedman suggested that the Conservation Cluster bylaw, which gives one bonus lot if the developer sets aside at least 30% open space in a development, might be amended to allow for a second bonus lot if the development contains affordable units. His reason for proposing the linking of OS and AH is to help alleviate potential BOH

concerns (OS allows higher density without increasing the net density). Epstein suggested that a third bonus lot would allow the developer a true additional bonus lot for non-affordable development (since the second one would be used for affordable housing). Epstein also suggested that not all potential development sites may be able to accommodate both OS and AH. Therefore, the bylaw should be constructed to allow for both and for one or the other. Also, there should be an OS bylaw and a non-OS IZ bylaw, both of which are under special permit. Larson pointed out that the bylaw should be scalable – ie additional bonus lots allowable if a larger number of AH units are proposed.

Netter suggested eliminating the by-right subdivision altogether, and setting up the bylaw so that anything over 3 units becomes a special permit use Conservation Cluster, in which a certain amount of OS is set aside and one unit is affordable. Mansfield pointed out that in the current CC bylaw, a 10-acre minimum is required, and no multi-family units are allowed. He also added that the most active developer in Carlisle in recent history has done only standard subdivisions in the past, but has now chosen to do a Conservation Cluster (Greystone Crossing).

Costello pointed out that Concord was giving bonus lots for AH and it was not working well. He cautioned that the PB should be careful not to create a situation that makes it more likely for 40B's to be done instead. Costello pointed out that Concord had requirements that ¼ of the lots would be reserved for purchase by the Town, but that this adversely affected the real estate value of the rest of the development. Therefore he suggested allowing the AH portion of the project to be offsite, for example, using money from sale of the bonus lot. He also proposed the example that if a developer were to donate a building to the Town or to a non-profit, as part of a development arrangement, that this could satisfy an affordable housing requirement as it could be sold and used to fund AH units.

Freedman pointed out that at this year's Town meeting, there will be a proposal to create a housing trust. Freedman also suggested that the PB draft some concept bylaws and ideas for discussion with the BOH. The Board thanked Ms. Netter for her insights. Freedman also thanked Mr. Costello for his contribution to the discussion.

**Continued Public Hearing on applications for four special permits for a Conservation Cluster, "Greystone Crossing," comprised of 15 building lots and 5 open space parcels within 47.3 acres located on Cross Street and Bingham Road (Map 7, Parcels 35,36,37,38,47 & 59); and three (3) Common Driveways, "Trillium Way," "Captain Wilson Lane," and Greystone Lane, all with access from Cross Street (Request of William Costello, Bingham Road LLC and Carriage Estates Trust)**

Freedman reopened the public hearing, and Dimakarakos submitted revised plans dated March 22, 2006. This necessitates the modification of all related documents to include this plan date. Dimakarakos pointed out that parcels E, F, and G are no longer labeled as OS parcels, and the area of these parcels, which contain detention basins, has been removed from the OS calculations. Therefore, the OS calculation numbers also need revision on all documents.

Epstein called for comments on the Declaration of Covenants. Freedman asked the reason for the Grantor retaining the right to walk, jog, etc. on the land. He questioned that this is not a right in perpetuity, but the rights expire when the last lot is sold. Gallogly and Epstein pointed out that once the last lot is sold, the right goes to the lot owner. Freedman confirmed that the Carlisle residents have rights to use the land covered by Trail Easements and Pedestrian Easements, but not the parts only covered by Restrictive Easements. Also, Freedman pointed out that the term "daylight hours" needs to be removed from the Pedestrian Easement section. Gallogly reviewed the Greystone Crossing legal documents to his satisfaction. Epstein informed the meeting that Town Counsel had also reviewed the documents and expressed their satisfaction.

