

Stamski And McNary, Inc.
Engineering - Planning - Surveying
1000 Main Street
Acton, MA 01720

Application for Approval of a Definitive Plan

Under the Subdivision Control Law and the Acton Planning
Board Subdivision Rules and Regulations

for

PINE RIDGE FARM LANE

A

RESIDENTIAL COMPOUND

at 366 POPE ROAD

ACTON, MA

Location: Assessors Map E-6 Parcel 4
#366 Pope Road
Acton, MA

Applicant & Owner: **Mike Paratore**
366 Pope Road
Acton, MA 01720

Date: April 10, 2012

SM-4574A

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APPENDIX A: PRIVATE WAY COVENANT AND MAINTENANCE AGREEMENT

Attached Full Size Plans

“Definitive Subdivision Plan for Pine Ridge Farm Lane”

A Residential Compound
Acton, Massachusetts
For: Mike Paratore
Scale: 1”=40’; March 15, 2012
By: Stamski And McNary, Inc.
(Set of 6 sheets)

“Proof Plan”

Acton, Massachusetts
For: Mike Paratore
Scale: 1”=40’; January 5, 2012
By: Stamski And McNary, Inc.

APPLICATION for APPROVAL of DEFINITIVE PLAN

The undersigned herewith submits the accompanying Definitive Plan of property located in the Town of Acton for Approval as a subdivision under the requirements of the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land in the Town of Acton.

(Please type or print information in blanks below.)

1. Name of Proposed Subdivision Residential Compound at 366 Pope Road

2. Name of Applicant(s) Mike Paratore

Contact Address 11 Tupelo Way, Acton, MA 01720 Phone 978-618-6234

3. Name of Property Owner(s) same as applicant

4. Name of Engineer Stamski and McNary, Inc.

Address 1000 Main Street, Acton, MA 01720 Phone 978-263-8585

5. Name of Land Surveyor Stamski and McNary, Inc.

Address 1000 Main Street, Acton, MA 01720 Phone 978-263-8585

6. Deed of property recorded in Middlesex South Registry Of Deeds, Book Number 57659,

Page Number 298; and/or registered in Middlesex Registry of Land Court, Certificate of

Title Number _____.

7. Zoning District Residence 8, Town Atlas Map No. E6 Parcel No. 4

Approximate acreage in subdivision 5.22 ac, Number of Lots 2

Total length of road(s) in feet 250'

Location and Description of Property 366 Pope Road is a developed lot with an existing single family dwelling, detached garage, barn, stables, and gravel driveway

8. Said plan has () / has not (✓) evolved from a preliminary plan submitted to the Board on _____ 20 ____; and approved (with modifications) () or disapproved () on _____ 20 ____.

[Signature] 3/15/12
Applicant(s) Signature, Date

Applicant(s) Signature, Date

[Signature] 3/15/12
Owner(s) Signature, Date

Owner(s) Signature, Date

All owners (in the case of a corporation, an authorized officer; in the case of a trust, all trustees) must sign.

DEVELOPMENT IMPACT REPORT

Please type or print information in blanks below.

1. Name of Proposed Subdivision Residential Compound at 366 Pope Road
2. Location 366 Pope Road
3. Name of Applicant(s) Mike Paratore
4. Brief Description of the Proposed Project A proposed residential compound that will replace the existing single family dwelling and construct one additional dwelling to be served by a private way
5. Name of Individual Preparing this DIR Richard J. Harrington, P.E. #41298
 Address Stamski and McNary, Inc. Business Phone 978-263-8585
1000 Main Street, Acton, MA 01720
6. Professional Credentials Commonwealth of MA Registered Professional Engineer

A. Site Description

7. Present permitted and actual land uses by percentage of the site.

<i>Uses</i>	<i>Percentage</i>
Industrial	0
Commercial	0
Residential	100
Forest	0
Agricultural	0
Other (specify)	0

8. Total acreage on the site: 4.97 acres.

<i>Approximate Acreage</i>	<i>At Present</i>	<i>After Completion</i>
Meadow or Brushland (non agriculture)	0.14	0.29
Forested	0.80	0.51
Agricultural (includes orchards, cropland, pasture)	0	0
Wetland	0.11	0.11
Water Surface Area	0	0
Flood Plain	0	0
Unvegetated (rock, earth, or fill)	0	0
Roads, buildings and other impervious surfaces	0.55	0.63
Other (indicate type) <u>Lawn</u>	3.62	3.68

9. List the zoning districts in which the site is located and indicate the percentage of the site in each district. *Note: be sure to include overlay zoning districts.*

District	Percentage
Residence 8	100
Groundwater Protection District Zone 4	100

10. Predominant soil type(s) on the site: 103C-Charlton-Hollis-Rock outcrop complex;
422D-Canton fine sandy loam

Soil drainage (Use the US Natural Resources Conservation Service's definition)

Soil Type	% of the Site
Well drained	98
Moderately well drained	0
Poorly drained	2

