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TOWN CLERK, ACTON

Board of Appeals

NOTICE OF PUBLIC HEARING

The Board of Appeals will hold a Public Hearing on Monday, March 8, 2010 at 9:00 PM in Room 126 of the Town Hall.

on the following petition:

Hearing # 10-04

**Powder Mill Properties, LLC for a
Special Permit under Section
4.1.8 of the Zoning Bylaw to allow
the USE within the Limits of the Floodway
Fringe. The petitioner is proposing to
regrade a portion of the parking lot
at 50 Powder Mill Road resulting in a loss
of an estimated 1,305 cubic feet (1.6% of
available) Flood Storage. The property
is located at 50 Powder Mill Rd.
Map J3-Parcel 49.**

Petitioner must be present, or send authorized representative

BOARD OF APPEALS

Ken Kozik

Chairman



TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 264-9632
Fax (978) 264-9630

**Board of Appeals
Hearing # 10-04**

A public hearing of the **Acton Board of Appeals** will be held in the Town Hall on **Monday, March 8, 2010 at 9:00 PM** on the petition by Powder Mill Properties, LLC for a **SPECIAL PERMIT** under Section 4.1.8 of the Zoning bylaw to allow the **USE** within the limits of the Floodway Fringe. The petitioner is proposing to re-grade a portion of the parking lot at 50 Powder Mill Road resulting in a loss of an estimated 1,305 cubic feet (1.6% of available) Flood Storage. The property is located at 50 Powder Mill Rd. Map J3/Parcel 49.

Date Received
TOWN CLERK
Jan 26, 2010
By: [Signature]



TOWN OF ACTON
MASSACHUSETTS

RECEIVED
Date Received
BOARD OF APPEALS
JAN 23 2010
By: [Signature]
ACTON BOARD OF APPEALS

BOARD OF APPEALS
(FORM 3)
PETITION FOR A SPECIAL PERMIT
(FLOOD PLAIN DISTRICT)

JANUARY 21 19 2010

I/We hereby petition the Board of Appeals for a public hearing and a special permit under Section IV.1.8, Flood Plain District, of the Zoning By-Law to allow:

THE REGRADING OF A PORTION OF THE
PARKING LOT AT 50 POWDER MILL ROAD
RESULTING IN A LOSS OF AN ESTIMATED
1305CF (1.6% OF AVAILABLE) OF FLOOD STORAGE

OFFICE USE ONLY

Seven copies of petition? _____

Seven copies of site development plan? _____

Site plan complete as per checklist? _____

List of abutters and other interested parties? _____

Fee - \$100.00/1-25 abutters
\$125.00/26+ abutters? _____

Next Hearing Date? _____ No _____

Copy of petition & site plan sent to:

Planning Board _____
(Date)

Conservation Commission _____
(Date)

Town Engineer _____
(Date)

Board of Health _____
(Date)

Respectfully submitted
Signed Powder Mill Properties LLC
(Petitioner)

Name LEO BERTOLAMI
Address 15 SEA VIEW AVE
WIANNO, MA 02655
Phone # 978 - 430 - 4000

Signed [Signature]
(Owner of Record)

Name SAME

Address _____

Phone # _____

Last recorded plan: Date _____

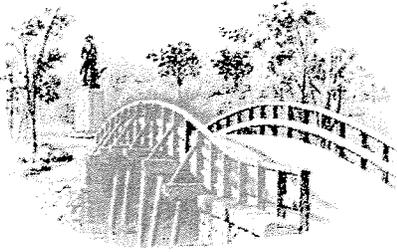
Book No. _____

Page No. _____

Town Atlas Sheet No. _____

Parcel No. _____

WAYSIDE MANAGEMENT CORPORATION
Property Development



Old North Bridge

794 Elm Street
Concord, MA 01742
TEL 978-369-4000
TEL 978-263-2000
FAX 978-263-8100

Zoning Board of Appeals
Town Hall
472 Main Street
Acton, MA 01720

January 21, 2010

Re: Flood Plain Special Permit
50 Powder Mill Road

Dear Board Members:

The proposed renovation of the building at 50 and the removal of the building at 56 Powder Mill Road will require a minimal amount of parking lot grading as shown on the enclosed plan prepared by Acton Survey & Engineering. The grading has been revised to limit the amount of flood storage volume loss to less than 2 percent as allowed by 4.1.8.1.

