



*OB-14*

**TOWN OF ACTON**  
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Acton, Massachusetts, 01720  
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**Town Clerk**

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**December 30, 1999**

**TO WHOM IT MAY CONCERN:**

This is to certify that the attached Board of Appeals Decision for a special permit (Hearing #98-13) on the Petition by WESTSIDE RALTY LLP, was filed with the Town Clerk's Office and the Planning Board on September 1, 1998.

The 20-day appeal period has expired and there have been no appeals made to this office.

  
**Eva K. Bowen**  
**Asst. Town Clerk**

29313-104

Sudbury Rd, Acton

98-13-121-121-121-121-121-121



Board of Appeals

RECEIVED & FILED  
 DATE September 1, 1998  
*Edward J. Ellis*  
 Asst. Town Clerk  
 Acton

DECISION ON THE PETITION BY  
 WESTSIDE REALTY LLP FOR COMPREHENSIVE PERMIT

HEARING #98-13

A public hearing of the Acton Board of Appeals was held in the Town Hall on Thursday, July 30, 1998 at 7:30 PM on the petition by Westside Realty LLP for a COMPREHENSIVE PERMIT to construct subsidized housing under Mass. General Laws Chapter 40B, section 20-23 on a parcel of land located at 13-35 Sudbury Road. Map J-3/Parcel 60. The Applicant was represented by its principals, Douglas Maccone and Frank Panetta.

Present at the hearing on July 30 were Nicholas Miller, Chairman; Cara Voutselas, Alternate Member; Thomas Lemire, Alternate Member; Garry Rhodes, Building Commissioner; Cheryl Frazier, Board of Appeals Secretary; and Acheson H. Callaghan, Jr., Town Counsel. Also present at the meeting were two Planning Board members, John Pavan and Ken Sghia-Hughes.

The hearing was continued to August 13, 1998. The members of the Board listed above were again present at the continued hearing. The Applicant submitted a memorandum from Abend Associates concerning site distance at the proposed intersection of Westside Drive and Sudbury Road, which the Board had requested.

The following exhibits and documents were submitted to the Board and are made a part of this hearing record.

- Notice of Public Hearing;
- Copy of the legal advertisement;
- Copy of the Local Initiative Program Comprehensive Permit Application dated June 24, 1998;
- Set of plans for the Project consisting of the following: Sheet 1 of 5 Definitive Subdivision Plan Lot Layout dated June 23, 1998; Sheet 2 of 5 Existing & Proposed Topography dated June 23, 1998; Sheet 3 of 5 Existing & Proposed Topography dated June 23, 1998; Sheet 4 of 5 Plan & Profile dated June 23, 1998; Sheet 5 of 5 Details dated June 23, 1998; Plan for a proposed Septic System dated June 17, 1998; Landscaping Planting Plan dated May 25, 1998; Plan of a Typical House Lot Planting dated May 25, 1998; 6 sheets of building plans dated October 6, 1997.

- The following IDC's from Town Boards and staff:
  - Town Planner dated July 23 and August 11, 1998,
  - Town Engineer dated July 23, 1998,
  - Board of Health Director dated July 28, 1998,
  - Municipal Properties Director dated April 19 and revised July 13, 1998;
- Pro-Formas dated June 7, 1996 from Panetta Construction to the Town Planner;
- A Memorandum from Abend Associates dated August 11, 1998;
- Sidewalk Easement from abutter.

Nick Miller opened the hearing on July 30 by requesting an overview of the process. Betty McManus, of the Acton ACHC explained the Town's role under the LIP process. The affordable housing proposed by the Applicant would be sold to qualified buyers at a maximum cost of \$94,500, subject to long-term deed restrictions that would require the owner to sell to another qualified low-income purchaser and would limit the price on resale to insure that it remained affordable. The affordable housing units would count toward the 10% affordable housing goal as required by the state. She explained the ACHC approved the project in July of 1996.

The Town Counsel explained that Local Initiative Projects (LIP) were authorized to apply for and receive a comprehensive permit under c. 40B. The Board is authorized to exempt the project from local regulations without making the statutory findings required for a variance from the zoning by-laws or a waiver of the Subdivision Rules. Because the comprehensive permit process is the only time the Town boards and officials will have to review and comment on the project, the focus of the hearing and findings should be on the reasons why the applicant needs such waivers or exemptions. The project must comply with all state regulations and requirements.