11. Are there bedrock outcroppings on the site? yes no
12. Approximate percentage of proposed site with slopes between:

Slope	% of the Site
0 - 10%	68
10 - 15%	17
greater than 15%	15

13. In which of the Groundwater Protection Districts in the site located? How close is the site to a public well? Zone(s) 4 Proximity to a public well: 9,000± feet Conant I Well
14. Does the project site contain any species of plant or animal life that is identified as rare or endangered? (Consult with the Massachusetts National Heritage Program and the Acton Natural Resources Director). yes no

If yes, specify: _____

15. Are there any unusual or unique features on the site such as trees larger than 30 inches D.B.H., bogs, kettle ponds, eskers, drumlins, quarries, distinctive rock formation or granite bridges? yes no

If yes, specify: _____

16. Are there any established foot paths running through the site or railroad right of ways? yes no

If yes, specify: _____

17. Is the site presently used by the community or neighborhood as an open space or recreation area?
 yes no

Is the site adjacent to conservation land or a recreation area? yes no

If yes, specify: conservation land to the west owned by town

18. Does the site include scenic views or will the proposed development cause any scenic vistas to be obstructed from view? yes no

If yes, specify: _____

19. Are there wetlands, lakes, ponds, streams, or rivers within or contiguous to the site?

yes no

If yes, specify: ORAD #085-1075 has been issued for the site

20. Is there any farmland or forest land on the site protected under Chapter 61A or 61B of the Massachusetts General Laws? yes no

If yes, specify: _____

21. Has the site ever been used for the disposal of hazardous waste? Has a 21E Study been conducted for the site? yes no

If yes, specify results: _____

22. Will the proposed activity require use and/or storage of hazardous materials, or generation of hazardous waste? yes no

If yes, specify _____

23. Does the project contain any buildings or sites of historic or archaeological significance? (Consult with the Acton Historic Commission or the Action Historical Society.)

yes no

If yes, please describe _____

24. Is the project contiguous to or does it contain a building in a local historic district or national register district? yes no

25. Is the project contiguous to any section of the Isaac Davis Trail? ___yes no

If yes, please describe _____

B. Circulation System

26. What is the average weekday traffic and peak hour traffic volumes generated by the proposed subdivision?

Average weekday traffic		9.57
Average peak hour volumes	morning	0.77
Average peak hour volumes	evening	1.02

27. Existing street(s) providing access to proposed subdivision:

Name Pope Road Town Classification Local

28. Existing intersection(s): list intersections located within 1000 feet of any access to the proposed development:

Name of ways Spencer Brook Road,

29. Location of existing sidewalks within 1000 feet of the proposed site? none

30. Location of proposed sidewalks and their connection to existing sidewalks:
none

31. Are there parcels of undeveloped land adjacent to the proposed site? ___yes no

Will access to these undeveloped parcels be provided within the proposed site?

___yes no

If yes, please describe _____

If no, please explain why land is conservation area

C. Utilities and Municipal Services

32. If dwelling units are to be constructed, what is the total number of bedrooms proposed?

13

33. If the proposed use of the site is nonresidential, what will the site be specifically used for and how many feet of Gross floor area will be constructed? N/A

34. How will sewage be handled? private septic system for each dwelling

35. Storm Drainage

- a. Describe nature, location and surface water body receiving current surface water of the site: Spencer Brook flowing into a culvert under Pope Road at the southern corner of the lot
- b. Describe the proposed storm drainage system and how it will be altered by the proposed development: A basin will collect excess runoff and a drywell will infiltrate runoff from the new dwelling
- c. Will a NPDES Permit be required? yes no

36. In the event of fire, estimate the response time of the fire department (consult with Fire Dept.)
5-10 min.

37. Schools (if residential)

- a. Projected number of new school age children: 3
- b. Distance to nearest school: 4 miles (Conant School)

D. Measures to Mitigate Impacts

Attach brief descriptions of the measures that will be taken to:

38. Prevent surface water contamination.
39. Prevent groundwater contamination.
40. Maximize groundwater recharge.
41. Prevent erosion and sedimentation.
42. Maintain slope stability.
43. Design the project to conserve energy.
44. Preserve wildlife habitat.
45. Preserve wetlands.
46. Ensure compatibility with the surrounding land uses.
47. Control peak runoff from the site so that the post-development rate of runoff will be no greater than the predevelopment rate of runoff for the 10-year storm event.
48. Preserve historically significant structures and features on the site.
49. To mitigate the impact of the traffic generated by the development.

Please use layman's terms where possible while still being accurate and comprehensive. Where appropriate, graphics shall be used. List sources of data, reference materials, and methodology used to determine all conclusions. Use additional sheets as necessary.

