

EXTRA INFORMATION

3/9/09

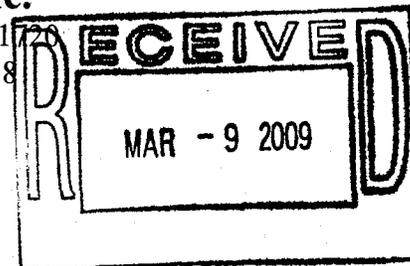
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Acton Survey & Engineering, Inc.

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March 4, 2009

CERTIFIED MAIL 7008 1140 0002 9313 8935

Acton Board of Selectmen
472 Main Street
Acton, MA 01720

Re: e-mails from Town Planner

Dear Board Members:

This office received a series of e-mails pertaining to your staff's review of Wetherbee Plaza Extension and I have underlined statements that are of great concern to me.

I suggest that Mr. Bartl and I meet with the Town Manager to discuss this matter. Attendance by a Member of the Board may facilitate discussions.

This letter is to also inform you that reviews of Engineering Documents issued under a "Title" such as Engineering Department are required to be endorsed by a Registered Professional Engineer.

Thank you for any consideration you may give this matter.

Very truly yours,
Mark T. Donohoe, PE

A handwritten signature in black ink, appearing to be "Mark T. Donohoe".

Principal
Acton Survey & Engineering, Inc.

cc: Roland Bartl
Steve Ledoux

[Print](#)

Subject **FW: followup, 107 Great Rd**
From: **LEO BERTOLAMI <autoplex3@hotmail.com>**
Sent: **Mar 4, 2009 12:21:10 PM**
To: **actonsurvey@verizon.net**

> Date: Tue, 3 Mar 2009 15:54:58 -0500
> From: terraf@compuserve.com
> Subject: RE: followup, 107 Great Rd
> To: autoplex3@hotmail.com

> i'm not sure what to do...

> t

> -----Forwarded Message-----

> From: Roland Bartl, INTERNET:rbartl@acton-ma.gov
> To: "'terraf'", terraf

> CC: Engineering Department, INTERNET:Engineering@acton-ma.gov
> Planning Department, INTERNET:Planning@acton-ma.gov
> Corey York, INTERNET:cyork@acton-ma.gov

> Date: 3/3/2009 3:36 PM

> RE: RE: followup, 107 Great Rd

> Terra:

> I appreciate your effort in accommodating the applicant as much as you can in trying to iron out any remaining issues. Unfortunately, timing, other unrelated staff obligation, and the applicant's or his site engineer's own workings are not tipping things in your favor. Here is a brief update:

> 1. Scott has drafted a memo. I have sent him back to the drawing board to make it simpler. This is not a small task because, as you know, this site has complex issues with a complex history. I want to make sure every member of the Board of Selectmen understands what they have in front of them. Before his memo is released to anyone, I want to see it again and give it final approval. Scott is in GIS training today, tomorrow, and Friday. He will do what he can to work it up from home. There is a toddler there, so I am not sure how well that will go for him. As for myself, I will be in mediation tomorrow, Thursday, and possibly Friday. In any case, I will try to find time tomorrow while in mediation at Town Counsel's office to communicate with Scott to get this finalized. Our gold standard is to have the package ready by the Wednesday before a hearing. We may just make it.

> 2. Corey is reviewing engineering drawings and calculations, and the applicant's engineer's response to the first review round. From what I understand, not many of our Engineers' questions have been answered in a way that Engineering could check-off the comment or question. Some of these engineering details seems small, benign, and nit-picky. I have days when I wish they would just go away. But, the bottom line is: This stuff has to work, not just appear as so. To ensure that it works, Corey is prowling over data and plans, previous submissions, etc. He will have a new comment/questions list when done. I can't say if or by how much it will be shorter than the first.

> Normally this would all fall into place for the hearing (perhaps not with all issues ironed out - that usually never happens in my experience) where it not for the applicant's engineer leaving Town or country. This snag is on the applicant's watch. While we knew it early on, and while we tried to accommodate it, it isn't working out.

> We will have staff comments ready for the hearing, but there may not be an opportunity or sufficient time for the applicant's engineer to review the comments relative to his domain before he leaves (on Thursday I think?), let alone 'iron out' all the remaining issues. To the extent that Acton Survey does not have competent staff to fill in for the site engineer and that the applicant is uncomfortable proceeding at this time, he could ask for a hearing continuation. He would need to sign the requisite extension agreement. Christine in the manager's office has a form for that. If the Board of Selectmen agree, they could then open the hearing on Monday and immediately continue it to another time (date, time and place certain to be announced) without taking testimony or engaging in discussions. On the other hand, the applicant could proceed and let the chips fall where they may.

> I there is a hearing continuation, there should not be an overrated expectation that this site plan will then stand at the center of everybody's attention here. Before a continued hearing, we can work through another meeting and perhaps through another round of plan revisions, but then it will be what it will be for purposes of the hearing.

> I have to say, at the risk of repeating myself, this combination of applicant and engineer consistently manages to create the most confusing, complicated, agonizing, and often most contentious review and hearing processes with everything they bring before the Town - whereas most these projects could be rather simple ones. Other applicants with other engineering firms do not have such problems.

> Roland Bartl, AICP
 > Planning Director
 > 472 Main Street
 > Acton, MA 01720
 > (978) 264-9636

> -----Original Message-----

> From: terraf [mailto:terraf@compuserve.com]
 > Sent: Monday, March 02, 2009 11:01 PM
 > To: Scott Mutch
 > Cc: terraf; Corey York; autoplex3@hotmail.com; Roland Bartl
 > Subject: FW: followup, 107 Great Rd

> Thanks, Scott...

> Corey,

> I'm the Board of Selectmen Liaison assigned to this site plan.