

MEMO

RECEIVED

OCT 31 2014

CK-627

Town of Acton
Planning Department



DATE: October 14, 2014
TO: Jeff Clymer, Chair, Town of Acton Planning Board
FROM: Dan Groher, President, New View Condominium Trust Board of Trustees
RE: Request to amend PCRC Decision for New View Condominium Trust

On behalf of the New View Condominium Trust Board of Trustees, I am hereby submitting a request to amend the PCRC Decision for the New View Condominium Trust. Specifically, we would like to add the word "agriculture" to the uses listed for Parcel 1A. This request for an amendment has been unanimously approved by the New View Board of Trustees.

We are making this amendment request in order to consider locating a small chicken coop (8' x 10') on Parcel 1A (please see proposed location marked on the document titled *New View Site Plan - Proposed Location Chicken Coop.pdf*). Five of the eight parcels in the Master Deed already have agriculture listed as one of the approved uses; this amendment will make Parcel 1A consistent with the designation of these other parcels.

We are aware that this amendment will also require a change to the Condominium Master Deed. We are submitting the relevant section of our Master Deed with this application, annotated to illustrate the change that will be required (see *New View Condo Master Deed (Section 10 excerpt) - annotated.docx*).

It is our hope that this request can be considered at a Planning Board public meeting as we are eager to reach a decision on the coop location, given the approach of winter. If the Board feels it is necessary to consider this request at a public hearing, we are ready to comply with that protocol.

We appreciate your attention to this matter. Please let me know if there is any additional information that would be useful in your consideration of this request. I suggest that questions or requests for additional information go initially to Kate Crosby (<cfcrosby@gmail.com> or 978-580-0052), though I am also delighted to be contacted (<dgroher@gmail.com> or 978-264-4722).

New View Condominium Master Deed (excerpt – Section 10)
Proposed amendment submitted for Planning Board consideration:
To add “agriculture” to uses listed for Parcel 1A
(thereby making it similar to the status for 1D, 1E, 1F, 1G, 1H)

Section 10. Purposes: The Buildings and the Units and other facilities therein are intended to be used solely for residential purposes, except as hereinafter provided in this Section 10.

The Common House is intended to be used for dining, day care, meetings, social activities and other purposes compatible with the mission of the Condominium as set forth in the Declaration of Trust, By-Laws, Rules and Regulations, or as determined from time to time by the Trustees.

The PCRC Common Land is hereby dedicated to be used for conservation, outdoor education, recreation, park purposes, horticulture, agriculture and forestry uses, including, without limitation, the following uses specified for each area, as designated on the Site Plan:

<u>Parcel</u>	<u>Uses</u>
1A, 1B and 1C	Passive recreation, conservation, horticulture, landscape preservation, utility, drainage and sewage disposal, uses accessory to residential neighborhood activities.
1D, 1E and 1F	Active recreation, conservation, horticulture, agriculture, utility, drainage and sewage disposal, uses accessory to residential neighborhood activities.
1G and 1H	Conservation, horticulture, agriculture, passive recreation, landscape preservation, utilities, drainage and sewage disposal, uses accessory to residential neighborhood activities.