- 37. Prevent surface water contamination: The proposed drainage system is typically designed in accordance with the Town of Acton Subdivision Rules and Regulations. The private way drainage will improve existing conditions by providing a deep sump and hooded catch basin at the entrance of the paved drive instead of the existing gravel drive eroding onto Pope Road. Fill material used shall be free of hazardous material and construction debris. The developer shall comply with the Erosion and Sedimentation Control Plan.**
- 38. Prevent groundwater contamination: The septic system on each lot will be designed to meet or exceed Title V and the Town of Acton Board of Health standards.**
- 39. Maximize groundwater recharge: Re-charge of runoff for the site will be provided within the proposed drainage system. Roof Runoff of the new dwelling will be directly infiltrated in a roof drain drywell.**
- 40. Prevent erosion and sedimentation: During construction, any silt, construction debris, etc. shall be removed from the public way or abutting property immediately upon discovery and all sediments spilled, dropped, or washed into public rights-of-ways shall also be removed immediately. Fill material used shall be free of hazardous material and construction debris. The developer shall comply with the Erosion and Sedimentation Control Plan.**
- 41. Maintain slope stability: Cut and fill slopes, if any, will be stabilized immediately with six inches (6") of loam and seed during the growing season (April 1 to November 1) or with hay-mulch during the non-growing season (November 1 to April 1). An Erosion and Sedimentation Control Plan has been prepared, which will provide the necessary details.**
- 42. Design the project to conserve energy: The proposed dwellings will meet the stringent requirements of the state and local building codes.**
- 43. Preserve wildlife habitat: The site is not located within an area of estimated habitat of rare wildlife. Existing vegetation shall be preserved wherever possible.**
- 44. Preserve wetlands: An Erosion and Sedimentation Control Plan has been prepared that will delineate the limit of work and also provide the necessary details for protecting the wetlands. A Notice of Intent is to be filed for work on each lot..**
- 45. Ensure compatibility with the surrounding land uses: The surrounding land uses are composed of residential single-family homes along Pope Road and conservation land. The existing and proposed use of the property is residential. The approval of this Residential Compound will minimize town maintenance, responsibility, and cost and preserve the rural character of the town.**
- 46. Control peak runoff from the site so that the post-development rate of runoff will be no greater than the predevelopment: Control of peak rates of runoff will be realized using basic drainage techniques including a detention basin.**
- 47. Preserve historically significant structures and features on the site: N/A**

48. To mitigate the impact of the traffic generated by the development: **The project will generate traffic from only one additional dwelling within the proposed development. The vehicle trips generated from this proposed development are insignificant and will not require mitigation. The trip generation is also below the typical thresholds requiring traffic studies in the Town of Acton.**

5.2.3

**FILING FEE
(COPY OF CHECK)**

DEFINITIVE PLAN FILING FEE

Without Preliminary Plan = \$2,500.00 + \$8.00/foot of road

- 250 ft. of road x \$8.00 = \$2,000
- \$2,500 + \$2,000 = \$4,500

MICHAEL PARATORE
KRISTEN SUNDRA PARATORE
11 TUPELO WAY (978) 266-0111
ACTON, MA 01720

282
53-13/110 MA
82109

March 13, 2012

Pay To The Order Of Town of Acton \$ 4500.00

Four thousand, five hundred and 00/100 Dollars

Bank of America

ACH R/T 011000138

Planning Bd - 366 Page Rd

[Signature]

MP

ACTON PLANNING BOARD

FORM DC

DESIGNER'S CERTIFICATE

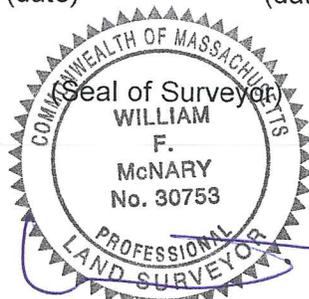
I hereby certify that the accompanying plan entitled Definitive Plan for 366 Pope Road
in Acton, MA (Record Plan) _____ dated 3/15/2012

is correct, stating that the perimeter traverse of the subdivision before adjustment was closed to
an accuracy of a ratio "error of closure" not to exceed 1/15000*; that it is a subdivision of 5.2±
acres conveyed by Micaela Garzoni to
Michael and Kristen S. Paratore
_____ by a deed, dated
10/18/2011 and recorded in Middlesex County Registry of Deeds, South District,
Book 57659, Page 298.

Other sources of information used in the preparation of the plan are:

- Deed Book 25404 Pg 336
- 1. Other deeds and plans, as follows Plan No. 50 of 1951, Plan No. 478 of 1995,
Plan No. 479 of 1995 and Plan No. 184 of 1996
- 2. Oral information furnished by -----
- 3. Other Pope Road County Layout

Furthermore, I certify that this survey was made on the ground in accordance with the "Procedural and
Technical Standards for the Practice of Land Surveying", Section 250 CMR** 5.0 between
11/2012 and 3/15/2012
(date) (date)



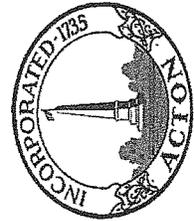
Signed [Signature] 12 APR 2012
Registered Land Surveyor Date

Address _____

Registration No. _____

*As described in the "1989 Manual of Instructions for the Survey of Lands and Preparation of Plans"
published by the Land Court of the Commonwealth of Massachusetts, as most recently amended.

