



TOWN OF ACTON
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Planning Department

August 17, 2015

Mr. Jim Bernhard
34 Robbins Street
Acton, MA 01720

Re: Potential Zoning Violation - Filling of Floodplain, 34 Robbins Street

Dear Mr. Bernhard,

The Natural Resources Department informed us of the recent alleged filling and grading activity at 34 Robbins Street. The location in question is shown to be located within the 100-year flood plain. I am writing this letter to make you aware that, in addition to matters that the Conservation Commission will address, the reported activities are a potential zoning bylaw violations for work in the floodplain, including filling of the flood plain. Section 4.1 in the town of Acton's zoning bylaw discusses what you are allowed and not allowed to do in a floodplain. We will follow the Conservation Commission's proceeding and expect that through the Commission's process you will mitigate any potential zoning violation. If not, you may need separate reviews and zoning permits for the work to assess if it is allowed in the floodplain. Or, you may be able to prove with a detailed survey and engineering assessment that the subject work is in fact located outside of the floodplain.

If you have any further questions, comments or concerns regarding this matter, please feel free to contact Robert Hummel in the Planning office at (978) 929-6631, Monday through Friday (except holidays) between the hours of 8 am and 5 pm.

Sincerely,

Roland Bartl, AICP
Planning Director, Zoning Enforcement Officer

cc: Natural Resource Department
(Meisner Brem Corporation)