



October 30, 2006

Mr. Peter Ashton, Chairman
Town of Acton Board of Selectmen
Town Hall
472 Main Street
Acton, Massachusetts 01720

Via: Hand Delivery

Reference Site Plan Special Permit Application
Exchange Hall
Acton, Massachusetts
WDA JN 197.01

Dear Mr. Ashton and Members of the Board:

On behalf of the applicant, Bluebird Realty Trust (BRT), we are submitting the following response to written Interdepartmental Communications and Memorandums for the review performed for the above referenced project.

For the Board's convenience, we have included the comments of concern as they appear in the above referenced town documents in *"Italics"* and the WDA follow up comment in the standard font.

Response to Interdepartmental Communication, Engineering Department dated October 18, 2006:

- 1) *The contractor will be required to apply for a Permit to Construct within a Public Way for any work shown in the right of way for Main Street or School Street such the reconstructed driveway accesses, sidewalk reconstruction, utility service connections ,etc...*

Acknowledged

- 2) *The applicant needs to ensure the Town that they can legally install light poles, trees, etc. into the existing 10-foot wide right of way adjacent to 12 School Street.*

We have enclosed a copy of the recorded easement deed for the Board's reference. The deed declares the rights of grantee, however does not provide any restrictions to the allowed uses by the grantor. Typically, the grantor is allowed to improve the land contained within an easement provided that it does not prohibit the grantee from using the easement in a manner consistent with that described in the document. We submit that the improvements required as part of this proposal will not inhibit the allowed rights of the grantee from using the easement as intended.

- 3) *A note should be added to the plans referencing the National Geodetic Vertical Datum that was used for the elevations shown on the plans. The Town requires the elevations referenced to the National Geodetic Vertical Datum of 1929.*

Note 7 was added to the Plan Notes on Sheet 1 of the plan set referencing the NGVD of 1929. The elevations of the property were established from Reference Mark RM 11.

- 4) *The engineer needs to submit a hydrologic water balance calculation to demonstrate that recharge to groundwater will not be reduced due to the post-development conditions as required in Section 4.3 of the Zoning Bylaw.*

The applicant has contracted with a professional engineer experienced in the field of hydrogeology as required in Section 4.3 of the Zoning Bylaw. We understand that the engineer is in the process of performing the analysis.

- 5) *This office has not received a copy of the traffic impact study for our review and comment.*

It is our understanding that the traffic impact assessment performed by Conley Associates, dated June 26, 2006 has been provided to the Town. The applicant will provide additional copies at the Town's request.

- 6) *The engineer should show a lane line to be painted on the Main Street access. We recommend the lane line to start at the stop line and end prior to the first parking space. This lane line will help to delineate the lanes for vehicles entering & exiting the site.*

The lane line has been added to Sheet 5 of the plan set.

- 7) *After reviewing the proposed traffic patterns on the site, we recommend a condition that the applicant be allowed to modify the interior traffic flow patterns once the site is complete and operational.*

Acknowledged

- 8) *The engineer should add a note on the plans requiring the traffic arrows shown on the plan to be painted on the pavement.*

Note 9 was added to the Layout & Material Notes on Sheet 5 requiring the painting of the traffic directional flow arrows on the pavement.

- 9) *There is an existing traffic signal inductor loop in the existing driveway access on Main Street. Attached is a copy of the plan showing the inductor loops at this intersection. The signal loop needs to be shown on the plan along with some notes relating to the construction sequence for the removal & re-installation of this traffic signal loop. The applicant will need to have qualified personnel (i.e. professional traffic engineer & a traffic signal maintenance crew) to temporarily disable this loop in the traffic signal controller while this area is under construction. If not, the damaged (cut) signal loop will always be requesting a green light for Exchange Hall even if there are no vehicles. This would especially be a problem during peak AM & PM rush hours when there is already a traffic backup. The traffic engineer and signal crew will need to re-install a new loop and certify that is in good condition upon completion of the site work. The applicant will be responsible to repair any damage to the traffic signal and*

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its components caused by the activity on this site. The repair will have to be coordinated, supervised & certified by a qualified professional traffic engineer.

The existing traffic signal inductor loops (locations provided by the Town of Acton) have been added to Sheet 1 of the plan set. Note 11 was added to the Utility Notes on Sheet 4 of the plan set stating that the contractor is to coordinate with qualified personnel for the construction sequence related to the removal and re-construction of the traffic signal inductor loop.

- 10) *The access to Main Street is controlled by the existing traffic signal at this intersection. The engineer would remove the stop sign (R1-1) and the word stop labeled along the stop line. I suggest that the stop line remain so that vehicles do not obstruct the existing sidewalk.*

As shown on Sheet 5, the stop sign (R1-1) and the word "stop" labeled on the stop line was removed from the plan while the stop line remains on the plan.

