TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 929-6611
Fax (978) 929-6350

Board of Selectmen

LEGAL NOTICE
TOWN OF ACTON

The Acton Board of Selectmen will hold a public hearing on January 25, 2016 at 8:00 PM (continued from December 7, 2015) in the Francis Faulkner Hearing Room 204 at the Town Hall, 472 Main Street, Acton on the application of Ryan Development, LLC, 2 Lan Drive, Westford, MA for a Site Plan Special Permit # 09/11/15 – 457 building raise existing structure and new construction required under Section 10.3 and 10.4 of the Acton Zoning Bylaw at 252 Main Street, Acton, MA 01720. The application and accompanying plans can be inspected at Town Hall during normal business hours.

Acton Board of Selectmen

Selectmen Green

RECEIVED

DEC 08 2015

TOWN CLERK
ACTON

AGREEMENT ON TIME EXTENSION

The Board of Selectmen and the Petitioner for a Special Permit

Site Plan Special Permit

(identify type of permit)

File Number: #09/11/2015 - 457

Petitioner Name: Ryan Development

Project Name: Building Raise and Construction

Location/Address: 252-~~2556~~ 256 Main Street

Hereby agree to continue the Public Hearing to:

(date): January 25, 2016

(time): 8:00 pm

~~And to extend the legally required time limit in which the Board of Selectmen must render a decision to 90 days following the date of the hearing continuance stated above.~~

Signed this date: December 7, 2015

Board of Selectmen

Petitioner

This agreement must be filed with the Office of the Acton Town Clerk.

030 (2) 12/07/2015

TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 929-6611
Fax (978) 929-6350

Board of Selectmen

LEGAL NOTICE
TOWN OF ACTON

The Acton Board of Selectmen will hold a public hearing on December 7, 2015 at 7:30 PM (continued from November 2, 2015) in the Francis Faulkner Hearing Room 204 at the Town Hall, 472 Main Street, Acton on the application of Ryan Development, LLC, 2 Lan Drive, Westford, MA for a Site Plan Special Permit # 09/11/15 – 457 building raise existing structure and new construction required under Section 10.3 and 10.4 of the Acton Zoning Bylaw at 252 Main Street, Acton, MA 01720. The application and accompanying plans can be inspected at Town Hall during normal business hours.

Acton Board of Selectmen

Selectmen Green

RECEIVED

NOV 03 2015

TOWN CLERK
ACTON

AGREEMENT ON TIME EXTENSION

The Board of Selectmen and the Petitioner for a Special Permit

Site Plan Special Permit

(identify type of permit)

File Number: #09/11/2015-457

Petitioner Name: Ryan Development

Project Name: Building raise + construction, 110 Grill

Location/Address: 252-256 Main St.

Hereby agree to continue the Public Hearing to:

(date): December 7, 2015

(time): 7:30 pm

And to extend the legally required time limit in which the Board of Selectmen must render a decision to 90 days following the date of the hearing continuance stated above.

Signed this date: November 2, 2015

Board of Selectmen

Petitioner

This agreement must be filed with the Office of the Acton Town Clerk.

RYAN DEVELOPMENT LLC

September 11, 2015

Acton Board of Selectmen
Katie Green, Chair
Acton Town Hall
472 Main Street
Acton, MA 01720

RE: Special Permit and Site Plan Special Permit Applications
252-256 Main Street, Acton, MA

Dear Ms. Green and Members of the Board:

This letter is provided in connection with Ryan Development, LLC's proposed development of a 6,020 +/- s.f. restaurant to be located on a portion of the property known as 252-256 Main Street. The property contains 280,192 s.f., more or less and is the current location of the former 94 seat McDonald's restaurant. The Applicant proposes to raise the existing structure and to construct a new 110 Grill Restaurant containing 189 indoor seats and 51 seasonal patio seats as shown on the attached plan entitled "110 Grill, 256 Main Street (Route 27) Town of Acton, Middlesex County, Massachusetts", prepared by Howard Stein Hudson and prepared for Ryan Development, LLC (the "Plan"). The Applicant also proposes minor site improvements/modifications associated with the proposal as shown on the Plan.

In conformance with the Town of Acton Bylaws as well as the "Rules and Regulations" governing Site Plan Special Permits and Special Permits from the Board of Selectmen, enclosed please find applications for a Site Plan Special Permit and a Special Permit for a Restaurant in a KC zoning district.

Also enclosed in regards to the above referenced application please find the following:

A) A copy of the most recently recorded deeds for the lot in question;
B) Vote from Ryan Development, LLC authorizing the Application;
C) Certified Abutters List along with required certified envelopes and postage;
D) Detailed Plan showing information requested in Sections 3.7 and 3.9 of the Rules and Regulations governing Special Permits and Site Plan Special Permits from the Board of Selectmen respectively;
E) Water Balance Calculations, Drainage Calculations and Earth Removal Calculations;
F) Letter from Vanasse & Associates Inc. dated September 2, 2015; and
G) Applicable Application Fee.

RYAN DEVELOPMENT LLC • 2 LAN DRIVE • WESTFORD, MASSACHUSETTS 01886
TELEPHONE (978) 692-9450 • FAX (978) 692-4424 • www.raventures.net

Please be advised that as part of this application we are requesting waivers of the following sections of the Rules and Regulations for Special Permits and Site Plan Special Permits (collectively the "Rules and Regulations"):

Section 1.7 (Section 1.6 from Rules and Regulations Governing Site Plan Special Permits): The proposal is for the redevelopment of a portion of the existing site and the proposed work is therefore limited. Given the nature of the proposed redevelopment and the existing conditions of the already fully developed site, a security bond is not necessary.

Section 3.7 (Section 3.10 from Rules and Regulations Governing Site Plan Special Permits): Where the proposal is for the redevelopment of an existing restaurant, and the additional new trips will be less than 30 trip ends per peak hour and 400 trip ends per weekday above what the existing building could bear, a traffic study is not warranted. See attached letter from Vanasse & Associates, Inc.

It is the Applicant's belief that the proposal as designed meets the requirements of the Rules and Regulations, as well as the requirements for a development located in the Kelly's Corner District as defined by Section 5.6 of the Zoning Bylaws as well as the requirements for a Special Permit pursuant to Section 10.3 of the Zoning Bylaws. Specifically, the proposal is in harmony with the purpose and intent of this Bylaw as that purpose is defined in Section 5.6, the proposal will not be detrimental or injurious to the neighborhood in which it is to take place and is appropriate for the site in question as this section of Main Street is zoned appropriately for the use proposed, the site is the former location of a fast food restaurant and is in need of redevelopment. Moreover, the application as proposed complies with all applicable requirements of the Zoning Bylaws.

Thank you in advance for your time and consideration. If you have any questions, please do not hesitate to contact me directly at the number listed above.

Sincerely,
Ryan Development, LLC

Kevin S. Eriksen

Enclosures.
Cc: Client

Appendix B

TOWN OF ACTON
APPLICATION FOR SPECIAL PERMIT
(ZONING BYLAW)

Indicate the type of Special Permit Requested: BOS Special Permit - Restaurant in KC District

Under Zoning Bylaw Section: 3.5.5 - Table of Principal Uses *

Refer to the "Rules and Regulations for Special Permits" available from the Planning Department for details on the information and fees required for this application. Contact the Planning Department at 978-929-6631 with any questions concerning the Rules. Incomplete applications may be denied.

Please type or print your application.

1. Location and Street Address of proposed SPECIAL PERMIT 252-256 Main St.

2. Applicant's Name Ryan Development LLC, its successors or assigns.
   Address 2 Lan Drive, Westford MA
   Telephone 978-692-9450 Email

3. Record Owner's Name Stop and Shop Supermarket Company, LLC
   Address 1385 Hancock St., Quincy MA 02169
   Telephone Email Kerikson@comcastnet.net

4. Town Atlas Map(s)/Parcel Number(s) F3-139, F3-116, F2-129-1

5. Zoning District (s) of Parcel(s) Kelly's Corner

6. Detailed description of the proposed SPECIAL PERMIT:
   Restaurant Special Permit. See attached cover letter

7. If applying for a USE SPECIAL PERMIT, declare all hazardous materials or wastes that are expected to be generated, stored, used, or disposed of by the proposed USE. The USE must comply with the TOWN'S Hazardous Materials Control Bylaw:
   The applicant does not propose to store any hazardous materials or wastes.

8. If there was a change in USE, please describe the previous USE on the site: No change in use. Previous use was a McDonald's restaurant.

* And any additional zoning relief deemed necessary and/or appropriate.

9. If any SPECIAL PERMITS have been filed previously for this site give file numbers: No previous Special Permit applications from the applicant.

10. Please indicate expected number of employees, occupants and/or residents: _____

11. If a restaurant is proposed, please indicate number of proposed seats: See cover letter

12. Hours of operation: 11:00 am → 1 a.m.

13. Please indicate the following:
Total NET FLOOR AREA (existing): _____
Total NET FLOOR AREA (proposed): 6,020 s.f. +/-

14. Describe any proposed modifications to the exterior features or appearances of the STRUCTURE: See attached architectural renderings

15. If the proposed SPECIAL PERMIT is located on a developed site, please provide the site conditions for the following characteristics:
LOT size: 280,192 s.f. +/-
Total LOT coverage (existing): 34.4 % +/-
Total LOT coverage (proposed): 25.3 % +/-
Total OPEN SPACE (existing): 75.6 % +/-
Total OPEN SPACE (proposed): 74.7 % +/-
Total parking spaces provided on the site: 286 +/-
Total parking spaces dedicated to proposed use (existing): Shared Parking ; N/A
Total parking spaces dedicated to proposed use (proposed): Shared Parking ; N/A

The undersigned hereby apply to the Board of Selectmen for a public hearing and a special permit under Section 10.3 of the Zoning Bylaw approving the attached use form.