Mansfield reviewed each of the suggested Findings with the PB. He pointed out that in the Carlisle Zoning Bylaws, there are bylaws concerning Findings for Special Permits (in general) and for Common Driveway Special Permits, in particular, but there is no bylaw for Findings for Conservation Clusters. Therefore, this is for information purposes only, and as a guideline for approving the Conservation Cluster. When Larson pointed out the general bylaw 7.2.1.1 concerning traffic congestion and safety considerations, Freedman reminded the PB of the detailed discussion in a prior public hearing on this Conservation Cluster concerning the fact that utilizing

common driveways will result in much less impact on traffic circulation in the area than the 14 unit and 14 driveway subdivision that the developer could have opted for by right. Also, the PB pointed out that the Police Chief has stated his approval of the common driveway approach and has signed off that he feels it is not hazardous. Therefore, it is not just the PB's approval, but the Police Chief as well that is determining the suitability of this arrangement.

Mansfield added that the percentages of OS will be modified as follows: The site contains 47.3 acres, 30.3 of which (14.33 acres) will be permanently protected as open space. This is changed slightly from the 31.9% OS, as the detention basins are not being considered as part of the OS. Mansfield pointed out that the findings detail all the specific reasons why this plan protects natural resources, which is a main requirement of the Conservation Cluster. For the suggested Findings for Common Driveways, one finding will point out that the Fire Department requested an additional fire cistern be placed on an adjacent parcel on Bingham Road for the benefit of that neighborhood. Among others, the CD findings also include detailed provisions for assignment of maintenance responsibility, and for the construction of a footpath along Cross Street.

The PB then reviewed the draft Conditions for the Greystone Crossing CC Special Permit. One condition refers in detail to the construction of and requirements for the footpath along Cross Street. The PB amended this condition to state that all necessary permits and approvals to construct the footpath must be issued prior to December 30<sup>th</sup>, 2007.

Dimakarakos suggested alteration of a condition requiring certification of final construction of the infiltration trenches, roof drains and drywells, in order to insure that these components are placed properly. He explained his reasons for not requiring review and approval of individual lot grading plans satisfactorily to the PB and showed that the revised condition would more properly assure appropriate construction of and grading on the lots. Mansfield reported that LandTech had agreed with this argument.

The PB then reviewed the draft Conditions for the Common Driveways. The PB reviewed the condition relating final occupancy of a lot or lots to security for the Town to insure completion of the roadway. The applicant's attorney stated that his client prefers to hold 2 lots in reserve at any location for this purpose, rather than one on each driveway. Costello also pointed out that this is a way to isolate the activity so that final pavement, for example, is not ruined by construction trucks. In this way, the unfinished lots can be kept to one of the three common driveways. Then the finish coat on that CD can be held to the very end. Freedman pointed out that this would be simpler and easier to explain to a prospective resident. Epstein and Mansfield preferred the one lot per Common Driveway approach. It was agreed that although, the applicant's request would be granted for this permit, the other option had merit and would be considered for future developments with multiple Common Drives.

At this point, Epstein **moved to approve the Greystone Crossing Conservation Cluster** in Carlisle, MA dated May 5, 2005, last revised on March 22, 2006 which comprises 15 building lots within 47.3 acres located on Cross Street and Bingham Road drawn by Stamski and McNary, applicant William Costello. The PB has set forth its **Findings** for approval of the Special Permit dated March 24, 2006 as amended within this hearing as follows:

1. The applicant submitted a demonstration ANR plan depicting 14 conventional lots under the Zoning Bylaws, each having at least  $\frac{3}{4}$  of an acre of contiguous land not in the Wetland/Flood Hazard zoning district, 13 with individual access to Cross Street and one with access to Bingham Road.
2. The site contains 47.3 acres, 30.3% of which (14.33 acres) will be permanently protected as open space, thus preserving natural resources that would otherwise not be preserved if the land were otherwise divided into building lots.
3. The Conservation Cluster plan has been designed in consultation with the Planning Board, Conservation Commission, Trails Committee and neighboring property owners to preserve exceptional rock outcroppings, woods, wetlands, a pond, existing stone walls where feasible, and the Cross Street streetscape and to create undeveloped buffer areas for travelers on that street and for adjacent parcels.
4. Four open space parcels totaling 14.33 acres will be deeded to the Town for conservation purposes.

