



Engineering Solutions
for Land & Structures

April 6, 2010

Acton Conservation Commission
472 Main Street
Acton, MA 01720

Subject: Wetland Protection Bylaw Waiver Request
Lot 2F and Lot 2G Notices of Intent
81 River Street, Acton, MA

Dear Board Members:

On behalf of the proponent, Lothrop Mill LLC, and in accordance with the Acton Wetland Protection Bylaw Rules and Regulations, Goldsmith, Prest and Ringwall, Inc. (GPR) submits herewith a request for waivers from the aforementioned requirements. Enclosed are appropriate copies of Lot 2F and Lot 2G Notice of Intent filings for the subject property. Lots 2A through 2E received Orders of Conditions on June 11, 2008. As with the original filing in 2008, these Notices have been filed individually for the lots in order to simplify tracking within the permit process and the waivers are consistent for throughout the proposed development.

The total area of the subject site (Lots 2A through 2G) contains 126,150± SF (2.90± Ac) on the southwest of River Street, between the street and Fort Pond Brook. Of that area, Lot 2F and Lot 2G is 14,700± SF (0.34± Ac) and 15,235± SF (0.35± Ac), respectively. The lots are located entirely within the 200-foot riverfront area and the proposed work, except for bioretention outfalls, is limited to the extents of the historically disturbed/degraded area. The existing structures on the site have been demolished and properly disposed of. Proposed construction of dwelling structures are 13± feet from the river. Therefore on behalf of the proponent, Lothrop Mill LLC, and in accordance with the Acton Wetland Protection Bylaw Rules and Regulations, GPR submits herewith a request for the following waivers.

Section 3.2(2):

Requirement: 50-Foot Setback of Undisturbed Natural Vegetation

Request: No setback of undisturbed natural vegetation at portion of the site.

Support: As described herein, all proposed activity besides the bioretention outfalls will occur within the already degraded area.

Section 3.2(3):

Requirement: 75-Foot No-Build Setback to the Edge of Driveways, Roadways, and Structures

Request: No setback from structure to edge of resource area.

Support: As described above, the existing structure has been demolished and properly removed from the site. Proposed structures including single family dwellings and driveways will remain 48± feet for Lot 2F and 13± for Lot 2G from the river.

Goldsmith, Prest & Ringwall, Inc.

It is our opinion that the redevelopment of the site and therefore project as a whole represents a benefit to the public and is consistent with the intent and purpose of the Bylaw. Strict adherence to the Town of Acton Wetland Protection Bylaw Rules and Regulation would represent manifest injustice.

Respectfully,



Brian Thorne, VP

Copy: Lothrop Mill LLC
 GPR file