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.

9/8/15
Date — Signature of Petitioner(s) — Signature of Petitioner(s)

RECORD OWNER'S KNOWLEDGE AND CONSENT

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

9/2/15
Date — Signature of Record Owner(s) — Signature of Record Owner(s)

Appendix B

TOWN OF ACTON
APPLICATION FOR SITE PLAN SPECIAL PERMIT

For BOS
Under Zoning Bylaw Section _____

Refer to the "Rules and Regulations for Site Plan Special Permits" available from the Building Department or the Planning Department for details on the information and fees required for this application. Contact the Planning Department at 978-929-6631 or Building Department at 978-929-6633 with any questions concerning the Rules. Incomplete applications may be denied.

Please type or print your application.

1. Location and Street Address of Site 252-256 Main St.
2. Applicant's Name Ryan Development LLC, its successors or assigns
   Address 2 Lan Drive, Westford MA
   Telephone 978-692-9450 Email Kerikson@caventures.net
3. Record Owner's Name Stop and Shop Supermarket Company LLC
   Address 1385 Hancock St. Quincy MA 02169
   Telephone _____ Email _____
4. Town Atlas Map(s)/Parcel Number(s) F3-139, F3-116, F2-129-1
5. Zoning District (s) of Parcel(s) KC

If any site plans have been filed previously for this site give file numbers: _____

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.

9/8/15
Date | Signature of Petitioner(s) | Signature of Petitioner(s)

RECORD OWNER'S KNOWLEDGE AND CONSENT

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

9/2/15
Date | Signature of Record Owner(s) | Signature of Record Owner(s)

RYAN DEVELOPMENT LLC
JOINT MEETING OF THE MEMBERS AND MANAGERS

A Joint Meeting of the Members and Managers of RYAN DEVELOPMENT LLC was held by consent on September 1, 2015 at 4:00 pm.

Upon motion duly made and seconded, it was voted by all members of Ryan Development LLC as follows:

VOTED: To take all steps necessary to obtain any and all necessary local, state and/or federal permits for the development of a restaurant at 252-256 Main Street, Acton MA including but not limited to the filing of an application for Special Permit and a Site Plan Special Permit with the Town of Acton Board of Selectmen.

There being no further business to come before the Members and Managers, upon motion duly made and seconded, it was unanimously

VOTED: To adjourn.

Adjourned accordingly at 4:15 pm.

A true record.

ATTEST:_____
Robert A. Walker, Manager

Transportation Engineers & Planners

35 New England Business Center Drive
Suite 140
Andover, MA 01810-1066
Office: 978-474-8800
Fax: 978-688-6508
Web: www.rdva.com

Ref: 7141

September 2, 2015

Kevin S. Eriksen, Esquire
General Counsel
Ryan Development, LLC
2 Lan Drive
Westford, MA 01886

Re: 110 Grill Restaurant
256 Main Street
Acton, Massachusetts

Dear Kevin:

Vanasse & Associates, Inc. (VAI) has completed a review of the traffic characteristics of the proposed 110 Grill restaurant to be located at 256 Main Street (Route 27) in Acton, Massachusetts (hereafter referred to as the "Project"), in relation to the *Traffic Study* requirements of Section 3.6 of the Town of Acton *Special Permit Rules & Regulations*. Section 3.6 specifies that:

A traffic impact study will be required in all APPLICATIONS where the proposed SPECIAL PERMIT will, in the opinion of the BOARD, be likely to produce an additional 30 trip ends per hour (a.m. or p.m. or weekend, whichever is higher based on average figures) or an average of 400 additional trip ends per weekday based on the most recent edition of the Institute of Transportation Engineers' publication "Trip Generation".

As proposed, the Project will entail the demolition of the existing 94-seat McDonald's fast-food restaurant that occupies the Project site and the construction of a 240-seat 110 Grill restaurant. Table 1 summarizes and compares the traffic characteristics of the existing McDonald's restaurant to those of the proposed 110 Grill restaurant using trip-generation statistics published by the Institute of Transportation Engineers (ITE)[1] for the appropriate land uses.

[1] *Trip Generation*, 9th Edition; Institute of Transportation Engineers; Washington, DC; 2012.

Table 1
110 GRILL TRIP GENERATION SUMMARY AND COMPARISON

	Vehicle Trips		
Time Period/Direction	(A) Proposed 110 Grill (240 Seats)[a]	(B) Existing McDonald's Restaurant (94 Seats)[b]	(A-B) Difference
Average Weekday:	1,160	1,836	-676
Weekday Morning Peak Hour:	113	119	-6
Weekday Evening Peak Hour:	98	89	+9
Saturday:	1,490	2,222	-732
Saturday Midday Peak Hour:	127	225	-98

[a]Based on ITE LUC 932, *High-Turnover (Sit Down) Restaurant.*
[b]Based on ITE LUC 934, *Fast-Food Restaurant with Drive-Through Window.*

As can be seen in Table 1, the proposed 110 Grill restaurant is expected to result in 676 fewer vehicle trips on an average weekday and 732 fewer vehicle trips on a Saturday when compared to the existing McDonald's restaurant that occupies the Project site, with 6 fewer vehicle trips expected during the weekday morning peak-hour, 9 additional vehicle trips during the weekday evening peak-hour and 98 fewer vehicle trips during the Saturday midday peak-hour.

Based on the comparative analysis presented in Table 1 and following the methodology defined in Section 3.6, the Project would not exceed the thresholds defined therein that would require the preparation of a Traffic Impact Study.

If you should have any questions regarding our review of the Project, please feel free to contact me.

Sincerely,

VANASSE & ASSOCIATES, INC.

Jeffrey S. Dirk

Jeffrey S. Dirk, P.E., PTOE, FITE
Principal

JSD/jsd

cc: File

Institute of Transportation Engineers (ITE)
Trip Generation, 9th Edition
Land Use Code (LUC) 932 - High-Turnover (Sit-Down) Restaurant

Average Vehicle Trips Ends vs: Seats
Independent Variable (X): 240

AVERAGE WEEKDAY DAILY

T = 4.83 * (X)
T = 4.83 * 240
T = 1159.20
T = 1,160 vehicle trips
with 50% (580 vpd) entering and 50% (580 vpd) exiting.

WEEKDAY MORNING PEAK HOUR OF ADJACENT STREET TRAFFIC

T = 0.47 * (X)
T = 0.47 * 240
T = 112.80
T = 113 vehicle trips
with 52% (59 vph) entering and 48% (54 vph) exiting.

WEEKDAY EVENING PEAK HOUR OF ADJACENT STREET TRAFFIC

T = 0.41 * (X)
T = 0.41 * 240
T = 98.40
T = 98 vehicle trips
with 57% (56 vph) entering and 43% (42 vph) exiting.

SATURDAY DAILY

T = 6.21 * (X)
T = 6.21 * 240
T = 1490.40
T = 1,490 vehicle trips
with 50% (745 vpd) entering and 50% (745 vpd) exiting.

SATURDAY MIDDAY PEAK HOUR OF GENERATOR

T = 0.53 * (X)
T = 0.53 * 240
T = 127.20
T = 127 vehicle trips
with 53% (67 vph) entering and 47% (60 vph) exiting.

Institute of Transportation Engineers (ITE)
***Trip Generation,* 9th Edition**
Land Use Code (LUC) 934 - Fast-Food Restaurant with Drive-Through Window

Average Vehicle Trips Ends vs: Seats
Independent Variable (X): 94.00

AVERAGE WEEKDAY DAILY

T = 19.52 * (X)
T = 19.52 * 94.00
T = 1,834.88
T = 1,836 vehicle trips
with 50% (918 vpd) entering and 50% (918 vpd) exiting.

WEEKDAY MORNING PEAK HOUR OF ADJACENT STREET TRAFFIC

T = 1.27 * (X)
T = 1.27 * 94.00
T = 119.38
T = 119 vehicle trips
with 53% (63 vph) entering and 49% (56 vph) exiting.

WEEKDAY EVENING PEAK HOUR OF ADJACENT STREET TRAFFIC

T = 0.95 * (X)
T = 0.95 * 94.00
T = 89.30
T = 89 vehicle trips
with 53% (47 vph) entering and 48% (42 vph) exiting.

SATURDAY DAILY

T = 23.64 * (X)
T = 23.64 * 94.00
T = 2,222.16
T = 2,222 vehicle trips
with 50% (1,111 vpd) entering and 50% (1,111 vpd) exiting.

SATURDAY MIDDAY PEAK HOUR OF GENERATOR

T = 2.39 * (X)
T = 2.39 * 94.00
T = 224.66
T = 225 vehicle trips
with 51% (115 vph) entering and 49% (110 vph) exiting.

