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Decision 08-05  
Micmac Lane  
Subdivision Amendment #1 – January 21, 2010

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Planning Board

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**SUBDIVISION AMENDMENT #1  
DECISION  
08-05**

**Micmac Lane**  
Definitive Subdivision Amendment

Judith R. Kotanchik

January 21, 2010

This is an amendment by the Planning Board (hereinafter the Board) of:

1. The Board's Decision issued to Ms. Judith R. Kotanchik of 48 Nashoba Road, Acton, MA (hereinafter the Applicant) filed with the Town Clerk on November 19, 2008 (hereinafter the Original Decision); and
2. Of the "Definitive Subdivision Plan for Micmac Lane, a Residential Compound, Acton, Massachusetts" dated December 31, 2007 and approved with modifications in the Original Decision (hereinafter the Original Plan).

This Amendment is in response to the request of Richard J. Harrington, P.E. of Stamski and McNary, Inc. on behalf of the Applicant for an amendment to exclude from the Subdivision the

property of Ruth Porter (Town Atlas map D-2, parcel 15), to eliminate lot 4 shown on the Original Plan, to relocate the drainage basin with associated utilities to lots 2 and 3, and to slightly modify lot lines. The Board considered the request at its regular meeting on January 19, 2010 at the Acton Town Hall. Board members Ryan J. Bettez (Chairman), Jeff Clymer (Vice Chair), Mr. Ray S. Yacouby (Clerk), Roland A. Bourdon III, and Margaret Woolley-Busse, and Associate Members Kim Montella and Derrick Chin attended. The minutes of the meeting and submissions, on which this decision is based upon, may be referred to in the Acton Planning Department.

## **1 EXHIBITS**

Submitted for the Board's deliberation were the following exhibits:

- 1.1 Planning Department memo dated 01/15/10.
- 1.2 Letter from Richard J. Harrington of Stamski and McNary, Inc, dated 12/11/09.
- 1.3 The Original Decision.
- 1.4 The Original Plan.
- 1.5 Conservation Commission Order of Conditions (DEP File No. 85-1033) dated 12/16/09.
- 1.6 "Definitive Subdivision Plan for Micmac Lane, a Residential Compound, Acton, Massachusetts", drawn by Stamski and McNary, Inc. of 80 Harris Street, Acton, MA last revised on November 20, 2009, consisting of 8 sheets (hereinafter the Plan).
- 1.7 Drainage Calculations Addendum for Micmac Lane, by Stamski and McNary, Inc., dated 11/6/09.
- 1.8 E-mail correspondence between Richard J. Harrington, Stamski and McNary, and Corey York, Acton Engineering Department, regarding minor corrections and changes to the Plan, dated 12/23/09 and 12/24/09.

## **2 FINDINGS AND CONCLUSIONS**

- 2.1 The amended Subdivision plan will have 4 lots, one less than the Original Plan.
- 2.2 The layout, configuration and construction specifications for proposed Micmac Lane remain unchanged.
- 2.3 The Plan includes minor corrections and changes as noted in the e-mail correspondence between Mr. Harrington and Mr. York referenced in Exhibit 1.8 above.
- 2.4 This is a minor amendment in accordance with paragraph 3.4.5 of the Original Decision and does not warrant a public hearing.

## **3 BOARD ACTION**

Therefore, the Board voted at its January 19, 2010 meeting to **APPROVE** the requested subdivision amendment.

## **4 CONDITIONS**

- 4.1 Except as authorized herein, the Original Decision and the Original Plan approved thereunder shall remain in effect.

- 4.2 The Applicant shall file for endorsement with the Planning Department a subdivision amendment plan showing the changes approved herein in a format acceptable to the Registry of Deeds. Submit the amendment plan on mylar and on disc in CADD format.
- 4.3 Prior to the issuance of any building permits on Lots 1, 2, and 3, this amendment decision and the endorsed amendment plan shall be recorded at the Registry of Deeds.

Signed on behalf of the Acton Planning Board

  
Roland Bartl, AICP, Town Planner

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Copies to:

Applicant - certified mail #	Building Commissioner	Board of Health
Town Clerk	Town Engineer	Municipal Properties Director
Fire Chief	Natural Resource Director	Town Manager
Richard J. Harrington, Stamski and McNary, Inc.	Town Assessor	Zoning Enforcement Officer