



**TOWN OF ACTON**  
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Planning Department

**MEMORANDUM**

**To:** Planning Board **Date:** September 17, 2007  
**From:** Roland Bartl, AICP, Town Planner *R.B.*  
**Subject:** **The Residences at Quail Ridge –  
Application for Senior Residence Special Permit (Zoning Bylaw Section 9B)**

**Location:** Off Skyline Drive & off Acorn Park Drive  
**Owner/Applicant:** Quail Ridge Country Club, LLC  
**Address:** 354 Great Road  
**Engineer:** Stamski and McNary, Inc.  
**Units:** 177 proposed, 9 Affordable (5%)  
91 single-family, 50 duplex, 36 multi-family  
**Streets:** Skyline Drive, Quail Ridge Drive, and others  
**Street length:** +/-8,400 feet  
**Land area:** 155.55 acres  
**Common Land:** 82.1 acres (52.8%), 9-hole golf course with amenities  
**Map/Parcel:** D-4/4  
**Zoning:** R-10/8  
**Hearing:** **September 25, 2007**  
**Decision due:** **December 24, 2007**

Attached for your review are the plan and application for the “Residences at Quail Ridge” senior housing special permit, and comments from other Town departments, committees, and agencies. They are all relevant. Please review them.

I reviewed the plan and the application and can offer the following comments at this time:

**1. Access, Circulation, and Traffic Impacts**

a. *Acorn Park Special Permit*

The proposal shows two routes of access to Great Road – Skyline Drive and Acorn Park Drive via Hazelnut Street and Palmer Lane.<sup>1</sup> The Plan as proposed complies with this requirement.

b. *Trip Generation and Volume Projections*

The applicant’s traffic consultant has made reasonable assumptions for the trip generation

<sup>1</sup> In the original special permit for Acorn Park the Planning Board had limited to 10 the number of additional units that the Board may approve without requiring full secondary street access outside of the Acorn Park Subdivision. Palmer Lane came later and use up half of this allowance.

from the proposed housing units and restaurant. I am less convinced by the proposed discounting for the reduction in holes at the golf course from 18 to 9. The source citation (ITE Trip Generation Manual) notes the high volatility of their numbers due to the low sample numbers and the wide spread of data points. It seems intangibles such as atmosphere, friendships, surrounding population density, setting, quality of food and services, etc. might play a larger role than the number of holes in a course.<sup>2</sup>

The traffic consultant's study assumes a background growth of only 0.5% per year. I find this suspect in light of the fact that all other traffic studies in recent memory have assumed a background growth of 1% or greater. In addition, recent conversations with traffic consultants during an interview process for one of the Town's own projects, several experts in the field confirmed the use of 1% per year as the appropriate number for background growth. Looking at permanent MassHighway count stations, the historic growth rate, which is used to project forward, may be different if the applicant's consultant would look at the same time window that most others profess to use for their projections. The assumptions for annual background traffic growth have a significant effect on the projected level of service and capacity 5 and 10 years from now.

c. *Trip Distribution on Great Road*

It appears that the applicant's traffic consultant has assumed a directional split of traffic from the development - 30% westbound on Great Road (2A/119) and 70% eastbound on Great Road. With these assumptions, the traffic study conclusion is a modest deterioration of operations with either no drop in Levels of Service (LOS) or a one-letter drop; say from C to D. Note that F is the lowest LOS category. So, an intersection or movement that is already at F (unsignalized left turns, for instance) will remain at F, but only because there is no G or H on the rating scale. Similarly, the traffic signal warrant analyses turn back negatives. What happens if the trip distribution assumptions need to change, as suggested in the next paragraph?

d. *Trip Distribution to and from Great Road*

It is unclear what the assumption is for internal distribution, i.e. how much traffic would come and go via Skyline Drive v. Acorn Park. It would not be the same as the directional split on Great Road. It should be provided since this assumption directly affects the Acorn Park neighborhood and streets. Traffic prediction is not an exact science; therefore they should be made with a reasonable set of assumptions that can find general acceptance given the proposed open circulation pattern.

e. *Trip Distribution Alternatives*

For a number of possible reasons – say, for instance,

- neighborhood impacts in Acorn Park;
  - questions concerning the adequacy of Skyline Drive or the streets in Acorn Park or both;
  - management of most or all turning traffic at one signalized Great Road intersection as opposed to creating two marginally functional unsignalized intersections; -
- it may be more prudent to turn the directional split to and from Great Road one way or the other. So, what would happen to the traffic impact analysis and its conclusion with respect to the local street and the intersections of Great Road, if Skyline Drive was the only access and egress, if Acorn Park was the only access and Egress, or if the connection to Acorn Park was one-directional.

f. *Suitability of Acorn Park Streets*

For whatever level of access through Acorn Park, the applicant should evaluate the adequacy of Palmer Lane, Hazelnut Street, and Acorn Park Drive in view of the low-intensity local street standards for width and grade under which they were built.

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<sup>2</sup> The Planning Department has the 6<sup>th</sup> edition of the ITE Manual. The applicant's consultant is citing from the 7<sup>th</sup> edition. It is possible that more reliable data sets were collected for the 7<sup>th</sup> edition.

g. *Improvements*

The applicant's traffic consultant does not suggest a need for any improvements. This may be the case, but I would like to see the LOS and capacity projections with an annual growth rate of 1%. In addition, the police chief points out the need for deceleration/turning lanes on Great Road at Skyline Drive. Especially, the geometry for the right turn into Skyline Drive, while it looked okay on paper, is not working well. Finally, guardrails should be considered along the steep slopes near the street at Skyline Drive.

## 2. Public v. Private Streets

a. *Private Streets Proposed*

Per the application, the proposed streets would remain private. The Board should give consideration to the question of private or public, or whether at least the major streets through the development should be public, and what modifications, aside from a formal subdivision approval, would be necessary for them to become public ways. In reviewing the matter with the Highway Superintendent, the first inclination towards public streets turned into a preliminary recommendation that the streets as proposed should remain private. Depending on the Board's preference and direction, the layout and arrangement of streets and buildings may need to change.

b. *Arguments for Public Ways*

- Streets, especially through-streets in a neighborhood of significant size as is proposed here, serve a vital access function for the public, for deliveries of goods and services, for emergency services, as well as for alternate traffic routing in rare instances.
- Unlike small-scale residential compounds or common driveways, streets in this neighborhood will function, look, and feel like public streets. They connect with other public ways, and they should be legally passable in the same manner as public ways are everywhere in Acton.
- This development provides Acorn Park resident an alternative access to Great Road should there ever be an obstruction at the Acorn Park Drive intersection.
- Residents in the development pay taxes like everybody else. The burden of maintaining 8000 plus feet of street is a significant added cost. Regardless of restrictions and covenants, residents may seek to sway public opinion and convince future Boards and Town Meeting to accept the street as public ways, especially once maintenance comes due in 20 years, or so.
- Alternatively, a large neighborhood like this, with private ways and an exclusive flair as suggested by the golf course and other amenities may have a tendency to shutter itself off. I am not certain that Acton is ready for gated communities.

c. *Argument against Public Ways*

- As shown on the plan, plowing would be difficult to impossible for a public entity. All streets have stretches with multiple short driveways in close proximity. There is little room for snow storage without continuously and repeatedly plowing in residents. Complaints at the Highway Department office would multiply during and after each winter storm event, without the Department's ability to provide a remedy.
- The existing part of Skyline Drive in the areas of the wetlands crossings is not built to standards that would have been required if it had been originally proposed as a public way. Pilings and headwalls are less durable and solid. The street surface itself and drainage provisions may be adequate or nearly adequate.

## 3. Street Design and Layout

Regardless of private v. public, or of who plows the streets in the winter, as proposed the streets are inadequate for public safety and emergency access. The Fire Chief, Police Chief, Town Engineer, and I reviewed the plans in a joint meeting. The most serious issue of concern

identified during the meeting was the narrowness of the streets in the areas of high housing density.

The proposed 20-foot pavement width may or may not technically comply with the reference standard in the Acton Subdivision Rules, depending on how car trips distribute over the proposed street network. More importantly, the frequency of driveways, the narrow shoulders, the sidewalks without a green strip divider for snow storage, and the short driveways will result in a further narrowing of the available pavement width when snow is on the ground. On-street parking, especially during holidays, would also be a problem. The driveways are so short in most instances that, with the exception of compact cars, vehicles parked in the driveway will block the proposed sidewalks or may even hang into the street itself.

The joint recommendation (Fire, Police, Engineering, and Planning) is for:

- widening of the proposed street to 24 feet in the areas where houses line the streets; and
- lengthening the driveways to provide at least a full parking stall length plus 2 feet between the garage door and the outer sidewalk edge or the street curb line.

