



## The Design Review Board Memorandum

Project: Marsh View  
~~113 Central Street~~ 93 Central St (B)  
Acton, MA

All site plans produced by: Acton Survey & Engineering  
Typical Architectural Plans by: Integrity Design

Applicant: Marsh View, LLC

Date of Review: 8/05/09  
1st Review

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The Design Review Board (DRB) reviewed this project without the proponent or representative present. The DRB is the Town of Acton's volunteer board composed of 6 building professionals (including MA registered architect, landscape architect, civil engineer, realtor; see Town of Acton, website under Government for further information.)

The DRB comments follow:

- The proposed density is twice that of the R2 zoning district.
- The alignment of building #1 and #2 in the plan is not parallel to street line. This is not consistent with the surrounding properties and will have a negative visual impact in an otherwise scenic area.
- The rear yards of building #1 and #2 will face Central Street, including elevated decks. No property on Central Street does this currently.
- The existing conditions plan does not indicate location of size of existing trees, as is customary.
- Contrary to the findings outlined in the Approval Letter presented, the DRB is of the opinion that the proposed building massing is out of scale with the surrounding neighborhood. The neighboring single family homes are situated on one acre to one-half acre (+/-) lots, and are 1-2 stories in height. Whereas the proposed building #1 and #2 will appear 3 1/2 stories because of exposed basement/garage facing Central Street. In other words they will be perceived as much larger, taller, structures.

- According to the application materials the applicant proposes to reduce the tree cover on the site from 57 percent mature growth coverage down to 10 percent new growth. It is our view the project and neighborhood generally, would benefit immensely from strategically preserving portions of the mature growth stand of pines that runs through the center and back half of the site.

The DRB recommends that the proponent provide the following materials to the ZBA to be able to more thoroughly review this proposal in keeping with the letter and spirit of Comprehensive Permit law:

- Add the surrounding existing buildings to the site plans to show development context.
- Provide Elevations through the site + buildings. Provide a longitudinal section from Central Street through a front building and a rear building to the back property line of the site.
- Provide elevations approximately parallel to Central Street of the front two houses (showing the view from the street) and through the rear two houses. Elevations should include the proposed elevation superimposed over the existing condition and buildings on adjacent properties to help determine context.
- A Landscape Plan, stamped by a Registered Landscape Architect, incorporating the existing trees into the proposed design. And showing locations of actual species and proposed size of plants at installation.

The DRB would be happy to re-review the proposal for the ZBA once the requested materials have been submitted and a more complete and accurate review is possible.

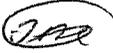
Respectfully Submitted:

The Design Review Board  
Town of Acton

# ACTON MUNICIPAL PROPERTIES DEPARTMENT

## INTERDEPARTMENTAL COMMUNICATION

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**To:** Scott Mutch, Planning Department *Date:* 8/10/09  
**From:** Dean A. Charter, Municipal Properties Director   
**Subject:** Marsh View LLC, 93 Central Street

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I have reviewed the plans submitted and am familiar with the site of the above noted proposed 40B Development; my comments are as follows:

The landscape plans submitted shows typical plantings for a small scale residential development, and are appropriate and adequate, except as noted below.

There will be no public shade tree plantings required as all access on the site will be by driveways, rather than public roadways.

The planting legend shown on the landscape plan should be modified to show the size of the proposed plants at the time of planting. Having this information will allow a proper evaluation of the planting scheme, and should help to validate the landscape number shown in the Pro Forma. Typically trees should be between ten and twelve feet at the time of planting, for example.

## **Acton Community Housing Corporation**

**Nancy Tavernier, Chairman**

**TOWN OF ACTON**

Acton Town Hall

472 Main Street

Acton, Massachusetts, 01720

Telephone (978) 263-9611

[achc@acton-ma.gov](mailto:achc@acton-ma.gov)

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TO: Zoning Board of Appeals  
FROM: Nancy Tavernier, Chair  
SUBJECT: Marsh View LLC and Richardson Crossing LLC  
DATE: August 20, 2009

ACHC offers the following comments on the two comprehensive permit applications submitted by developers Stephan Marsh and James D'Agostine, III for 93 and 113 Central Street. Both of these proposals are similar in design, lot size, unit count, and pricing. The proposals are to construct 4 single family, 3-BR homes with 2600 square feet of living space, 2.5 bathrooms, basement, and a 2 car garage on each site. Each development is on approximately one acre of land. Each development will include one affordable home selling at \$170,000 and three market homes, proposed to sell at \$629,000. These comments are intended to address both applications, though they will be heard separately.

On August 13, ACHC discussed the proposed projects with the developers and six interested nearby neighbors and abutters in a productive session that aired concerns to be addressed by the developers. Because these projects are in the MassHousing program and not DHCD LIP "Friendly 40B" projects, there was less opportunity for ACHC to drive the process from the first time the concept was discussed with us in 2006 to the last time in 2007.

In the case of MassHousing projects, the Monitoring Agent role is assigned to MassHousing and they will delegate a separate entity to monitor the development, it will not be ACHC or the Town. ACHC would like to be included in the loop during the affirmative marketing and outreach period because we have resources such as mailing lists of interested buyers and special outreach suggestions for town and school employees and the Acton Housing Authority. ACHC requests that special wording in the ZBA decision be written to allow ACHC to review the marketing materials prior to final approval to the extent allowed by the Project Administrator (MassHousing). Neither ACHC nor the Town has a role in the post development auditing process, which will be the responsibility of MassHousing.

