



October 6, 2011

Acton Planning Board
472 Main Street
Acton, MA 01720

RE: Application for Street Determination at 540 Massachusetts Avenue
Property ID F2A-15

Dear Board Members:

On behalf of the proponent, Cecila Joan Flannery, Goldsmith, Prest & Ringwall, Inc. (GPR) respectfully request the Planning Board review the attached plans and documents to determine the way at 540 Mass Ave. as a street for the purposes of providing access and frontage to lots in accordance with section 1.3.16 Street 4) of the Acton Zoning Bylaw.

The way appears to have been in existence prior to 1915 as shown on the attached Horace Tuttle plan for C.F. Hettinger. The way also lines up with right of way shown on the plan for Heirs of James Hurley by Horace Tuttle October 19, 1946. The section of the way the applicant is requesting a determination on is the first 270'+/- from Mass Ave. currently serving 540 Mass Ave.

This section of the way is paved to twelve feet wide within a sixteen foot wide right of way. The way has a slight cross slope to the southeast and slopes to the south from a high point roughly eighteen feet from Mass Ave. at approximately one and three quarter (1.75%) percent. The right of way in question is 6,097'+/- s.f. of which 55% is paved.

The adjacent property at 542 Mass Ave. does not access via this way and does not have rights to said way. The property at 536 Mass Ave. does use the way for access, but not as frontage. Neither of these properties have enough area to create a new lot on the way if determined to be a way. The property at 544 Mass Ave. does have rights for access. Deeds for these properties are included in this package.

The Street Improvement plan included proposes to create a 'tee' turn around within a proposed easement area for SU-30 purposes. All runoff from the existing way is afforded sheet flow over grassed areas and allowed to infiltrate into the ground as the soils on the site are well drained Hinckley and Merrimac soils.

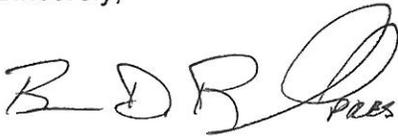
Goldsmith, Prest & Ringwall, Inc.

Also attached for your review are the following:

- NRCS Soils map and description,
- above referenced plans and deeds,
- Development Impact Report,
- 300 foot abutter list,
- Photos of the way, and
- \$2,500 check for filing fee.

On behalf of the applicant GPR respectfully request the Acton Planning Department and Acton Planning Board to review this application. Please contact our office with any questions, requests for additional information and or notification of any meetings relative to this application.

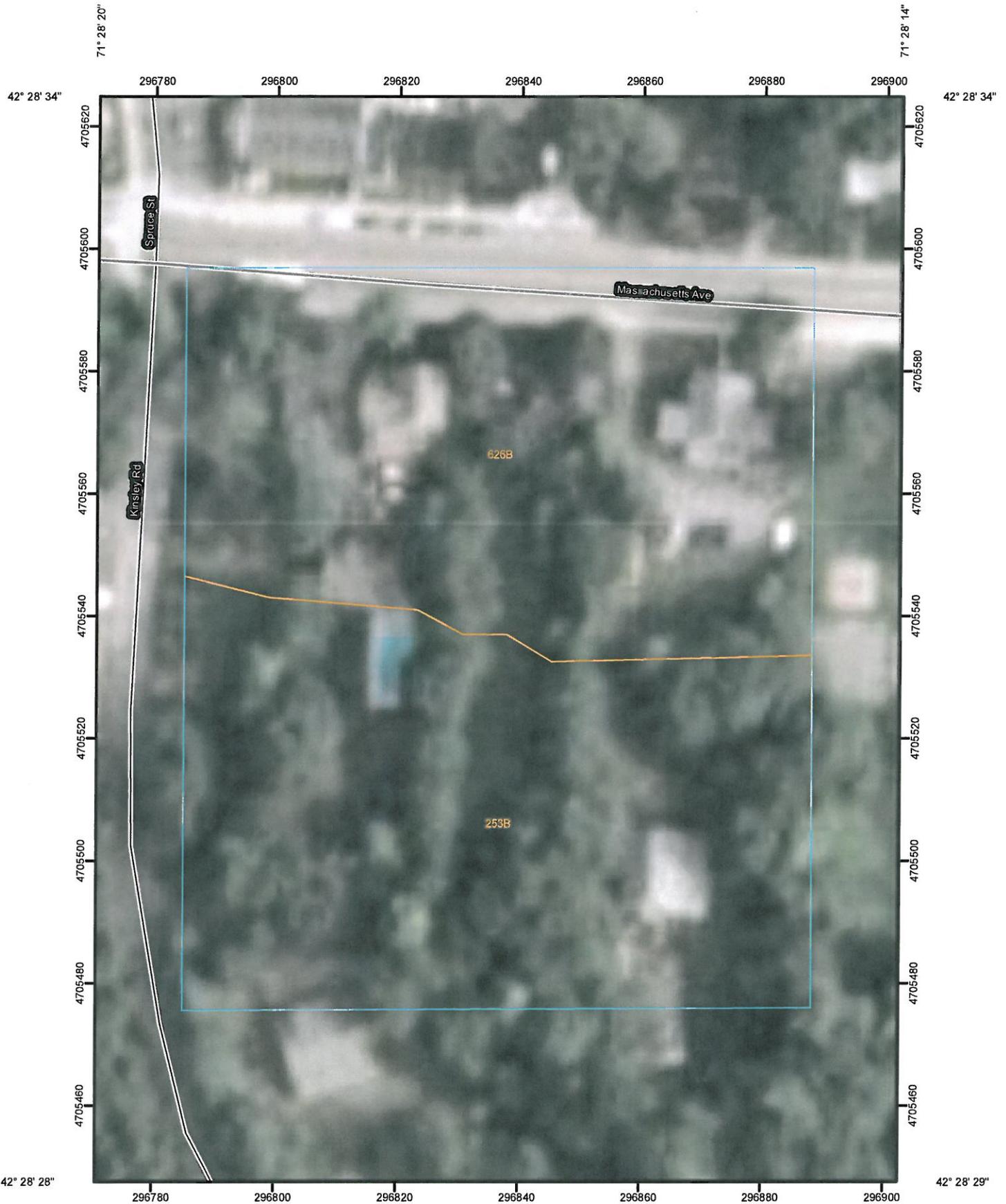
Sincerely,

A handwritten signature in black ink, appearing to read "B D R Ringwall" with "PRES" written below the signature.