- 11) *We recommend that the engineer add a catch basin in the parking area next to Exchange Hall by infiltration system #103 prior to the concrete-paver spillway. This would allow an inlet in the pavement to collect runoff before it discharges onto Main Street. Our concern is that snow plows will push snow along the edge of the pavement blocking the spillway. As a result, the pavement runoff will be diverted onto Main Street causing a potential icing problem at the intersection.*

A catch basin (CB-04) was added to the plan and the concrete paver spillway was removed as it is no longer necessary. The area previously covered by the spillway is proposed to be landscaped.

- 12) *The engineer needs to label the elevation of groundwater relative to the bottom of the proposed underground infiltration/detention systems on the plans and details. We want to be sure that the storage capacity is not diminished due to the groundwater table being higher than the infiltration systems.*

The groundwater elevations as observed in the field have been added to the stormwater infiltration and detention system details as shown on Sheet 10 of the plan set. An underdrain is proposed around the upgradient perimeter of the stormwater detention system to lower the groundwater to prevent buoyancy. The soil test pit observation logs which report the measured groundwater depths are included in the Stormwater Management Report.

- 13) *We suggest that the engineer include some notes on the plans to state the inspection and maintenance schedule for the on-site drainage system. The engineer should add a description, in layman's terms, how to inspect the underground infiltration/detention systems and determine when these systems are clogged or in need of routine maintenance or repairs. I want to ensure that the owner of the property clearly understands how to upkeep their drainage system to minimize the risk of clogging and runoff overflowing onto Main and School Street.*

An Operation and Maintenance Program series of notes have been added to Sheet 3 of the plans detailing, in layman's terms, the measures to be taken to insure proper maintenance of the stormwater management system.

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- 14) *The engineer should add a note to the plans to clean and repair the existing drainage system, as necessary, in order to facilitate the proposed drainage system (i.e. the 10" clay drain pipe between the CB-6E & CB-3E).*

A callout has been added to Sheet 3 of the plans stating that the 10" clay drain pipe is to be inspected, clean and repaired as necessary to facilitate the proposed drainage system.

- 15) *The engineer should clearly state in the Grading and Drainage Plan that the subdrain(s) will connect directly to the proposed/existing drainage system. We want to ensure that the subdrain does not discharge overland across the pavement or any sidewalks that could cause a potential icing problem for pedestrian or vehicles.*

The points at which all underdrains discharge into the closed drainage system have been identified on the Grading and Drainage Plan.

- 16) *We recommend that the engineer remove the filter fabric from the bottom of the underground infiltration systems in order to maximize the infiltration capacity of the trench and to minimize the risk of clogging due to the fine particles being trapped by the filter fabric. Our recommendation is based upon a conference on Stormwater Improvements for Low Impact Developments. There was a speaker from the University of New Hampshire that discussed their results showing an infiltration system that failed within 10 months of the installation due to the premature clogging of the filter fabric.*

The stormwater infiltration system detail on Sheet 10 of the plans has been revised to reflect the removal of the filter fabric from the bottom of the system.

- 17) *The table of proposed elevations and the dimensions on the cross section for the underground detention system should be revised to be consistent. Based on the 24-inch pipe invert (elev=221.4) and the elevation for the top of system (elev=223.7), there will only be 0.3 feet (approx. 3.5-inches) of stone above the drain pipe. The cross-section dimensions the stone over the pipes to be 12-inches thick. Depending on the top of system elevation, the engineer should ensure that the depth to the detention system will still provide the minimum 15-inch separation to allow the full depth of gravel and paving over the stone.*

The table of elevations and the dimensions on the cross section have been revised to be consistent. The depth of stone over the pipes shall be a minimum of 3" (as recommended by the manufacturer) and the system shall have a minimum 15" cover for pavement and gravel base. The system elevations have been revised to accommodate the required cover depths and spot elevations have been added to the grading and drainage plan.

- 18) *We recommend that the invert of the lower 4-inch diameter orifice in the detention outlet manhole baffle be changed from elevation 220.4 to 220.2. this would match the inlet invert so that the outlet pipe from the detention system could completely dewater after a storm event.*

The inlet invert elevation for the detention outlet manhole has been revised to be consistent with the orifice invert to allow the detention system to be completely dewatered.

- 19) *There is a no pedestrian connection along the Main Street access to the interior walkways. There is a proposed walkway shown along the entrance on School Street.*

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During the design/development stages of the project, WDA considered such a pedestrian connection to the site, but determined that the sidewalk/ walkway slope requirements of the MAAB could not be met and therefore designed the site without this component. The School Street pedestrian access to the internal walkways meets the MAAB requirements.

- 20) *The engineer needs to remove the label for the curb at the driveway apron on School Street to allow for an AAB compliance sidewalk ramps.*

The labels have been removed and the plans have been revised to provide MAAB compliant sidewalk ramps.

- 21) *The engineer should label the maximum allowable cross-slope for the proposed sidewalks & walkways in accordance with the Architectural Access Board.*

Please refer to Grading and Drainage Note 9 on Sheet 3 of the plans.

