

Westchester Co., Inc.  
360 Mass Avenue  
Acton, Ma 017230

RECEIVED

JUL 23 2015

Town of Acton  
Planning Department

Acton Planning Board  
Main Street  
Acton, Ma 01720

Re: Construction delay request / Thomas Way

Dear Members of the Board

July 23, 2015

We request a time frame of five years, from the date of approval for the Towey portion of the project to be completed.

A handwritten signature in blue ink, appearing to read 'Steve Marsh', with a stylized flourish at the end.

Steve Marsh for the Westchester Co., Inc.

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Re: construction delay request / Thomas Way

Dear Members of the Board

July 22, 2015

During the meeting of July 21, 2015 an issue arose regarding the time of performance for the actual construction of the "Towey Portion" of the project. In order for Towey to realize the highest and best use for his property, (most profitable use) it is necessary for him to participate in and be included on the proof plan for the proposed "residential compound plan" before this Board.

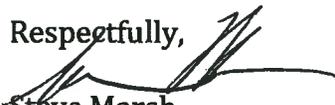
According to the Town Planner, "The project will not meet current zoning once the plan is approved because the existing home will be in violation of zoning". We do not disagree with this.

The question now before the Board is: Can the Towey portion be delayed without any burden for the issuance of construction and or building permits for the Keenan and Sons portion of the project?

We believe that both projects could stand on their own as to the development potential and meet zoning but this would likely require a re-filing at a later date. However, can the Board grant a condition by way of a covenant (which is allowed) to make it possible for Towey to commence his project at later date, more than within the two years, and without requiring him to re-file?

As a footnote, we are exploring other avenues regarding this project, in which the scope and general intent is to develop these parcels into five single-family homes.

Respectfully,



Steve Marsh

Westchester Co., Inc.