Stamski and McNary, Inc.
1000 Main Street Acton, Massachusetts 01720
Engineering – Planning – Surveying
(978) 263-8585
www.stamskiandmcnary.com

Site Plan Special Permit Application & Special Permit Application Under Zoning Sections 5.4 & 5.5B.2.2

For

7, 9, 19, 29 & 358 Great Road
(Map G-5, Parcels 78, 80, 81& 84)
Acton, Massachusetts

Applicant: AHC, Inc.
342 Great Road
Acton, MA 01720

Date: December 10, 2015

Job No. SM-939B

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STAMSKI AND MCNARY, INC.
1000 Main Street
Acton, Massachusetts 01720
(978) 263-8585
FAX (978) 263-9883

JOSEPH MARCH, P.E., P.L.S.
GEORGE DIMAKARAKOS, P.E.

December 10, 2015

Acton Town Clerk
472 Main Street
Acton, MA 01720

Re: 7, 9, 19, 29 & 358 Great Road

Dear Town Clerk,

On behalf of our client, AHC, Inc., we hereby submit the enclosed information for a *Site Plan Special Permit* and *Transfer of Development Rights and Historic Preservation Special Permit* pursuant to the Board of Selectmen's *Rules and Regulations for Site Plan Special Permits* and the *Town of Acton Zoning Bylaw* for the referenced site.

Very truly yours,

Stamski and McNary, Inc.

William Hall, E.I.T.

George Dimakarakos, P.E.

STAMSKI AND MCNARY, INC.
1000 Main Street
Acton, Massachusetts 01720
(978) 263-8585
FAX (978) 263-9883

JOSEPH MARCH, P.E., P.L.S.
GEORGE DIMAKARAKOS, P.E.

December 10, 2015

Acton Board of Selectmen
472 Main Street
Acton, MA 01720

Re: 7, 9, 19, 29 & 358 Great Road

Members of the Board,

On behalf of our client, AHC, Inc., we hereby submit the enclosed information for a *Site Plan Special Permit* and *Transfer of Development Rights and Historic Preservation Special Permit* pursuant to the Board of Selectmen's *Rules and Regulations for Site Plan Special Permits* and the *Town of Acton Zoning Bylaw* for the referenced site.

Very truly yours,

Stamski and McNary, Inc.

William Hall, E.I.T.

George Dimakarakos, P.E.

3.1 Application for a Site Plan Special Permit and Transfer of Development Rights/Historic Preservation within the East Acton Village District

Project Narrative:

The site is comprised of four developed parcels of land located at 7, 9, 19-29 and 358 Great Road. Three of the parcels, 7, 9 and 19-29 Great Road, are adjacent to each other. 7, 9, and 19-29 Great Road have commercial and retail properties to the east, south and west and single family dwellings to the north. The fourth parcel, 358 Great Road, is located east of Main Street. A portion of Will's Hole Brook flows through the property at 358 Great Road. 7, 9 and 19-29 Great Road are located within the East Acton Village (EAV) district and 358 Great Road is located in the Limited Business (LB) district, as defined in the Acton Zoning Bylaw.

The EAV district is a flexible zoning district that allows a range of land uses from residential to institutional to business, as well as mixed uses. The applicant has evaluated the list of allowed uses and has concluded that the best alternative for development of these lots is with a mix of single family houses and retail stores. The applicant feels that a Special Permit for the Transfer of Development Rights within the East Acton Village District and Limited Business District and for Historic Preservation, under sections 5.5B.2.2 (a) and (b) of the Acton Zoning Bylaw, would be ideal in order to provide the most compatible development with the surrounding uses.

The proposed site plan shows 14 single family houses and retail with 8,260 sf of net floor area at 7, 9, and 19-29 Great Road and no development at 358 Great Road. The Transfer of Development Rights would allow an increase in Net Floor Area of 12,000 sf at 7, 9, and 19-29 Great Road. The Historic Preservation would allow an increase in Net Floor Area of 10,648 sf and would preserve the historic structures at #7, #19 and #29 Great Road.

This application is consistent with the requirements of the Zoning Bylaw. In terms of Section 5.5B.2.1:

> The increased density on the receiving lot will better distinguish the East Acton Village District through clustering the development, maintaining historic structures, increasing business variety and promoting a pedestrian friendly village environment with the use of pedestrian plazas and sidewalks.

The following is a tabulation of the request transfer of development rights for the two lots:

	358 Great Road (Sending Lot)	7, 9, 19 & 29 Great Road (Receiving Lot)
Developable Site Area (DSA) (sf)	94,930	106,486
Allowable Net Floor Area (NFA) (FAR=0.2) (sf)	18,986	21,297
Proposed NFA to be Transferred (sf)	12,000 (Sending)	12,000 (Receiving)
Proposed NFA from Historic Preservation (0.1 x DSA) (sf)	N/A	10,648
Maximum Allowable NFA (sf)	6,986	43,945
Total Proposed NFA (sf)	4,160 (Existing)	43,835
Proposed Floor Area Ratio	0.04 (Existing)	0.41
Remaining NFA (sf)	2,826	110

The proposed uses at 7, 9, 19 & 29 Great Road are single family dwellings and retail. The site has suitable soils for sewage disposal and town water is available within close proximity. There is no proposed alteration to the site at 358 Great Road.