#### **4. Sidewalks**

5. As proposed all street in the development would have sidewalks (see "Public v. Private Streets" and "Street Design and Layout" for questions about the functionality of the proposed sidewalks) with the exception of Skyline Drive from the golf course facility to Great Road. With the golf course use in mind, this street was approved without a sidewalk. Instead the sidewalk would be placed on the east side of Great Road – see "Outstanding Work", below. With the development now proposed, the sidewalk on Great Road becomes even more important. And a sidewalk on the existing portion of Skyline Drive should be added now that it will become a major access route to the proposed residential development.

It is conceivable that some sidewalks on less-traveled streets within the development could be waived to get the sidewalks built where they are most needed. Moreover, some proposed street could be shortened or eliminated to reduce cost, achieve more contiguous green space, and reduce habitat segmentation, for instance the long road to the three houses in the northwest corner or the southerly run of proposed Greenside Lane.

#### **6. Wastewater Disposal**

There have been recurring problems of water run-off and seepage flowing from the golf course driving range across the wooded slope onto the Great Road Condominium the parking lots. Under the driving range is the current septic system and between it and the property line is also a long narrow storm water basin. No complete and satisfactory solution has been implemented to date to arrest the massive water seepage. Now this same area is proposed as the location for expanded treatment plant leaching fields. In addition, the storm water basin would take in more run-off. What are the plans and provisions to arrest the parking lot flooding problems?

#### **7. Common Land Use and Ownership**

The proposed use of the common land is a 9-hole golf course. Following the applicant's appointment with the Planning Board in January, when this project was preliminarily presented, we consulted with Town Counsel regarding the legality under the Acton zoning bylaw of the proposed 9-hole course on the common land (see separate confidential memo from Town Counsel).

- a. In short, recreation, including a 9-hole golf course, is an allowed use for the common land in Senior Residence developments subject to the Planning Board's approval per section 9B.9.2.1 of the zoning bylaw.
- b. The proposed common land ownership by a corporation of the condominium unit owners is also an available arrangement in the zoning bylaw.

- c. If approved, the common land must be subjected to adequate deed restrictions, enforceable by the Town, to ensure the long term compliance with the common land use restrictions.
- d. The golf course comes with a number of existing and proposed amenities and facilities - tennis courts, pool, family center, cart storage and maintenance building, and a proposed new restaurant. It appears that the proposed restaurant is a replacement for the much larger club house that was originally planned with the 18-hole course.
- e. It is not entirely clear, and to some extent in the discretion of the Planning under its special permit authority, whether or not the amenities and accessory uses that were considered acceptable and appropriate for the 18-hole golf course in a residential district (zoning bylaw section 3.5.17), are also allowed or appropriate in connection with a recreation use on the common land of a senior residence community, or as an accessory use of the senior residence development under zoning bylaw section 9B.4.6 and 9B.4.7; and, if allowed and appropriate, under which conditions.
- f. The common land must provide a benefit to the residents of the Town and the Senior Residence Development (zoning bylaw section 9B.3.b). The Board should consider if the previous public use requirements under the 18-hole golf course special permit are sufficient in this case, or if additional conditions must be imposed to meet the intent of section 9B – Senior Residence, of the zoning bylaw. The previous public use conditions required that course must be:
  - i) available at no charge twice a year to the Town of Acton, or any of its agencies, for fund raising or other events approved by the Board of Selectmen;
  - ii) offered at no charge to the Acton - Boxborough High School Golf Team as their home course;
  - iii) available during the off-season at no charge to the general public for winter recreational opportunities, such as cross-country skiing or snow shoeing.
- g. To allow the Planning Board to evaluate and fairly decide on these questions, the applicant should explain how the relatively high maintenance and operational costs of the 9-hole course, including the proposed amenities, will be funded through the units in the senior residence development, through membership fees, through public user fees, or a combination of these any other methods. It should be noted that, if a major funding source are the residential senior units, they will be burdened with these costs in addition to the other condominium fees for upkeep of the wastewater treatment plant, the streets if they remain private, and all other common grounds, facilities and structures.
- h. Specifically to the proposed restaurant: The site is in a residential zoning district. In order to fit with the intent of the zoning bylaw to allow recreation uses on common land, and to allow amenities, including a restaurant, for the senior residence community, the proposed restaurant must be restricted from general public use and remain strictly an amenity of the golf course and the condominium, with invitees of qualified users/patrons allowed.

## **8. Senior Residence Deed Restriction**

The draft condominium master deed included with the application sets forth the proposed senior residency restrictions (section 8(b) and Exhibit D. Comments and questions:

- a. The applicant should provide summaries of the Housing for Older Persons Act of 1995 and M.G.L. Ch. 151B that these sections refer to.
- b. The restriction to residency by at least one person 55 or older is open too widely. Younger individuals should be allowed only if he or she is a spouse or care provider, or in the case of minors, if the age-qualified resident acts as a stand-in parent or guardian in a case where the minor's parents are unable to carry out customary parental duties and obligations.
- c. Families with children should be excluded even if a parent qualifies under the age restriction.

- d. I would suggest a provision that allows a surviving spouse to remain living in the unit without time limit even if the survivor does not meet the age restriction.
- e. Residency is defined as more than 120 consecutive days or a total of 120 days in a calendar year. I believe this is identical to what the Planning Board agreed to at Ellsworth Village. This means that younger individuals would have visitation rights up to these limits.
- f. A phrase should be added stating that the senior residency restriction shall not be changed or amended without approval by the Town of Acton Planning Board.

## 9. Affordable Units

The proposal calls for 5% or nine affordable units, the minimum required under zoning bylaw section 9B.12.2. Comments and questions:

- a. To the extent reasonable possible, all affordable units should be made eligible for inclusion in the Town's affordable housing inventory so as to count towards the 10% goal.
- b. How is the percentage of ownership in the common areas defined for the affordable units?
- c. What is the applicant's intend with regards to the affordable units' condominium fees and golf course contributions, while keeping the units affordable and eligible for inclusion in Acton's affordable housing inventory?
- d. DHCD has new LIP (now Local Action Units) guidelines, some of which address age restricted units. I have not had a chance to review them myself, but I hear that they are not favorable towards age restricted housing. The applicant should study these new guidelines and structure its affordable housing proposal accordingly. This may affect the terms of the age restrictions that will be imposed. In the case of conflict between the new guidelines and Acton Zoning Bylaw or the Planning Board's prior special permit policy in the matter, the Planning Board may have to make a judgment call what best serves the need for senior affordable housing in Acton.
- e. Also, see ACHC comment letter, dated 8/21/07, which further discusses this matter and points out that the new guidelines specify a market study for senior (age-restricted) affordable housing.
- f. The Planning Board has previously directed me to draft zoning amendments for the next Annual Town Meeting that would allow provisions for off-site senior or family housing as an alternative to inclusion of affordable units in the senior residence development. However, this application is too early for such an amendment to apply here.

## 10. Outstanding work under previous permits – existing bonds

The Planning Department is still holding on behalf of the Planning Board several bonds to secure work approved under previous permits on this site or related to the site. These are:

- a. Under the QRCC golf course special permit:  
\$40,000 generally to finish site work and stabilization (address water seepage problem into Great Rd. Condo parking lot, and removal of temporary wetlands crossings).
- b. Under the Skyline Drive Subdivision approval:  
\$187,700 for a variety of outstanding work, some of which may be done – other is not. Among the items not completed is the sidewalk on the east side of Great Road from the Woodvale Condo driveway to Main Street.
- c. Under the Hillside Condo special permit:  
\$161,100 for a variety of items, including additional money held for a sidewalk on the east side of Great Road – Woodvale to Main Street.

At what point does the Planning Board wish to see work completed from previous projects before approving a new project?

## **11. Foot trail from Hazelnut Street to Nagog Hill Conservation Land**

One of the incomplete or outstanding items from the golf course special permit is the designation and construction of a walking trail from Hazelnut Street along the northern boundary of the golf course (5<sup>th</sup> hole) to the Nagog Hill conservation land. Does the Board wish to see this completed before the new project begins? Does the Board wish to see adjustments to the proposed plan to make room for the trail as originally required?

## **12. Street Maintenance during marketing phase**

The applicant should be required in the special permit, if granted, to arrange and pay for street plowing, sanding, sweeping, and all other maintenance until the sale of all units; rather than unloading this responsibility onto the condo association home owners early at a time when there is not yet a full contingent to share the cost.

## **13. Future Bonds**

If granted, the special permit should require a bond more or less in accordance with Acton Subdivision Rules to secure the construction of the proposed streets, related drainage facilities, sidewalks, and related items.

