



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

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**INTERDEPARTMENTAL COMMUNICATION**

**To:** Planning Board **Date:** July 2, 2008  
**From:** Kristin K. Alexander, AICP, Assistant Planner *VKA*  
**Subject:** Centennial Lane – Private Way Amended Agreement

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Attached is a request from Mr. Paul Gaboury asking the Planning Board to approve an amended Private Way Covenant and Agreement for Centennial Lane (formerly Renwick Way – at 45 Main Street) (Attachment 1).

I have reviewed the Amended and Restated Private Way Covenant and Agreement (Amended Agreement – Attachment 2), compared it to the original Agreement (Attachment 3), and reviewed Planning Board Decision 06-06 – “45 Main Street, Determination of the Status of the Existing Way at 45 Main Street” (Attachment 4). The changes to the Agreement do what Mr. Gaboury states: make all lot owners using Centennial Lane equally responsible for road and utility maintenance costs. All other language in the Amended Agreement has remained and it continues to implement what was contemplated by the Board’s Decision of approval.

I recommend approving the Amended Agreement.

**ATTACHMENT 1****Kim DeNigro**

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**From:** Paul Gaboury  
**Sent:** Tuesday, July 01, 2008 12:23 PM  
**To:** Kim DeNigro  
**Cc:** Glen Kaufmann  
**Subject:** Centennial Lane - Private Way Covenant  
**Attachments:** private way covenant amended 07.01.08.doc

Kim,

We are scheduled to have this approved by the Planning Board at their July 8th meeting. See attached.

**Background:** The current Private Way Covenant And Agreement dated May 2, 2007 was developed by and for Renwick & Kate Baker Tweedy to cover their property at 45 Main Street. That property and 47 Main Street utilized a common driveway to be renamed "Renwick Way" (now called "Centennial Lane"). It apportioned the maintenance cost allocation amongst the 3 lots to be created out of the 45 Main St. property as well as 47 Main St. owned by Marianne Varno. Responsibility for costs incurred largely rested with these 3 lots despite access and use by 47 Main St. (Varno Property).

**What has changed:** In October, 2007 Centennial Lane LLC purchased 45 Main Street and submitted an ANR to create three lots (The ANR was approved and recorded). It has since also acquired the property at 47 Main Street (referred to in the original agreement (Paragraph 3). An ANR for that property breaking it into 2 lots has been submitted to the Planning Dept for approval. The new agreement modifies the cost sharing arrangement described in the original agreement such that the 3 lots formerly 45 Main St. and the 2 lots, formerly 47 Main St., are now responsible for paying an equal share of the costs of maintenance. In the original agreement the Varno property paid less.

Lot 3A (part of the original ANR for 45 Main Street) has been sold to Ms. Chun Yan. The new agreement requires her signature, which will be obtained after your approval at which time the agreement will be recorded. Please feel free to contact me should you have any questions.

Best Regards,

Paul Gaboury  
Manager  
Centennial Lane, LLC  
978-618-1729

7/1/2008