This Applicant is in the rare position of owning these crucial properties at Acton's eastern gateway. It is also fortuitous that there are transferable rights available from a willing acquaintance of the Applicant. It is important that the Board of Selectmen seize this opportunity to facilitate an existing project while these conditions exist.

Application for a Site Plan Special Permit

Appendix B

TOWN OF ACTON
APPLICATION FOR SITE PLAN SPECIAL PERMIT

For 7, 9, 19 & 29 Great Road
Under Zoning Bylaw Section 10.4

Refer to the "Rules and Regulations for Site Plan Special Permits" available from the Building Department or the Planning Department for details on the information and fees required for this application. Contact the Planning Department at 978-929-6631 or Building Department at 978-929-6633 with any questions concerning the Rules. Incomplete applications may be denied.

Please type or print your application.

1. Location and Street Address of Site 7, 9, 19 & 29 Great Road

2. Applicant's Name AHC, Inc.
   Address 342 Great Road, Acton, MA 01720
   Telephone (917) 446-0774 Email _____

3. Record Owner's Name AHC, Inc.
   Address 342 Great Road, Acton, MA 01720
   Telephone (917) 446-0774 Email _____

4. Town Atlas Map(s)/Parcel Number(s) Map G5 Parcels 78, 80, 81 and 84

5. Zoning District (s) of Parcel(s) East Acton Village

If any site plans have been filed previously for this site give file numbers: #05/10/90/-0326

The undersigned hereby apply to the Board of Selectmen for a public hearing and a site plan special permit under Section 10.4 of the Zoning Bylaw approving the attached site plan.

The undersigned hereby certify that the information on this application and plans submitted herewith is correct, and that all applicable provisions of Statutes, Regulations, and Bylaws will be complied with. The above is subscribed to and executed by the undersigned under the penalties of perjury in accordance with Section 1-A of Chapter 268, General Laws of the Commonwealth of Massachusetts.

12/10/15 _____ _____
Date Signature of Petitioner(s) Signature of Petitioner(s)

RECORD OWNER'S KNOWLEDGE AND CONSENT

I hereby assert that I have knowledge of and give my consent to the application presented above.

_____ _____ _____
Date Signature of Record Owner(s) Signature of Record Owner(s)

Application for Transfer of Development Rights/Historic Preservation within the East Acton Village District

Appendix B

TOWN OF ACTON
APPLICATION FOR SPECIAL PERMIT
(ZONING BYLAW)

Indicate the type of Special Permit Requested: Transfer of Development Rights & Historic Preservation

Under Zoning Bylaw Section: 5.4 & 5.5B.2.2

Refer to the "Rules and Regulations for Special Permits" available from the Planning Department for details on the information and fees required for this application. Contact the Planning Department at 978-929-6631 with any questions concerning the Rules. Incomplete applications may be denied.

Please type or print your application.

1. Location and Street Address of proposed SPECIAL PERMIT 7, 9, 19 & 29 Great Road

2. Applicant's Name AHC, Inc.
   Address 342 Great Road, Acton, MA 01720
   Telephone (917) 446-0774 Email _____

3. Record Owner's Name AHC, Inc.
   Address 342 Great Road, Acton, MA 01720
   Telephone (917) 446-0774 Email _____

4. Town Atlas Map(s)/Parcel Number(s) Map G5 Parcels 78, 80, 81 and 84

5. Zoning District (s) of Parcel(s) EAV

6. Detailed description of the proposed SPECIAL PERMIT:
   A transfer of 12,000 sf of development rights from 358 Great Road to 7, 9 and 19-29 Great Road. 358 Great Road is located in the Limited Business district and 7, 9 and 19-29 Great Road are located in the East Acton Village district. An increase in Net Floor Area through Historic Preservation is also requested.

7. If applying for a USE SPECIAL PERMIT, declare all hazardous materials or wastes that are expected to be generated, stored, used, or disposed of by the proposed USE. The USE must comply with the TOWN'S Hazardous Materials Control Bylaw:
   The proposed use will not generate hazardous materials or waste.

8. If there was a change in USE, please describe the previous USE on the site: N/A

9. If any SPECIAL PERMITS have been filed previously for this site give file numbers: 29 Great Road, file #05/10/90-0326

10. Please indicate expected number of employees, occupants and/or residents: 6 Employees
35 Residents

11. If a restaurant is proposed, please indicate number of proposed seats: _____

12. Hours of operation: Monday - Saturday: 10 AM - 6 PM

13. Please indicate the following:
Total NET FLOOR AREA (existing): 10,200+/- sf (Approximate from available records)
Total NET FLOOR AREA (proposed): 43,835 sf

14. Describe any proposed modifications to the exterior features or appearances of the STRUCTURE: _____

15. If the proposed SPECIAL PERMIT is located on a developed site, please provide the site conditions for the following characteristics:
LOT size: 106,486 sf
Total LOT coverage (existing): 8% (8,670+/- sf)
Total LOT coverage (proposed): 26% (27,840+/- sf)
Total OPEN SPACE (existing): 62% (66,020+/- sf)
Total OPEN SPACE (proposed): 38% (40,500+/- sf)
Total parking spaces provided on the site: 43
Total parking spaces dedicated to proposed use (existing): N/A
Total parking spaces dedicated to proposed use (proposed): 23

The undersigned hereby apply to the Board of Selectmen for a public hearing and a special permit under Section 10.3 of the Zoning Bylaw approving the attached use form.