## **14. Water Withdrawal Issues**

Board members may have overheard discussions of QRCC water withdrawal, consent decrees with DEP, hearing over water withdrawal permit violation before the Board of Health, etc. It is my understanding that these matters have nothing directly to do with the proposal now before the Planning Board.

## **15. Future Hearings and Reviews**

This is a significant and sizeable development project. It is reasonable to assume that there will be one or more hearing continuations, as well as plan revisions throughout the hearing phase. Therefore, I have reviewed the application for now with an eye mostly on the big picture issues. I have not done a detailed compliance check with section 9B of the zoning bylaw or with the rules and regulation for senior residence special permits. The time for that would be more appropriately spent once the project plans have been firmed up.

I would suggest that the Board, after hearing the applicant and public comments, and after its own inquiry, consider giving the applicant direction on at least some of the bigger picture items. The applicant can then go back with a clearly defined list of things to do, changes to be made, and items to submit in preparation of the hearing continuation. With sufficient time allowance for staff review, any continuation date before late November (11/27) or December is probably not realistic.

Furthermore, the applicant should start meetings with the Conservation Commission before revisiting with the Planning Board. It seems there is a lot within their jurisdiction that they may reshape the project significantly to minimize wetlands impacts.

Cc: Applicant  
Manager Department

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**Engineering Department**

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**INTERDEPARTMENTAL COMMUNICATION**

**To:** Planning Department

**Date:** September 19, 2007

**From:** Engineering Department 

**Subject:** Senior Residence Special Permit entitled "Residences at Quail Ridge"

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We have the following comments regarding the above mentioned plan dated July 18, 2007.

**Traffic Study**

1. The applicant has submitted a traffic impact study as required by the Subdivision Rules and Regulations section 9.9. In summary, the study concludes that the added traffic volumes will not create unsafe conditions at the study area intersections. The study also revealed that the unsignalized intersections of Great Road, Harris Street & Acorn Park Drive and Great Road at Skyline Drive are currently operating at LOS F and will continue to operate at such with or without the project. No mitigation measures were proposed by the engineer, however, the added traffic from the proposed development plus other generated traffic from the study area's other development may expose and worsen the effects of existing deficiencies.
2. The Traffic Study for this project determines an annual increase for traffic to be about 0.5%. Upon our review of the other recent traffic studies in North Acton, we found that the following reports were performed using a 1.7 percent or greater growth factor.

Woodlands at Laurel Hill

- A 308 apartment units and 64 Senior Housing units located North of the study area.
- Traffic impact study for this development was performed by Vanasse & Associates Inc. Based on their review of the data compiled by Mass Highway for the Town of Acton, it was determined that traffic volumes within the study area have generally increased by approximately 1.87 percent per year. Accordingly, a 2 percent per year compounded annually background traffic growth rate was used.

Robbins Brook Senior Residence

- A Senior Residence of 80 assisted living, 20 independent living units and 32 townhouse units located on Main Street North of Carlisle Road in north Acton
- This project traffic impact study was prepared by David J. Friend of Transportation Planning services in 2003. Based on historical data provided by Mass Highway and other traffic impact studies done in the area, a 1.70 percent background traffic growth was used by the engineer.

#### Robbins Mill Estates

- A 90 single-family houses situated east of Carlisle Road in North Acton.
  - Traffic impact study was performed by David J. Friend of Transportation Planning services in 2000. Again, a 1.70 percent background traffic growth was used by the engineer.
3. We recommend that the traffic engineer consider the possibility of proposing a deceleration lane for eastbound traffic on Great Road that would be turning into Skyline Drive.
  4. If the accesses to Palmer Lane & Hazelnut Street are restricted for emergency vehicles only, we recommend that the traffic engineer reanalyze the impacts to the intersection of Skyline at Great Road. The traffic engineer should make recommendations as to any improvements to the alignment of Skyline Drive, modifications to Great Road, etc... that might be necessary in order to maintain an acceptable level of service at this intersection. In addition, we recommend an analysis considering only one-way traffic entering the site from Palmer Lane & Hazelnut Street and its impact to Skyline Drive at Great Road.

#### Roadway Design

5. We understand the developer intends to have the roads remain private and not be presented for acceptance as public roads to the Town. The Engineering Department agrees that the roadway system should remain private due to the number of waivers that will be needed. Section 9B.13 of the Zoning Bylaw states that **generally** all streets and ways, drainage facilities, and utilities shall be designed and constructed in compliance with the Acton Subdivision Rules and Regulations. In order to comply with the rules and regulations, the applicant will need to request waivers from the following design standards:
  - We noted a few intersections within the development where the slope of the road within 50 feet of the intersection exceeded the allowable design standard such as Skyline Drive at Quail Ridge Drive, Greenside Lane at Skyline & Parkland Drive intersections at Quail Ridge Drive.
  - We noted that the engineer has shown bituminous concrete cape cod berm along the entire road, including the intersection roundings. The rules requires slope granite curb at the intersection roundings.

- There is no turnaround proposed for the end of Greenside Lane adjacent to the proposed 12-unit building at Station 0+00. If these roads become public ways, the engineer will need to design the turnaround in accordance with Section 8.1.18. If the roads are to remain private, the engineer could reduce the amount of pavement on site by shortening Greenside Lane and utilizing the entrance of the parking area for the multi-unit building as part of a T-shaped turnaround.
  - The typical details & cross sections for the roads show the total thickness of the road pavement to be less than the 3.5 inches of bituminous concrete (2-inches binder & 1.5 inches of wearing course) required for a typical roadway.
  - The typical details & cross sections for the roads also show the total depth of gravel base material to be less than the 18-inches of gravel (12-inches of bank run gravel & 6-inches of processed gravel) required for a typical roadway.
  - The plans indicate that the proposed sidewalk will be located adjacent to the existing roads without a grass strip. The applicant will need to request a waiver to eliminate the requirement for a grass strip.
1. If the access on Hazelnut Street and Palmer Lane are used for public access and not just for emergency access, the engineer will need the to complete the following:
- Extend the Plan & Profiles for Quail Ridge and Skyline Drive to demonstrate compliance with the horizontal & vertical design standards as set forth in the Subdivision Rules & Regulations where the proposed roads will meet with the existing road(s)/access. The profile for Quail Ridge Drive shows a 7.32% grade to the edge of the existing driveway for the Concord Water Department without any vertical curves transitioning to the profile of the existing driveway. If the accesses to Acorn Park are used for any type of vehicular access (public, emergency, etc...), we recommend that the engineer provide this same level of information to ensure that the access is acceptable for the intended use.
  - The engineer will need to show the improvements that will be made to the access to Hazelnut Street if this access is used for this development. The existing access to Hazelnut Street is only about 12 feet wide.
  - Relocate the existing locked gate on the access on Hazelnut Street to allow traffic through this section of the road. The existing gate should be relocated onto the driveway for the water treatment plant. The engineer will need to consult with the Concord Water Department as to the appropriate location for the gate. If the access is only for emergency vehicles, the applicant will need to work with the Police & Fire Departments and the Concord Water Department to ensure that all parties have access to unlock this gate.
  - The existing access on Hazelnut Street is shown on the as-built plan to be located partially outside the existing right of way. If this access is used, the engineer will need to propose that this access be reconstructed within the road right of way. Enclosed is a copy of the as-built plan for Hazelnut Street.
  - The engineer will need to replace the existing wood guardrail on the Hazelnut Street access with a suitable type guardrail to prevent vehicles from accidentally

driving over the existing headwalls.

- If the access to Palmer is used and the roads become public (which we do not recommend), the existing turnaround at the end of Palmer Lane could be removed since the Town way would be extending through the development and the existing perpendicular turnaround leg may no longer be necessary.
2. If new gates are proposed for emergency access, the engineer will need to add a typical detail to the plans.
  3. We recommend that the baseline stationing for existing portion of Skyline Drive be continued through the new development instead of restarting the stationing at Station 0+00. The engineer could also consider removing the existing perpendicular turnaround leg at the existing end of Skyline Drive by the golf course since Skyline Drive will be extended through the new development and this turnaround may no longer be necessary.
  4. The minimum centerline radius needs to be labeled on the Plan and Profile (sheet 34 of 43) for Parkland Lane between Stations 4+71.48 & 5+10.81.
  5. If the access to Palmer Lane & Hazelnut Street is deemed for one-way traffic only, the engineer will need to propose the appropriate signage to alert drivers of the intended traffic flow.
  6. We also noted a potential problem for plowing snow on these streets due to the closeness of the dwelling units, the number of driveways, the lack of a turnaround on Greenside Lane, etc...
  7. Due to the close proximity of the dwellings to the roads and the potential for residents and guests parking on the 20-foot wide streets, the Engineering Department recommends the proposed roads to be 24 feet wide.
  8. The Fire Chief will have to review the plan to ensure that it is adequate for emergency SU-30 vehicles (fire truck).
  9. Based on our turning templates for a SU-30 vehicle (fire truck), the intersection for the common driveway for units #77-80 appears that it would be tight for a fire truck coming from Hazelnut Street on Quail Ridge Drive and turning onto the common driveway.

