



**Planning Department**

**TOWN OF ACTON**  
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***INTERDEPARTMENTAL COMMUNICATION***

**To:** Steven Ledoux, Town Manager **Date:** August 4, 2014  
**From:** Scott A. Mutch, Zoning Enforcement Officer & Assistant Town Planner  
**Subject:** Site Plan Special Permit Application #07/03/14 – 451

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Location: 267 Great Road, Acton, MA 01720  
Applicant: Acton Management, Inc., 69 Great Road, Acton, MA 01720  
Owner: SPS-Acton, LLC., P.O. Box, Acton, MA 01720  
Engineer: Stamski and McNary, Inc., 1000 Main Street, Acton, Massachusetts 01720  
Architect: E.J. Rempelakis Associates, 179 Great Road, Suite 201, Acton, MA 01720  
Zoning: Limited Business (LB)  
Groundwater Protection District Zones 2 & 3  
Floor Area Ratio: Existing FAR – Unknown  
Maximum FAR – 0.20 (8,000 ft<sup>2</sup> can be constructed on the subject property based on Zoning Bylaw Section 5.4.6.2)  
Proposed Square Footage to be Built - 3,605 ft<sup>2</sup>  
Proposed Uses: Office Use  
Map/Parcel: E-5/13  
Hearing Date: August 11, 2014  
Decision Due: November 9, 2014

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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, Municipal Properties Director, Water Supply District of Acton, Sidewalk Committee 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.

**Existing Conditions:**

The subject property is approximately 2.26 acres (98,646 square feet) in land area. There is currently a single family home, a detached garage and two (2) sheds located on the property, all of which are proposed to be demolished. The existing curb cut providing access into the property is proposed to be closed and a new curb cut would be created. As per the Town of Acton Assessor's Office information, the existing home was originally constructed in 1937 and is not identified on the Town's Cultural Resource List.

**The Site Plan:**

The site plan special permit application proposes to construct a new one-story (less than 36' high), 3,605 square foot (Net Floor Area) office building with a twenty (20) space parking lot. The parking spaces are located along the north side and behind the rear of the proposed building.

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

<b>By-Law Requirements</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
Min. Lot Area (ft <sup>2</sup> )	20,000 ft <sup>2</sup>	98,646 ft <sup>2</sup>	98,646 ft <sup>2</sup>
Min. Lot Frontage (ft)	200'-0"	200.6'	200.6'
Min. Front Yard (ft) - West	75'-0"	Unknown	89'-0"
Min. Side Yard (ft) – North	30'-0"	Unknown	>30'-0"
Min. Side Yard (ft) – South	30'-0"	Unknown	31'-0"
Min. Rear Yard (ft) – East	30'-0"	Unknown	> 30'-0"
Max. Building Height (ft)	36'-0"	Unknown	< 36'-0"
Max. F.A.R. (Floor Area Ratio)	0.20 *	Unknown	0.04 *
<b>Open Space</b>			
Zoning Bylaw Section 4.3.2.6 – Split Zone Lots - Whenever a Groundwater Protection District Zone boundary line divides a Lot, each portion of the Lot shall comply with the requirements of this Bylaw applicable to its respective Zone.			
Area of Lot in G.W.P.D. Zone 2:	31,067 ft <sup>2</sup>		
Area of Lot in G.W.P.D. Zone 3:	67,579 ft <sup>2</sup>		
		<b>Required</b>	<b>Proposed</b>
G.W.P.D Zone 2:	70%	21,747 ft <sup>2</sup>	25,426 ft <sup>2</sup> (82%)
G.W.P.D Zone 3:	50%	33,790 ft <sup>2</sup>	50,561 ft <sup>2</sup> (75%)
Minimum Undisturbed Open Space in G.W.P.D. Zone 2:	40%	12,427 ft <sup>2</sup>	17,453 ft <sup>2</sup> (56%)
Maximum Impervious Coverage in G.W.P.D. Zone 2:	30%	9,320 ft <sup>2</sup>	5,791 ft <sup>2</sup> (19%)
<b>General Parking Requirements</b>			
Zoning Bylaw Section 5.4.6.2 - The maximum number of parking spaces that can be constructed on a Lot shall not exceed 1 parking space per 3,000 ft <sup>2</sup> of Developable Site Area			
Developable Site Area:	97,484 ft <sup>2</sup>		
Maximum # of Parking Spaces:	32		
<b>Parking Requirements</b>	<b>Required §6.3.1</b>	<b>Required as per §6.3.7</b>	<b>Proposed</b>
Use: Office (3,600 ft <sup>2</sup> N.F.A) 1 space/250 ft <sup>2</sup> of N.F.A.	15	14	20
<b>Bicycle Parking Requirements</b>			
Zoning Bylaw Section 6.3.7.5 – one (1) bicycle parking space for each twenty (20) motor vehicle parking			

spaces in the parking facility, but never less than two (2) bicycle parking spaces			
		<b>Required</b>	<b>Proposed</b>
Number of Motor Vehicle Parking Space Provided:	20	2	0

