



**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts, 01720  
Telephone (978) 929-6611  
Fax (978) 929-6350

**Board of Selectmen**

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To view the documents for Comprehensive 40B Permit, 31-29-45 Martin Street,  
please click on the link below:

<http://doc.acton-ma.gov/dsweb/View/Collection-7892>

**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 Department  
FROM: Nancy Tavernier, Chair, Acton Community Housing Corporation  
SUBJECT: Preliminary comments on proposed Martin St. 40B (updated)  
DATE: August 29, 2016

The following updated comments are offered by the Acton Community Housing Corporation in regard to the proposed 40B at 31, 39 and 45 Martin St. These should be incorporated into the official comments from the Board of Selectmen to be sent to MassHousing as part of the 30 day comment period required by MassHousing. An amended application has been submitted to MassHousing due to a ruling by DHCD that eliminates the two group homes originally proposed. MassHousing held a site visit on August 29 which was attended by a variety of board members and town officials. Mike Busby of MHFA attended the meeting and commented that the 30 day comment period is underway. The Town received the original Martin Street application from MassHousing on June 22, 2016. We expect to see the amended application this week.

The ACHC met with developer Mark Gallagher on March 21, April 11 and August 22. At the April 11 meeting, two members of the Board of Selectmen were present but did not formally participate in the discussion. At the April 11 meeting, the ACHC voted to support the project to allow it to move along to the next step with the condition that we would have comments again further along in the process. In addition, Mr. Gallagher met with the abutting neighborhood on 2 occasions and has been extremely receptive to their concerns and suggestions.

The amended proposal has a slightly revised unit configuration. There will be a total of 32 housing units of which 8 will be affordable units and 24 will be market priced units. There will be units in 4 duplexes, 2 or 3 existing homes and the balance new construction single family homes.

**COMMENT #1: 25% affordable count**

First-time-homeownership by income eligible households is the heart and soul of the ACHC's program. We are pleased that there will be 8 affordable units to be sold to households earning less than 80% of the Area Median Income. A mix of unit sizes will be sold with the units scattered throughout the site, some in duplexes and some single family homes.

**COMMENT #2: DRAINAGE, WETLANDS AND FLOOD PLAIN**

The neighborhood has expressed concern about the flooding history and drainage issues with this site and its proximity to Fort Pond Brook. The Town should plan to give close scrutiny to the proposed

drainage system design and consider asking the ZBA to request a Peer Review of the Engineering and Drainage plans.

**COMMENT #3: RETENTION OF EXISTING HOUSES**

There are three existing dwellings on the site. The current plan proposes to move all three homes from their current location to Martin St. frontage to extend the street scape of Martin St. This was requested by the neighborhood. It appears that one of the existing homes is in poor condition and may not survive a move. The other two will be moved to Martin Street frontage, one with a 2 car garage added and one without a garage. We support the efforts to rehab and reuse these units. We would also encourage the developer to revisit the plan to move the houses and perhaps keep the 2 houses in best condition in their current location and build the development around them while demolishing the other.

**COMMENT #4: HANDICAPPED UNITS**

On page 9, the number of handicapped units is listed as 4, including 2 market and 2 affordable. It is our understanding that these units will be “barrier free” with full first floor living provided. We fully support the provision of handicapped units.

**COMMENT #5: NAME OF DEVELOPMENT**

We propose a more creative name for the development perhaps soliciting a name from the neighborhood. New England Village Subdivision sounds much too bureaucratic for such an historic location.

We applaud the willingness of the developer Mark Gallagher to work with the Town and the neighborhood. He will incur extra expense in the moving and retaining of the existing houses and should be complimented for those efforts. While no neighborhood is ever happy about any kind of development moving next door, it is hoped there will continue to be a constructive dialogue with the group.