### **Drainage**

10. Based on the drainage calculations for the Senior Residence, the engineer has shown that the post development peak runoff rates for a 10-year design storm will not exceed the pre-existing conditions.
11. Prior to approval of the drainage design, the engineer should conduct a deep test hole and percolation test in the same locations as the proposed infiltration chambers & basins to field verify the type of existing soils, the actual infiltration rate and the groundwater elevations that were used in the drainage design. The engineer should label the estimated seasonal high groundwater on the typical detail for the infiltration & detention basins and the subsurface infiltration chambers to ensure that the

groundwater table is not higher than the bottom of the proposed drainage facilities.

12. The plan & profile of the proposed roads shows the roadway to be located within cut sections along the existing ground surface. The engineer should add a note requiring subdrains along all the cut sections as well as any other locations where groundwater becomes a problem for the roads.
13. We recommend that the engineer provide high-capacity double grates on the catch basins (CB 8 & 9) located at the low point on Quail Ridge Drive at about Station 10+91. We are concerned about the amount of potential runoff that could bypass the catch basins uphill of this area allowing more runoff than designed to continue to the catch basins at the low point in the road. Based on the profile of Quail Ridge Drive, there is about 2500 feet of road that slopes to the low point at the proposed culvert crossing.
14. We have some concerns relating to the diversion walls being proposed in catch basins such as on Quail Ridge Road at Station 10+91 (CB #8 & #9). We are concerned that the combination of the 2 gas/oil hoods and the diversion wall inside the catch basin will make it very difficult for future maintenance. Also, the wall would have to be located in a position to allow the initial first flush entering the catch basin to be diverted to the recharge chambers. This would require the wall to be set closer to the pipe for drain manhole #7. As a result, the wall would make accessing this pipe and the gas/oil hood even more difficult. Not to mention that it would also reduce the storage volume in the sump to collect sediment. We recommend that the engineer utilize a separate diversion manhole and remove the diversion walls from inside the catch basins.
15. The engineer has shown subsurface recharge facilities to be utilized on the site in some locations such as underneath the road surface on Quail Ridge Drive. The engineer needs to label the type of traffic-rated covers that will be used for the system that is located under the road.
16. The engineer should label a drainage swale to be constructed at the base of proposed slopes behind the units on Greenside Lane by Skyline Drive to ensure the overland runoff is diverted to the proposed drop inlet.
17. The outlet for stormwater basin #12 is proposed to discharge across the existing driveway for the Concord Water Plant. We recommend that the engineer propose an alternative design to the outlet pipe to prevent this basin from discharging across their driveway.
18. The outlet for stormwater basin #15 is proposed to discharge across the existing path on Common Land parcel A even during smaller storm events such as the 2-year design storm. We recommend that the engineer propose a culvert crossing or some other alternative for the path to prevent this runoff from discharging across the surface of the pathway.
19. We also have some concerns about Stormwater Basin #28 adjacent to the proposed 12-unit buildings. The Great Road Condos have been experiencing problems in the past with water breaking out at the base of the slope adjacent to this drainage basin. We have noted some holes that formed in the bottom of this basin where runoff was discharging into the voids in the ground prior to reaching the existing outlet pipe for the basin. It appears that this water would travel through the voids and breakout at the base of the slope next to the Great Road Condos. We have spoken with the maintenance staff at the Quail Ridge Country Club in the past regarding this problem

and they have filled-in the holes as they form in an attempt to stop the problem temporarily. If this basin is proposed to be used for this development, we recommend that this drainage basin be lined with a manmade impervious barrier and only allow this basin to detain runoff; not infiltrate into the ground.

20. The engineer needs to label the invert elevations of the outlet structure in Stormwater Basin 28 on the plans. The proposed grading for the Quail Ridge Country Club site plan and the septic leach field does not seem to match the existing contours for this drainage basin as shown on the plan.
21. We want a note added to the detail for the Stormceptor to specify the location(s) where this structure will be installed on the site.
22. The details for the infiltration & detention basins should also require all the existing top and sub-soil to be removed from underneath the bottom of the basin in addition to removing this material from underneath the earth berm.
23. The engineer should add a note in the Drainage System Operation & Maintenance Plan for the infiltration basins so that the parties responsible will understand when there is standing water in these basins after a specified time period that these basins need to be cleaned to remove the sediment that has accumulated along the bottom of the basin.
24. We would like the engineer to label the stormwater basins on the Site Development Plan to identify which basins will be used for detention or infiltration. We would also like a note on the typical details for the infiltration & detention basins to specify the stormwater basins, as well. I would recommend that the detail for the detention basin show the outlet pipe to be set at or slightly below the bottom elevation of the drainage basin. There does not appear to be a need to allow runoff to pond in the detention basin since these basins will only be utilized for detaining runoff and not recharging to groundwater.
25. The engineer has shown a typical detail for a proposed water quality swale outlet structure. The engineer should add a note to the detail identifying the locations of these water quality swale outlet structures. We also want these water quality swales clearly labeled on the Site Development Plan.
26. The engineer should also add a typical cross section for the water quality swale to ensure the proper slopes, soil layers, dimensions, etc...
27. It is our opinion that the engineer should remove the filter fabric from the bottom of the subsurface infiltration chambers in order to maximize the infiltration capacity of the trench and to minimize the risk of clogging due to the fine particles being trapped by the filter fabric. Our recommendation is based upon a conference on Stormwater Improvements for Low Impact Developments. There was a speaker from the University of New Hampshire that discussed their results showing an infiltration system that failed within 10 months of the installation due to the premature clogging of the filter fabric.
28. The Drainage System Operation and Maintenance Plan should be incorporated into the private maintenance agreement for the road(s), access driveway and the parking areas.

### **Roadway & Utility Details**

29. The engineer should label the 3/16 inch per foot sidewalk cross slope on the typical road & common driveway cross sections as the **maximum allowable** cross slope.
30. The engineer should contact the Fire Chief to determine the need and locations for fire alarm call boxes.
31. We want to ensure that the standard language for private ways is written into the decision and the maintenance agreements so the future residents clearly understand the Town will not be responsible for snow plowing or any other related maintenance and that the common driveways will not become a public way. If the roadways are also kept private, we recommend that this same language apply to these roads, as well.
32. A note should be added to the plans stating that the binder course of pavement shall be exposed to one winter season (November 15 – April 30) prior to the application of the wearing course.
33. There should be a note on the plans requiring the proposed street name signs shall meet the specifications of the Acton Highway Department. The street name sign should have a sign affixed to it designating the street a private road.
34. Any traffic related street sign post should be seated in concrete.
35. If the applicant intends to have a sign identifying the development, the engineer should show the location of this sign on the plans.
36. The typical detail for a wooden guardrail should include a note stating that this type of guardrail is not allowed along the roadways. Any guardrail located alongside the proposed roads should meet MassHighway standards.
37. We recommend that the engineer show a vertical granite curb at the proposed culvert crossing on Quail Ridge Drive instead of a slope granite curb to reduce the risk of concrete chipping at the edges similar to the problems with the concrete sidewalk behind Town Hall.
38. The engineer is proposing the same type of precast modular retaining wall that was constructed at the wetland crossing for Ellsworth Village Road. This precast retaining wall system seems to work well in this type of situation.
39. The engineer should show a stop line and stop sign at the intersections within the proposed development in accordance with the M.U.T.C.D.
40. The street name signs could be affixed to the same post as the stop sign to minimize the amount of sign posts.  
  
The engineer should label the crosswalks at road intersections to be painted on the street in conformance with the M.U.T.C.D.
41. If the existing access to Hazelnut Street remains as it exists today, we recommend that the existing driveway between the homes on Hazelnut Street be repaved along with the new roadways within the development.

42. The intersecting street name labeled on the Plan and Profile for Parkland Lane (sheet 35 of 43) should be changed from **Ryder Path** to **Bentgrass Path**.
43. The applicant will need to obtain **approval** from the Acton Police & Fire Departments for the proposed street names within **the** development to ensure that there is no confusion during a 911 emergency with other **existing** street names in Town. Acton already has a **Parker Street, Quail Run & Green Needle Way** that could be an issue for the proposed street names.
44. The engineer should add a note or **detail** to the plans stating the dimensional requirements for a standard parking space, maneuvering aisle, etc...
45. The engineer should specify that **the** Standard Pavement Detail does not apply to the roadways.