\* Maximum FAR: 0.20 – Note (4): In the EAV District, subject to the provisions in Sections 5.4 and 5.5B. In the EAV-2 District, subject to the provisions in Section 5.5B.2. In the NAV District, subject to the provision in Section 5.4 and 5.5C. **In the LB District, subject to the provisions in Section 5.4 (Transfer of Development Rights).**

**ITEMS TO BE ADDRESSED**

- Bicycle Parking

The April 2014 Annual Town Meeting adopted a new section of the Zoning Bylaw (§6.3.7) which created the requirement that off-street parking facilities shall provide bicycle parking spaces. The Bylaw requires one (1) bicycle parking spaces for every twenty (20) motor vehicle parking spaces, but never less than two (2) bicycle parking spaces.

Problem: The proposed plan as currently submitted, does not indicate or show any bicycle parking spaces.

Possible Solution: The site plan as currently proposed allows for six (6) surplus parking spaces above and beyond the minimum number required by the Zoning Bylaw. One (1) or more of the surplus motor vehicle parking spaces could be converted to provide for the necessary bicycle parking spaces.

- Section 10.4.3.6 – Special Landscaping Provisions Applicable to the Limited Business District, Office Districts, Small Manufacturing Districts, and the Light Industrial-1 District.

- 1) No STRUCTURE, pavement, display of goods, materials or vehicles, or other impervious materials, other than allowed ACCESS driveways, landscaping elements and signs, shall be placed within the minimum front yard.

Problem: The Site Plan proposes a bituminous concrete sidewalk running straight back (approximately 89’-0”) from the existing sidewalk along Great Road to the front entrance of the building. The first 75’-0” of the property are deemed to be the minimum required front yard, and based upon the above noted Bylaw section, the bituminous concrete sidewalk is not permitted. Although landscaping elements are permitted within the minimum front yard, a bituminous concrete sidewalk as proposed, is a stretch to be classified as a landscaping element.

Possible Solution: The sidewalk could be relocated to be immediately next to the access driveway and would therefore function more or less as one. As noted, only access driveways are permitted to be located within the minimum required front yard.

- 2) Landscaped Buffer Areas – The required front yard of any nonresidential USE, and the required side and rear yards of any nonresidential USE on a LOT abutting a Residential District, whether abutting it directly or separated by a public or railroad right-of-way, shall contain a landscaped buffer strip which shall be no less than thirty (30) feet in width. The landscaped buffer strip

shall comply with the following standards and must be approved by the Board of Selectmen as part of the Site Plan Special Permit:

- i) Front yards of nonresidential USES shall include a semi-opaque screen. Said screen shall be opaque from the ground to a height of three feet, with intermittent visual obstruction from above the opaque portion to a height of at least 20 feet. The semi-opaque screen is intended to block visual contact between uses and to create a strong impression of the separation of spaces. The opaque screen may be composed of a wall, fence, landscaped earth berm or densely planted vegetation. The semi-opaque screen may be composed of planted vegetation or existing vegetation. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ten (10) feet wide. The zone of intermittent visual obstruction may contain deciduous plants. Examples of screens meeting this standard include combinations of the following:
  - small trees planted 30 feet on center, or large shade trees planted 40 feet on center; and
  - a 3-foot high stone wall or landscaped earth berm, or 3-foot high evergreen hedge shrubbery planted 3 feet on center.

Problem: Although a landscaping plan was submitted as part of the application and the Municipal Properties Director has accepted the currently submitted plan, it is unclear as to whether or not the submitted landscaping plan actually complies with the above noted specific landscape requirements.

Possible Solution: The Municipal Properties Director should confirm that the landscape plan as currently proposed does indeed comply with the above noted Bylaw requirements or suggest possible revisions to achieve compliance.

- Outdoor Lighting

Although an outdoor lighting plan has been submitted as part of the application package, is it lacking and deficient in necessary and required information. The applicant must show and verify compliance with the standards for outdoor lighting set forth in Section 10.6 – Outdoor Lighting Regulations for Site Plan Special Permit.