

Stamski and McNary, Inc.
Engineering - Planning - Surveying
80 Harris Street Acton, MA 01720
www.stamskiandmcnary.com

Application for Approval of a Preliminary Plan

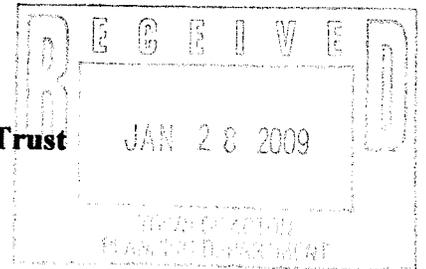
Under the Subdivision Control Law and the Acton Planning
Board Subdivision Rules and Regulations

For

Lazaro Circle Subdivision

Location: Town Atlas Map H3-A, Parcel 47
53 River Street
Acton, MA 01720

Applicant: **The River Street Nominee Trust**
53 River Street
Acton, MA 01720



Date: January 28, 2009

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

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 LAZARO CIRCLE SUBDIVISION
- 2. Name of Applicant(s) THE RIVER STREET NOMINEE TRUST
Address 53 RIVER ST, ACTON, MA Phone 508 328 7633
- 3. Name of Property Owner(s) (SAME AS APPLICANT)
Address " Phone "
- 4. Name of Engineer STAMSKI AND McNARY, INC
Address 80 HARRIS ST, ACTON, MA Phone 978 263 8585
- 5. Name of Land Surveyor (SAME AS ENGINEER)
Address " Phone "
- 6. Deed of property recorded in the Middlesex South Registry of Deeds Book Number 26950
Page Number 466 and/or registered in the Middlesex Registry of Land Court, Certificate of Title Number -
- 7. Zoning District SAV Map No.(s) H-3A Parcel No.(s) 47
- 8. Approximate acreage in subdivision 6.5± Number of lots 4
- 9. Total length of road(s) in linear feet 235±
- 10. Location and Description of property 53 RIVER STREET

[Signature] 1/22/09
Signature of Applicant, Date

Signature of Applicant, Date

[Signature] 1/22/09
Signature of Owner, Date

Signature of Owner, Date

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

2. DEVELOPMENT IMPACT REPORT

FORM DIR

DEVELOPMENT IMPACT REPORT

The Development Impact Report (DIR) is intended to serve as a guide to the applicant in formulating the development proposal, as well as a guide to the Planning Board in its evaluation of the proposed development in the context of existing conditions and planning efforts by the Town. The DIR should be prepared as early in the development process as possible, even if certain aspects are unknown at that time. It is recommended that the various aspects of the DIR, together with a conceptual development plan, are discussed with the Planning Department staff as soon as possible, prior to the filing of an application for approval of a preliminary plan.

The DIR seeks to raise the broad range of issues generally associated with development plans in a form and in a language that is understandable to a layperson. It assesses development impacts which could possibly be avoided or mitigated if recognized early in the development process. Other portions of the DIR request information which will help the Town plan ahead and ensure adequate services in the future. It is the hope of the Planning Board that the use of the DIR, along with early consultations with the Planning Department staff and the applicant's continuing cooperation throughout the development process, will foster a development of excellent quality and design sensitive to Acton's natural and historic heritage and other community concerns.

The DIR shall be filed with an application for approval of a preliminary and a definitive subdivision plan. The DIR shall clearly and methodically assess the relationship of the proposed development to the natural, physical, and social environment. In preparing the DIR, professionals of the respective fields shall be consulted and a systematic, interdisciplinary approach shall be utilized which will ensure the integrated use of the natural and social sciences and the environmental design arts in planning, designing and engineering of the proposed project.

DEVELOPMENT IMPACT REPORT

Please type or print information in blanks below.

1. Name of Proposed Subdivision: **Lazaro Circle Subdivision**
2. Location: **53 River Street**
3. Name of Applicant(s): **The River Street Nominee Trust**
4. Brief Description of the Proposed Project: **A mixed Residential and Commercial subdivision consisting of four lots served by a public way, "Lazaro Circle", designed in accordance with the Acton Planning Board's Subdivision Rules and Regulations.**
5. Name of Individual Preparing this DIR: **George Dimakarakos, P.E. #41281**
Address: **Stamski and McNary, Inc., 80 Harris Street, Acton, MA**
Business Phone: **978-263-8585 x212**
6. Professional Credentials: **Commonwealth of MA Registered Professional Civil 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	100
Residential	0
Forest	0
Agricultural	0
Other (specify)	0