The undersigned hereby certify that the information on this application and plans submitted herewith is correct, and that all applicable provisions of Statutes, Regulations, and Bylaws will be complied with. The above is subscribed to and executed by the undersigned under the penalties of perjury in accordance with Section 1-A of Chapter 268, General Laws of the Commonwealth of Massachusetts.

AHC inc.

Date | Signature of Petitioner(s) | Signature of Petitioner(s)

RECORD OWNER'S KNOWLEDGE AND CONSENT

I hereby assert that I have knowledge of and give my consent to the application presented above.

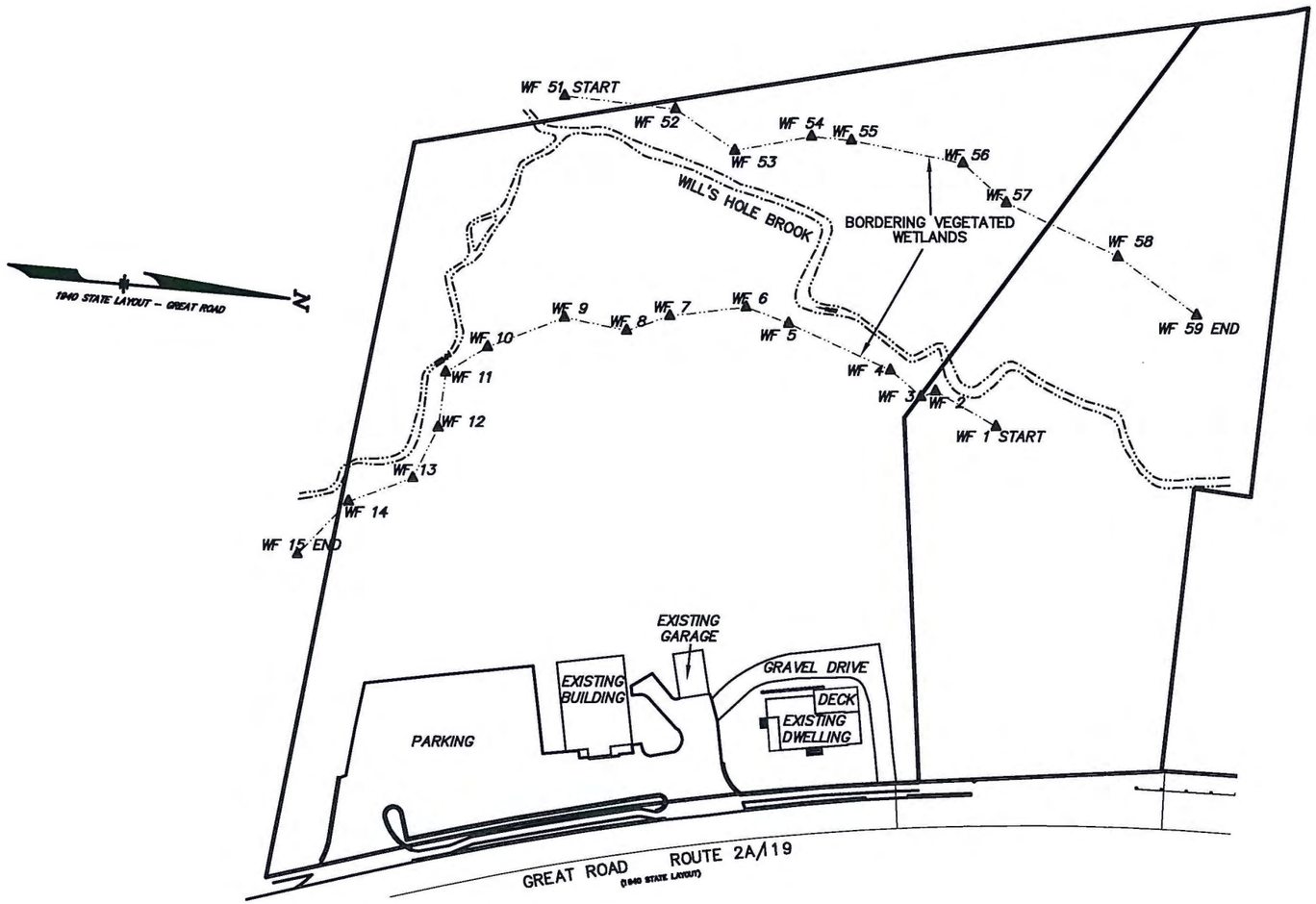
Nov. 21st, 2015

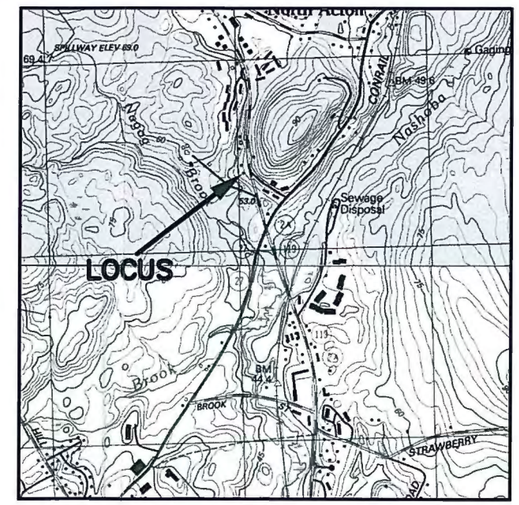
Date | Signature of Record Owner(s) | Signature of Record Owner(s)