The Board makes the following findings with respect to the proposed project and the requested waivers from local by-laws and regulations.

Findings with Respect to Requested Waivers from Zoning By-law.

1. The site is a 5.25 acre triangular parcel of land in the southeast corner of the Town, bounded by Sudbury Road, the Maynard Town line and a series of lots which front on Powder Mill Road (Route 62). The site is in the General Industrial Zoning District, the Affordable Housing Overlay District Zone B, and the Groundwater Protection District Zone 3.
2. Residential Uses are prohibited in the GI District, but would be permitted under § 4.4.2.4 in the Affordable Housing

Overlay District. The project does not, however, meet the requirements of § 4.4 with respect to the proportion of affordable units, the dimensional requirements and possibly other provisions of that section. The Applicant has not sought approval under § 4.4 but has instead sought a waiver of the use restrictions in the GI District to permit residential uses in that District. Town Counsel advised that because § 4.4 is an optional method of developing land, the Applicant could either apply for waiver of the use provisions in the GI District or for waiver of the provisions of § 4.4. The Board has authority to grant a waiver of the use restrictions under the comprehensive permit process, even though it does not have authority to grant use variances under the local by-law.

3. The Board finds that the Town Meeting recognized that the site was appropriate for residential use by including it in the Affordable Housing Overlay District. The applicant submitted evidence to the Town Planner and ACHC, which was also supplied to this Board, that compliance with the specific requirements of § 4.4 with respect to the number and proportion of affordable units would not be economically feasible. The Board concludes that the proposed waiver from the use restrictions in the GI District is necessary to allow the development and is appropriate and consistent with the intent of Town Meeting to permit affordable housing on this site. The Board therefore GRANTS the requested waiver of the use regulations in § 3.3.1 of the Zoning By-law to permit single-family residential use of this property.

4. Section 3.2.3 of the Zoning By-law requires a special permit from the Board of Appeals for earth removal not required in connection with a building permit or subdivision. The Applicant proposes removal of approximately 41,000 yards of sand and gravel from the site, which will reduce the maximum elevation on the site from 211 feet to approximately 195 feet. The Applicant intends to deliver the sand and gravel to Assabet Sand & Gravel on Knox Trail, to Malone's in Stow, or to other projects in Acton which require such materials. Removal of the materials will require approximately 2,000 vehicle trips from the site, but this number will be offset by a reduction in the number of trips otherwise required to deliver materials to Assabet Sand & Gravel. The applicant has argued that the earth removal is consistent with and required by the design of the road for the subdivision and the need for a generally level site for the proposed houses. While the Board recognizes some merit in this argument, it declines to make such a finding, in view of the volume of earth to be removed and the absence of evidence that other designs involving less earth removal would not be feasible. The Board finds, however, that the sand and gravel on the site has significant value and its sale is a necessary part of the overall economic feasibility of the proposed development. It, therefore, GRANTS a special permit under § 3.2.3 of the Zoning By-law, and to the extent necessary under the Town's Earth Removal By-law,

for the requested earth removal, subject to the following conditions:

4.1 Trucks shall not leave the site earlier than 7:00 AM or later than 4:00 PM, to minimize the impact on traffic at the intersection of Sudbury Road and Route 62 at its peak evening traffic period, when the level of service at this intersection already is at level F.

4.2 The Applicant shall not overload its trucks and shall carefully secure all loads to minimize spilling of debris on Town streets. The Applicant shall be responsible for removing any spilled materials on Town streets and shall restore the street to its previous condition.

4.3 The Applicant shall maintain safe conditions on the site; shall ensure that the working face of any slope is broken down to a safe angle of repose at the end of each day; and shall not stockpile any material in excess of 20 feet in height.

4.4 The Applicant shall adhere to the Erosion and Sedimentation Control Plan contained in the Application and shall take such additional actions as may be required by the Town, acting through the Building Commissioner or Engineering Department, to minimize erosion during the earth removal and construction period. The Applicant shall not cause or permit the runoff of water or erosion from the site that results in the flooding or siltation of any street, way or drainage facility owned or maintained by the Town. The Applicant shall promptly clean up any materials deposited onto Sudbury Road in the vicinity of the site and shall remove any silt or debris that enters the Town's drainage system. In addition, if runoff of water or erosion of earth materials persists, the Planning Board may order the immediate cessation of any excavation or building activities until the conditions that caused the runoff or erosion have been corrected.

