

PO Box 666, 97 Great Road, Suite 6
Acton, MA 01720
Phone: 978-263-3666 Fax: 978-635-0218
actonsurvey@actonsurvey.com

ASE 5180/18126

September 11, 2014

Acton Board of Selectmen
472 Main Street
Acton, MA 01720

Re: 107-115 Great Road
07/10/09-422

Dear Board Members:

On behalf of Wetherbee Plaza, LLC please find enclosed an application for Site Plan Special Permit for Minor Modification to 107-115 Great Road. The site is also known as Wetherbee Plaza II. The applicant proposes to construct an addition to one of the existing structures and has been informed by Town Staff amendment of Site Plan Special Permit 07/10/09-422 is required.

The application is being filed to allow the removal of a portion of the pavement accessing the existing windmill structure and to allow an addition to the "wind mill structure". The project will result in a decrease in the impervious surfaces at the site and allow the existing structure to be utilized in an economically viable way. No changes to other buildings or portions of the site are proposed.

Enclosed with this letter is a completed application form, our client's check for the application fee, a Certified List of Abutters, 2 full size plan sets, 11 reduced size copies of the plan and a compact disc with a pdf version of all documents. Bellow is a summary of the items required by Section 3 of the Rules and Regulations for Site Plan Special Permits:

Use Description

The site is located in the East Acton Village [EAV] Zoning District and contains 4 separate buildings which were allowed under #07/10/09-422 & 11/07/03-393. The current application is to allow an addition to the existing wind mill structure to allow it to be utilized as a single family dwelling. A single family dwelling is an allowed use in the EAV Zoning District. The uses of the other structures on the site will remain unchanged by this application.

Other Permits or Variances

The site was previously reviewed under Site Plan Special Permit 11/07/03-393 and 07/10/09-422. The Conservation Commission previously reviewed the site under DEP 85-1004 & 85-1006. The current project has been reviewed by the Conservation Commission under 85-1159. The Conservation Commission has closed the hearing for the current project and will be issuing an Order of Conditions allowing the construction of the addition. The site is served by an existing subsurface sewage disposal system which was approved by the Board of Health. Under current regulations the system has enough capacity to serve the existing buildings and the proposed addition. The Board of Health is currently reviewing the proposed connection to the existing system.

Recorded Plans and Deeds

The recorded plan can be found in Middlesex Registry of Deeds plan book 2010, plan number 10. The deed is recorded in book 42747, page 373. Copies of both documents have been included with this letter.

Drainage Calculations

The drainage calculations for the development were reviewed by both the Town of Acton Engineering Department and The Town's consultant during previous applications. As the project will result in a decrease in impervious areas and add recharge facilities, there is no potential to increase runoff and drainage calculations were deemed unnecessary.

Water Balance Calculations

The site is located in Groundwater Protection District 4. The decrease in impervious area and provision of recharge facilities will not substantially alter water balance conditions at this site as runoff from the site only occurs during extreme storm events.

Earth Removal Calculations

No earthen materials will be removed from the site and materials necessary to support construction will be imported.

Plans

A site plan detailing the proposed construction has been enclosed and contains the information in 3.9 that is applicable to the scope of the project. A landscape plan has not been included as the alterations are located in the interior of the site and surrounded by landscaped areas which were previously approved.

Traffic Study

The addition of residence containing one bedroom to the site will result in an increase of 5 vehicle trips on an average day and the Traffic Study prepared for previous submittals remains valid.

The existing entrance onto Great Road will be utilized

Summary

The application is to allow an addition to an existing structure on the site which will result in a decrease in impervious area at the site and allow the existing building to be utilized in an economically viable way.

The addition will result in an additional dwelling unit being added to East Acton Village and will serve to provide a structure of architectural interest when viewed from Routes 2A & 119 and nearby parking lots.