- 22) *We recommend that the engineer show the curb and sidewalk to continue behind the existing catch basin on School Street (CB 1-E). The sidewalk should then continue toward the School Street access with a grass strip so that it meets the sideline of the driveway directly opposite the existing sidewalk in front of 12 School Street.*

The plans have been revised to show the curb and sidewalk continuing behind the existing catch basin on School Street and continuing toward the School Street access with a grass strip, meeting the sideline of the driveway directly opposite the existing sidewalk in front of 12 School Street.

- 23) *There should be a note on the plans requiring the existing survey monuments such as the stone bounds and drill holes to be marked in the field prior to construction. There should also be a note on the plans stating that if these property markers are damaged or destroyed during construction that the applicant will hire a registered land surveyor to reset the monuments and certify the new locations.*

Note 8 has been added to the Site Preparation Notes on Sheet 2 of the plans requiring that survey monuments that are damaged or destroyed be replaced.

- 24) *The applicant should label the street addresses for the building on the plans. We want to minimize the potential risk of confusion, especially during a 911 emergency. The applicant will need to submit for approval a schematic of the intended street addresses for the two (2) remaining building along with the numbering scheme for the interior units to the Engineering, Police and Fire Departments.*

WDA understands the concerns of the town and have added the address to the plans. The applicant will submit a schematic of the intended street addresses for the two (2) remaining building along with the numbering scheme for the interior units to the Engineering, Police and Fire Departments.

- 25) *If the applicant intends to have a sign identifying the complex, the engineer should show the location of this sign on the plans to ensure that it does not obstruct the driver's sight distance exiting the property.*

The complex identification sign is proposed in the same location as the current sign location. The tenants of the complex will be responsible for obtaining the permits necessary for the sign particular to each establishment.

- 26) *There should be an erosion & sedimentation control note that states the contractor is responsible to clean-up any sand, dirt or debris, which erodes from the site onto any Town road or private property and to remove silt or debris that enters any existing drainage system immediately upon discovery.*

Note 3 of the Erosion and Sediment Control Notes located on Sheet 7 has been added and states that upon discovery, the contractor shall immediately remove any soil or debris, which erodes from the site onto any Town road or private property, and to remove silt or debris that enters any existing drainage system immediately upon discovery.

- 27) *There should be a note on the plans to prohibit vehicles from blocking the emergency access to Nylander Way. There should also be a note stating that snow, construction materials & debris, etc. cannot be stockpiled in a manner to obstruct the emergency access.*

Note 10 has been added to the Layout & Material Notes on Sheet 5 stating that vehicles are prohibited from obstructing access to the emergency vehicle access to Nylander Way. A callout has been added to Sheet 5 stating that snow storage, construction materials or debris shall not be placed in a manner that would obstruct emergency vehicle access to Nylander Way.

- 28) *We recommend that an as-built plan showing the buildings, pavement, drainage, walking path and the utilities be required at the conclusion of construction along with a letter from a professional engineer certifying that the project was constructed according to the approved plans.*

Acknowledged

Response to Interdepartmental Communication, Planning Department dated October 19, 2006:

- 1) *Town Comment:*
On page 2 of the 8/23/06 letter from the applicant to the Selectmen, it states that the total area of the lots is 39,911 square feet (0.92 acres). Sheets 1 and 5 of the Plan state the total combined area is 30,911 square feet. Staff agrees with the lot area shown on the Plan.

Acknowledged

- 2) *Staff has not seen the architectural drawings or a traffic analysis for the site. They should be submitted for review.*

The applicant will submit the documents for review.

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- 3) *In the Zoning Summary Table on Plan Sheet 5, change the required side and rear setbacks to 10 feet.*

The Zoning Summary Table on Sheet 4 has been revised to reflect the minimum 10' side and rear yard setbacks.

- 4) *Based on the Acton Zoning Bylaw requirements, 41 spaces minimum are required for the restaurant and 40 spaces minimum are required for the function hall. The Parking Summary Table on Plan Sheet 5 should be changed accordingly.*

We concur and the Parking Summary Table on Sheet 5 has been revised accordingly.

- 5) *It is stated in the Parking Summary Table on Plan Sheet 5 that 23 spaces will be provided on-site. This statement is accurate only for traffic arriving before 5:00 PM each weekday. After 5:00 PM on weekdays, four of these spaces cannot be used for parking as they become valet parking pick up and drop off areas. The Parking Summary Table should be changed to reflect the shift in available spaces between daytime and nighttime hours and the total number of spaces should be reduced from 148 spaces to 144 spaces.*

The parking Summary Table on Sheet 5 has been revised to reflect the weekday daytime and evening conditions.

- 6) *At least one parking space, or maybe two, should be reserved on-site for the apartment resident(s).*

As shown on Sheet 5, the parking spaces located in the northeast portion of the parking area have been dedicated as "Residential (Reserved)" and "Reserved" parking signage has been added to the plan.

- 7) *Staff recommends that the applicant consider reversing the traffic circulation pattern to clockwise in the rear of the site (behind Exchange Hall). Reversing the traffic pattern would provide an exist for all traffic entering the rear parking lot if all spaces were occupied, and provide a shorter route to the site's exit for the valet parking service on the east side of Exchange Hall.*

The traffic circulation pattern was reversed at the rear of the site behind Exchange Hall as shown on Sheet 5 and the associated traffic signage has been updated/ modified to reflect the change in direction.

