

Stamski And McNary, Inc.
Engineering - Planning - Surveying
80 Harris Street
Acton, MA 01720

Application for Approval of a Preliminary Plan

Under the Subdivision Control Law and the Acton Planning
Board Subdivision Rules and Regulations

For

FORT POND PLACE A RESIDENTIAL COMPOUND

Location: Assessors Map C3 Parcel 6-1
53 Fort Pond Road
Acton, MA

Applicant: **Gustavus J. and Catherine M. Esselen**
1300 Keller Parkway, Apt. 617
Keller, TX 76248-1609

Owners: **Gustavus J. and Catherine M. Esselen**
1300 Keller Parkway, Apt. 617
Keller, TX 76248-1609

Date: August 3, 2006

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5. **PRELIMINARY PLAN**

Attached Full Size Plans

“Preliminary Plan”

For

Fort Pond Place

A Residential Compound

Acton, Massachusetts

For: Esselen

Scale: 1"=50'; August 3, 2006

By: Stamski And McNary, Inc.

“Proof Plan”

In

Acton, Massachusetts

For: Esselen

Scale: 1"=60'; August 3, 2006

By: Stamski And McNary, Inc.

**1. FORM PP – APPLICATION FOR APPROVAL OF
PRELIMINARY PLAN**

LETTER TO ACTON PLANNING BOARD

ACTON PLANNING BOARD

FORM PP

APPLICATION FOR APPROVAL OF PRELIMINARY PLAN

The undersigned herewith submits the accompanying Preliminary Plan of property located in the Town of Acton for Approval under the suggested procedure in the Rules and Regulations Governing the Subdivision of Land in the Town of Acton, Massachusetts.

(Please type or print information in blanks below.)

1. Name of Proposed Subdivision FORT POND PLACE

2. Name of Applicant(s) GUSTAVUS J. & CATHERINE M. ESSELEN

Address 1300 KELLER PARKWAY, APT 617 Phone _____
KELLER, TX 76248-1605

3. Name of Property Owner(s) SAME

Address SAME Phone SAME

4. Name of Engineer STANSKI AND McNARY, INC

Address 90 HARRIS STREET, ACTON, MA Phone 978-263-8585

5. Name of Land Surveyor SAME

Address SAME Phone SAME

6. Deed of property recorded in the Middlesex South Registry of Deeds Book Number _____

Page Number _____ and/or registered in the Middlesex Registry of Land Court, Certificate of Title Number 1108402

7. Zoning District R-8 Map No.(s) C3 Parcel No.(s) 6-1

8. Approximate acreage in subdivision 9.3± Number of lots 4

9. Total length of road(s) in linear feet 321±

10. Location and Description of property 53 FORT POND ROAD

SINGLE FAMILY RESIDENCE

Gustavus J. Esselen 7/25/06
Signature of Applicant, Date

Catherine M. Esselen 7/25/06
Signature of Applicant, Date

Gustavus J. Esselen 7/25/06
Signature of Owner, Date

Catherine M. Esselen 7/25/06
Signature of Owner, Date

ALL owners (In case of a corporation, an authorized officer; in the case of a trust, ALL trustees) must sign.

STAMSKI AND MCNARY, INC.

80 Harris Street
Acton, Massachusetts 01720
(978) 263-8585
FAX (978) 263-9883

WILLIAM F. MCNARY, P.L.S.
JOSEPH MARCH, P.E., P.L.S.

August 3, 2006

Town of Acton
Planning Department
472 Main Street
Acton, MA 01720

RE: Fort Pond Place
Residential Compound
53 Fort Pond Road
(Assessors Map C3, Parcel 6-1)

Members of the Board,

On behalf of our client, Gustavus J. Esselen, this letter is to inform the board of the actions taken in order to obtain Definitive Subdivision approval for the aforementioned property. The property is located in both Acton and Littleton and we found it necessary to approach both town boards at their respective pre-submission of a preliminary plan meeting in order to ascertain the appropriate course of action. The decisions are as follows:

On June 14, 2005, Richard J. Harrington, P.E., of this office, and Mr. Daniel B. Greenberg, P.C., of Wilson and Orcutt, presented a PCRC conceptual plan to the Acton planning board during a consultation meeting for the aforementioned property. The recommendation by the Board at the meeting was to move forward with a Residential Compound type development instead of a PCRC.