LAND USE DATA 358 GREAT ROAD

FLOOR AREA REQUIREMENTS

TOTAL SITE AREA	135,228 SF
BORDERING VEGETATED WETLAND AREA	40,298 SF
DEVELOPABLE SITE AREA (DSA) =TOTAL–BVW =	94,930 SF
ALLOWED NET FLOOR AREA (0.2 X 94,930) =	18,986 SF
EXISTING NET FLOOR AREA =	4,160 SF
AVAILABLE NET FLOOR AREA =	14,826 SF
NET FLOOR AREA TO BE TRANSFERRED =	12,000 SF
NET FLOOR AREA AVAILABLE AFTER TRANSFER=	2,826 SF





LOCUS PLAN

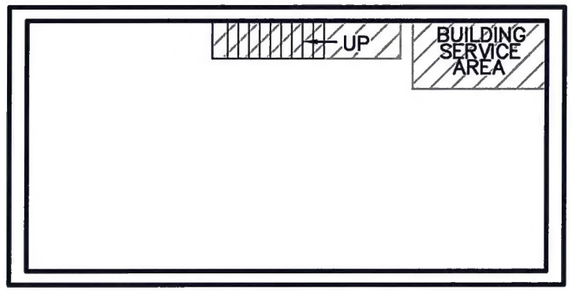
SENDING LOT–358 GREAT ROAD
TDR SPECIAL PERMIT
ACTON, MA
(MIDDLESEX COUNTY)

FOR: KHALEDI
SCALE: 1"=80' JANUARY 14, 2015

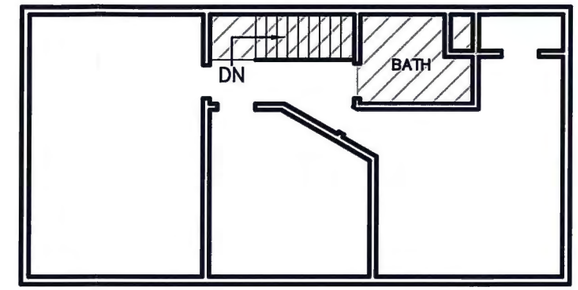
STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASS.
ENGINEERING – PLANNING – SURVEYING
978–263–8585

SM–939B 358 GREAT ROAD (939B transfer.DWG)

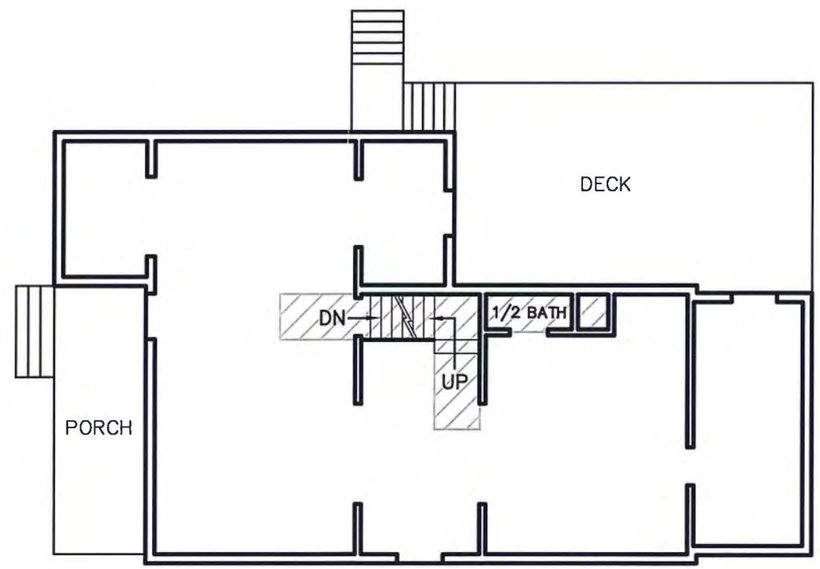
= AREA NOT INCLUDED IN NET FLOOR AREA



FRONT
BASEMENT



FRONT
SECOND FLOOR



FRONT
FIRST FLOOR

358 A GREAT ROAD
CONDO NAME
NET FLOOR AREA

BASEMENT:	490 S.F.±
FIRST FLOOR:	890 S.F.±
SECOND FLOOR:	535 S.F.±
TOTAL:	1915 S.F.±

NOTE
EXTERIOR WALLS NOT INCLUDED IN NET FLOOR AREA.

