



Planning Department

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 264-9636
Fax (978) 264-9630
planning@acton-ma.gov

INTERDEPARTMENTAL COMMUNICATION

To: Planning Board

Date: December 11, 2009

From: Roland Bartl

Subject: Grassy Pond Place (53 Fort Pond Road) Cul-de-sac Lots

Attached is the Consent Agenda – Item II B
Grassy Pond Place – Definitive Subdivision
Cul-de-sac Lots (Lots 18 & 19)

Attached is a letter from Richard Harrington, of Stamski & McNary, to request a subdivision amendment for Grassy Pond Place, to review and vote on at the 12/15/09 Planning Board Meeting. I recommend approval.

Thank you.

STAMSKI AND MCNARY, INC.

80 Harris Street
Acton, Massachusetts 01720
(978) 263-8585
FAX (978) 263-9883

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

December 9, 2009

Roland Bartl
Town of Acton
Planning Department
472 Main Street
Acton, MA

Re: Decision 07-04
Grassy Pond Place – Definitive Subdivision (Residential Compound)
Cul-de-sac Lots (Lot 18 & Lot 19)

Dear Roland:

On behalf of the Westchester Company, Inc., we hereby request an amendment to the Plan of Land¹ for the referenced site. The purpose of this amendment, as discussed at your office on December 8, 2009, is to adjust the sideline radius of the frontage for the two cul-de-sac lots in order to be in compliance with Section 5.3.3.3 of the Town of Acton Zoning Bylaw. The amendment, which is allowed under Limitation 3.4.5 of the Decision, will not result in the creation of any additional lots.

5.3.3.3 *Cul-de-sec LOTS – In all districts the minimum LOT FRONTAGE for a LOT may be reduced to 100 feet per LOT provided that each LOT fronts entirely on a cul-de-sac with a sideline radius of 62.5 feet or greater and provided further that no more than three such reduced FRONAGE LOTS shall have FRONTAGE on the cul-de-sac.*

Residential Compound	Sideline Radius	Frontage
Proof Plan	70.00'	>100' per lot
Preliminary Plan	70.00'	>100' per lot
Definitive Plan	62.00'	>100' per lot
Amended Plan	62.50'	>100' per lot

¹ Lot 18 & Lot 19 as shown on Plan of Land in Acton & Littleton Massachusetts; Middlesex County; No. 53 Fort Pond Road; Scale 1"=50'; Date: Dec. 15, 2006; Revised March 20, 2007 & April 30, 2007; Prepared by Stamski and McNary, Inc.

As noted by the table above, both the Preliminary Plan and the Proof Plan were in compliance with Section 5.3.3.3, however on the Definitive Plan this sideline radius needed to be reduced in order to meet Condition 3.2.10 of the Preliminary Decision 06-07.

3.2.10 Wherever possible maintain existing trees and other vegetation as perimeter buffers around of the Site. Specifically, reconfigure the driveways for lots 1 and 2 and the house layout on lot 2 to preserve as a meaningful natural buffer to the Young property.

In order to achieve this condition of the Board, our office had to reduce the 70' sideline radius shown on the preliminary plan. This allowed the cul-de-sac to be located further into the Site and away from the Young property line to the east. However, an amendment is now necessary to provide the minimum sideline radius requirement of 62.50' for these lots as outlined in Section 5.3.3.3 of the Zoning Bylaw.

The result of this amendment is the private way increases slightly in area (354 s.f.). One lot maintains the same area while the other lot incurs a slight reduction in lot area (354 s.f.). Frontages adjust slightly, but remain greater than the 100' minimum. Minimum yard setbacks will still be maintained to the dwellings following this plan amendment. Since this is registered land, the final lot numbers will be determined by the MA Land Court upon final review of amended plan.

Thank you for your attention to this matter, please contact our office if there are any questions.

Respectfully,
Stamski and McNary, Inc.



Richard J. Harrington, P.E.

