



**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts 01720  
Telephone (978) 929-6631  
Fax (978) 929-6340  
planning@acton-ma.gov

**Planning Department**

---

**INTERDEPARTMENTAL COMMUNICATION**

**To: Town Manager's Office**

**Date: March 22, 2016**

**From: Kim Gorman, Secretary for Planning Department**

A handwritten signature in black ink, appearing to be "KG", is written over the "From:" line.

**Subject: Gift Acceptance**

---

The Planning Department has received a check in the amount of \$8,250.00 from Town of Concord (Concord Public Schools Site Plan Special Permit) in lieu of the sidewalk fund, as stated in 3.2.5 in the Board of Selectmen Decision # 07/03/14-450.

Please bring this matter to the Board of Selectmen for consideration.

Thank you.



**Town of Concord**  
 PO Box 535  
 Concord MA 01742

135614  
 TOWN OF ACTON  
 472 MAIN STREET  
 ACTON, MA 01720

**CHECK #: 238601**

Warrant #: 163601  
 Date: 03-Mar-2016  
 Total: \$8,250.00

For questions regarding this payment, please contact: Office of the Town Accountant Phone: (978)318-3090

Invoice #	Description	Voucher & Line #	Amount
SP 12-15-14	Sidewalk contrib 37 Knox Trall per Sec 3.2.5 of permit	97979-1	8,250.00

ORIGINAL CHECK IS PRINTED ON CHEMICAL REACTIVE PAPER WHICH CONTAINS A WATERMARK

**Town of Concord**  
 PO Box 535  
 Concord MA 01742

CENTURY BANK & TRUST COMPANY

53-139  
 113

**238601**  
 03-Mar-2016

**PAY**

\*\*Eight Thousand Two Hundred Fifty and xx/100\*\* DOLLARS

**\*\*8,250.00**



TO THE **TOWN OF ACTON**  
 ORDER **472 MAIN STREET**  
 OF: **ACTON, MA 01720**

*Anthony T. Loyello*

VOID AFTER 180 DAYS



## CONCORD PUBLIC WORKS

133 KEYES ROAD  
CONCORD, MASSACHUSETTS 01742-1601  
[www.concordma.gov](http://www.concordma.gov)

RICHARD K. REINE  
DIRECTOR

Tel: 978-318-3206  
Fax: 978-287-4762

March 11, 2016

Town of Acton  
Planning Department  
472 Main Street  
Acton, MA 01720

To Whom it May Concern:

Attached please find Town of Concord check in the amount of \$8,250 for sidewalk fund payment as required by the Town of Acton Board of Selectmen Site Plan Special Permit #07/03/14 – 450 (Berry).

Please contact me if you have any questions.

Richard K. Reine, PWLF  
Director of Public Works  
[rreine@concordma.gov](mailto:rreine@concordma.gov)

Attachments: Check in the sum of \$8,250  
Town of Acton Decision #07/03/14 - 450

**RECEIVED**

DEC 17 2014

TOWN CLERK  
ACTON

Concord Public Schools  
Site Plan Special Permit #07/03/14 - 450 (Berry)  
37 Knox Trail  
December 15, 2014 - Decision



**Board of Selectmen**

**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts 01720  
Telephone (978) 929-6611  
Fax (978) 929-6340  
bos@acton-ma.gov  
www.acton-ma.gov

**DECISION**  
**#07/03/14 - 450**

**Concord Public Schools**  
Site Plan Special Permit  
37 Knox Trail  
December 15, 2014

**GRANTED with Conditions**

Decision of the Acton Board of Selectmen (hereinafter the Board) on the application of Concord Public Schools, 120 Meriam Road, Concord, MA 01742 (hereinafter the Applicant), dated and received July 3, 2014. The application is requesting a Site Plan Special Permit pursuant to Section 10.4 of the Zoning Bylaw (hereinafter the Bylaw) and the Site Plan Special Permit Rules and Regulations (hereinafter the Rules) for property currently owned by KT Realty Trust, c/o Brian Li, Trustee, 321 Church Street, Northborough, MA 01532 and located at 37 Knox Trail in Acton, Massachusetts. The property is shown on the 2007 Acton Town Atlas map J4-6 and is approximately 40,741 ft<sup>2</sup> (0.935 acres) in area (hereinafter the Site).