8. Total acreage on the site: **6.4+/-**

Approximate Acreage	At Present	After Completion
Meadow or Brushland (non agriculture)	0	0
Forested	0.9 +/-	0.9 +/-
Agricultural (includes orchards, cropland, pasture)	0	0
Wetland	2.8 +/-	2.8 +/-
Water Surface Area	1.1 +/-	1.1 +/-
Flood Plain	3.9 +/-	3.9 +/-
Unvegetated (rock, earth, or fill)	0	0
Roads, buildings and other impervious surfaces	1.2 +/-	0.7 +/-
Other (indicate type) Lawn Area	0.4 +/-	0.5 +/-

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
South Acton Village (SAV)	100
Groundwater Protection District Zone 4	100

10. Predominant soil type(s) on the site: **Charlton-Hollis Rock outcrop Complex, Raypol Silt Loam, Udorthents, Scituate Fine Sandy Loam**

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

Soil Type	% of the Site
Well drained	63
Moderately well drained	12
Poorly drained	25

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%	31
10 - 15%	33
greater than 15%	36

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: 6,500'+/-

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:

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: Concrete Dam

16. Are there any established foot-paths running through the site or railroad right of ways?
 yes no

If yes, specify:

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

Is the site adjacent to conservation land or a recreation area? yes no

If yes, specify:

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

If yes, specify: _____

19. Are there wetlands, lakes, ponds, streams, or rivers within or contiguous to the site?
 yes no

If yes, specify: **A large wetland complex associated with Fort Pond Brook, Fort Pond Brook itself, and a raceway are on site.**

20. Is there any farmland or forest land on the site protected under Chapter 61A or 61B of the Massachusetts General Laws?
 yes 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 no (21E has been done.)

If yes, specify results:

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

If yes, please describe Former mill site

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?

Average weekday traffic	432
Average peak hour volume AM	64
Average peak hour volume PM	49

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

Name: **River Street**, Town Classification: **Local**

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

Names of ways: **Piper Rd/Lilac Ct.; Piper Rd/School St.; Piper Lane/School St.; Chadwick St/ School st & River St; Vanderbilt Rd/River St; Haley Ln./River St;**

29. Location of existing sidewalks within 1000 feet of the proposed site:

a. **School St, High St**

30. Location of proposed sidewalks and their connection to existing sidewalks: **Sidewalks are being proposed along the proposed street and along River St from the easterly property line to the cement dam. There is no connection to other sidewalks.**

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

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

___ yes no

If yes, please describe _____

If no, please explain why There is no practical way to access the parcels due to wetlands.

C. Utilities and Municipal Services

32. If dwelling units are to be constructed, what is the total number of bedrooms proposed? **18**

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? **Building Trade Shop, Retail, and Office. Roughly 15,000 sf of new gross floor area.**

34. Storm Drainage

- a. Describe nature, location and surface water body receiving current surface water of the site:
Fort Pond Brook runs through the site and collects stormwater runoff.
- b. Describe the proposed storm drainage system and how it will be altered by the proposed development: **The proposed drainage system will be comprised of catch basins, manholes, infiltration trenches and rain gardens. There will be an improvement to stormwater runoff quality.**
- c. Will a NPDES Permit be required? X yes no

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

36. Schools (if residential)

- a. Projected number of new school age children: **1.67 x 6 new units = 10.02**
- b. Distance to nearest school: **1.2 miles (Conant 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 will be designed in accordance with the Town of Acton Subdivision Rules and Regulations and the DEP Stormwater Management Standards. Runoff towards Fort Pond Brook will be directed into a closed drainage system comprised of a deep sump and hooded catch basins, or will be collected in Rain Gardens. The deep sump and hooded catch basins will act as pre-treatment, which will prevent oil and gas from entering the remainder of the drainage system, and collect roadway sediment. During construction, any silt, construction debris, etc. shall be removed from the public way, wetlands or abutting property immediately upon discovery. Fill material used shall be free of hazardous material and construction debris. The developer will comply with an Erosion and Sedimentation Control Plan.**
- 38. Prevent groundwater contamination: The site will be served by Town Sewer. The drainage system will be designed in accordance with the DEP Stormwater Management Standards.**
- 39. Maximize groundwater recharge: Re-charge of runoff for the site will be provided within the proposed drainage system. Runoff to be directed towards vegetated surfaces in an effort to maximize recharge where possible and infiltration will be used where appropriate.**
- 40. Prevent erosion and sedimentation: During construction, any silt, construction debris, etc. shall be removed from the public way, wetlands or abutting property immediately upon discovery. Fill material used shall be free of hazardous material and construction debris. The developer will comply with an 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 will be prepared, which will provide the necessary details.**
- 42. Design the project to conserve energy: The proposed buildings will meet the stringent requirements of the state and local building codes.**
- 43. Preserve wildlife habitat: The site is not located within an area of estimated habitat of rare wildlife. Existing vegetation shall be preserved wherever possible and the majority of the site will remain undeveloped.**
- 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 drainage system will be designed in accordance with the DEP Stormwater Management Standards.**
- 45. Ensure compatibility with the surrounding land uses: The surrounding land uses are composed of residential single-family and multi-family homes along River St. The area along Fort Pond Brook has been commercially used for over a century. The proposed use of the**

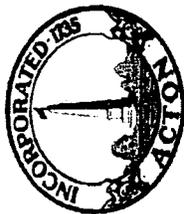
property will also be mixed residential and commercial. The uses on the site will be those allowed by the Zoning Bylaw.