- 8) *Regardless of the off-site parking arrangements, the project would greatly benefit and be more viable if parking on-site was increased. On-site the project doesn't even have half the parking spaces needed for the restaurant, office and residence. People who have limited time to site down and eat lunch may choose a restaurant with plenty of on-site parking versus a restaurant where they have to park down the street. The applicant should pursue and/or resolve agreements with neighboring properties to allow additional parking to be constructed and used on the easement for the site north of 12 and 20 School Street.*

The applicant understands that additional parking would be of great benefit for the establishments proposed. However, the applicant has pursued resolving the agreement with

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the Mill Corner Homeowner's Association regarding his rights to use the land east of the site referred to as N/F Pert Corporation and the parties have been unable to resolve their differences. The applicant has been in discussion with the Town for a number of years regarding the available off-site parking and recognizes that the timing for the availability of leasing the 13 School Street parking lot does not coincide with the timelines that may be necessary to resolve the Mill Corner parking issue.

- 9) *Signs should be posted in the parking lot stating where additional parking is available off-site for patrons.*

A sign has been added in the northern part of the site informing patrons of additional parking available at the 13 School Street parking lot.

- 10) *Bollards (or similar equipment) should be located where parking spaces or travel lanes abut structures to provide protection to the structures and people inside the structure.*

As shown on Sheet 5 of the plans, a pair of bollards have been added and are located north of the pick-up/ drop-off parking spaces located on the west side of Exchange Hall providing protection to the covered porch. The applicant proposes to use the two existing vertical granite hitching posts that current exist on property. There is some historical significance to these bollards as the horse hitching posts are referenced in the earliest deeds of the property. A bollard detail has been added to Sheet 12.

- 11) *The sidewalks along the buildings are labeled as 5 feet wide. They appear to be less than 5 feet wide when measured with a scale. The sidewalks should be widened to five feet on the Plan.*

Please refer to the Haunched Cement Concrete Walk (HCC) Detail on Sheet 11. The detail provides a 5' width and additional dimensions have been added to Sheet 5.

- 12) *There should be Americans with Disabilities Act (ADA) compliant access from the pick up and drop off valet parking spaces to the Exchange Hall entrance since people with disabilities will probably also be using this service at night and on the weekends.*

The initial plan submittal to the Town did not reflect the ADA compliant access from the pick-up/ drop-off area located at the primary entrance (north end) of Exchange Hall. As shown on Sheet 5, the plans have been revised to identify the ADA compliant area.

- 13) *A sidewalk should be constructed from the Main Street sidewalk near the crosswalks to Exchange Hall, possibly along the driveway entering the site.*

During the design/development stages of the project, WDA considered such a pedestrian connection to the site, but determined that the sidewalk/ walkway slope requirements of the MAAB could not be met and therefore designed the site without this component. The School Street pedestrian access to the internal walkways meets the MAAB requirements.

- 14) *The sidewalk in the rear of the site should extend to the dumpster so people can access it.*

The sidewalk has been extended to the dumpster area as shown on the plans.

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Response to Water Supply District of Acton dated September 20, 2006:

- 1) *The applicant has calculated a domestic water demand of 11,210 GPD. The average use of water at the current property is 324 GPD. The applicant will need to file a "Water Impact Report" as per existing AWD Guidelines.*

Acknowledged, the applicant will file a "Water Impact Report" in accordance with the AWD guidelines.

- 2) *The attached plan shows two separate connections for potable water and fire protection, but no sizes are shown.*

The plans have been revised to show a 6" fire protection line and 1-1/2" domestic water service.

- 3) *The existing property immediately to the east of the proposed redevelopment is currently serviced by a potable water supply line that extends from that property. Arrangements will need to be made to relocate that line.*

Acknowledged

Response to Interdepartmental Communication, Acton Board of Health dated September 26, 2006:

- 1) *These two properties are within the public sewer service area and have been assessed a total betterment of 4.84 units (2 School Street 2.19 units – 127-131 Main Street 2.67 units). 129-131 Main Street is connected to the sewer system but 2 School Street is not. Due to the wastewater requirements of the proposal prior to occupancy both properties must connect to the sewer system.*

As shown on the site plans, both properties are proposed to connect to the municipal system.

- 2) *At the 2006 ATM Town Bylaw Chapter D-10.5b was changed to state that the Sewer Commissioners may establish a reasonable fee for land previously assessed a sewer betterment that is to be developed to a more intensive use than presently allowed by right. It should be noted that the Bylaw previously stated that a privilege fee may be charged to land not previously served by the sewer system and not previously assessed to the owner of such land.*

Since the passage of the Bylaw amendment and the approval of the Attorney General this is the first Site Plan Special Permit to be considered for approval which will intensify the existing use.