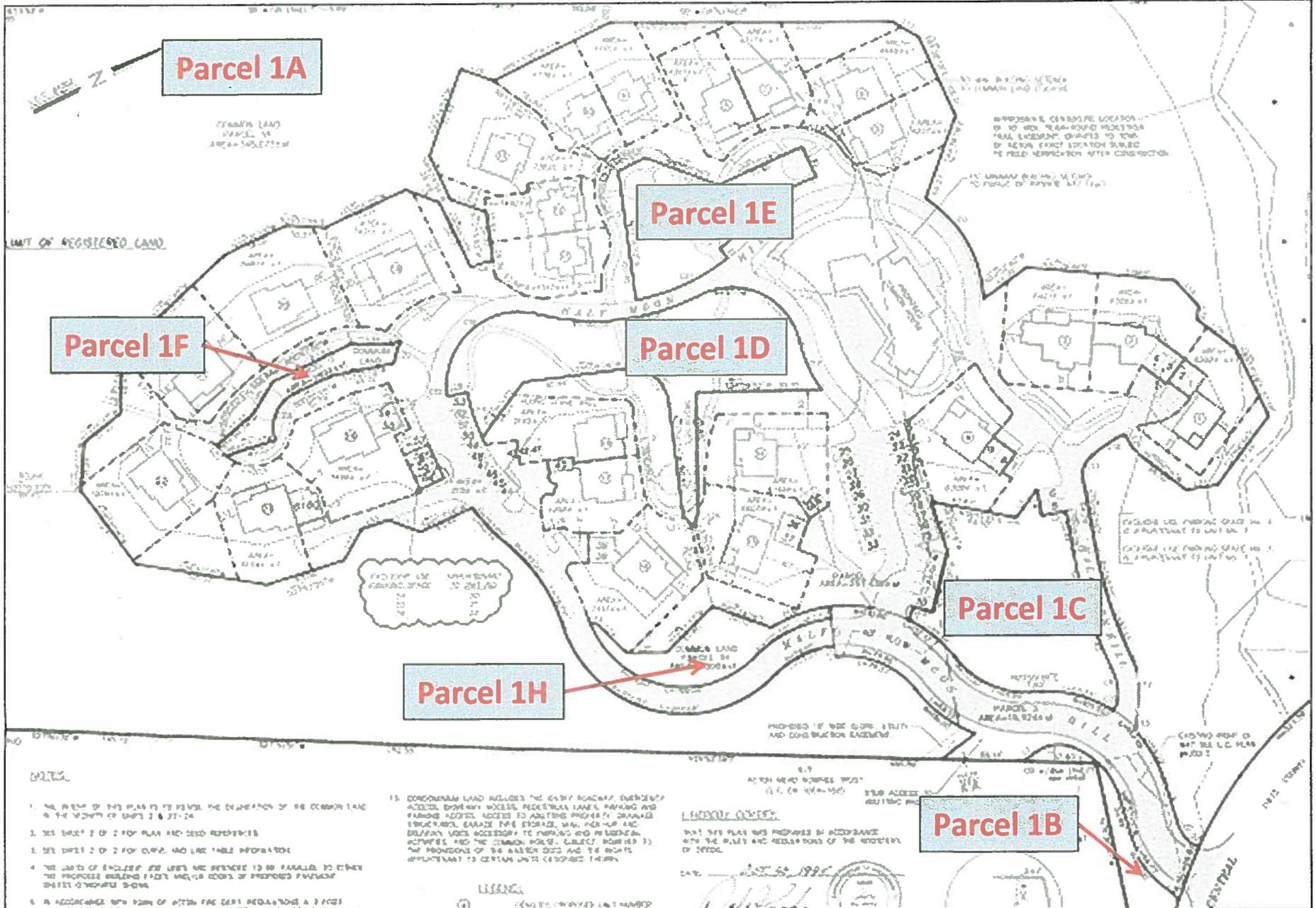
As indicated above, a portion of the PCRC Common Land may also be used for the construction of leaching areas serving the Condominium, which shall be maintained, along with the other common areas and facilities, by the Trustees of the Condominium Trust. In addition, a portion of the PCRC Common Land and other common areas and facilities may also be used for ways serving as pedestrian walks, bicycle paths, and emergency access or egress to the Condominium or adjacent land. The foregoing description of uses of PCRC Common Land is intended to comply with provisions of the Town of Acton Zoning By-Law (the "Zoning By-Law") pertaining to the use of PCRC Common Land in effect as of the date of issuance of the PCRC Special Permit for the Condominium and in the event of any inconsistency, the applicable provisions of the Zoning By-Law shall govern.