Due to new more stringent condo mortgage lending rules, the developers have proposed a fee simple ownership arrangement to alleviate the constraints on mortgage approvals. A fee simple ownership shifts the responsibility for many functions that are normally done by the condo association to each individual homeowner, some at considerable cost. ACHC understand the rationale for this change in ownership but would like to be assured that full disclosure of these extra expenses and estimated costs be included in the marketing material for the affordable units so that potential buyers can measure their ability to cover ALL homeowner expenses in the future and not just the standard ones of mortgage, taxes, insurance, and homeowner association fees. It is our understanding the developer will fund the required septic maintenance reserve payment for each affordable unit.

Concerns from the neighboring property owners focused on the landscaping issues of clear cutting and buffering between properties. ACHC understands the need to remove trees in order to build but also expects that new landscaping will provide restoration of a reasonable degree of lost vegetation with new healthy growth to shield the properties from the street, from the neighboring properties, and to some extent, from each unit on the site. The developers have promised to work with the abutters to address their concerns and find mutually acceptable solutions for buffering.

With a less than 1 mile proximity to the commuter rail, this location meets the Smart Growth criteria of offering transportation choice. The parcels are also not in a traditional subdivision neighborhood but rather are located on a busy feeder road. The parcel at 113 Central St. is adjacent to a major apartment complex and across the street from several duplex units so this density is not inconsistent with the neighboring properties. While this is not in the preferred growth area laid out in the Comprehensive Permit Policy endorsed by the Board of Selectmen and the Planning Board, the Town Planner performed a Project Evaluation Summary exercise in January 2008 to evaluate this project using criteria in the Comp Permit policy. The Planner concluded: *This project seems to fit without much needed justification into the existing neighborhood due to its small scale, moderate density, and single-family style. This sort of 40B project is one good model that the Town might embrace for certification maintenance purposes should it ever succeed in reaching or exceeding the 10% threshold.*

Acton's affordable housing count is currently at 6.7%. We continue to have a local need for more affordable housing but do not want to lose sight of the need for a diversity of housing types, sizes and prices. In the past decade, 40B developments in Acton have been attached townhouses, duplexes, or large multi-family buildings. We find it refreshing to see a design of single family homes that gives homeowners more control of their space so they can create gardens, private play and sitting areas on their lot. ACHC is pleased with the small scale nature of the project.

The ACHC recommends approval of Marsh View and Richardson Crossing as proposed.



# Water Supply District of Acton

693 MASSACHUSETTS AVENUE  
P.O. BOX 953  
ACTON, MASSACHUSETTS 01720

TELEPHONE (978) 263-9107

FAX (978) 264-0148

DATE: 8/21/2009

TO: Scott Mutch, Town of Acton Planning Department

FROM: Chris Allen, District Manager

RE: Comments on Marsh View, 93 Central Street

1. All water mains, services, appurtenances and installation of such must comply with Acton Water District (AWD) specifications. (Hard copy may be picked up at AWD main office)
2. A proposed "As-Built" plan of the water infrastructure must be submitted, reviewed and approved by AWD prior to any installation of said infrastructure.
3. The proposed plan calls for ¾" HDPE services for each residence. AWD recommends that a minimum of 1" services be installed to ensure sufficient volume for domestic use.
4. All installed water infrastructure shall be inspected by AWD personnel prior to backfill.
5. A final "As-Built" plan denoting exact locations of all water infrastructure will be submitted by the contractor or developer prior to filling of any water mains for pressure test or disinfection per AWD specifications.
6. Any irrigation systems must comply with associated AWD "*Rules and Regulations*".
7. Every effort should be made to limit lawn areas and use drought tolerant plantings.

Respectfully submitted

Chris Allen  
District Manager

*Jan*



**TOWN OF ACTON**  
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Acton, Massachusetts 01720  
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Fax (978) 264-9630

**Building Department**

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Date: August 25, 2009  
To: Scott Mutch  
From: Frank Ramsbottom, Building Commissioner  
Subject: ZBA Hearing #09-03 93 Central Street 40 B

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Regarding the application for the above mentioned hearing I have no comment at this time.

Respectfully submitted

*Frank Ramsbottom*

Frank Ramsbottom  
Building Commissioner

**Cheryl Frazier**

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**From:** Bengt Mutén [bengt@muten.com]  
**Sent:** Wednesday, September 02, 2009 2:48 PM  
**To:** Cheryl Frazier  
**Cc:** Transportation Advisory Committee  
**Subject:** RE: BOA Comprehensive Permit comments for (113 Central St. Richardson Crossing) and (93 Central St. Marsh View)

Cheryl,

Sorry, we did discuss them at our August 27 meeting.

We wanted to commend the developer for plans that combined driveways and, in the case of 93 Central, diverted flows to Pine Ridge Road, reducing the number of driveways intersecting with Central Street.

The addition of three housing units at each of these lots will not have a discernable impact on auto traffic. Sidewalks are in place on the opposite side of Central Street, and it is not our understanding that they are planned on the odd numbered side in the foreseeable future (does the sidewalk committee also review these applications?).