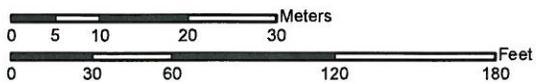
Bruce D. Ringwall, Pres.

Copy to: Ed Flannery
GPR file 111010

Soil Map—Middlesex County, Massachusetts



Map Scale: 1:846 if printed on A size (8.5" x 11") sheet.



MAP LEGEND

 Area of Interest (AOI)	 Very Stony Spot
 Soils	 Wet Spot
 Area of Interest (AOI)	 Other
 Soil Map Units	Special Line Features
Special Point Features	 Gully
 Blowout	 Short Steep Slope
 Borrow Pit	 Other
 Clay Spot	Political Features
 Closed Depression	 Cities
 Gravel Pit	Water Features
 Gravelly Spot	 Streams and Canals
 Landfill	Transportation
 Lava Flow	 Rails
 Marsh or swamp	 Interstate Highways
 Mine or Quarry	 US Routes
 Miscellaneous Water	 Major Roads
 Perennial Water	 Local Roads
 Rock Outcrop	
 Saline Spot	
 Sandy Spot	
 Severely Eroded Spot	
 Sinkhole	
 Slide or Slip	
 Sodic Spot	
 Spoil Area	
 Stony Spot	

MAP INFORMATION

Map Scale: 1:846 if printed on A size (8.5" x 11") sheet.
 The soil surveys that comprise your AOI were mapped at 1:25,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 19N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Middlesex County, Massachusetts
 Survey Area Data: Version 12, Feb 26, 2010

Date(s) aerial images were photographed: 7/28/2003

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Middlesex County, Massachusetts (MA017)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
253B	Hinckley loamy sand, 3 to 8 percent slopes	1.6	51.0%
626B	Merrimac-Urban land complex, 0 to 8 percent slopes	1.5	49.0%
Totals for Area of Interest		3.1	100.0%

3m

540 MASS AVE.

QUITCLAIM DEED

25.02

We, Edward W. Flannery and Cecelia Joan Flannery, Husband and Wife, as Tenants by the Entirety of 544 Massachusetts Avenue, Acton, Massachusetts 01720

16

For and in consideration of Less than One Hundred (\$100.00) Dollars,

Grant to Cecelia Joan Flannery of 544 Massachusetts Avenue, Acton, Massachusetts 01720

08:26:33

With QUITCLAIM COVENANTS

A certain parcel of land with the buildings thereon, situated in that part of Acton called West Acton, bounded and described as follows:

02/04/00

Acton

540 Mass Ave

Beginning at the most Southwesterly corner of the premises at land now or formerly of Kinsley and at a point distant sixteen (16) feet Easterly from the corner of land now or formerly of Thomas Scanlon;

Thence running in an Easterly direction on land now or formerly of Annie Kinsley to a bound at land belonging to the Town of Acton and used for school house purposes, said school house land having formerly belonged to Isaac Reed;

Thence turning and running Northerly on said school house land to a bound at land now or formerly of the Blanchard heirs;

Thence turning and running Westerly on said Blanchard land to the lane or private way, and to a point in the Easterly line of said lane or way distant sixteen (16) feet Easterly from the Easterly line of said Scanlon land;

Thence turning and running Southerly by a straight line to the point of beginning.

Also the right to use a way to and from Massachusetts Avenue, formerly called the Union Turnpike, to the above described premises, the premises described as follows:

Beginning at a point on said Massachusetts Avenue on the Southerly side thereof and at said Scanlon land;

Thence running Southerly on said Scanlon land to land of Annie Kinsley;

Thence turning and running Easterly along said Annie Kinsley land, sixteen (16) feet, to the point of beginning of the above first described parcel of land;

4-1

Thence turning and running Northerly by said first described land and (16) feet from the Easterly line of said Scanlon land and continuing Northerly along the land above described as belonging to the Blanchard heirs to said Massachusetts Avenue;

Thence turning and running Westerly on said Massachusetts Avenue to the point of beginning.

Also another parcel of land situated in said Acton, adjoining the parcels above described, bounded and described as follows:

Beginning at the Northeasterly corner of the granted premises at land now or formerly of Blanchard heirs and land of the Town of Acton, said corner being one hundred seventy-nine (179) feet Southerly measured on the line of the school house lot from a drill hole marking the Northwesterly corner of said school house lot and also being on the present line of Massachusetts Avenue, so-called;

Thence Southerly on said school house lot, thirty (30) feet, to a corner;

Thence turning and running Westerly by the first parcel herein conveyed, about ninety-three and 20/100 (93.20) feet, to a private way;

Thence turning and running Northerly on said private way, thirty (30) feet;

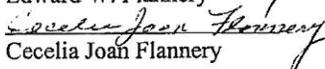
Thence turning and running Easterly by land now or formerly of Blanchard heirs, ninety-three and 20/100 (93.20) feet.