Very truly yours,



Mark T. Donohoe, PE
for: Acton Survey & Engineering

cc: Leo Bertolami (Wetherbee Plaza, LLC)

Appendix B
TOWN OF ACTON
APPLICATION FOR SITE PLAN SPECIAL PERMIT

For Wetherbee Plaza LLC

Under Zoning Bylaw Section Minor modification to previously issued special permit condition 3.2.4.5 of SP 07/10/09-422

Refer to the "Rules and Regulations for Site Plan Special Permits" available from the Building Department or the Planning Department for details on the information and fees required for this application. Contact the Planning Department at 978-929-6631 or Building Department at 978-929-6633 with any questions concerning the Rules. Incomplete applications may be denied.

Please type or print your application.

1. Location and Street Address of Site 107-115 Great Road
2. Applicant's Name Wetherbee Plaza, LLC
Address 97 Great Road, Acton, MA 01720
Telephone 978-263-5100 Email autoplex3@aol.com
3. Record Owner's Name Wetherbee Plaza, LLC
Address 6 Proctor Street, Acton, MA 01720
Telephone 978-263-5100 Email autoplex3@aol.com
4. Town Atlas Map(s)/Parcel Number(s) G4-28
5. Zoning District (s) of Parcel(s) EAV

If any site plans have been filed previously for this site give file numbers: 07/10/09-422 & 11/07/03-393

The undersigned hereby apply to the Board of Selectmen for a public hearing and a site plan special permit under Section 10.4 of the Zoning Bylaw approving the attached site plan.

The undersigned hereby certify that the information on this application and plans submitted herewith is correct, and that all applicable provisions of Statutes, Regulations, and Bylaws will be complied with. The above is subscribed to and executed by the undersigned under the penalties of perjury in accordance with Section 1-A of Chapter 268, General Laws of the Commonwealth of Massachusetts.

9-9-14 [Signature] _____
Date Signature of Petitioner(s) Signature of Petitioner(s)

RECORD OWNER'S KNOWLEDGE AND CONSENT

I hereby assert that I have knowledge of and give my consent to the application presented above.

Same as Petitioner _____
Date Signature of Record Owner(s) Signature of Record Owner(s)

WETHERBEE PLAZA LLC
97-115 GREAT ROAD
ACTON, MA 01720

2003

Town of Acton

DATE 8/29/14

53-274-413

STERLING ENTRY REF

PAY TO THE ORDER OF

Two Hundred Fifty Dollars and no/100 * * * * * \$ 250.00

Enterprise Bank * * * * * DOLLARS

Enterprise Bank & Trust Company
LOWELL, MASSACHUSETTS

FOR

⑆002003⑆+⑆011302P42⑆

528 849⑆

MP



QUITCLAIM DEED

I, **Jane A. Bertolami**, Trustee of the **Hawthorne Realty Trust**, under a declaration of Trust which is recorded with Middlesex South District Registry of Deeds in Book 22201 Page 310 of Acton, Middlesex County, Massachusetts

For consideration paid and in full consideration of \$10.00

Grant to Wetherbee Plaza LLC, a limited liability company organized according to the laws of the Commonwealth of Massachusetts with a usual place of business at 6 Proctor Street, Acton, Middlesex County, Massachusetts

With Quitclaim Covenants

Those certain Parcels of Land which the buildings thereon, situated in Acton, Middlesex County, Massachusetts now known and numbered 107-115 Great Road, Acton, Middlesex County, Massachusetts, being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference

For title see deed recorded at Middlesex South District Registry of Deeds in Book 30514 Page 127

I hereby certify that this conveyance was made upon the direction of all of the beneficiaries of Hawthorne Realty Trust; that said Hawthorne Realty Trust has not been altered, amended or revoked and that I am the sole Trustee of said Trust.

107-115 Great Rd Acton

Executed under seal this 13 day of April, 2004

Jane A. Bertolami, Trustee
Jane A. Bertolami, Trustee

Commonwealth of Massachusetts

Middlesex SS:

April 13, 2004

Then personally appeared the above named **Jane A. Bertolami**, Trustee as aforesaid, who having identified herself to my satisfaction acknowledged the foregoing instrument to be her free act and deed before me.