5. Three parcels totaling 0.76 acres will be deeded to the Greystone Crossing Homeowners' Association and will contain constructed stormwater detention basins, which will be maintained by the Association under a covenant.
6. Restrictive easements on the private lots will provide further preservation of natural resources on portions of these lots and connectivity of the open space parcels.
7. Public access for pedestrians will be provided over the open space parcels, over the Restrictive Easements, over Access and Utility Easements, and over trail easements provided throughout the site, linking conservation land on site with the Towle field land via Bingham Road.

Therefore, the plan maintains the rural character of the town by preserving the woods along Cross Street, protects the view of the Cross Street streetscape, and protects buffer areas. It also protects natural resources by preserving natural habitats, providing for conservation management and protecting watershed areas through improved stormwater management. The plan provides facilities for passive recreation including nature study, hiking and cross-country skiing, and it encourages linkage of conservation land. The Board further finds that the site is reasonably adaptable to the proposed uses and will allow the proper layout thereof, and the proposed use will not be contrary to the best interests of the town.

As set forth in the **Conditions** for the Greystone Crossing Conservation Cluster, dated March 24, 2006, which were discussed with the PB in the public hearing and amended as follows:

1. The subdivision plans for which this Special Permit is granted are entitled "Greystone Crossing Conservation Cluster, Carlisle, Massachusetts; Applicant: William Costello, 25 Holdenwood Road, Concord, Massachusetts; Engineer/Surveyor: Stamski & McNary, Inc., Acton, Massachusetts, Sheets 1-9 and 14-21, dated May 5, 2005, and revised August 8, October 7, November 22, December 12, 2005, January 19, 2006, and March 22, 2006 (the "Plans").
2. The Plans are accompanied by and the Special Permit incorporates herein a deed for the conveyance of Open Space Parcels A, B, C, and D to the Town of Carlisle, a deed for the conveyance of Parcels E, F and G to Greystone Crossing Association, grants of an Access and Utility Easement in three areas shown on the Plans benefiting each lot, a grant of a Restrictive Easement in ten areas shown on the Plans benefiting the Town of Carlisle, and grants of an Access Easement, a Cistern Easement for fire protection shown on the Plans in two areas, a Trail Easement and a Pedestrian Easement all benefiting the Town of Carlisle, all of which are set forth in a Declaration of Covenants, Restrictions and Easements for Greystone Crossing, Carlisle, Massachusetts ("the Declaration," as described below in Condition #18), and each of which has been reviewed and approved by the Planning Board.
3. The Plans are also accompanied by and the Special Permit incorporates herein grants of a temporary Construction Easement, an Access Easement, and a Perimeter Easement to be reserved by the Grantor, which are as set forth in the Declaration and have been reviewed and approved by the Planning Board.
4. The Plans are also accompanied by Article I of the Declaration imposing certain restrictions upon the Lots, in accordance with Sections 26-30 of Chapter 184 of the General Laws of Massachusetts, which Article has been reviewed by the Planning Board and is not incorporated in the Special Permit.
5. The plans are also accompanied by and the Special Permit incorporates herein By-laws of the Greystone Crossing Association ("the By-laws"), which include a Drainage System Operation and Maintenance Plan (Schedule A) that has been reviewed by the Carlisle Conservation Commission and reviewed and approved by the Planning Board.
6. The Plans are also accompanied by and the Special Permit incorporates herein a grant of a Cistern Easement for fire protection on a parcel of land known as 231 Bingham Road, abutting the Conservation Cluster parcel, which Easement has been reviewed and approved by the Planning Board.