1 3
1

tah\purity\transfer\acton.909

Acton, Massachusetts
Purity Location No. 909

DEED

The undersigned, PURITY SUPREME, INC., a Delaware corporation, with a principal place of business at Quincy Center Plaza, 1385 Hancock Street, Quincy, Norfolk County, Massachusetts 02169 ("Grantor"), for consideration paid and in full consideration of One Million Eighty Six Thousand Five Hundred and 00/100 Dollars ($1,086,500.00) grants to THE STOP & SHOP SUPERMARKET COMPANY, a Delaware corporation, with a principal place of business at Quincy Center Plaza, 1385 Hancock Street, Quincy, Norfolk County, Massachusetts 02169 ("Grantee"), with QUITCLAIM COVENANTS the land, and buildings and improvements thereon, commonly known as and numbered 252-256 Main Street, Acton, Middlesex County, Massachusetts 01720, more particularly described on Exhibit A attached hereto and incorporated herein.

PROPERTY ADDRESS: 252-256 Main Street, Acton, Massachusetts

Such premises are conveyed subject to, and with the benefit of, all easements, rights, reservations, restrictions, rights of way and encumbrances of record, if any, insofar as the same are now in force and applicable.

This conveyance is subject to and with the benefit of any and all existing leases, licenses and other occupancy agreements (if any) (collectively, to the extent assignable, the "Leases") demising all or any portion of the premises hereby conveyed. Grantor hereby assigns to the Grantee all of Grantor's right, title and interest in the Leases. By accepting and recording this deed, the Grantee shall be deemed to accept and assume all of lessor's obligations contained therein arising on or after the date hereof.

This conveyance is subject to and with the benefit of any and all existing contracts, agreements, approvals, licenses, and permits (collectively, to the extent assignable, the "Contracts") relating to the premises. Grantor hereby assigns to the Grantee all of the Grantor's right, title and interest in the Contracts. By acceptance and recording of this Deed, the Grantee shall be deemed to accept the terms of all of the Contracts and to accept and assume all of Grantor's obligations contained therein arising on or after the date hereof.

This deed does not represent the sale of all, or substantially all, of the property and assets of the Grantor located within the Commonwealth of Massachusetts.

MASS. EXCISE TAX: 4954.44
D 12/24/96 12:49:30 570 25.00

Meaning and intending to convey and hereby conveying the premises conveyed to the Grantor by Deed of William M. Wardlaw and J. Frederick Simmons, Trustees of the Acton Associates Realty Trust, acknowledged December 18, 1991 and recorded with the Middlesex South District Registry of Deeds in Book 21638, Page 97.

EXECUTED under seal as of this 23 day of December, 1996.

GRANTOR:

PURITY SUPREME, INC.

By: _____
Brian W. Hotarek
Senior Vice President

The undersigned Grantee hereby accepts and assumes the foregoing Deed and agrees to be bound by all of the terms and conditions of said Deed. Executed under seal as of the date of said Deed.

TAX 4954.44
CASH 4954.44
8451A015 12:50
EXCISE TAX
DEEDS REC'D
MIDDLE SOUTH
12/24/96
CANCELLED

GRANTEE:

THE STOP & SHOP SUPERMARKET COMPANY

By: _____
Brian W. Hotarek
Senior Vice President

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss. December 23, 1996

Then personally appeared the above-named Brian W. Hotarek, Senior Vice President of Purity Supreme, Inc., as aforesaid, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of such corporation, before me.

JAYNE L. CONTOS
NOTARY PUBLIC
My Commission Expires Dec. 29, 2000

Notary Public
My Commission expires:

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss. December 23, 1996

Then personally appeared the above-named Brian W. Hotarek, Senior Vice President of The Stop & Shop Supermarket Company, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of such corporation, before me.

JAYNE L. CONTOS
NOTARY PUBLIC
My Commission Expires Dec. 29, 2000

Notary Public
My Commission expires:

EXHIBIT A

Three certain parcels of land, with the buildings thereon, situated in Acton, Middlesex County, Massachusetts, together bounded and described as follows:

SOUTHEASTERLY	by Main Street by two lines measuring one hundred and eighty-three and 10/100 (183.10) feet and one hundred fifty-seven and 35/100 (157.35) feet, each respectively.
SOUTHWESTERLY	by land of Paul C. & Adelaide G. Cornwall and by land of Charles W. Jr. & Frances K. Spencer, as shown on a plan hereinafter mentioned by two lines together measuring six hundred seventy-five and 29/100 (675.29) feet;
WESTERLY	by land of said Charles W. Jr. & Frances K. Spencer, as shown on said plan, three hundred twenty-two and 66/100 (322.66) feet;
NORTHERLY	by land of Walter H. and Shirley G. Brzezinski, as shown on said plan, thirty-eight and 75/100 (38.75) feet;
WESTERLY	again, by land of said Walter H. & Shirley G. Brzezinski, as shown on said plan, two hundred ten and 54/100 (210.54) feet;
NORTHERLY	by Massachusetts Avenue, one hundred fifty-six feet and 67/100 (156.67) feet;
EASTERLY	by Parcel D, as shown on said plan, one hundred fifty (150.00) feet;
NORTHERLY	again, by Parcel D, as shown on said plan, three hundred thirty-six and 26/100 (336.26) feet;
EASTERLY	by land of Actonian Incorporated, as shown on said plan, forty-five and 10/100 (45.10) feet;
NORTHERLY	again, by land of Actonian Incorporated, as shown on said plan, two hundred seven and 78/100 (207.78) feet.

RYAN DEVELOPMENT, LLC

22075

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
9-11-15	091115	Site Plan Review	2600.00	.00	2600.00

Acton Town of Acton

CHECK DATE	9-11-15	CHECK NUMBER	22075	TOTALS	2600.00	.00	2600.00

22075

RYAN DEVELOPMENT, LLC
2 LAN DRIVE
WESTFORD, MA 01886
PH. (978) 692-9450

Middlesex Savings Bank 71
160 LITTLETON RD.
WESTFORD, MA 01886
53-7122/2113

VOID AFTER 90 DAYS

Pay: **********Two thousand six hundred dollars and no cents

DATE	CHECK NO.	AMOUNT
9-11-15	22075	$***2,600.00

PAY TO THE ORDER OF Town of Acton

AUTHORIZED SIGNATURE

Security features. Details on back.

⑈022075⑈ ⑆211371227⑆ 8000060 16⑈

RYAN DEVELOPMENT, LLC

22075

Town of Acton
472 Main Street
Acton, MA 00001720
Telephone (978) 929-6621
Fax (978) 929-6340

Brian McMullen
Assessor

Locus: 252,256 Main St & 252 Main St Rear
Parcel: F3-139,F3-116 F2-129-1

Parcel ID	LOCATION	Owner	Co-Owner	Mailing Address	City, ST, Zip
F2-120-1	442 MASS AV #1	WU YIQIANG	LI YANQIU	442 MASS AV #1	ACTON, MA 01720
F2-120-2	442 MASS AV #2	ONEILL THOMAS		442 MASS AV #2	ACTON, MA 01720
F2-120-3	442 MASS AV #3	ACTON HOUSING AUTHORITY		PO BOX 681	ACTON, MA 01720
F2-120-4	442 MASS AV #4	MELANSON ALLYSON M		442 MASS AV #4	ACTON, MA 01720
F2-129-101	139 PROSPECT ST #1	BRENNAN STEPHANIE L		139 PROSPECT ST #1	ACTON, MA 01720
F2-129-102	139 PROSPECT ST #2	RUBENS DANIEL B	DIBELLA	139 PROSPECT ST #2	ACTON, MA 01720
F2-129-103	139 PROSPECT ST #3	SCHLEIFER LEAH G		139 PROSPECT ST #3	ACTON, MA 01720
F2-129-104	139 PROSPECT ST #4	WANG YUMEI		139 PROSPECT ST #4	ACTON, MA 01720
F2-129-105	139 PROSPECT ST #5	BUCKMELTER ALEX J. TR	BUCKMELTER SUZANNE M TR	139 PROSPECT ST #5	ACTON, MA 01720
F2-129-106	139 PROSPECT ST #6	FERNALD HEATHER A		139 PROSPECT ST #6	ACTON, MA 01720
F2-129-107	139 PROSPECT ST #7	ZHANG NAN	HAN YEFEI	139 PROSPECT ST #7	ACTON, MA 01720
F2-129-108	139 PROSPECT ST #8	FU CHUNSHENG	MENG XIANMEI	139 PROSPECT ST #8	ACTON, MA 01720
F2-129-109	139 PROSPECT ST #9	REZK MICHAEL	SAID MARCELLE	139 PROSPECT ST #9	ACTON, MA 01720
F2-129-110	139 PROSPECT ST #10	ZHANG GUANGHAI	GAO LIN	139 PROSPECT ST #10	ACTON, MA 01720
F2-129-111	139 PROSPECT ST #11	GU SHAOTING	LI HONG YAN	139 PROSPECT ST #11	ACTON, MA 01720
F2-129-112	139 PROSPECT ST #12	JAYAKUMAR VINAY		139 PROSPECT ST #12	ACTON, MA 01720
F2-129-3	133 PROSPECT ST	CONGREGATION BETH ELOHIM		133 PROSPECT ST	ACTON, MA 01720
F2-138	10 HENNESSEY DR	CONGREGATION BETH ELOHIM		133 PROSPECT ST	ACTON, MA 01720
F3-102	432 MASS AV	BAKER ELOISE A		432 MASS AVE.	ACTON, MA 01720
F3-103	428 MASS AV	N E TEL AND TEL	PROPERTY TAX DEPT	PO BOX 152206	IRVING, TX 75015
F3-113	263 MAIN ST	KELLEYS CORNER LLC		6 LITTLEFIELD ROAD	ACTON, MA 01720
F3-116	256 MAIN ST	STOP & SHOP SUPERMARKET CO	1385 HANCOCK STREET	REAL ESTATE TAX DEPT	QUINCY, MA 02169
F3-121	257 MAIN ST	SUNDBERG ROBERT A JR TRUSTEE	BOWLADROME REALTY TRUST	PO BOX 2131	ACTON, MA 01720
F3-121-1	253 MAIN ST	SUNDBERG ROBERT A & ROBERT JR TRUSTEES	SUNDBERG II REALTY TRUST	PO BOX 2876	ACTON, MA 01720
F3-121-2	253 MAIN ST	SUNDBERG ROBER A + ROBERT A JR TRUSTEES	SUNDBERG II REALTY TRUST	253 MAIN ST	ACTON, MA 01720
F3-133	249 MAIN ST	BUSCEMI VINCENT A		P.O. BOX 50	MAYNARD, MA 01754
F3-140-1	248 MAIN ST #1	WHITE ORCA LLC		106 DAVIS RD	ACTON, MA 01720
F3-140-2	248 MAIN ST #2	BURGESS MICHAEL J	BURGESS LYNDA QUINTANA	248 MAIN ST #2	ACTON, MA 01720
F3-140-3	248 MAIN ST #3	TIZI-OUGDAL OMAR	TIZI-OUGDAL NASSIMA	248 MAIN ST #3	ACTON, MA 01720
F3-140-4	248 MAIN ST #4	JACKSON ROBERT E	JACKSON KIMBERLY W	248 MAIN ST #4	ACTON, MA 01720
F3-85	433 MASS AV	TOWN OF ACTON	C/O COMMON GROUND DEVELOPMENT CORP	155 MERRIMACK STREET	LOWELL, MA 01852
G3-1-5	246 MAIN ST #5	CHEN ZHONGXING	LU YUQING	501 LEXINGTON ST APT 61	WALTHAM, MA 02452
G3-1-6	246 MAIN ST #6	WANG XIFANG		30 FRANCIS STREET	MALDEN, MA 02148

