

Community Preservation Committee – Phyllis Zinicola

**SPECIAL TOWN MEETING  
MARCH 23, 2004**

**ARTICLE 1**

**MOTION 1**

I move:

(A) that the sum of \$2,000,000.00 be appropriated for the Board of Selectmen to expend to acquire by purchase, eminent domain or otherwise, in fee simple, for the uses described in paragraphs (C) and (D) below, as applicable, a certain parcel of land containing 45.23 acres, more or less ("Parcel A"), shown on a plan entitled "Plan of Land for Parcel A in Carlisle, Mass (Middlesex County), Prepared for South Street Nominee Trust," Scale 1 inch = 100 ft., Prepared by Metrowest Engineering, Inc., endorsed by the Carlisle Planning Board as Approval Under Subdivision Control Law Not Required on September 29, 2003, and recorded with Middlesex North Registry of Deeds on October 27, 2003 at Plan Book 212, Plan 82 (the "ANR Plan"), together with all rights in the abutting way known as South Street (a copy of the ANR Plan marked with Overlay Districts and Designated Open Space Parcel as described below is attached to and incorporated in this motion and filed with the Town Clerk, and such marked plan is herein referred to as the "Plan");

(B) that the Town transfer \$151,889.37 from the Community Preservation Fund balance to the reserves as follows: \$45,629.79 to the Open Space Reserve; \$45,629.79 to the Community Housing Reserve; \$45,629.79 to the Historic Resources Reserve; and \$15,000.00 to the Administrative Sub-Account; and that to meet the appropriation for the acquisition of Parcel A the Town accept the recommendation of the Community Preservation Committee to appropriate from the Community Preservation Fund the total sum of \$400,000.00 (consisting of \$67,083.12 from funds now deposited in the Community Preservation Fund Open Space Reserve, and the sum of \$332,916.88 from funds now deposited in the Community Preservation Fund General (Unreserved) Fund) and the Treasurer with the approval of the Board of Selectmen be, and hereby is, authorized to borrow \$1,600,000.00 under General Laws Chapter 44 section 7(3) and General Laws Chapter 44B section 11 as general obligation bonds of the Town with the intent that the principal of and interest thereon is to be repaid from the Community Preservation Fund.

(C) that the area marked on the attached Plan as the Designated Open Space Parcel, consisting of approximately 26 contiguous acres including the entire 24-acre interior meadow and wetlands complex located between Spencer Brook and the east-west running stone wall that bisects Parcel A and including an approximately two (2)-acre buffer strip along the easterly boundary of Parcel A north of such stone wall, shall be used as Open Space, as that term is used and defined in Chapter 44B, excluding developed athletic fields, but including without limitation passive recreational use such as community gardens, trails, picnicking, walking, jogging, dog walking, cross-country skiing, snowshoeing, bicycling, horseback riding, kite flying, wildlife viewing and outdoor education, and also including well fields, aquifers and recharge areas, agricultural land, grasslands, fields, marshes and other wetlands, streams, lands to protect scenic vistas, and land for wildlife or nature preserves and conservation, and including wastewater disposal fields used for housing developed on other areas of Parcel A if such fields do not substantially change the existing contours of the land;

(D) that the remaining 19.23 acres, more or less, of Parcel A shall be used only (i) for Recreational Use purposes as defined in Chapter 44B consisting of athletic fields and associated parking areas, roads, infrastructure and related amenities not inconsistent with Recreational Use purposes under Chapter 44B, and (ii) for Community Housing purposes as defined in Chapter 44B which contributes to the Town of Carlisle's obligations under Chapter 40B, and associated parking areas, roads, infrastructure and related amenities not inconsistent with Community Housing purposes under Chapter 44B, such Recreational Use and Community Housing acreage, location and boundaries to be further delineated upon completion of the public master site planning process described in Motion Two below, or subject to the fallback plan described in Motion Two below, as the case may be; provided that in any case there shall be no more than one (1) developed athletic field and no more than 26 housing units on Parcel A, and provided further that the Parcel A Planning Task Force identified in Motion Two below may recommend that after housing and recreational uses have been sited and adequate provision has been made for future phases of development for the maximum usage set forth above, unused portions of the 19.23 acres may be designated as Open Space as defined in paragraph (C) above.

