



Planning Department

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 929-6631
Fax (978) 929-6340
planning@acton-ma.gov

MEMORANDUM

To: Planning Board **Date:** May 24, 2012

From: Kristen Domurad-Guichard, Assistant Town Planner

Subject: **Pine Ridge Farm Lane –
Application for Definitive Subdivision Plan Approval (Residential Compound)**

Location: 366 Pope Road (Northeast Acton)
Owner: Mike Paratore
Applicant: Mike Paratore 366 Pope Road Acton, MA 01720
Engineer: Stamski and McNary Inc. 1000 Main Street Acton, MA 01720
Proposed Lots: 2
Proposed Units: 2 new dwelling units (1 existing to be demolished)
Proposed Streets: Duggan Way
Street length: +/-220 feet to driveway divide
Land area: 5.22 acres
Common Land: none
Map/Parcel: E6-4
Zoning: Residence 8 (R-8); GPD Zone 4
Filing Date: **April 13, 2012**
Hearing: **June 5, 2012**
Decision vote:

Attached for your review are the plan and application for the proposed “Pine Ridge Farm Lane a Residential Compound at 366 Pope Road” definitive subdivision, and comments from other Town departments, committees, and agencies. Please review the other departmental comments. They are not necessarily repeated here.

This definitive plan application was made without the preliminary plan review step that is customary for subdivisions. The law does not require a preliminary plan review procedure. But, it provides for an extended hearing and review time of 135 days (normally 90 days) from the application filing date where no preliminary plan was filed and acted upon. The Applicant discussed with the Planning Director the need for filing a preliminary plan. The Planning Director advised that a preliminary plan would not be needed in this case of a two-lot subdivision. Therefore, the Department is prepared to handle the matter as closely as possible within the 90-day time frame as is reflected in the dates above, unless extended through hearing continuations.

The application is filed under Section 10 of the Subdivision Rules and Regulations (SRR) – Residential Compounds. Section 10 applies to small subdivisions and provides for many waivers from the normal design and construction standards of the SRR in order to minimize unnecessary site impacts. A “proof plan” is required to show in general that compliance with the normal standards is possible. A residential compound subdivision must remain a private way.

Proof Plan

1. The proof plan sufficiently demonstrates that a standard subdivision for two house lots would fit on the parcel in conformance with
 - minimum lot dimensional requirement for R-8;
 - minimum building setback requirements for R-8;
 - minimum setback for buildings and structures from wetlands (75')

Zoning

1. The two lots on the proposed Residential Compound plan are shown in conformance with the dimensional zoning requirements for R-8.
2. Groundwater Protection District Zones 4 impose no special requirements on lots in single-family use.

Existing House

3. The applicant proposes to demolish the existing house and shed. It is not on the cultural resource list.

Sidewalk

4. A sidewalk along the frontage of the properties and along the new subdivision road is required or donation in lieu of a sidewalk is required. The plan does not show a sidewalk. A donation in lieu of a sidewalk along the frontage of the property might be more practical as there is a lack of connectivity to other sidewalks or proximity to destinations. The Planning Department has calculated the fair contribution based on the otherwise required lengths of sidewalk to be constructed as follows: (330 feet subdivision frontage on Pope Road X \$50) + (220 feet in new subdivision street X \$20) = \$16,500 + \$4,400= \$22,140.00.

Sight Distance

5. The proposed road is located where the existing driveway and curb cut is shown. The proposed layout shows two cedar trees close to the intersection of Pope Road; one cedar tree is located within the proposed road layout, the other may be disturbed during construction or cause issues with site distance.

Turning Radii

6. The proposed turning radii at the Pope Road intersection and turn into the two proposed driveways shows to be very tight for a SU-30 vehicle (fire engine), based on checking the plan with the 30-scale turning template. According to a traffic count conducted by the Engineering Department, the count is 2,009ADT. The Acton 1991 Master Plan road classification states a road with an ADT over 2,000 is considered a collector road. Due to the level of traffic on Pope Road I would suggested the turning radii be increased, but I defer to the Engineering Department and Fire Department.
-

Waiver Requests

7. The design engineer on behalf of the applicant has requested general waivers from the SRR requirements of Section 8 and 9 seeking approval instead for a Residential Compound in accordance with SRR Section 10. Section 10 contemplates such waivers in general and refers to and applies the Town's common driveway design standards instead. A review of the proposed subdivision street reveals general compliance with these standards. However, I defer to Engineering Department comments regarding drainage and other engineering matters.

Things to change and add:

8. Street address numbers for the lots are needed.
9. On the Record Plan (Sheet 2) add:
 - A note stating that the lots shall not be further subdivided.

Other

10. A decision of approval must contain the special conditions for residential compounds listed in SRR, Section 10.1.1.6 (no further division of lots, restriction on allowed land uses, and perpetual street covenants).
11. According to the Natural Resources Director, the applicant has met with the Conservation Commission and will be filing a Notice of Intent and an Order of Resource Area Delineation. The Plan shows three existing "Intermittent stream channels: segment #1, #2 and #3 "bank only" from BVW to outlet pipes." The applicant has discussed with the Conservation Commission, a plan to replicate this existing piped and above ground wetlands system on proposed lot A-2, by replicating the system at a greater distance from the proposed and existing structures, towards the southwestern property line. The proposed replication will be mostly above ground, opposed to the current underground piped system.
12. A standard performance guarantee will be required.
13. A certified as-built plan will be required.

Recommendation

There is nothing here that would require a hearing continuation. Items 4 through 12 above can be properly addressed in a decision. The hearing can be closed unless issues and concerns raised by other departments or at the public hearing suggest otherwise.

Cc: Applicant
Manager Department
Engineering Department