Brian McMullen
Assessor

Locus: 252,256 Main St & 252 Main St Rear
Parcel: F3-139,F3-116 F2-129-1

Parcel ID	LOCATION	Owner	Co-Owner	Mailing Address	City, ST, Zip
G3-1-7	246 MAIN ST #7	GORNY PIOTR		246 MAIN ST #7	ACTON, MA 01720
G3-1-8	246 MAIN ST #8	LIN JIM		246 MAIN ST #8	ACTON, MA 01720
G3-2	247 MAIN ST	FANG JENNY		247 MAIN ST	ACTON, MA 01720
G3-22	245 MAIN ST	245 MAIN STREET LLC		245 MAIN ST	ACTON, MA 01720
G3-23	3 BEVERLY RD	CHAKRABORTY AMITAVA	CHAKRABORTY APARNA	3 BEVERLY RD	ACTON, MA 01720
G3-3	6 BEVERLY RD	CHAN YI-MING STANLEY	CHAN KIT-YING KIRSTY	6 BEVERLY RD	ACTON, MA 01720
F2-109	441 MASS AV	ACTON-BOXBORO REG SCHOOL DIST		472 MAIN STREET	ACTON, MA 01720
F2-117	456 MASS AV	KEENAN + SONS LIM. LIABILITY PRT		456 MASS AV	ACTON, MA 01720
F2-118	448 MASS AV	TANG YANHUA	LIU QING	448 MASS AV	ACTON, MA 01720
F2-119	446 MASS AV	NIMMER JEREMY		446 MASS AV	ACTON, MA 01720
F2-126	143 PROSPECT ST	TOWEY SEAN T	TOWEY MARCIA A	143 PROSPECT ST	ACTON, MA 01720
F2-129-3	133 PROSPECT ST	CONGREGATION BETH ELOHIM		133 PROSPECT ST	ACTON, MA 01720
F2-138	10 HENNESSEY DR	CONGREGATION BETH ELOHIM		133 PROSPECT ST	ACTON, MA 01720
F3-102	432 MASS AV	BAKER ELOISE A		432 MASS AVE.	ACTON, MA 01720
F3-103	428 MASS AV	N E TEL AND TEL	PROPERTY TAX DEPT	PO BOX 152206	IRVING, TX 75015
F3-113	263 MAIN ST	KELLEYS CORNER LLC		6 LITTLEFIELD ROAD	ACTON, MA 01720
F3-117	422 MASS AV	BAY BANK HARVARD TRUST	C/O BOA CORP/RE NC1-001-03-81	101 N. TRYON ST	CHARLOTTE, NC 28255
F3-121	257 MAIN ST	SUNDBERG ROBERT A JR TRUSTEE	BOWLADROME REALTY TRUST	PO BOX 2131	ACTON, MA 01720
F3-139	252 MAIN ST	STOP + SHOP SUPERMARKET CO	REAL ESTATE TAX DEPARTMENT	1385 HANCOCK STREET	QUINCY, MA 02169
F3-3A0-1	274 MAIN ST #A1	FLYNN GERARD		274 MAIN ST #A1	ACTON, MA 01720
F3-3A0-2	274 MAIN ST #A2	VANMOURIK ALBERT C		274 MAIN STREET UA2	ACTON, MA 01720
F3-3A0-3	274 MAIN ST #A3	RUAN BENFANG HELEN		29 GREENSIDE LN	ACTON, MA 01720
F3-3A0-4	274 MAIN ST #A4	XIA HUILI		274 MAIN ST #A4	ACTON, MA 01720
F3-3A0-5	274 MAIN ST #A5	SILVERTON WILLIAM J	SILVERTON JANET E	274 MAIN ST #A5	ACTON, MA 01720
F3-3A0-6	274 MAIN ST #A6	DOERR LESLIE		274 MAIN ST #A6	ACTON, MA 01720
F3-3A0-7	274 MAIN ST #A7	CHEN QINGHUA	HUANG TAO	274 MAIN ST #A7	ACTON, MA 01720
F3-3A0-8	274 MAIN ST #A8	ROBINSON KELLY J		274 MAIN ST #A8	ACTON, MA 01720
F3-3B0-1	272 MAIN ST #B1	CONNOLLY JAMES P		272 MAIN STREET #B1	ACTON, MA 01720
F3-3B0-2	272 MAIN ST #B2	SECUNDA SARA L		272 MAIN ST #B2	ACTON, MA 01720
F3-3B0-3	272 MAIN ST #B3	ALLARD PATRICIA L		PO BOX 2874	ACTON, MA 01720
F3-3B0-4	272 MAIN ST #B4	SAINI PUNITA		272 MAIN ST #B4	ACTON, MA 01720
F3-3B0-5	272 MAIN ST #B5	OSTAPENKO VIATCHESLAV	MICHKASOVA OXANA	272 MAIN ST #B5	ACTON, MA 01720
F3-3B0-6	272 MAIN ST #B6	WOOLLEY EDITH T		98 GLEASONDALE RD	STOW, MA 01775
F3-3B0-7	272 MAIN ST #B7	DING GUOQUN		272 MAIN ST #B7	ACTON, MA 01720
F3-3B0-8	272 MAIN ST #B8	REILLY EDWARD F	REILLY ANNE M	272 MAIN ST #B8	ACTON, MA 01720
F3-3C0-1	276 MAIN ST #C1	PURPLE RIBBON LLC	C/O GLORIA LEVINE	159-1 PROSPECT ST	ACTON, MA 01720
F3-3C0-2	276 MAIN ST #C2	CHEN LINGJI	PAN NING	276 MAIN ST #C2	ACTON, MA 01720
F3-3C0-3	276 MAIN ST #C3	DIMITROV DIMITAR G		8435 LAUREL RUN DR	CHARLOTTE, NC 28269
F3-3C0-4	276 MAIN ST #C4	BORISSOVA MILENA N		3861 MURDOCK COURT	DULUTH, GA 30096
F3-3C0-5	276 MAIN ST #C5	OLOFSON JANET N		109 PROSPECT ST	ACTON, MA 01720
F3-3C0-6	276 MAIN ST #C6	XIA WEISHI	WANG YUNHUI	276 MAIN ST #C6	ACTON, MA 01720
F3-3C0-7	276 MAIN ST #C7	PENG CHUNMEI		276 MAIN ST #C7	ACTON, MA 01720

Brian McMullen
Assessor

Locus:	252,256 Main St &	252 Main St Rear
Parcel:	F3-139,F3-116	F2-129-1

Parcel ID	LOCATION	Owner	Co-Owner	Mailing Address	City, ST, Zip
F3-3C0-8	276 MAIN ST #C8	HSUCHUN-HUEI	CHUANG ALICE	276 MAIN ST #C8	ACTON, MA 01720
F3-86-1	268 MAIN ST	LEVINE LOUIS N TR	C/O MAIN ST REALTY CO	268 MAIN STREET	ACTON, MA 01720
G3-2	247 MAIN ST	FANG JENNY		247 MAIN ST	ACTON, MA 01720

Abutters and owners of land directly opposite on any public or private street or way and abutters to the abutters within three hundred feet of the property line all as they appear on the most recent applicable tax list.

