



Planning Department

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INTERDEPARTMENTAL COMMUNICATION

To: Steven Ledoux, Town Manager **Date:** December 30, 2013
From: Scott A. Mutch, Zoning Enforcement Officer & Assistant Town Planner
Subject: Site Plan Special Permit Application #11/12/13 – 446

Location: 100 Discovery Way, Acton, MA 01720
Applicant: 100 Discovery Way, LLC., 259 Turnpike Road, Suite 100, Southborough, MA 01772
Owner: 100 Discovery Way, LLC., 259 Turnpike Road, Suite 100, Southborough, MA 01772
Engineer: Allen & Major Associates, Inc., 100 Commerce Way, Woburn, MA 01888
Architect: ahp Architects, 20 Chelmsford Street, Chelmsford, MA 01824
Zoning: Office Park 2 (OP-2)
Groundwater Protection District Zones 3 & 4
Floor Area Ratio: Existing FAR – 0.12
Proposed FAR – 0.15
Maximum FAR – 0.20 (Subject to certain provisions in Section 5.7)
Proposed Uses: Warehouse & Research & Development Uses
Map/Parcel: G-3/71
Hearing Date: January 6, 2014
Decision Due: April 6, 2014

Attached are the legal ad, application, plan sheets and interdepartmental review comments received to date. As of this date, comments have been received from the Town of Acton's Design Review Board and Engineering Department. Upon review of the submitted comments, it does not appear that any of the issues and questions raised could not be addressed through appropriate site plan conditions.

The applicant is proposing to construct a new 20,000 square foot addition to an existing structure located at 100 Discovery Way. As per the Town of Acton Assessor's Office information, the subject Site is 14.48 acres (630,749 square feet) in area, has approximately 466.06' of frontage along Discovery Way, and is located within the Office Park 2 (OP-2) zoning district. The existing structure is approximately 80,000 square feet in size and was constructed in 1986, according to Assessor's Office records.

The Site Plan:

The site plan special permit application proposes to construct a new essentially one-story (less than 40' high), 20,000 square foot (total GROSS FAR) warehouse and research and development addition on the southwest side of the existing building. The proposed addition is sited in an area which is currently grass and

landscaping materials. The existing structure is approximately 80,000 square feet in total Gross FAR and internally consists of approximately 10,000 square feet of office space and approximately 70,000 square feet of research and development space.

The Site as currently exists, provides a total of 358 parking spaces. Although the proposed addition does not require the removal of any parking spaces in order to construct the addition, there are 37 parking spaces which are proposed to be slightly relocated and re-striped on the eastern side of the building. The total number of parking spaces will remain at 358. Based upon the Zoning Bylaw's minimum parking requirements set forth in Section 6.3.1, a total of 57 parking spaces are required as a minimum. The Site currently has 301 surplus parking spaces and seeks to retain same.

The proposed relevant zoning information for the subject site is summarized in the following table:

By-Law Requirements	Required	Existing	Proposed
Min. Lot Area (ft ²)	80,000 ft ²	647,737 ft ²	647,737 ft ²
Min. Lot Frontage (ft)	200'-0"	466.06'	466.06'
Min. Front Yard (ft) - West	50'-0"	96.7'	96.7'
Min. Side Yard (ft) – North	60'-0" *	239.0'	239.0'
Min. Side Yard (ft) – South	60'-0" *	362.2'	293.5'
Min. Rear Yard (ft) – East	60'-0" *	153.0'	135.0'
Max. Building Height (ft)	40'-0"	Unknown (< 40'-0")	Addition – 19'-7"
Max. F.A.R. (Floor Area Ratio)	0.20 **	0.12 (80,000 ft ²) Gross	0.15 (100,000 ft ²) Gross
Open Space	50% 323,869 ft ²	65.7% 425,908 ft ²	62.5% 405,297 ft ²
Parking Requirements	Required	Existing	Proposed
Use: Office (10,000 ft ² Gross) 1 space/250 ft ² of N.F.A.	40		
Use: Industrial (90,000 ft ²) 1 space/2,000 ft ² of N.F.A. for first 20,000 ft ² plus 1 space/10,000 ft ² of additional N.F.A.	17		
Total:	57	358	358***

* Minimum Side & Rear Yard Setback: 30'-0" – Note (7): If the LOT abuts a Residential District the minimum side and rear yard shall be 60 feet.

** Maximum FAR: 0.20 – Note (16): Subject to certain provisions in Section 5.7, Special Provisions for the Office Park 2 District.

*** Although there is no net change in the total number of parking spaces on the property upon completion of the proposed project, construction of the 20,000 ft² addition does require that 37 existing parking spaces be reconfigured and slightly relocated.

POINTS OF DISCUSSION FOR BOARD OF SELECTMEN

- 1) The chart of Standard Dimensional Regulations in Section 5 of the Zoning Bylaw sets forth the maximum permitted FAR for the subject property. The maximum FAR is 0.20 and is followed by Note (16), which states “Subject to certain provisions in Section 5.7, Special Provisions for the Office Park 2 District”. Section 5.7 of the Zoning Bylaw states the following:

5.7 Special Provisions for the Office Park 2 District

- 5.7.1 Purpose – The purpose of this Section is to set forth specific standards for the development in the Office Park 2 District to ensure that the prime location of this district on Route 2 is utilized to its optimum while ensuring adequate provisions for wastewater collection and treatment and vehicular access and circulation in the general area.
 - 5.7.2 On any LOT where a FLOOR AREA RATIO in excess of 0.10 is proposed, the Site Plan Special Permit Granting Authority may require, as a condition of a site plan approval, the following contributions to the Town of Acton:
 - 5.7.2.1 An area of land suitable in size and location for the construction of a centralized wastewater collection, treatment and disposal system serving the OP-2 District and other areas within the Town of Acton. Where such a contribution of land is made, the maximum FLOOR AREA RATIO on the remaining land shall be calculated by including in the DEVELOPABLE SITE AREA the land contributed to the Town; and
 - 5.7.2.2 An area of land suitable in size and location to be used for the construction of a Service Road (as defined in the Acton Subdivision Rules and Regulations) on the south side of Route 2 between Route 111 west of Route 2, and Route 2 just east of Hosmer Street. Where such a contribution of land is made, the maximum FLOOR AREA RATIO on the remaining land shall be calculated by including in the DEVELOPABLE SITE AREA the land dedicated to the Town.
 - a) Due to the subject property currently being in excess of the 0.10 FAR, and with the proposed 20,000 square foot addition increasing the FAR further beyond the 0.10, it is reasonable for discussion to occur with regards to the relevance of Sections 5.7.2.1 and 5.7.2.2. While enforcing the strict requirements of Section 5.7.2.1 may not be realistic or reasonable in this particular instance, discussion of the subject matter is warranted.
 - b) With regards to the requirements of Section 5.7.2.2, there should be discussion as to its relevance and necessity. For a number of years, this particular issue has been discussed and contemplated, but with no clear resolution or outcome. Further discussion is warranted at this time.
- 2) Due to the 20,000 ft² addition being constructed on existing grass/lawn area, perhaps the equivalent amount of square footage of impervious pavement and parking spaces could be removed. As previously noted, the subject property is only required to provide 57 parking spaces, yet 358 parking spaces are currently in existence and the same number (358) of parking spaces are proposed at the end of construction. This amount of parking seems excessive and could perhaps be reduced and replaced with more landscaping material.