** Code of Massachusetts Regulations



Town of Acton
 472 Main Street
 Acton, MA 01720
 Telephone (978) 929-6621
 Fax (978) 264-9630

Brian McMullen
 Assessor

Locus: 366 POPE RD
 Parcel ID: E6-4

Location	Parcel ID	Owner	Co-Owner	Mailing Address	City	ST	Zip
9 TRIANGLE FARM LN	D6-3	EMERY BRUCE J TRUSTEE	DARCY WOOD TRUST	55 CAMBRIDGE PARK WY	CAMBRIDGE	MA	02142
15 TRIANGLE FARM LN	D6-3-1	EMERY BRUCE J TRUSTEE	JAMIE HILL TRUST	55 CAMBRIDGE PARKWAY	CAMBRIDGE	MA	02142
21 TRIANGLE FARM LN	D6-3-2	STONES THROW TRUST	C/O SANDRA A CRAIG	1 MAIN STREET	LEOMINSTER	MA	01453
376 POPE RD	E6-2	ROOP WILLIAM R III		376 POPE RD	CONCORD	MA	01742
380 POPE RD	E6-3	ROOP WILLIAM R III	TRUSTEE 380 POPE RD TRUST	376 POPE ROAD	CONCORD	MA	01742
362 POPE RD	E6-7	TOWN OF ACTON		472 MAIN STREET	ACTON	MA	01720
352 POPE RD	E6-8	COTE THOMAS P		109 MARLBOROUGH ST APT 3	BOSTON	MA	02116
369 POPE RD	E6-19	SEWARD SUSAN U	FREDERICK	158 SPENCER BROOK R	CONCORD	MA	01742
359 POPE RD	E6-20-5	RANDLE STUART A	RANDLE ANNE A	359 POPE RD	ACTON	MA	01720
363 POPE RD	E6-20-6	FIGH LESLIE		149 SPENCER BROOK	CONCORD	MA	01742
20 TRIANGLE FARM LN	D6-3-4	CRAIG SANDRA A		1 MAIN STREET	LEOMINSTER	MA	01453
355 POPE RD	E6-20-4	NARENDRA POPAT		355 POPE RD	ACTON	MA	01720
351 POPE RD	E6-20-3	SILLARI OLIVIA TRUSTEE	POPE RD REALTY TRUST	351 POPE RD	CONCORD	MA	01742
10 TRIANGLE FARM LN	D6-3-3	STONES THROW TRUST	SANDRA A CRAIG	1 MAIN STREET	LEOMINSTER	MA	01453
348 POPE RD	E6-8-1	YANG TAO	GAN JANET	348 POPE 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

Action Assessors Office

27-Mar-12



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: Abutters Bordering 366 Pope Rd., Acton, MA

MAP: E02

PARCEL: 1565-2, 1565-3, 1565-4, 1567-1, 1567-2

As per *The Zoning Act 4-92*, Massachusetts General Laws Chapter 40A whereas the "Parties in interest" included shall be:

the petitioner, abutters, owners of land directly opposite any public or private street or way, and abutters to the abutters within three hundred feet.

The Board of Assessors hereby certifies that the attached list contains the record owners as of January 1, 2012, 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 February 29, 2012.