HEARING NOTICES FOR ALL SPECIAL PERMITS MUST BE SENT TO THE PLANNING BOARD, TOWN HALL IN THE FOLLOWING TOWNS:

Boxborough, MA 01729	Maynard, MA 01754	Concord, MA 01742	Littleton, MA 01460
Carlisle, MA 01741	Stow, MA 01775	Westford, MA 01886	Sudbury, MA 01776

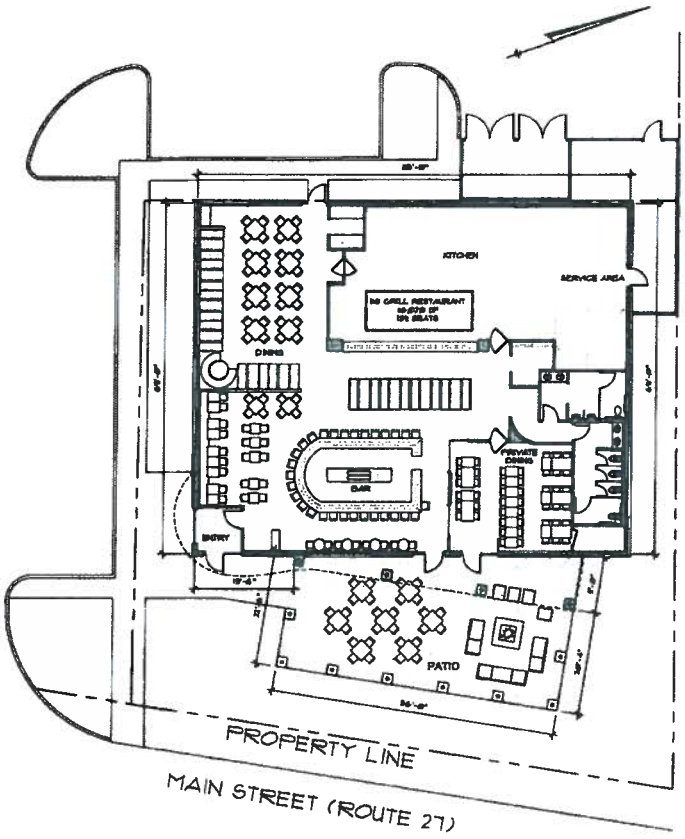
Kelly Schorr

Kelly Schorr
Acton Assessors Office

7/9/2015

Floor Plans, Elevations, Street Perspective

Updated Nov 5

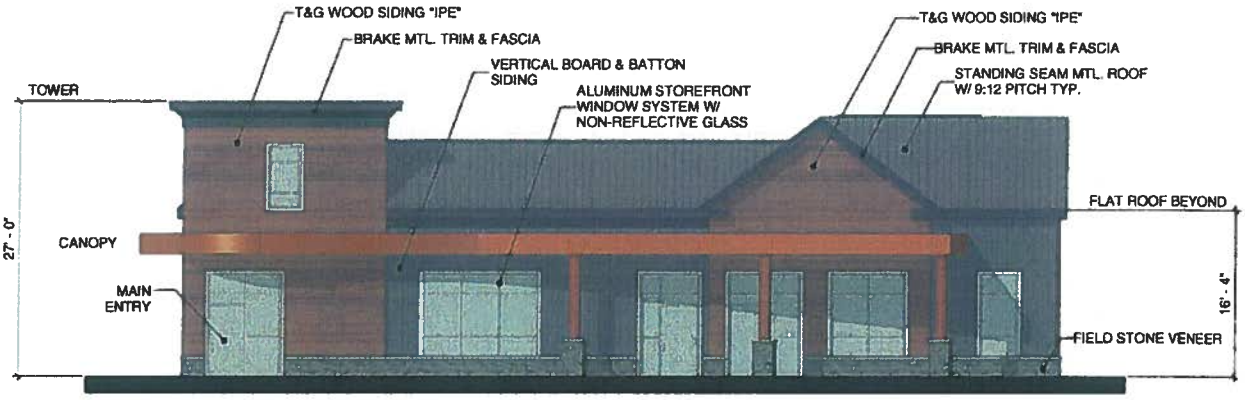


JD LaGrasse

110 GRILL

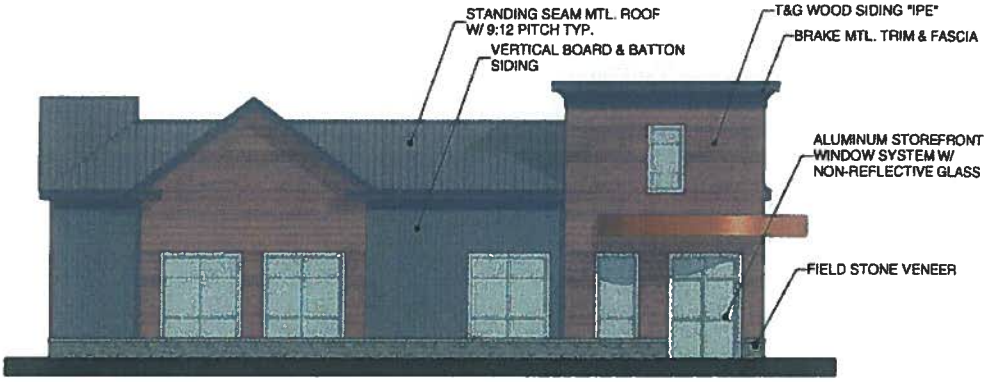
FLOOR PLAN SKETCH

A1



① EAST (MAIN ST. ELEVATION)
1/4" = 1'-0"

NOTE:
FACADE FACING THE STREET IS 28% GLAZED AT GROUND LEVEL



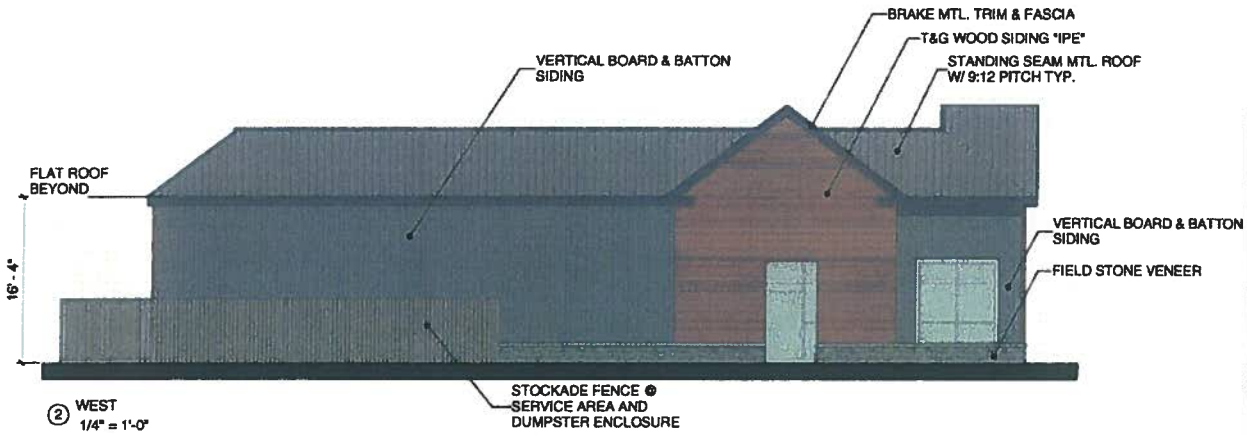
② SOUTH
1/4" = 1'-0"

JD LaGrasse

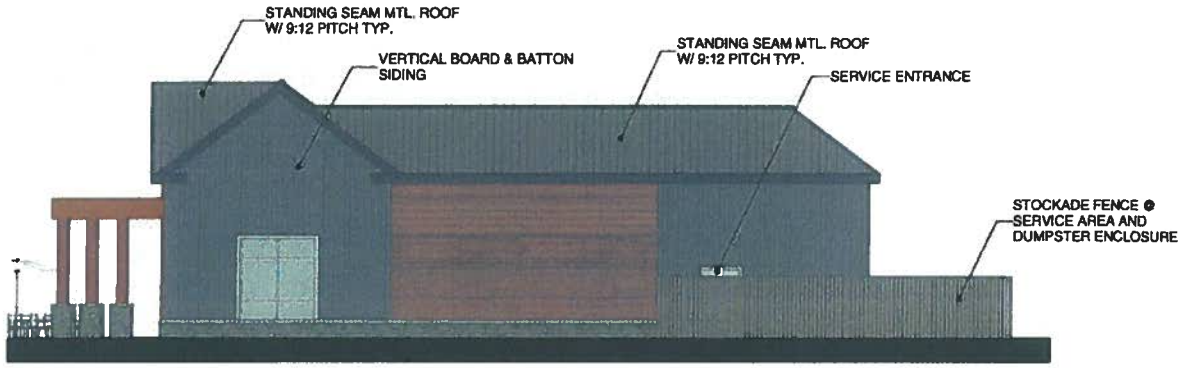
110 GRILL

ELEVATIONS

A2



② WEST
1/4" = 1'-0"



① NORTH
1/4" = 1'-0"

JD LaGrasse & Associates, Inc.

