

DRAFT

Decision 08-20
The Residences at Quail Ridge
Amendment #2 – October 7, 2014



Planning Board

TOWN OF ACTON
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**AMENDEMENT #2
OF DECISION
08-02**

The Residences at Quail Ridge
Senior Residence Special Permit
October 7, 2014

GRANTED

This is an amendment by the Planning Board (hereinafter the Board) of its decision originally issued to Quail Ridge Country Club, LLC and subsequently to the current property owner, Pulte Homes of New England, LLC (hereinafter the Applicant) filed with the Town Clerk on February 12, 2008, previously amended on October 14, 2008 and August 2, 2011 (together hereinafter the Decision).

This amendment is in response to the request of the Applicant for an amendment of the Decision and of the project site plan to reduce the width of the proposed sidewalk from 5 feet to 4 feet along Skyline Drive at approximately STA 1+75 to STA 6+90.

The Board considered the request at a regular posted meeting on October 7, 2014, Board members Jeff Clymer (Chair), Rob Bukowski (Vice Chair), Michael Dube (Clerk), Roland Bourdon, Derrick Chin and Ray Yacouby were present. The minutes of the meeting and submissions, on which this decision is based upon, may be referred to in the Office of the Town Clerk or in the Acton Planning Department.

1 EXHIBITS

Exhibits on which this amendment is based on:

- 1.1 Memorandum with attached sketch plan of proposed sidewalk from Mark Mastroianni of Pulte Homes of New England LLC, dated 10/2/14;

1.2 Skyline Drive Acton, MA Sidewalk Design Calculations, dated 06/03/14.

1.3 Interdepartmental Communication received from:

- Acton Planning Department, dated 10/2/14

2 FINDINGS AND CONCLUSIONS

Based upon its review of the exhibits and the record of the proceedings the Board finds and concludes that:

- 2.1 The Applicant requested a minor modification to the site plan to reduce the sidewalk along Skyline Drive from approximately STA 1+175 to STA 6+90 from 5 feet to 4 feet. The Applicant has offered a monetary donation in the amount of \$37,750 to the Town's sidewalk fund in lieu of providing the 5-foot width.
- 2.2 The Rules and Regulations require a 5-foot wide sidewalk along one side of the traveled street within the proposed development. The requested modification requires a waiver from this requirement of the Rules and Regulations.
- 2.3 The requested modification is minor, does not change the project in any significant way from how it was approved in the Original Decision, and therefore does not warrant a public hearing.

3 BOARD ACTION

Therefore, the Board voted at the meeting to APPROVE the requested modification on the Site Plan and to grant a waiver from the Rules and Regulations to reduce the sidewalk width from 5 feet to 4 feet at approximately STA 1+175 to STA 6+90.

4 CONDITIONS

- 4.1 In lieu of granting the waiver above from the Rules and Regulations, for the requirement of a 5-foot wide sidewalk, the Applicant shall submit a contribution to the Town's sidewalk fund in the amount of \$37,750 prior to the issuance of the last building permit.
- 4.2 Except as modified herein, the Original Decision, and the plan approved thereunder, shall remain in effect.
- 4.3 This Decision shall be recorded at the Middlesex South District Registry of Deeds or filed in the Land Court Registration Office as applicable.

5 APPEALS

Appeals, if any, shall be made pursuant to MGL, Ch. 40A, S. 17 and shall be filed within 20 days after the date of filing this decision with the Town Clerk.

Signed on behalf of the Acton Planning Board

Roland Bartl, AICP, Planning Director
for the Town of Acton Planning Board

This is to certify that the 20-day appeal period on this decision has passed and there have been no appeals made to this office.

Eva Szkaradek, Town Clerk

Date

Copies furnished:

Applicant -
certified mail #
Municipal Properties Director
Town Manager
Concord Public Works
Assistant Assessor

Building Commissioner
Health Director
Town Clerk
Fire Chief
Owner
MAGIC

Town Engineer
Conservation Administrator
Police Chief
Historical Commission

