



Planning Department

7/14/08
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TOWN OF ACTON
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MEMORANDUM

To: Steven Ledoux, Town Manager **Date:** July 11, 2008

From: Roland Bartl, AICP, Planning Director *R.B.*

Subject: Enterprise Bank – Drive through - 340-344 Great Road
(Acton Woods Plaza at 2A/27)
Zoning of Site: Limited Business District

Enterprise Bank has filed an application for a site plan amendment. They wish to locate in a space at the most south-easterly portion of the Acton Woods Plaza. This is a portion of the currently vacant space that previously housed children apparel store. The proposed bank drive-up window would be located against the side of the building facing Main Street.

This memo with the attached information is submitted with a request for a determination whether or not the amendment requires a public hearing.

Public hearing is discretionary

- The zoning bylaw (section 10.4) holds that a site plan special permit is required for developed sites where 1200 square feet or more of impervious building or pavement coverage is added. This would trigger the full review process including a public hearing. This Enterprise Bank proposal does not add impervious cover. Therefore, a public hearing is not mandated.
- The site is subject to a previously granted site plan special permit. As a standard condition of site plan special permits the Board of Selectmen requires that all changes must be approved by the Board, and the Board reserves the right to amend or modify the site plan with or without a public hearing. Therefore, the decision on a public hearing is in the discretion of the Board of Selectmen.

Proposed use is by-right in the Limited Business District

- Banks are classified as a service use. Zoning bylaw section 3.5.12:
"Services – Establishments providing services directly to the consumer such as a bank, credit union, barber shop, beauty salon, laundry, dry-cleaning, diaper service, building cleaning service, funeral home, shoe repair, tailor, clothing rental shop, equipment rental or leasing, food catering, photocopying, secretarial service, or similar USES or establishments".
No special use permit is required for a use in the "Service" classification.
- Bank drive-up windows are defined as an accessory use. Zoning Bylaw section 3.8.2:
"ACCESSORY USES permitted in the Office, Business, and Industrial Districts:
.....
3.8.2.2 Drive-up facilities in a bank.
....."
No special permit is required for a bank drive-up window.

Timing

The application has been distributed for departmental review and comment with the goal of bringing recommendations for a decision to the August 11 meeting of the Board. There is just sufficient time to advertise a public hearing for August 11 should the Board opt for one. Under state law, hearings on special permit – and by extension on special permit amendments - must be held within 65 days of the application date. Postponement to September would exceed the statutory time frame.

Recommendation

Although this amendment presents a somewhat visible change to the affected side of the plaza, it is my opinion that a public should not be required:

- Like at any plaza, business tenants change over time without public review unless a particular business requires a use special permit, which is not the case here.
- Enterprise bank proposed to add a drive-up window, which is an allowed and normal part of a bank.
- The proposed changes appear to be in keeping with general appearance of the plaza.
- The proposal would alter some drainage patterns. I believe that the changes are minor and can be or have been addressed. Plans have been forwarded to Engineering for review and comment.
- Enterprise Bank is a business bank. Therefore, drive-up window traffic is expected to be lower than at consumer banks. Comparative data at another nearby Enterprise Bank location show a range of 13 to 61 drive-up customers per day during the week, and 9 customers on Saturday. Staff will inquire with applicant regarding proposed direction of traffic flow through the facility and any other question the Board may have at this time.

Attached are various plan sheets and views to help with the decision.

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Town of Acton
MODIFICATION OF
APPLICATION FOR SITE PLAN SPECIAL PERMIT

To The

Board Of Selectmen

Refer to the "Rules and Regulations for Site Plan Special Permits" available from the Office of the Board or the Site Plan Coordinator for details on the information and fees required for this application. Contact the Site Plan Coordinator at 264-9632 with any questions concerning the Rules. Incomplete applications may be denied.

Please type or print your application.