**TWO THIRDS VOTE**

Community Preservation Committee - Phyllis Zinicola

**SPECIAL TOWN MEETING  
MARCH 23, 2004**

**ARTICLE 1**

**MOTION 2**

I move:

(A) that the Board of Selectmen is hereby authorized to appoint a Parcel A Planning Task Force, which shall include, but not be limited to, one representative from each of the neighborhood, conservation, affordable housing, planning and recreation communities, to conduct or cause to be conducted a public master site planning process with respect to all portions of Parcel A, with a goal that planning for Community Housing shall include as its objectives development of housing which (i) contributes to the maximum extent feasible toward the Town of Carlisle's obligations under Chapter 40B, (ii) is phased in such a way as to contribute toward such obligations in as gradual a way as practicable that is also economically feasible and, together with other affordable housing production and additions to the Town's subsidized housing inventory, meets planned production benchmarks under Chapter 40B, and (iii) is not immediately visible from South Street and is clustered so as to create adequate buffer zones between developed areas and the property boundaries for Parcel A, and that planning for Recreational Use shall include as its objectives development of an athletic field which maintains to the extent feasible a rural vista from South Street, and such Parcel A Planning Task Force shall make a report to the Board of Selectmen and Community Preservation Committee jointly; and

(B) that if the areas to be acquired for the uses designated in paragraph (D) of Motion One above have not been delineated by vote of the Town on or before June 30, 2005, then the fallback plan for Parcel A described in this paragraph (B) shall be immediately effective on July 1, 2005, and in such case: (i) the land being shown as the Designated Open Space Parcel shall be acquired and used for the designated purpose of Open Space as described in paragraph (C) of Motion One above; (ii) the land being shown in the approximate location of Recreation Overlay District on the attached Plan, consisting of 5.23 acres, more or less, shall be acquired and used for the designated purpose of Recreational Use as described in paragraph (D)(i) of Motion One above; and (iii) the land being shown in the approximate location of Housing Overlay District on the attached Plan, consisting of 14 acres, more or less, shall be acquired and used for the designated purpose of Community Housing as described in paragraph (D)(ii) of Motion One above, provided that the Conservation Commission, Recreation Commission and Housing

Authority are hereby encouraged to cooperate to achieve as many interdependent uses as practicable for all portions of Parcel A (not inconsistent with uses specified in paragraphs (C) and (D) of Motion One above), and provided further that actual development plans for athletic fields and Community Housing shall be subject to Town Meeting approval.

**MAJORITY VOTE**

Community Preservation Committee – Phyllis Zinicola

**SPECIAL TOWN MEETING  
MARCH 23, 2004**

**ARTICLE 1**

**MOTION 3**

I move:

(A) that in satisfaction of the requirements of Chapter 44B, section 12, the Board of Selectmen is hereby authorized to grant with respect to (i) the portions of Parcel A described in paragraph (C) of Motion One above a permanent conservation restriction in favor of the Carlisle Conservation Foundation, Inc. and its charitable successors and assigns as grantee which shall have the right to enforce the same, (ii) the portions of Parcel A designated by vote of the Town or by the fallback plan as Recreational Use a permanent restriction in favor of a nonprofit, charitable corporation or foundation selected by the Town of Carlisle, acting by and through its Recreation Commission and its charitable successors and assigns as grantee which shall have the right to enforce the same, and (iii) the portions of Parcel A designated by vote of the Town or by the fallback plan as Community Housing a permanent restriction in favor of a nonprofit, charitable corporation or foundation selected by the Town of Carlisle, acting by and through its Housing Authority and its charitable successors and assigns as grantee which shall have the right to enforce the same, and that the Board of Selectmen, in consultation with the Conservation Commission, the Recreation Commission, the Housing Authority, and the Community Preservation Committee, is hereby authorized to grant and enter into such restrictions in such form as the Board of Selectmen finds necessary or appropriate and to take all other action necessary or appropriate to accomplish the foregoing, such restrictions to be recorded, it being the intent that such restrictions should be on record on or before September 30, 2005, and that the Board of Selectmen is hereby authorized to acquire and hold title to Parcel A subject to the restrictions and conditions provided in this article; and

(B) that the Town accept the recommendation of the Community Preservation Committee that unless some other disposition has been voted by the Town, the Designated Open Space Parcel shall be transferred to the care, custody and management of the Conservation Commission, the portions of Parcel A designated by vote of the Town or by the fallback plan as Recreational Use shall be transferred to the care, custody and management of the Recreation Commission, and the portions of Parcel A designated by vote of the Town or by the fallback plan as Community Housing shall be transferred to

the care, custody and management of the Housing Authority, and that prior to such time Parcel A shall be managed by the Board of Selectmen; and

(C) that the Board of Selectmen is hereby authorized to impose or grant such additional easements and restrictions as the Board deems necessary or appropriate to facilitate use and management of Parcel A consistent with this article, including without limitation access and right of way easements and utilities easements.