Andrea Blood
AKA: Andrea Jenkins
Notary Public
My Commission Expires: 4-7-06

EXHIBIT "A"

PARCEL ONE

SOUTHWESTERLY by Great Road by two (2) courses measuring one hundred sixty-nine and 40/100 (169.40) feet and thirty and 60/100 (30.60) feet, respectively;

NORTHWESTERLY by land of Paul Welch four hundred one and 76/100 (401.76) feet;

NORTHEASTERLY by land now or formerly of Elbridge Robbins two hundred sixteen and 50/100 (216.50) feet;

SOUTHEASTERLY by land now or formerly of B.W. Pennock three hundred thirty-four and 76/100 (334.76) feet;

SOUTHWESTERLY by Lot B seventy-one and 00/100 (71.00) feet;

SOUTHEASTERLY by Lot B one hundred fifteen and 00/100 (115.00) feet; and

EASTERLY by Lot B eighty-four and 26/100 (84.26) feet to the point of beginning.

Containing 91,600 square feet, more or less.

PARCEL B

SOUTHWESTERLY by Great Road, sixty-five and 00/100 (65.00) feet;

WESTERLY by Lot A, eighty-four and 26/100 (84.26) feet;

NORTHWESTERLY by Lot A, one hundred fifteen and 00/100 (115.00) feet;

NORTHEASTERLY by Lot A, seventy-one and 00/100 (71.00) feet; and

SOUTHEASTERLY by land now or formerly of B.W. Pennock, one hundred eighty-eight and 00/100 (188.00) feet.