We did have one suggestion. Central Street is likely to be a prime service route for the shuttle bus. Given the location right near the MBTA grade crossing and 113 Central Streets position on the inside curve, we recommend a pulloff area immediately east of the driveway. This would both increase visibility along the inside curve for drivers entering Central Street, as well as safety when a shuttle stops there. Regardless of the pulloff, we want to emphasize that this is an area of low visibility, and that any landscaping close to Central Street should be sure not to impact the visibility further.

A personal suggestion (not coming from TAC): I live in a house with the driveway coming from a side street to Newtown Road, but an address on Newtown Road. This has caused confusion a number of times. I would suggest that before anyone moves into 93 Central that changing the addresses to Pine Ridge Road be considered.

For the Transportation Advisory Committee

Bengt Mutén  
978 263 6457

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**From:** Cheryl Frazier [mailto:cfrazier@acton-ma.gov]  
**Sent:** Wednesday, September 02, 2009 2:16 PM  
**To:** Fire Department; Engineering Department; Acton Housing Authority; Transportation Advisory Committee; Recreation Department; Finance Committee; Tom Tidman  
**Subject:** BOA Comprehensive Permit comments for (113 Central St. Richardson Crossing) and (93 Central St. Marsh View)

~~~~~  
Good afternoon all,

Just a reminder, I have not received your comments for the two Comprehensive Permit applications (113 Central St. Richardson Crossing and 93 Central St. Marsh View). The deadline for comments was August 26, 2009. As the deadline has already passed please forward your comments

9/2/2009

as soon as possible.

Thanks so much, and have a great day !

Cheryl

Cheryl Frazier  
Acton Building Department  
472 Main Street  
Acton, MA 01720  
978-264-9632  
[cfrazier@town.acton.ma.us](mailto:cfrazier@town.acton.ma.us)

**Cheryl Frazier**

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**From:** Kelley Cronin [kelley@actonhousing.net]  
**Sent:** Wednesday, September 02, 2009 3:21 PM  
**To:** Cheryl Frazier  
**Subject:** RE: BOA Comprehensive Permit comments for (113 Central St. Richardson Crossing) and (93 Central St. Marsh View)

Hi Cheryl-

The Housing Authority appreciates being included on the review of BOA Permits. The Board of the Housing Authority defers to the Acton Community Housing Committee for their review and input on Comprehensive Permit applications. The Acton Housing Authority Board will usually not send official comment.

Sincerely,

Kelley Cronin, Executive Director

Acton Housing Authority

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**From:** Doreen LeBlanc [mailto:office@actonhousing.net]  
**Sent:** Wednesday, September 02, 2009 3:12 PM  
**To:** kelley@actonhousing.net  
**Subject:** FW: BOA Comprehensive Permit comments for (113 Central St. Richardson Crossing) and (93 Central St. Marsh View)

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9/2/2009

Thanks so much, and have a great day !

Cheryl

Cheryl Frazier  
Acton Building Department  
472 Main Street  
Acton, MA 01720  
978-264-9632  
[cfrazier@town.acton.ma.us](mailto:cfrazier@town.acton.ma.us)



# Acton Board of Health

472 Main St.  
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Fax: (978) 264-9630  
Email: Health@acton-ma.gov



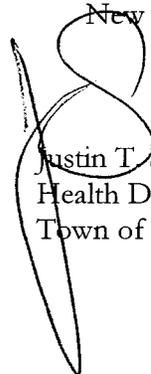
**Public Health**  
Prevent. Promote. Protect.

Doug Halley, Health Director

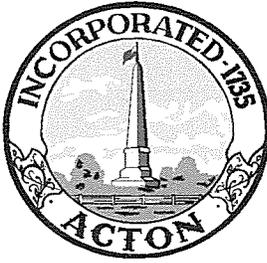
To: Scott Mutch  
From: Justin Snair, Health Dept.  
RE: Board of Appeals Hearing- 93 Central St.

The following Health Dept issues were found during the review of 93 Central St. Board of Appeals application:

1. No Soil Data has been provided on the proposed plan. The Health Dept. is unable to confirm that placement of a fully conforming onsite wastewater system is possible.
2. The proposed plan indicates paving a private road "Pineridge Rd" located adjacent to 93 Central St. which is owned by the owner of 89 Central St. No easement has been indicated or right to change the existing conditions of the paved private road. Any easement should also indicate subsurface rights. The proposed plan indicates changes to the on-site wastewater system currently serving 89 Central St. Any changes would require a disposal works permit for 89 Central St.
3. The proposed changes to the existing system serving 89 Central St. will require Board of Health approval, and potentially MA DEP approval. The component, Tensar BX1500 Geogrid does not hold a MA DEP approval letter and the Health Dept. is unable to ascertain whether the existing system would be protected from added load using that technology. Evidence of similar approved use within the State must be provided.
4. No driveway, parking or turning area or other impervious area shall be located above a soil absorption system, except where restrictions on the use of the land make it unavoidable. In such cases, the soil absorption system shall be vented to the atmosphere. The existing system at 89 Central St. was able to be sited with out having an impervious surface located above it. Proposed plan to place impervious surface for New Construction above an existing system is avoidable and therefore not permitted.



Justin T. Snair  
Health Dept.  
Town of Acton



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Fax (978) 264-9630

**Engineering Department**

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**INTERDEPARTMENTAL COMMUNICATION**

**To:** Planning Department  
**From:** Engineering Department  
**Date:** August 7, 2009  
**Subject:** Board of Appeals Hearing #09-03 – Marsh View LLC - 93 Central Street  
40B Comprehensive Permit

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The Engineering Department has the following comments regarding the above-mentioned plan dated June 19, 2009 for the Comprehensive Permit at 93 Central Street:

1. The Applicant has requested a waiver from the common driveway requirements for a turnaround for an emergency SU-30 design vehicle (fire truck). We would defer comment to the Fire Chief on this issue. The engineer indicated the use of the guest parking spaces and the driveway for units #3 & #4 to serve as a turnaround for the fire truck. Assuming there could always be vehicles parked in the parking area, we do not see this as an acceptable alternative. We checked this option with our turning template for a SU-30 vehicle and found that the layout of the parking area and driveway is not adequate for a fire truck. We also noted that a fire truck cannot maneuver onto the driveway for unit #2 without driving over the grass and/or the driveway recharge trench. The 10-foot wide driveway for unit #3 seems very tight for the fire truck, as well. The engineer should show the edge of road pavement on both sides of Central Street so that we can ensure a fire truck can maneuver in and out of the site without driving over the road shoulder or obstructing oncoming traffic on Central Street.