**From:** [Gaby King Morse](#)  
**To:** [Board of Selectmen](#)  
**Cc:** [michael morse](#)  
**Subject:** From the Residents of 29 Martin St. Re: Seal Harbor Development  
**Date:** Monday, September 19, 2016 7:37:50 AM

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Dear Board of Selectmen,

We abut the planned 40B development on Martin Street by Seal Harbor. Our property is 29 Martin St. and is surrounded on two sides by the development being built. Both Michael and I support the requests made the letter addressed to the Board of Selectmen from John and Karen Sonner at 76 Maple St. In addition, the following is additional feedback/requests related to the plan from me and Michael specifically.

1) We are very concerned about the water table being changed by the development and the potential implications for our property and home. backyard is already flooding regularly in the spring so any man-made change that results in this becoming more of a problem is a concern. Still, the water to date has not been close to my house. I worry about the water one day flooding into my basement and would appreciate every effort to make sure that the Seal Harbor Development does not increase an already existing issue.

2) We appreciate the planning by Seal Harbor to keep as much of the old trees and forest as possible- but would like to request that that the developers also build/plant visual screening (natural evergreen and/or attractive fencing) into the plans to retain privacy for those neighbors abutting the development as well as for those who will live in the development. We would greatly appreciate seeing additional plans from Seal Harbor that could address this request.

Thank you in advance for your thoughtfulness and attention to the above requests.

Sincerely,

Michael Morse and Gabrielle King Morse 29 Martin St. Acton, MA  
[617-458-0093](tel:617-458-0093)

**From:** [John Sonner](#)  
**To:** [Board of Selectmen](#)  
**Cc:** [Clare Siska](#); [mbalulescu@gmail.com](mailto:mbalulescu@gmail.com); "[KK Sonner](#)"; "[houghton r w](#)"; "[Kenneth Sonner](#)"; "[sima maitland](#)"; [dlscheuer@att.net](mailto:dlscheuer@att.net); [Terry Maitland \(office\)](#); [Nancy Tavernier](#); [Mark Gallagher](#)  
**Subject:** Neighborhood feedback on Martin Street 40B  
**Date:** Sunday, September 18, 2016 9:23:40 PM

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Dear Board of Selectmen,

We are some of the neighbors near the planned 40B development on Martin Street by Seal Harbor and we would like to give our feedback on the plans. Our preference would be to keep the three houses and lots as they are, however, if a 40B development is going to go in there, we do have opinions on things we'd like to see.

We recognize the development rights under state law and appreciate the efforts Mark and Mark Gallagher have done to communicate with the neighbors, their plan to preserve the mature trees, their plans to preserve the three antique homes on the land. We are also committed to Acton encouraging socioeconomic diversity.

Here are our requests for key points to take into consideration:

1. We want to see the historic homes preserved. Although keeping the houses in their current locations would keep the context (as well as the basements), we understand that moving them will allow more flexibility in arranging the new houses, keep the new houses together, and have the older houses in the most visible spot.
2. We think HardiPlank-equivalent siding instead of aluminum will fit much better with the neighborhood of antique homes.
3. There is a section of sidewalk about 20 feet long at the corner of Maple and Martin streets dating to President's Grant administration. If there are any improvements for accessibility on the sidewalk, it is important to preserve the historical integrity of this sidewalk.
4. We are concerned about any flooding, both within the development and on any neighborhood impact. The water table is generally very high – see the attached picture from the spring of 2010, when Fort Pond Brook overflowed its banks to the point the town shut down Martin Street. We have confidence in Seal Harbor's and the town's engineers to address this issue but want you to be aware of it.

Thank you for your time and attention in reviewing the plans as well as our input.

Sincerely,

Mike Balulescu and Sarah Staley

65 Maple St.

Terry and Sima Maitland

110 Martin St.

Diane and David Scheuer

3 Heron View Rd.

Clare Siska

14 Stow St.

John, Karen, and Ken Sonner

76 Maple St.

**From:** [Amy Wilson](#)  
**To:** [Board of Selectmen](#)  
**Cc:** [Steve Wu](#)  
**Subject:** Martin St 40B Development  
**Date:** Monday, September 19, 2016 9:51:23 AM

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Dear Board of Selectmen,

We wished to express our opinion on the planed 40B development on Martin St by Seal Harbor. We live on 43 Maple St and expect that this development will impact our neighborhood so this opportunity to express our opinion on the development is much appreciated. First, we would like to express our support to the points eloquently made by John and Karen Sonner (see below), but we wish to also raise another issue not mentioned in this letter.

