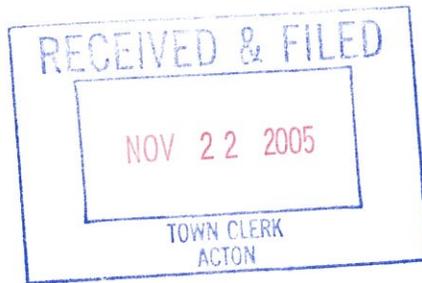




Planning Board



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**AMENDMENT #2
OF DECISION**

#02-09

Robbins Mill Estates

Definitive Subdivision and
Planned Conservation Residential Community (PCRC) Special Permit

November 22, 2005

This amends the Planning Board (hereinafter the Board) decision issued to Liberty Trust, c/o Charles R. and Charlotte Dexter (the Applicant) filed with the Town Clerk on August 27, 2002, and previously amended with Amendment #1, dated March 1, 2004 (hereinafter the Original Decision).

This amendment is in response to a request for alternate common land boundary markers, made in a letter of November 2, 2005 from Christopher W. Jackson, Land Development Supervisor for Pulte Homes of New England LLC, which is the original applicant's successor. Mr. Jackson proposes to use 5-foot long standard granite bounds as common land demarcations, with three feet set in ground and two feet extending above ground, rather than the three feet above ground required in paragraph 3.2.8 of the Original Decision. The letter explains the reasons for the requested change.

The Board considered the matter at its regular meeting on November 8, 2005 and **APPROVED** the requested change by consent without deliberation. Board members Gregory E. Niemyski (Chairman), Michael Densen, William King, Gary Sullivan, Edmund Starzec, and Associate member Bruce Reichlen were present. The minutes of the meeting and submissions, on which this decision is based upon, may be referred to in the Acton Planning Department.

Except as modified herein, the Original Decision, and the plan approved thereunder, shall remain in effect.

Signed on behalf of the Acton Planning Board

Roland Bartl, AICP, Town Planner

Copies to:

Applicant
Engineering Administrator
Natural Resource Director
Building Commissioner
Municipal Properties Director
Town Manager

Board of Health
Town Clerk

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November 2, 2005

472 Main Street
Acton, MA 01720

Dear Mr. Roland Bartl:

This letter is in regards to the informal meeting onsite at Robbins Mill Estates, between you, Mark Sargent, and Myself (Chris Jackson) on Tuesday Nov. 1st.

As we spoke about, I would like to propose to the members of the planning board, an alternative to the permanent monuments demarcating the common land parcels. The Decision states that the monuments may be made of stone or concrete, must be firmly anchored, and must reach a minimum height of 3 feet above ground. A typical (granite) Bound is approximately 5 feet in length, so this requirement would only allow for the monument to be buried 2 feet under ground, which in my opinion is not sufficient. My other option is to have a pre-cast company form a 6 foot Monument, but the manufacturer assured me that this would be a very brittle product, again in my opinion not sufficient, and possibly a safety issue.

I am asking the Planning board to allow me to use a 5 foot granite monument, but to show only a 2 foot reveal above ground (instead of the required 3 feet). This will allow for 3 feet sub surface, which will anchor this monument in place much better, and provide a longer lasting Monument.

Sincerely,

Christopher W. Jackson
Land Development Supervisor

*I recommend approval.
R.B.*

Attached is the relevant section of decision #02-09.

Road approach and move the Carlisle Road centerline at the intersection as far north as possible while keeping the new pavement edge and curb within the street layout. This will require the relocation of utility pole No. 31/291. The centerline of Carlisle Road leaving Main Street shall remain perpendicular to Main Street for the longest possible distance while leaving enough room within the right of way for a 5-foot wide sidewalk on the southerly side. If possible without obstructing B-40 truck turning movements or widening Carlisle Road at the intersection to defeat the modification's purpose, show a center island on the Carlisle Road approach (alternatively consider scored pavement as an island substitute) with suitable traffic signage or other devices to prevent vehicles entering Carlisle Road from Main Street northbound from crossing into the on-coming traffic lane. No utility pole or other fixed object unrelated to traffic control and vehicle safety shall be placed on the center island. Traffic data needed to support the intersection design shall be updated, to the extent necessary. The Plan shall be submitted for peer review by a qualified traffic engineer of the Board's choosing and paid for by the Applicant, and then be finalized before Plan endorsement.

- 3.2.2 *Sight Distance*: At Road A and at the trailhead parking lot, provide a minimum stopping sight distance per AASHTO 2001 standards for 40 mph travel speeds (or the 85th percentile speed if different) on Carlisle Road, or such lesser distance as may be indicated by the curvature of Carlisle Road or the location of the intersection with Main Street, and where the clearing of brush and the removal of trees on the Site or within Carlisle Road are insufficient remedies. In any case, stopping sight distance shall not be less than 275 feet, except approaching the trailhead parking lot from Main Street, where speeds will be lower after the intersection reconstruction required in the previous paragraph. Certify sight distances on the Plan and specify actions that will be necessary to achieve them. Relocation of the Road A intersection or the trailhead need not be considered due to wetland constraints and house locations on Carlisle Road.

Carlisle Road Sidewalk and Curb

- 3.2.3 *Pavement Width*: Specify that the existing pavement width of Carlisle Road shall not be reduced in the course of the proposed sidewalk construction.
- 3.2.4 *Curb Line*: Add a plan note specifying that the curb line for Carlisle Road shall be marked in the field and that the Town Engineering Department must approve the line before curb installation.
- 3.2.5 *Trees*: In consultation with the Tree Warden, identify for removal other trees along the Site frontage on Carlisle Road and adjust the sidewalk accordingly.
- 3.2.6 *At Road A Intersection*: Continue the sloped granite curbs at both sides of the intersection to connect with the nearby sloped granite curbs on Carlisle Road, where the sidewalk directly abuts the travel lane.
- 3.2.7 *Drainage Swales*: Interrupt the sloped granite curb symbol at the drainage swale closest to the Nashoba Brook culvert. Also, add riprap behind the sidewalk at the drainage swales.

Common Land

- 3.2.8 *Demarcation*: All boundaries between common land parcels and lots shall be marked in the field by placing permanent monuments at all points of beginning, end, and change in boundary direction. Monuments shall be made of stone or concrete, firmly anchored, and reach to a minimum height of 3 feet above ground. Show and identify all such monuments on the record plan. In addition, boundaries between lots and common land parcels that are slated for Town ownership shall be delineated with hedgerows and using split rail fences corners at the lot corners.