



July 16, 2010

Town of Acton
Board of Selectman
472 Main Street
Acton, Massachusetts 01720

Re: Proposed TD Bank Facility

Dear Board Members:

Enclosed for your review, please find the following items submitted to your office with regard to the above referenced project.

- o Ten (10) copies of the Site Plan set dated 5/4/10 last revised 6/21/10
- o Ten (10) copies of the supplemental traffic memo by Vanasse & Associates dated 7/13/10
- o Ten (10) copies of the undated water balance calculations
- o One (1) compact disc containing the above referenced materials

The following are responses to comments received from Planning Department.

1. **Comment:** *Existing access from Massachusetts Avenue into the site is through two (2) access driveways. The site plan application proposes to retain the two (2) access driveways and modify the curb cuts onto Massachusetts Avenue in order to provide for a safer and more efficient traffic circulation pattern into and through the site. The proposed distance as measured from the centerline of one access driveway to the centerline of the other access driveway is 132'-0".*

Section 6.7.3 of the Town of Acton's Zoning Bylaw states "Each LOT may have one ACCESS driveway through its FRONTAGE which shall be 24 feet wide, unless, in the opinion of the Special Permit Granting Authority (if the parking area is related to a permitted USE for which a site plan or other special permit is required) or the Zoning Enforcement Officer (for other parking areas), a wider and/or greater number of ACCESS driveways is necessary to provide adequate area for safe vehicular turning movements and circulation. An ACCESS driveway for one-way traffic only may be a minimum of 14 feet wide. There shall be no more than one additional ACCESS driveway for each 200 feet of FRONTAGE and all such additional ACCESS driveway(s) shall be at least 200 feet apart on the LOT measured from the centerline of each ACCESS driveway."

In this instance, the Board of Selectmen, acting as the Special Permit Granting Authority, could find that the two (2) access driveways with a distance separation less than the minimum required to provide access to the site from Massachusetts Avenue is necessary and acceptable.

Response: Acknowledged. We request that the Board of Selectman find that the two driveways with a distance separation of less than 200 ft. are necessary and acceptable for the purpose of providing safe & efficient access and circulation.

OTHER OFFICE LOCATIONS:

- | | | | | | |
|------------------------------|----------------------------------|---------------------------------|-------------------------------------|---------------------------------------|------------------------------------|
| • Albany, NY
518.438.9900 | • Ronkonkoma, NY
631.738.1200 | • Warren, NJ
908.668.8300 | • Center Valley, PA
610.709.9971 | • Chalfont, PA
215.996.9100 | • Philadelphia, PA
267.402.3400 |
| • Towson, MD
410.821.7900 | • Sterling, VA
703.709.9500 | • Warrenton, VA
540.349.4500 | • Bowie, MD
301.809.4500 | • Fort Lauderdale, FL
954.202.7000 | |

2. **Comment:** *The proposed site plan calls for a three-lane drive-through facility at the rear of the property with an additional bypass lane to allow for traffic circulation around the drive-through facilities. The bypass lane as currently identified is 10'-0" in width.*

Section 6.7.4 of the Town of Acton's Zoning Bylaw states "Interior driveways shall be at least 20 feet wide for two-way traffic and 14 feet for one-way traffic."

The bypass lane should be modified to comply with the 14'-0" minimum width or the applicant may wish to seek a variance from the Zoning Board of Appeals.

Response: As a result of a meeting held with Scott Mutch and Roland Bartl, the drive-thru layout for the bank has been modified to provide the requested 14' bypass lane by moving the curb and adjacent wall. There will be a slight net reduction to the amount of impervious on site as the additional pavement in the drive-thru will be offset by the new landscape area in front of the bank.

3. **Comment:** *As per Section 6.3.1, banks require 3 parking spaces per 1,000 square feet of Net Floor Area. The proposed bank structure is indicated as having 3,072 square feet of Net Floor Area which requires a minimum of 10 parking spaces. Section 6.9.5.3 of the Bylaw states "The minimum number of required parking spaces shall be 70% of the requirements in Section 6.3.1". This produces a minimum parking requirement of 7 spaces. The applicant is proposing to provide 27 parking spaces. The Zoning Bylaw does not provide for a maximum number of parking spaces, only a minimum.*

Response: As discussed during the selectmen meeting a total of 26 parking spaces have been provided for the bank which is sufficient for typical operations.

4. **Comment:** *The June 1995 "Kelley's Corner Specific Area Plan" recommends that sidewalks within the Kelley's Corner zoning district should be a minimum of 6'-0" in width and should be constructed of concrete. The site plan application proposes a 6'-0" wide asphalt sidewalk across the width of the Massachusetts Avenue frontage. The Board of Selectmen could require that the plans be modified to comply with the 6'-0" wide concrete sidewalk recommendation.*

Response: Per the Town's recommendations for Kelley's Corner, a 6'-0" wide concrete sidewalk has been shown on the revised plans.

