



TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 264-9636
Fax (978) 264-9630
planning@acton-ma.gov

Planning Department

MEMORANDUM

To: Planning Board **Date:** July 22, 2005
From: Kristin K. Alexander, AICP, Assistant Planner *KKK*
Subject: **68 Willow Street Preliminary Subdivision (Residential Compound) Application**

Attached are the application and departmental/agency reviews for 68 Willow Street Preliminary Subdivision. The applicant is proposing a **2 lot Residential Compound** under Section 10 of the Acton Subdivision Rules and Regulations (Rules). Below is general information about the proposed development and the Planning Department's comments.

Location:	68 Willow Street, West Acton
Applicant/Owners:	William J. Dunn (and Ann B. Dunn)
Address:	68 Willow Street, Acton MA 01720
Engineer:	Stamski and McNary, Inc., Acton, MA 01720
Units:	2 proposed units (1 existing)
Street Name:	unnamed
Street Length:	+/-250 feet proposed
Map/Parcel:	F-2B/112
Zoning:	R-2, Groundwater Protection District Zone 3
Public Meeting:	July 26, 2005 – 8:00 PM
Decision Due:	August 11, 2005

1. The Proof Plan complies with the zoning requirements and design standards of a conventional subdivision layout under the Acton Zoning Bylaw (Bylaw) and Acton Subdivision Rules and Regulations (Rules). However, to fully understand how a conventional subdivision could be developed at 68 Willow Street, the proof plan should show the wetlands 50'/75'/100' buffer zones, the general location of the proposed soil absorption system for Lot 2, and the dwelling on Lot 2. Additionally, one might question whether the applicant would pay the expense to have the house moved to make room for a second lot, since the existing house was built only a couple of years ago. The Planning Board has approved Residential Compounds over standard subdivisions that would have involved the removal or relocation of historic structures, but that is not the case here.
2. The proposed lots on the Preliminary Plan comply with the area and frontage requirements of the Bylaw. Since the legal frontage for Lot 1 is shown along the private way (rather than Willow Street), Lot 1 should also be allowed full rights to use the private way for access.

3. Staff has learned that the Loring property to the north (60 Willow Street) may also be subdivided to create one additional house lot. The applicant should contact the Lorings or their agent to discuss the possibility of sharing the private way for access to reduce curb cuts on public ways and minimize land disturbance in the area.
4. The proposal, if approved, would make four curb cuts within 300 feet of the Willow / Summer Street intersection: the 60 Willow Street driveway, the two driveway entrances for 68 Willow Street, and the private way. This could lead to confusion and vehicular conflict close to the Willow / Summer Street intersection. The driveway curb cuts for the house on Lot 1 should be removed, and the Lot 1 driveway should be relocated to the new private way.
5. Since the proposal is located in an established neighborhood, care should be taken to preserve the existing vegetation to the greatest extent possible for screening along the boundaries of Lot 2.
6. The applicant has not requested any specific waivers from the Rules. However, the proposal as a Residential Compound contemplates waivers from Sections 8 and 9 of the Rules. The Board, in its discretion, may grant waivers to any or all, or to none of the portions of these sections. Staff believes that regardless, the sidewalk requirement of the Rules should not be waived. Rather than requiring that a sidewalk be constructed along the private way to serve just the one house, staff recommends that the applicant construct a sidewalk along the opposite side of Willow Street from Kingman Road extending north for approximately 250 feet (the length of the proposed private way). This would bring the Willow Street sidewalk in front of 1 Kingman Road (which is at the corner of Willow Street) and 103 Willow Street. The Forest Glen (Neighborhood) Association has spoken with several Willow Street residents and there appears to be general support for sidewalks in that area (see attached Forest Glen Association Sidewalk Survey, 5/30/2005).
7. If the project is applied for as a definitive plan, the following information should be submitted for review:
 - a. Low Impact Development (LID) design options to handle storm water runoff for the site, because of its relatively small size and proposed roadway design;
 - b. more detailed drainage, erosion and sediment control, street trees and vegetation information;
 - c. a draft common driveway maintenance agreement and covenant (see Section 10 of the Rules);
 - d. a restriction stating that the private way shall only serve the lots shown on the plan, plus any lots on the Loring property if this option is pursued.

FOREST GLEN ASSOCIATION SIDEWALK SURVEY

(Details personally measured on May 30, 2005)

(Compiled by Dick Calandrella – Corresponding Secretary (978-263-2867)

SIDEWALK ABUTTERS - WILLOW & CENTRAL STREET

ACTON, MASSACHUSETTS 01720

103 Willow Street --- Samuel Wu & Hualing Yu (978-263-2522)

NOTE --- Diana Lin to contact

1 tree 3 feet in

1 metal pipe 3 feet in

2 mailboxes (102 & 103) near road

Edison pole 59-19 near road.