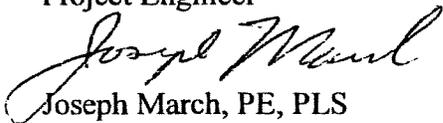
On July 20, 2006, Robert Blanchette, EIT, from this office, and attorney Stephen Steinberg, of Acton Management Inc., presented a preliminary plan to the Littleton Planning Board during a pre-submission review of a subdivision meeting with the Board. The recommendation by the Littleton Planning Board at the meeting was to file an Approval Not Required plan for the land in Littleton.

Respectfully,

Stamski And McNary, Inc.



Robert Blanchette, EIT
Project Engineer



Joseph March, PE, PLS

2. DEVELOPMENT IMPACT REPORT

DEVELOPMENT IMPACT REPORT

Please type or print information in blanks below.

1. Name of Proposed Subdivision: **Fort Pond Place**
2. Location: **53 Fort Pond Road**
3. Name of Applicant(s): **Gustavus J. and Catherine M. Essellen**
4. Brief Description of the Proposed Project: **A proposed Residential Compound consisting of one existing and three proposed detached single family dwellings to be served by a 332' private way, "Fort Pond Place", designed to the standards for a common driveway. The existing dwelling at #53 Fort Pond Road will remain.**
5. Name of Individual Preparing this DIR: **Richard J. Harrington, P.E. #41298**
Address: **Stamski and McNary, Inc., 80 Harris Street, Acton, MA**
Business Phone: **978-263-8585 x111**
6. Professional Credentials: **Commonwealth of MA Registered Professional Engineer**

A. Site Description

7. Present permitted and actual land uses by percentage of the site.

<i>Uses</i>	<i>Percentage</i>
Industrial	0
Commercial	0
Residential	100
Forest	0
Agricultural	0
Other (specify)	0

8. Total acreage on the site: **9.36+/- acres (1.44+/- acres in Littleton 7.92+/- acres in Acton)**

Approximate Acreage	At Present	After Completion
Meadow or Brushland (non agriculture)	0	0
Forested	7.19 +/-	5.03 +/-
Agricultural (includes orchards, cropland, pasture)	0	0
Wetland	1.62 +/-	1.62 +/-
Water Surface Area	0	0
Flood Plain	0	0
Unvegetated (rock, earth, or fill)	0	0
Roads, buildings and other impervious surfaces	0.21 +/-	0.72 +/-
Other (indicate type) Lawn Area	0.34 +/-	1.99 +/-

9. List the zoning districts in which the site is located and indicate the percentage of the site in each district. *Note: be sure to include overlay zoning districts.*

District	Percentage
R-8 (Residence 8)	100
Groundwater Protection District Zone 4	100

10. Predominant soil type(s) on the site: **Soil Map Unit 73B-Whitman Fine Sandy Loam**

Soil drainage (Use the US Soil Conservation Service's definition)

Soil Type	% of the Site
Well drained	
Moderately well drained	100
Poorly drained	

11. Are there bedrock outcroppings on the site? yes no
12. Approximate percentage of proposed site with slopes between:

Slope	% of the Site
0 - 10%	80
10 - 15%	0
greater than 15%	20

13. In which of the Groundwater Protection Districts in the site located? How close is the site to a public well?
 Zone(s): 4 Proximity to a public well: 8,500'+/- (Conant 1 Well)
14. Does the project site contain any species of plant or animal life that is identified as rare or endangered? (Consult with the Massachusetts National Heritage Program and the Acton Natural Resources Director).
 yes no

If yes, specify: The portion of the site that is behind the existing dwelling may potentially contain species of plant or animal life that is identified in the Massachusetts Natural Heritage Atlas, 11th Edition as rare or endangered. This portion of the site will not be disturbed.

15. Are there any unusual or unique features on the site such as trees larger than 30 inches D.B.H., bogs, kettle ponds, eskers, drumlins, quarries, distinctive rock formation or granite bridges?
 yes no

If yes, specify: _____

16. Are there any established foot-paths running through the site or railroad right of ways?

___yes X no

If yes, specify: An AT&T cable easement exists on-site.

