

Design Review Board Minutes  
December 5, 2007

Members in attendance: Lynne Alpert, Tom Peterman, Ann Sussman, Terra Friedrichs, and Ruth Martin.

Meeting was called to order at 7:40 p.m.

The Design Review Board reviewed the revised language that we received back from Roland in response to our revisions for amending zoning bylaw 3.5.5 concerning outdoor seating in Acton restaurants. At our last meeting, the board recommended changing this section of the bylaw to read “on an adjacent outdoor space not obstructing a public way or parking”. In response, Roland sent back the following language:

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**DRAFT ARTICLE B**  
**ZONING BYLAW**  
(Two-thirds vote)  
**RESTAURANT SEATING**

**AMEND**  
**OUTDOOR**

To see if the Town will vote to amend the zoning bylaw, Section 3, Use Definitions, by deleting section 3.5.5, Restaurant, and replacing it with a new section 3.5.5, Restaurant, as follows:

- 3.5.5 Restaurant – Establishment where food and beverages are sold within a BUILDING to customers for consumption 1) at a table or counter, or 2) in an adjacent outdoor space that does not obstruct a public way or required vehicular parking, *a driveway, sidewalk, or walkway (staff addition)* or 3) off the premises as carry-out orders, except that drive-up service shall not be allowed, or 4) any combination of the above. In the OP-2 and the TD District, the minimum square footage for an individual restaurant shall be 5,000 square feet measured in NET FLOOR AREA.

*[Note – Section 3.5.5 currently reads as follows:*

*3.5.5 Restaurant – Establishment where food and beverages are sold within a BUILDING to customers for consumption 1) at a table or counter, or 2) on a patio closed on all sides with entrance to the patio normally available only from the BUILDING, or 3) off the premises as carry-out orders, except that drive-up service shall not be allowed, or 4) any combination of the above. In the OP-2 and the TD District, the minimum square footage for an individual restaurant shall be 5,000 square feet measured in NET FLOOR AREA. In the EAV District, service through walk-up windows may be allowed, and patios may be open and accessible from the outside.]*

, or take any other action relative thereto.

## **SUMMARY**

This article changes the definition of a restaurant to allow outdoor seating without restrictions, except that it shall not obstruct public ways, sidewalks, parking lots, and similar facilities. Currently, outdoor seating is only allowed in an enclosed patio that can only be accessed from the inside of the restaurant.

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The DRB 's only additional comment following Roland's proposal is to remove the words "without restrictions" in the summary and replace it with "to allow more flexible outdoor seating" .

This change in the bylaw makes the outdoor seating bylaw uniform throughout Acton which previously was only allowed in the EAV district

Ann will email this outdoor seating bylaw change to Ken Sundberg for his information as his possible tenant may be interested in an outdoor seating option for his restaurant. Ann will also send DRB comments to Roland.

We then discussed the design of the new proposed North Acton fire station. There will be a meeting on December 20 in the Public Safety building with the architect to go over the modified and evolving design as discussed at their last meeting which was attended by Ann, Tom and Holly.

The board moved to cancel the December 19<sup>th</sup> meeting so that more of the DRB members can attend the December 20<sup>th</sup> meeting for the North Acton Fire Station design and the Planning Board Meeting on December 17<sup>th</sup> at 8:30 in the library to go over the restaurant seating bylaw changes.

Meeting was adjourned at 8:20

Respectfully submitted by  
Lynne Alpert  
Design Review Board