101 Willow Street --- Kaleta B. Fraizer (978-263-3397)

NOTE --- Russ Hart to contact --- Russ spoke with Kaleta who is in favor of sidewalks and is willing to sacrifice a little land to protect the trees along the roadway

2 trees 15 feet in and 11 feet in

3 mailboxes (99 & 100 & 101) 2 feet in

Edison pole 59-18 near road.

93 Willow Street --- Dale & Mary Wilson (978-263-3133)

NOTE --- Dick Calandrella to contact --- Dick spoke with Mary Wilson who says she and husband are in favor of the sidewalk. They have 2 concerns. (1) Will their stone wall be impacted (they earlier worked with town officers to build it where it is, and believe its location meets town regulations and will be okay. And (2) they would like the tree along the road to remain (if possible) with the sidewalk built around it.

stone wall 11 feet in

3 trees 8 feet in

4 mailboxes (90 & 92 & 92B & 93) 2 feet in

Edison pole 59-17 near road.

83 & 85 Willow Street --- Charles & Martha Sisson (978-263-7643)

NOTE --- Dick Calandrella to contact --- Dick called on May 20 at 6:45 p.m. – left voice mail

#1 double trunk tree 6 feet in

3 mailboxes (68 & 83 & 84) 2 feet in

stop sign 4 feet in

speed limit 30mph sign on road

Edison poles 59-19 & 59-15 & 59-13 near road.

77 Willow Street --- James Fenton, Trustee / Fenton Realty Trust

NOTE --- Dick Calandrella to contact

mailboxes (76 & 77 & 80) 1 foot in

Edison pole 59-11 near road.

63 Willow Street --- Joseph & Ann Glannon (978-263-2823)

NOTE --- Russ Hart to contact --- Russ spoke with Joe --- in favor of sidewalks as long as none of his property is taken

wire fence 6-7 feet in

mailbox (63) 2 feet in

Edison poles 59-12 & 59-11 near road.

51 Willow Street --- James L. Richey, Jr. (978-263-1347)

NOTE --- Dick Calandrella to contact --- Richey called Calandrella & said he has been fighting for sidewalks for years. He is very much on favor of the project.

land slopes steeply up from street

stop sign 3 feet in

mailboxes (46 & 51) 2 feet in.

45 Willow Street --- Joshua & Janet Geller-McGrath (978-263-5254)

NOTE --- Dick Calandrella to contact --- Dick on May 20th spoke with Joshua who says they planted hemlock trees 10 feet in after checking with the town which said it was okay. New road appears to be wider, he says, will trees be okay. He is In favor of sidewalks.

line of hemlock trees 10-12 feet in

1 tree 3 feet in beside driveway and front walkway

mailbox (45) 2 feet in.

35 Willow Street (corner of Homestead) --- Robert & Lolita Kotsopoulos Farrar (978-263-1316)

NOTE --- Dick Calandrella to contact --- Dick on May 20th spoke with Lolita who said they planted about 24 trees 6 feet off the road (town said okay), and they do not want to move them since it would cost a small fortune to replace. Also have a mugo pine tree and rock about 4 feet in from road. In favor of sidewalks but have some concerns about their trees and the taking of any property. --- Dick met Robert (May 28) who said he is in favor of sidewalks, and will work with town officials to see what can be saved or moved or taken out

small mugo pine tree & big stone 3-4 feet in

ground cover 3-4 feet in

mailbox (35) 2 feet in

21 Willow Street --- Philip Scarbro & Allison Hammer (978-264-3182)

NOTE --- Allen Nitschelm to contact --- Allen spoke with Allison who is in favor of sidewalks. Dick Calandrella on May 20th spoke with Allison who said she is in favor of sidewalks but there is a hedge along the property that Phil is concerned about (not her). Will the town move the hedge or does it have to go? --- Dick met Phil & Allison & daughter (May 28) and they said they would work with town officials to see what can be saved or what has to be moved or taken away.

line of hedges 6-8 feet tall 5 feet in

#/ white picket fence 6 feet in

line of plants in front of fence 5 feet in

big tree 7 feet in

small growth 4 feet in

mailbox (21) 3 feet in.

13 Willow Street --- Garrison E. Crowell (978-263-8835)

NOTE --- Dick Calandrella to contact --- Dick called on May 20th at 7:05 p.m. -- no answer. Called again on May 27th at 7:20 p.m. -- now answer.