5. **Comment:** *The applicant should submit an outdoor lighting plan for the Site that demonstrates compliance specifically with Section 10.6.3.2 of the Zoning Bylaw. The plan should very clearly indicate each of the applicable activity areas identified within the Bylaw. The lighting plan shall be certified to be valid and correct by its designer.*

Response: As requested an outdoor lighting plan for the site has been submitted which demonstrates compliance specifically with section 10.6.3.2 of the Zoning by Law.

6. **Comment:** *Although there is signage shown as part of the application submission, there is no signage being reviewed, commented on, or approved under this Site Plan Special Permit. Signage requires separate administrative sign permits, some which may require further sign special permits from the Planning Board or other municipal boards.*

Response: Acknowledged. No response required.

The following are responses to comments received from Town of Acton Design Review Board memo date 05/19/2010.

1. **Comment:** *Remove parking along the front of the building, relocating/and or adding spaces to the lot at the rear (on the south side) of the building. In land gained, move the new bank forward, closer to the street. Moving the overall plan forward may save some of the trees and hill at the rear, now slated for demolition.*

Response: As discussed with the DRB & BOS, site constraints including the tapering of the lot creating a smaller width towards the front of the parcel as well as the need to maintain an access easement on the east side of the property makes it impractical to relocate the bank building along the right of way.

2. **Comment:** *If [the comment from above] is not feasible, we recommend, at a minimum: remove the 2 front parking spaces to the far right of the front door (as you face the building); Replace with green space and plantings that also serve to screen side (west) parking; this would balance this project's landscape design (the building would have green on both sides of its front). We note the opportunity to plant a tree here as well as 2-1/2 to 3' tall shrubs. We recommend a small native tree such as the Redbud *Cercis canadensis* tree, (2-1-1/2" caliper) or multi-stemmed Shadblow *amelancheir laevis*, 7-8" clump.*

Response: As requested by DRB, and as the revised plans eliminates 2 parking stalls located on the northwest corner of the bank pad to enhance the balance of the landscape design. A red jade crab apple tree and shrubs will be planted within this newly created landscape area.

3. **Comment:** *At the southwest corner at the rear of the site, on top of the new retaining wall, we recommend a Black Vinyl coated chain link fence with no privacy slats to blend in best with remaining surrounding vegetation.*

Response: As shown on the revised plans, a black vinyl coated chain linked fence with no privacy slots is now proposed on top of the retaining wall as requested.

Response to comments by Fire Chief Robert C. Craig via email dated 06/14/2010.

1. **Comment:** *As I indicated the other day, I also previously met with the applicants and it appeared that the turning is sufficient. I have no other issues.*

Response: Acknowledged, no response required.

Response to comments received from Assistant Town Engineer, Corey York via email dated 06/14/2010.

1. **Comment:** *I took a quick look at the plan for the new bank at 408 Mass Ave. Based on our turning templates, it appears that an emergency SU-30 vehicle (fire truck) can safely maneuver within the site and onto Mass Ave.*

Response: No response required.

Response to comments received from Justin Snair, Environmental Health via email dated 06/17/2010.

1. **Comment:** *A number of monitoring wells have been installed on the property following a reportable release of chemicals. The Health Department requires that all monitoring wells on property remain in good function and accessible. Abandonment of monitoring wells will require review and approval by the Acton Health Department.*

Response: Acknowledged. A note has been added to the plans requiring GC to maintain/adjust or abandon existing monitoring wells in accordance with the direction of the environmental consultant and to coordinate as needed.

2. **Comment:** *All Underground Storage Tank removals will require a permit and inspection with the Health Department.*

Response: Acknowledged. All underground storage tank removals will require a permit and inspection with the Health Department. A note has been added to the plans requiring GC to maintain/adjust or abandon existing monitoring wells in accordance with the direction of the environmental consultant and to coordinate as needed.

The following are response to comments from Frank Ramsbottom, Building Commissioner for the Town of Acton via email dated June 17th 2010.

1. **Comment:** *No Comments from building.*

Response: No response required.

The following are response to comments from Dean A. Charter, Municipal Properties Director via email June 17th 2010.

1. **Comment:** *I have reviewed the landscape plan and find it to be a nice improvement over the gas station presently in that location.*

Response: No response required.

The following are responses to comments received from the Engineering Department dated June 17th 2010.

1. **Comment:** *We request to obtain a copy of the MassDOT permit for the work shown within the road layout for Massachusetts Avenue for our records.*

Response: A copy of the MassDOT permit with the work shown with the right of way will be forwarded to the Engineering Department upon receipt. Plans have been submitted and are currently under DOT review.

2. **Comment:** *Based on our turning templates, an emergency SU-30 vehicle (fire truck) can maneuver within the site. It appears that the access to Mass Ave has been proposed to allow the fire truck to enter/exit the site without the need to obstruct oncoming traffic on Route 111.*

Response: Acknowledged. No response required.

3. **Comment:** *Until the development at the rear of the site utilizes the access driveway on this site, we recommend that the engineer show Do Not Enter signs and a traffic arrow painted on this driveway at the front of the building to clearly indicate that this access is only for vehicles exiting from the drive-thru area.*

Response: As requested, do not enter signs and painted traffic arrows are now shown at the exit of the drive-thru area as requested.