The proposed Restaurant and Function Hall are uses not allowed by right under the zoning bylaw and therefore will trigger application of this fee. D-10.5b states that the fee shall be calculated based on the number of Sewer Assessment Units (SAU) attributable to the intensified use of the land minus the number of SAUs originally assessed.

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The proposed restaurant has a wastewater flow under Title 5 of 35 gallons per seat per day. Under Chapter D by formula an SAU is equal to 300 gallons per day. Therefore each restaurant seat is equal to .1167 SAU. As presently proposed the restaurant will have 173 seats and would be equal to 20.183 SAUs.

The proposed Function Hall has a wastewater flow under Title 5 of 15 gallons per seat per day. Applying the SAU equivalency of Chapter D each function hall seat is equal to 0.5 SAU. As presently proposed the Function Hall will have 225 seats and would be equal to 11.25 SAUs.

In making these calculations, it should be noted that they are based on average daily wastewater flows. Function halls and sometimes Restaurants are not open every day. If the applicant legally binds the proposed use to specific days (for instance the Function Hall open Thursday through Sunday, the Restaurant open Tuesday through Sunday) the SAUs would be modified to reflect the average wastewater flow through the course of a week.

*Using the above example with the current proposed seating the Function Hall SAUs would be reduced to 6.43 ($11.25 * 4/7$) and the Restaurant SAUs would be reduced to 17.30 ($20.183 * 6/7$).*

*The value of a betterment unit was established as \$12,311.52 with the issuance of final betterments. If both uses are in place every day of the week, the privilege fee would be \$327,400.25 (Restaurant SAUs 20.183 + Function Hall SAUs 11.25 – Existing SAUs 4.84 * \$12,311.52). Using the example in the previous paragraph the privilege fee would be \$232,564.61 (Restaurant SAUs 17.3 + Function Hall SAUs 6.43 – Existing SAUs 4.84 * \$12,311.52).*

As can be seen the privilege fee can vary widely based on the use of the facility. However, the Health Department would recommend applying a privilege fee based on a consistent use every day unless a legally binding measure can be put in place limiting the facility from operating the Restaurant or Function Hall on specific days.

Bluebird Realty Trust will coordinate with the Acton Board of Health to agree on the privilege fee.

- 3) *Prior to occupancy of the Restaurant the applicant will have to file an application for a Food Service Permit with the Health Department and provide comprehensive plans detailing all aspects of the kitchen and areas where food is served or prepared.*

Acknowledged, the applicant will file the necessary application and supporting documents for a Food Service Permit.

- 4) *All kitchen wastes will be required to discharge to an appropriate sized grease tank prior to discharge to the sewer system. The grease tank shall be maintained in accordance with the Town's Sewer Regulations.*

The 6,000 gallon grease trap has been sized and is shown on Sheets 4 and 8.

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Response to Memorandum, Transportation Advisory Committee dated September 28, 2006:

TAC is pleased with the overall layout of the site and inclusion of a gathering area with planting and ornamental fencing at the front of the property which will enhance the historical building. Pedestrian movement is facilitated well, with existing sidewalks along School and Main Streets. Within the site, sidewalks lead from the parking and street to the buildings. TAC has a concern about the access from the new parking lot across School Street and question whether people will use the crosswalk or will they simply jaywalk across the street to get to the new facilities.

WDA defers to the Town of Acton as to whether or not they feel that they need to provide a pedestrian crosswalk on School Street near the 13 School Street parking area.

Regarding the parking layout and drives, TAC questions how the dumpster be emptied; the plan shows 2 parking spaces blocking access. Also, we were also querying the possibility of removing the upper, one-way drive, (east of the upper parking lot), if it is not needed for safety issues this additional land could be used for landscaping or a few additional parking spaces.

The parking space obstructing access to the dumpster will be provided an "R7-2a" prohibiting parking between the hours of 7:00 AM and 11:00 PM. Should the rubbish removal schedule occur on a weekend due to a weekday holiday or snow storm, the property owner will coordinate with the building tenants. The upper east one-way drive is necessary to maintain on-site traffic circulation rather than re-introducing a patron into the School Street or Main Street traffic while seeking a parking space.

TAC has noted that most of the existing mature trees on site are being removed because of new site features. There is one beautiful existing hickory tree that serves as a landmark (at least a 48" caliper) at the corner of the property which is not in the way of any new construction. TAC therefore requests that this tree be saved if possible.

It is the applicant's preference to retain the specimen tree. The site has, in part, been designed with the intent of saving the tree. During the site preparation stage of the project, we are proposing to maintain and protect the tree utilizing a snow fence barrier.

Response to Interdepartmental Communication, Acton Municipal Properties Department dated September 29, 2006:

- 1) *The planting plan shows the use of plans noted as "PM" but this designation does not appear on the planting schedule. This issue should be clarified and the plan or schedule corrected.*

The plant list has been revised to reflect the correct key designation for PM. *Prunus maritima*, Beach Plum, is the correlating shrub species for this designation.