Said premises are shown on a plan entitled "Land in West Acton Surveyed for C.F. Hettinger", dated 1915, by Horace F. Tuttle, recorded with Middlesex South District Registry of Deeds in Book 4034, Page End.

Subject to and with the benefit of easements, restrictions and agreements of record, if any there be, insofar as the same are now in force and applicable.

For title, see deed dated December 9, 1999 and recorded with Middlesex South District Registry of Deeds on December 13, 1999 as Instrument No. 49. 30950-460

WITNESS our hands and seals this 28 day of January, 2000.

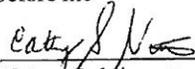

Edward W. Flannery

Cecelia Joan Flannery

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

January 28, 2000

Then personally appeared the above-named Edward W. Flannery and declared the foregoing instrument to be his free act and deed, before me



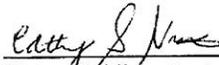
Notary Public - Cathy S. Netburn
My Commission expires: 09-22-06

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

January 28, 2000

Then personally appeared the above-named Cecelia Joan Flannery and declared the foregoing instrument to be her free act and deed, before me



Notary Public - Cathy S. Netburn
My Commission expires: 09-22-06

E:\re\deeds\flannery revised deeds

536 MASS AVE.



Handwritten initials

QUITCLAIM DEED

Property Address: 536-539 Massachusetts Avenue, Acton, MA

We, Howard E. Hensleigh, Susan L. Harvey (n/k/a Susan Harvey Chavez), Nancy Hensleigh Quinn (n/k/a Nancy Hensleigh) and Jonathan B. Hensleigh, Trustees of the Janice P. Hensleigh 1993 Revocable Trust under a Declaration of Trust dated September 9, 1993 and recorded at Book 25186, Page 412, for consideration paid and in full consideration of One and 00/100 (\$1.00) Dollar, grant to Susan Harvey Chavez, of Petaluma, California and Nancy Hensleigh, of Carlisle, Massachusetts, fifty (50%) percent each, as tenants in common, with quitclaim covenants,

The land in that part of Acton, called West Acton, with the buildings thereon situated on the southerly side of Massachusetts Avenue, formerly called the Harvard Turnpike bounded and described as follows:

- EASTERLY: by land of the Town of Acton, there measuring one hundred seventy-nine (179) feet;
- SOUTHERLY: by land now or formerly of C.E. Hettinger, there measuring ninety-three and 2/10 (93.2) feet;
- WESTERLY: by a private way, there measuring one hundred seventy-nine (179) feet;
- NORTHERLY: by Massachusetts Avenue, formerly called the Harvard Turnpike.

Being the same premises marked "Est. of Luke Blanchard" as shown on a plan entitled "Land in West Acton, surveyed for C.E. Hettinger," by Horace F. Tuttle, dated 1915 and recorded with Middlesex South District Deeds at end of Book 4084.

For title see deed recorded with Middlesex South Registry of Deeds in Book 25186, Page 431.

Mailing Address for Grantee: 575 West Street, Carlisle, Massachusetts

Return To: Feigenbaum & Uddo, LLC
386 Washington Street
Wellesley, MA 02481

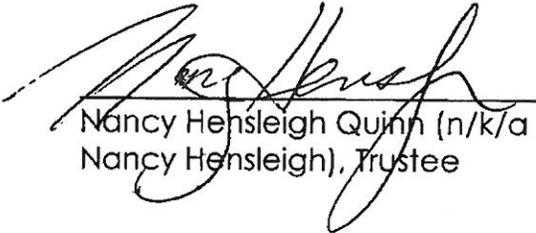
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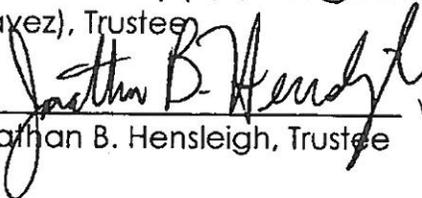
Property Address: 536-538 Massachusetts Avenue, Acton, MA
Page 2 of 4

Signed as of this 21st day of November, 2007.


Howard E. Hensleigh, Trustee


Susan L. Harvey (n/k/a Susan Harvey Chavez), Trustee


Nancy Hensleigh Quinn (n/k/a Nancy Hensleigh), Trustee


Jonathan B. Hensleigh, Trustee

STATE OF CALIFORNIA

County of:

On this ___ day of _____, 20___, before me, the undersigned notary public, personally appeared Howard E. Hensleigh proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public:
My commission expires:

STATE OF CALIFORNIA

County of:

On this ___ day of _____, 20___, before me, the undersigned notary public, personally appeared Susan Harvey Chavez proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose.

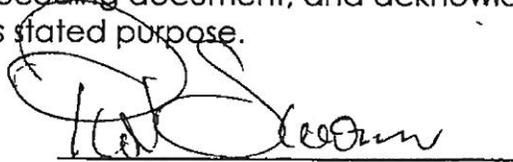
Notary Public:
My commission expires:

Property Address: 536-538 Massachusetts Avenue, Acton, MA
Page 3 of 4

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this 27 day of November, 2007, before me, the undersigned notary public, personally appeared Nancy Hensleigh proved to me through satisfactory evidence of identification, which were MADL, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose.



Notary Public:
My commission expires: PIA SWANN
Notary Public

My Commission Expires: 11/22/2009

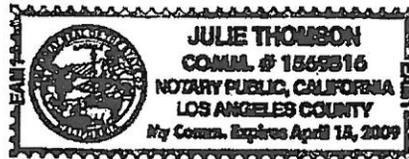
COMMONWEALTH OF CALIFORNIA

Norfolk, ss.

On this 7th day of December, 2007, before me, the undersigned notary public, personally appeared Jonathan B. Hensleigh proved to me through satisfactory evidence of identification, which were personally known to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.