2. The applicant has requested a waiver to eliminate the need for access and utility easements. The applicant will need to reserve rights for each of the individual units so that they can provide access and utilities across the abutting lots as shown the plans.

3. We recommend that the engineer conduct the necessary soil evaluations in the vicinity of the proposed recharge trenches to confirm the soil types and infiltration rates used in the drainage calculations. During the soil evaluation the engineer should also confirm the estimated high water groundwater elevation to ensure the recharge chambers will be above groundwater.
4. The driveway recharge trench at the rear of the site is shown to be within about 12 feet from the existing leach field for 89 Central Street. The engineer needs to make sure that they comply with any applicable setbacks from the local Board of Health and state Title V regulations.
5. The engineer should submit copies of the pre- and post-development subcatchment maps so that we can analyze the drainage calculations that were submitted with the site plan.
6. The engineer stated that the peak rate of runoff for the proposed development will exceed pre-existing conditions for all the design storm events (2, 10, 25 & 100 year design storms) used in their drainage calculations. We recommend that the proposed drainage system be sized such that the post-development runoff does not exceed pre-existing conditions.
7. The engineer needs to submit their pipe sizing calculations for the 8" diameter PVC outlet pipe from the catch basin next to unit #1. The engineer should label the proposed slope of the pipe, inverts (in & out), etc... to ensure there is sufficient information for the contractor to install the drain pipe.
8. The engineer noted on the plan that the existing conditions were compiled from a previous conceptual drawing by Foresite Engineering Inc. The engineer also noted that the land surveyor still needs to perform a perimeter survey prior to recording any plans with the Registry of Deeds. We would recommend that the applicant's land surveyor field verify the property to ensure no other issues arise from the compilation of information from these other sources.
9. According to the deeds, the applicant does not own the parcel for Pine Ridge Way, but they have the unobstructed right to use that parcel for all purposes which streets and ways are used in Town.
10. Topography and all elevations shall be referenced to the National Geodetic Vertical Datum of 1929 with the location and elevation of the starting bench mark plus at least two additional temporary benchmarks. The temporary benchmarks should be set on fixed objects that will not be disturbed during construction.

## Engineering Department

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11. The Town has a sidewalk on the opposite side of Central Street at this location. There is another sidewalk that exists along the northwesterly sideline of the property adjacent to units #2 & #3. This sidewalk connects Central Street to Tuttle Drive. These sidewalks are within close proximity to the project and should be shown on the plans.
12. The applicant will need to propose and obtain final approval for the street addresses from the Engineering, Police and Fire Departments. The entire project could use 93 Central Street as the street address and each individual dwelling be identified by the assigned unit number as shown on the conceptual plan. It also appears that each unit could be assigned an individual Pine Ridge Way address.
13. The Recordable Plan should show existing survey monumentation to allow sufficient data to reproduce the boundary lines on the ground.
14. Sufficient space for the date and the signatures of the Acton Planning Board, or its designee, should be included on the Recordable Plan Sheet.
15. The engineer needs to label the affordable unit on the plans.
16. There are existing stone walls along the Central Street frontage and the side property line adjacent to units #2 & #3 that need to be shown on the plan.
17. There is also an existing ditch that runs along the front of the stone wall on Central Street to a pipe inlet next to the driveway within the parcel for Pine Ridge Way that should be shown on the plan and labeled to remain. The existing pipe inlet and the drainage system in Central Street should be field located and shown on the plans. The engineer should add some notes requiring the contractor to cleanout the ditch and the pipe inlet to prevent any runoff from the proposed site from discharging onto Central Street and potentially causing an icing situation during the winter months.
18. The applicant should also be responsible to install a curb similar to the curbing on Central Street to fill-in the gap which exists for the driveway that will be removed.
19. The edge of wetlands shown on these plans is labeled "assumed". The engineer needs to have the actual edge of wetlands identified on the plans.
20. The engineer should label the existing wooded areas, the parking area and walkways for 89 Central Street that extends to the driveway within the parcel for Pine Ridge Way. The engineer should also show the existing plantings that the homeowners at 89 Central Street have along the side the driveway that will be reconstructed. The plans should

## Engineering Department

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clearly note if these plantings are to remain or be removed.

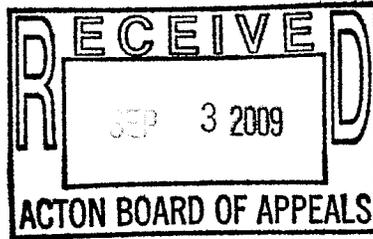
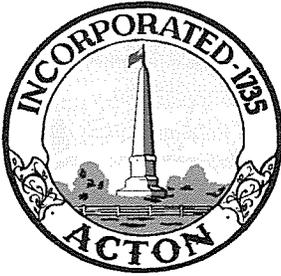
21. The engineer should show the existing sewage disposal system for 93 Central Street and label it to be removed in accordance with any applicable local Board of Health and state Title V regulations. We would defer this issue to the Acton Health Department.
22. The proposed driveway for the project is shown on top of the existing leach field for 89 Central Street. The engineer also proposes to relocate the existing vent that is located within the driveway for unit # 4. The engineer needs to make sure that they comply with any applicable local Board of Health and state Title V regulations. We would defer this issue to the Acton Health Department.
23. The parking spaces should be labeled on the plans and identified as either standard size or handicapped parking spaces along with the dimensions. The location of any signs intended to be used for identification of handicapped parking spaces must be shown. The parking space should be delineated by pavement markings.