New View Condominium Trust

Request for Amendment to PCRC Decision

PARCELS at NEW VIEW								USES
1A	1B	1C	1D	1E	1F	1G	1H	
Proposed X			X	X	X	X	X	Agriculture
X	X	X	X	X	X	X	X	Conservation
X	X	X	X	X	X	X	X	Horticulture
X	X	X				X	X	Landscape preservation
X	X	X	X	X	X	X	X	Utility
X	X	X	X	X	X	X	X	Drainage & sewage disposal
X	X	X	X	X	X	X	X	Uses accessory to res. nhd. activities
			X	X	X			Active recreation
X	X	X				X	X	Passive recreation

NEW VIEW SITE PLAN (partial view)

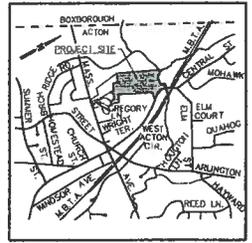
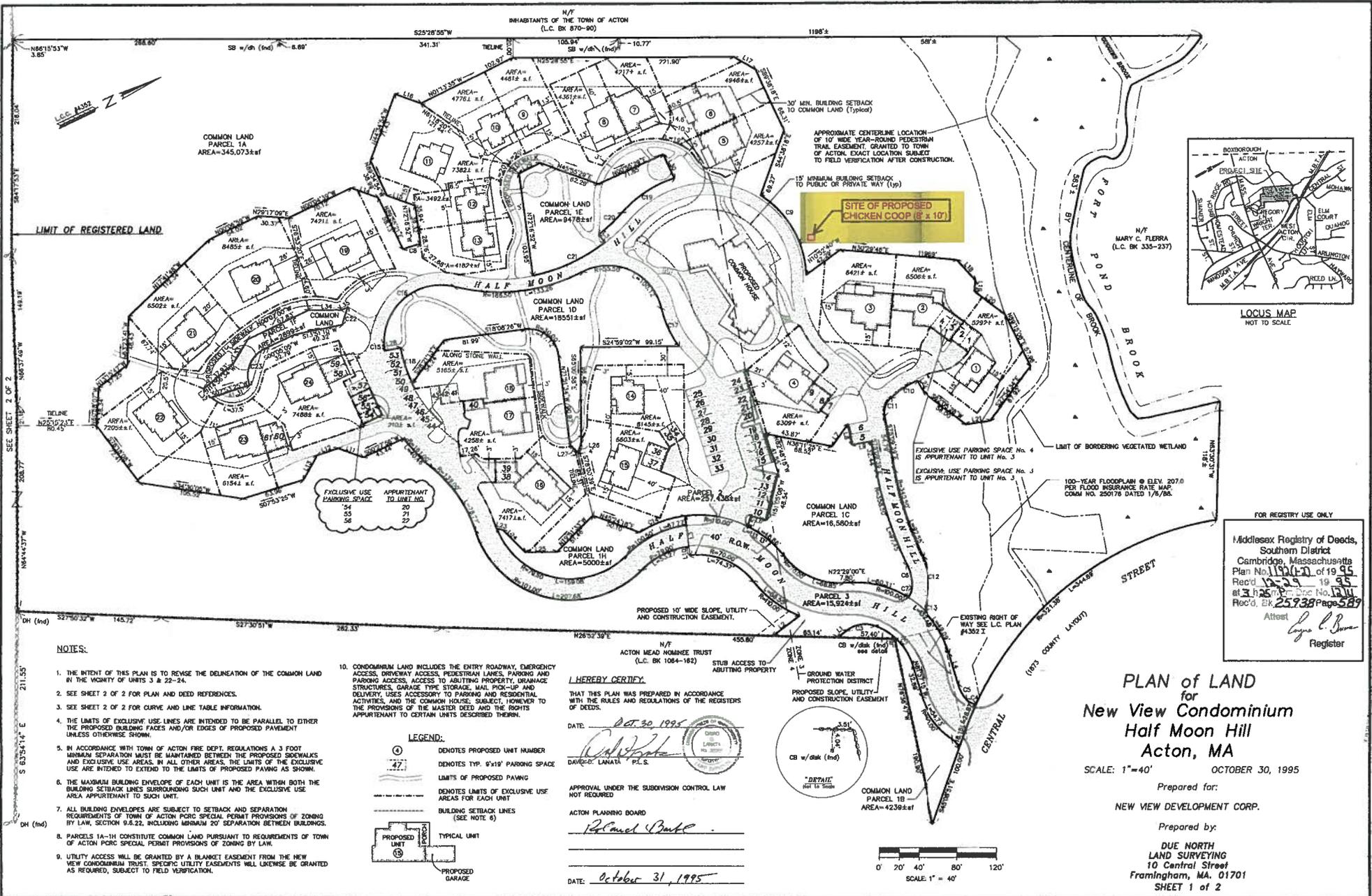