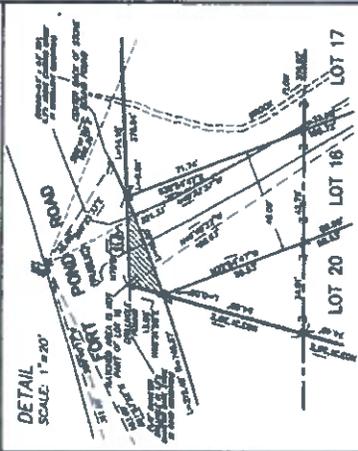
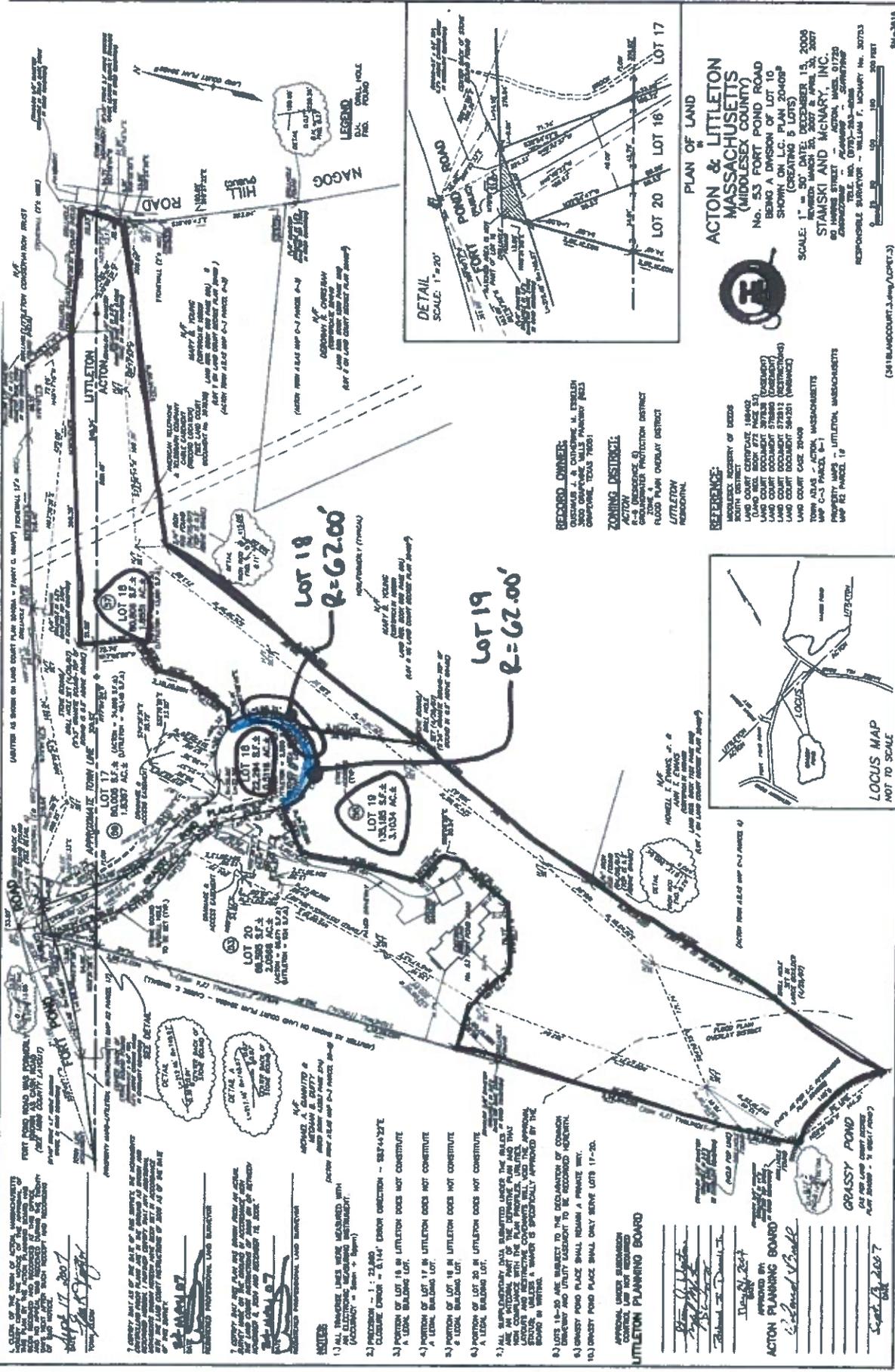


William F. McNary, P.L.S.

Attachments: Endorsed Plan of Land (8.5"x11" with notes)
Sketch of Amended Plan (8.5"x11" cul-de-sac area only)

Cc: Westchester Company, Inc.