7. Lots 1-5, 7 and 8 within the Conservation Cluster shall be served by a common driveway known as "Greystone Lane" for which the Planning Board expects to simultaneously issue a special permit, and that the grant of this Conservation Cluster Special Permit is subject to the condition that the construction of any driveway or other means of access to these building lots apart from the common driveway is prohibited.
8. Lots 6, 9, 10 and 15 within the Conservation Cluster shall be served by a common driveway known as "Captain Wilson Lane" for which the Planning Board expects to simultaneously issue a special permit, and that the grant of this Conservation Cluster Special Permit is subject to the condition that the construction of any driveway or other means of access to these building lots apart from the common driveway is prohibited.
9. Lots 11-14 within the Conservation Cluster shall be served by a common driveway known as "Trillium Way" for which the Planning Board expects to simultaneously issue a special permit, and that the grant of this Conservation Cluster Special Permit is subject to the condition that the construction of any driveway or other means of access to these building lots apart from the common driveway is prohibited.
10. The applicant shall, by appropriate restrictions and covenants that shall run in favor of the Town of Carlisle or its designee, prohibit further division of land within the Conservation Cluster.
11. The applicant shall install 4" x 4" stone bounds with 18" reveal to delineate the boundaries of the Open Space Parcels and Restrictive Easement areas essentially as shown on a plan labeled "Sketch of Bounds," Restrictive Easement Plan, sheets 18-21 of "Greystone Crossing Conservation Cluster," August 12, 2005, last revised January 19, 2006.
12. In consideration of the approval of this Special Permit, the applicant agrees to construct a footpath generally following the layout of Cross Street through the Open Space parcels and the Restrictive Easement area, all within an overlying 20-foot wide easement granted to the Carlisle Board of Selectmen, and over Trail Easements on Lot 11 and Lot 7.38A (as shown on a Plan of Land in Carlisle, MA dated August 10, 2005 and endorsed by the Planning Board on 8/22/05), said footpath being substantially similar to that shown on a "Conceptual Pathway Plan" and "Conceptual Path Details" for William Costello, last revised March 3, 2006, and attached hereto, provided that all necessary permits and approvals to construct the same have been issued prior to December 30, 2007.
13. To the extent possible, the stone walls within the Open Space parcels and Restrictive Easement areas shall be preserved.
14. No building permit shall be issued for construction on any lot until the applicant shall have recorded a certified copy of this decision with the Middlesex North District Registry of Deeds. A deed granting Open Space parcels A, B, C and D to the Town of Carlisle or its designee, and a deed granting Parcels E, F and G to the Greystone Crossing Association, shall be recorded with this decision. Copies of the recorded decision and deeds shall be filed with the Town Clerk, the Building Inspector and the Planning Board.
15. The special permit will lapse if substantial use of the permit has not commenced within one (1) year from the expiration of the appeal period, except for good cause.
16. No building permit shall be issued for construction on any lot within the Conservation Cluster until the common driveway providing access to that lot has been completed to the binding course of pavement and all drainage facilities, exclusive of final grading, loaming, seeding, and landscape plantings, have been constructed in accordance with the approved Plans and the Planning Board's requirements, as certified by a statement from the design engineer, and reviewed and approved by the Board's consulting engineer, and filed with the Planning Board, the Building Inspector, and the Town Clerk.

17. No building or structure, or portion thereof, located on any lot shall be occupied until there shall have been filed with the Town Clerk, the Building Inspector and the Planning Board a statement by the design engineer, and reviewed and approved by the Board's consulting engineer, certifying to the satisfaction of said design engineer that the final construction details of the infiltration trenches, roof drains and drywell(s) for said lot have been constructed in accordance with the Plans and with standard engineering practices.
18. The above-referenced Drainage System Operation and Maintenance Plan (Schedule A), temporary Construction Easement, Access Easement and Perimeter Easement, Cistern Easement, Access and Utility Easement and Restrictive Easement are described in more detail in the Declaration of Covenants, Restrictions and Easements for Greystone Crossing, Carlisle, Massachusetts, recorded at the Middlesex North District Registry of Deeds herewith.

Also:

In the Restrictive Easement, article 4 page 10, Easements Benefiting the Town of Carlisle, the term "daylight hours" shall be removed.