358 A GREAT RD
NET FLOOR AREA PLAN
IN

ACTON, MASSACHUSETTS

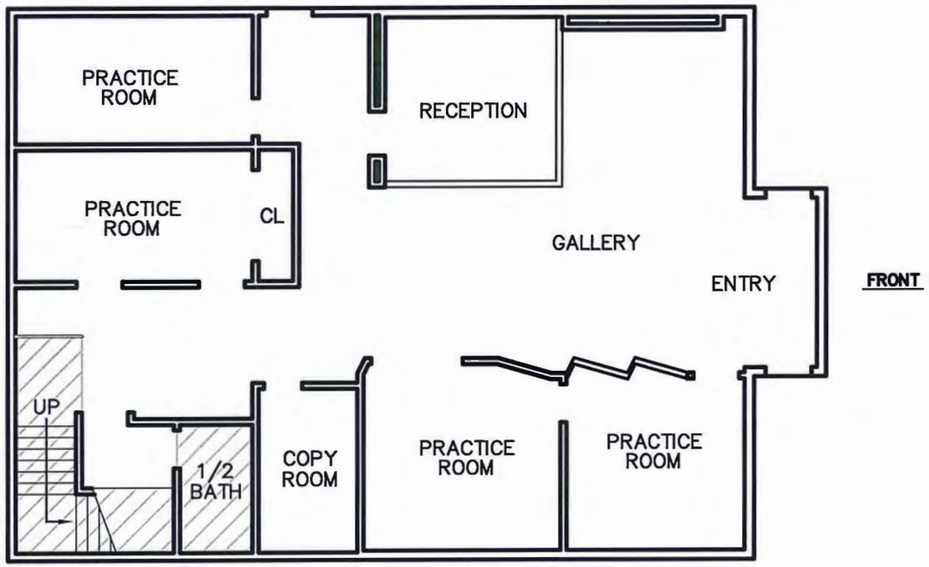
(MIDDLESEX COUNTY)

FOR: KHALEDI
SCALE: 1"=10' JANUARY 14, 2015

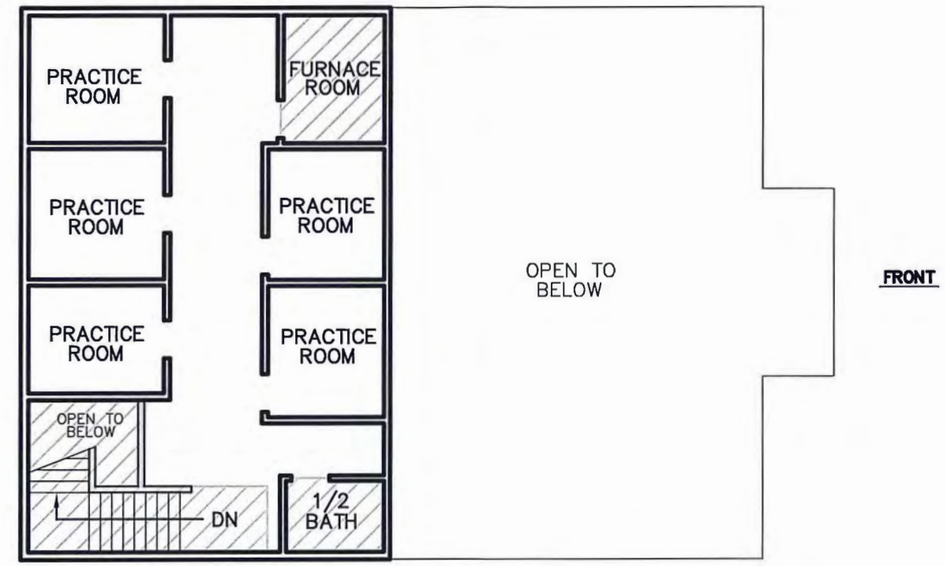
STAMSKI AND MCNARY, INC.
1000 MAIN STREET ACTON, MASSACHUSETTS
ENGINEERING – PLANNING – SURVEYING

0 10 20 30 40 FT

(939B.GREAT RD.work.dwg) 358 GREAT RD SM-939B



FIRST FLOOR



SECOND FLOOR

= AREA NOT INCLUDED IN NET FLOOR AREA

358 B GREAT ROAD
CONDO NAME
NET FLOOR AREA

FIRST FLOOR:	1605 S.F.±
SECOND FLOOR:	640 S.F.±
TOTAL:	2245 S.F.±

NOTE

EXTERIOR WALLS NOT INCLUDED IN NET FLOOR AREA.