17. Is the site presently used by the community or neighborhood as an open space or recreation area? ___yes X no

Is the site adjacent to conservation land or a recreation area? X yes ___no

If yes, specify: Land owned by the Littleton Conservation Trust abuts the Northerly lot line.

18. Does the site include scenic views or will the proposed development cause any scenic vistas to be obstructed from view? ___yes X no

If yes, specify: _____

19. Are there wetlands, lakes, ponds, streams, or rivers within or contiguous to the site?
___X___yes ___no

If yes, specify: An ORAD has been issued by Acton and Littleton. (DEP File No. 85-908 and DEP File No. 204-586) Site abuts Grassy Pond.

20. Is there any farmland or forest land on the site protected under Chapter 61A or 61B of the Massachusetts General Laws? ___yes X no

If yes, specify: _____

21. Has the site ever been used for the disposal of hazardous waste? Has a 21E Study been conducted for the site? ___yes X no (to the best of the my knowledge)

If yes, specify results:

22. Will the proposed activity require use and/or storage of hazardous materials, or generation of hazardous waste? ___yes X no

If yes, specify _____

23. Does the project contain any buildings or sites of historic or archaeological significance? (Consult with the Acton Historic Commission or the Action Historical Society.)
___yes X no

If yes, please describe _____

24. Is the project contiguous to or does it contain a building in a local historic district or national register district?

yes no

25. Is the project contiguous to any section of the Isaac Davis Trail?

yes no

If yes, please describe _____

B. Circulation System

26. What is the average weekday traffic and peak hour traffic volumes generated by the proposed subdivision?

	Single Family
Average weekday traffic	28.71
Average peak hour volume AM	2.25
Average peak hour volume PM	3.03

27. Existing street(s) providing access to proposed subdivision:

Name: **Fort Pond Road**, Town Classification: **Collector**

Name: **Nagog Hill Road**, Town Classification: **Collector**

28. Existing intersection(s): list intersections located within 1000 feet of any access to the proposed development:

Name of ways: **Nagog Hill Road**

29. Location of existing sidewalks within 1000 feet of the proposed site: None within 1000'

30. Location of proposed sidewalks and their connection to existing sidewalks: **No sidewalks are being proposed.**

31. Are there parcels of undeveloped land adjacent to the proposed site? yes no

Will access to these undeveloped parcels be provided within the proposed site?

yes no

If yes, please describe _____

If no, please explain why _____

C. Utilities and Municipal Services

32. If dwelling units are to be constructed, what is the total number of bedrooms proposed? **12**

33. If the proposed use of the site is nonresidential, what will the site be specifically used for and how many feet of Gross floor area will be constructed? **N/A site is residential**

34. Storm Drainage

- a. Describe nature, location and surface water body receiving current surface water of the site: Under current conditions, runoff from the Northeasterly corner of the site flows into a wetland system located near Nagog Hill Road and the northerly side of the site and eventually into Nagog Pond. Runoff from the remainder of the site flows into a wetland system located near Fort Pond Road, the westerly side of the site, and abutting Grassy Pond and eventually into Grassy Pond, which abuts the southerly end of the site.
- b. Describe the proposed storm drainage system and how it will be altered by the proposed development: Catch basins will direct runoff from the private way into the drainage basins to control peak rates of runoff. Portions of the roof and driveway runoff will be recharged on each lot. Excess runoff will be then directed back into its natural drainage patterns prior to leaving the site.
- c. Will a NPDS Permit be required? _X_ yes no

35. In the event of fire, estimate the response time of the fire department (consult with Fire Dept.)

36. Schools (if residential)

- a. Projected number of new school age children: 1.67 x 3 new units = 5.01
- b. Distance to nearest school: 4.6 miles (Douglas School)

E. Measures to Mitigate Impacts

Attach brief descriptions of the measures that will be taken to:

37. Prevent surface water contamination.
38. Prevent groundwater contamination.
39. Maximize groundwater recharge.
40. Prevent erosion and sedimentation.
41. Maintain slope stability.
42. Design the project to conserve energy.
43. Preserve wildlife habitat.
44. Preserve wetlands.
45. Ensure compatibility with the surrounding land uses.
46. Control peak runoff from the site so that the post-development rate of runoff will be no greater than the predevelopment rate of runoff for the 10-year storm event..
47. Preserve historically significant structure sand features on the site.