PROPERTY ADDRESS: 107-111 Great Road, Acton, Massachusetts

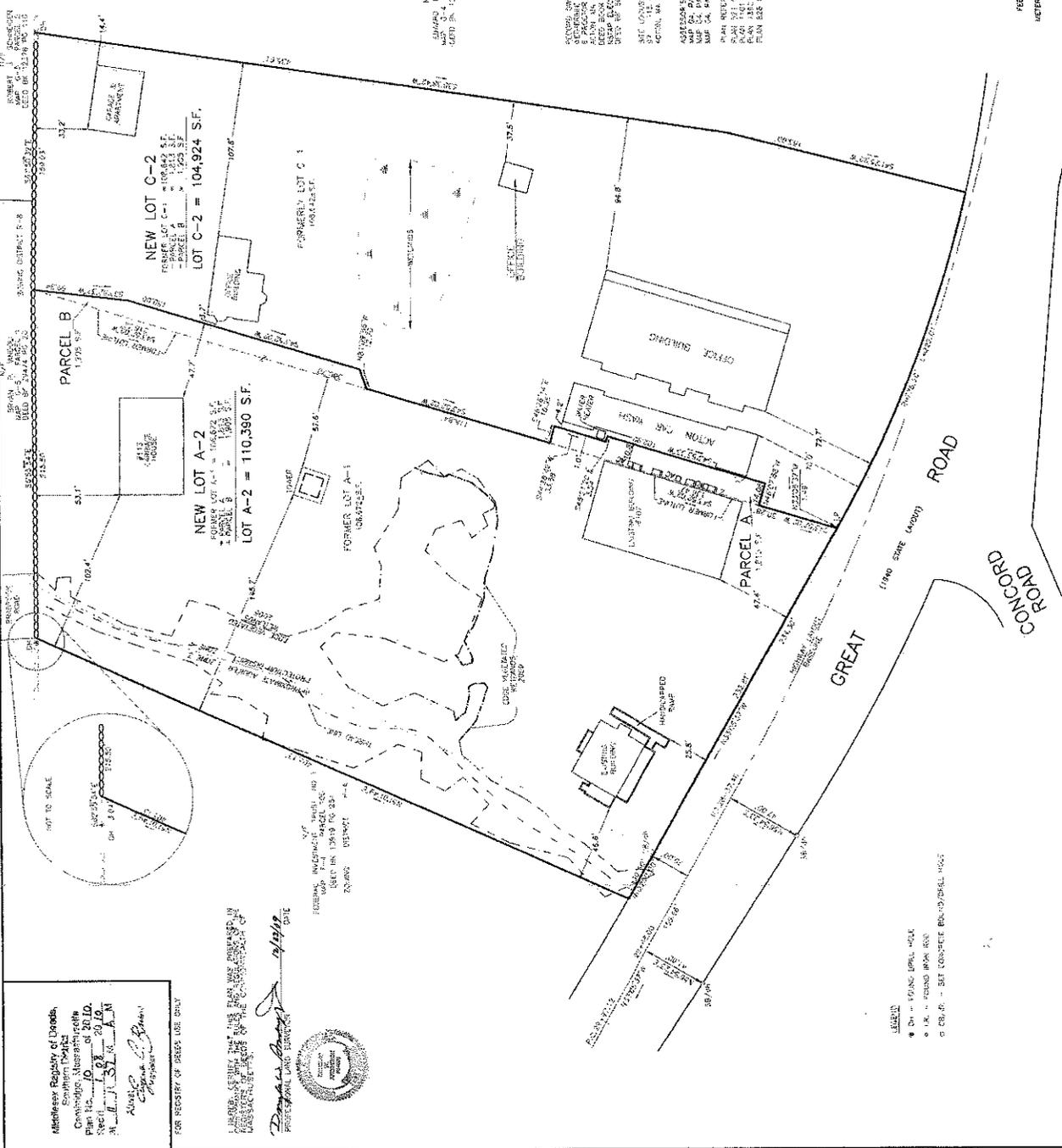
File: Bertolami/2QuitClaimDeeds

COURNOYER
& ASSOCIATES
321 BOSTON POST ROAD
SUDBURY, MA 01776
(800) 696-0517

RECORDS OF DEEDS
SUFFOLK DISTRICT
ATTEST:
[Signature]
REGISTER

COMMONWEALTH OF MASSACHUSETTS
 OFFICE OF THE REGISTER OF DEEDS
 ACTON PLANNING BOARD

Richard C. Boyd
 December 29, 2009



Massachusetts Registry of Deeds
 Southern District
 100 State Street
 Springfield, MA 01103
 Date: 12/29/09
 W. J. J. S. A. M.
 Acton, MA
 FOR RECORD OF DEEDS USE ONLY

REGISTERED LAND SURVEYOR
Richard C. Boyd
 12/29/09
 DATE



NOTE: THE PLAN IS A REVISION OF THE PLAN DATED 08/11/09 AND IS SUBJECT TO THE ACTS AND REGULATIONS OF THE MASSACHUSETTS REGISTER OF DEEDS. THE PLAN IS SUBJECT TO THE ACTS AND REGULATIONS OF THE MASSACHUSETTS REGISTER OF DEEDS. THE PLAN IS SUBJECT TO THE ACTS AND REGULATIONS OF THE MASSACHUSETTS REGISTER OF DEEDS.

LEGEND
 * DW - FOUND DRAIN HOLE
 * LK - FOUND IRON ROD
 * CW - SET CONCRETE BULL-DOUBLE WALL

PLAN OF LAND
 97 - 115 GREAT ROAD
 ACTON, MASSACHUSETTS
 PREPARED FOR: WETHERBEE PLAZA 2, LLC
 6 PROCTOR STREET
 ACTON, MASS.

SCALE: 1 INCH = 30 FEET DATE: DECEMBER 23, 2009
 ACTION SURVEY & ENGINEERING, INC.
 97 GREAT ROAD #102, BOX 082, ACTON, MASS.
 01520-3896 FAX: (508) 253-0315

EROSION AND SEDIMENT CONTROL

GENERAL

A well ordered and rapid construction process shall be the primary erosion control method utilized at this site.