William B. MacAfee *Bannon P. Lambert*

James L. Phelps *David Kim*

Board of Assessors

3/16/12

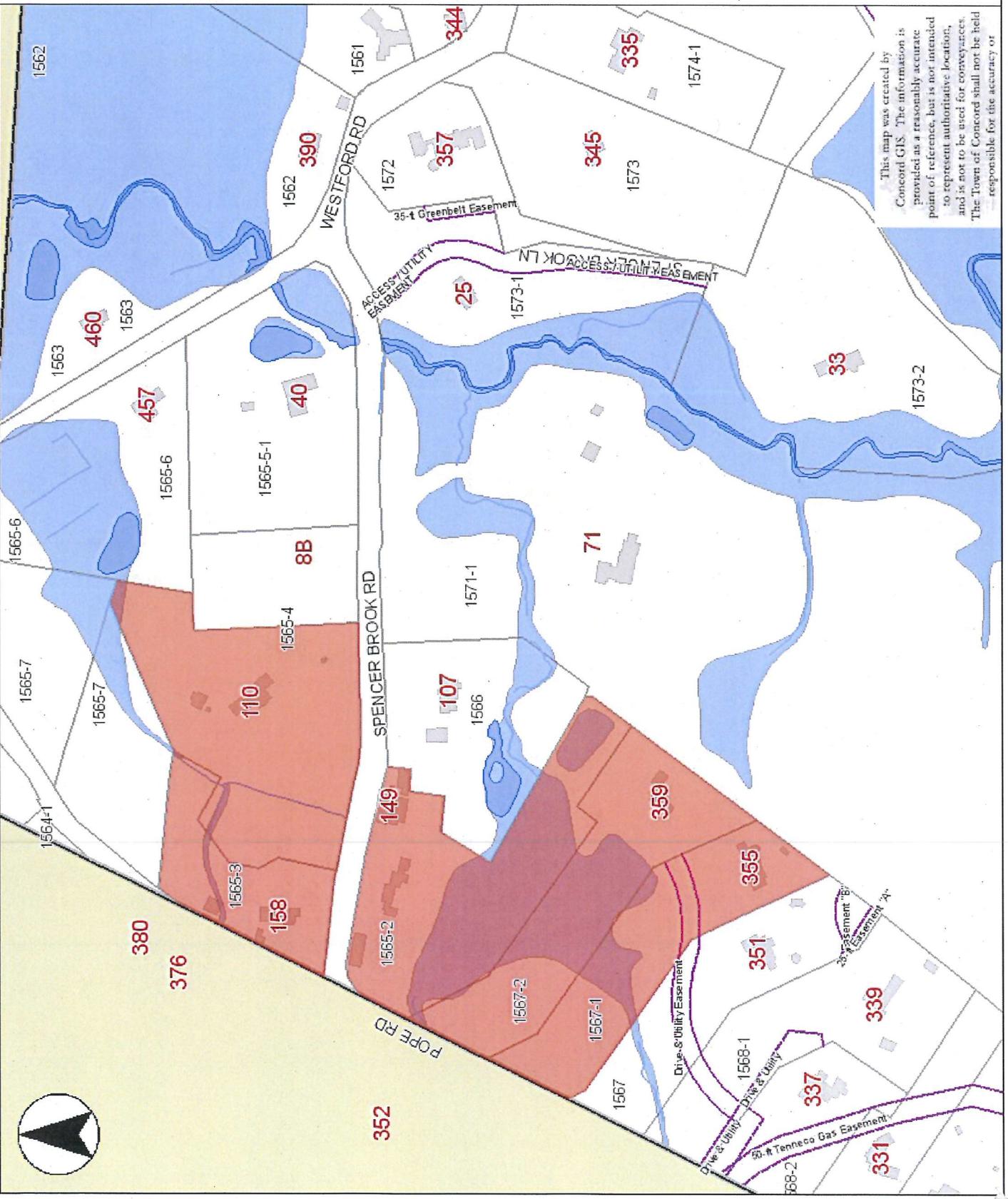
Date

Concord Abutters bordering 366 Pope Rd., Acton MA

Parcel	Parcel Location	Name & Billing Address as of January 1, 2012	Name & Billing Address as of February 29, 2012
1565-2	149 Spencer Brook Rd	Leslie A S Feigh 149 Spencer Brook Rd Concord, MA 01742	
1565-3	158 Spencer Brook Rd	Frederick D & Susan U Seward Tr Seward Real Estate Trust No 1 158 Spencer Brook Rd Concord, MA 01742	
1565-4	110 Spencer Brook Rd	Theresa Nimick 204 Schenley Rd Pittsburgh, PA 15217	
1567-1	355 Pope Rd	Narendra & Jyoti Popat 355 Pope Rd Concord, MA 01742	
1567-2	359 Pope Rd	Anne A Randle Tr The Anne A Randle Trust of 1998 359 Pope Rd Concord, MA 01742	



- Landmarks**
- Visitor Center
 - Court House
 - Fire Station
 - Hospital
 - Police Station
 - Railroad Station
 - School
 - Municipal Offices
 - Town Boundary
 - Abutting Towns
 - Commuter Rail
 - Commuter Rail Stations
 - Commuter Rail
 - Easements
 - Streams
 - Rivers & Ponds
 - Wetlands by Parcel
 - Buildings
 - Parcels
 - Parcels with Aerials
 - Parcels



This map was created by Concord GIS. The information is provided as a reasonably accurate point of reference, but is not intended to represent authoritative location, and is not to be used for conveyances. The Town of Concord shall not be held responsible for the accuracy or



Concord Abutters to 366 Pope Rd., Acton

STAMSKI AND MCNARY, INC.

1000 Main Street
Acton, Massachusetts 01720
(978) 263-8585
FAX (978) 263-9883

WILLIAM F. MCNARY, P.L.S.
JOSEPH MARCH, P.E., P.L.S.

April 10, 2012
Acton Planning Board
472 Main Street
Acton, MA 01742

Re: Definitive Subdivision Plan at 366 Pope Road, Pine Ridge Farm Lane
Waiver Request Letter

Members of the Board:

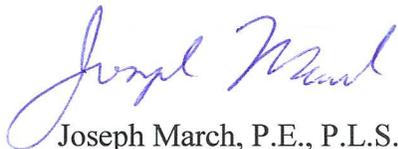
On behalf of our client, Michael Paratore, we hereby request waivers from Section 8, Design Standards, and Section 9, Improvements, of the Acton Subdivision Regulations. The private driveway has been designed to Common Driveway Standards which is the general rule established under Section 10.1.3 of the Acton Subdivision Regulations.

The reason for granting the requested waivers is to allow the applicant to build a small scale residential subdivision in a manner which minimizes Town maintenance, responsibility and cost, while simultaneously preserving the rural character of the Town.

Respectfully,
For: Stamski and McNary, Inc.



Richard J. Harrington, P.E.



Joseph March, P.E., P.L.S.

