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March 31, 2008

Board of Selectmen
472 Main Street
Acton, MA 01720

Re: SPSP # 02/19/03-3888
60 Powder Mill Road
Autoplex Realty, LLC
5235, b26

Dear Board Members:

The purpose of this letter is to present a summary of my meetings with Town Staff since this matter was last discussed by the Board and to present a possible resolution of this matter that is acceptable to our client.

The history of the connection between 56 and 60 Powder Mill Road was summarized in Mr. Bartl's letter of December 21, 2007.

It should be noted that the ramp shown on the initial site plan was to provide a means of shuttling cars by employees at low speeds between the two properties in the event such movements were found to be desirable and frequent. Our client's experience has found the movement of vehicles between the sites has been very infrequent and that the provision of a ramp is undesirable.

The Zoning Bylaw under 6.9.6.2 requires for the connection of all parking facilities, by a common driveway, unless the Board finds that physical constraints, present site constraints, or uncooperative abutters precludes strict compliance.

The bylaw does not specifically require that a fire lane be constructed. Mr. Bartl did state at the end of our last meeting that as part of Site Plan Approval the Board could require a Fire Lane to be constructed.

During my meeting with Mr. Bartl the enclosed plan showing that the existing parking lot has sufficient room to allow a SU 30 [a thirty foot long vehicle] to enter the site, backup and leave the site, with ease.

Noting that the parking of vehicles in vehicle sales and repair facilities often occurs outside of marked spaces, I suggested that the limits of the shaded areas shown to be required for the SU 30 turning movements be painted on the surface of the parking along with words Fire Lane.

It is my opinion that insuring that a proper turning area is available at 60 Powder Mill Road will provide a better solution than requiring a ramp onto the 56 Powder Mill Road site as access through 56 Powder Mill Road could be obstructed by a vehicle parked slightly out of place or by improperly plowed snow.

I also noted that the only fire hydrant in this section of Powder Mill Road is located at the intersection of Old High Street requiring a fire truck to drive past the buildings [Suzuki, Moscariello's, Subaru and Prescott Paint], connect to the fire hydrant and travel back in the opposite direction.

It is my understanding that Moscariello's, Subaru and Prescott Paint do not have fire suppression sprinklers.

The provision of a hydrant in front of 60 Powder Mill Road would allow a fire truck to make a rapid connection when entering the area over the Route 62 Bridge. Our client is willing to install a hydrant in front of 60 Powder Mill Road. With a hydrant in front of 60 Powder Mill Road there would be no need for a fire engine to drive onto the site.

Mr. Bartl deferred a decision as to the substitution of the delineation of the Fire Lane and provision of a fire hydrant for the ramp to Chief Craig.

I then met with Chief Craig and he has deferred the decision to the Board.

As the membership of the Board has changed since the initial Site Plan Approval it might be informative to describe why this portion of the site was elevated to the extent that a ramp must be constructed if vehicles are to pass between 56 and 60 Powder Mill Road without using the Town's Road.

- The site with the exception of the area directly adjacent to Powder Mill Road was filled [by others] with construction debris and to achieve the two foot offset required by State Guidelines for the recharge of stormwater runoff from the parking lot the site was required to be raised in elevation.

- Recharge was chosen to eliminate a direct discharge of stormwater runoff to the Assabet River. This choice has been confirmed to be correct as an endangered species [freshwater muscles] have been since discovered in this section of the Assabet River.

- To limit the loss of flood storage [the southwesterly portion of the site is within the 100 flood plain of the Assabet River] a retaining wall was required to be constructed offset from and parallel to the 60/56 property line.

- The height of the retaining wall is four feet.

A ramp suitable for a fire truck requires a lengthy transition zone between the horizontal pavements of the two parking lots, which extends the ramp onto the 56 Powder Mill Road

property and while our client holds an interest in both properties he objects to the required extension as it will interfere with snow plowing.

The ramp will also be constructed within 100 feet of the Assabet River and within its 100 year flood plain requiring filings with both the Conservation Commission and the Zoning Board of Appeals. Separate filings will be required for each property.

Our client will agree to a condition that if the Board under a Site Plan Approval for 56 Powder Mill Road should require that a connection be made between 56 and 60 that he will allow and facilitate the required connection.

In Summary:

- A fire truck or ambulance can enter and exit the 60 Powder Mill Road site with one simple backing movement to allow it to reenter Powder Mill Road traveling forward.
- A Fire lane through 56 Powder Mill Road could be hindered by vehicles parked improperly.
- The construction of a ramp structure on 56 Powder Mill Road is objected to by the property's owner and will require filings with the Conservation Commission and Board of Appeals.
- Our client is willing to paint the limits of the area required for the turning movements and designate it as a Fire Lane.
- Our client is willing to install a fire hydrant in front of 60 Powder Mill Road which will decrease the response time for fire fighting for not only 60 Powder Mill Road but other nearby buildings that do not have fire suppression sprinklers.
- Our client is willing to dedicate the area required for a parking lot connection from 56 Powder Mill Road onto 60 Powder Mill Road if such a connection is deemed necessary under a Site plan Approval for 56 Powder Mill Road.

Very truly yours,
Mark T. Donohoe, PE

for:
Acton Survey & Engineering, Inc.

cc: Leo Bertolami
Chief Robert Craig
Roland Bartl, AICP

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