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STAMSKI AND McNARY, INC.

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

August 2, 2007

Acton Board of Selectmen  
472 Main Street  
Acton, MA 01720

Re: 4 High Street

Members of the Board,

On behalf of our client, Faulkner Mill Realty, LLC, we are writing to you, acting as the Acton Sewer Commissioners, to specifically authorize 20 residential housing units proposed at 4 High Street, each with two bedrooms, to be serviced by the public sewer in Main Street.

This site has been previously approved for both non-residential and residential projects. The Board had originally approved a sewer connection for this site for a Health Club serving 300 people a day. Subsequently, the Board had approved a sewer connection for 30 residential housing units with up to 2-bedrooms each. These uses would potentially have had flows of 6,000 and 6,600 gallons per day respectively. The present proposal will have a maximum design flow of 4,400 gallons per day.

The applicant, after having expended significant efforts and resources, has regrettably found the 30-unit housing proposal financially unviable. However, the current proposal will still make a critical contribution to the goals of the South Acton Village Plan by providing vital housing.

Our client has corresponded with Doug Halley, Health Director, regarding the formula for calculating betterment fees. The applicant is willing to connect based on the terms of the formula that was discussed. The fee will be one hundred sixty four thousand, nine hundred seventy four dollars and thirty seven cents (\$164,974.37).

We thank you for your time in consideration of this matter. Please call our office if you have any further questions.

Respectfully yours,  
Stamski and McNary, Inc.

  
George Dimakarakos, P.E.



Planning Board



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Sewer Comm-  
Issuance Bus.

**MEMORANDUM**

**To:** Board of Selectmen

**Date:** July 30, 2007

**From:** Planning Board

**Subject:** 4 High Street – Faulkner Mills (Fenton)

Messrs. Fenton and Jeanson visited the Planning Board on July 24. The purpose of their visit was to show the Board the revised plan for their project at 4 High Street. The project as originally conceived and approved had 30-plus dwelling units in two buildings. The larger building was designed recalling a mid- to late 19<sup>th</sup> century industrial mill building. The smaller one was reminiscent of mill worker housing from that time period. The revised plan would scrap the mill building and instead replicate the mill worker housing style in an arrangement of duplexes over a larger area of the property. The overall number of units would be less (+/-20). The revised project would be 'by right' under zoning. The two gentlemen explained their reasons for the change in the project as having to do with the construction cost of the larger building and with the current unfavorable market conditions.

While regretting the loss of the mill building, the Board found the revised design concept generally acceptable and in furtherance of the goals of the South Acton Village Plan. The village plan calls for attracting a mixture of residential and commercial uses so as to create a small vibrant village. The addition of new housing at 4 High Street raises the residential density that is so critical in supporting the small businesses in the South Acton Village.

Sincerely,

Greg Niemyski  
Chairman, Planning Board



## INTERDEPARTMENTAL COMMUNICATION

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

August 8, 2007

TO: John Murray, Temporary Town Manager

FROM: Doug Halley, Health Director

SUBJECT: Faulkner Mill Realty Sewer Connection Request

Stamski & McNary has submitted a request on behalf of their client, Faulkner Mill Realty, for authorization from the Sewer Commissioners to allow 20 residential housing units at 4 High Street to be serviced by the public sewer on Main Street.

4 High Street is just outside the Middle Fort Pond Brook Sewer Service Area that was finalized with the issuance of betterments in June of 2005. In 2003 the Sewer Commissioners approved a request from the then owners of 4 High Street, Waitco Machine Company, to be serviced by the public sewer. The approval was given on the conditions that they accept the responsibility of the sewer assessment for 4 High Street as specified in Chapter D10 (2) of the Bylaws of the Town of Acton.

In 2005 the current owners of the property, Faulkner Mill Realty, requested authorization from the Sewer Commissioners to allow 30 residential housing units at 4 High Street to be serviced by the public sewer on Main Street. The Sewer Commissioners approved the request with the condition that they accept the responsibility of the sewer assessment for High Street as specified in Chapter D10 (5) Sewer Privilege Fees of the Bylaws of the Town of Acton.

The existing wastewater treatment plant for the sewer service area was able to obtain a permit extension in 2005 that increased its capacity by 49,000 gallons per day. When the Comprehensive Water Resources Management Plan was completed in 2006 a portion of this excess capacity was allocated for Needs Areas identified in the plan (Spencer/Flint/Tuttle and a portion of West Acton Center). At that time excess capacity was also allocated to the Powdermill Plaza sewer extension and 4 High Street based on the previous votes by the Sewer Commissioners.

When the original sewer system was built it was “supersized” to account for additional areas eventually connecting to the system. The cost of the “supersizing” was set at \$1,166,200 and payment of that cost was allocated to users either outside the service area or within the service area with wastewater flows greater than allowed by zoning. Powdermill Plaza, Blanchard Place, etc. have been charged privilege fees which have offset the outstanding cost of the “supersizing.

As of this date the Town has received \$347,265.84 of privilege fees and has a remaining balance of \$818,934.16 for the “supersizing”. There are several potential privilege fee projects that might move forward to help offset the “supersizing costs” but many of these projects like the Exchange Hall project may take several years to complete or ultimately be downsized or abandoned.

In their request letter Stamski & McNary noted that they had discussed the formula for calculating the betterment fees with me. The fee that they stated, \$164,974.37 is correct and it is based on a betterment value of \$12,311.52 times the number of units times .67 to account for the two bedroom status of each unit.

Should the Sewer Commissioners determine that the proposed 20 residential housing units be serviced by the public sewer in Main Street the Health Department would recommend the following:

1. The applicant shall be responsible for all costs and permits required related to the construction of the sewer service to the existing sewer line.
2. The applicant shall comply with all the requirements of D10 5 Sewer Privilege Fees of the Sewer Assessment Bylaw.
3. The applicant shall sign an agreement as specified by Town Counsel prior to the issuance of any building permits for 4 High Street.