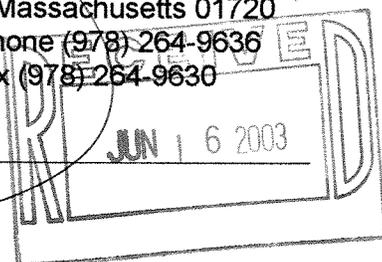




Planning Department

NOTE TO BOS -
THIS CAME TO US EARLIER.
WE MUST RESPOND ON OR BEFORE OCT. 1. COMMENTS ARE NOW COMING IN FROM DEPARTMENTS. WE WILL PLACE ON THE JULY OR AUGUST AGENDA (WHEN COMMENTS ARE IN) FOR BOARD CONSIDERATION.

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 264-9636
Fax (978) 264-9630



INTERDEPARTMENTAL COMMUNICATION

To: Don P. Johnson, Town Manager **Date:** June 12, 2003
From: Roland Bartl, AICP, Town Planner *RVB.*
Subject: Chapter 61A Notification – 116 Summer Street (atlas parcel F-1/109)

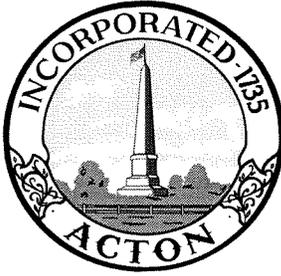
The Planning Board has reviewed the notification at its last meeting on June 10, 2003. The Board has no specific recommendation, but has asked me to let you know that the subject of the notice is consistent with the Colonial Acres IV PCRC plans that the Board had approved in a December 2002 special permit (see Exhibits A and B of the notification).

Parcel E is the back portion of the land that the Whitcombs own. Under the approved plan, a portion of parcel E would become building lots, another portion would become permanent open space (PCRC common land) that abuts with a long common boundary the common land/open space that is associated with the older Maple Creek Farm PCRC (Woodfield Road). As per the Planning Board's special permits for both projects, both common lands are and will remain in private ownership¹.

Under the Colonial Acres IV special permit, the entire front portion of the Whitcomb land (lot 1 in exhibit A plus two adjacent parcels) is restricted to two homes, one of them being the present Whitcomb residence. A restriction to this effect has been drafted and approved by this office, and will be recorded with the approved plans.

I:\planning\planning board\idcs\ch61f1-109.doc

¹ In 1993, when Maple Creek Farm was first proposed, its common land was considered for a municipal ball field, but butters vehemently opposed the idea. Then, the Town had no active recreation program at the time. The ball field proposal was eventually dropped. Although good in size, the land is isolated from any other municipal or conservation lands. Therefore, there was no good reason to take it into public ownership. The common land from the proposed Colonial Acres IV project adds to the original open space, but does not change the fact that it is isolated from Town-owned lands.



TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 264-9631
Fax (978) 264-9630

Conservation Commission

July 28, 2003

Acton Board of Selectmen
472 Main Street
Acton, MA 01720

Dear Members of the Board of Selectmen,

We have received a copy of the purchase and sale agreement related to the Whitcomb Land, (Assessor's Map F-1, Parcel 109) and we understand this to be in reference to the notice required to be given to the Conservation Commission prior to said land being sold or converted to residential or commercial use under its current chapter 61A status.

After some discussion it is the opinion of the Acton Conservation Commission that Town funds could be used more wisely than by exercising the right of first refusal to purchase this land. The Commission also notes that the plan that has been approved for the conversion of this land conforms to the Acton Zoning Bylaws PCRC development option and, hence, feels that this provides beneficial open space for the town as defined under the PCRC section of the zoning bylaw.

Ideally, the Commission would have preferred to review this issue at the beginning of the permitting process. Doing so would have allowed the Commission to conduct its assessment of the overall conservation value of the property under 61A coincident to its review of the wetland resource values of the property under the Wetland Protection Act and the Town of Acton Wetland Protection Bylaw. An earlier review of the issue would also have allowed more effective coordination with other town boards and the public. In either case, and as noted above, the Commission does not recommend the Town exercise its right of first refusal on this property.

