ARTICLE # **AMEND ZONING BYLAW – PUBLIC ACQUSITION**
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw Section 8.8 – Public Acquisition, by deleting Section 8.8 and replacing it with a new subsection as follows:

8.8 Public Acquisition – If the area, FRONTAGE, width or other dimensions of a LOT, parcel or TRACT OF LAND is altered by a taking or acquisition of part of such land by the Town of Acton or the Water Supply District of Acton for public purposes, no such LOT, parcel or TRACT OF LAND nor any existing USE, BUILDING or STRUCTURE located on, or dependent upon the existing area or other dimensions of such LOT, parcel or TRACT OF LAND for compliance with the requirements of this Zoning Bylaw, shall be rendered non-complying or nonconforming solely by reason of such taking or acquisition.

[Note: Section 8.8 currently reads:

Public Acquisition – If the area, FRONTAGE, width or other dimensions of a LOT, parcel or TRACT OF LAND is decreased by a taking or acquisition of part of such land by the Town of Acton or the Water Supply District of Acton for public purposes, no existing USE, BUILDING or STRUCTURE located on, or dependent upon the existing area or other dimensions of such LOT, parcel or TRACT OF LAND for compliance with the requirements of this Zoning Bylaw, shall be rendered non-complying solely by reason of such taking or acquisition.]

, or take any other action relative thereto.

SUMMARY

This article aims to more comrehensively address the intent of section 8.8. ….

Question: Does the Board wish to have us explore full or partial zoning immunity for public acquisitions? In other words, public acquisitions would still affect subsequent development development on a lot – different setbacks, different floor area based on FAR, etc. This would need to be thought through cvarefully, but may come in handy when trying to deal with public infrastructure improvements that may require limited takings such as may be the case in Kelley's Corner. But also other areas.

Direct inquiries to: Roland Bartl, Planning Director: planning@acton-ma.gov / (978) 929-6631
Selectman assigned:

Recommendations:	**Board of Selectmen**	**Finance Committee**	**Planning Board Recommended**

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