As shown by the engineer's calculations over 98 percent of the natural Flood Storage volume is preserved.

The first floor slab will be at elevation 138.0 and above the Base Flood Elevation.

Vehicle and pedestrian access to the building will be above the Base Flood elevation.

The existing basement is below the Base Flood and is to be removed as the replacement of foundations that would provide structural support would be prohibited. With the renovations only the foundation walls will be below the Base Flood Elevation and will not be subject to floatation. The existing chimney will be removed.

The existing septic system will not be subject to floatation with its present cover conditions. New utilities services will be designed to be not impaired by floodwaters.

To my knowledge this is the first application for a permit under 4.1.8.1 for this property.

Very truly yours,

Leo Bertolami



Acton Survey &
Engineering, Inc.

P.O. Box 666 97 Great Rd. Suite 6
Acton, MA 01720-0666
(978) 263-3666 Fax (978) 635-0218
Email: actonsurvey@verizon.net

JOB 50 POWDER MILL RD 5701

SHEET NO. 1 OF 4

CALCULATED BY MTD DATE 1-20-10

CHECKED BY _____ DATE _____

SCALE _____

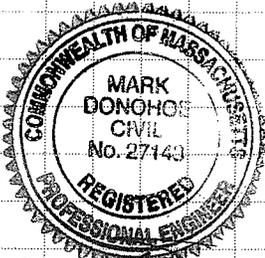
4.1.1.6 NATURAL FLOOD STORAGE

VOLUME OF WATER STORED AS OF 6/14/79

PROPERTY HAS BEEN SLIGHTLY MODIFIED

- 1 REMOVAL OF TRAILER SHEDS
- 2 GRADING AND PAVING OF PARKING LOT
- 3 DETENTION BASIN

ASSUME 1 TO BE NEGLIGIBLE - BUT INCR
PAVEMENT SHOULD BE NEGLIGIBLE -
NO FILL BROUGHT TO SITE - DO NOT
INCLUDE STORAGE VOLUME OF BASIN



MTD
1-21-10

4. ASSUME FOUNDATION OF 56 OCCUPIES
FLOOD STORAGE

5. ASSUME NO FLOOD STORAGE UNDER
50

4.1.3.1 BASE FLOOD ELEVATIONS - FROM FLOOD
PROFILE NOTE EXISTING WALL PROBABLY
SHELTERS LOWER AREA FROM FLOOD
WATERS DIRECTLY DOWNSTREAM OF DAM

FOR SIMPLICITY AND TO BE CONSERVATIVE
BASE FLOOD STORAGE VOLUME
ON 137.3

AND FLOOD STORAGE VOLUME LOST
ON 137.8

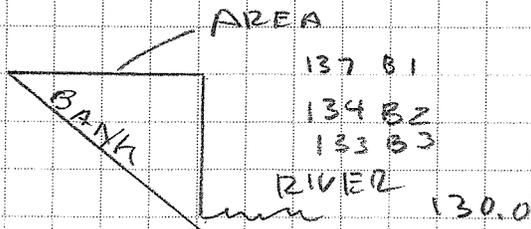


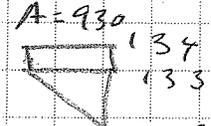
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JOB 50 POWDER MILL RD 5701
SHEET NO. 3 OF 4
CALCULATED BY MTO DATE 1-20-10
CHECKED BY _____ DATE _____
SCALE _____

NATURAL FLOOD STORAGE VOLUME



B ₁	1050 x 7/2 =		3675
B ₂	930 x 2/2 =		930
B ₃	2420 x 1.5 =		4230
134	960 x 0.5 =		480
B ₃	133 - 134 =		930
	930 x 1	930	930
135	7070 x 0.5		3435
135 + 134 + B ₂ + B ₃	x 12,500		12580
<u>136</u> - 135	6080 x 0.5		3040
136 + 135 + 134 + B ₂ + B ₃	= 10660 x 1		10660
<u>137.3</u> - 136	4660 x 0.6		2790
137.3 + 136 + 135 + 134 + B ₂ + B ₃	= 23320 x 1.3		30320
B ₁ ABOVE 137	1050 x 0.3		315
B ₁ BELOW	825 x 1.3		1070