### **Sidewalks & Pedestrian Connections**

46. A note should be added to the plan requiring the sidewalk construction will comply with the standards of the Architectural Access Board.
47. The plans show a sidewalk network within the development that connects to the existing sidewalk on Palmer Lane in Acorn Park.
48. The proposed sidewalk on Quail Ridge Drive ends at the existing driveway for the Concord Water Treatment Plant. If this access is used for vehicular access, the engineer should show a sidewalk extension from the sidewalk on Quail Ridge Drive to the existing sidewalk on Hazelnut Street.
49. The engineer should show a sidewalk connection from the end of the sidewalk on Skyline Drive to the interior walkways located at the golf course parking area.
50. The existing section of Skyline Drive between Great Road & the parking area for the golf course does not have a sidewalk. Due to the anticipated increase in traffic on this street from this development (residential & commercial), the applicant could consider proposing a sidewalk along this section of Skyline Drive. This would provide a pedestrian connection from Acorn Park to the Acton Woods shopping plaza at the intersection of Great Road & Main Street.
51. We believe that this new residential development creates even more of a need to construct the sidewalk on Great Road between Meyer Hill Drive & Main Street as it has been previously approved on the Skyline Drive definitive subdivision plans and on the Hillside Condominium PCRC plans.
52. The applicant could consider proposing new pathways to provide future residents an alternative to walking along the streets for recreation within the neighborhood. These new pathways could reconnect the existing wood bridges and paths that already exist within the wetland areas and the proposed site.
53. The engineer might want to propose a trail connection to the trail network that is located on the adjacent Acton conservation land. The engineer has shown a pedestrian connection to the trail network on the land owned by the Town of Concord. It is our opinion that the Town might have an interest in having a public trail connection through

the development to the Town conservation land.

54. The engineer will need to show the proposed grading for these relocated paths within the development to ensure that the new grading is reasonable for pedestrians, etc... The engineer has shown the existing path by Skyline Drive at about Station 6+75 to be relocated around the detention basin where the road shoulder is shown at about a 2:1 slope.
55. The engineer has shown a proposed parking area on the left side of Skyline Drive at about Station 3+00. There is a sidewalk shown to be constructed adjacent to the handicap space that ends at the edge of Skyline Drive. This sidewalk does not extend to the existing building that exists behind the parking area. The engineer might need to extend the sidewalk and install sidewalk ramps, crosswalks, signs, etc to provide a pedestrian connection to the existing building and/or the proposed restaurant & golf course facility.

**Additional Comments/Concerns:**

56. The engineer will need to revise the proposed street numbering on Ryder Path to correct the duplicate street addresses. We would also like to have the numbering on Quail Ridge Drive revised so that the house numbers on both sides of the road stay fairly consistent. We noticed along the higher unit numbers that the even side street addresses are much higher than the odd side.
57. The engineer should also indicate a sign for the multi-unit buildings on the road to clearly indicate the Greenside Lane street addresses for these units. We would also like to have the numbering for the multi unit building changed so that the addresses on both sides of the Greenside Lane stay fairly consistent. We noticed that the even side street addresses are much higher than the addresses for the multi-unit buildings.
58. We recommend that an as-built plan showing the buildings, pavement, drainage and utilities be required at the conclusion of construction along with a letter from a professional engineer certifying that the project was constructed according to the approved plans.
59. The engineer should describe the locations of the mailboxes on the plans.



**TOWN OF ACTON**

**Building Department**

***INTERDEPARTMENTAL COMMUNICATION***

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**To:** Roland Bartl, Town Planner **Date:** August 30, 2007

**From:** Garry A. Rhodes, Building Commissioner

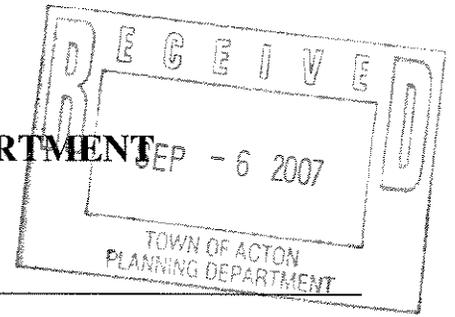
**Subject:** The Residence at Quail Ridge, Special Permit

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In February of 2002, the Planning Board granted a Special Permit for an eighteen-hole golf course. This Senior Residence Special Permit request will decrease the existing golf course to nine-holes. A nine-hole golf course would not be allowed under the existing Special Permit therefore, must be incorporated within the new Senior Residence Special Permit as an accessory use. I would recommend if this Senior Residence Special Permit is granted provisions be made to abolish the Golf Course Special Permit and incorporate all appropriate conditions into the new permit.

**ACTON MUNICIPAL PROPERTIES DEPARTMENT**

INTERDEPARTMENTAL COMMUNICATION



**To:** Kim DelNigro, Planning Department

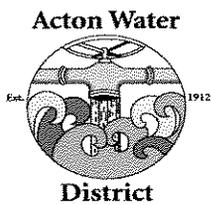
**Date:** 8/6/07

**From:** Dean A. Charter, Municipal Properties Director & Tree Warden

**Subject:** Landscape Review, "Residences at Quail Ridge"

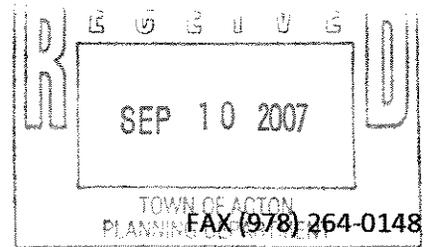
I have reviewed the plans submitted for the above noted development and submit the following comments:

1. Reviewers should note that the branch spread shown on the plans denote the *mature* size of the proposed plants, not the size as *installed*.
2. The "Street Trees" as shown on the plan are adequate and appropriate as to size, spacing, and variety. If the roadways are to be accepted as public rights of way, the trees should be planted several feet outside of the right of way.
3. This proposed development will have great impact upon the adjacent residential properties, especially considering that those neighbors thought that they were going to be beside a Golf Course, and who supported the earlier development efforts accordingly. I suggest that an opaque landscape buffer as defined in section 10.4.3.6. ii of the Zoning Bylaw be installed in all areas where the new structures, including buildings and paved surfaces, are located within 200 feet of any lot line with a residential dwelling on it.
4. Prior to final inspection of the plantings by the Tree Warden, the applicant is to submit a letter, stamped and signed by the Landscape Architect of record, that the plantings were installed in compliance with commonly accepted industry practice, that they comply with the American Standard for Nursery Stock (ANSI Z60.1-2004), that they are healthy, and that the actual plantings are consistent with the approved landscape plan
5. Regardless of the legal status of the roadways, the street light systems, as proposed, should stay under the ownership and control of the "Residences", since it is inconsistent with the roadway street lights owned and controlled by the Town of Acton.
6. The proposed street light system should be reviewed for compliance with the Outdoor Lighting Bylaw.



## Water Supply District of Acton

693 MASSACHUSETTS AVENUE  
P.O. BOX 953  
ACTON, MASSACHUSETTS 01720



TELEPHONE (978) 263-9107

### **Comments on proposed subdivision at Quail Ridge**

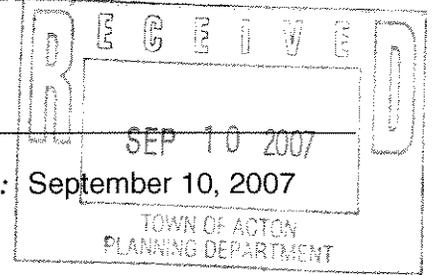
To: Town of Acton Planning Board

From: Chris Allen, District Manager

1. No water main sizes annotated on proposed as-built.
2. No individual service isolations annotated.
3. No sizes annotated on residential services.
4. All water main, service materials and appurtenances shall be American Water Works Association (AWWA) approved, and per Acton Water District (AWD) specifications.
5. All water mains and services shall be installed per AWD specifications.
6. All in-line main gates shall be resilient wedge and OPEN LEFT.
7. All fire hydrants shall be Mueller Centurion, or American Darling Model #62B, per AWD specifications.
8. All road intersections shall be three-way gated.
9. All efforts shall be made to loop dead-ends wherever possible. At a minimum, all dead-ends shall have a fire hydrant on the end of the main for flushing purposes.
10. Due to an estimated demand of > 5,000 gpd (Based on 65 gpd per capita, and double occupancy), the owner shall provide AWD with a water impact study per district regulations.
11. Owner should verify with Acton Fire Department to verify the necessity for a fire flow test. If necessary, this should be scheduled with AWD.