110 GRILL

ELEVATIONS CONT.

A3

JD LaGrasse & Associates, Inc.

110 GRILL

STREET PERSPECTIVE

R1

JD LaGrasse
Architects, LLC

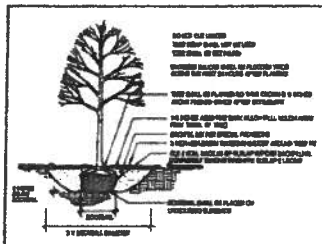
110 GRILL

STREET PERSPECTIVE 2

R2

Landscape Plan

Updated Nov 5



1 Tree Planting Detail

2 Shrub Planting Detail

Plant List:

SHADE & ORNAMENTAL TREES (B&B unless otherwise specified) All trees to be tagged by the Landscape Architect

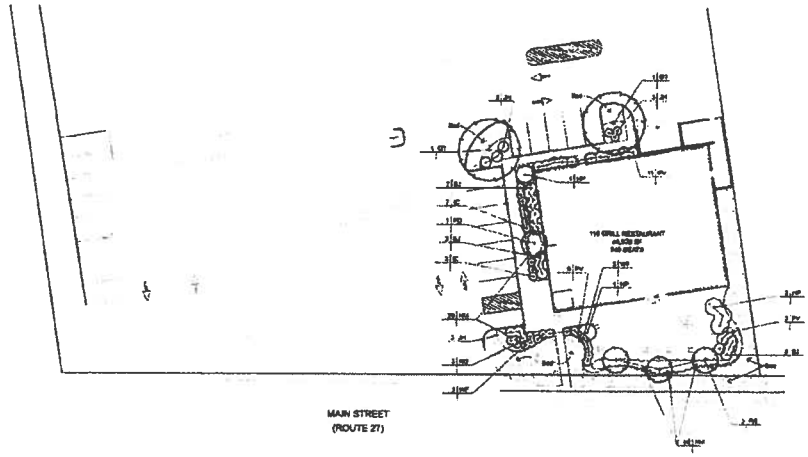
No.	Key	Botanical Name	Common Name	Installation Size	Mature Size
1	GV	Gleditsia t.f. 'Viridis'	Honeylocust	3-3.5" Cal.	30 ft.

SHRUBS

No.	Key	Botanical Name	Common Name	Installation Size	Mature Size
3	HP	Hydrangea paniculata 'Limelight'	Hydrangea	3-3 ft. Stem	6 ft
10	IC	Ilex crenata 'Hetzi'	Hetzi Holly	#3 pot	3-4 ft.
9	JH	Juniperus horizontalis 'Blue Chip'	Blue Chip Juniper	#2 18"-24"	8 in
4	PO	Physocarpus opulifolius 'Center Glow'	Ninebark	#5 pot	6 ft.
3	RO	Rosa 'Knockout'	Red Knock-Out Rose	#5 pot	3 ft.
11	SJ	Spiraea japonica 'Goldflame'	Spirea	#3 pot	3 ft
8	WF	Weigela florida 'Fine Wine'	Weigela	#3 pot	3 ft.

PERENNIALS

No.	Key	Botanical Name	Common Name	Installation Size	Mature Size
70	HM	Hemerocallis 'Happy Returns'	Daylily	#1 pot	18 in.
18	PV	Paniculum vigulum 'Shenandoah'	Switchgrass	#2 pot	3 ft



Plan

SCALE IN FEET

Lorayne Black ASLA
Landscape Architect

HOWARD STEIN HUDSON
Engineers · Planners · Scientists
Charlestown Road, Suite 1-C
Chelmsford, MA 01824
www.howardstein.com

PREPARED FOR:
STAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS			
NO	BY	DATE	DESCRIPTION

SITE PLAN

LANDSCAPE PLAN

DATE	08-09-2011
PROJECT NUMBER	10086
DESIGNED BY	LB
DRAWN BY	LP
CHECKED BY	LB

L 1

Site Plan

Updated Nov 5

SITE PLAN
FOR
110 GRILL RESTAURANT
256 MAIN STREET (ROUTE 27)
ACTON, MA

GENERAL NOTES:

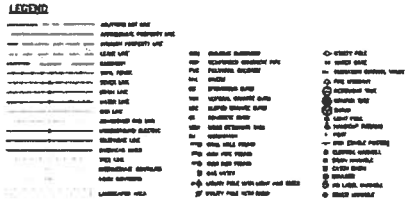
1. EXISTING PROPERTY LINE AND UTILITY INFORMATION SHOWN IS BASED ON A PLAN ENTITLED "EXISTING CONDITIONS PLAN" PREPARED BY WSP, NASHUA, NH, DATED JULY 21, 2016.
2. THE ACCURACY AND COMPLETENESS OF THE UNDERGROUND UTILITIES AS SHOWN ON THE PLANS ARE NOT GUARANTEED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION, SIZE, TYPE, ETC. OF ALL UNDERGROUND UTILITIES THAT MAY BE AFFECTED BY THE WORK. AT LEAST 72 HOURS BEFORE EXCAVATION, THE CONTRACTOR SHALL BE REQUIRED TO CONTACT DIGSAFE AT 1-888-344-7233.
3. THE CONTRACTOR SHALL FIELD VERIFY CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
4. WHERE, AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION, AND SIZE OF THE UTILITY SHALL BE APPROPRIATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION.
5. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE NOTIFIED, INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN, PRIOR TO EXCAVATING, BLASTING, INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION OR REPAIRING.
6. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES EXCEPT THOSE NOTED TO BE ABANDONED, REMOVED AND DISPOSED.
7. THE CONTRACTOR SHALL DISPOSE OF ALL WASTE MATERIAL IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REQUIREMENTS AT HIS/HER OWN EXPENSE, OUTSIDE OF THE PROJECT LIMITS.

SHEET INDEX

SHEET 1	COVER SHEET
SHEET 2	LAYOUT AND MATERIALS PLAN
SHEET 3	GRADING, DRAINAGE, AND UTILITY PLAN
SHEET 4	DETAIL SHEET 1
SHEET 5	DETAIL SHEET 2

LANDSCAPE PLAN
EXISTING CONDITIONS PLAN

LEGEND



LOCUS MAP
1"=200'
SOURCE: GOOGLE MAPS

OWNER
THE STOP AND SHOP SUPERMARKET COMPANY
QUINCY CENTER PLAZA
1385 HANCOCK STREET
QUINCY, MA

APPLICANT
RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA 01886

ASSESSORS INFORMATION
PROPERTY ID F3-119, F3-128, & F3-129-1

REFERENCES
1. EXISTING CONDITIONS SHOWN PER A PLAN ENTITLED "EXISTING CONDITIONS PLAN" PREPARED BY WSP, NASHUA, NH, DATED JULY 21, 2016.

ZONING REQUIREMENTS
KELLY'S CORNER (HC) ZONING DISTRICT
GROUNDWATER PROTECT DISTRICT ZONE 4 - WATERSHED PROTECTION AREA

DIMENSIONAL REQUIREMENTS		REQUIRED	PROPOSED
MINIMUM LOT AREA		10,000 SF	4,380,163 SF
MINIMUM LOT FRONTAGE		100'	434'
MINIMUM LOT WIDTH		30'	433'
MINIMUM FRONT YARD		30'	31'
MINIMUM SIDE YARD	- ABUTTING RESIDENTIAL	30'	940' (EXISTING)
	- ABUTTING COMMERCIAL	0'	6.3'
MINIMUM REAR YARD		30'	476' (EXISTING)
MINIMUM FRONT PARKING SETBACK		30'	218' (EXISTING)
MINIMUM PARKING LANDSCAPE BUFFER		20'	218' (EXISTING)
MINIMUM OPEN SPACE		NONE	N/A
MINIMUM INTERIOR LANDSCAPING		10%	<10% (EXISTING)
MAXIMUM BUILDING HEIGHT		36'	<36'
MAXIMUM FLOOR AREA RATIO		0.40	0.25

PARKING REQUIREMENTS
RESTAURANTS - 1 SPACE REQUIRED PER 3 SEATS
199 SEATS / 3 = 63 SPACES REQUIRED

RETAIL - 1 SPACE REQUIRED PER 300 SF NET FLOOR AREA
=54,996 SF GFA - ASSUMED 20% MECHANICAL AND UTILITY AREA (=13,000 SF) = 431,996 SF
=51,996 / 300 = 173.3 = 174

TOTAL REQUIRED = 63 + 174 = 237

EXISTING PARKING = 288

SITE PLAN AND SPECIAL PERMITS REQUIRED
1 - RESTAURANTS IN THE HC DISTRICT REQUIRE A SPECIAL PERMIT FROM THE BOARD OF SELECTMEN PER SECTION 3 OF THE ZONING BYLAWS

HOWARD STEIN HUDSON
14 Tech Circle, Suite 2C
Chelmsford, MA 01824
www.howardstein.com