File 3618 Amendment Dec 2009 .doc



PLAN OF LAND
ACTION & LITTLETON
MASSACHUSETTS
 (MIDDLESEX COUNTY)
 No. 53 FORT POND ROAD
 BEING A DIVISION OF LOT 10
 SHOWN ON L.C. PLAN 200408
 (CREATING 5 LOTS)

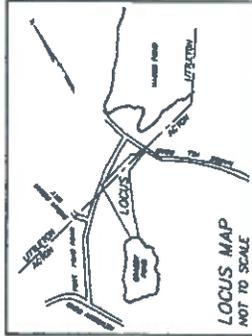
SCALE: 1" = 50' DATE: DECEMBER 15, 2006
 REVISION: MARCH 22, 2007 & APRIL 30, 2007
STAMSKI AND McNARY, INC.
 600 WASHINGTON STREET, FARMINGTON, CT 06030
 TEL: (878)-263-8888
 RESPONSIBLE SURVEYOR - WILLIAM T. McNARY No. 30773

RECORDED OWNER:
 DANIEL J. & CHRISTINE M. CREWELL
 100 W. FORT POND ROAD
 FORT POND, MASSACHUSETTS 01929

ZONING DISTRICT:
 ACTION
 R-2 (RESIDENCE 2)
 FLOOD PROTECTION DISTRICT
 FLOOD PLAIN OVERLAY DISTRICT
 LITTLETON
 RESIDENTIAL

REFERENCE:
 MIDDLESEX RECORDS OF DEEDS
 LAND COURT DOCUMENT 186402
 LAND COURT DOCUMENT 186403
 LAND COURT DOCUMENT 186404
 LAND COURT DOCUMENT 186405
 LAND COURT DOCUMENT 186406
 LAND COURT DOCUMENT 186407
 LAND COURT DOCUMENT 186408
 LAND COURT CASE 29408

TOWN ADJACENT - ACTON, WASHINGTON
 MAP C-3 PARCEL 94-1
 MAP C-3 PARCEL 19
 MAP 12 PARCEL 19
 LITTLETON, MASSACHUSETTS



1. CLERK OF THE TOWN OF ACTON, MASSACHUSETTS HAS REVIEWED THIS PLAN AND THE RECORDS OF THE TOWN OF ACTON AND HAS DETERMINED THAT THE PLAN COMPLIES WITH THE REQUIREMENTS OF THE ACTON ZONING BY-LAW AND THE ACTON SUBDIVISION MAP ACT.

2. CERTIFY THAT AS OF THE DATE OF THIS REPORT, THE REQUIREMENTS OF THE ACTON ZONING BY-LAW AND THE ACTON SUBDIVISION MAP ACT HAVE BEEN MET AND THAT THE PLAN IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE ACTON ZONING BY-LAW AND THE ACTON SUBDIVISION MAP ACT.

3. I, WILLIAM T. McNARY, A LICENSED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I AM THE SURVEYOR OF RECORD FOR THIS PLAN AND THAT I AM A MEMBER IN GOOD STANDING OF THE MASSACHUSETTS SURVEYORS BOARD.

NOTES:

- 1) ALL DIMENSIONS SHOWN ARE MEASURED FROM THE CORNER OF LOT 18 TO THE CORNER OF LOT 19.
- 2) PRECISION - 1:12,000
- 3) POSITION OF LOT 18 IN LITTLETON DOES NOT CONSTITUTE A LEGAL BOUNDING LOT.
- 4) POSITION OF LOT 17 IN LITTLETON DOES NOT CONSTITUTE A LEGAL BOUNDING LOT.
- 5) POSITION OF LOT 19 IN LITTLETON DOES NOT CONSTITUTE A LEGAL BOUNDING LOT.
- 6) POSITION OF LOT 20 IN LITTLETON DOES NOT CONSTITUTE A LEGAL BOUNDING LOT.
- 7) ALL SUPPLEMENTARY DATA SUBMITTED UNDER THE RULES OF THE MASSACHUSETTS SURVEYORS BOARD SHALL BE IN ACCORDANCE WITH THE MASSACHUSETTS SURVEYORS BOARD RULES AND REGULATIONS.
- 8) LOTS 18-20 ARE SUBJECT TO THE DEED RESTRICTIONS OF FORT POND ROAD AND UTILITY EASEMENT TO BE RECORDED SEPARATELY.
- 9) FORT POND ROAD SHALL REMAIN A PRIVATE HWY.
- 10) FORT POND ROAD SHALL ONLY SERVE LOTS 17-20.