Limiting the flow of runoff from the area above the cottage addition is also important as precipitation falling on the construction site will not result in significant potential for erosion.

ACCESS

Access to the site shall only be by the driveway from the carriage house.

Sand bag check dams shall be placed to divert runoff from disturbed surfaces away from the driveway.

Care must be taken to protect the leaching area between the windmill [lighthouse] tower and the carriage house.

EROSION BARRIER

The erosion barrier, shown for building construction on the site plan, shall be installed prior to any construction activities and be properly maintained until all surfaces are erosion resistant.

JAPANESE KNOTWEED

The Knotweed and other invasive species scattered amongst the Forsythias shall be mechanically removed when not in seed and the area shall remain free of invasive species.

DRIVEWAY SLOPE

The barren slope between the driveway and the Forsythias shall have secured stop logs installed and mulched.

EXCAVATION & GRADING

Earthen slopes shall be sloped away from the wetland to the maximum extent possible. Those that must be sloped towards the wetlands shall be stabilized as soon as possible.

Earthen materials that are not to be used for backfill shall be removed from site on the day generated.

BUILDING CONSTRUCTION

The site shall be maintained litter free at all times. Containers shall be maintained on site and in proper condition to receive all refuse.

The foundation shall be backfilled immediately and the area between the foundation and the wetlands shall be brought to final grade and protected against erosion. Runoff from building decks and the roof could cause erosion on this slope and measures shall be taken to decrease impacts from cascading and concentrated runoff, including boards used to decrease impact forces from falling water and stone filled trenches to carry runoff.

Motorized equipment shall not operate between the building and the wetlands. Construction shall be scheduled to allow most operations to occur from the flat plateau between the structure and the carriage house.

STABILIZATION

Stabilization shall be an on going process and not be delayed until final landscaping.