4.5 Closure and regrading of the site, if the project is not built, shall be secured by a cash deposit with the Town of Acton in the amount of \$15,000. Said security shall be released upon the Town's receipt of suitable security for completion of the ways and installation of services under the subdivision control law, as required by ¶ 21.

5. The proposed house lots shown on the plans do not comply with the dimensional regulations in the Zoning By-law applicable in the GI District, or in the R-4 District, which are presumptively applicable in the Affordable Housing Overlay District, or the alternative dimensional provisions under § 4.4.4.2. The Board finds, however, that the project is designed as a cluster of single-family homes similar to homes in the village areas in Town; that such design is appropriate to the

site and necessary to make the project economically feasible; and that the dimensional requirements applicable in the VR District provide reasonable guidelines for the minimum dimensions applicable to such a development. With the exception of frontage for lots 9 and 13, the proposed lots generally meet the minimum frontage and setback requirements for the VR District, but do not meet the area requirements for that District. Instead the lots range in area from 8,000 to 12,000 square feet. The Board finds that a reduction in lot size is necessary to make the project economically feasible and that the proposed size and layout of the lots within the project are appropriate, given the overall design of the development, the shape of the parcel, and the overall economic constraints. The Board therefore GRANTS the requested waivers from the dimensional requirements of the zoning by-law, subject to the requirements and conditions set forth below:

5.1 Minimum Dimensional Requirements Applicable to All Lots and Buildings in the Project.

Requirement	Standard
-Minimum Lot Area	8,000 sq. ft.
-Minimum Lot Frontage	50 ft.*
-Minimum Lot Width	30 ft.
-Minimum Front Yard	30 ft.
-Minimum Side and Rear Yard, setback from any property located outside Westside Village	25 ft.
-Minimum Side and Rear Yard, setback from any property located within Westside Village, or from common driveways.	10 ft.
-Maximum Height	36 ft.

\* The minimum frontage for Lot 9 shall be to 34 feet and the minimum frontage for lot 13 shall be 41 feet, as shown on the Subdivision Plan.

5.2 The dimensions of the lots and the location of buildings on the lots shall generally be as shown on the plan provided, however, that adjustments of up to 10% in the frontage or area of any lot can be made by the Applicant by submission of an approval not required plan to the Planning Board, without further review or approval by this Board, if such changes are deemed necessary or appropriate in view of conditions during construction.

5.3 There shall be no further subdivision of the lots after their initial sale, but changes or additions to the buildings on

the lots can be made in the future, subject to the dimensional requirements set forth in this decision.

5.4 Lots 1, 2, 3 and 16 shall be subject to deed restrictions prohibiting direct access from the lot to Sudbury Road and providing that the only access shall be to Westside Drive. A note to this effect shall be added to the final Subdivision Plan.

6. The site is located in the Groundwater Protection District Zone 3. It is located approximately 250 feet from the Assabet River and 1,900 feet from the Assabet wells. Subsurface disposal of wastewater is permitted in Zone 3 on "buildable lots," that is, on lots which comply with the dimensional requirements for the district in which they are located. The purpose of these provisions is to limit the maximum volume of wastewater effluent that can be put into a given area of ground. Because residential uses are not permitted on this parcel and because the proposed lots are significantly smaller than the minimum permitted elsewhere in Town, the applicant needs a waiver of this requirement. The Applicant pointed out that the proposed houses have 3 bedrooms and will generate approximately 330 gallons of wastewater per day or a total of 5,280 gallons per day for the entire project, which is significantly less than the maximum allowed by the by-law in Zone 3 which would permit up to 18,000 gallons per day on this parcel (6,000 gallons per day x 3 buildable lots in the GI district). The Board notes that the Board of Health had no adverse comments on this requested waiver and will be required to approve the location and design of each sewage disposal site in the development. In the absence of any evidence that the disposal of wastewater from the project would have any adverse impact on the aquifer, the Board GRANTS the requested waiver from the requirements of § 4.3.7.2 of the zoning by-law.

Findings with Respect to Requested Waivers from Subdivision Rules and Regulations.

7. The Applicant has requested the Board to grant waivers from various sections of the Subdivision Rules and Regulations of the Town, but has agreed that it will submit the definitive plan, with whatever changes are required by this decision, to the Planning Board for final endorsement. That procedure is sensible and consistent with the comprehensive permit process and is hereby approved.