24. Include a note explaining how the APPLICANT will provide fire protection to the SITE. The engineer also needs to show any fire hydrants within 500 feet of the site.
25. The notes regarding cleaning the catch basin sump should also state that it will be cleaned following construction. The drainage system operation and maintenance schedule should be incorporated into the Private Way Maintenance Agreements recorded at the Registry so that the future homeowners clearly understand their responsibilities for the upkeep of the drainage system.
26. The engineer has indicated the proposed walkways will be crushed stone. The applicant will need to ensure the surface is accessible for all persons. The engineer should include some notes to label the maximum cross slope, etc...
27. The engineer might need to modify the pavement radius for the driveway closest to unit #2 to allow easier access for the unit owner to the 2-car garage.
28. The engineer should clarify the locations for the vertical granite or reinforced concrete curbs on the plans. There is a label for granite curb at the guest parking area, but it is unclear where the curbing should start and stop.
29. The Town requires a minimum of 12-inches of gravel underneath the 3-inch layer of bituminous concrete. The engineer only labeled 8-inches of gravel underneath the pavement.

## Engineering Department

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30. There appears to be no plans to reconstruct or repave the existing driveway within Pine Ridge Way at Central Street. We recommend that the entire driveway to be reconstructed along with the project to ensure there is an adequate gravel base, thickness of pavement, width and pavement radiuses to ensure safe movement of vehicles and fire trucks within the site. The engineer should label the proposed pavement width for this section of the access to be consistent on the plans.
31. The plans should show the location of any existing utilities on the site.
32. The Trench Step Detail on sheet 7 of 7 indicates a minimum and maximum depth for the trench to be 1 foot. The Driveway Trench Detail on sheet 5 of 7 requires the depth of the trench to be no less than 2 feet.
33. If the applicant intends to have a sign identifying the development, the engineer should show the location of this sign on the plans.

Cc: Cheryl Frazier, Board of Appeals Secretary



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Planning Department

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**INTERDEPARTMENTAL COMMUNICATION**

**To:** Zoning Board of Appeals **Date:** September 2, 2009  
**From:** Kristin K. Alexander, AICP, Assistant Planner *KKA*  
**Subject:** **Board of Appeals Hearing #09-03**  
**Marsh View LLC – 93 Central Street - Comprehensive Permit**

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I have reviewed the Marsh View (93 Central Street) Comprehensive Permit application/plans. My comments are in the attached Acton Comprehensive Permit Policy Project Evaluation Summary form. If you have any questions, please do not hesitate to contact me.

# PROJECT EVALUATION SUMMARY – MARSH VIEW 93 CENTRAL STREET

Prepared by Town of Acton Planning Department; 09/01/09

KLA

| EVALUATION CRITERIA <sup>1</sup>                                                                                                         | Small-Scale Project |                | Mixed-Use Project |     | Large-Scale Project |     |
|------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------|-------------------|-----|---------------------|-----|
|                                                                                                                                          | Standard Applies    | Y/N            | Standard Applies  | Y/N | Standard Applies    | Y/N |
| <b>I. DEVELOPMENT PREFERENCES</b>                                                                                                        |                     |                |                   |     |                     |     |
| Types of Housing                                                                                                                         |                     |                |                   |     |                     |     |
| <i>Includes a mix of unit styles and sizes</i>                                                                                           |                     |                |                   |     | X                   |     |
| <i>Includes no more than 15% 3-BR units</i>                                                                                              |                     |                |                   |     | X                   |     |
| Location                                                                                                                                 |                     |                |                   |     |                     |     |
| <i>Site is in or within 1/2 mile of a village center or Kelley's Corner</i>                                                              | X                   |                | X                 |     | X                   |     |
| <i>Site is in another Preferred Location</i>                                                                                             | X                   | N <sup>2</sup> | X                 |     | X                   |     |
| Mixed-Use Development                                                                                                                    |                     |                |                   |     |                     |     |
| <i>Includes compatible non-residential uses</i>                                                                                          |                     |                |                   |     | X                   |     |
| <i>Some or all units are upper-story</i>                                                                                                 |                     |                |                   |     | X                   |     |
| Density and Scale                                                                                                                        |                     |                |                   |     |                     |     |
| <i>For site in a Village Center or Kelley's Corner, FAR does not exceed .80</i>                                                          | X                   |                | X                 |     | X                   |     |