**Michael Paratore
Kristen S. Paratore
366 Pope Road
Acton, MA 01720**

April 6, 2012

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

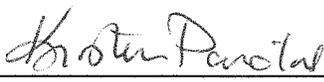
RE: Pine Ridge Farm Lane ("Residential Compound")

Members of the Board:

Pursuant to and in satisfaction of Acton Subdivision Rules and Regulations section 5.2.9 ("Rules"), Michael Paratore and Kristen S. Paratore (collectively the "Developer") hereby grant to the Town of Acton the right to enter upon the land shown on the plan entitled "Definitive Subdivision Plan for Pine Ridge Farm Lane, a Residential Compound, Acton, MA", Record Plan, For: Paratore, Scale: 1"=40", March 15, 2012, Stamski and McNary, Inc., 1000 Main Street, Acton, Mass to complete the ways and services if the Developer does not complete the same in accordance with its obligations.



Michael Paratore

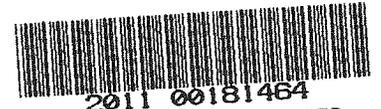


Kristen S. Paratore

Total Pages = 3

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Comins & Newbury LLP
9 Damonmill Square, Suite 4D
Concord, MA 01742



Bk: 57659 Pg: 298 Doc: DEED
Page: 1 of 3 10/18/2011 11:34 AM

For Registry Use

Quitclaim Deed

MICAELA GARZONI, being unmarried, of Acton, Middlesex County, Massachusetts

for consideration paid and in full consideration

grant to **MICHAEL PARATORE** and **KRISTEN S. PARATORE**, husband and wife, as tenants by the entirety, both of

of ~~10~~ Tupelo Way, Acton, Middlesex County, Massachusetts 01720

with Quitclaim covenants

A certain parcel of land, with the building(s) and improvements thereon, situated on Pope Road, Acton, Middlesex County, Massachusetts, being shown as Lot A on a plan of land entitled "Triangle Farm Lane" in Acton Carlisle & Concord Massachusetts recorded with Middlesex South District Registry of Deeds as Plan Number 478 (1-2) of 1995, and bounded by Pope Road 41° 08' 00" W, 310.95 feet;

THENCE turning N 45° 55' 32" W, 260.88 feet;

THENCE N 47° 06' 34" W, 252.71 feet;

THENCE N 50° 09' 46" W, 54.44 feet;

THENCE turning N 48° 36' 46" E, 123.27 feet;

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 10/18/2011 11:34 AM
Ctrl# 160255 20089 Doc# 00181464
Fee: \$3,693.60 Cons: \$810,000.00

PROPERTY LOCATION: 366 POPE ROAD, ACTON, MASSACHUSETTS

THENCE N 49° 22' 27" E, 218.48 feet;
THENCE N 38° 30' 14" E, 53.28 feet;
THENCE N 47° 10' 01" E, 173.10 feet;
THENCE turning S 47° 23' 18" E, 115.56 feet;
THENCE turning S 00° 57' 49" E, 21.79 feet;
THENCE turning S 44° 32' 05" W, 16.65 feet;
THENCE turning to a curve with a Delta 55 07' 39" and a Radius of 100.00 feet,
96.22 feet;
THENCE S 10° 35' 34" E, 125.09 feet;
THENCE S 23° 30' 25" E, 72.97 feet;
THENCE S 30° 56' 08" E, 105.56 feet;
THENCE S 40° 18' 11" E, 75.68 feet to the point of beginning at Pope Road.

CONTAINING 5.218 acres, all as shown on said plan.

This conveyance is made subject to and with the benefit of the following easements and rights of way of record (1) a right of way over the extreme Northwest corner of the above-described premises running in favor of Tennessee Gas Pipeline Company as set forth in Right of Way Agreement recorded with said Deeds in Book 11494, Page 740; and (2) a Declaration of Grant of Easement from George Clayton Green to Daniel L. Joyce, Jr. and Beverly F. Joyce which Grant of Easement is recorded with the Middlesex South District Registry of Deeds in Book 25404, Page 336.

Subject to easements, rights, restrictions and covenants of record if they affect the locus and are in full force and effect, expressly not intending nor meaning to extend the same in the event that they have expired by operation of law or otherwise.

Micaela Garzoni hereby revokes, rescinds and terminates the Declaration of Homestead, dated May 24, 2011 and recorded with the Middlesex South District Registry of Deeds in Book 56906, Page 205 and the Declaration of Homestead, dated May June 21, 2005 and recorded with said Deeds in Book 45434, Page 96.

Meaning and intending to convey the same premises as conveyed by virtue of deed of Daniel L. Joyce, Jr. and Beverly F. Joyce to Micaela Garzoni dated June 21, 2005, and recorded with the Middlesex South District Registry of Deeds at Book 45434, Page 075.

Witness my hand and seal this 13 day of October, 2011.

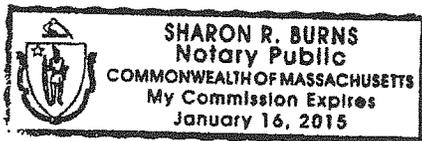


Micaela Garzoni

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss:

On this 13th day of October, 2011, before me, the undersigned notary public, personally appeared Micaela Garzoni, proved to me through satisfactory evidence of identification, which was driver's license, passport, employee ID card, personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.



