



TOWN OF ACTON
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Engineering Department

INTERDEPARTMENTAL COMMUNICATION

To: Board of Selectmen

Date: July 23, 2015

From: Engineering Department

Subject: Grant Of Location Petition – 96 Main St – Stone Wall

We reviewed the petition from Bob Trombly to install a 30" high stone wall within the public right-of-way of Main St along the front of his property. The applicant is proposing to build the wall along the existing granite posts as shown on the following picture. The right-of-way is shown at the wooden stake with orange tape, approximately 2-feet from the posts.



We recommend locating the wall on private property along the right-of-way line. The Town currently doesn't have any plan for any additional construction along this section of Main St however there is always potential for construction in this area such as reconfiguring Main Street to comply with the recently adopted Complete Streets Policy. In our dealings with other property owners during sidewalk planning, our office has encountered other areas where homeowners unknowingly placed walls, mailboxes, etc within the public right-of-way. Although the Town has the right to remove those objects, it's difficult to do so once it's been there for many years. This situation makes infrastructure improvements that much more difficult. We don't recommend intentionally placing objects within the right-of-way unless they serve an explicit public purpose such as new utility poles or other public infrastructure. Placing the wall on private property still gives the applicant the protection for his home that he seeks while keeping the public right-of-way clear.

From: btrombly@aol.com
To: [Lisa Tomyl](#)
Cc: [Paul Campbell](#)
Subject: Re: Request for a grant of location for a stone wall at 96 Main Street
Date: Monday, August 31, 2015 10:42:24 AM

The proposed wall will be 30" above the sidewalk be 28" wide. It will be dry stacked stone consistent with the HDC guidelines.

The proposed wall will sit in the same footprint as existing structures associated with my lot that lay in the public right of way. These include landscape timbers, granite posts, brick walk ways mailboxes etc.

I'll put together some photos to illustrate.

Thanks
Bob

On Aug 31, 2015, at 10:18 AM, Lisa Tomyl <ltomyl@acton-ma.gov> wrote:

Hi Bob;

Do you have any additional documentation for your proposed stone wall for the Board to review prior to the meeting on September 8th? Any further plans, photos, design, etc. would be most helpful!

Thanks!

From: btrombly@aol.com [<mailto:btrombly@aol.com>]
Sent: Friday, August 07, 2015 9:28 AM
To: Lisa Tomyl
Subject: Re: Request for a grant of location for a stone wall at 96 Main Street

I can do 9/8. Thank you.

On Aug 7, 2015, at 9:04 AM, Lisa Tomyl <ltomyl@acton-ma.gov> wrote:

Hi Bob –

Due to the holiday on September 14th, the Board of Selectmen have rescheduled their meeting to Tuesday, September 8. I apologize for the inconvenience. If you are unable to attend, I will reschedule your appointment to a later date. Please let me know at your earliest convenience if you are able to attend, and I will make the arrangements for the public hearing notice and the abutters as well for your

convenience.

Regards,

Lisa Tomyl
Executive Assistant
Office of the Town Manager

From: btrombly@aol.com [<mailto:btrombly@aol.com>]
Sent: Sunday, August 02, 2015 4:59 PM
To: Lisa Tomyl
Subject: Re: Request for a grant of location for a stone wall at 96 Main Street

Hi

Thank you.

So what are rules here?

Am I allowed to include anything else with the notice e.g. like my letter or elements of the proposed work.

Or just the notice by itself?

Thanks
Bob

On Jul 24, 2015, at 10:08 AM, Lisa Tomyl <ltomyl@acton-ma.gov> wrote:

Bob;

Attached is the abutter list and the hearing notice. You will need to send these out one of 2 ways. You may send them certified, or by accountable mail. The reason you are required to do this service is because you are requesting the hearing. I recommend the accountable mail cost-wise. You will need to address both the envelopes and stamp them. You then can bring them to Town Hall – Town Manager’s Office with payment for the accountable mail fee of \$3.76, and I can run the payment tape through our mail machine. I then take it to the post office for a certified signature from the postmaster. For your convenience, I have attached a

template.

Please fill in the date on the abutter notice prior to printing.
If you have any further questions, please feel free to contact me!