# ACTON NATURAL RESOURCES DEPARTMENT

## INTERDEPARTMENTAL COMMUNICATION



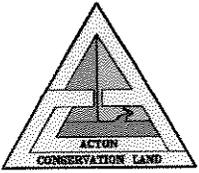
**To:** Roland Bartl, Town Planner

**Date:** September 10, 2007

**From:** Tom Tidman, Director *TT*

**Subject:** Conservation Commission comments on the "Residence at Quail Ridge"

1. The proposed residential development at Quail Ridge will require A Notice of Resource Area Delineation (ANRAD) filing. The original Order of Resource Area Delineation (ORAD) for Quail Ridge Country Club (QRCC) has expired. The ANRAD is necessitated by the significant amount of proposed work within 100' of on site wetlands.
2. The Commission will require that the applicant use the most recent DEP Wetland Division Guidelines to determine whether or not Nagog Brook is now considered a perennial stream.
3. There is an existing Order of Conditions (OOC) DEP File No. 85-778 for the development of the QRCC that, to date, has not been completed and has thus not received a Certificate of Compliance. Prior to the Commission considering a new NOI filing, all work associated with DEP File No. 85-778 must be satisfactorily completed as proposed and a Certificate of Compliance issued.
4. There are several locations in the proposed development that will require significant buffer zone resource area alteration and wetlands buffer zone habitat fragmentation that should be reconsidered.
  - a) In Phase 2, there is a 260' length of Greenside Lane running between Units 12 and 29 that has no development potential yet alters more than 10,000 s.f. of buffer zone resource area along with fragmenting important wetlands and buffer zone habitat.
  - b) In Phase 5, more than 25,000 s.f. of buffer zone resource area are altered to gain access to three units (77, 78 and 79). In addition, habitat fragmentation will be considerable, dividing an important vernal pool to the north (at the rear of units 87 through 90) from the wetland resource area adjacent to Nagog Hill Conservation Area.
5. The proposed wetland crossing for the construction of "Quail Ridge Drive" will necessitate the filling of approximately 3,500 s.f. of bordering vegetated wetlands, with the proposal to create 9,820 s.f. of replication area, all within associated buffer zone resource area. The previously approved OOC for the QRCC approved multiple wetlands crossings including one at this location. The Commission will require that an alternatives analysis be done to prove that no other means of access avoiding wetlands alteration exists before this crossing will be considered. There appears to be a suitable existing access from Hazelnut Street that would allow access to proposed Phases 3, 4 and 5 not requiring the additional alteration of any resource areas.
6. Was any consideration given to create a "community garden" area for the seniors that will be living in the development?
7. There doesn't appear to be an access trail or parking area for residents wishing to access Nagog Hill Conservation Area from this development. Are access trails and parking area proposed?

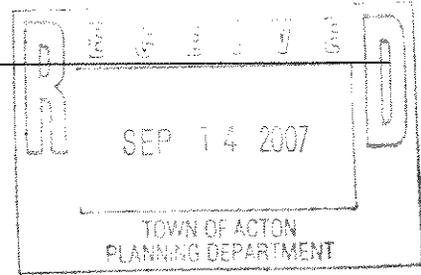


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c/o Dept. of Natural  
Resources  
472 Main St.  
Acton, MA 01720

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## **Acton Land Stewardship Committee**



September 14, 2007

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

Re: Quail Ridge Country Club / Nagog Hill Conservation Area

Dear Members of the Board:

Reference is made to the Senior Residence Special Permit Application for The Residences at Quail Ridge, dated July 20, 2007, submitted by Quail Ridge Country Club, LLC, as Applicant and Owner (QRCC).

Please note that QRCC's response to question 31 in the Application's Development Impact Report contains an error, insofar as it does not provide for access to adjacent Nagog Hill Conservation Area (Nagog Hill). Such a response contradicts the previously issued order of conditions for the site, which required QRCC to grant an easement in favor of the Town of Acton so that a new access trail could be created leading from a point along the northeastern border of Nagog Hill, across QRCC's property, and out to Route 2A/119. QRCC should comply with that important requirement in the existing order of conditions rather than be excused from it.

Acton's Land Stewardship Committee respectfully notes that "improv[ed] access to and between recreation and conservation areas" is an explicit objective set forth in the Master Plan of the Town of Acton. "Continu[ing] to maintain open space corridors and easements for trails and pedestrian walks" in new developments, and "continu[ing] to improve connections [to conservation areas] through acquisition of more easements, and through trails or paths" are among the strategies outlined in the Master Plan for accomplishing that objective.

We have attached a copy of our June 11, 2007 letter to the Planning Board expressing additional reasons Nagog Hill's existing access is inadequate and QRCC should fulfill its obligation to provide access within the site, preferably without further delay.

Thank you for your consideration in this matter.

Very truly yours,

Jim Snyder-Grant, Chair

Joan Cirillo, Nagog Hill Land Steward

Enclosure



## Acton Land Stewardship Committee

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June 11, 2007

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c/o Dept. of Natural  
Resources  
472 Main St.  
Acton, MA 01720

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

Re: Quail Ridge Country Club / Nagog Hill Conservation Area

Dear Members of the Board:

We understand that when the existing order of conditions was issued for Quail Ridge Country Club (QRCC), they included the requirement that QRCC grant an easement in favor of the Town of Acton so that a new access trail could be created leading from a point along the northeastern border of Nagog Hill Conservation Area (Nagog Hill), across QRCC's property out to Route 2A/119. We also understand that the Planning Board will be discussing QRCC and may be asked by QRCC's owners to consider certain modifications to their existing project at its upcoming meetings.

Although there were some discussions about placing the trail in the area north of what is now the 4<sup>th</sup> hole/fairway at QRCC, for various reasons, QRCC has not yet flagged the easement required by the original order of conditions, and Acton's Land Stewardship Committee (LSC) has therefore not yet created the new access trail. It is worth noting that there are wetlands that could make construction of a trail challenging in portions of this area.

LSC respectfully requests that in any future QRCC discussions the Planning Board hold firm to the requirement that the Town receive its easement so that a new, effective Nagog Hill access trail can be constructed. It is a valuable right which should not be sacrificed. By including this requirement in the existing order of conditions, the Board no doubt recognized how important additional access to Nagog Hill was to public health and safety. Nagog Hill has only *two* access routes, both at its southwestern side. The current access points are in close proximity to one another, are quite distant from the northeastern access point to the expected easement, and do not adequately meet the convenience or public safety needs that go along with Nagog Hill's 158 acre size (increasing to 170 acres after the Groener land closing). Acton has seven conservation areas larger than 75 acres; Nagog Hill is the *only one* with fewer than *three* entrance/exits. Even more disturbing, Nagog Hill is the only one of four Acton conservation areas larger than 100 acres that does not have *at least four* access points.

LSC is also concerned that, although the easement requirement is mentioned in the order of conditions, we have not seen a deed or other notice document filed at the Office of the Middlesex Registry of Deeds in which the easement is reflected or any separate binding written contract jointly signed by the Town and QRCC in which the Town's right to the easement is set forth. We have no reason to think that a financial disaster is on the horizon, but we simply do not know what would happen to the Town's as-yet unconsummated right to an easement in the event

**Acton Planning Board  
June 11, 2007, continued**

one or more key players declines to participate in QRCC's new proposals or files for bankruptcy. LSC therefore asks that, regardless of the nature or length of overall discussions about QRCC's *future* plans, attention be given to getting the *past* matter of the easement squared away as soon as possible so that LSC and QRCC can proceed with plans for flagging the land for the easement (which could necessitate surveying and/or working with ConCom) and getting the new access trail blazed and completed.

Thank you for your consideration in this matter.

Very truly yours,

Jim Snyder-Grant, Chair

Joan Cirillo, Nagog Hill Land Steward

## Kim DelNigro

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**From:** Paulina Knibbe (comcast)  
**Sent:** Monday, August 27, 2007 10:13 PM  
**To:** Planning Board  
**Cc:** Sidewalk Committee  
**Subject:** Sidewalk Committee Feedback on The Residences at Quail Ridge

**Attachments:** The Residences at Quail Ridge.doc



The Residences at  
Quail Ridge....

Hello, Greg. I won't be able to be at the Planning Board meeting tomorrow night because I will be taking my son off to college. It is my intention to try to come to Planning Board meeting as the BoS liaison but this summer has been difficult because of vacations and what not.

At the Sidewalk Committee meeting last week, we discussed the sidewalks at the Residences at Quail Ridge. We had several concerns which I have documented in the attached letter.

