

CARLISLE PLANNING BOARD

MINUTES

OCTOBER 25, 1989

Present:

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

Continued public hearings on Ice Pond Road Conservation Cluster  
and Common Driveways

At 8:08 p.m., Chairman Foote called to order the public hearings continued from October 16, 1989, on application of Charles Boiteau for a Special Permit for a Conservation Cluster pursuant to Section 5.5 of the Carlisle Zoning Bylaws for property known as "Ice Pond Road" on a Definitive Plan submitted concurrently with the Special Permit application and application of Charles Boiteau for Special Permits for two Common Driveways ("A" and "B") pursuant to Section 5.4 of the Carlisle Zoning Bylaws for property known as "Ice Pond Road" on a Definitive Plan submitted concurrently with the Special Permit applications.

The Planning Board considered the application for a Special Permit for a Conservation Cluster in the light of Section 5.5 of the Carlisle Zoning Bylaws and found as follows:

By inspection of the submitted plans that:

1. The parcel contains more than 10 acres.
2. The number of lots does not exceed the number of lots shown on the submitted demonstration plan plus one.
3. The lots shown on the submitted demonstration plan each have at least three-quarters (3/4) of an acre of contiguous land which is not in a Wetland/Flood Hazard District.
4. Each of the lots in the proposed Conservation Cluster has
  - (a) a minimum of two (2) acres.
  - (b) width such that a straight line drawn through the site of the dwelling to the nearest opposite boundary lines is at least two hundred & fifty (250) feet.
  - (c) a minimum street frontage of not less than twenty

- (20) feet.
- (d) a minimum width of twenty (20) feet between the street which provides the frontage and the site of the dwelling thereon.

By affirmative vote of Mr. Tobin, Ms. Chaput, Mr. Foote, Mr. Davis, and Ms. Sillers on motion by Mr. Tobin seconded by Ms. Chaput that

5. the location, size, shape and access to the open space serve the purposes of the conservation cluster bylaw.

By inspection of the submitted plans that

6. The open space equals thirty (30%) percent of the parcel, of which 60% lies outside the Wetland/Flood Hazard District.

By affirmative vote of Ms. Sillers, Ms. Chaput, Mr. Foote, Mr. Davis, and Mr. Tobin on motion by Ms. Sillers seconded by Ms. Chaput that

7. The fee and easement interests in the proposed open space represent resources which serve the following objectives of the conservation cluster bylaw:
- (a) Protect selected views, vistas and buffer areas.
  - (b) Preserve natural wetland habitats.
  - (c) Encourage linkage of conservation land by means of a trail.

By inspection of the submitted plans that

8. The conservation cluster is separated from adjacent property by intervening open space and adequate setbacks.

On statement of the applicant that

9. The open space will be held in corporate ownership by the owners of the building lots within the development.

#### Modification of approved Ice Pond Road definitive plan

At 8:45 p.m., Chairman Foote called to order, to run concurrently with the public hearings on the Special Permits, the public hearing continued from October 16, 1989, on the request of Charles Boiteau for property located north of East Street to modify an approved Definitive Plan entitled "Ice Pond Road - 1145 Ft.," which shows a one-lot subdivision, to change the alignment of the road to permit a two-lot subdivision.

Mr. Boiteau presented a plan entitled "Definitive Subdivision Plan, Land in Carlisle, MA, Ice Pond Road," dated February 22,

1989, revised 6/26/89, 9/25/89, and 10/18/89 by Westcott Site Services, 240A Elm St., Somerville, MA, and said that the requested modification is a realignment of the road to allow the creation of a building lot at the front of the parcel to replace the Open Space Area 1 as shown on the approved plan. Mr. Boiteau explained that the purpose of this change is to facilitate the location of the woodspath in such a way as not to compromise either the residents or the path users. On motion by Mr. Tobin seconded by Ms. Hughes, the Planning Board voted unanimously to approve the modified plan.

Chairman Foote closed the public hearing on the modified definitive plan.

Action resumed on Ice Pond Road Special Permits

On motion by Ms. Chaput seconded by Mr. Davis, Ms. Chaput, Mr. Davis, Mr. Foote, Mr. Tobin, and Ms. Sillers voted to grant a Special Permit to designate Lots 1-7 and 7.0505 acres of open space as shown on a plan entitled "Plan of Land in Carlisle, Massachusetts Owned by: Charles Boiteau, 282 Mill Road, Chelmsford, MA," dated February 23, 1989, Rev. July 10, 1989, Rev. August 11, 1989, Rev. September 11, 1989, Rev. October 18, 1989, by Westcott Site Services, 240A Elm St., Somerville, MA 02144 (the "Plan"), as a Conservation Cluster under Section 5.5 of the Carlisle Zoning Bylaws subject to the following conditions:

1. The following documents shall be recorded simultaneously with the Special Permit:
  - (a) The Plan;
  - (b) Declaration of Trust;
  - (c) receipt acknowledging delivery to the Planning Board of a restriction pursuant to M.G.L. Ch. 184;
  - (d) Trail easement;
  - (e) Common driveway Special Permit;
  - (f) Covenant prohibiting further division.
2. Access to the lots shown on the Plan shall be limited to the Common Driveway, and each private driveway shall originate on the Common Driveway and be totally contained within the lot.
3. The rights granted under this Special Permit shall lapse if they are not exercised within a period of two (2) years from the grant thereof.

On motion by Mr. Tobin seconded by Ms. Sillers, Mr. Tobin, Ms. Sillers, Mr. Foote, Ms. Chaput and Mr. Davis found that the proposed Common Driveway shown on a plan entitled "Carlisle, MA, Common Driveway Special Permit Plan Within 'Ice Pond Road' Subdivision, Owner: Charles Boiteau, 282 Mill Road, Chelmsford, MA," dated 9-11-89 by Westcott Site Services, 240A Elm St.,

Somerville, MA (the "Common Driveway Plan")

1. reduces traffic congestion;
2. does not produce vibration, noise, smoke, fumes, odor, dust, gas, chemicals, or other effects observable at the lot lines in amounts seriously objectionable or detrimental to the normal use of adjacent property;
3. will improve the character and amenities compared to the use of individual driveways;
4. is compatible with the premises in question.

and voted to grant a Special Permit to construct a Common Driveway as shown on the Common Driveway Plan, subject to the following conditions:

1. The Maintenance Agreement/Common Driveway Covenant submitted in draft form during the public hearing revised to reference the Common Driveway Plan shall be recorded with the Special Permit;
2. The rights granted under this Special Permit shall lapse if they are not exercised within a period of one (1) year from the grant thereof.

Chairman Foote closed the Special Permit public hearings at 10:10 p.m.

Respectfully submitted,

Elaine H. Olden  
Planner Assistant