- 2) *The plan shows the use of 6 White Spruce and 26 Canadian Hemlock for buffer plantings. Considering the presence of Hemlock Woolly Adelgid (HWA) in the area and its' impact on Hemlock plantings, it would be best to use more Spruce or other evergreens, and fewer Hemlocks.*

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We have substituted *Tsuga canadensis*, Eastern Hemlock, along the northern edge of the property and parking area with *Juniperus virginiana*, Eastern Red Cedar. Our intent throughout the property is to introduce plant species that are native to this area and this historical type of use to the greatest extent practicable, thus the initial use of Eastern Hemlock and subsequent substitution with Eastern Red Cedar. Eastern Red Cedar has no known major insect or disease problems, and is widely and successfully used as an evergreen screen or windbreak throughout the New England region.

- 3) *The plan shows the use of 12 ornamental shade trees on the site, 10 of which are to be the Princeton clone of American Elm. Although "Princeton" is designated as having "moderate to high" resistance to Dutch Elm Disease, the use of so many Elms is a poor choice. To quote from the Manual of Woody Landscape Plants: "The extensive use of one tree such as the American Elm is an example of foolhardy landscaping". The plan should be amended to provide for a greater diversity of plantings.*

Exchange Hall is located in a highly visible and prominent location within the South Acton Village District, and is widely considered to be the centerpiece building of the Village. The building's restoration is intended to be reflective of a period in history where, among other things, the character of a downtown community was defined by its public buildings and public spaces. One of the most recognizable tenets of public space design of that period was the development of the so-called "Village Green". These "Greens" generally contained many similar design characteristics, the most prominent of which was the use of mono-specific deciduous tree plantings to define its perimeter. The most commonly used species for these plantings was the American Elm, the original species of which is now virtually extinct due to the spread of DED (Dutch Elm Disease). The plantings around these historic Greens generally numbered in at least the dozens and most times into the hundreds.

The very nature of the name of the District where Exchange Hall is located- the South Acton Village District- intimates that the character of its development should reference this particular period in time. In response, the restoration of Exchange Hall and its surrounding landscape is intended to invoke that period in which it was originally built. To that end, the site has been enclosed along three sides with 9 of the highest DED resistant Elm cultivars currently available. Much like their predecessors, these trees are intended to act as the "frame" to the composition of buildings and landscape elements unfolding within the site, and are vital to the overall landscape design concept for Exchange Hall. The critical difference is that only 10 Elms are proposed, not dozens or hundreds. It is our opinion that 10 trees surrounding a 1+/- acre site does not constitute "extensive use of one tree", and referencing the main classical design element of the New England Village Green for an historic restoration project is not an example of "foolhardy landscaping". Changing to multiple perimeter species to "provide for a greater diversity of plantings" would be in direct opposition of the design precedents being referenced throughout the site and in our opinion would begin to create a banal, unreferenced, typical postmodern suburban landscape with no sense of place.

With regard to our particular species selection, decades of research by the USDA and the US National Arboretum have yielded a new generation of highly DED resistant Elm cultivars (not clones) that very closely match in form and character the original American Elm. The "Princeton" Elm, along with other highly resistant cultivars such as "Valley Forge", are part of this new generation of Elms that allow designers to recreate the look of the classic New England Village Green without resorting to the use of non-native tree species such as

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Zelcova. "Princeton" was selected for this site because it is generally the most readily available cultivar from local nurseries, although we would also strongly endorse the use of "Valley Forge" as a substitution. "Valley Forge" appears to be the most DED-tolerant of all elm varieties that have been released, according to data reported by the USDA. The growth form for both "Princeton" and "Valley Forge" is highly reminiscent of the "classic American Elm" -- upright-arching and vase-shaped, growing in most cases up to 70' tall and 60' wide, with bright green foliage that turns yellow in autumn.

While highly regarded as one of the definitive texts on the vast range of plant materials, The Manual of Woody Landscape Plants is an outdated collegiate text (last revision date for the Manual is over 8 years ago) that deals mostly in generalities due to its voluminous amount of information on thousands of different plant species. For specific, updated information concerning Elm cultivar plantings, the USDA and US National Arboretum web sites are the best source, as are periodical publications such as the Journal of Environmental Horticulture.

- 4) *In general, the plan is in compliance with the reduced landscape requirements of the South Acton Village Zone.*

Acknowledged

- 5) *Due to the fact that the inclusion of the Town owned School Street parking lot is required to meet parking calculations, a suitable agreement should be reached governing the maintenance of the landscaping and lighting around the lot, now provided by the Municipal Properties Department, and for snow plowing, to be provided by the Highway Department.*

Acknowledged

We thank you in advance for your attention to the enclosed application and supporting materials. We look forward to the permitting process with the Board of Selectmen for the Exchange Hall project.

Very truly yours,

Waterman Design Associates, Inc.