Paulina Knibbe  
Chair, Sidewalk Committee  
Selectman, Town of Acton

The Sidewalk Committee reviewed the site plan for The Residences at Quail Ridge on August 22, 2007. The committee has the following comments at this time:

1) The current sidewalk plan has no buffer between the sidewalk and the road. This is not consistent with the Sidewalk Design Guidelines developed by the Transportation Advisory Committee in 2006: "Planting strips should be provided adjacent to all sidewalks. Landscaping should be tolerant of road salt and other roadway conditions and easy to maintain. Minimum allowable landscape buffer widths for arterial or major streets (Route 2A) is 1.2 to 1.8 m (4 to 6 ft.). If a planting strip cannot be provided between the sidewalk and the roadway, then the sidewalk width should be a minimum of 6 feet."

2) The Sidewalk Committee is concerned about the lack of a sidewalk on Skyline Drive. As this community is intended to serve Seniors, it is particularly desirable that a safe walking path be available that allows seniors who may either choose to walk, or be unable to drive, to reach the shopping areas on Route 2A. It is the understanding of the sidewalk committee that there is already a developer commitment from a previous development in the area to provide a sidewalk along Great Road.

**Acton Community Housing Corporation**

**Nancy Tavernier, Chairman**

**TOWN OF ACTON**

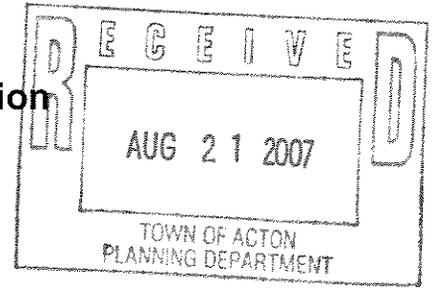
Acton Town Hall

472 Main Street

Acton, Massachusetts, 01720

Telephone (978) 263-9611

[achc@acton-ma.gov](mailto:achc@acton-ma.gov)



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TO: Planning Board  
FROM: Acton Community Housing Corporation  
SUBJECT: Quail Ridge Senior Residence Special Permit  
DATE: August 21, 2007  
Cc: Jay Peabody

The ACHC has reviewed the application for "The Residences at Quail Ridge" and offers the following comments. Our comments are focused on the affordable housing piece of this proposal.

In order to put our comments in context, I think both the Planning Board and the developer need to have an understanding of the DHCD process that is required to allow the affordable units to count toward the Town's 10%.

This is an excerpt (emphasis mine) from the DHCD Local Initiative Program guidelines for Local Action Units. These July 2007 guidelines can be found here: <http://www.mass.gov/dhcd/Temp/06/LIPgdlines.pdf>

### III. LOCAL ACTION UNITS (page 23)

#### A. Description

Local Action Units (LAU), formerly known as "local initiative units" or "LIP Units Only," reflect a program component that ***gives communities the opportunity to include housing units on the state's Subsidized Housing Inventory (SHI) that were built without a Comprehensive Permit but which meet LIP criteria and are suitable for inclusion in LIP.*** Such units may have been built pursuant to a local action such as a zoning provision, a condition of a variance or ***special permit issued by the planning board*** or zoning board of appeals, a contract provision (e.g., reuse of municipal or school building as housing), or an agreement between the town and a non-profit organization to build or rehabilitate municipal buildings into housing.

While communities are developing many innovative strategies to expand their supply of affordable housing, ***only units meeting the following criteria will be approved as LAU*** and, as a consequence of their inclusion in LIP, be added to the SHI for the municipality in accordance with the Eligibility Summary (see Appendix J):

- (1) they have resulted from city or town action or approval.***
- (2) they will be sold or rented on a fair and open basis and will be subject to an affirmative fair marketing and lottery plan approved by DHCD.***

**(3) their sale price or rent is affordable to households at or below 80% of area median household income.**

**(4) their long-term affordability is secured by use restrictions, approved by DHCD**

The developer has proposed to build 9 affordable units (5%) as part of his 177 unit development. These must sold with a Deed Rider that restricts their future resale to income eligible households at a price affordable to a 3 person household at 70%AMI. The Deed Rider places these restrictions on the units in perpetuity. Because this is not a 40B development it does not need either a Regulatory Agreement with the Town and DHCD or a Monitoring Agent agreement. However, it will need DHCD approval to allow the units to count and that is done through a simple application process that includes the proposed marketing and lottery materials. This would be done after construction commences. ACHC would like to be the monitoring agent for the fair marketing and lottery program for both the initial sales and any resales in the future. This should be specified in the decision.

Here are comments for your consideration:

1. The Planning Board should make it clear the affordable units will count toward the Town's 10%. This will insure the units are priced appropriately and income eligibility will be a requirement. The developer is proposing to do this but it should be stated specifically since the Bylaw seems a little vague on the subject.
2. The percentage of beneficial interest for the affordable units will be lower than the market units and should therefore result in a discounted condo fee using the reduced percentage applied to the budget. This should be specified in the decision.
3. Under LIP guidelines, the units must be priced to be affordable to a 3-person household at 70% of the Area Median Income (not 80% as stated in application) but may be sold to households of no more than 80% AMI. The difference in 70% vs 80% is confusing, one is used to set the selling price (70%) and the other (80%) is used to determine maximum household income.
4. The resale fee stated in the Deed Rider should be 2%.
5. The affordable units should be scattered throughout the site and be a mixture of styles as is proposed by the developer.
6. The ACHC would request 70% of the affordable units be given preference for households that meet our revised Acton Connection criteria and this should be incorporated into the decision:

The current ACHC approved Local Preference criteria:

To the maximum extent permitted by law, first preference for the purchase of 70% of the Affordable Units shall be given to households that meet one or more of the following "Acton Connection" preference criteria:

- (a) at least one member of the household is currently a legal resident of the Town of Acton. For purposes of the Lottery, a person shall be deemed a resident if that person has been registered as an Acton resident with the Acton Town Clerk pursuant to G.L. c. 51, §4 and would be

considered a resident under the United States Census Bureau's residency guidelines.<sup>1</sup> Alternative proof of residency such as utility bills will be acceptable.

(b) at least one member of the household is either a son or daughter, parent, or sibling of an Acton resident.

(c) at least one member of the household is an employee of the Town of Acton, the Acton Public Schools, the Acton-Boxborough Regional School District, or the Acton Water District.

(d) at least one member of the household is currently privately or publicly employed within the Town of Acton and has been so employed for a period of at least six months at the time of the Affordable Unit lottery application deadline.

Included also in the DHCD LIP guidelines is a section on Age-restricted housing specifying the guidelines that DHCD uses to evaluate comprehensive permit proposals. While these guidelines are designed to apply to 40B developments, which this is not, they still offer good solid suggestions and ACHC thinks they should be considered by the Planning Board as it undertakes its own evaluation of the viability of the proposal. This is especially relevant with the requirement of a market study for age-restricted units. ACHC is concerned that age-restricted units have saturated the local market, this would be the third such development recently permitted by the Town. We think it is important and appropriate to require such a market study as described below.

Also included below is a description of the Assets measurement required as part of the determination of eligibility for buyers of the affordable units. Because retirement accounts are included in the assets, which are limited to \$50,000, it has created a significant challenge in finding eligible buyers. ACHC is willing to work with the developers to seek reasonable waivers from DHCD to the retirement assets should that be a problem.

DHCD Guidelines, pages 40 & 41

#### **V. AGE-RESTRICTED HOUSING**

Age-Restricted Housing (housing for persons 55 and Over) will be reviewed and evaluated as described in these Guidelines. In addition, such projects must meet the following criteria:

For LIP Units, there shall be no occupancy restriction except that one household member must be age 55 or older;

***Children age 18 or younger cannot be excluded from occupancy of the LIP Units;***

Developers are encouraged to consider unit designs in which master bedrooms and bathrooms are located on the first floor.

The Project Sponsor's attorney must provide a letter demonstrating that the age-restricted development will be in compliance with state and federal fair housing laws, including M.G.L c. 151B Section 4(6);

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<sup>1</sup> Usual residence has been defined as the place where the person lives and sleeps most of the time. This place is not necessarily the same as the person's voting residence or legal residence. Also, non-citizens who are living in the United States are included, regardless of their immigration status.

Determinations of Project Eligibility for comprehensive permits projects may be granted for age-restricted housing only upon a showing of demonstrated need and marketability within the municipality, and solely at the discretion of DHCD. Such approval may be withheld (i) if age-restricted housing units that have been issued a project eligibility letter or have been approved by the municipality have not yet proceeded to construction or remain unsold, or (ii) if the proposed age-restricted units, in context with other recent housing efforts by the community, are unresponsive to needs for family housing.