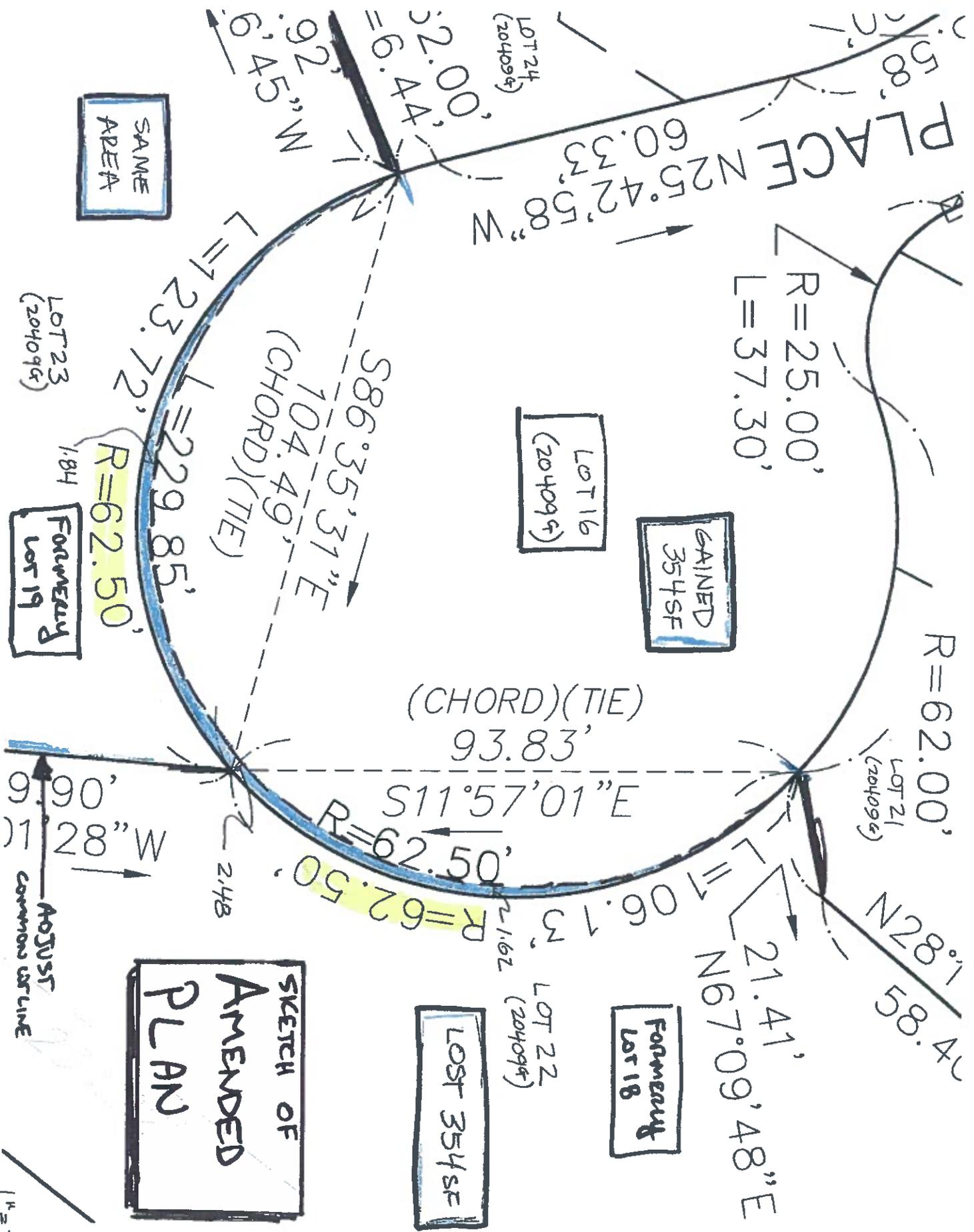
LITTLETON PLANNING BOARD

APPROVED: [Signatures]

ACTION PLANNING BOARD

APPROVED: [Signatures]

DATE: 9/20/07



SAME AREA

GAINED 354 SF

FORMERLY LOT 19

LOT 16 (204094)

LOST 354 SF

FORMERLY LOT 18

LOT 22 (204094)

SKETCH OF AMENDED PLAN

ADJUST COMMON USE LINE

1" = 20'