Wayne M. Belec
Project Manager

Michael J. Dowhan, RLA
Project Landscape Architect

cc: Mr. Don Johnson, Town Manager
Mr. Garry Rhodes, Building Commissioner
Mr. Bruce Stamski, Town Engineer
Ms. Kristin K. Alexander, Assistant Town Planner
Mr. James L. Deming, District Manager, Water Supply District of Acton
Mr. Doug Halley, Health Director, Acton Board of Health
Ms. Holly Ben-Joseph, Transportation Advisory Committee
Mr. Dean A. Charter, Municipal Properties Director
Mr. Glenn Berger, Bluebird Realty Trust

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WATERMAN DESIGN ASSOCIATES, INC.

civil engineers • surveyors • landscape architects • planners

Zelcova. "Princeton" was selected for this site because it is generally the most readily available cultivar from local nurseries, although we would also strongly endorse the use of "Valley Forge" as a substitution. "Valley Forge" appears to be the most DED-tolerant of all elm varieties that have been released, according to data reported by the USDA. The growth form for both "Princeton" and "Valley Forge" is highly reminiscent of the "classic American Elm" -- upright-arching and vase-shaped, growing in most cases up to 70' tall and 60' wide, with bright green foliage that turns yellow in autumn.

While highly regarded as one of the definitive texts on the vast range of plant materials, The Manual of Woody Landscape Plants is an outdated collegiate text (last revision date for the Manual is over 8 years ago) that deals mostly in generalities due to its voluminous amount of information on thousands of different plant species. For specific, updated information concerning Elm cultivar plantings, the USDA and US National Arboretum web sites are the best source, as are periodical publications such as the Journal of Environmental Horticulture.

- 4) *In general, the plan is in compliance with the reduced landscape requirements of the South Acton Village Zone.*

Acknowledged

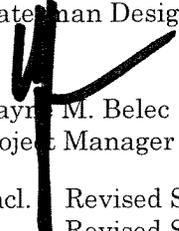
- 5) *Due to the fact that the inclusion of the Town owned School Street parking lot is required to meet parking calculations, a suitable agreement should be reached governing the maintenance of the landscaping and lighting around the lot, now provided by the Municipal Properties Department, and for snow plowing, to be provided by the Highway Department.*

Acknowledged

We thank you in advance for your attention to the enclosed application and supporting materials. We look forward to the permitting process with the Board of Selectmen for the Exchange Hall project.

Very truly yours,

Waterman Design Associates, Inc.


Wayne M. Belec
Project Manager


Michael J. Dowhan, RLA
Project Landscape Architect

Encl. Revised Site Plans (12 copies- 11x17)
Revised Site Plans (4 copies- 24x36)
Deed of 10' Wide Easement

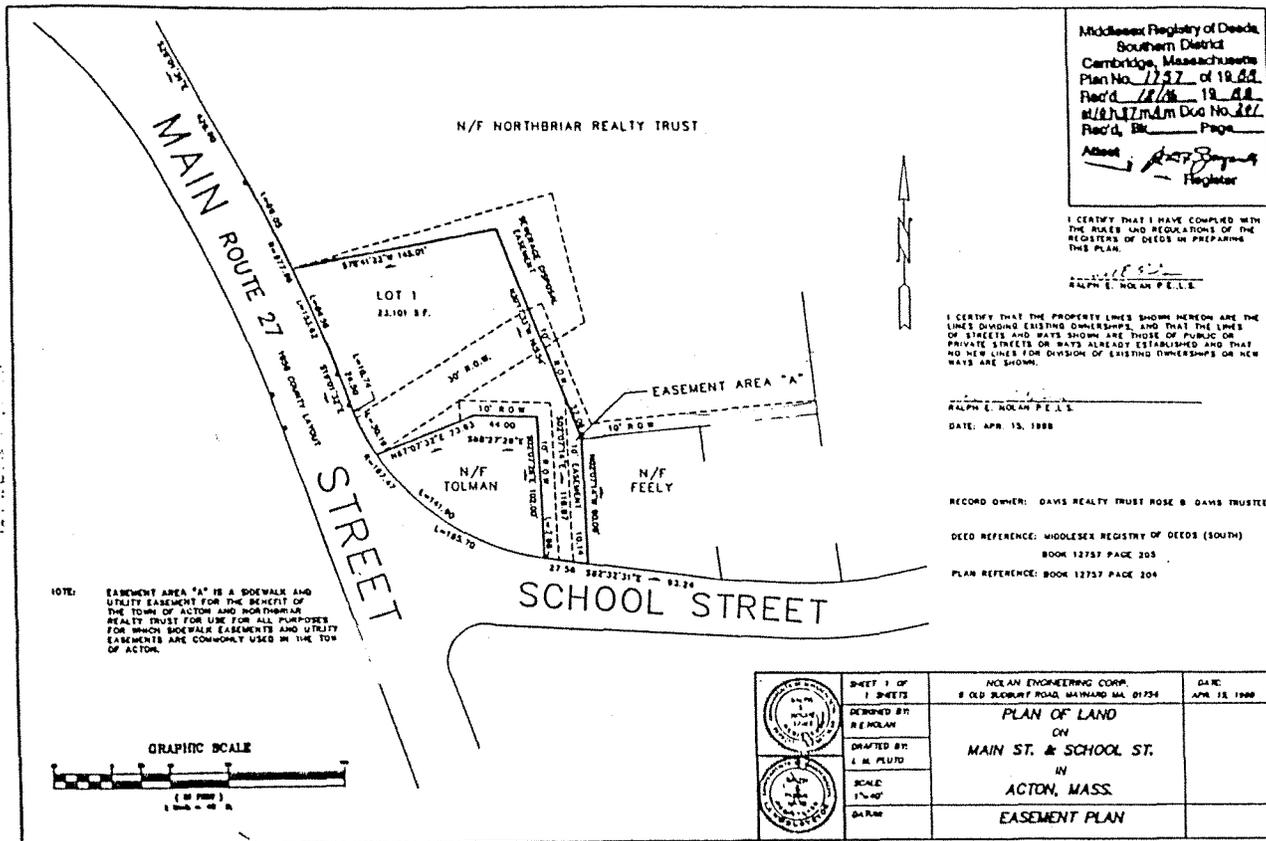
cc: Mr. Don Johnson, Town Manager
Mr. Garry Rhodes, Building Commissioner
Mr. Glenn Berger, Bluebird Realty Trust