8. The Board has received comments on the Subdivision Plan and the proposed waivers from the Town Planner and the Engineering Department. In addition, two members of the Planning Board attended the hearing and provided helpful comments and recommendations. In this section of the decision, we will

consider the requested waivers, in light of the comments and recommendations from these boards and departments.

9. Certain of the requested waivers are of formal or procedural requirements in the Subdivision Rules. The Board GRANTS these waivers, including waivers of the following rules, requested on page V-2 of the Application:

§ 2.4. The project need only comply with the zoning requirements as modified by the waivers granted in this decision.

§ 5.3.7. concerning the scale of the locus plan.

§ 5.3.1.5. Only the center line profile of Westside Drive need be shown on the plan.

§ 5.3.25, relating to the identification of underground structures, except that the Applicant has agreed to check with the Acton and Maynard Board of Health and identify the location of any wells within 150 feet of the subdivision boundaries on the plan.

No waiver of § 5.3.11 is required or appropriate. To the extent that waivers of the Subdivision Rules are granted by this decision, the requirements as modified will become part of the approved Subdivision Plan.

The Applicant has also agreed to amend the plan to show the location of bounds as requested in item 1 and the spot elevations as requested in item 8 of the memorandum from the Engineering Department.

10. Waivers are requested of § 8.1.4 and § 8.7.1 of the Subdivision Rules to permit a sidewalk easement 15 feet in width and a utility easement 13 feet in width, as shown on the plan, instead of the standard 20 foot width for each. The Board GRANTS these waivers because the easements are wide enough to serve their respective purpose.

11. A waiver of § 8.1.18 to permit the cul de sac to be designed as shown on the plan and to permit 6 driveways off the cul de sac. Neither the Planning Board nor the Engineering Department objected to this design. The Board finds that the proposed cul de sac is adequate to accommodate emergency vehicles and that the location of the driveways has been reviewed by the Acton DPW. The Board therefore GRANTS the requested waiver of § 8.1.18.

12. The Applicant has requested a waiver of the super-elevation requirements in the Subdivision Rules to permit existing grades on Sudbury Road at the intersection with Westside Drive. There is no objection to this waiver, and the Board GRANTS it.



13. The Engineering Department has pointed out that the sight distance looking north at the intersection of Westside Drive with Sudbury Road does not meet the 275 foot minimum for collector streets. At the Board's request the Applicant has submitted a memorandum from Abend Associates which sets forth an analysis of the sight distances required at this intersection based on the specific conditions at the proposed intersection. The Town Engineering Department has reviewed and generally approves the recommendations in the Abend Associates memorandum. Based on this analysis, the Board GRANTS a waiver of the sight distance design requirements of the Subdivision Rules provided:

13.1. The Applicant shall cut back the vegetation and the embankment along Sudbury Road, as recommended by Abend Associates, to provide a minimum sight distance 175 feet looking northerly from Westside Drive.

13.2. The Applicant shall install, or reimburse the Town for the cost of installing, the signage recommended by Abend Associates on Westside Drive and Sudbury Road.

14. The plan shows a sidewalk along Westside Drive and north along Sudbury Road. The Applicant has agreed to extend the sidewalk from the site to Powder Mill Road over the adjoining property owned by Powder Mill Realty, if it can obtain the easement. The Applicant submitted such an easement to the Board on August 13. The Board finds that such an extension of the sidewalk is highly desirable to serve the project and to provide safe pedestrian access, particularly for children, from the site to Powder Mill Road. The Board requires the Applicant to construct a sidewalk to Powder Mill Road or to donate the cost of construction of a sidewalk in this area to the Town, which cost shall be at a rate of \$30 per foot.

15. The Engineering Department has suggested (item 15) the possibility of moving the sidewalk closer to the pavement on Sudbury Road, as part of the solution to the sight distance problem described in ¶ 13. The Board finds that a location away from the travelled portion of Sudbury Road, as proposed in the plan, is more appropriate. Because the exact location of the sidewalk will be affected by the regrading along Sudbury Road to increase sight distance as described in ¶ 13, the Board requires that the final location of the sidewalk shall be determined in the field, with the approval of the Engineering Department, taking into account the recommendations of the Abend Associates memorandum.