***A marketing study must be done demonstrating the need for this type of housing in the applicable HUD region, the availability of buyers for both the market and affordable units in the development, the status of similar projects serving the 55 and Over market in the area (e.g. number proposed and/or under construction, rate of vacancy/occupancy, etc). The study must demonstrate both an understanding of the region's demographics and particular strategies necessary to attract buyers to both market and affordable units. The LIP requirement that preference be given to appropriately sized households applies to 55 and Over housing.***

#### **Income and Assets of Age-Qualified Households**

The assets of age-qualified households, that is households in which at least one member of the household is age 55 or older, are treated differently than in other LIP eligible households. The primary reason for this is that elder households are more likely to already own a home, which they plan to sell in order to move to a smaller one, and are more likely to be living on a fixed income.

The following items apply to 55 and Over households:

Only the occupants of a unit may sign the mortgage.

Older households must meet an income and asset test.

For tenants and purchasers household income shall not exceed 80% of area median income based on household size as determined by HUD, but lower limits may be set by communities and submitted for DHCD review and approval.

For homeownership units, household assets shall not exceed \$50,000 in value, provided that in the case of age-restricted homeownership units the purchaser household may additionally own a dwelling (to be sold) in which the purchaser has no more than \$200,000 in equity. The value of assets shall be computed on the basis of net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding equity accounts in HUD homeownership programs or state assisted public housing escrow programs. The value of necessary items of personal property, such as furniture or automobiles, shall be excluded.

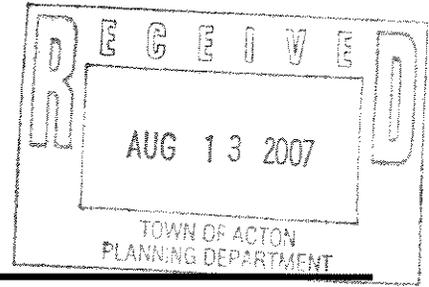
Determination of assets shall be based upon a full and fair present cash value of the asset at the time of application to the program. If a potential purchaser divests him/herself of an asset for less than full and fair cash value of the asset within two years prior to application, the full and fair cash value of the asset shall be included for purposes of calculating eligibility.

Thank you for the opportunity to comment on this proposal.



## MEMORANDUM

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



TO: Planning Board

FROM: Brent L. Reagor, RS   
Deputy Health Director

RE: The Residences at Quail Ridge  
Health Department Review

DATE: August 9, 2007

The Health Department has reviewed the Senior Residence Special Permit Application for the Residences at Quail Ridge and has the following comments:

- 1) The following new permits and fees will be required by the proposed development:
  - a) Treatment Plant Construction  
*The fee for this permit application is based upon the proposed design flow of the facility to be constructed.*
  - b) Treatment Plant Operations (Annual Permit)  
*The fee for this permit is based on the design flow of the facility*
  - c) Food Establishment Plan Review  
*\$210 due prior to the Building Permit Application for the restaurant*
  - d) Food Establishment Operation Permit (Annual Permit)  
*This fee is based on the number of seats in the restaurant, with the current plan for 56 seats, the fee is currently \$330 and this application is due prior to the opening inspection.*
- 2) If the proposed wastewater treatment facility will utilize any chemicals governed by the Acton Hazardous Materials Control Bylaw, a modification to the existing facility Hazardous Materials Control Permit.
- 3) The applicant has yet to make any submittals to the Health Department or the Massachusetts Department of Environmental Protection in regards to the design or construction of the wastewater treatment facility. The Health Department did witness some initial soil testing in April of this year, but the applicant has submitted nothing since. At this time, without a proper submittal to both the Health Department and

MassDEP, the Department cannot definitively state that this project is able to be constructed under the current wastewater regulatory environment.

- 4) The applicant proposes an increase in impervious area of 13.06 acres. What mitigation is proposed to maintain or improve recharge of the local watershed, since the site is located within the “Highly Stressed” Nashoba Brook Watershed?
- 5) Throughout the Master Deed and other condominium documents, the wastewater treatment plant sections all reference the Acton Board of Health. These sections should also include reference to the Massachusetts Department of Environmental Protection.
- 6) No information is given for solid waste management for the condominium units.
- 7) Has the Concord Water Department been provided with a copy of this submittal?
- 8) No location is shown on the plans for the wastewater treatment facility.
- 9) The applicant should evaluate reuse of the treated wastewater for irrigation or pond augmentation.
- 10) Since the sewer collection system is designed with low-pressure grinder pumps, the applicant should insure that a supply of reserve pumps and spare parts is constantly maintained at the wastewater treatment facility. The operation and maintenance contract for the treatment plant should also include service and maintenance on all pumps located in each dwelling unit and structure.
- 11) Each prospective buyer and unit owner should be clearly notified that their unit is served by a low pressure grinder pump that has an emergency storage capacity of no more than 70 gallons.
- 12) As the applicant has yet to make a submittal for the wastewater treatment facility, the Health Department does not consider the site evaluation process complete and may require additional soil testing.
- 13) The applicant should submit a revised design flow chart for the wastewater facilities at the site, noting the current uses, the proposed uses, and the disposal location and sizing for each of the proposed and current disposal facilities.
- 14) No detail is shown for the sewer line construction associated with the bridge crossing.
- 15) The profile plan on page 29 specifies SDR-1 PVC pipe, while all of the other profiles specify SDR-21 PVC pipe.

- 16) The Health Department would like to further discuss the potential of locating a surface water quality sampling point — with permanent access – along Nagog Brook, near the pond, to augment our current water quality surveillance program.
- 17) No detail drawing is provided for sewer line and drainage line crossings.
- 18) The utilities at the intersection of Parkland Drive and Quail Ridge Drive on page 21 are unreadable.
- 19) Numerous low pressure service lines for individual units are shown crossing the EUA's of other units. How will this be handled from a maintenance and access perspective?
- 20) The SMH in front of #29 Greenside is not labeled.
- 21) The low pressure service line for 31 Greenside (page 22) is shown crossing directly under a hydrant.
- 22) The developer will be required to provide an individual as-built drawing for each unit showing the location of the low pressure service line and horizontal ties to the check valve connection to the main service line. This as-built will be required prior to signoff on the Certificate of Occupancy for each unit.
- 23) Individual "Private Sewer Connection" permits will be required for each connection to the system from the Health Department.
- 24) The low pressure service line for #50 Ryder Path (page 22) is shown crossing directly through DMH-27.
- 25) No sewer profile is provided for the section between Unit #114 and Unit #9.
- 26) No low pressure service line is shown for #29 Greenside (page 22).
- 27) The sewer service line for #46 Skyline Drive crosses under/through DMH-20 (page 22).
- 28) The pump station for the three multi-unit buildings should be more clearly labeled on the plans.
- 29) The Health Department is not confident that a Low Pressure Pump is appropriate to handle restaurant waste.
- 30) Provide a detail drawing of the location of the DH502 pump station in relationship to CB-54.
- 31) On page 18, the low pressure service line for 139 Bentgrass is not shown passing through a subsurface recharge bed, yet on page 33 it is shown passing through such. Which is correct? Also, a low pressure service line cannot pass through a recharge bed.

- 32) Gravity sewer details are provided, where is gravity sewer to be installed in this site?
- 33) Will the proposed restaurant have any outdoor seating on the patio/terrace? If so, it must be included in the flow calculations.
- 34) The applicant's water balance calculations utilize a sewage flow of 30,000 gallons per day, for 365 days per year. Currently, the Health Department is aware that the applicant is pursuing drip distribution of the wastewater treatment plant effluent for approximately 2/3's of the daily flow. With drip distribution, the wastewater will be applied in the upper 12" of the soil column in the "rough" areas, where most will be taken up by trees and grasses. With this situation, it may not be prudent to include all of this sewage flow as "recharge".
- 35) Each low pressure pump unit should be equipped with a visual and audible alarm.
- 36) The applicant should include the regular maintenance of the individual pumps as part of the condominium fees and services provided to unit owners.
- 37) No sewer service lines are shown for the three multi-unit buildings.
- 38) Who will own, maintain, and service the pump station serving the three multi-unit buildings?
- 39) Provisions for backup power should be included for both the restaurant and the three multi-unit buildings.
- 40) The restaurant and multi-unit buildings pump stations should both be equipped with outdoor visible and audible alarms.
- 41) Have odor control provisions been accounted for in the design of the various air release valve manhole structures?
- 42) The Quail Ridge property is located directly adjacent to Needs Planning Area 2 from the recently completed Acton Comprehensive Water Resources Management Plan. This area, although identified as a "Low Priority Area", was identified as an area with a need for a wastewater disposal solution other than relying on its current approach of onsite wastewater systems and a patchwork of privately-owned and operated package wastewater treatment plants. During the early discussion of this project, the Health Department requested that the developer work in conjunction with the Town to identify areas at the site where additional wastewater volumes, above and beyond the requirements for the development, could be disposed. The Health Department wishes to continue these talks, in conjunction with a discussion on reuse of the treated wastewater for irrigation and other innovative and beneficial water management practices.