48. To mitigate the impact of the traffic generated by the development.

Please use layman's terms where possible while still being accurate and comprehensive. Where appropriate, graphics shall be used. List sources of data, reference materials, and methodology used to determine all conclusions. Use additional sheets as necessary.

Development Impact Report
Section E Measures to Mitigate Impacts

37. Prevent surface water contamination: The proposed drainage system is typically designed in accordance with the Department of Environmental Protection's Stormwater Management Policy. The private way drainage will be directed into a closed drainage system comprised of deep sump and hooded catch basins. The deep sump and hooded catch basins will act as pre-treatment, which will prohibit oil and gas from entering the remainder of the drainage system, and collect driveway sediment. The drainage basins will be implemented prior to the discharge of runoff from the site. During construction, any silt, construction debris, etc. shall be removed from the public way or abutting property immediately upon discovery and all sediments spilled, dropped, or washed into public rights-of-ways shall also be removed immediately. Fill material used shall be free of hazardous material and construction debris. The developer shall comply with the Erosion and Sedimentation Control Plan.

38. Prevent groundwater contamination: The septic system on each lot will be designed to meet or exceed Title V and the Town of Acton Board of Health standards. Each lot will be served by an on-site well.

39. Maximize groundwater recharge: Re-charge of runoff for the site will be provided within the proposed drainage system.

40. Prevent erosion and sedimentation: During construction, any silt, construction debris, etc. shall be removed from the public way or abutting property immediately upon discovery and all sediments spilled, dropped, or washed into public rights-of-ways shall also be removed immediately. Fill material used shall be free of hazardous material and construction debris. The developer shall comply with the Erosion and Sedimentation Control Plan.

41. Maintain slope stability: Cut and fill slopes, if any, will be stabilized immediately with six inches (6") of loam and seed during the growing season (April 1 to November 1) or with hay-mulch during the non-growing season (November 1 to April 1). An Erosion and Sedimentation Control Plan has been prepared, which will provide the necessary details.

42. Design the project to conserve energy: The proposed dwellings will meet the stringent requirements of the state and local building codes.

43. Preserve wildlife habitat: The portion of the site adjacent to Grassy Pond and directly behind the existing dwelling is located within an area of estimated habitat of rare wildlife. There will be no proposed work within this area. An Erosion and Sedimentation Control Plan has been prepared that will provide the necessary details for protecting this area.

44. Preserve wetlands: An Erosion and Sedimentation Control Plan has been prepared that will delineate the limit of work and also provide the necessary details for protecting the wetlands. The common driveway width has been narrowed to 12', which is subject to planning board approval, and retaining walls are being proposed to eliminate the need to fill and replicate wetlands.

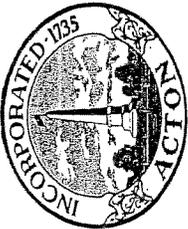
45. Ensure compatibility with the surrounding land uses: The surrounding land uses are composed of residential single-family homes along Fort Pond Road and Nagog Hill Road. The existing and proposed use of the property is also residential. The approval of this Residential Compound will minimize town maintenance, responsibility, and cost and preserve the rural character of the town.

46. Control peak runoff from the site so that the post-development rate of runoff will be no greater than the predevelopment: Control of peak rates of runoff will be realized using basic drainage techniques including detention basins and roof drain drywells.

47. Preserve historically significant structures and features on the site: N/A

48. To mitigate the impact of the traffic generated by the development: The project will generate traffic from the proposed development. The vehicle trips generated from this proposed development are insignificant and will not require mitigation. The trip generation is also below the typical thresholds requiring traffic studies in the town of Acton.