46. Control peak runoff from the site so that the post-development rate of runoff will be no greater than the predevelopment: The proposed drainage system will be designed in accordance with the Town of Acton Subdivision Rules and Regulations and the DEP Stormwater Management Standards, which require that there be no increase in rates of runoff.

47. Preserve historically significant structures and features on the site: The only significant structures on the site include the Cement Dam and remnants of mills. It is anticipated that these features will be largely left in tact and will add to the interest of the proposed development.

48. To mitigate the impact of the traffic generated by the development: The vehicle trips generated from this proposed development are not significant to the point of requiring mitigation. Appropriate Street signage and stop signs will be provided for the proposed road.

3. CERTIFIED LIST OF ABUTTERS



Town of Acton
 472 Main Street
 Acton, MA 01720
 Telephone (978) 264-9622
 Fax (978) 264-8630

Brian McMullen
 Assistant Assessor

Locus: 53 RIVER ST
 Parcel: H3.A-47

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
31 RIVER ST	H3-136	LOTHROP MILL LLC		544 MASS AV	ACTON	MA	01720
3 HALEY LN	H3-154-2	ROGERS CHARLES D	ROGERS PAMELA S	6 HALEY LANE	ACTON	MA	01720
35 SCHOOL ST	H3.A-29	HETHERINGTON I LEE	HETHERINGTON SARAH V	55 SCHOOL ST	ACTON	MA	01720
20 RIVER ST	H3.A-30	MOONEY GAIL F		20 RIVER STREET	ACTON	MA	01720
35 SCHOOL ST	H3.A-31	HANSON CHARLES D		65 SCHOOL ST	ACTON	MA	01720
75 SCHOOL ST	H3.A-33	PERSHING III JOHN		75 SCHOOL ST	ACTON	MA	01720
105 SCHOOL ST	H3.A-36	HONN DAVID	HERR ROBIN L	105 SCHOOL ST	ACTON	MA	01720
5 RIVER ST	H3.A-38	MBTA	HONN KAREN LEIGH DAVIS	6 BEACON STREET	BOSTON	MA	02110
11 RIVER ST	H3.A-39	HETHERINGTON I LEE	HETHERINGTON SARAH V	56 SCHOOL STREET	ACTON	MA	01720
24 RIVER ST	H3.A-40	DEARBORN FRANK K	SUSAN M	320 LIBERTY SQUARE ROAD	BOXBORO	MA	01719
31 SCHOOL ST	H3.A-41	IANNINI CRAIG F	IANNINI ALEXANDRA L	81 SCHOOL ST	ACTON	MA	01720
35 SCHOOL ST	H3.A-42	FRIEND JOHN F	FRIEND KAREN	85 SCHOOL ST	ACTON	MA	01720
50 RIVER ST	H3.A-43	BACHMAN TODD	BACHMAN KATHRYN ACERBO	50 RIVER ST	ACTON	MA	01720
56 RIVER ST	H3.A-44	HWANG KYUNGTAE	YANG EUNMI	56 RIVER ST	ACTON	MA	01720
82 RIVER ST	H3.A-45	VANHEERDEN JEANETTE I		62 RIVER ST	ACTON	MA	01720
56 RIVER ST	H3.A-48	SCHMIDT HARVEY H	C/O GANONG ROBERT A + DESAN	65 RIVER ST	ACTON	MA	01720
MBTA		C/O TRANSIT REALTY ASSOCIATES, LLC	ATTN: VENESSA MERRITT	77 FRANKLIN ST 8TH FLOOR	BOSTON	MA	2110
64 SCHOOL ST	H3.A-2	WERNER ROBERT E	JUDY ANN	64 SCHOOL ST	ACTON	MA	01720
76 SCHOOL ST	H3.A-6	NICOL SCOTT A	FLOWERS ALISJA K	76 SCHOOL ST	ACTON	MA	01720
48 SCHOOL ST	H3.A-10	BERKWITZ BRIAN M	BERKWITZ ANNE T	48 SCHOOL ST	ACTON	MA	01720
52 SCHOOL ST	H3.A-11	TOWN OF ACTON	FIRE STATION	472 MAIN STREET	ACTON	MA	01720
80 SCHOOL ST	H3.A-12	BERRIER TYLER B		60 SCHOOL ST	ACTON	MA	01720
70 SCHOOL ST	H3.A-14	PHOENIX SUSAN D		70 SCHOOL ST	ACTON	MA	01720
80 SCHOOL ST	H3.A-15	MORAN MARY MICHAELA	BERESIN EUGENE V	80 SCHOOL ST	ACTON	MA	01720
86 SCHOOL ST	H3.A-16	HOPKINS TIMOTHY P	HOPKINS MARY H	86 SCHOOL ST	ACTON	MA	01720
90 SCHOOL ST	H3.A-17	JODKA ROBERT A	SARAH T	90 SCHOOL ST	ACTON	MA	01720
1 PIPER RD	H3.A-20	FINNEAULT GARY D		1 PIPER RD	ACTON	MA	01720
108 SCHOOL ST	H3.A-21	SAWYER HERBERT F		1 LILAC CT	ACTON	MA	01720
3 RIVER ST	H3.A-23-1	GASSERT THOMAS H		1 RIVER ST	ACTON	MA	01720