NATURAL FLOOD STORAGE 82,945 = K



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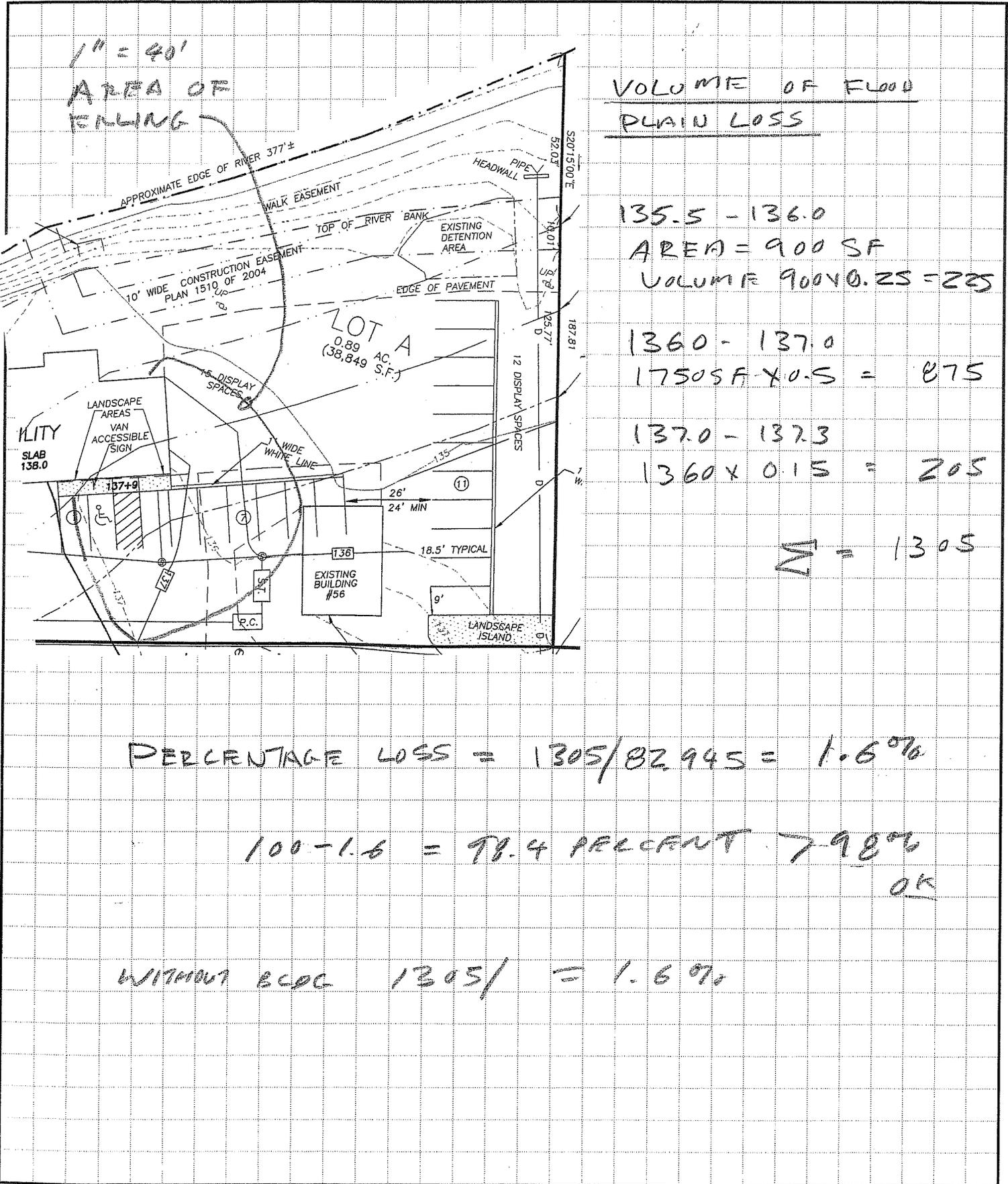
JOB 50 POWDER MILL RD 5781