Notary Public:
My commission expires:



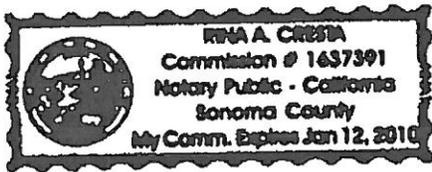
page 4 of 4

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA }
COUNTY OF SONOMA } SS.

On November 21st 2007 before me, the undersigned, a Notary Public in and for said State personally appeared Howard E. Hensleigh and Susan Harvey Name(s) of Signer(s) Chavez

Personally known to me OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal [Signature] Signature of Notary

RINA A CRESTA Name (Typed or Printed)

(Area above for official notarial seal)

Capacity Claimed by Signer: Individual(s), Corporate Officer(s), Partner(s), Attorney-in-Fact, Trustee(s), Guardian/Conservator, Other. Description of Attached Document: (Although this information is optional, it could prevent fraudulent attachment of this certificate to another document.) This certificate is for attachment to the document described below: Title or type of document Quitclaim Deed 536-539 Massachusetts Ave Acton MA Number of pages 3 Date of document 11/21/07 Signer(s) other than named above [Signature] Attest Official Public Register

542 MASS AVE.

JZ



Bk: 53372 Pg: 584 Doc: DEED
Page: 1 of 2 08/12/2009 11:04 AM

QUITCLAIM DEED

Edward W. Flannery, of 544 Massachusetts Avenue, Acton, Middlesex County, Massachusetts

for consideration paid, and in full consideration of Three Hundred Thirty Thousand and 00/100 (\$330,000.00) Dollars

GRANTS TO Thomas F. Golecki and Holly A. McIlwee, as
JOINT TENANTS AS RIGHT OF SURVIVORSHIP

of 542 Massachusetts Avenue, Acton, Massachusetts

WITH QUITCLAIM COVENANTS

A certain parcel of land, together with the buildings thereon, known as 542 Massachusetts Avenue, Acton, Middlesex County, Massachusetts, being shown as Lot 1 on a plan entitled, "Plan of Land on Massachusetts Avenue, Acton, Massachusetts, Prepared for: Cecilia Joan Flannery, 544 Massachusetts Avenue, Acton, Massachusetts 01720, Date: July 14, 2009, Scale: 1 inch = 20 feet" by Foresite Engineering, Engineering, 16 Gleasondale Road, Suite 1-1, Stow, Massachusetts 01775, which plan is recorded herewith in the Middlesex South District Registry of Deeds, and to which plan reference may be had for a more particular description of said Lot 1.

Lot 1 contains 15,070 square feet of land, more or less, according to said plan.

No rights in or to the fee in the strip of land being shown as "Traveled Way" "16-Ft Wide R.O.W" are intended to be conveyed herewith and the Grantor hereby reserves any and all rights in and to the fee in said strip of land.

Said premises are conveyed subject to and with the benefit of easements, rights, restrictions, covenants and agreements of record.

By acceptance and recording hereof, the Grantees, for themselves, their heirs, successors and/or assigns hereby acknowledge that the Grantors intend to develop the land abutting the Premises being conveyed hereby, including but not limited to the land shown on the aforesaid plan as Parcel A, and Grantees hereby agree that they will not oppose such construction or any applications for governmental permits, licenses or approvals submitted by Grantor or his agents in connection with the development of said land.

Plan # 509 of 2009

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 08/12/2009 11:04 AM
Ctrl# 127608 15218 Doc# 00159037
Fee: \$1,504.80 Cons: \$329,998.00

Champane Marchand
226 Lowell St
Wilmington MA 01887

542 Massachusetts Ave. Acton

Being a portion of the premises conveyed to the Grantor by deed dated August 4, 2009, recorded with the Middlesex South District Registry of Deeds in Book 51532, Page 218.

Witness my hand and seal this 7th day of August, 2009.

Edward W. Flannery
Edward W. Flannery

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 7th day of August, 2009, before me, the undersigned notary public, personally appeared Edward W. Flannery, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as aforesaid.

Patricia A. Coole

Notary Public:

My Commission Expires:



OLD 542 MASS AVE.



Bk: 51532 Pg: 218 Doc: DEED
Page: 1 of 2 08/04/2008 02:23 PM

Handwritten initials

QUITCLAIM DEED

I, **JEFFREY F. MAXWELL** of Acton, Middlesex County, Massachusetts

in consideration of **THREE HUNDRED AND SIXTY THOUSAND SEVEN HUNDRED FIFTY and 00/100 (\$360,750.00) DOLLARS**

grant to **EDWARD W. FLANNERY**, individually of 542 Massachusetts Avenue, Acton, Middlesex County, Massachusetts

with Quitclaim Covenants

the land in the westerly part of Acton, Middlesex County, Massachusetts, with the buildings thereon, situated on the county road leading from Concord to Harvard, containing about one half an acre of land, bounded and described as follows:

Beginning at a stake and stones at the most northeasterly corner of the premises at the county road aforesaid;

Thence running southerly by land now or formerly of the heirs of Silas Sneatt to land formerly owned by Benjamin Santell;

Thence westerly as the wall now stands to a stake and stones at land now or formerly of Charles Robinson;

Thence northerly by said Robinson land to the county road aforesaid;

Thence easterly on said road to the point of beginning.