Notary public:

My commission expires:

APPENDIX A:

PRIVATE WAY AND MAINTENANCE AGREEMENT

PRIVATE WAY COVENANT AND MAINTANCE AGREEMENT

PINE RIDGE FARM LANE

WHEREAS, Michael Paratore and Kristen S. Paratore of 366 Pope Road, Acton , Middlesex County, Massachusetts 01720 (hereinafter collectively referred to as the “Declarant”) are the fee simple Owners of Lots A-1 and A-2 on a plan entitled “Definitive Subdivision Plan for Pine Ridge Farm Lane, a Residential Compound, Acton, MA”, Record Plan, For: Paratore, Scale: 1”=40”, March 15, 2012, Stamski and McNary, Inc., 1000 Main Street, Acton, Mass (hereinafter referred to as the “Plan”); and

WHEREAS, Lots A-1 and A-2 (hereafter, together, the “Lots”) shall be accessed exclusively by a private way, from Pope Road to said Lots, said way being shown as “Pine Ridge Farm Lane” on the Plan (hereafter “Pine Ridge Farm Lane”); and

WHEREAS, the development also contains drainage and utility facilities, for the support and benefit of Pine Ridge Farm Lane and said the Lots, which are located or to be located in the area shown as “Easement A” (hereafter, Drainage and Utility Easement).

NOW, THEREFORE, the Declarant hereby subjects said Lots A-1 and A-2 to the following Private Way and Maintenance Agreement, which Agreement runs with the land and shall be binding on Declarant, their successors and assigns.

(1) the Owners of the Lots shall have the perpetual, non-exclusive right to use Pine Ridge Farm Lane and the utilities located within Pine Ridge Farm Lane for travel on foot and by motor vehicles to and from said Lots to Pope Road;

(2) the use of Pine Ridge Farm Lane shall be restricted to travel thereon to and from the two single family homes (and any accessory uses permitted by this Covenant and Maintenance Agreement and/or the Decision) by the Owners of the Lots and their respective family members, guests and business invitees;

(3) the Owners of the Lots shall bear jointly and equally the responsibility of (a) maintenance, repairs, reconstruction, and snowplowing of Pine Ridge Farm Lane and (b) the maintenance and repairs of the utility lines and drainage facilities located or to be located within the Drainage and Utility Easement, as follows:

Lot A-1 50%

Lot A-2 50%

If any owner of the above described properties fails to pay an amount duly assessed for the cost of such repair and maintenance, such owner shall be liable for interest in the amount of the unpaid amount at the legal rate for judgements, and the cost of collection, including reasonable attorney’s fees.

(4) the terms “maintenance and repair” shall include, but shall not be limited to, any necessary reconstruction, any expense of snowplowing and repairs in order to maintain Pine Ridge Farm Lane in a good and passable condition, and the Drainage and Utility Easement in a good and workable condition and details of the maintenance plan are set forth in the Drainage System Operation and Maintenance Plan, attached hereto as Exhibit “A”;

(5) any necessary maintenance, repair or reconstruction of Pine Ridge Farm Lane shall be carried out so that the products of erosion as a result thereof shall not be carried in the storm drainage system;

(6) maintenance and repair of Pine Ridge Farm Lane and/or the Drainage and Utility Easement shall be performed upon the reasonable request of the Owners of one (1) of the Lots. If any of the Owners of any of the Lots shall fail or refuse at any time to bear responsibility and make payment, or such maintenance or repair shall otherwise be in dispute, the Owners of each of the Lots shall select an arbitrator and if the arbitrators so selected cannot by majority agree on a resolution within ten (10) days from appointment, then they shall select one arbitrator by a majority vote within five (5) days thereafter, and the decision of the arbitrator so selected shall be binding on all of the Lot Owners;

(7) the Owners of the Lots shall restrict their use of the private way as above stated and shall not impede the passage of foot or vehicle traffic on Pine Ridge Farm Lane by parking upon it;

(8) it is hereby acknowledged and understood that Pine Ridge Farm Lane, and the drainage and utility facilities appurtenant thereto, will not at any time be accepted by the Town of Acton as a public way, and accordingly, all snowplowing and other maintenance and repair will be and remain the sole responsibility of the Owners from time to time of said Lots;

(9) The Owners of Lots, for themselves and their heirs, successors and assigns, hereby acknowledge that Pine Ridge Farm Lane is subject to the terms and conditions set forth in the Decision _____ of the Acton Planning Board (herein referred to as the “Decision”), including without limiting the generality of the foregoing, Pine Ridge Farm Lane shall remain a private way and the Owners of Lots shall:

- a. be jointly responsible for the removal of snow and ice on Pine Ridge Farm Lane.
- b. be jointly responsible for any general maintenance and upkeep of Pine Ridge Farm Lane and any associated drainage structures and other utilities:
- c. not petition the Town of Acton to accept Pine Ridge Farm Lane as a public way and shall not petition the Town of Acton to provide snow and ice removal services or any maintenance or repair of Pine Ridge Farm Lane;

(10) The Owners of the Lots and their respective heirs, successors and assigns, hereby agree that they shall, from time to time, execute any additional documents, required by the Town of Acton, or otherwise, reasonably required to enable said private way to be used to service said Lots;

WITNESS the execution hereof under seal this 9th day of April, 2012.