- NOTES**
1. THE AREA OF THIS PLAN IS TO BE THE EXTENSION OF THE COMMON LAKE TO THE WIDTH OF LOTS 2 & 21-24
 2. SEE SHEET 2 OF 2 FOR PLAN AND DEED REFERENCES
 3. SEE SHEET 2 OF 2 FOR CURVE AND LANE TABLE INFORMATION
 4. THE LIMITS OF EXPOSURE ARE SHOWN BY SPENCER TO BE PARALLEL TO OTHER THE PROPOSED BUILDING FOOTPRINTS AND TO BE PARALLEL TO OTHER THE PROPOSED BUILDING FOOTPRINTS AND TO BE PARALLEL TO OTHER THE PROPOSED BUILDING FOOTPRINTS
 5. IN ACCORDANCE WITH PART OF WITH THE BEST PRACTICES A 3' FOOT

15. CONDOMINIUM LAND INCLUDES THE CURVE ROADWAY, OVERLAP, ACCESS, DRIVEWAY, WALKWAY, PICKUP/DROP OFF, PARKING AND FURNISHING ACCESS, ACCESS TO ALL THE PROPERTY, SWANSON DRIVE, ACCESS TO THE STORAGE, MAIL, PICK-UP AND DELIVERY VEHICLE ACCESS TO CURVES AND WALKWAYS, ACTIVITIES AND THE COMMON HOLES, GOLF COURSE TO THE PROVISIONS OF THE BULKHEAD AND TO BE MOST IMPORTANTLY TO CERTAIN UNITS (SEE SHEET 1-4)

LANDSCAPE NOTES:
 THAT THE PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE DISTRICT OF COLUMBIA
 DATE: 08-28-1996

Parcel 1B



FOR REGISTRY USE ONLY

Middlesex Registry of Deeds,
Southern District
Cambridge, Massachusetts
Plan No. 1904-20 of 19 95
Rec'd. 10-29-95 19 95
at 3:25 PM on Dec No. 1311
Rec'd. BK 25738 Page 589

Attest
Lyne C. Brown
Register

PLAN of LAND
for
New View Condominium
Half Moon Hill
Acton, MA

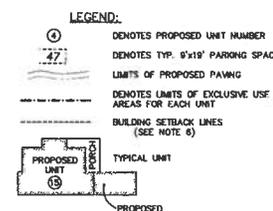
SCALE: 1"=40' OCTOBER 30, 1995

Prepared for:
NEW VIEW DEVELOPMENT CORP.

Prepared by:

DUE NORTH
LAND SURVEYING
10 Central Street
Framingham, MA, 01701
SHEET 1 of 2

- NOTES:**
- THE INTENT OF THIS PLAN IS TO REVISE THE DELINEATION OF THE COMMON LAND IN THE VICINITY OF UNITS 3 & 22-24.
 - SEE SHEET 2 OF 2 FOR PLAN AND DEED REFERENCES.
 - SEE SHEET 2 OF 2 FOR CURVE AND LINE TABLE INFORMATION.
 - THE LIMITS OF EXCLUSIVE USE LINES ARE INTENDED TO BE PARALLEL TO EITHER THE PROPOSED BUILDING FACES AND/OR EDGES OF PROPOSED PAVEMENT UNLESS OTHERWISE SHOWN.
 - IN ACCORDANCE WITH TOWN OF ACTON FIRE DEPT. REGULATIONS A 3 FOOT MINIMUM SEPARATION MUST BE MAINTAINED BETWEEN THE PROPOSED SIDEWALKS AND EXCLUSIVE USE AREAS. IN ALL OTHER AREAS, THE LIMITS OF THE EXCLUSIVE USE AREA ARE INTENDED TO EXTEND TO THE LIMITS OF PROPOSED PAVING AS SHOWN.
 - THE MAXIMUM BUILDING ENVELOPE OF EACH UNIT IS THE AREA WITHIN BOTH THE BUILDING SETBACK LINES SURROUNDING SUCH UNIT AND THE EXCLUSIVE USE AREA APPURTENANT TO SUCH UNIT.
 - ALL BUILDING ENVELOPES ARE SUBJECT TO SETBACK AND SEPARATION REQUIREMENTS OF TOWN OF ACTON PRC SPECIAL PERMIT PROVISIONS OF ZONING BY LAW, SECTION 9.8.22, INCLUDING MINIMUM 20' SEPARATION BETWEEN BUILDINGS.
 - PARCELS 1A-1H CONSTITUTE COMMON LAND PURSUANT TO REQUIREMENTS OF TOWN OF ACTON PRC SPECIAL PERMIT PROVISIONS OF ZONING BY LAW.
 - UTILITY ACCESS WILL BE GRANTED BY A BLANKET EASEMENT FROM THE NEW VIEW CONDOMINIUM TRUST. SPECIFIC UTILITY EASEMENTS WILL LICENSE BE GRANTED AS REQUIRED, SUBJECT TO FIELD VERIFICATION.
 - CONDOMINIUM LAND INCLUDES THE ENTRY ROADWAY, EMERGENCY ACCESS, DRIVEWAY ACCESS, PEDESTRIAN LINES, PARKING AND PARKING ACCESS, ACCESS TO ABUTTING PROPERTY, URNAGE STRUCTURES, GARAGE TYPE STORAGE, MAIL PICK-UP AND DELIVERY, USES ACCESSORY TO PARKING AND RESIDENTIAL ACTIVITIES, AND THE COMMON HOUSE, SUBJECT, HOWEVER TO THE PROVISIONS OF THE MASTER DEED AND THE RIGHTS APPURTENANT TO CERTAIN UNITS DESCRIBED THEREIN.



I HEREBY CERTIFY
THAT THIS PLAN WAS PREPARED IN ACCORDANCE
WITH THE RULES AND REGULATIONS OF THE REGISTERS
OF DEEDS.

DATE: OCT. 30, 1995

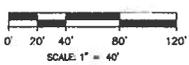
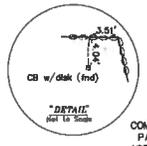
David B. Lanata
DAVID B. LANATA P.L.S.

APPROVAL UNDER THE SUBDIVISION CONTROL LAW
NOT REQUIRED

ACTON PLANNING BOARD

Richard Duff

DATE: October 31, 1995





Town of Acton
472 Main Street
Acton, MA 001720
Telephone (978) 929-6621
Fax (978) 929-6340