| <i>For site outside the Village Centers and Kelley's Corner, in other locations or for large-scale projects, FAR does not exceed .25</i> | X                   | N <sup>3</sup> | X                 |     | X                   |     |
| <i>Height conforms to zoning</i>                                                                                                         | X                   | Y              | X                 |     | X                   |     |
| <i>Development comprised of approximately 12 units or less</i>                                                                           | X                   | Y              | X                 |     | X                   |     |
| Building & Landscape Design Considerations                                                                                               |                     |                |                   |     |                     |     |
|                                                                                                                                          | X                   |                | X                 |     | X                   |     |

<sup>1</sup> Reviewers should record their evaluation by indicating "Y" (yes) or "N" (no) for each criterion that applies to the project, based on the category that most closely fits the type of project under review.

Town of Acton Comprehensive Permit Policy

| EVALUATION CRITERIA <sup>1</sup>                                                                             | Small-Scale Project |                  | Mixed-Use Project |     | Large-Scale Project |     |
|--------------------------------------------------------------------------------------------------------------|---------------------|------------------|-------------------|-----|---------------------|-----|
|                                                                                                              | Standard Applies    | Y/N              | Standard Applies  | Y/N | Standard Applies    | Y/N |
| <b>Buildings &amp; Site</b>                                                                                  |                     |                  |                   |     |                     |     |
| <i>Building designs similar to highly-rated residences in VPS</i>                                            | X                   | Y                | X                 |     | X                   |     |
| <i>Buildings oriented to the street or around courtyard</i>                                                  | X                   | Y                | X                 |     | X                   |     |
| <i>Side and/or rear parking</i>                                                                              | X                   | Y                | X                 |     | X                   |     |
| <i>Walkability: sidewalks, internal pathways</i>                                                             | X                   | Y <sup>4</sup>   | X                 |     | X                   |     |
| <i>Connectivity: linked to surrounding neighborhoods or commercial areas</i>                                 | X                   | Y                | X                 |     | X                   |     |
| <i>No adverse impact on historic/architectural significance (may be N/A)</i>                                 | X                   | Y                | X                 |     | X                   |     |
| <b>Open Space &amp; Natural Resources</b>                                                                    |                     |                  |                   |     |                     |     |
| <i>Open space at least 50% of site</i>                                                                       |                     | Y <sup>5</sup>   |                   |     | X                   |     |
| <i>Not more than 50% of open space is wetlands</i>                                                           | X                   | Y                |                   |     | X                   |     |
| <i>Open space is directly accessible to residents of the development</i>                                     | X                   | Y                |                   |     | X                   |     |
| <i>Landscaping emphasizes low-water-use plantings</i>                                                        | X                   | ? <sup>6</sup>   | X                 |     | X                   |     |
| <i>Outdoor irrigation system is designed to conserve water</i>                                               |                     | ?                | X                 |     | X                   |     |
| <b>Site Plan Standards</b>                                                                                   |                     |                  |                   |     |                     |     |
| <i>Substantially conforms to ZBL Section 10.4, Site Plan Standards</i>                                       | X                   | Y/N <sup>7</sup> | X                 |     | X                   |     |
| <b>Public Benefits</b>                                                                                       |                     |                  |                   |     |                     |     |
| <i>Provides public benefits in addition to affordable housing</i>                                            |                     |                  | X                 |     | X                   |     |
| <i>Additional public benefits include:</i>                                                                   |                     |                  |                   |     |                     |     |
| <i>Pedestrian amenities</i>                                                                                  |                     |                  | X                 |     | X                   |     |
| <i>Park and recreation amenities</i>                                                                         |                     |                  |                   |     | X                   |     |
| <i>Contribution to a local capital improvements project appropriate to the scale of proposed development</i> |                     |                  |                   |     | X                   |     |
| <i>Contribution to Town's affordable housing fund</i>                                                        |                     |                  |                   |     | X                   |     |
|                                                                                                              |                     |                  |                   |     |                     |     |
