



**TOWN OF ACTON**  
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**Planning Department**

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**MEMORANDUM**

**To:** Planning Board **Date:** April 26, 2016  
**From:** Roland Bartl, AICP, Planning Director *R. B.*  
**Subject:** Southeast Lane – Preliminary Subdivision

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**Location:** 394-408 Massachusetts Avenue  
**Owner:** NOTCA LLC (V. Cuttone, Manager) &  
Parker Lane Investment Trust (Anna Ludwig, Trustee)  
**Applicant:** 394 Massachusetts Avenue, LLC (Vincent Cuttone, Manager)  
**Engineer:** Bohler Engineering  
**Proposed Lots:** 2  
**Proposed Units:** none shown  
**Proposed Streets:** Southeast Lane  
**Street length:** +/- 155 feet plus turnaround  
**Land area:** +/- 6.46 acres  
**Common Land:** none  
**Map/Parcel:** F3-118-2, F3-127, F3-134  
**Zoning:** Kelley's Corner (KC), Groundwater Protection District Zone 4,  
Flood Plain Overlay District (small portion on easterly side)  
**Filing Date:** **March 10, 2016**  
**Public Meeting:** **May 3, 2016**  
**Decision Vote Due Per**  
**Extension Agreement:** **May 18, 2016**

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Attached for your review are the plan and application for the proposed "Southeast Lane" preliminary subdivision, comments from other Town departments, committees, and agencies, and a draft decision. Please review the other departmental comments. They are not repeated here. Instead they are incorporate in the draft decision by reference only; in one case (street address designation) modified.

A preliminary subdivision allows for the discussion and clarification of any potential problems before a definitive subdivision plan is prepared. A preliminary subdivision plan can be submitted for discussion, modification, approval or disapproval by the Board. Any decision made by the Board is not binding on future definitive plans. (See MGL Chapter 41 Section 81-S)

The Applicant states that he filed the application for preliminary subdivision approval to pursue zoning freeze protection pursuant to M.G.L. Ch. 40A, §6. If ultimately approved as a definitive plan, the land in the subdivision would be immune for eight years to any zoning changes adopted after the application filing date of March 9, 2016. The protection applies to land in general whether or not the specific subdivision plan is built or implemented.

**Recommendation**

A draft decision is attached.

Cc: Engineering Department