**Stuart seconded this motion for approval of the Conservation Cluster Special Permit for Greystone Crossing, and it passed 5-0.**

Epstein then **moved to approve the Special Permit for 3 Common Driveways** Trillium Way, Captain Wilson Lane and Greystone Lane all with access to Cross Street as set forth in the the Greystone Crossing Conservation Cluster in Carlisle, MA dated May 5, 2005, last revised on March 22, 2006, drawn by Stamski and McNary, applicant William Costello, as set forth in the following **Findings**:

1. The three common driveways, Trillium Way, Captain Wilson Lane, and Greystone Lane, will serve as access to 4 lots, 4 lots and 7 lots respectively within the Greystone Conservation Cluster.
2. The design of the driveways, including a traveled way 18 ft. wide, with 12-in. Cape Cod berms and 2-ft. gravel shoulders on each side, as well as cul-de-sac turnarounds, will provide sufficient access for fire, police and emergency vehicles,
3. Intersections of the driveways with Cross Street have been designed with adequate turning radii, landing areas, and sufficient sight distance for public safety, as confirmed by the Police Chief.
4. The Homeowners' Association covenant provides for adequate assignment of and financial resources to support the responsibility for maintenance, snow removal and stormwater drainage.
5. Two 20,000-gallon and one 30,000-gallon fire cisterns have been included on the plan to provide water sources that do not currently exist for the safety of the existing and proposed Cross Street properties, and since one will be located on an adjacent parcel on Bingham Road, at the request of the Fire Department, for the benefit of that neighborhood as well.
6. A footpath generally following the layout of Cross Street will be constructed by the applicant, pending separate permits and approvals, that will provide safe, separate pedestrian passage along the entire frontage of the site and enhance the appreciation of the natural resources within the open space parcels.
7. Adequate provisions have been made for screening the proposed driveways from adjacent properties through preservation of natural landscape and vegetation and providing additional plantings.
8. Utilities serving the lots accessed via these common driveways will be placed underground.

Therefore, the lots served by these driveways are provided with safe and convenient access, and that the plans that include these driveways provide for the preservation of the natural and built environment, maintenance of neighborhood character, and adequate access for emergency vehicles.

Furthermore, the Planning Board hereby grants the following **waivers** from the Board's regulations:

- A. Trillium Way and Greystone Lane are each, in part, located less than 40 feet from the outer lot lines of the Conservation Cluster parcel, the Board having found that the topography, the additional screening, and the lack of development on these portions of the adjacent parcels mitigate the impact of this reduced setback.

- B. The driveways will not include turnouts every 300 ft. because the Board finds and the Fire Department concurs that the width of the traveled way, 18 feet, is 50% greater than the minimum width required and because 2-ft. gravel shoulders will be provided and maintained for clear passage.

And with the following **Conditions** for the Common Driveways:

1. The plans for which this Special Permit is granted are entitled "Greystone Crossing Conservation Cluster, Carlisle, Massachusetts; Applicant: William Costello, 25 Holdenwood Road, Concord, Massachusetts; Engineer/Surveyor: Stamski & McNary, Inc., Acton, Massachusetts, Sheets 10-17, dated May 5, 2005, and revised August 8, October 7, November 22, December 12, 2005, January 19, 2006, and March 22, 2006 (the Plans).
2. The Plans are also accompanied by and the Special Permit incorporates herein By-laws of the Greystone Crossing Association ("the By-laws"), which include a Drainage System Operation and Maintenance Plan (Schedule A) that has been reviewed by the Carlisle Conservation Commission and reviewed and approved by the Planning Board.
3. The Plans create three common driveways, Greystone Lane, Captain Wilson Lane, and Trillium Way. The lots comprising Greystone Lane Conservation Cluster shall not be accessed by any means other than these common driveways.
4. The Plans are also accompanied by grants of a temporary Construction Easement, an Access Easement, and a Perimeter Easement to be reserved by the Grantor, which have been reviewed and approved by the Planning Board.
5. A sign identifying each common driveway shall be placed at the intersection of each driveway with Cross Street, and at the intersection of Greystone Lane and Captain Wilson Lane.
6. The asphalt section of the common driveways shall be constructed with a two (2) foot gravel shoulder as shown on the Plans. This shoulder shall be kept clear of all obstructions for public safety purposes, with the exception of mail boxes and related supporting posts, the location of which are consistent with the requirements of the U.S. Postal Service.
7. No building permit shall be issued for construction on any lot until the applicant shall have recorded a certified copy of this decision with the Middlesex North District Registry of Deeds. Copies of the recorded decision and deeds shall be filed with the Town Clerk, the Building Inspector and the Planning Board.
8. The special permit will lapse if substantial use of the permit has not commenced within one (1) year from the expiration of the appeal period, except for good cause.
9. No building permit shall be issued for construction on any lot within the Conservation Cluster until the common driveway providing access to that lot has been completed to the binding course of pavement and all drainage facilities, exclusive of final grading, loaming, seeding and landscape plantings, have been constructed in accordance with the approved Plans and the Planning Board's requirements, as certified by a statement from the design engineer, and reviewed and approved by the Board's consulting engineer, and filed with the Planning Board, the Building Inspector, and the Town Clerk.
10. No more than thirteen (13) of the fifteen (15) lots shown on the Plans, for which applications for Certificates of Occupancy from the Carlisle Building Inspector have been submitted, shall be occupied until there shall have been filed with the Town Clerk, the Building Inspector and the Planning Board, a statement by the design engineer, reviewed and approved by the Board's consulting engineer, certifying that the finished grades and final construction details of the common driveways, to the satisfaction of such certifying engineer, have been constructed in accordance with the Plans and with standard

engineering practices, and that the three (3) fire cisterns and the drainage system for the Conservation Cluster have been constructed and are fully functional.

11. At the completion of all work under the Special Permit, the Applicant shall submit to the Planning Board an As-Built Plan demonstrating compliance with the approved Special Permit.

Larson **seconded the motion to approve the Special Permit for the Common Driveways of Greystone Crossing, and it passed 5-0.** Since there were no further comments by those attending, Freedman thanked the applicant for his patience during this process and his generosity and diligence in working with the PB, other Town Boards, and the neighborhood to develop a final plan that reflects the concerns of all involved.

Mansfield pointed out the importance of having the Associate Member positions filled on the PB in order to more readily assure that a quorum of 5 can be easily maintained throughout a hearing process.

Hara then moved to close the public hearing on the Greystone Crossing Conservation Cluster, Stuart seconded, and the motion passed 5-0.

**ANR Plan: 572 Concord Street, Map 7, Lot 46, Flannery Investment Trust, applicant**

Mansfield described the ANR plan for this lot and pointed out that it includes the proposed relocation of a driveway. Epstein and Hara suggested that both the lots would best be served by a Common Driveway, particularly since the driveways exit onto a busy road, and that a note should be sent to the Building Commissioner to this effect. Mansfield suggested endorsing the ANR and sending a memo to the Building Commissioner that an occupancy permit should not be granted until the individual driveway requirements are met for both lots. Freedman suggested that the note should include the fact that the PB has endorsed an ANR that, if recorded, will mean there is no legal access to one house. After further discussion, the Board asked Mansfield to convey this information to the Building Inspector and the applicant orally, rather than in writing.

Larson moved to endorse the plan of land in Carlisle, MA dated March 6, 2006, as submitted by Stamski and McNary for Flannery Investment Trust for 572 Concord Street as approval not required. Epstein seconded the motion and it passed 5-0.

**Request for review and comments on draft 2005 Open Space and Recreation Plan [Request of Conservation Commission]**

Mansfield referred to a draft of the letter to be sent to the Chair of the OS and R Plan Committee stating the PB's endorsement of the OS&R Plan, and confirmed that the PB was in favor of endorsement. Hara moved to endorse the Town of Carlisle Open Space & Recreation Plan 2005 dated January 2006. Stuart seconded, and the motion passed 5-0.

At 10:47 pm, Larson moved and Hara seconded a motion to adjourn this meeting of the PB.

Respectfully submitted,

Gretchen Caywood,  
Planning Board Administrative Assistant