Sincerely,

Andrew D. Magee
Chairman,
Acton Conservation Commission



cc: BOS

CHRIS - SEND IN 7/18 PACKET.
SEND AGAIN IN NUMBERED
MAIL FOR 8/4 MEETING.

INTERDEPARTMENTAL COMMUNICATION

Acton Board of Health - Telephone 978-264-9634 - Fax 978-264-9630

July 18, 2003

TO: Don Johnson, Town Manager
FROM: Doug Halley, Health Director
SUBJECT: Notice of Intent under MGL Chapter 61A – Assessors Map F1, Parcel 109

The Health Department has received and reviewed the Notice of Intent submitted to the Town for the property located at Assessors Map F1, Parcel 109. The Health Department is currently engaged in developing a Comprehensive Water Resources Management Plan for the Town. Initial needs assessments indicate that the area in proximity to this property may have needs that require off-site solutions. Due to that assessment the second phase of this project will be seeking land in this area of the Town that may meet the requirements of accepting an off-site wastewater discharge.

Review of this particular property indicates that it may not meet the parameters necessary to accept treated wastewater from other properties. The major issue is the presence of ledge and the lack of depth of permeable soils. Due to these reasons the developer of this land has not sited any septic system discharges on this property but instead is gathering the proposed wastewater from houses proposed on this land to another property on Summer Street, which is not under consideration in the Notice of Intent.

Based on this information the Health Department does not believe purchase of this land will assist the Town in finding solutions specified under the on-going Comprehensive Water Resources Management Plan.

BOS

ACTON MUNICIPAL PROPERTIES DEPARTMENT

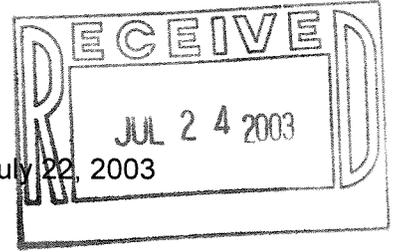
INTERDEPARTMENTAL COMMUNICATION

To: Don P. Johnson, Town Manager *Date July 24, 2003:*
From: Dean A. Charter, Municipal Properties Director 
Subject: Chapter 61A, Whitcomb, Plate F1, parcel 109

I have reviewed the documents related to the transfer of the land noted above, and am familiar with the site. I do not see that there would be any use for this land for "General Municipal Purposes"

bas

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION



Date: July 22, 2003

To: Don P. Johnson, Town Manager

From: David F. Abbt, Engineering Administrator

D. Abbt

Subject: Chapter 61A Notification, Whitcomb

The material submitted with the request to waive the town's first refusal option includes a set of three plans that reasonably illustrate the proposal. Therefore, there is probably no need for the Engineering Department to provide any additional plans. The subject of the notification is Parcel E. The Town Planners comments dated June 12, 2003 explain the situation relative to the recently approved Colonial Acres IV PCRC. Parcel E does not now, nor will it probably ever, abut any other parcel of town owned land. As Roland points out in his comments both the open space land associated with this PCRC and the existing Maple Creek PCRC (Woodfield Road) will remain in private ownership. In general, the soil conditions in this area are poor (steep grades with ledge near the surface), which is why the community leach field is being located on better soils near Summer Street. If the Town purchased Parcel E, access to the parcel would be limited to one previously approved, but currently unbuilt subdivision street (the extension of Marian Road).

ACTON NATURAL RESOURCES DEPARTMENT

INTERDEPARTMENTAL COMMUNICATION

To: Don P. Johnson, Town Managers **Date:** July 31, 2003
From: Recreation Department 
Subject: Whitcomb Chapter 61 Land Offer

Don, the Recreation Department has reviewed the Chapter 61 land being offered to the Town off Summer Street by the Whitcomb family. It is our understanding that is property will remain as open space once the development has been completed. For the most part, the land is forested and 'hilly', not suitable for active recreation. We do not see a value in the town pursuing the acquisition of the Whitcomb land.