Handwritten number: 53374584

Handwritten vertical text: 542 Massachusetts Ave Acton MA

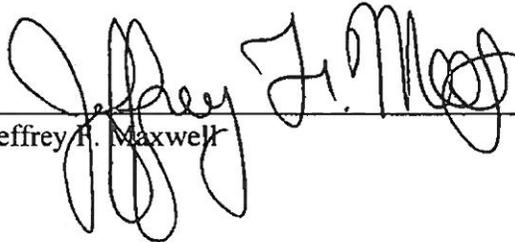
Please return to:
Edward Flannery
544 Mass Ave.
Acton, MA 01720

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 007
Date: 08/04/2008 02:23 PM
Ctrl# 113278-25397 Doc# 00129162
Fee: \$1,848.18 Cons: \$360,750.00

Handwritten number: L-2

For title to the Grantors, see deed of Daniel P. Gillis and Joan M. Gillis dated October 16, 1998 and recorded with said Deeds, Book 29229, Page 67.

Executed as a sealed instrument this ^{4th} day of August, 2008.

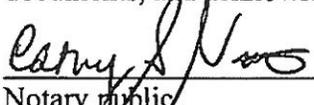


Jeffrey F. Maxwell

COMMONWEALTH OF MASSACHUSETTS

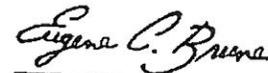
Middlesex, ss.

On this ^{4th} day of August, 2008, before me the undersigned notary public, personally appeared Jeffrey F. Maxwell, proved to me through satisfactory evidence of identification, which were MA Drivers License, to be the person whose name is signed on the preceding or attached documents, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.



Notary Public.
My commission expires:





Attest Middlesex S. Register

544 Mass. Ave.

2

25.02

17

MSD 02/04/00 08:26:33

Acton

544 Mass Ave

QUITCLAIM DEED

We, Edward W. Flannery and Cecelia Joan Flannery, Husband and Wife, as Tenants by the Entirety of 544 Massachusetts Avenue, Acton, Massachusetts 01720

For and in consideration of Less than One Hundred (\$100.00) Dollars,

Grant to Cecelia Joan Flannery of 544 Massachusetts Avenue, Acton, Massachusetts 01720

With QUITCLAIM COVENANTS

A certain parcel or tract of land with the buildings thereon situated in the Westerly part of said Acton, commonly called West Acton, containing about three-quarters of an acre, more or less, bounded and described as follows:

- Beginning at a stake and stones on the South Side of the turnpike, so-called, running from Harvard to Concord, and at the land now or formerly of Martha A. Lawrence;
- Thence running Easterly on said turnpike to land now or formerly of Thomas Scanlon;
- Thence Southerly by said Scanlon land to land now or formerly of James Kinsley;
- Thence Westerly by said Kinsley land to land of said Lawrence;
- Thence Northerly by said Lawrence land to the point of beginning.

Subject to and with the benefit of easements, restrictions and agreements of record, if any there be, insofar as the same are now in force and applicable.

For title, see deed dated December 9, 1999 and recorded with Middlesex South District Registry of Deeds on December 13, 1999 as Instrument No. 50. 30950-463

WITNESS our hands and seals this 28 day of January, 2000.

Edward W. Flannery
Edward W. Flannery

Cecelia Joan Flannery
Cecelia Joan Flannery

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

January 28, 2000

Then personally appeared the above-named Edward W. Flannery and declared the foregoing instrument to be his free act and deed, before me

Cathy S. Netburn
Notary Public- Cathy S. Netburn
My Commission expires: 09-22-06

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

January 28, 2000

Then personally appeared the above-named Cecelia Joan Flannery and declared the foregoing instrument to be her free act and deed, before me

Cathy S. Netburn
Notary Public- Cathy S. Netburn
My Commission expires: 09-22-06

E:\re\deeds\flannery revised deeds

23

HARVARD TURNPIKE

LAND IN WEST ACTON

Surveyed for
C. F. HETTINGER
By Horace F. Tuttle,
1915.
Scale 40 feet = 1 inch

Thomas Scanlon

Est. of Luke Blanchard.

Town of Acton

BOUGHT BY C. F. HETTINGER
SEPT. 1, 1915 FROM
ANNIE M. BLANCHARD AND
ARTHUR F. BLANCHARD
TRUSTEES

5.74° E

ABOUT 93.20

ABOUT 18723 ft.

ABOUT $\frac{43 \pm}{100}$ Acres.

THIS SURVEY PLAN SHOWS THE
PROPERTY OF C. F. HETTINGER
AND LOCATION OF APPLE STORAGE
AND PLATFORM OCT. 1, 1914.

