



Planning Department

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MEMORANDUM

To: Zoning Board of Appeals

Date: May 21, 2015

From: Kristen Guichard, AICP, Assistant Town Planner ^{KAG}

Subject: Hearing #15-08, 429 Great Road

The application submitted to the Planning Department on March 20, 2015 for 429 Great Road was a special permit request under Zoning Bylaw Section 8.3.3, to move the existing building back, making it more conforming (but still with a non-conforming setback) and to extend the building within the existing non-conformity. (Please see Roland's memo dated, April 24, 2015.)

Following their initial application, the applicant then submitted a letter from his attorney on April 28, 2015 indicating the applicant may be interested in possibly razing the building and constructing a new building with a non-conforming setback.

We have no statement from the applicant as to which avenue they wish to pursue, but can only comment that the Planning Department does not agree with their attorney's interpretation of the Town's Zoning Bylaw in this regard, and that once the building is razed and a new building is constructed, the new building must comply with the Zoning Bylaw setback requirements.

The applicant should make clear their intentions for the building. If they chose to raze the existing building and construct a new building within a non-conforming setback, they must submit a new application for a variance and include all required materials.