2 big trees 8-9 feet in

speed limit sign 30mph 3-4 feet in

9 Willow Street --- Atenap Realty Trust / c/o Sal's Auto & Truck (978-263-2614)

NOTE --- Allen Nitschelm to contact --- Allen called and left message, then later spoke with Sal who said he is in favor of sidewalks.

no obstructions on land along street

big dog

33 Summer Street (corner of Willow) --- David & Julie Tucker (978-263-9605)

NOTE --- Dick Calandrella to contact --- Dick called on May 20th about 7:10 p.m. Julie asks a lot of questions about property rights. She asks (very seriously) if the town will rebate 10 feet worth of property taxes and she expects an answer.

Basically in favor. Julie calls back and asks more questions about right of way.

Talks about trees on the hill and will the hill be leveled and trees cut down. Wants to be kept informed and wants to make sure the town officials talk with her when they are going to do the sidewalk project.

4 way stop sign 2-3 feet in

no trees along Willow street side, but on hill behind the house.

1 Kingman Road (corner Willow) --- David & Patricia Visocchi (978-263-6239)

NOTE --- Dick Calandrella to contact --- Dick spoke on May 20th with Patricia who is very much in favor of sidewalks. Walks a lot and is concerned. Says trees on corner of Kingman & Willow block the view down Willow and hopes they will be removed.

land slopes down

4 trees 3-4 feet in (3 big ones & 1 with 3 trunks)

mailbox (106) 3 feet in

236 Central Street --- Atenap Realty Trust / c/o Sal's Auto & Truck (978-263-2614)

NOTE --- Allen Nitschelm to contact --- Allen called Sal's and left message, then spoke with Sal who said he is in favor of sidewalks

some form of sidewalk is already there in front of his garage

240 or 242 Central Street --- Lillian Gallant, Trustee / Gallant Realty Trust (978-263-3500)

NOTE --- Dick Calandrella to contact

sidewalk already there

END

TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
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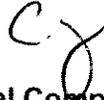
Engineering Department

INTERDEPARTMENTAL COMMUNICATION

To: Planning Department

Date: July 18, 2005

From: Engineering Department



Subject: Review of the Residential Compound at 68 Willow Street - Preliminary Plan

We have reviewed the above referenced Preliminary Subdivision Plan dated June 23, 2005 and we have the following comments:

1. The engineer will need to assign a street address for the new dwelling shown on Lot 2. We recommend that the new dwelling be assigned a Willow Street address such as 66 Willow Street to minimize the risk of confusion during a 911 emergency. We also recommend that the engineer show a sign adjacent to the private way at Willow Street clearly indicating the street address of this property since the dwelling is not visible from the street. This would be in addition to the street number being clearly posted on the dwelling in accordance with the Town Bylaw (Section E1).
2. We recommend that the proposed private way be constructed in compliance with the standards set forth for common driveways in Section 3.8.1.5 of the Zoning Bylaw.
3. The Fire Chief will have to review the proposed private way to ensure that it is adequate for emergency SU-30 vehicles (fire truck). There is no turnaround shown at the end of the proposed private way for a SU-30 vehicle. The engineer might need to enlarge the pavement radii at the intersection with Willow Street to allow a fire truck to turn without obstructing oncoming traffic on Willow Street.
4. There is no proposed monumentation such as stone bounds shown on the plans for the new private way. The engineer should either monument the layout of the private way or propose some alternative locations such as at the property corners for the two lots.
5. We recommend that the engineer show a monument at the two property corners along Willow Street for Lot 1 (68 Willow Street).
6. The engineer should be required to submit an as-built plan to certify the subdivision has been built in compliance with the approved plan.
7. The applicant did not address the sidewalk requirement for the subdivision. We did a preliminary site walk along Willow Street and determined the sidewalk would be on the opposite side of the road from this residential compound.

8. The maintenance agreement for the private way should incorporate the standard language for private ways so the future residents clearly understand the Town will not be responsible for snow plowing or any other related maintenance and that the private way will not become a public way.
9. The maintenance agreement for this private way should incorporate an Operation and Maintenance Plan for the proposed drainage system.
10. We would like to suggest that the engineer design the proposed drainage system as simple as possible since the future homeowners will be responsible for the routine maintenance and repairs.
11. If both lots are jointly responsible for the private way, the engineer will need to show an easement encompassing the road drainage facilities on Lot 2 so that the future homeowners have the right to enter upon said lots to inspect, maintain and repair the drainage system, as necessary.
12. We recommend that the engineer conduct a deep test hole and percolation test in the same locations as the proposed drainage recharge area and the retention basin to determine the type of existing soils, the elevation of groundwater and the actual infiltration rate.
13. When the new underground utilities such as the water service are installed in Willow Street the contractor will be responsible to pave the final trench with a special infrared patch since Willow Street was just paved this year.