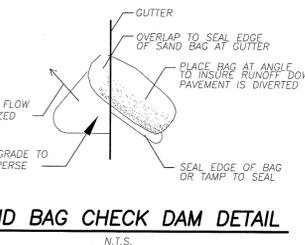
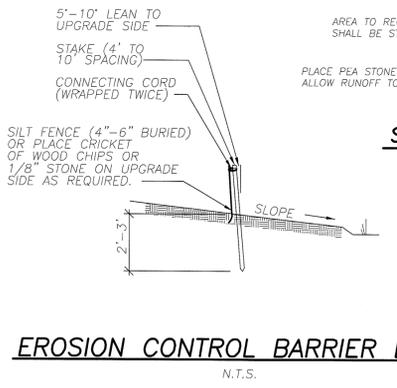
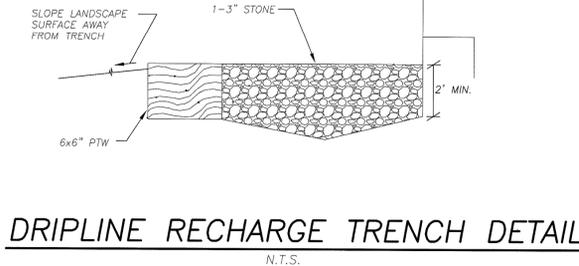
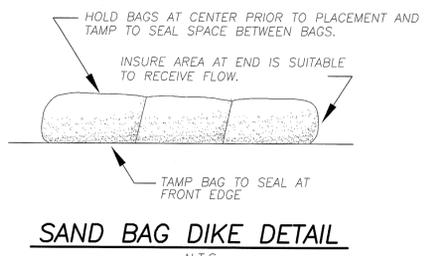
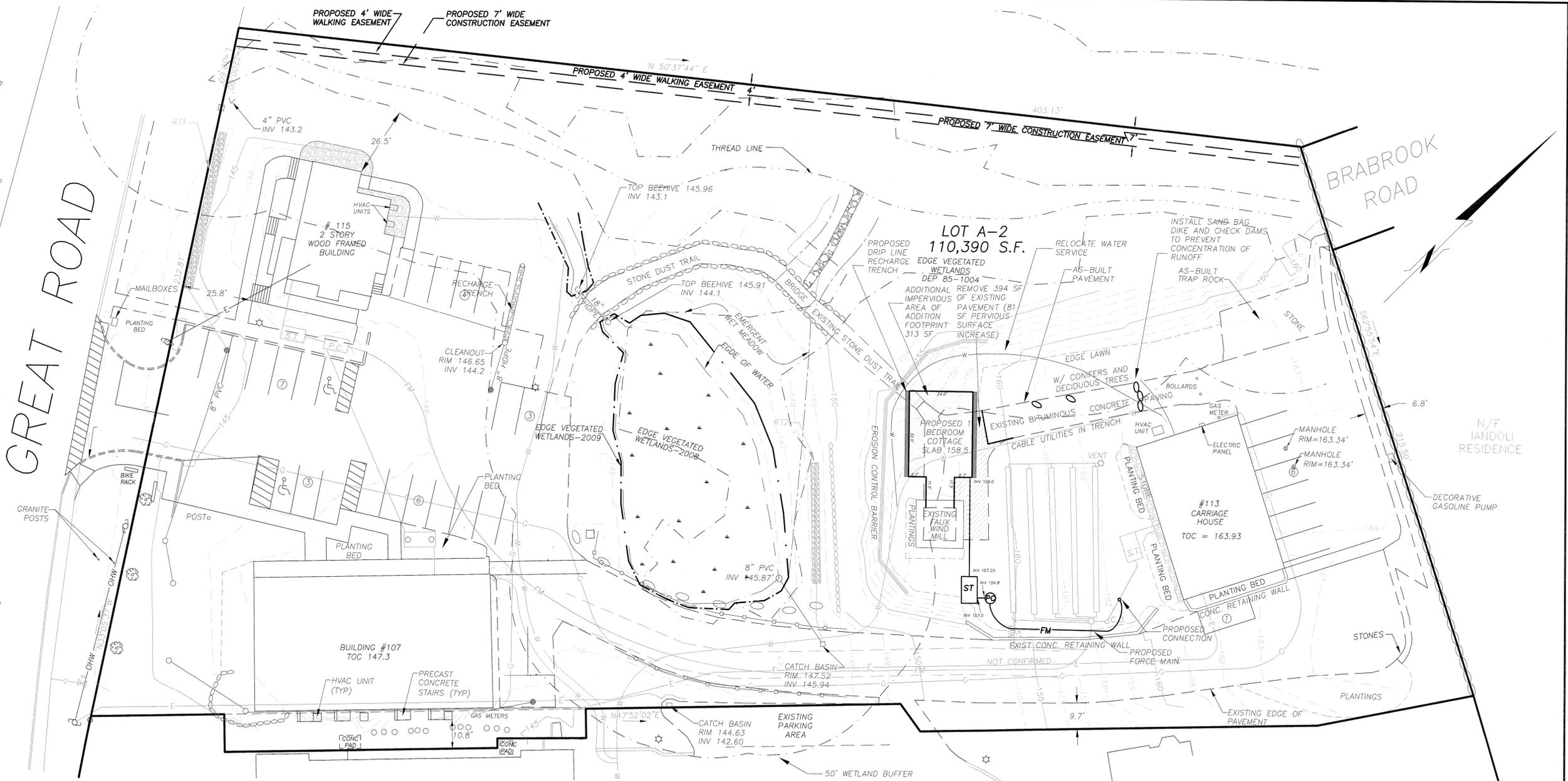
Topsail has a high erosion potential.

Slopes steeper than 5H to 1V shall be planted with brush type vegetation that will quickly form a dense system of roots and be mulched with well rotted bark mulch reinforced with stop logs or flat rocks set to prevent erosion. Runoff towards the top of slopes shall be diverted and dispersed by grading.