PREPARED FOR
RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS

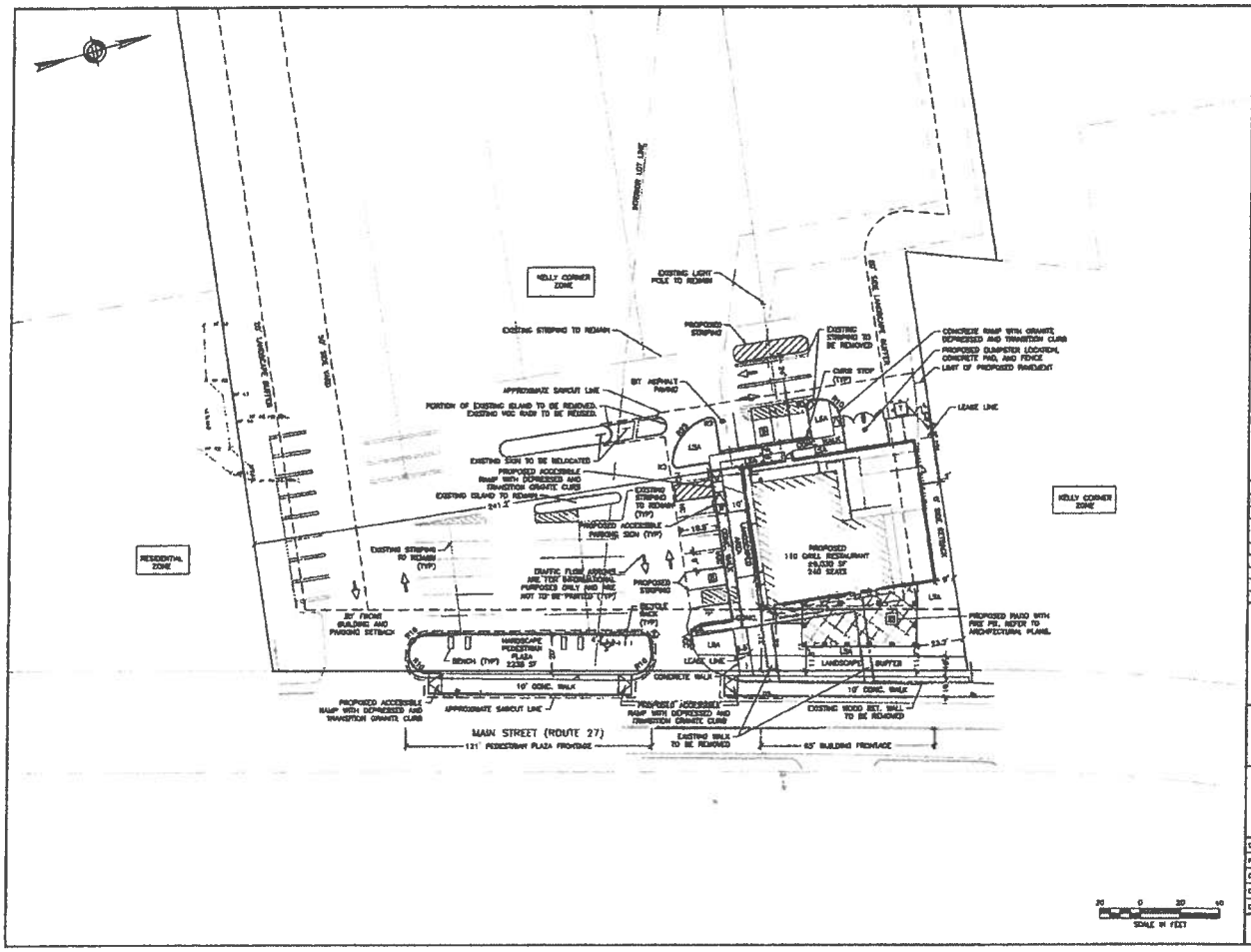
NO	BY	DATE	DESCRIPTION
1	HS	10-21-19	REV. BUILDING
2	HS	10-23-19	REV. SITE PLAN

SITE PLAN

COVER SHEET

DATE	09-09-2019
PROJECT NUMBER	13083
DESIGNED BY	DHS
DRAWN BY	HS/CBS
CHECKED BY	RLS

1



HOWARD STEIN HUDSON
84 Turnpike Road, Suite 2C
Chelmsford, MA 01824
www.hshassoc.com

PREPARED FOR

RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
258 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS

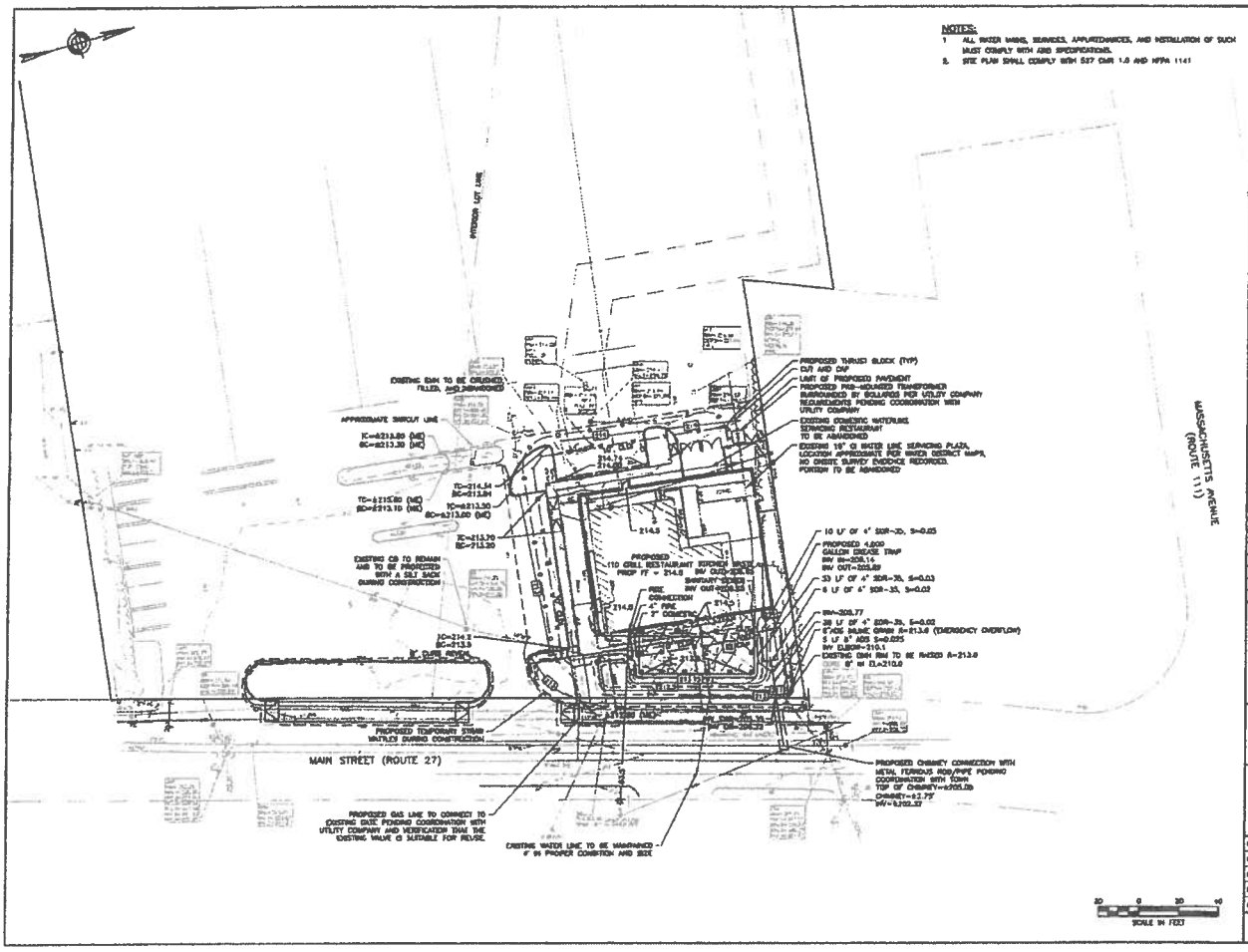
NO	BY	DATE	DESCRIPTION
1	HS	09-21-18	REV. BUILDING
2	HS	10-09-18	REV. SITE PLAN

SITE PLAN

LAYOUT AND MATERIALS PLAN

DATE:	09-06-2018
PROJECT NUMBER:	18005
DESIGNED BY:	TMK
DRAWN BY:	HSD/DML
CHECKED BY:	N/A

2



HOWARD STEIN HUDSON
114 Turnpike Road, Suite 3C
Chelmsford, MA 01824
www.howardstein.com

PREPARED FOR:
RYAN DEVELOPMENT LLC
41 AMERICA
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS:

NO	BY	DATE	DESCRIPTION
1	HS	10-21-10	REV BUILDING
2	HS	10-28-10	REV SITE PLAN

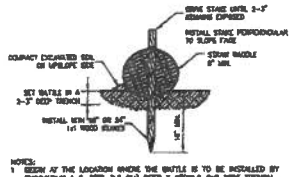
11-9-10

SITE PLAN

GRADING, DRAINAGE, AND UTILITY PLAN

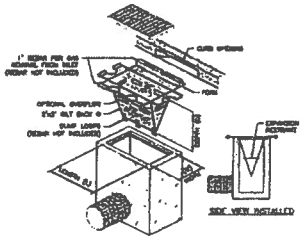
DATE:	09-09-2010
PROJECT NUMBER:	13082
DESIGNED BY:	DAL
DRAWN BY:	HS/DMA
CHECKED BY:	KLF

