

From: [Roland Bartl](#)
To: [Lisa Tomyl](#)
Cc: [Manager Department](#); [Planning Department](#); [Lisa Krause](#)
Subject: ARRT - Request to authorize use of gift
Date: Tuesday, February 24, 2015 12:47:20 PM
Attachments: [gift_fund #3802 request to use.pdf](#)

Hi, Lisa:

Can the attached please go on the next meeting agenda of the Board of Selectmen along with this e-mail cover.

Our CPA funding application for ARRT easement acquisitions will most likely not be awarded the full requested amount due to a shortage of available funds for all the projects this year before the CPC. This got me searching for gift funds that we could use. There are some. For the one in the attachment Accounting wants me to obtain Board of Selectmen authorization.

Thank you -

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Planning Department

MEMORANDUM

To: Board of Selectmen **Date:** February 24, 2015

From: Roland Bartl, AICP, Planning Director
Planning Department
Lisa Krause, Town Accountant

Subject: **ARRT – Use of Gifts**

For purposes of helping fund the necessary acquisitions of the Assabet River Rail Trail easements, and per the direction of the Town Accountant, I am requesting that the Board of Selectmen authorize our use of gift account #3082. The account totals \$10,000.00 and stems from site plan special permit decision #11/01/01-379. A copy of the relevant decision page is attached.

Thank you -

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3082

1.0 Findings and Conclusions

Based upon its review of the exhibits and records of the proceedings, the Board found and concluded that:

- 1.1 This decision will replace and supercede the previously granted Site Plan Special Permit issued on May 22, 2001 for this site. The site is located in Limited Business Zoning District and Zone 2 and 3 of the Groundwater Protection District and the USE is allowed in both the Limited Business Zoning District and Zone 2 and 3.
- 1.2 The Engineering Department has the following concerns and comments;
The revised access driveway should have keep right signs located on the Island and a detail of the Island added.
The pavement markings should be shown on all the plans.
The sidewalk leading to Great Road needs curb cuts on both sides of Great Road.
The Board finds that the Plan should be revised to reflect this additional information.
- 1.3 The site was used as an equipment storage and sales facility. The parking lot is nonconforming, in that it is not currently paved. The Board finds that to the extent possible, subject to Conservation Commission approval, the parking lot should be paved.
- 1.4 The Applicant proposes to store vehicles on site. The Board finds that in order to control where the vehicles are stored the plan should be revised to indicate where storage would occur.
- 1.5 The Rules and Regulations for Site Plan Special Permits require that the applicant must provide a traffic study. The Applicant requests that instead of the study, they are willing to provide a gift in the sum of \$5,000. The Board finds that a gift in lieu of a study is appropriate. The gift would be used for either the "rail trail" or other traffic mitigation.
- 1.6 The Bylaw section 10.4.3.4 requires sidewalks along the frontage if the Board determines it is necessary for safe movement of pedestrians and bicyclists. A sidewalk currently exists on the opposite side of Great Road. The applicant has offered a gift in the sum of \$5,000 for use on the "rail trail". The Board finds that a sidewalk is not necessary for the safe movement of pedestrians and bicyclists. The Board waves the construction of sidewalks only when the applicant is willing to provide a gift. The Board would use the gift for the "rail trail" or other pedestrian or bicyclists safety mitigation measures. The applicant has agreed.
- 1.7 The Board finds that the stormwater policy list vehicle storage areas and vehicle service facilities as uses with the higher potential pollutant loads and require pollution prevention and snow management. The engineer should add a section to the Operation and Maintenance Plan (standard#9) so that the owner/operator for the site clearly understands the procedures and locations for stockpiling snow to minimize the risk of pollution to the adjacent brook. The engineer should also be sure to include the schedule for sweeping the parking lot. A copy of the O&M should be provided to the town prior to occupancy.