16. The overall drainage design for the project is intended to retain surface runoff from the house lots and Westside Drive on the property and not to permit runoff onto Sudbury Road or adjacent property. The Board approves this general purpose but makes the following findings with respect to questions about the

drainage design raised by the Town Planner and Engineering Department.

(a) Runoff from the subdivision is channeled to an impervious detention pond on Parcel A. Section 8.5.2 of the Subdivision Rules requires the retention pond to be designed to hold the first inch of runoff from a storm. The proposed pond is designed to hold the first 1/2 inch of runoff. The Applicant argues that the topography of Parcel A prevents or makes it impossible to meet the requirement of the Rule; the Engineering Department concurs and notes that the proposed design meets the new state stormwater management policy (Ex. ¶ 4). The Board finds that the proposed design is adequate and GRANTS the requested waiver of § 8.5.3.

(b) The Engineering Department has recommended (item 3) that the Applicant should create a drainage swale in the drainage easement between lots 15 and 16; that the certain changes be made in the design and construction of the leaching basins (item 5); and that the Town inspect the drainage pipes before it is backfilled (item 6). The Board adopts each of these recommendations and requires that the plan and accompanying notes be amended accordingly.

(c) The Engineering Department also recommends erosion control barriers be installed along the entire northerly property line (item 8) and that the Applicant obtain permission to work on an adjacent property or limit work to the property. The Board adopts these recommendations. If the Applicant cannot obtain permission to enter the abutting land to do regrading work and to install necessary erosion control, the work shall be limited to the property and the necessary adjustments on the grading plan and location of erosion control measures are approved.

(d) The Applicant has offered to donate Parcel A to the Town. The primary use of the Parcel will be as the site of the retention pond and recharge area for drainage from the development. Ownership of the Parcel may impose some obligations on the Town. The decision to accept the Parcel should be made by the Board of Selectmen and, if necessary, the Town meeting. The Board therefore requires the Applicant to offer Parcel A to the Town at the same time it requests acceptance of Westside Drive as a public way.

#### Board of Health Requirements

17. The Applicant asks for a waiver of Subdivision Rules §§ 5.3.23 and 5.3.24 regarding individual septic system testing. The Board GRANTS this waiver because the site will be extensively re-graded before construction and Applicant will be required to do such testing before obtaining approval for each individual septic system. The Applicant has also requested waiver of Article 11-9.1 of the Board of Health Rules, requiring a leaching

area of 900 square feet, and of Article 16-4.2.10, requiring a 100 foot setback from the proposed drainage system and retention areas for lots 13, 14, 15 and 16. The Board of Health has agreed these waivers are appropriate, and the Board finds that they are warranted by the limited size of the lots and the highly favorable soil condition and GRANTS the requested waivers to permit a minimum leaching area of 600 square feet and a minimum setback from the retention areas of 50 feet. The Applicant shall otherwise design the septic system in accordance with Title V and the Board of Health Rules.

Affordable Housing Conditions.

18. The Applicant has proposed and ACHC has approved that the affordable units be located on lots 4, 5, 11 and 16. These are appropriately dispersed, and the Board approves these locations. The Board also approves the phasing of construction of the affordable units as proposed in the Application, pp. VIII-1 and -2.

19. The Board also adopts the conditions agreed to by the Applicant and the Board of Selectmen as set forth in the Application pp. VIII-1 and -2 with respect to (1) providing the Town a copy of its cost accounting for the Project, (2) the donation of any profits in excess of 20% to the Town for affordable housing purposes if permitted by DHCD and (3) the donation of \$5,000 to the Town for the services of a consultant to assist in the marketing of the affordable units. The Applicant has outlined its proposed marketing plan, outreach to minorities and lottery for the affordable units on page VI-1 to VI-3 of the Application. The Board finds that these proposals are generally appropriate and consistent with the Town's goals with respect to affordable housing, with the addition of the Metrowest clearing house to the list of entities to be included in the advertising of the project as recommended by the Planning Director.

20. The Plan refers to a maximum income figure of \$39,900 for potential buyers of the Affordable Units. The DHCD approval refers to a figure of \$43,500. The Board understands that this figure is updated annually and may change again before the units are sold. The Board also recognizes that the sale of the affordable units will be subject to a detailed agreement between the Applicant and DHCD. If the income limits for applicants or the maximum price for the affordable units, or the requirements for marketing the units or other conditions imposed by DHCD with respect to the affordable units are changed in ways that are inconsistent with the Application or with the requirements of this decision, compliance with any requirements of DHCD necessary to qualify the project under the Local Initiative Program shall be deemed to satisfy this decision.