3. CERTIFIED LIST OF ABUTTERS



Town of Acton
 472 Main Street
 Acton, MA 01720
 Telephone (978) 264-9622
 Fax (978) 264-9630

Brian McMullen
 Assistant Assessor

Locus: 53 Fort Pond Rd
 Parcel: C3-6-1

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
335 NAGOG HILL RD	C3-3	TOWN OF CONCORD		WATER DEPARTMENT	CONCORD	MA	01742
330 NAGOG HILL RD	C3-6	EVANS HOWELL T JR	EVANS ANN T	330 NAGOG HILL RD	ACTON	MA	01720
338 NAGOG HILL RD	C3-6-2	YOUNG CARL J	MARY B	338 NAGOG HILL RD	ACTON	MA	01720
334 NAGOG HILL RD	C3-6-3	CHRISTIAN DEBORAH R		26 MASAQUET AVENUE	NANTUCKET	MA	02554-26
331 NAGOG HILL RD	C3-7-1	SZABO WILLIAM J		331 NAGOG HILL RD	ACTON	MA	01720
31 FORT POND RD	C3-20-4	HALTER SUSAN K	KAPITAN CONSTANCE J	31 FORT POND ROAD	ACTON	MA	01720
35 FORT POND RD	C3-20-5	HENDERSON KENNETH P	HALTER MARK A	35 FORT POND ROAD	ACTON	MA	01720
39 FORT POND RD	C3-20-6	KOSICKI BERNARD B	HENDERSON JUDITH M	39 FORT POND RD	ACTON	MA	01720
43 FORT POND RD	C3-20-7	FANTON JOHN L ET UX TR	PATRICIA H	43 FORT POND RD	ACTON	MA	01720
47 FORT POND RD	C3-20-8	DEGEORGE THOMAS F	MICHELE	47 FORT POND ROAD	ACTON	MA	01720
51 FORT POND RD	C3-20-9	GIANNETTO MICHAEL A	DUFFEY MEGHAN B	51 FORT POND RD	ACTON	MA	01720
300 NAGOG HILL RD	D3-38	BRESLOUF MORRIS TRUSTEE	BRESLOUF/ACTON REALTY TRUST	300 NAGOG HILL RD	ACTON	MA	01720
296 NAGOG HILL RD	D3-40	WILLOUGHBY MICHAEL S	LELAH M	296 NAGOG HILL RD	ACTON	MA	01720
		TOWN OF LITTLETON		37 SHATTUCK - P.O. BOX 1305	Littleton	MA	01460

Abutters and owners of land directly opposite on any public or private street or way and abutters to the abutters within three hundred feet of the property line all as they appear on the most recent applicable tax list.

HEARING NOTICES FOR ALL SPECIAL PERMITS MUST BE SENT TO THE PLANNING BOARD, TOWN HALL IN THE FOLLOWING TOWNS:

Boxborough, MA 01729
 Carlisle, MA 07141
 Concord, MA 01754
 Stow, MA 01775
 Westford, MA 01886
 Littleton, MA 01460
 Sudbury, MA 01776

Kimberly Hoyt
 Kimberly Hoyt
 Assessing Clerk
 Acton Assessors Office
 28-Jun-06

Loc: NAGOG HILL RD Parcel ID #: R02 13 0
LUC: 903

CONCORD TOWN OF
WATER DEPARTMENT
133 KEYES ROAD

CONCORD MA 02633

Loc: NAGOG HILL RD Parcel ID #: R02 14 0
LUC: 905

LITTLETON CONSERVATION TRUST
BOWERS, MORSE & SHELDON, TRS
PO BOX 594

LITTLETON MA 01460

Loc: NAGOG HILL RD Parcel ID #: R02 15 0
LUC: 905

LITTLETON CONSERVATION TRUST
BOWERS, MORSE & SHELDON, TRS
P O BOX 594

LITTLETON MA 01460

Loc: FORT POND RD Parcel ID #: R02 17 0
LUC: 132

BERMONT DONALD J
BERMONT JANE R
5 ERIE AVE

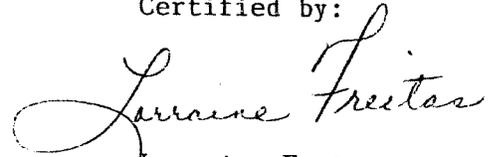
NEWTON HIGHLANDS MA 02461-1513

ACTON TOWN LINE

May 24, 2005

Certified list of abutters within 100 ft
of property located at Nagog Hill Rd.,
being shown on Assessors Map R02 Parcel
#16, and owned by Gustavus J. Esselen
and Catherine M. Esselen, 1300 Keller
Parkway Apt 617, Keller, TX 76248-1609.

Certified by:



Lorraine Freitas
Assessment Analyst