APPLICANT'S

Name & Address

Enterprise Bank
Attn: Robert R. Gilman
EVP Administration
222 Merrimack Street, Lowell, MA 01852

Telephone
978-656-5521

OWNER'S

Name & Address

Location and Street Address of Site

340, 342, 344 Great Road

Tax Map & Parcel Number

Area of Site ac.

Zoning District

If any site plans have been filed previously for this site give file numbers: 03/09/83 - 0230

Telephone

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.

June 25, 2008

Date

Robert R. Gilman EVP

Signature of Petitioner

ENTERPRISE BANK & TRUST Co

OWNER'S KNOWLEDGE AND CONSENT

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

7/2/08

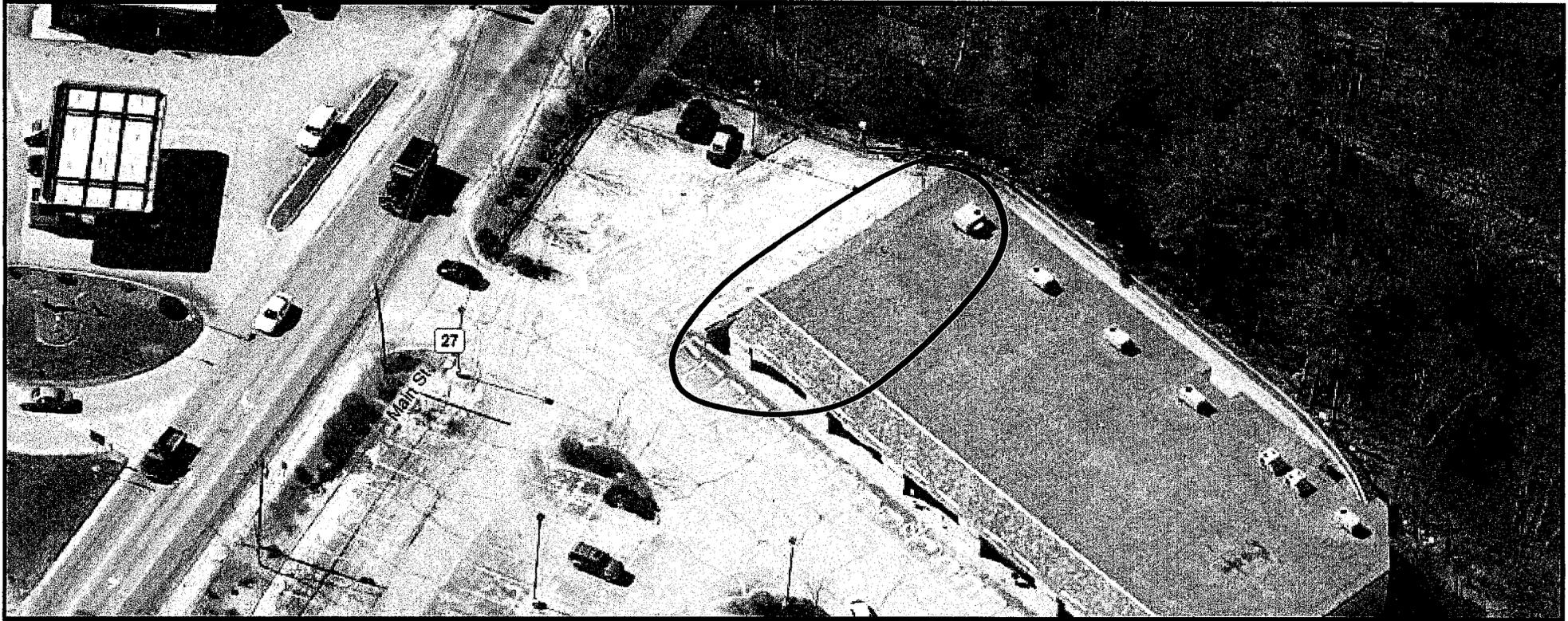
Date

James Keenan

Signature of Owner

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Location result for
340 Great Rd, Acton, MA 01720-4020



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