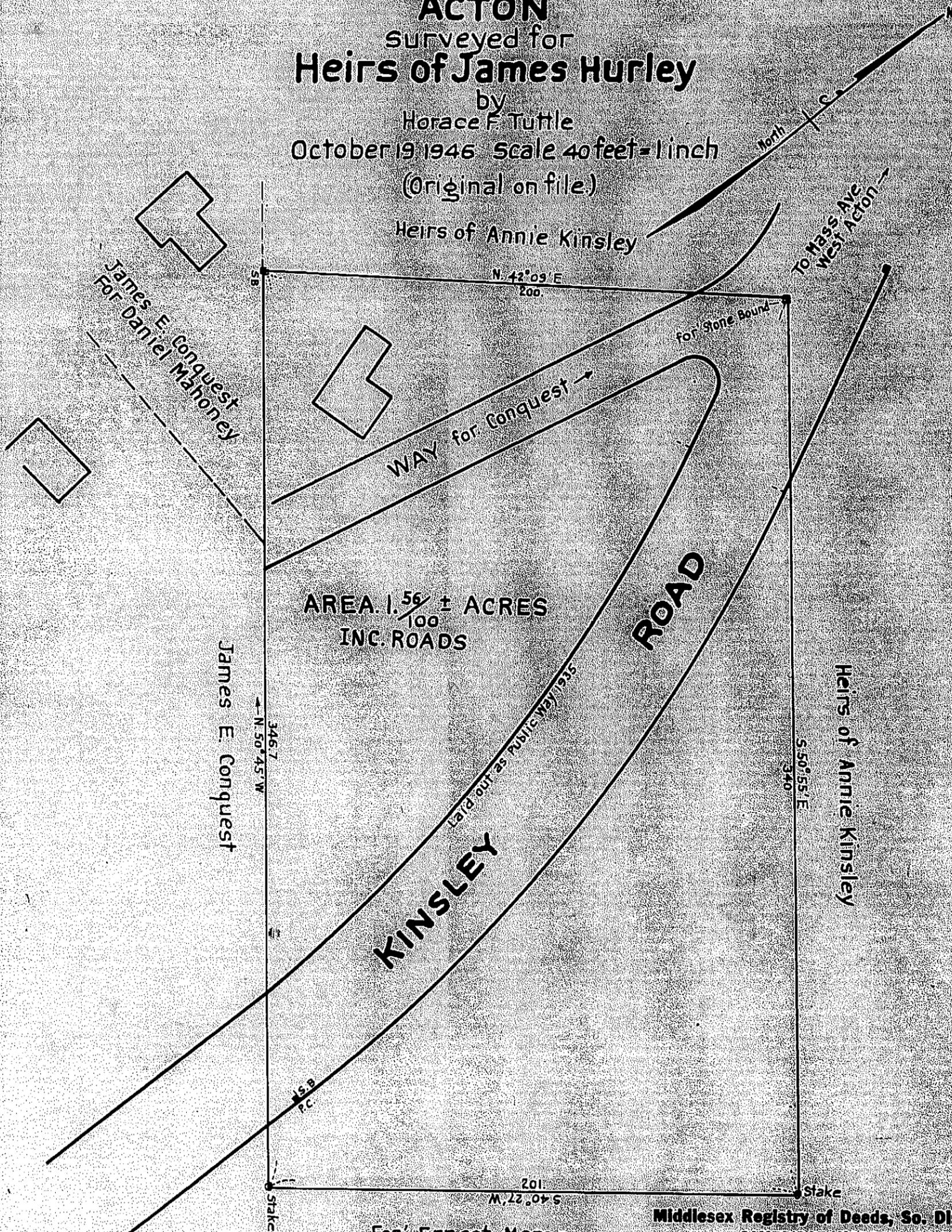
✓ 2 148 P J. 150

4084

RECORDED BK. 4084 Pg. END

Land in
ACTON
 Surveyed for
Heirs of James Hurley

by
 Horace F. Tuttle
 October 19 1946 Scale 40 feet = 1 inch
 (Original on file.)



AREA 1.56 ± ACRES
 INC. ROADS

ROAD

KINSLEY

For Ernest Morse
 Now W. Henry Teele

Middlesex Registry of Deeds, So. Dist.
CAMBRIDGE, MASS.

Plan Number.....1771..... of 1946
 Rec'd. NOV. 14, 1946 at 4 h 21 m P.M.
 with Deed
 James J. Hurley et al.
 Frederick S. Conquest
 Recorded, Book.....7060 Page 110

Attest *Albert Nuttall* Registrar

*Plan superseded by Plan 311 757
 1771 1946*

Development Impact Report
540 Mass Ave.

1. Name of Proposed Subdivision: No name has been decided upon for this existing way.
2. Location: Off Mass Ave. currently serving 540 Mass Ave.
3. Name of Applicants: Cecila Joan Flannery
4. Brief Description of Proposed Project: Requesting a Street Determination of an existing way.
5. Name of individual preparing this DIR: Bruce Ringwall
Address: Goldsmith, Prest & Ringwall, Inc. Business phone: 978-772-1590
39 Main Street, Suite 301
Ayer, MA 01432
6. Professional Credentials: Principal at Goldsmith, Prest & Ringwall, Inc.
I have an Land Planning and Landscape Architectural degree and have worked in the field for close to thirty years.

A. Site Description

7. Present permitted and actual land uses by percentage of site.

Uses	Percentage
Industrial	0%
Commercial	0%
Residential	100%
Forest	0%
Agricultural	0%
Other (specify)	0%

8. Total acreage of site:

Approximate Acreage	At Present	After completion
Meadow or Brushland	45%	45%
Forested	0	0
Agricultural	0	0
Wetland	0	0
Water Surface Area	0	0
Flood Plain	0	0
Unvegetated (rock, earth or fill)	0	0
Roads, buildings and other impervious surfaces	55%	55%
Other (indicate type)	0	0

540 Mass Ave. DIR (continued)

9. List the zoning districts in which the site is located and indicate the percentage of the site in each district. Note: be sure to include overlay zoning districts.

District: Village Residential 100%

10. Predominant soil type(s) on the site: Hinckley loamy sand and Merrimac-Urban land complex.

Soil drainage (Use the US Natural Resources Conservation Service's definition)

Soil Type	Percent of site
Well drained	100%
Moderately well drained	
Poorly drained	

11. Are there bedrock outcroppings in the site? No

12. Approximate percentage of proposed site with slopes between:

Slope	Percent of site
0 to 10%	100%
10 to 15%	0%
Greater than 15%	0%

13. In which of the Groundwater Protection Districts is the site located? How close is the site to a public well? Zone 3 Proximity to a public well: 4,800'+/-

14. Does the project site contain any species of plant or animal life that is identified as rare or endangered? Consult with the Massachusetts National Heritage Program and the Acton Natural Resources Director.) No.

15. Are there any unusual or unique features on the site such as trees larger than 30 inches D.B.H., bogs, kettle ponds, eskers, drumlins, quarries, distinctive rock formation or granite bridges? No.