4. **Comment:** *The engineer should clearly label the centerlines within the two access driveway on Mass Ave shall be double yellow centerlines.*

Response: The center lines for the two (2) access driveways along Mass Ave will be noted as double yellow lines as requested.

5. **Comment:** *The engineer has proposed to install vertical granite curb along Mass Ave, reconstruct the sidewalk along their frontage to be a 6 foot wide bituminous concrete sidewalk and provide a 7 foot +/- wide grass strip. According to the Kelley's Corner Specific Area Plan dated June 1995, the sidewalks in Kelley's Corner are recommended to be concrete instead of bituminous concrete.*

Response: As shown on the revised plans, a 6' wide concrete sidewalk is now proposed as requested.

6. **Comment:** *Based on the information provided in their water balance calculations, it appears that the annual amount of direct runoff from the site in their pre-existing conditions (21.6 inches per year) was mistakenly left out of their calculation. As a result, their final amount of runoff that is infiltrated based on the existing conditions (23.0 inches infiltrated per year) is incorrectly shown to be higher than the post-development conditions (6.1 inches infiltrated per year).*

Response: The water balance calculations have been modified to revise the pre-existing condition runoff total as requested. The calculations still show that post development infiltration will exceed predevelopment conditions.

7. **Comment:** *The engineer should add a note to the plans requiring the catch basin to be cleaned following construction.*

Response: A note has been added to the revised plans requiring existing catch basins onsite to be cleaned following construction.

8. **Comment:** *The applicant may want to consider adding an inlet in the landscape shoulder to collect runoff from the drain behind the retaining wall. This would prevent additional runoff from sheeting across the parking lot and potentially causing an icing problem during the winter months.*

Response: An inlet has been added to the landscape shoulder to collect runoff from the drain for the retaining wall as requested.

9. **Comment:** *There should be an erosion & sedimentation control note that states the contractor is responsible to clean-up any sand, dirt or debris which erodes from the site onto Massachusetts Avenue or private property, and to remove silt or debris that enters any existing drainage system immediately upon discovery.*

Response: The requested note has been added to the revised plans.

10. **Comment:** *The engineer should comment as to whether any contaminants have been detected in the soil on the site. The engineer is proposing to construct an underground drainage detention system in the same vicinity as the existing gas pumps.*

Response: At this time, no contaminants have been detected on the site. Tank closures/removal will be performed by the property owner & overseen/documentated by his environmental consultant as required by MDEP regulations. Underground stormwater infiltration is not being proposed in this area.

11. **Comment:** *The engineer needs to state the vertical datum used for their site plans. The Town requires the elevations referenced to the National Geodetic Vertical Datum of 1929.*

Response: A note has been provided on the grading plan stating that the Datum is based on NGVD 1929 in accordance with note 8 from the survey.

12. **Comment:** *The engineer needs to show two temporary benchmarks on the plans. The temporary benchmarks should be located on fixed objects that will not be disturbed during construction.*

Response: Two temporary benchmarks have been indicated on the grading plan, as requested.

13. **Comment:** *If proposed, the engineer will need to show the location of a dumpster for the proposed project and the appropriate screening.*

Response: Bank operations eliminate the need for exterior trash space, therefore a dumpster is not proposed.

14. **Comment:** *An as-built plan certified by a Massachusetts Licensed Surveyor showing the buildings, pavement, drainage, utilities, etc. should be required at the conclusion of construction. A Professional Engineer should also stamp the as-built plan to certify that the site has been completed in accordance with the approved site plan and that all features required on the site by the approved plans, decisions, etc... have been field inspected by the PE and conform with the approved design. Any non-conforming features shall be clearly noted.*

Response: Acknowledged, no response required.

15. **Comment:** *The traffic study makes no mention of the accident history at the intersection of Mass Ave, the easterly site driveway and the access for the Roche Brothers shopping area. The accident history in the traffic report was collected for the signalized intersection at Main and Mass Ave.*

Response: The enclosed traffic memo includes data regarding motor vehicle crash analysis. At the intersection of Massachusetts Avenue and the existing site driveway/Roach Brothers driveway, a total of 4 collisions have occurred during the last 4 years – well below the state average.

16. **Comment:** *The engineer should add the following notes on the plans:*

- *Forbid the use of fill containing hazardous material.*
- *Mark the limits of work prior to the start of construction or site clearing on the premises.*
- *Restrict the hauling of earth to and from the site between the hours of 9AM and 4PM on weekdays.*

Response: The notes have been added to the plans as requested.



BOHLER
ENGINEERING

We believe the above responses address all concerns raised to date. Please call us at 508-480-9900 with any questions, comments, or requests for additional information.

Very truly yours,

BOHLER ENGINEERING

Matthew B. Murphy

Joshua G. Swerling, P.E.

Enclosures

Cc: Brian Levey, Beveridge & Diamond, P.C. (Letter only)
Mark Goldstein, Beveridge & Diamond, PC (w/ Plans)
Shawn Kelly, Vanesse & Associates, Inc. (Letter only)