~~MAJORITY VOTE~~

2/3 Vote.

Community Preservation Committee – Phyllis Zinicola

**SPECIAL TOWN MEETING  
MARCH 23, 2004**

**ARTICLE 1**

**MOTION 4**

I move:

(A) that the Board of Selectmen, the Housing Authority, the Recreation Commission and Community Preservation Committee, and each of them acting singly, be authorized to discuss, apply for, obtain, accept and expend, with the approval of the Board of Selectmen, any and all federal and state grants, aid, matching funds, reimbursements or loans which may be available to defray the costs of acquisition of Parcel A and the conveyance of the permanent restrictions provided for above and to take all other actions and execute all such agreements, documents and instruments as may be necessary or convenient to accomplish the foregoing, and that during and after the pendency of the master site planning process described in Motion Two above the Housing Authority shall be further authorized to enter into negotiations with one or more not-for-profit corporations in order to begin to effectuate the development of Community Housing on Parcel A, all on terms not inconsistent with the restrictions set forth herein and the requirements of Chapter 44B; and

(B) that the Conservation Commission, with the approval of the Board of Selectmen, is hereby authorized on behalf of the Town, to make application to the Commonwealth of Massachusetts under Chapter 132A, Section 11, for partial reimbursement to the Community Preservation Fund, and/or to enter into an agreement with the Commonwealth of Massachusetts and/or others to help share the cost of the purchase of that portion of Parcel A designated on the Plan as the Designated Open Space Parcel through grants or other public funding available to the Town for conservation purchases, and to enter into any agreement deemed advantageous or necessary to effect that purpose.

**MAJORITY VOTE**

Community Preservation Committee ~ John Ballantine

**SPECIAL TOWN MEETING  
MARCH 23, 2004**

**ARTICLE 1**

**MOTION 5**

As part of the recommendation of the Community Preservation Committee

I move that the sum of \$50,000 be appropriated to defray the expenses of master site planning for Parcel A, to be spent by the Board of Selectmen to hire such planners, engineers, surveyors and other consultants as the Board of Selectmen shall find necessary or appropriate to assist the planning process, and to meet this appropriation the sum of \$50,000 be appropriated from the funds now deposited in the Community Preservation Fund Unreserved Sub-Account.

**MAJORITY VOTE**

Community Preservation Committee – John Ballantine

**SPECIAL TOWN MEETING  
MARCH 23, 2004**

**ARTICLE 1**

**MOTION 6**

I move that the Town recognize the many years of service of Adalbert E. (“Ben”) Benfield to the Town of Carlisle, including his instrumental involvement in the permanent preservation of over 1,500 acres of open space and recreational land in the Town of Carlisle, and the generosity of the Benfield family to the Town of Carlisle, by authorizing the Recreation Commission to install a permanent plaque or marker honoring said Adalbert E. (“Ben”) Benfield and the Benfield family and their generosity and service to the Town of Carlisle in an appropriate and readily visible location on the portion of Parcel A managed by the Recreation Commission.

**MAJORITY VOTE**

Community Preservation Committee -- John Ballantine

**SPECIAL TOWN MEETING  
MARCH 23, 2004**

**ARTICLE 1**

**MOTION 7**

I move that \$15,000 be appropriated as recommended by the Community Preservation Committee from the Community Preservation Fund Administrative Sub-Account to be expended by the Community Preservation Committee for administrative expenses.