GENERAL NOTES:

- Plans were prepared for named client and project. Reproduction in whole, in part or by adaptation for other purposes is expressly prohibited.
- Drawings shall not be scaled. If clarification of intent is REQUIRED, contractor shall obtain prompt clarification prior to continuing work.
- Contractor shall visit site prior to initiation of work and shall notify ACTON SURVEY & ENGINEERING and owner of any discrepancies with site conditions, or proposed construction, on date discovered.
- Contractor shall be responsible for coordinating proposed construction with existing conditions.
- Contractor shall notify Dig-Safe [1-888-344-7233] and verify all underground utilities prior to construction.
- Contractor shall be responsible for obtaining all necessary permits and licenses.
- All work shall conform to all local and state regulatory agencies and utility company requirements.
- Upon entering the site, the contractor shall become responsible for all erosion control, dewatering and shall undertake all measures to protect wetlands, the drainage system and streets from siltation and dust.
- Contractor shall be responsible for repairing any damage caused to roads, walks, utilities, site improvements [existing or proposed] both inside and outside the limit of work if damage due to work directly associated with this project.
- Existing utilities shall be maintained in service as required by the use of site and adjacent properties. Relocate utility lines as required. Coordinate all connections with Town of Acton Agencies - Water District, Board of Health, Etc.
- The drainage system shall be maintained and functional during construction and all catch basins, manholes & pipes shall be cleaned after the completion of the project.
- The "site plan" is based on topographic survey showing all visually apparent features of the site on the date(s) of topography.
- No attempt was made, in preparing the plans, to ascertain the location of non-visually apparent subsurface utilities and structures, or conditions.
- The limit of work shall be as designated and / or the edge of the proposed grading and / or the property lines, if not indicated.

- Materials imported to the site shall be free of hazardous waste and noxious materials, stored as designated and shall not hamper the site activities.
- Materials exported from the site shall become the property of the contractor and be disposed of in a legal manner.
- All existing and new utility structures shall be adjusted to finished grades. Setting of rims temporarily at binder course may be required.
- All water mains, water services and force mains shall have a five (5') foot minimum cover.
- All pavements shall be cut to a vertical face outside limits of prior disturbance and prior to installing adjacent new pavements. All new pavements shall be installed in a manner that is uniform, with watertight joints resulting.
- The project shall be complete when the site is found to be litter/debris free, erosion resistant, all erosion barriers are removed and pavements, catch basins, manholes and pipes are clean.
- The contractor shall clearly mark the limits of work in the field prior to the start of construction.
- Site is within groundwater protection district #4
- Elevations refer to N.G.V.D. 1929.
- See plan on file at the Board of Health for approved connection to existing SAS



- NOTES:**
- FENCES SHALL BE LOCATED AT LIMIT OF WORK, OR AS SHOWN ON PLANS.
 - PENETRATE OR "SNUG" GROUND WITH BOTTOM FOR ENTIRE LENGTH.
 - DO NOT INSTALL IN A MANNER WHICH WILL CONCENTRATE RUNOFF.
 - BACK FENCE WITH STAKED HAYBALES IN HIGH RISK AREAS.
 - MAINTAIN AND REMOVE FENCE AS REQUIRED.
 - REMOVE PRODUCTS OF EROSION FREQUENTLY.

REVISED 9/10/14 - CONSERVATION COMMENTS, REMOVE PATH

NOTICE OF INTENT

107-115 GREAT ROAD
ACTON, MASSACHUSETTS

PREPARED FOR:
WETHERBEE PLAZA, LLC
6 PROCTOR STREET
ACTON, MA 01720

SCALE: 1"=20' DATE: JULY 15, 2014

Acton Survey & Engineering
A DIVISION OF HANCOCK ASSOCIATES

97 GREAT ROAD
P.O. BOX 666
ACTON, MA 01720
PH. (978) 263-3666
FAX (978) 635-0218