16. Are there any established foot paths running through the site or railroad right of ways. No.

17. Is the site presently used by the community or neighborhood as an open space or recreation area? No

18. Does the site include scenic views or will the proposed development cause any scenic vistas to be obstructed from view? No.

19. Are there wetlands, lakes, ponds, streams, or rivers within or contiguous to the site? No.

540 Mass Ave. DIR Continued

- 20. Is there any farmland or forest land on the site protected under Chapter 61A or 61B of the Massachusetts General Laws? No
- 21. Has the site ever been used for the disposal of hazardous waste? No. Has a 21E Study been conducted for the site? No
- 22. Will the proposed activity require use and/or storage of hazardous materials, or generation of hazardous waste? No
- 23. Does the project contain any buildings or sites of historic or archaeological significance? (consult with the Acton Historic Commission or the Acton Historic Society.) No
- 24. Is the project contiguous to or does a building in the local historic district or national register district? No
- 25. Is the project contiguous to any section of the Isaac Davis Trail? No

B. Circulation System

- 26. What is the average weekday traffic and peak hour traffic volumes generated by the proposed subdivision?

Average weekday traffic	20
Average peak hour volumes morning	4
Average peak hour volumes evening	4

- 27. Existing street(s) providing access to proposed subdivision:

Name: Mass Ave. Town Classification: Arterial

- 28. Existing intersection(s): list intersections located within 1000 feet of any access to the proposed development:

Name of ways: Kinsley Road, Spruce Street, Windsor Ave. and Central Street

- 29. Location of existing sidewalk within 1000 feet of the proposed site? On Mass Ave.

- 30. Location of proposed sidewalks and their connection to existing sidewalks? None proposed.

- 31. Are there parcels of undeveloped land adjacent to the proposed site? Yes

Will access to these undeveloped parcels be provided within the proposed site?

Yes, if the way is determined to be a street it will provide frontage for one additional buildable lot.

C. Utilities and Municipal Services

32. If dwelling units are to be constructed, what is the total number of bedrooms proposed? Not sure. Maybe four to six bedrooms.
33. If the proposed use of the site is nonresidential, what will the site be specifically used for and how many feet of Gross floor area will be constructed? Residential use
34. How will sewage be handled? On-site septic.
35. Storm Drainage
 - a. Describe nature, location and surface water body receiving current surface water of the site: The current surface water is infiltrated into the ground. The site soils are well drained sands and gravels.
 - b. Describe the proposed storm drainage system and how it will be altered by the proposed development: The way is existing and no additional proposed storm drainage is proposed.
 - c. Will a NPDES Permit be required? No
36. In the event of fire, estimate the response time of the fire department (consult with the Fire Department.) According to Chief Craig the estimated time is three to four minutes.
37. Schools (if residential)
 - a. Projected number of new school age children: Based on the street determination there would not be any increase in the number of school children.
 - b. Distance to nearest school: 1,500'+/-

D. Measures to Mitigate Impacts

38. Prevent surface water contamination. The current way has sheet flow to adjacent lawn areas allowing nutrient uptake and infiltration of runoff.
39. Prevent groundwater contamination. Same as above.
40. Maximize groundwater recharge. Same as above. This is an existing way is well drained soils that does not have ponding issues.
41. Prevent erosion and sedimentation. There are no plans for major excavation and no erosion or sedimentation concerns are associated with the existing way.

42. Maintain slope stability. The slopes to either side of the existing way are very gentle and the applicant does not have any plans to disturb the slopes.
540 Mass Ave. DIR continued
43. Design the project to conserve energy. N/A
44. Preserve wildlife habitat. Again no changes are proposed.
45. Preserve wetlands. None present.
46. Ensure compatibility with the surrounding land uses. The way would be continued to be used in the same fashion as currently. At some point an addition structure may be constructed.
47. Control peak runoff from the site so that the post-development rate of runoff will be no greater than the pre-development rate of runoff for the 10-year storm event. No changes proposed.
48. Preserve historically significant structures and features in the site. None exist and no changes are proposed.
49. To mitigate the impact of the traffic generated by the development. There should not be any changes in the traffic.



Town of Acton
 472 Main Street
 Acton, MA 01720
 Telephone (978) 929-6621
 Fax (978) 929-6340