358 B GREAT ROAD
NET FLOOR AREA PLAN
IN

ACTON, MASSACHUSETTS
(MIDDLESEX COUNTY)

FOR: KHALEDI
SCALE: 1"=10' JANUARY 14, 2015

STAMSKI AND MCNARY, INC.
1000 MAIN STREET ACTON, MASSACHUSETTS
ENGINEERING – PLANNING – SURVEYING

0 10 20 30 40 FT

(939B.GREAT RD.work.dwg) 358 GREAT RD SM-939B

3.2 Certified Abutters List

Town of Acton
472 Main Street
Acton, MA 0001720
Telephone (978) 929-6621
Fax (978) 929-6340

Brian McMullen
Principal Assessor

Locus: 7,9,19,29 Great Rd
Parcel: G5-84 G5-81 G5-80 G5-78

Parcel ID	LOCATION	Owner	Co-Owner	Mailing Address	City,ST Zip
G5-68	1 GREAT RD BEHIND	ACTON MEDICAL INVESTORS LLC	C/O LIFE CARE SYSTEMS	3001 KEITH STREET	CLEVELAND, TN 37312
G5-68-2	1 GREAT RD BEHIND	ACTON MEDICAL INVESTORS LLC	C/O LIFE CARE CENTERS OF AMERICA	3001 KEITH ST	CLEVELAND, TN 37312
G5-72-1	17 BAYBERRY RD	ACTON MEDICAL INVESTORS LLC	C/O LIFE CARE SYSTEMS	3001 KEITH STREET	CLEVELAND, TN 37312
G5-72-2	21 BAYBERRY RD	GREENWOOD ALFRED TRUSTEE		80 SOMERSET STREET	BELMONT, MA 02478
G5-77	35 GREAT RD	SIMS DONNA M		35 GREAT RD	ACTON, MA 01720
G5-79	38 GREAT RD	LUNG CHIK YAN	LUNG NGA CHEE	270-272 17TH AVENUE	SAN FRANCISCO, CA 94121
G5-82-1	30 GREAT RD	ACTON SPORTS PROPERTY LTD PTNP		30 GREAT RD	ACTON, MA 01720
G5-83	1-13 KEEFE RD	LENOX ASSOCIATES LLC		1 KEEFE ROAD	ACTON, MA 01720
G5-85	1 GREAT RD	ACTON MEDICAL INVESTORS LLC	C/O LIFE CARE SYSTEMS	3001 KEITH STREET	CLEVELAND, TN 37312
G5-87	6 GREAT RD	MORGAN WAYNE L	MORGAN DIANE L	6 GREAT ROAD	ACTON, MA 01720
G5-88	2 GREAT RD	WRENN GEORGE L		2 GREAT RD	ACTON, MA 01720
G5-90	19 KEEFE RD	MORGAN WAYNE L	MORGAN DIANE L	6 GREAT ROAD	ACTON, MA 01720
G5-91	16-24 KEEFE RD	OH CHURL		1323 ELM ST	CONCORD, MA 01742
G5-72	1-5 IRIS CT	IRIS COURT ASSOC LLC	C/O TRIDENT MGT	2 IRIS CT APT 8	ACTON, MA 01720
G5-72-4	14 IRIS CT	IRIS COURT ASSOC LLC	C/O TRIDENT MGT	2 IRIS CT APT 8	ACTON, MA 01720
G5-76	44 GREAT RD	GLOBAL COMPANIES LLC	C/O ALLIANCE ENERGY LLC	15 NORTHEAST INDUSTRIAL RD	BRANFORD, CT 06405
G5-78	29 GREAT RD	AHC INC		29 GREAT RD	ACTON, MA 01720

Abutters and owners of land directly opposite on any public or private street or way and abutters to the abutters within three hundred feet of the property line all as they appear on the most recent applicable tax list.

HEARING NOTICES FOR ALL SPECIAL PERMITS MUST BE SENT TO THE PLANNING BOARD, TOWN HALL IN THE FOLLOWING TOWNS:

Boxborough, MA 01729	Maynard, MA 01754	Concord, MA 01742	Littleton, MA 01460
Carlisle, MA 01741	Stow, MA 01775	Westford, MA 01886	Sudbury, MA 01776

Marty Abbott

Marty Abbott
Acton Assessors Office

11/19/2015

Town of Concord
Board of Assessors
24 Court Lane
P.O. Box 535
Concord, Massachusetts 01742-0535
Tel: (978) 318-3070
Fax: (978) 369-4760

ABUTTERS LIST

PROPERTY : 134B Elm St.
Concord, MA 01742

MAP: C06

PARCEL: 2000-8-2

As per Massachusetts General Laws Chapter 131, Section 40 whereas the "abutters" included shall be:

> Any person filing a notice of intention with a conservation commission shall at the same time give written notification thereof, by delivery in hand or certified mail, return receipt requested, to all abutters within one hundred feet of the property line of the land where the activity is proposed, at the mailing addresses shown on the most recent applicable tax list of the assessors, including, but not limited to, owners of land directly opposite said proposed activity on any public or private street or way, and in another municipality or across a body of water.

The Board of Assessors hereby certifies that the attached list contains the record owners as of January 1, 2015, and recorded on the current tax rolls. In addition, the Board certifies that the list includes owners, as per recorded deeds as received up to October 31, 2015.