**MAJORITY VOTE**



# Town of Carlisle

MASSACHUSETTS 01741

Office of

*TOWN CLERK*

Tel. (978) 369-6155

I, Charlene M. Hinton, Acting Town Clerk of the Town of Carlisle, hereby certify that at the Special Town Meeting duly called and held in said Carlisle on March 23, 2004, the following vote was recorded with respect to Article 1 of the warrant for said meeting:

Article 1: On motion duly made and seconded, it was voted 395 YES, 185 NO that

(A) \$2,000,000.00 be appropriated for the Board of Selectmen to expend to acquire by purchase, eminent domain or otherwise, in fee simple, for the uses described in paragraphs (C) and (D) below, as applicable, a certain parcel of land containing 45.23 acres, more or less ("Parcel A"), shown on a plan entitled "Plan of Land for Parcel A in Carlisle, Mass (Middlesex County), Prepared for South Street Nominee Trust," Scale 1 inch = 100 ft., Prepared by Metrowest Engineering, Inc., endorsed by the Carlisle Planning Board as Approval Under Subdivision Control Law Not Required on September 29, 2003, and recorded with the Middlesex North Registry of Deeds on October 27, 2003 at Plan Book 212, Plan 82 (the "ANR Plan"), together with all rights in the abutting way known as South Street (a copy of the ANR plan marked with Overlay Districts and Designated Open Space Parcel as described below is attached to and incorporated in this motion and filed with the Town Clerk, and such plan is herein referred to as the "Plan");

(B) the Town transfer \$151,889.37 from the Community Preservation Fund balance to the reserves as follows: \$45,629.79 to the Open Space Reserve; \$45,629.79 to the Community Housing Reserve; \$45,629.79 to the Historic Resources Reserve; and \$15,000.00 to the Administrative Sub-Account; and that to meet the appropriation for the acquisition of Parcel A the Town accept the recommendation of the Community Preservation Committee to appropriate from the Community Preservation Fund the total sum of \$400,000.00 (consisting of \$67,083.12 from funds now deposited in the Community Preservation Fund Open Space Reserve, and the sum of \$332,916.88 from funds now deposited in the Community Preservation Fund General (Unreserved Fund) and the Treasurer with the approval of the Board of Selectmen be, and hereby is, authorized to borrow \$1,600,000.00 under General Laws Chapter 44 section 7(3) and General Laws Chapter 44B section 11 as general obligation bonds of the Town with the intent that principal of and interest thereon is to be repaid from the Community Preservation Fund.

(C) that the area marked on the attached Plan as the Designated Open Space Parcel, consisting of approximately 26 contiguous acres including the entire 24-acre interior meadow and wetlands complex located between Spencer Brook and the east-west

running stone wall that bisects Parcel A and including an approximately two (2)-acre buffer strip along the easterly boundary of Parcel A north of such stone wall, shall be used as Open Space, as that term is used and defined in Chapter 44B, excluding developed athletic fields, but including without limitation passive recreational use such as community gardens, trails, picnicking, walking, jogging, dog walking, cross-country skiing, snowshoeing, bicycling, horseback riding, kite flying, wildlife viewing and outdoor education, and also including well fields, aquifers and recharge areas, agricultural land, grasslands, fields, marshes and other wetlands, streams, lands to protect scenic vistas, and land for wildlife or nature preserves and conservation, and including wastewater disposal fields used for housing developed on other areas of Parcel A if such fields do not substantially change the existing contours of the land;

(D) that the remaining 19.23 acres, more or less, of Parcel A shall be used only for (i) Recreational Use purposes as defined in Chapter 44B consisting of athletic fields and associated parking areas, roads, infrastructure and related amenities not inconsistent with Recreational Use purposes under Chapter 44B, and (ii) for Community Housing purposes as defined in Chapter 44B which contributes to the Town of Carlisle's obligations under Chapter 40B, and associated parking areas, roads, infrastructure and related amenities not inconsistent with Community Housing purposes under Chapter 44B, such Recreational Use and Community Housing acreage, location and boundaries to be further delineated upon completion of the public master site planning process described in Motion Two below, or subject to the fallback plan described in Motion Two below, as the case may be, provided that in any case there shall be no more than one (1) developed athletic field and no more than 26 housing units on Parcel A, and provided further that the Parcel A Planning Task Force identified in Motion Two below may recommend that after housing and recreational uses have been sited and adequate provision has been made for future phases of development for the maximum usage set forth above, unused portions of the 19.23 acres may be designated as Open Space as defined in paragraph (C) above.

WITNESS my hand and seal of the Town of Carlisle this 24<sup>th</sup> day of March 2004.

Charlene M. Hinton  
Charlene M. Hinton  
Clerk as aforesaid