Brian McMullen
Assessor

Locus: Half Moon Hill
Parcel: E2-239

Parcel ID	LOCATION	Owner	Co-Owner	Mailing Address	City St Zip
E2-143	366 CENTRAL ST	IDYLVILDE FARMS, INC		366 CENTRAL ST	ACTON, MA 01720
E2-240-111	11 ELM ST UNIT 1	ANTONELLI KEVIN M	PATTON CINDY A	11 ELM STREET UNIT 1	ACTON, MA 01720
E2-240-112	11 ELM ST UNIT 2	TAYLOR KATHLEEN E	AGNES TAYLOR	11 ELM STREET UNIT 2	ACTON, MA 01720
E2-240-113	11 ELM ST UNIT 3	DHILLA ESMAIL F	DHILLA MUNIRA E	11 ELM ST UNIT 3	ACTON, MA 01720
E2-240-114	11 ELM ST UNIT 4	HAHN VIRGINIA C	C/O DEBORAH HAHN CHEVALIER	230 BRISTOL RD	WELLESLEY, MA 02481
E2-240-115	11 ELM ST UNIT 5	GODOY ROBERT	GODOY ROSARIO MORENO	11 ELM ST UNIT 5	ACTON, MA 01720
E2-240-116	11 ELM ST UNIT 6	ALLARD PATRICIA L		PO BOX 2874	ACTON, MA 01720
E2-240-117	11 ELM ST UNIT 7	MOORE MARSHALL P		11 ELM ST UNIT 7	ACTON, MA 01720
E2-240-118	11 ELM ST UNIT 8	BLUE BIRD TRUST	C/O MARY BLANCHETTE	80 JARMAN ROAD	SUDBURY, MA 01776
E2-240-301	3 ELM ST UNIT 1	PAREKH KETAN	PAREKH HEMALI	3 ELM ST UNIT 1	ACTON, MA 01720
E2-240-302	3 ELM ST UNIT 2	BRAUN THOMAS J		22 HIGH STREET	MEDFIELD, MA 02052
E2-240-303	3 ELM ST UNIT 3	TAMBURINO AMY		7 CHRISTOPHER RD	WESTFORD, MA 01886
E2-240-304	3 ELM ST UNIT 4	SMITH NORMA P		3 ELM ST UNIT 4	ACTON, MA 01720
E2-240-305	3 ELM ST UNIT 5	DAVIES DONNA J		3 ELM ST UNIT 5	ACTON, MA 01720
E2-240-306	3 ELM ST UNIT 6	EBERLY BARRY L		3 ELM ST UNIT 6	ACTON, MA 01720
E2-240-307	3 ELM ST UNIT 7	LU YUN		3 ELM ST UNIT 7	ACTON, MA 01720
E2-240-308	3 ELM ST UNIT 8	SUBRAMONY SENAPATHY		191 WEST WYOMING AVE	MELROSE, MA 02176
E2-240-501	5 ELM ST UNIT 1	SOAR ELIZABETH	C/O ELIZABETH ORCUTT	12 CANTERBURY LN	GROTON, MA 01450
E2-240-502	5 ELM ST UNIT 2	HOEY PATRICK TRUSTEE,HOEY JANE TRUSTEE	PBH MIDDLESEX REALTY TRUST	23 RIVER ST	BYFIELD, MA 01922
E2-240-503	5 ELM ST UNIT 3	VACEK MARTIN	VACEK IVANNA	5 ELM ST UNIT 3	ACTON, MA 01720
E2-240-504	5 ELM ST UNIT 4	ABREU HUDSON X	ABREU REGINA C	5 ELM ST UNIT 4	ACTON, MA 01720
E2-240-505	5 ELM ST UNIT 5	ZENG SHENGYOU		5 ELM ST UNIT 5	ACTON, MA 01720
E2-240-506	5 ELM ST UNIT 6	FOX NANCY KAY	C/O CAROL STORRS	5 ELM STREET UNIT 6	ACTON, MA 01720
E2-240-507	5 ELM ST UNIT 7	WEAVER STERLING L	WEAVER JEAN C	7 HARDWOOD HILL,MONROE CTY	PITTSFORD, NY 14534
E2-240-508	5 ELM ST UNIT 8	POKROVSKI ANDREW	ENNIS RACHAEL	5 ELM ST UNIT 8	ACTON, MA 01720
E2-240-701	7 ELM ST UNIT 1	SANYAL JHILAM		7 ELM ST UNIT 1	ACTON, MA 01720
E2-240-702	7 ELM ST UNIT 2	BURROWS JOAN		7 ELM STREET UNIT 2	ACTON, MA 01720
E2-240-703	7 ELM ST UNIT 3	MURPHY CYRIL J		7 ELM ST UNIT 3	ACTON, MA 01720
E2-240-704	7 ELM ST UNIT 4	LEUNG THOMAS SAI HONG	LEUNG TINA HSUI MAN	7 ELM ST UNIT 4	ACTON, MA 01720
E2-240-705	7 ELM ST UNIT 5	LIU XIANGHAI	QU FENG	236 PARKER STREET	ACTON, MA 01720
E2-240-706	7 ELM ST UNIT 6	DEABREU MARLENE		7 ELM ST UNIT 6	ACTON, MA 01720
E2-240-707	7 ELM ST UNIT 7	DOHERTY SHARON B		7 ELM ST UNIT 7	ACTON, MA 01720
E2-240-708	7 ELM ST UNIT 8	PAIGE WILLIAM H		7 ELM ST UNIT 8	ACTON, MA 01720