General Conditions

21. The Applicant will amend the Subdivision Plan in accordance with this decision and submit a revised plan to the Planning Board for its endorsement. The Board believes that the provision of security for construction of the ways and installation of services in the subdivision is required by state law and this Board does not have authority to waive those requirements. The subdivision law gives the Applicant the choice of methods of securing its performance, and the Applicant has not requested any waivers from the administrative provisions of § 6 of the Subdivision Rules. Endorsement of final approval of the Subdivision Plan shall be subject to provision of security for construction of the ways and installation of services in accordance with § 6 of the Subdivision Rules.

22. By a memorandum dated August 11, 1998, the Town Planner has drawn the Board's attention to certain general conditions which the Planning Board attaches to subdivision approvals. The subject matter of proposed condition 1 is covered by ¶ 4 of this decision and the conditions set forth in that paragraph; proposed condition 2 (and 7) are covered by ¶ 17; proposed condition 9 is not applicable to this site. The Board adopts proposed conditions 3, 6, 8 and 10 with certain changes. The following conditions shall apply:

- 22.1 All water service lines shall be installed in accordance with the specifications of the Acton Water Supply District.
- 22.2 All work on the site, including earth removal and construction of the ways and installation of services, shall be performed in accordance with this comprehensive permit and the conditions set forth herein, and all applicable rules and regulations of the Town, except as waived by this decision. If field changes in the Subdivision Plan are required, the Applicant shall follow the procedures contained in § 11.4 of the Subdivision Rules for approval of such changes. If additional waivers of any local rules and regulations applicable to the project are required due to unforeseen conditions, the Applicant shall first apply to the local board responsible for administering such rules and shall seek the necessary waivers. If the local board does not grant such waivers, the Applicant may apply to this Board for an amendment of this comprehensive permit.
- 22.3 The responsibility for plowing and maintenance of all streets in the subdivision shall be that of the Applicant or his designee or assign until such time as the streets may be accepted by the Town of Acton as public ways. Following acceptance of the streets, the Town's maintenance responsibilities will follow standard procedures for Town streets and ways and shall be limited to the improvements

located within the street layouts and associated with their function as a street, and to any improvements associated with street drainage located within designated utility easements. The maintenance of all private utilities and services located within or outside the street layout or said easements and of any private drainage facilities feeding into drainage structures within the street layouts or easements shall not be the responsibility of the Town.

- 22.4 As required under Massachusetts General Laws, ch. 60, § 23, the Subdivision Plan shall not be recorded unless it is accompanied by a municipal lien certificate, indicating that all taxes, assessments and charges then assessed against the land shown on the Plan have been paid in full. If not paid at the time of endorsement of the Plan, the Board will add a Plan note to remind the Registry of Deeds or the Land Court of this legal requirement.

Summary and Conclusions


Based on the findings set forth above, the Board voted unanimously on August 13, 1998 to GRANT a comprehensive permit for the project, as described in the Application and accompanying plans, with the waivers and subject to the conditions set forth in this decision.

The Applicant and the Board agreed that a draft of the Board's decision in this case would be prepared as promptly as possible and circulated to the Board members. When the draft decision is approved and signed by all members of the Board, it shall be filed with the Town Clerk and provided to the Applicant. The date of filing with the Town Clerk shall be deemed to be the date of this decision.

The decision may be appealed by the Applicant to the Housing Appeals Committee under G.L. c. 40B, § 22 or by any other party by court under G.L. c. 40A, § 17, within 20 days from the date of filing of the decision with the Town Clerk.

TOWN OF ACTON  
BOARD OF APPEALS

  
Nicholas Miller  
Chairman

  
Thomas Lemire  
Member

  
Cara Voutselas  
Alternate Member

DECISION ON THE PETITION OF WESTSIDE REALTY LLP  
13-35 Sudbury Road

I certify that a copy of this Decision has been filed with  
the Acton Town Clerk and provided to the Applicant on Sept. 1, 1998  
1998.

*Cheryl Frazier*  
Cheryl Frazier  
Secretary  
Board of Appeals

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