Cynthia J Kaney Barron P. Lambert [signature]

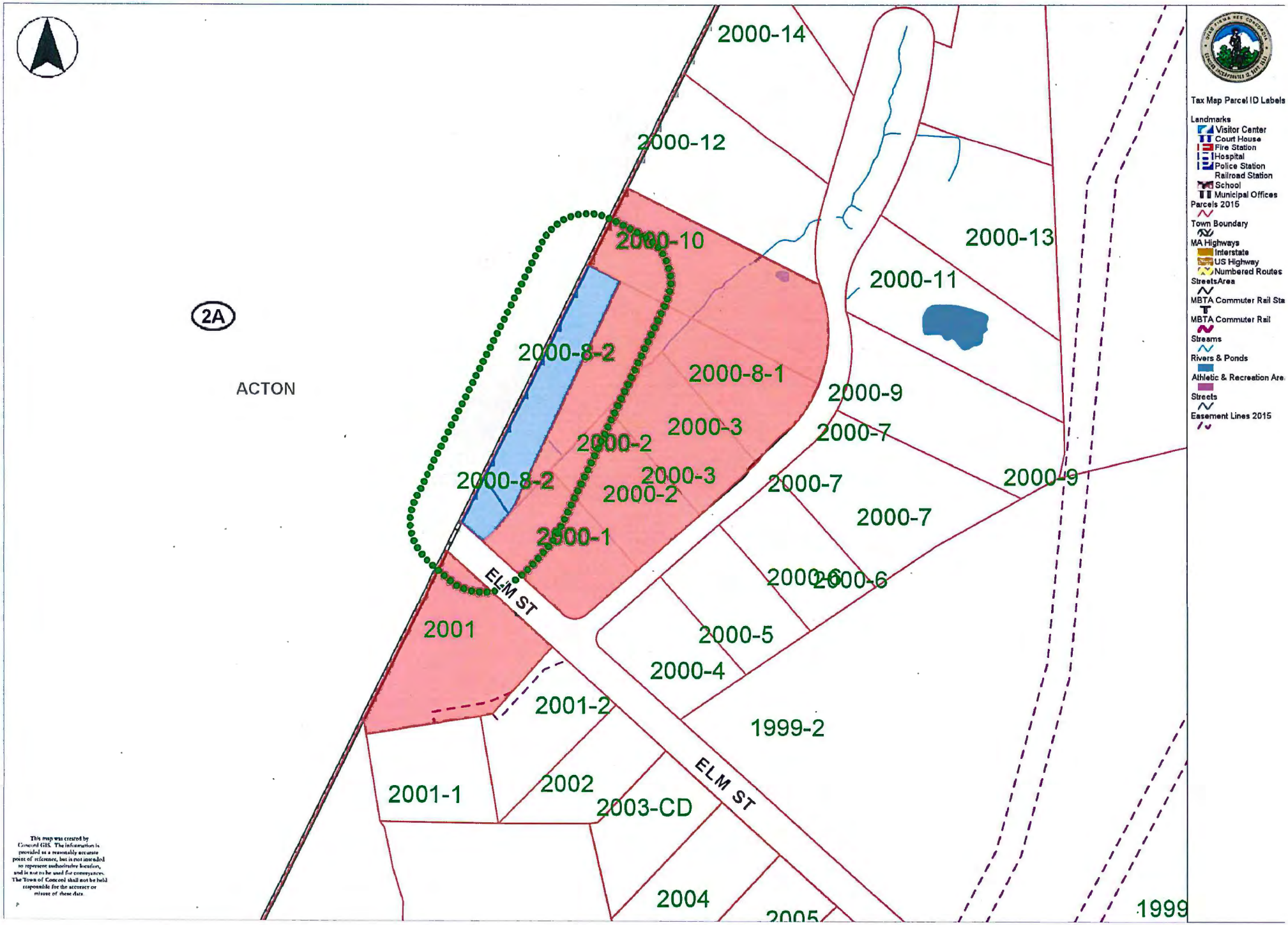
Christian C. [signature] David Kerr

Board of Assessors

11/23/15
Date

Abutters List for Parcel# 2000-8-2, 134B Elm St., using a distance of 100 ft.:

Parcel	Parcel Location	Name & Billing Address as of January 1, 2015	Name & Billing Address as of October 31, 2015
2000-8-2	134B Elm St	Allyn & Margaret K Dimock 79 Commerford Rd Concord, MA 01742	
2000-1	15 Commerford Rd	Vera Taylor 15 Commerford Rd Concord, MA 01742	
2000-2	27 Commerford Rd	Christopher J & Caroline M Mahoney 27 Commerford Rd Concord, MA 01742	
2000-3	43 Commerford Rd	Mansour Zenouzi & Franca Morelli 43 Commerford Rd Concord, MA 01742	
2000-8-1	61 Commerford Rd	Richard S & Debra J Miza 61 Commerford Rd Concord, MA 01742	Michael T Deorsey & Erin R Cusker 61 Commerford Rd Concord, MA 01742
2000-10	79 Commerford Rd	Allyn & Margaret K Dimock 79 Commerford Rd Concord, MA 01742	
2001	1323 Elm St	Churl Oh 1323 Elm St Concord, MA 01742	



Printed on 11/20/2015 at 10:03 AM

134B Elm St

3.3 Use Description

Use Description

Existing Conditions

The existing use of the site is OFFICE and SINGLE FAMILY DWELLING.

Proposed Conditions

The proposed use of the site is for RETAIL, OFFICE, SINGLE FAMILY DWELLING and MULTI-FAMILY DWELLING.