Our additional concern primarily centers on the increase in traffic that will occur with such a development. We've noticed a significant increase in the number of cars on Maple St. since the opening of the South Acton train station. Many of these cars are traveling at a high rate of speed, well above the posted 25 mph speed limit. Any additional development will necessarily result in an increase in traffic in this area. Such increased traffic can be managed, however, only if the 25 mph speed limit is enforced. The Maple/Martin/Stow St neighborhood is home to a number of small children and pets. Obviously, cars moving at greater than 25 mph pose a threat to pedestrians and animals in the area. We wish to request that any further development in the area consider the impact of an increased number of cars with little incentive to obey the speed limit. We understand that the developer is required to conduct a traffic study and we'd be interested in reading the results and also knowing the town Highway department's opinion on the study once it is completed.

We do appreciate the willingness that Seal Harbor has shown in meeting with the neighbors and greatly appreciate this opportunity to express some of our concerns with the further development of Maple, Martin, and Stow Sts.

Thank you,

Amy Wilson & Steve Wu, 43 Maple St.

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Dear Board of Selectmen,

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mature trees, their plans to preserve the three antique homes on the land. We are also committed to Acton encouraging socioeconomic diversity.

Here are our requests for key points to take into consideration:

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Thank you for your time and attention in reviewing the plans as well as our input.

Sincerely,

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Terry and Sima Maitland

110 Martin St.

Diane and David Scheuer

3 Heron View Rd.

Clare Siska

14 Stow St.

John, Karen, and Ken Sonner

76 Maple St.

**From:** [Robert Houghton](#)  
**To:** [Board of Selectmen](#)  
**Cc:** [John Sonner](#); [Carrie Bolster](#)  
**Subject:** Fwd: Neighborhood feedback on Martin Street 40B  
**Date:** Monday, September 19, 2016 10:28:02 AM

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*Dear Board and Selectman,*

*We fully endorse and join the letter below from our neighbors on Maple and Martin Streets here in Acton.*

*Rob Houghton and Carrie Bolster  
92 Martin Street, Acton, MA 01720*

Dear Board of Selectmen,

We are some of the neighbors near the planned 40B development on Martin Street by Seal Harbor and we would like to give our feedback on the plans. Our preference would be to keep the three houses and lots as they are, however, if a 40B development is going to go in there, we do have opinions on things we'd like to see.

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Thank you for your time and attention in reviewing the plans as well as our input.

Sincerely,

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Terry and Sima Maitland

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3 Heron View Rd.

Clare Siska

14 Stow St.

John, Karen, and Ken Sonner

76 Maple St.



**From:** [Steve Ledoux](#)  
**To:** [Lisa Tomyl](#)  
**Subject:** Fwd: BoS role in Martin Street review  
**Date:** Wednesday, September 21, 2016 11:31:49 AM

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For packet

Sent from my iPhone, please excuse any brevity or typos

Begin forwarded message:

**From:** "Matthew \"Selby\"" <[mselectby@acton-ma.gov](mailto:mselectby@acton-ma.gov)>  
**Date:** September 21, 2016 at 10:42:25 AM EDT  
**To:** Steve Ledoux <[sledoux@acton-ma.gov](mailto:sledoux@acton-ma.gov)>  
**Subject:** **BoS role in Martin Street review**

Hi Steve

MassHousing is currently reviewing an application for Site Approval submitted by Mark Gallagher for a 40B to be located at 31, 39 and 45 Martin Street. As part of this review, MassHousing solicits feedback from the community, including inviting town boards and officials to the site visit. That site visit took place on August 29 and at least two members of the Board of Selectmen were present.