|                                                                                                              |                     |                  |                   |     |                     |     |
| <b>II. AFFORDABILITY PREFERENCES</b>                                                                         |                     |                  |                   |     |                     |     |

Town of Acton Comprehensive Permit Policy

| EVALUATION CRITERIA <sup>1</sup>                                                          | Small-Scale Project |                | Mixed-Use Project |     | Large-Scale Project |     |
|-------------------------------------------------------------------------------------------|---------------------|----------------|-------------------|-----|---------------------|-----|
|                                                                                           | Standard Applies    | Y/N            | Standard Applies  | Y/N | Standard Applies    | Y/N |
| Percentage of Affordable Units                                                            |                     |                |                   |     |                     |     |
| <i>Development provides more than 25% minimum affordable units</i>                        |                     |                |                   |     | X                   |     |
| <i>Additional affordable units are for LMI households</i>                                 |                     |                |                   |     | X                   |     |
| Income Targets                                                                            |                     |                |                   |     |                     |     |
| <i>One or more units priced for households at/below 70% AMI</i>                           | X                   | Y              | X                 |     | X                   |     |
| <i>Includes any units priced for households at 50% AMI</i>                                |                     |                | X                 |     | X                   |     |
| <i>Includes any units priced for households at 31-50% AMI</i>                             |                     |                |                   |     | X                   |     |
| <i>Includes any units priced for households at 81-110% AMI</i>                            | X                   | N              | X                 |     | X                   |     |
| Term of Affordability                                                                     |                     |                |                   |     |                     |     |
| <i>Use restriction will be perpetual</i>                                                  | X                   | Y <sup>8</sup> | X                 |     | X                   |     |
| <b>III. AFFIRMATIVE MARKETING &amp; LOCAL PREFERENCE</b>                                  |                     |                |                   |     |                     |     |
| Local Preference Units                                                                    |                     |                |                   |     |                     |     |
| <i>Offers 70% local preference units</i>                                                  | X                   | ?              | X                 |     | X                   |     |
| Affirmative Marketing Experience                                                          |                     |                |                   |     |                     |     |
| <i>Team includes person/organization with prior affordable housing lottery experience</i> | X                   | Y              | X                 |     | X                   |     |

**IV. LARGE-SCALE PROJECT PUBLIC BENEFIT CRITERIA**

|                                                 |  |  |  |  |   |  |
|-------------------------------------------------|--|--|--|--|---|--|
| Project provides any of the following benefits: |  |  |  |  |   |  |
| <i>Transportation management</i>                |  |  |  |  | X |  |

Town of Acton Comprehensive Permit Policy

| EVALUATION CRITERIA <sup>1</sup>                                                                                    | Small-Scale Project |     | Mixed-Use Project |     | Large-Scale Project |     |
|---------------------------------------------------------------------------------------------------------------------|---------------------|-----|-------------------|-----|---------------------|-----|
|                                                                                                                     | Standard Applies    | Y/N | Standard Applies  | Y/N | Standard Applies    | Y/N |
| <i>Traffic mitigation</i>                                                                                           |                     |     |                   |     | X                   |     |
| <i>Significant contribution to local capital improvements fund</i>                                                  |                     |     |                   |     | X                   |     |
| <i>Significant contribution to Town's affordable housing fund</i>                                                   |                     |     |                   |     | X                   |     |
| <i>Provision of additional affordable units in off-site locations</i>                                               |                     |     |                   |     | X                   |     |
| <i>Donation of developable land to the Town for affordable housing, community facilities, other public purposes</i> |                     |     |                   |     | X                   |     |

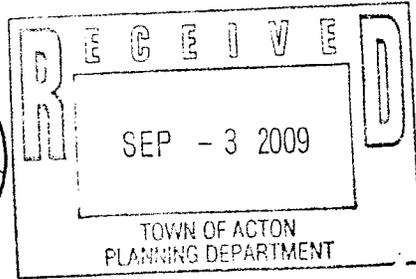
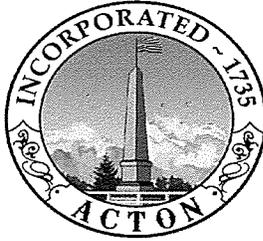
**REVIEWER'S COMMENTS**

- 2 Site is about 5/8 mile from South Acton Village (and the commuter rail station) and about 7/8 mile from West Acton Village. Sidewalks exist along Central Street. The small project scale somewhat offsets the marginal location. The location is within a moderate density area as per Acton 40B Policy.
- 3 The Acton Zoning Bylaw (Bylaw) counts mudrooms and basements toward the gross floor area, resulting in a gross floor area of 3,106 square feet/ house and an overall gross floor area ratio (FAR) of 0.30 for the site. The FAR listed on Plan Sheet 2 (Master Plan) is inaccurate (0.24 FAR) because the mudrooms and basements were not counted and should have been for all the units.