There will be no storage, generation or use of hazardous materials or wastes on the site.

3.4 Other Permits and Variances

Other Permits and Variances

Permitting Body	Required
Acton Board of Health	Disposal Works Construction Permit Aquifer Permit
Acton Board of Selectmen	Transfer of Development Rights/Historic Preservation
Mass Highway	Curb Cut Permit
EPA	NPDES Construction General Permit

3.5 Record Plans

73182 489 157

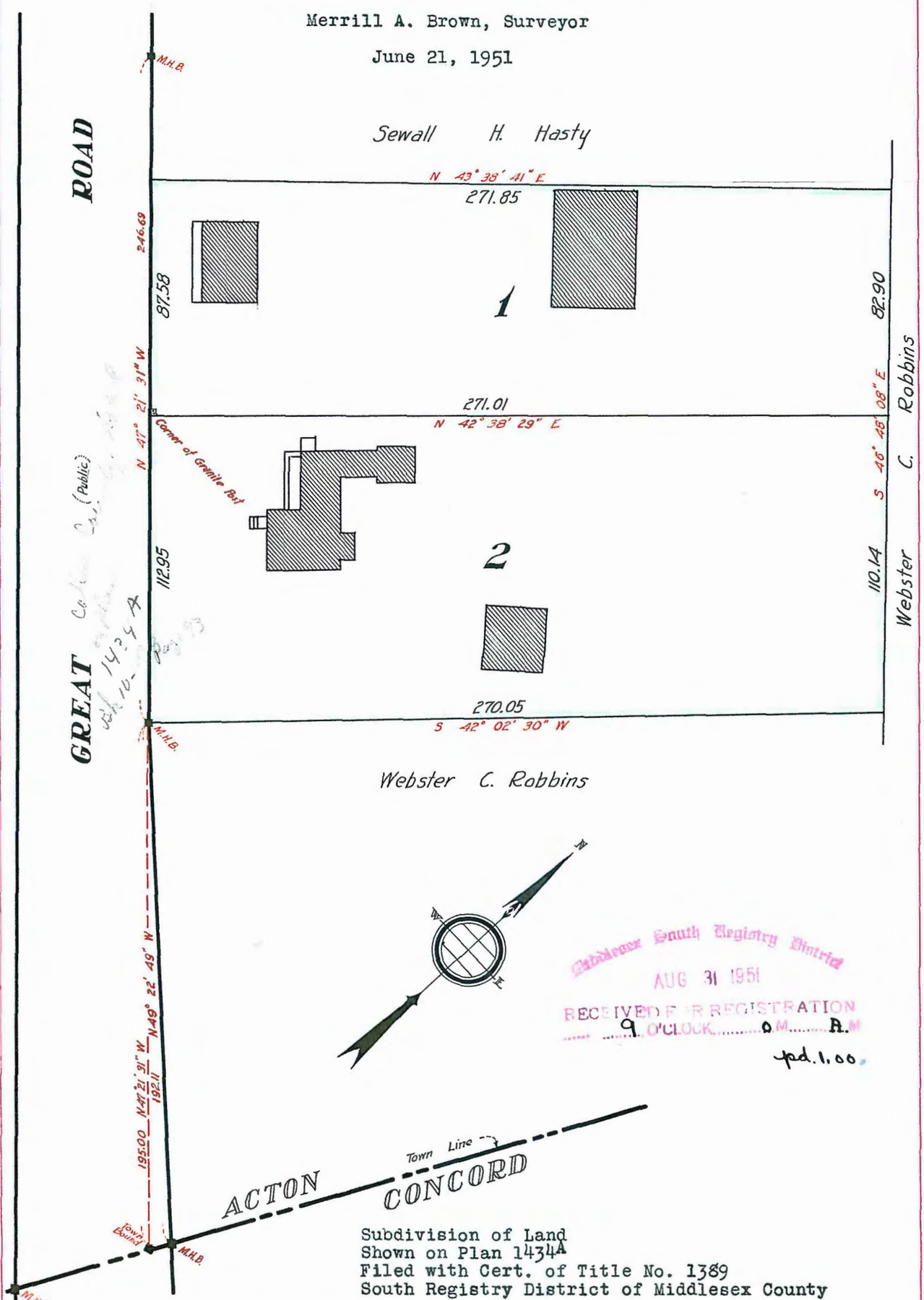
Ctf. 73182 Book 489 Page 157

1434B

SUBDIVISION PLAN OF LAND IN ACTON

Merrill A. Brown, Surveyor

June 21, 1951



Middlesex South Registry District
AUG 31 1951
RECEIVED FOR REGISTRATION
9 O'CLOCK o M. A.M.
pd. 1.00

Subdivision of Land
Shown on Plan 1434A
Filed with Cert. of Title No. 1389
South Registry District of Middlesex County

Separate certificates of title may be issued for Lots 1 & 2 as shown hereon
By the Court
Thomas J. Cummings
JUNE 26, 1951 Deputy Recorder.

Copy of part of plan filed in
LAND REGISTRATION OFFICE
JUNE 26, 1951
Scale of this plan 40 feet to an inch
W. T. Fairclough, Engineer for Court

AUG 29 1951