DECLARANT:



Michael Paratore

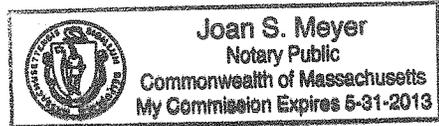


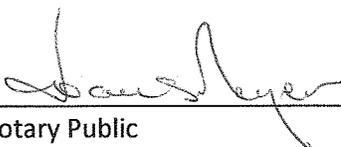
Kristen S. Paratore

COMMONWEATH OF MASSACHUSETTS

Middlesex, ss. April 9, 2012

Then personally appeared before me, the undersigned notary public, Michael Paratore and Kristen S. Paratore proved to be through satisfactory evidence of identification, which was MA DRIVER'S LICENSE, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that he and she signed it voluntarily for its stated purpose.





Notary Public
My Commission Expires:
5-31-2013

Exhibit A

DRAINAGE SYSTEM OPERATION AND MAINTENANCE PLAN

THE IMPLEMENTATION, INSPECTION, AND REPAIR OF THE EROSION CONTROLS IS THE RESPONSIBILITY OF THE SITE CONTRACTOR DURING CONSTRUCTION.

THE INSPECTION AND OPERATION OF THE STORM WATER MANAGEMENT SYSTEM UPON COMPLETION OF CONSTRUCTION IS THE RESPONSIBILITY OF:

DURING CONSTRUCTION: APPLICANT – MIKE PARATORE
366 POPE ROAD
ACTON, MA 01720

PARTIES RESPONSIBLE FOR LONG TERM OPERATION/MAINTENANCE:
HOME OWNERS OF LOTS SERVED BY PRIVATE WAY.

SCHEDULE FOR INSPECTION AND MAINTENANCE:

STREET SWEEPING:

THE PAVEMENT SHALL BE SWEEPED OF ALL SEDIMENT ONCE IN THE SPRING AND ONCE IN THE FALL.

DEEP SUMP AND HOODED CATCH BASINS

THE DEEP SUMP FOR THE CATCH BASINS SHALL BE INSPECTED AND CLEANED ANNUALLY. THE CATCH BASINS SHALL HAVE A FOUR FOOT DEEP SUMP AND THE WATER LEVEL IS MAINTAINED BY THE DISCHARGE PIPE AT FOUR FEET. THE DISCHARGE PIPE IS HIDDEN FROM VIEW BY A HOODED OUTLET.

- THE DEPTH OF THE SEDIMENT IN A BASIN SHALL NOT EXCEED A DEPTH OF 18 INCHES AS DETERMINED BY PROBING WITH A STICK. IF THE STICK HITS THE BOTTOM WITHIN 30 INCHES OF THE WATER LEVEL, MORE THAN 18 INCHES OF SEDIMENT HAS ACCUMULATED AND MUST BE REMOVED. LICENSED PERSONS SHOULD REMOVE AND DISPOSE OF THE CONTENTS OF THE SUMP IN ACCORDANCE WITH APPLICABLE REGULATIONS.

DRAINAGE BASIN

IN EACH OF THE FIRST THREE YEARS AFTER CONSTRUCTION, TWO INSPECTIONS ARE REQUIRED IN BOTH THE GROWING AND NON-GROWING SEASONS. AFTER SUCCESSFUL ESTABLISHMENT OF ALL REQUIRED VEGETATION AND SURFACES WITHSTAND EROSION, INSPECTION AND MAINTENANCE SHOULD CONTINUE ON A YEARLY BASIS. THE FOLLOWING OBSERVATIONS AND CORRECTIVE MEASURES SHOULD BE MADE DURING EACH INSPECTION:

- SIDE SLOPES OF THE CHANNEL SHALL BE INSPECTED FOR EROSION. ALL ERODED AREAS SHALL RECEIVE 6" OF LOAM AND BE RESEEDED PER ORIGINAL DESIGN PLAN. AREAS OF CONTINUED EROSION SHALL BE STABILIZED WITH 3" MINUS RIPRAP.
- REMOVE ALL SEDIMENT FROM THE CHANNEL ONCE THE SEDIMENT REACHES 10% OF CHANNEL VOLUME OR 3-INCH DEPTH.

EMERGENCY CONTACTS:

IN THE EVENT OF A HAZARDOUS MATERIALS SPILL ON THE SITE THE FOLLOWING PARTIES SHALL BE CONTACTED:

FIRE DEPARTMENT: PH: 978-264-9645

RECORDS:

THE OWNER SHALL MAINTAIN AN INSPECTION LOG OF ALL ELEMENTS OF THE STORM WATER MANAGEMENT PLAN. THE OWNER SHALL MAINTAIN A MAINTENANCE LOG DOCUMENTING THE INSPECTION AND MAINTENANCE OF THE DRAINAGE STRUCTURES UNDER HIS CONTROL. A COPY OF THE EROSION CONTROL AND STORM WATER MAINTENANCE PLAN AND INSPECTION LOGS SHALL BE KEPT ONSITE AT ALL TIMES.