- 4 The lack of sidewalk along Pine Ridge Road seems acceptable for this small 4-unit project. A sidewalk exists on Central Street. Staff would recommend that the internal pathway connecting the units to the guest parking spaces (and across Parcel A) be re-designed to loop around Parcel A. By looping the pathway, it will connect each unit to the guest parking and each other, create more useable open space in the center for homeowners, and make a nice paved loop for riding tricycles/bicycles, scooters, etc.
- 5 It appears there is more than 50% open around the houses and driveways. This is like yard space rather than dedicated open space, which seems appropriate for the setting and project scale.
- 6 Planning Department staff cannot determine whether low-water plantings are proposed. The Plan does state "consideration should be given to drought resistant grasses". Unfortunately, this statement does not require drought resistant grasses. The Board may want to consult with the Acton Water District or the Acton Tree Warden on this issue.
- 7 Where applicable, the Plan appears to be consistent with site plan standards. Subdivision/common driveway standards seem more appropriate than site plan standards in this particular setting. See "other comments" below for more information regarding compliance with the Acton Zoning Bylaw standards.
- 8 The project eligibility letter from MassHousing requires the affordable use restriction be perpetual.

Town of Acton Comprehensive Permit Policy

Other Comments:

- a. The side yard setbacks listed on Plan Sheet 2 (Master Plan) are different from the setbacks shown on Plan Sheet 7 (Site Development Plan). The side yard setbacks should be consistent on all Plan sheets.
- b. The applicant should consider planting some landscaping between Units 1 and 2 and between Units 3 and 4 to help provide screening and privacy between the units since windows are proposed on the ends of each unit.
- c. It appears that most common driveway standards in the Acton Zoning Bylaw (Section 3.8.1.5) would need to be waived if the project proceeds as proposed. The waiver request in Section 5 of the Application should be changed to include all of Bylaw Section 3.8.1.5. Planning Department staff defers to the Acton Fire Department and Acton Engineering Department for comments regarding access and traffic flow to/from the site and on-site.
- d. It is unclear where Pine Ridge Road will end and Marsh View Way will begin (Marsh View Way is referenced in the legal documents). It is also unclear who will maintain Pine Ridge Road if this project is built. Reading through the deeds, it appears the current property owner (Micol) and the owner(s) of tax map G-2, parcel 123-1, both have rights to use Pine Ridge Road. Does the owner of G-2/123-1 have to sign off on the proposed changes to Pine Ridge Road? This may be a Town Counsel question. Marsh View Way should be labeled on the Plans and the differences between the two access ways (and maintenance responsibilities of each) should be clarified in the legal documents.
- e. It appears the guest parking spaces (off-street parking spaces) may extend slightly into Pine Ridge Road. If so, the guest parking spaces do not comply with Acton Zoning Bylaw (Bylaw) Sections 6.2 (General (Parking) Provisions) and 6.5 (Standard Parking Dimensional Regulations) nor the Acton Comprehensive Permit Rules and Regulations Section 3.14.5.12. No waivers have been requested from these standards/regulations. Staff recommends that the Plan be modified/clarified to demonstrate that the guest parking is located entirely on the site.
- f. In the "Declaration of Common Driveway Covenant..." (Declaration) (Section 3 of the Application), Sections II(B) and VI(g) need to be revised to refer to this project; not Richardson Crossing.
- g. The appraisal for the property is \$345,000, whereas the P&S is for \$375,000. Is there an embedded 40B bonus to the landowner?
- h. In summary, this is a project that seems to fit without much needed justification into the existing neighborhood due to its small scale, moderate density, and single-family style. The biggest issues related to this project appear to be regarding access (see comments c.-e. above and any comments from the Acton Fire and Engineering Departments) and septic systems (see memo from Justin Snair, Acton Health Department, to Scott Mutch). If these issues can be resolved, this sort of 40B project is one good model that the Town might embrace for certification maintenance purposes should it ever succeed in reaching or exceeding the 10% threshold.



**TOWN OF ACTON**  
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**Building Department**

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**INTERDEPARTMENTAL COMMUNICATION**

**To:** *Fire Department, Water District, Conservation Commission, Board of Health, Planning Department, Engineering Department, Municipal Properties, Building Department, Board of Selectmen, Acton Community Housing Corporation, Acton Housing Authority, Design Review Board, Transportation Advisory Committee, Recreation, and Finance Committee.*

**Date:** *August 3, 2009*

**From:** *Cheryl Frazier, Board of Appeals Secretary*

**Subject:** *Board of Appeals Hearing #09-03  
Marsh View LLC 93 Central Street*

---

I am in receipt of a Board of Appeals **40B Comprehensive Permit** application for the property located at 93 Central Street, Acton MA. The applicant is proposing four single family dwelling units with one being an affordable unit.

Please provide your comments to Scott Mutch in the Planning Department and cc; Cheryl Frazier, Board of Appeals Secretary no later than August 24, 2009.

Upon completion of your review, if you no longer need the application and plans please return them to the Building Department.

*Scott:*

- (i) We will need more information regarding the location of the off-site wetlands. "Assumed edge of wetlands" is not enough to base our comments on.*
- (ii) Difficult to determine from the simplicity of the plan, whether or not they meet the requirements of DEP Stormwater guidelines.*
- (iii) Has an actual survey been done of this property? Is the neighbor's leaching field under the driveway?*

*Tom Tidman*

**Cheryl Frazier**

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**From:** Robert Craig  
**Sent:** Friday, September 04, 2009 10:05 AM  
**To:** Scott Mutch  
**Cc:** Cheryl Frazier  
**Subject:** Board of Appeals Hearing #09-03 Marsh View LLC 93 Central Street

Please be advised that I have reviewed the above named plan and have concerns regarding access, turn-around, driveway width etc. I believe that there is a similar memo from the Engineering Department which I would concur with.

---

**Robert C. Craig, Fire Chief**  
**Acton Fire Department**  
**371 Main Street - Acton, MA 01720**

**Phone: (978) 264-9645 / Fax: (978) 266-2885**  
[rcraig@acton-ma.gov](mailto:rcraig@acton-ma.gov)