Brian McMullen
 Assistant Assessor

Locus: 53 RIVER ST
 Parcel: H3A-47

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
13 SCHOOL ST	H3A-25	ANDERSON DEIRDRE H	C/O SAWYER ROSS	10 BOOKER ST	THOMASTON	ME	04861
18 SCHOOL ST	H3A-27	MAGPHEE JONATHAN S		49 SCHOOL ST	ACTON	MA	01720
33 SCHOOL ST	H3A-28	NASH MARK O		53 SCHOOL ST	ACTON	MA	01720
37 SCHOOL ST	H3A-34	MALYNKO OLGA	BARSUKOV MICHAEL	87 SCHOOL ST	ACTON	MA	01720
36 SCHOOL ST	H3A-35	BERLIED CHRIS N	HEYNER CYNTHIA	85 SCHOOL STREET	ACTON	MA	01720
3 RIVER ST REAR	H3A-38-1	MBTA		6 BEACON STREET	BOSTON	MA	02110
32 RIVER ST	H3A-46	HABITAT FOR HUMANITY NORTH CENTRAL		1 OAK HILL RD	FITCHBURG	MA	01420
30 HIGH ST	H3A-49	NEALEY RONALD C		20 HIGH ST	ACTON	MA	01720
30 HIGH ST	H3A-50	NEALEY RONALD C		20 HIGH ST	ACTON	MA	01720
18 HIGH ST	H3A-51	MARCEWICZ JOSEPH A	MARILYN	18 HIGH ST	ACTON	MA	01720
22 HIGH ST	H3A-55	ALESBURY DEBRA SCHULTHEISS TR	DEBRA SCHULTHEISS ALESBURY	22 HIGH ST	ACTON	MA	01720
22 HIGH ST BEHIND	H3A-59-1	ALESBURY DEBRA SCHULTHEISS TR	DEBRA SCHULTHEISS ALESBURY	22 HIGH STREET	ACTON	MA	01720
76 RIVER ST	H3A-37-101	HE JI CHANG	ZHU LI PING	76 RIVER ST	ACTON	MA	01720
78 RIVER ST	H3A-37-102	MANCHIRAJU CHENDRASHEKER	MANCHIRAJU JYOTHI	78 RIVER ST	ACTON	MA	01720
74 RIVER ST	H3A-37-103	SHARMA SHANTNU	SHARMA VINEETA	74 RIVER ST	ACTON	MA	01720
72 RIVER ST	H3A-37-104	NOHRIA RAJEEV	GUPTA NEETU	72 RIVER ST	ACTON	MA	01720
34 RIVER ST	H3A-37-105	BALLUSU KONDALA R	BALUSU PADMASRI	84 RIVER ST	ACTON	MA	01720
36 RIVER ST	H3A-37-106	NAGIA VIKRAM	CHHABRA JYOTI S	86 RIVER STREET	ACTON	MA	01720
38 RIVER ST	H3A-37-107	FITZMAURICE KATHERINE S		88 RIVER ST	ACTON	MA	01720
70 RIVER ST	H3A-37-108	DYAVANAPALLI VENKATESHAM	DYAVANAPALLI MANJULA	70 RIVER STREET	ACTON	MA	01720
39 SCHOOL ST	H3A-32-69	DRAKE KAREN C K		69 SCHOOL ST	ACTON	MA	01720
71 SCHOOL ST	H3A-32-71	MOSSESIAN DMITRI	ELSINOVSKAIA IRINA	71 SCHOOL ST	ACTON	MA	01720

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 01741
 Maynard, MA 01754
 Stow, MA 01775
 Concord, MA 01742
 Westford, MA 01886
 Littleton, MA 01460
 Sudbury, MA 01776

Kimberly Hoyt
 27-Jan-08
 Kimberly Hoyt
 Assessing Clerk
 Acton Assessors Office

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4. PRELIMINARY PLAN