

MONUMENT SQUARE REALTY TRUST

30 Monument Square, Suite 100 • Concord, Massachusetts 01742 • (978) 369-4321

Selectman
Town Of Acton
472 Main Street
Acton MA 01720

September 7, 2011



RE: Old Mill Development Trust, Special Permit Request, 7/5/11

Dear Selectman:

My name is Chip Orcutt, I am the Facilities Manager for 30 Sudbury Road Realty Trust an abutter to the applicant, and also a registered voter in Acton to the proposed project by Old Mill Development Trust dated July 5, 2011. I am unable to make it to the hearing on the September 12 due to a prior engagement but have the following comments to the plan and the application on file.

Our Comments and concerns are as follows:

Comments to plans, "40 Sudbury Road" Old Mill Development Trust, plans dated 7/5/11:

1. The plan shows a proposed well on our property which we at this time deny approval and request be taken off plan as "proposed".
2. The applicants parking looks severally limited on site and we request that due consideration be given to the number of employees, vehicle drop off, storage and service vehicles flow to the overall property and use.
3. The applicant refers to restoration of vehicles, we request that all vehicles stored outside, be strictly limited to the paved parking area. We further request that all unregistered vehicles be prohibited from exterior storage. Our concern is for old and dilapidated vehicles being left outside for durations and affecting property values. The following demise is clearly evident in another historic village in West Acton and how vehicle storage is handled there.
4. The neighboring property owners have contributed towards a traffic light and we request that the applicant be held to the same financial formula or process for sidewalks or a light. It is our understanding that the canoe ramp was part of another project consideration.
5. We request that all utilities be buried underground if they are coming from frontage on Sudbury Road by car dealership rear side. Note there is no legal street frontage after "30 Sudbury Road".
6. The applicant must give assurances that during construction all traffic will be within the easement area only. Furthermore there will be no staging or drop off within the easement

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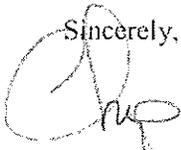
area. The applicant should be held accountable for cleaning & repairs to pavement on easement areas, dust control and safety during the construction phase in the easement area. These notations should be identified on any approved plans.

7. Landscaping: We request that the applicants left front side be all white pines (PS), 7'-9'. If at any time a security fence is required by the applicant, it shall be fully screened to the neighboring side in its entirety with white pines extending 2' over the maximum height of the fence. The plans do not show any landscaping on the rear west lot line of property, which there appears to be 10' of exposed concrete foundation wall at the bottom of the gully.
8. Lighting: We were unable to locate a lighting plan scheme
9. If in the case where the street numbers are reassigned by any state, local or federal agency, the applicant agrees to indemnify the owners of 30 Sudbury Road for all costs associated with the building changes, including its tenants for such items as street signs, signage, web site redesign and stationary supplies. The applicant currently has on the plan "40 Sudbury Road"; technically 30 Sudbury Road is the last legal frontage on that side of the street. Our concern is for after the fact mistakes to be shared by all.
10. Easement: The current easement access is limited to a 24' width passage across our existing parking lot. The easement restriction warrants input from the town's fire and safety to sufficiently supply service to the applicant's property. Furthermore, the applicants proposed use inherently attracts tow trucks, flat beds, and larger scale trucks where there does not appear to be a sufficient turn around spot on the applicant's property. We request that applicant provide a designated area within the property and that the applicants request to the board strictly prohibit turn around on our property as well as backing up to the main street in the access easement area
11. Sudbury Road: The extent of Sudbury Road is not clearly identified. Our records show that the Sudbury Road does not turn left once up the hill but continues towards Sudbury after crossing into Maynard. We request that this demarcation be shown on the engineered plan.
12. Trash Removal: There is no notation on the plan for location of dumpster and oil storage tanks. We request that this be fully screened and located on the Northeast side of the property.
13. Property Line: The applicant does not appear to have a survey in the plan package. If the Site plan dated 7/5/11 is the applicant's intent to delineate property lines then it is incorrect. Our survey shows our property extending to the Acton, Concord, Maynard town lines, then to Sudbury Road on the southeast corner. The applicants plan leaves one to believe Sudbury road or some road continues through to Alexan's project, and there "bold line" further adds confusion.

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The following comments are respectively submitted and I am available to meet with town officials and applicant for further conversations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chip Oreutt', written over the word 'Sincerely,'.

Chip Oreutt
Director of Facilities

CC: File