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Middlesex Registry of Deeds
 Southern District
 Cambridge, Massachusetts
 Plan No. 1737 of 18 88
 Rec'd. 18/16 19 88
 at 11/17 M.D. No. 227
 Rec'd. Bk. Page
 Attest: *[Signature]*
 Registrar

I CERTIFY THAT I HAVE COMPLIED WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS IN PREPARING THIS PLAN.

 RALPH E. NOLAN P.E.L.S.

I CERTIFY THAT THE PROPERTY LINES SHOWN HEREON ARE THE LINES DIVIDING EXISTING OWNERSHIP, AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR NEW WAYS ARE SHOWN.

_____ RALPH E. NOLAN P.E.L.S.
 DATE: APR. 13, 1988

RECORD OWNER: DAVIS REALTY TRUST ROSE B. DAVIS TRUSTEE

DEED REFERENCE: MIDDLESEX REGISTRY OF DEEDS (SOUTH)
 BOOK 12737 PAGE 203
 PLAN REFERENCE: BOOK 12737 PAGE 204

	SHEET 1 OF 1 SHEETS	NOLAN ENGINEERING CORP. 8 OLD BUCKLEY ROAD, MAYNARD MA 01954 DATE: APR. 13, 1988
	DESIGNED BY R. E. NOLAN	
	DRAFTED BY E. M. PLUTO	PLAN OF LAND ON MAIN ST. & SCHOOL ST. IN ACTON, MASS. EASEMENT PLAN
	SCALE 1"=40'	
	DRAWN	

1757

Main Street Acton Corp.

a corporation duly established under the laws of The Commonwealth of Massachusetts
and having its usual place of business at 2 School Street, Acton, MA 01720

Middlesex County, Massachusetts

in consideration of a release of easement from
the Grantee to be recorded herewith having a monetary value of less than \$100.00
grants to James M. Slattery, as he is Trustee of Northbriar Realty Trust u/d/t dated
November 29, 1984 recorded in the Middlesex South Registry of Deeds in Book 15901,
Page 395 of Littleton, MA with quitclaim covenants

the land in Acton, Middlesex County, MA described as follows:

(Description of the land)

A perpetual easement to pass and reposs on foot and to install, maintain and
repair sidewalk, fencing, electric light, storm drains and other utilities and
appurtenances over, across and under a certain parcel of land shown as "Easement
Area 'A' " on a plan entitled, "Plan of Land on Main St. & School St. in Acton,
Mass." dated April 15, 1988 by Nolan Engineering Corp. to be recorded herewith,
for the benefit of the Grantee's abutting land.

For title see deed to the Grantor from Rose B. Davis, Trustee of Davis Realty
Trust u/d/t dated July 24, 1962 recorded in said Deeds in Book 10091, Page 327,
dated 11-1-88 and recorded in said Deeds in Book 19446, Page 174

*with the Middlesex South District Registry of Deeds
at Book 19482, Page 298

In witness whereof, the said Main Street Acton Corp.

has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered
in its name and behalf by Margaret Antell and Glenn Berg
its President and Treasurer duly authorized, this 17th
day of November in the year one thousand nine hundred and eighty-eight

Signed and sealed in presence of

MAIN STREET ACTON CORP

Daniel B. Greenberg

by: *Margaret Antell*
by: *Glenn Berg*

The Commonwealth of Massachusetts

M. Slattery ss.

November 17, 1988

Then personally appeared the above named *Margaret Antell, President of Main Street Acton Corp.*
and acknowledged the foregoing instrument to be the free act and deed of the *Acton Main Street Acton Corp.*

before me

Daniel B. Greenberg
Notary Public - *State of Massachusetts*
DANIEL B. GREENBERG
My commission expires Nov. 2, 1995

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee
and the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for

MSD 12716/88 10137141 202 25.80
Property at: 2 School Street, Acton, MA 01720
SEE PLAIN RECORD BOOK 1986
PLAN NUMBER: 00001751
PAGE 3