The Board opened and held a duly noticed public hearing on September 8, 2014 and continued said hearing to dates of September 22, 2014, October 6, 2014 and November 3, 2014, at which time the public hearing was closed. Board members Mike Gowing (Chair), Katherine Green (Vice Chair), Peter Berry (Clerk), Janet Adachi and Frances Osman were present throughout the hearing. Attorney Mark Bobrowski, Esq. of Blatman, Bobrowski & Mead, LLC, Sandra Brock, PE and Steven Ventresca, PE of Nitsch Engineering, Christopher Whelan, Town of Concord Town Manager and John Flaherty, Deputy

*Decision #07/03/14 - 450, Site Plan Special Permit, 37 Knox Trail,  
Concord Public Schools, December 15, 2014*

*Page 1 of 8*

wells shall be installed and operational prior to any of the site work and/or additional pavement work commencing.

- 3.2.3 The Applicant, along with the Water Supply District of Acton, shall prepare and execute an agreement memorializing the fact that once the two (2) new groundwater monitoring wells are installed on the property, it will be the responsibility of the Water Supply District of Acton to monitor said wells.
- 3.2.4 The Applicant shall at all times comply with the Snow Storage Plan (Sheet 4.0) and be diligent to ensure the proper placement of snow piles during the winter months. No snow storage shall be permitted within the bioretention basin "rain garden".
- 3.2.5 The Applicant shall submit a monetary contribution to the Town of Acton's Sidewalk Fund in the amount of \$8,250.00 (\$19.50 per linear foot for 425 feet of property frontage) in lieu of constructing a sidewalk across the property's frontage, or modify the plan to show a sidewalk acceptable to the Town of Acton, and install said sidewalk during the installation of the additional paving approved herein.
- 3.2.6 The access driveway described in Finding & Conclusion 2.7 and Plan Modification 3.1.1, shall be permitted to be extended up to the rear property line without further Board review and/or approval, should the Applicant purchase the abutting property located within the Town of Concord (commonly referred to as the "Grace Property"). Prior to said driveway expansion/extension, the Applicant shall provide proof of the property's acquisition to the Zoning Enforcement Officer.
- 3.2.7 The Applicant shall meet all requirements of the Town Bylaws.
- 3.2.8 The Applicant shall not cause or permit the runoff of water or erosion that results in the flooding or siltation of any street, way or drainage facility owned or maintained by the Town. If such runoff or erosion occurs, the Building Commissioner or the Zoning Enforcement Officer may order the immediate cessation of any excavation, construction and building activities until the conditions that caused the runoff or erosion have been corrected.
- 3.2.9 No work on the Site authorized hereunder shall begin prior to installation of the monitoring wells on the Site.
- 3.2.10 All work on the Site shall be conducted in accordance with the terms of this Site Plan Special Permit and shall conform with and be limited to the improvements shown on the Plan as conditioned, modified, and approved herein.
- 3.2.11 If applicable, the Applicant shall pay in full all taxes, and penalties and back charges resulting from the non-payment of taxes prior to the issuance of any Building Permit.
- 3.2.12 All work on the Site shall be performed in compliance with the applicable law and regulations protecting wetlands and wildlife habitat in the Town of Acton.
- 3.2.13 Any and all construction activity on the property relating to this Site Plan Special Permit shall be limited to the following hours: Monday – Friday: 7:00am – 6:00pm; Saturday 8:00am – 5:00pm; Sundays & Holidays as recognized by the Commonwealth of Massachusetts: No construction work permitted.
- 3.2.14 The Applicant shall make every attempt to minimize adverse or nuisance construction conditions (such as, but not limited to dust, noise and vibrations, etc.) from existing in and around the Site and affecting neighboring and abutting properties during the construction operations. The Applicant shall at all times use all reasonable means to minimize inconvenience to individuals within the general area.