Regards,

Lisa Tomy
Executive Assistant
Office of the Town Manager

From: Bob Trombly [<mailto:btrombly@aol.com>]
Sent: Tuesday, July 07, 2015 11:18 AM
To: Manager Department; Lisa Tomy; Ronald Regan
Cc: Paul Campbell
Subject: Request for a grant of location for a stone wall at 96 Main Street

Honorable Members of the Board of Selectman,

My name is Bob Trombly. I am the owner of an historic house located at 96 Main Street in the South Acton Historical district. In my nearly 28 years in the house I've tried to be a good steward. An historic house is a trust that you are obliged to pass down to future generations. One of the primary responsibilities of a steward is to defend the house from the encroachments of modernity. Like all historic home owners I've had my challenges. I am asking the Board of Selectmen's help to meet the latest challenge.

Modernity reared its ugly head once again at 1:40am on the morning of January 21st this year in the person of a drunk driver. His pickup truck veered across the double yellow line and totaled my two cars in my driveway – fortunately no one was hurt. One of our cars was driven against my house. But, if not for my cars, the pickup truck would probably have hurtled through the Greek revival entryway of the house changing it forever –that would have been a tragedy.

Given the relentless traffic flying by in excess of 40 mph (despite the considerable efforts of the Acton Police), I have concluded that it's probably "when" and not "if" the house faces another challenge from the road. To

protect the house I am requesting a grant of location to build a stone wall within the same footprint as the granite posts that form the natural perimeter of my lot. I am requesting to build, at my own expense, a stone wall that incorporates and interconnects with the existing granite posts in the town's right of way.

The location I have requested has been approved by the Acton Historic District Commission (HDC) and a certificate of appropriateness has been issued, subject to approval of the town, to build the wall in that location. The HDC agrees that the desired location is best place esthetically to put an historically appropriate wall; I am grateful to the Historic District Commission for their support of my grant of location request. Their support is manifest here tonight in the person of my HDC liaison, Ron Regan.

The proposed wall will be inside a number of existing structures in the town's right of way. These structures include mailboxes, landscaping timbers, granite posts, brick walkways, driveways and a number of trees along the Eastern edge of my property, and indeed, all along Main Street. Specifically, the proposed wall merely interconnects with existing structures within the right of way, namely the granite posts that lie at the natural edge of the lot.

I have engaged the town's Engineering Department about the proposed location of the wall. They respectfully oppose my request for a grant of location as they wish to completely preserve the town's right of way for unspecified future needs. They have acknowledged no expansion is currently planned.

Since no expansion into the right of way is planned, since the proposed wall only unifies existing structures in the right of way, I respectfully request this grant of location to allow me to protect this historic house now. The proposed stone wall will protect the house now, and for generations, in the manner our Historic District Commission finds to be most historically and esthetically appropriate. The protection the wall will

afford will thus benefit the property, the historic district, and the town.

Thank you for your consideration.

Respectfully,

Bob Trombly

<Abutter Notice 96 Main Street.docx>

<Accountable Mail.pdf>

<Template of Accountable Mail.pdf>

<Abutter List.pdf>

The Historic District Commission supports a grant of location for construction of a wall to encapsulate the existing granite posts at 96 Main Street. There are two reasons why the HDC believes this location is the best option. First, the existing granite posts set a historic precedence for the location of a boundary structure. Second, building the wall where the granite posts are located is aesthetically more appropriate than building the wall within the lot line closer to the house.

There are two images showing details of the location in question. Figure 1 is an overhead image from the Acton GIS system showing the lot line and measurements from the front of the house to lot line, to the line of the original fence, and to the edge of the sidewalk. Building a 30 inch wall with the outside edge up against the lot line would put the inside edge of the wall 6 feet from the house. Figure 2 is a photo parallel to the front of the house giving a better perspective of the location.

There are many locations in Acton where stone walls are in the right of way. Taylor road has walls very close to the street on both sides as shown in figure 3. The final figure is a stone wall at 93 Main St. on the other side of the street from the location in question. While the house is set further back from the street the wall is very close to the street.



Figure 1 Overhead with Measurements



Figure 2 Parallel to Front of 96 Main St.



Figure 3 Taylor Road



Figure 4 Wall at 93 Main St.