



Planning Department

**TOWN OF ACTON**  
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**MEMORANDUM**

**To:** Planning Board **Date:** September 1, 2016  
**From:** Robert Hummel, Assistant Town Planner RH  
**Subject:** 111 Summer Street – Definitive Subdivision – Residential Compound

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**Location:** 111 Summer Street  
**Owner/Applicant:** Paulette Barros  
**Engineer:** Stamski and McNary, Inc.  
**Proposed Lots:** 2  
**Proposed Units:** 2 dwelling units (1 existing to remain; 1 new)  
**Proposed Streets:** Summer Lane  
**Street length:** 270 feet  
**Land area:** 1.84 acres  
**Common Land:** None  
**Map/Parcel:** F1-87  
**Zoning:** Residence 2 (R-2); Groundwater Protection District (GPD) Zones 2 and 3  
**Filing Date:** July 18, 2016  
**Hearing:** September 6, 2016  
**Decision vote due:** November 29, 2016

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Attached for your review are the plan and application for the proposed “Summer Place” Definitive Subdivision, and comments from other Town departments, committees, and agencies. Please review the other departmental comments. They are not necessarily repeated here.

A Residential Compound (See Section 10 of the Subdivision Rules and Regulations, herein referred to as SRR) allows for design waivers from SRR, Sections 8 and 9. Although design standards for Residential Compounds follow Section 3.8.1.5 of the Zoning Bylaw (ZBL) and its subsections for Common Drives, a proof plan must be submitted to demonstrate that the proposed street and lots can meet the standard SRR requirements of Sections 8 and 9.

**Overview**

The Applicant proposes a Residential Compound, “Summer Place”, which would create a new 270 foot long private road to provide frontage to one additional lot for a total of two lots. The existing dwelling on the Lot would remain and one new dwelling is proposed. An existing barn in the rear, which is on the Town’s Cultural Resource List, would be demolished. The proposed subdivision

will be located on the current parcel of 111 Summer Street, which abuts property owned by the Acton Water District to the Northwest. There is a nonconforming structure on the abutting property to the west of the proposed residential compound. The location of the proposed street would not change the status of this nonconforming structure.

### **Proof Plan**

1. The layout of Summer Place shows a +/- 205 foot long street off Summer Street.
2. The proof plan contemplates the demolition of the existing dwelling, which is proposed to be retained under the Residential Compound plan.
3. The Proof Plan shows a standard subdivision and demonstrates that the two lots can meet the applicable requirements of the SRR, Sections 8 and 9 Design Standards, and the Zoning Bylaw.

### **Proposed Plan – Residential Compound**

4. The street shown on the plans complies with the Section 10 standards for a Residential Compound. The following will need to be addressed through decision conditions:
  - 10.1.1.5 Deed restriction for the private street
  - 10.1.1.6 a), b), c) Definitive Subdivision conditions
  - 10.1.1.7 Ownership Covenant
  - 10.1.4 Mylar As-built at the decision conclusion
5. The Residential Compound Street is designed to be built in accordance to the Common Driveway standards in Section 3.8.1.5 of the ZBL. The proposed street meets the design requirements set forth in ZBL Section 3.8.1.5 except for subsections a), n) and o) that should be addressed:
  - a) All curb radii and radii of pavement edges shall be designed to accommodate SU-30 (fire truck). The plans show a SU-30 vehicle turn at the proposed intersection would obstruct oncoming traffic. A waiver would be required from this section, or the Applicant would have to revise their plans by widening of the driveway aprons. The Planning Department defers to the Fire Department.
  - n) There shall be a sign posted at the Common Drive intersection with the STREET displaying the name of the Common Drive and indicating “private way”.
  - o) Installation of a Sidewalk on a Collector Street.
6. The Residential Compound Street indicated on the plans is showing a 12 foot wide pavement and 4 foot wide shoulders on each side. This complies with the subsection l) and m) of ZBL 3.8.1.5 (Common Drives). We defer to the Fire Department with respect to fire code regulations. The Fire Department now appears to require a 20-foot paved surface within 50 feet of the new dwelling, or as an alternative requires a sprinkler system in the dwelling.
7. The proposed turn-around in Summer Place is laid out to accommodate SU-30 design vehicles (fire engines).
8. We would under the circumstances support the granting of the waivers from SRR, Sections 8 and 9 for the design more or less as shown on the Plan with the inclusion of a sidewalk.

## **Zoning**

9. Proposed Lots 1 and 2 labeled on the plans meet the dimensional regulations set forth in the ZBL for the underlying district.
  
10. The site is in the Groundwater Protection District Zone 2. Both lots must comply with Table 4.3.7.2, line 23 requirements for subsurface disposal of tertiary treated wastewater effluent. Otherwise each house would each be restricted to one or two bedrooms (per calculation of line 17 in Table 4.3.7.2).

## **Sidewalks**

11. A Residential Compound subdivision contemplates waivers from the standard subdivision design requirements of SRR, Sections 8 and 9, which include the requirement for sidewalks. Typically the Board does not waive the sidewalk requirement for Residential Compounds, but has in the past accepted sidewalk construction in other locations or contributions to the Town's sidewalk fund. Based on our standard contribution rate of \$20/foot of sidewalk in proposed new subdivision streets and \$50/foot of sidewalk along existing street frontages, the appropriate contribution amount for Summer Place would be  $(\$20.00 \times 270) + (\$50.00 \times 160) = \$13,400$ .

## **Staff Comments**

12. The Engineering Department suggested that if the applicant would like to donate to the sidewalk fund in lieu of building a sidewalk then the Engineering Department is prepared to use the sidewalk donation for a portion of a planned 650 feet long buildable stretch of sidewalk on Willow Street. The Planning Department agrees with this recommendation and we would leave it to the applicant if they would like to ultimately build the sidewalk themselves or donate the money to the sidewalk fund.
  
13. The Fire Department now requires a 20-foot paved surface to the within 50 feet of the new dwelling, or else require sprinkler system in the dwelling.

## **Plan Modifications / Recommended Conditions**

The applicant will need to submit the bulleted documents noted above under "Proposed Plan – Residential Compound" (par. 4) and make any necessary revisions to comply with all of the provided interdepartmental comments.

## **Recommendation**

We believe any required plan changes and outstanding items are minor in nature and can be properly addressed in a decision as required plan modifications and conditions. The comments that the Fire Department added indicate that the applicant might want to consider revising the plans to include petitioning the Town to accept this road as a public way. Additional comments from other Town departments, committees and agencies are attached; please review them. We would recommend closing the public hearing and addressing all of the necessary Plan revisions through Plan Modifications.