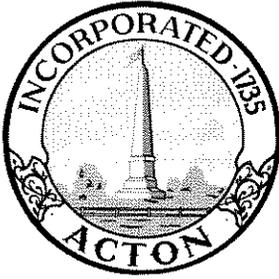
ACTON MUNICIPAL PROPERTIES DEPARTMENT

INTERDEPARTMENTAL COMMUNICATION

To: Kim DelNigro, Planning Department *Date:* 7/6/05
From: Dean A. Charter, Municipal Properties Director 
Subject: Proposed Residential Compound at #68 Willow Street

I have reviewed the plans submitted and visited the site of the above proposed development. My comments are as follows:

1. I find the engineer's use of different scales for the Proof Plan and the Preliminary Plan to be needlessly misleading. I assume this was done to make the Preliminary Plan look less onerous to the neighborhood.
2. I note that the Proof Plan proposes relocating the existing dwelling. I suggest that this might be window dressing, since the house in question has been built over the last half dozen years, and I question if moving a new house to generate one house lot would be financially viable.
3. No Public Shade trees need to be removed for this development.
4. I feel that the developer should make a contribution towards installing a sidewalk on Willow Street.



Planning Department

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INTERDEPARTMENTAL COMMUNICATION

To: *Fire Dept.* *Police Dept.* *Date: June 29, 2005*
Building Dept. *Finance*
Natural Resources
Engineering Dept
Acton Water District
Municipal Properties ✓
BOH

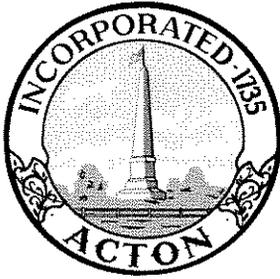
From: *Kim DeNigro, Secretary for Planning & Engineering* 

Subject: *A Residential Compound at 68 Willow Street – Preliminary Plan*

Attached are the preliminary plans for 68 Willow Street Residential Compound.

Please review, and if there are any comments, please respond by Tuesday, July 19, 2005.

Thank you.



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Planning Department

INTERDEPARTMENTAL COMMUNICATION

To: Fire Dept. ✓
Building Dept. ✓
Natural Resources
Engineering Dept
Acton Water District
Municipal Properties
BOH

Police Dept.
Finance

Date: June 29, 2005

From: Kim DeNigro, Secretary for Planning & Engineering KD

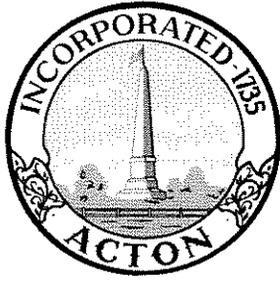
Subject: A Residential Compound at 68 Willow Street – Preliminary Plan

Attached are the preliminary plans for 68 Willow Street Residential Compound.

Please review, and if there are any comments, please respond by Tuesday, July 19, 2005.

Thank you.

no comments 6/30/05
JAR BC



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Planning Department

INTERDEPARTMENTAL COMMUNICATION

To: Fire Dept. Police Dept. Date: June 29, 2005
 Building Dept. Finance
 Natural Resources ✓
 Engineering Dept
 Acton Water District
 Municipal Properties
 BOH

From: Kim DelNigro, Secretary for Planning & Engineering (D)

Subject: A Residential Compound at 68 Willow Street – Preliminary Plan

Attached are the preliminary plans for 68 Willow Street Residential Compound.
Please review, and if there are any comments, please respond by Tuesday, July 19, 2005.

Thank you.

*Planning,
The proposed single family dwelling and associated site work appear to meet the 75' setback from wetlands. The project will require filing a Notice of Intent for work within 100' of wetlands.
Tom Tidman*



MEMORANDUM

Acton Board of Health - Telephone (978) 264-9634

TO: Planning Board

FROM: Brent L. Reagor, R.S. 

RE: Preliminary Plan
68 Willow Street – Residential Compound

DATE: June 30, 2005

The Health Department has reviewed the application materials and would have the following comments:

- 1) Construction of the proposed residential compound will require an Aquifer Zone 3 Special Permit.
- 2) Soil testing for the proposed onsite wastewater system has been witnessed by the Health Department. Results of the testing show the area is conducive to system construction.
- 3) Applications and plans for replacement of the existing onsite wastewater system serving the dwelling at 68 Willow Street and construction of a system for the proposed dwelling have yet to be submitted to the Health Department.

Acton Police Department

InterDepartmental Memo

From: Frank J. Widmayer, Chief of Police

Date: July 5, 2005

To: Kim DelNigro, Planning Department

Subj: 68 Willow Street Plan

I have reviewed the plan for the residential compound at 68 Willow Street.

I have no objections to the plan as shown.



Frank J. Widmayer
Chief of Police