The BoS role at this point in the process is to inform MassHousing of any issues or concerns that the Board, or other town boards or officials, have about the project. Typically the BoS will send to MassHousing a letter summarizing its issues and concerns about the project (historic resources, natural resources, density concerns), as well as the comments that have been compiled about the project from other boards. Those comment memos can be found here: <http://doc.acton-ma.gov/dsweb/View/Collection-8182/Document-55693>

I hope this clarifies things.

Selby

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M. J. "Selby" Selby  
Director of Land Use and Economic Development  
Town of Acton  
472 Main Street  
Acton, MA 01720  
978-929-6440  
[mselectby@acton-ma.gov](mailto:mselectby@acton-ma.gov)

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**From:** [Anne Forbes](#)  
**To:** [Board of Selectmen](#)  
**Cc:** [Acton Community Housing Corporation](#); [Historical Commission](#); [Design Review Board](#); [Board of Appeals](#)  
**Subject:** 40B proposal, 31-45 Martin Street  
**Date:** Monday, September 19, 2016 10:26:01 AM

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Dear Board members,

The neighbors of the proposed 40B development for the properties at 31, 39, and 45 Martin Street have met at various times since March to discuss this upcoming transformation of our neighborhood. The developer has been generous in hosting us at his office and providing answers to our questions, as has the ACHC. Collectively, our main goal in these discussions has been to see how to minimize the negative impacts of such dense housing construction on a street of primarily 19th-century houses, many of which stand on large, semi-rural lots. We recognize the development rights under state law, but since we all care about the historic character of our town, we hope that you at least partly share this goal.

Neighbors who attended these meetings raised several concerns and made suggestions for how the development's effects might be somewhat mitigated. They include ways to address not just the density, but the overall character of the development, its view from the street, its impact on the landscape, and the compatibility of its architecture with the surrounding Martin Street neighborhood. Areas of concern, and requests for plan modifications that would at least partially address those concerns, include the following:

#### Siting and layout

The large number of closely-packed buildings, and the associated pavement of roads, driveways, etc. are alarming to us, both visually and environmentally. Lowering the overall number of houses would, of course, be the obvious solution to this problem. In addition, whatever can be done to reduce the scale of the buildings, such as reducing the size and number of attached garages, will help. Please note the Design Review Board's observations about the projected number of vehicles per house as opposed to what is assumed under Acton zoning.

#### Wetlands, tree coverage, etc.

The severe flooding we have experienced in the past along Fort Pond Brook on Martin and Stow Streets was pointed out by several neighbors. Even in normal years, houses on this side of Martin Street routinely operate sump pumps due to the high water table. We thus share the concerns expressed in the recent memo from the Natural Resources Director, and ask that further steps be taken to protect the wetlands and prevent an increase in flooding that might be caused by the amount of impervious surfaces that are planned. Reducing the number of buildings on the vulnerable parts of the property would help, of course. So would the retention of as many of the large trees on the site as possible.

#### Architectural character

We appreciate the steps the developer has taken to preserve the three existing 19th-century houses on the site. To us, this is paramount. As one neighbor expressed in her comments last March, we hope that the buildings can be spared from the vinyl siding that was initially planned for the new houses. In fact, siding both the old and

new buildings with wood clapboard or Hardiplank would go a long way to making the development more compatible with its surroundings. Having viewed some sample proposed Seal Harbor building designs, we also hope that some common "developer's details" such as triangular boards instead of returns at the roof corners, can be avoided.

#### Developer's commitment

We hope that we can trust what we have been told about the intentions for this development. Unfortunately, some of us have become jaded by past experience with developers' promises about the intent to save existing buildings. We have seen town permits granted for plans that include the retention of historic buildings, only to find an owner returning with the news that it "can't be done" after all--"too expensive, too far gone, not cost-effective," etc. In the case of the three existing houses here, the developer's submitted plans include saving them, and we expect to be able to believe that it will happen.

#### Walkability

Requests have been made for paths or sidewalks, both along the road and within the development. In the course of any sidewalk paving, however, the Town should take care to preserve the existing 1870s stone sidewalk at the corner of Martin and Maple, which was so carefully spared when the current Martin St. sidewalk was built.