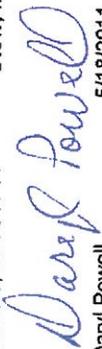
Brian McMullen
 Assistant Assessor

Parcel Location	Parcel ID	Owner	Co-Owner	Mailing Address	Address 2	City	ST	Zip
540 Mass Av and 542 Mass Av Rear								
F2.B-15 and F2.A-137-1								
3 SPRUCE ST U2	F2.A-94-2	BITTERROOT GROUP LLC		PO BOX 796		ACTON	MA	01720
3 SPRUCE ST U3	F2.A-94-3	543-545 MASS AVE LMTD PTNRSP	NAOMI ROSENFELD	543 MASS AV		ACTON	MA	01720
5-9 SPRUCE ST U1	F2.A-97	PRESTI FAMILY LP	PRESTI MANAGEMENT CORP GP	585 MASS AVENUE		ACTON	MA	01720
553 MASS AV	F2.A-102	WEST ACTON AMERICAN/EXXON/MOBIL	CORP-BH3-312	PO BOX 53		HOUSTON	TX	77001-0053
551 MASS AV	F2.A-103	531 MASS AVE LLC		543 MASS AVE		ACTON	MA	01720
525 MASS AV	F2.A-104	525 MASS AVE LLC		543 MASS AV		ACTON	MA	01720
543 MASS AV	F2.A-112	543-545 MASSACHUSETTS AVENUE	LIMITED PARTNERSHIP	543 MASS AVE		ACTON	MA	01720
541 MASS AV	F2.A-113	541 MASS AVE LLC		543 MASS AVE		ACTON	MA	01720
535 MASS AV	F2.A-114	537 MASS AVE LLC		543 MASS AVE		ACTON	MA	01720
552 MASS AV	F2.A-122	PITTA JOSEPH P		554 MASS AVE		ACTON	MA	01720
550 MASS AV	F2.A-132	BEAUDOIN RAYMOND J		550 MASS AVE.		ACTON	MA	01720
544 MASS AV	F2.A-133	FLANNERY CECELIA JOAN		544 MASS AV		ACTON	MA	01720
5 KINSLEY RD	F2.A-136	PHANEUF NEIL H	LUCILLE BARKER	542 MASS AV		ACTON	MA	01720
542 MASS AV	F2.A-137	GOLECKI THOMAS F	JANICE E	407 "C" STREET		PETALUMA	CA	94852
536 MASS AV	F2.A-139	HENSLEIGH NANCY	DEBRA SANFORD ET AL	472 MAIN STREET		ACTON	MA	01720
530 MASS AV	F2.A-140	TOWN OF ACTON	MCILWEE HOLY A	24 WINDSOR AVE		ACTON	MA	01720
24 WINDSOR AV	F2.B-4	FRIEDRICHS WAYNE L	CHAVEZ SUSAN HARVEY	520 MASS AV		ACTON	MA	01720
520 MASS AV	F2.B-5-520	PARKER LYNN H	NANCY R LENICHECK	522 MASS AV		ACTON	MA	01720
522 MASS AV	F2.B-5-522	SLATTERY MAURA A		524 MASS AV		ACTON	MA	01720
524 MASS AV	F2.B-5-524	LIPMAN ABBY		526 MASS AV		ACTON	MA	01720
526 MASS AV	F2.B-5-526	RAYNER MARION L		36 ESTERBROOK RD		ACTON	MA	01720
516 MASS AV	F2.B-6	ONEIL RICHARD J JR	ONEIL LINDA B	30 WINDSOR AV		ACTON	MA	01720
30 WINDSOR AV	F2.B-13	REGAN RONALD W	REGAN THERESA A	472 MAIN STREET		ACTON	MA	01720
9 KINSLEY RD	F2.B-14	TOWN OF ACTON		38 WINDSOR AVENUE		ACTON	MA	01720
38 WINDSOR AV	F2.B-28	TOWELL ANDREW R	TOWELL JULIE L	17 KINSLEY RD		ACTON	MA	01720
15 KINSLEY RD	F2.B-30	OTOOLE RICHARD K	CHRISTINE L	17 KINSLEY ROAD		ACTON	MA	01720
17 KINSLEY RD	F2.B-30-1	O'TOOLE RICHARD K.		6 KINSLEY RD		ACTON	MA	01720
6 KINSLEY RD	F2.B-31-1	MARSH DONALD J	PALAI A LISA M	17 KINSLEY ROAD		ACTON	MA	01720
8 KINSLEY RD	F2.B-31-2	OTOOLE RICHARD K	OTOOLE CHRISTINE L	10 KINSLEY RD		ACTON	MA	01720
10 KINSLEY RD	F2.B-31-3	LANGMAN VLADISLAV	LANGMAN ANNA	12 KINSLEY ROAD		ACTON	MA	01720
516 MASS AV	F2.B-31-4	ONG ROGER	CHEUNG TSUI HAY	14 KINSLEY RD		ACTON	MA	01720
14 KINSLEY RD	F2.B-31-5	SIMONE DANIEL J	SIMONE SADIE L	18 KINSLEY RD		ACTON	MA	01720
18 KINSLEY RD	F2.B-31-7	OLMSTEAD CHARLES H	OLMSTEAD ELAINE	20 KINSLEY RD		ACTON	MA	01720
20 KINSLEY RD	F2.B-31-8	STEGMEIER FRANK P	STEGMEIER SIDETH TEP	PO BOX 953		ACTON	MA	01720
520 MASS AV	F2.B-31-10	ACTON WATER DISTRICT				ACTON	MA	01720

Abutters and owners of land directly opposite on any public or private street or way and abutters to the abutters within three hundred feet of the property line all as they appear on the most recent applicable tax list.

**HEARING NOTICES FOR ALL SPECIAL PERMITS MUST BE SENT TO THE
PLANNING BOARD, TOWN HALL IN THE FOLLOWING TOWNS:**

Boxborough, MA 01729 Maynard, MA 01754 Concord, MA 01742 Littleton, MA 01460
Carlisle, MA 01741 Stow, MA 01775 Westford, MA 01886 Sudbury, MA 01776



Daryl Powell 5/18/2011
Property Lister
Acton Assessors Office



Way at 540 Mass Ave. from Mass Ave.





Way looking back at Mass Ave.



Width or twelve feet (12')



Way half way to 540



Way from 540 Mass Ave.



Way toward Mass Ave from back of 536 Mass Ave.



Way toward Mass Ave.

EDWARD W. FLANNERY
JOAN FLANNERY
544 MASS AVE
ACTON, MA 01720

5119

53-7122/2113

NK1:DES

PAY
AMOUNT
OF

EXPLANATION	AMOUNT

Twenty five hundred

TO THE ORDER OF

DATE

6/20/11
Joan of Acton

DOLLARS

DESCRIPTION

CHECK
NUMBER

5119

\$ *2500.-*



MIDDLESEX SAVINGS BANK
WEST ACTON, MA 01720
65

Joan Flannery
AUTHORIZED SIGNATURE

⑆005119⑆ ⑆211371227⑆ 0223407197⑆

GUARDIAN@SAFETY