Brian McMullen
Assessor

Locus: Half Moon Hill
Parcel: E2-239

Parcel ID	LOCATION	Owner	Co-Owner	Mailing Address	City St Zip
E2-240-901	9 ELM ST UNIT 1	PRENDERGAST REBECCA A		9 ELM ST UNIT 1	ACTON, MA 01720
E2-240-902	9 ELM ST UNIT 2	CUSHMAN GEORGE P JR		9 ELM ST UNIT 2	ACTON, MA 01720
E2-240-903	9 ELM ST UNIT 3	DJW SONG LLC		4 LISA LN	ACTON, MA 01720
E2-240-904	9 ELM ST UNIT 4	CURRAN THOMAS J	CURRAN KATHLEEN M	9 ELM ST UNIT 4	ACTON, MA 01720
E2-240-905	9 ELM ST UNIT 5	SIEGEL HOWARD D		180 BEACON STREET 7A	BOSTON, MA 02116
E2-240-906	9 ELM ST UNIT 6	SIEGEL HOWARD D		180 BEACON STREET 7A	BOSTON, MA 02116
E2-240-907	9 ELM ST UNIT 7	VIGNA ANTHONY M	VIGNA SABRINA A	9 ELM ST UNIT 7	ACTON, MA 01720
E2-240-908	9 ELM ST UNIT 8	UTT RICHARD W	UTT MARY H	9 ELM ST UNIT 8	ACTON, MA 01720
E2-247	7 ELM ST	TOWN OF ACTON		7 ELM ST	ACTON, MA 01720
E2-252	355 CENTRAL ST	I G W TRUST	C/O S GRAHAM + M S SCHEIER	289 GREAT ROAD	ACTON, MA 01720
E2-289	323 CENTRAL ST	ROBERTS SONS LLC		PO BOX 2876	ACTON, MA 01720
F1-2	659 MASS AV	TOWN OF ACTON		472 MAIN ST	ACTON, MA 01720
F1-5	667 MASS AV	TOWN OF ACTON		472 MAIN STREET	ACTON, MA 01720
F1-6	647 MASS AV	647 MASS AV HOMEOWNERS ASS INC	C/O GEOFF MAMLET	2 GREGORY LANE	ACTON, MA 01720
F2A-1	18 WRIGHT TERR	FOCHTMAN LEO JR	FOCHTMAN CATHERINE L	18 WRIGHT TERR	ACTON, MA 01720
F2A-1-1	11 MEAD TERR	TABOR ROBERT J	TABOR VICTORIA N	11 MEAD TER	ACTON, MA 01720
F2A-11-1	3 GREGORY LN	ARONSTEIN JUDITH ANN		3 GREGORY LN	ACTON, MA 01720
F2A-11-2	2 GREGORY LN	MAMLET GEOFFREY P	MAMLET HANNAH G	2 GREGORY LN	ACTON, MA 01720
F2A-2-3	317 CENTRAL ST	SUNDBERG ROBERT A TRUSTEE	ROBERT'S SON TRUST	PO BOX 2876	ACTON, MA 01720

Abutters and owners of land directly opposite on any public or private street or way and abutters to the abutters within three hundred feet of the • property line all as they appear on the most recent applicable tax list.

**HEARING NOTICES FOR ALL SPECIAL PERMITS MUST BE SENT TO THE
PLANNING BOARD, TOWN HALL IN THE FOLLOWING TOWNS:**

Boxborough, MA 01729 Maynard, MA 01754 Concord, MA 01742 Littleton, MA 01460
Carlisle, MA 01741 Stow, MA 01775 Westford, MA 01886 Sudbury, MA 01776

Kelly Schorr

Kelly Schorr
Acton Assessors Office

10/17/2014