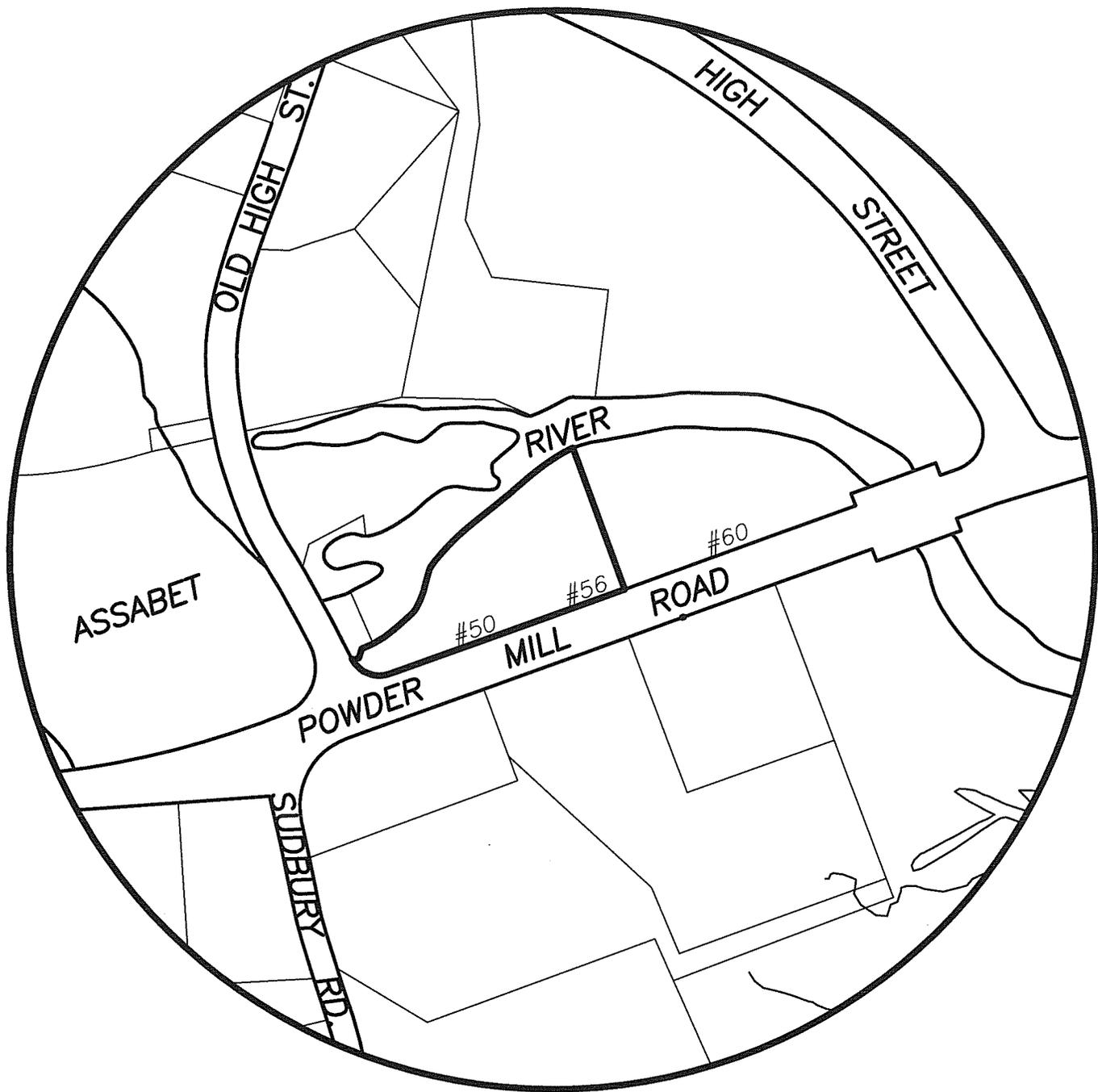
SHEET NO. 4 OF 4

CALCULATED BY MTO DATE 1-20-10

CHECKED BY _____ DATE _____

SCALE _____





LOCUS PLAN

SCALE: 1"=200'