Sincerely,

Anne Forbes  
25 Martin Street

**From:** [Bob Condon](#)  
**To:** [Board of Selectmen](#)  
**Subject:** Martin Street: 40B development  
**Date:** Friday, September 23, 2016 12:07:36 PM

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Dear Board of Selectmen,

We are some of the neighbors near the planned 40B development on Martin Street by Seal Harbor and we would like to give our feedback on the plans. Our preference would be to keep the three houses and lots as they are, however, if a 40B development is going to go in there, we do have opinions on things we'd like to see.

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5. Traffic study needs to be performed so that we have an understanding of the base traffic load coming from the Liberty Street and Stow Street during the commuter period and the expected additional load from the neighborhood, 1) The current issue is that Martin Street originally being a cow path, has effectively become the commuter corridor, with some mornings having traffic backup from the train station, down Central Street and spilling onto Martin Street making it impossible to leave our driveways, 2). The other problem is the speed at which folks travel at non-commuter periods of time. Drivers can't seem to remember the speed limit sign (25 MPH) when they hit the tracks at 35 MPH. I would request a replacement to the speed limit sign on the Central Street side of the tracks with a sign that posts real time speed and flashing when over the limit.
6. Improvements in the playground. My wife and I brought our grandkids to Jones Field. I grew up on Martin street and Jones Field was such an important resource for the neighborhood. The Recreation department in the summer had "9 to noon" programs that the whole neighborhood turned out for. I found that rusted and rotted playground equipment sad but worse was that the ball field is simply a forgotten resource. I see days and sons play ball, but the playing field is not maintained and the feield overgrown with grass. I am not sure if the field is not used because the conditions are so poor or if the conditions are poor because the Recreation Department does not have any request to use the ball field. There was some crazy talk about removing the baseball field to put in basketball courts. I don't see any of the basketball courts in use around the town so why install yet another non-use resource. Please work with Mark to add funds simply to upgrade the current play structures to remove rusted walkways but keep the existing structures in place. This is an excellent play set for the toddler age group. Thank you for your time and attention in reviewing the plans as well as our input.

Thank You

Bob Condon  
2 Martin Street  
Acton, Ma.

## ACTON HISTORICAL COMMISSION

Peter Berry, Chair  
Board of Selectman  
Acton, Ma

8/8/16

Re: The New England Village  
31, 39 & 45 Martin St.

The name "New England Village" actually applied to #41-77 Maple St. on the other side of the railroad. It was one of Acton's earliest subdivisions. Laid out in 1860 it provided housing for people who worked in the South Acton center area.

#31 Martin St. is one of the few local properties retaining the farm like setting with a well articulated barn and surrounding farmland. It was built by Walter Hayward in 1889-90. Later it was home to school teacher, Mary A. Reed who was responsible for planting the "Peace Tree" at 24 Liberty St. in 1915. Her husband Reuben L. Reed was President of the Bunker Hill Association and later established the Acton Historical Society in the 1890's.

#39 Martin St. was built in the early 1880's and belonged to F.B. Temple by 1889. It was built with twin stove chimney's at the roof ridge.

#45 Martin St.'s beautiful barn with it's diamond gable window, long transom over the door and glassed-in cupola attested to the property's function as a farm. The house was built in 1872 by Loring Jackson, a local mechanic.

This area including Martin St. has been thought to be worthy of becoming another Historic District.

The view from Jones Field approaching these homes creates a **scenic vista** along with open fields and mature trees. Fort Pond Brook surrounds and delineates these 3 homes as a group, all, at one time, part of a 1,000 acre farm granted to Concord's Major Simon Willard.

The Historical Commission has not had a walk-through of any of the structures and no idea of the present condition. Two of the houses have barns also listed on the Cultural Resource List thereby putting 5 historic structures at risk. Even moving these Victorian houses within the site will change them completely as the density of the new plan will obscure them.

Direct quotes taken from " "Mill Corner" (South Acton Village): An Architectural History "  
Revised and expanded by Barbara Nylander and Anne McCarthy Forbes 1989