3



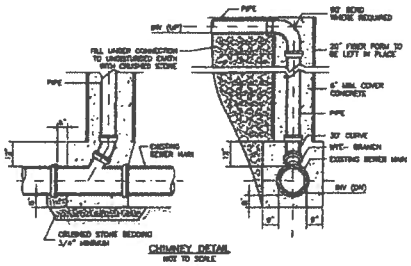
NOTES:
1. BEGIN AT THE LOCATION WHERE THE BALE IS TO BE INSTALLED BY EXCAVATING A 2-3"(5-7.5 CM) DEEP X 8"(20.3 CM) WIDE TRENCH ALONG THE CONTOUR OF THE SLOPE. EXCAVATED SOIL SHOULD BE PLACED UP-SLOPE FROM THE ANCHOR TRENCH.
2. PLACE THE BALE IN THE TRENCH SO THAT IT CONTOURS TO THE SOIL SURFACE. COMPACT SOIL FROM THE EXCAVATED TRENCH AGAINST THE BALE ON THE UPHILL SIDE. ADJACENT BALES SHOULD TIGHTLY ABUT.
3. SECURE THE BALE WITH 18-24" (45.7-61 CM) STAKES EVERY 3-4' (0.9 - 1.3 M) AND WITH A STAKE ON EACH END. (STAKES SHOULD BE DRIVEN THROUGH THE MIDDLE OF THE BALE LEAVING AT LEAST 8-3" (5-7.5 CM) OF STAKE EXTENDING ABOVE THE BALE. STAKES SHOULD BE DRIVEN PERPENDICULAR TO SLOPE FACE.

STRAW WADDLE DETAIL
NOT TO SCALE

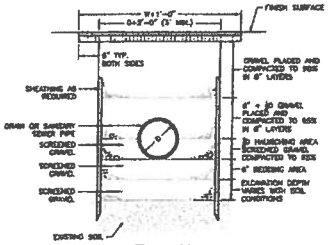


CATCH BASIN FILTER

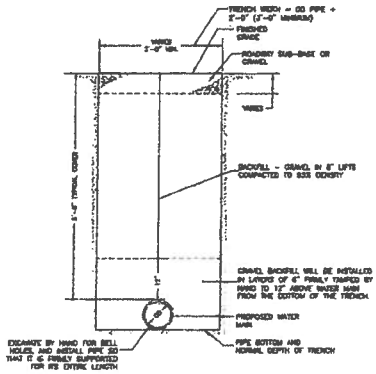
TEMPORARY INLET PROTECTION
NOT TO SCALE



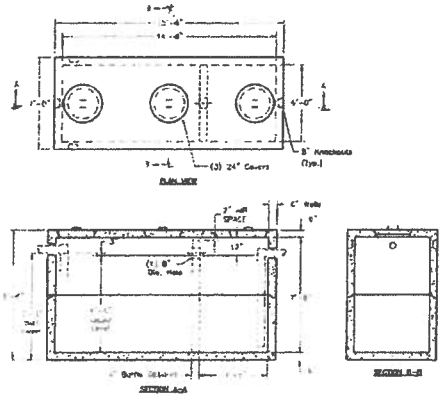
CHIMNEY DETAIL
NOT TO SCALE



TRENCH DETAIL – DRAIN & SANITARY SEWER
NOT TO SCALE



TRENCH DETAIL – WATER MAIN
NOT TO SCALE



SIZING CALCULATIONS PER TITLE V
240 SEATS X 15 GAL/SEAT/DAY = 3,600 GAL

4,000 GALLON GREASE TRAP DETAIL
NOT TO SCALE

HOWARD STEIN HUDSON
Engineers & Scientists
Chelmsford, MA 01824
www.howsteinhud.com

PREPARED FOR:
RYAN DEVELOPMENT LLC
4 LAW DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

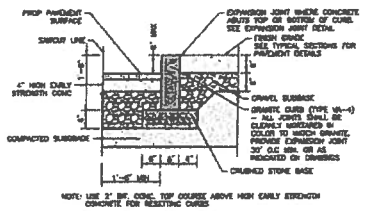
REVISIONS:			
NO	BY	DATE	DESCRIPTION
1	HSI	10-22-14	REV. BUILDING
2	HSI	10-28-14	REV. SITE PLAN

SITE PLAN

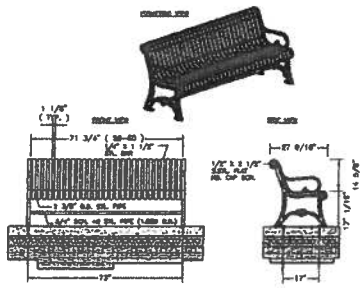
DETAIL SHEET 1

DATE	03-03-2013
PROJECT NUMBER	10205
DESIGNED BY	DML
DRAWN BY	MFC/DML
CHECKED BY	KJS

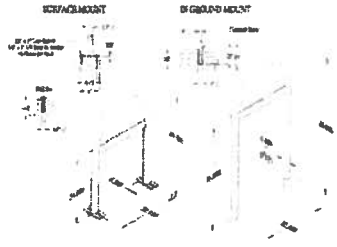
4



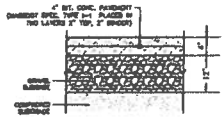
VERTICAL GRANITE CURB
NOT TO SCALE



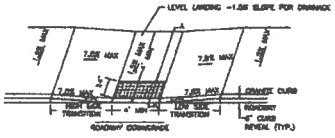
BENCH
NOT TO SCALE

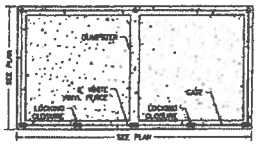


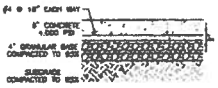
INVERTED U-SHAPE BICYCLE RACK WITH CROSSBAR
NOT TO SCALE



FULL DEPTH PARKING LOT SECTION DETAIL
NOT TO SCALE

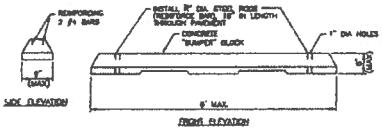




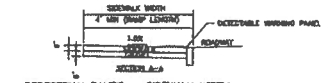


NOTES:
1. THE DUMPSTER MUST BE SURROUNDED BY A FENCE AND EQUIPPED WITH A LOCKABLE GATE.
2. THE DUMPSTER SHALL BE LOCKED BY THE HEALTH DEPARTMENT ANNUALLY.

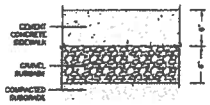
DUMPSTER ENCLOSURE DETAILS
NOT TO SCALE



PARKING BUMPER DETAIL
NOT TO SCALE

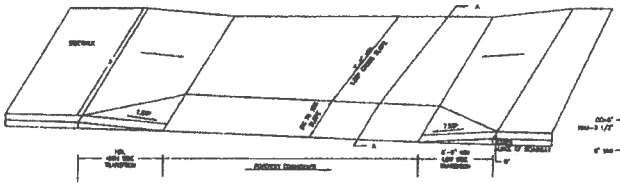


PEDESTRIAN RAMPS – SIDEWALK WIDTH LESS THAN 6.5'
NOT TO SCALE



NOTES:
1. CONCRETE SIDEWALK DETAIL AND NOTES APPLY TO SIDEWALK WITHIN THE RIGHT-OF-WAY.
2. CONCRETE SHALL BE 4,000 PSI.
3. SIDEWALKS ARE TO BE RAKED FINISH WITH 3/8 INCH TROWEL JOINTS.

CEM. CONC. SIDEWALK SECTION DETAIL
NOT TO SCALE



SIDEWALK THROUGH DRIVEWAYS WITHOUT CURB RETURNS
NOT TO SCALE

HOWARD STEIN HUDSON
780 Summer Street, Suite 3C
Charlestown, MA 02129
www.howardstein.com

PREPARED FOR:
RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS:

NO	BY	DATE	DESCRIPTION
1	HSI	10-21-13	REV. BUILDING
2	HSI	10-30-13	REV. SITE PLAN

SITE PLAN

DETAIL SHEET 2

DATE	09-09-2013
PROJECT NUMBER	13005
REVIEWED BY	DRB
DRAWN BY	MS/DRB
CHECKED BY	KLB

6

Staff Comments of Revised Plans

Updated Nov 30

DRB Memorandum

Project: 110 Grill Restaurant
Project Location: 252-256 Main Street, Frontage of K-mart Lot
Memorandum Date: 11-19-15

Drawings Reviewed:

Site Plan for 110 Grill Restaurant – Permit Package	
Site Plan C2	Revised Dates: 10-21-15, 10-28-15
Street Perspective R1	Date: 11-02-15
Street Perspective R2	Date: 11-02-15
Floor Plan A1	Date: 11-02-15
Building Elevations East and South A2	Date: 11-02-15
Building Elevations West and North A3	Date: 11-02-15

Proponent Representatives:
Kevin Ericson, Robert and Michele Walker (Ryan Development) Not Present

DRB Members:
Holly Ben-Joseph (HBJ), Kim Montella (KM), Michael Dube (MD)

Date of First Review of Project: 10-07-15
Date of DRB Review: 11-18-15

The DRB met on November 18, 2015 to review the revised drawings submitted to the Town. The DRB in general had a favorable opinion of the revised drawings and appreciates the proponent adjusting the drawings according to the DRB suggestions. The DRB has the following comments on the revised drawings. These comments refer back to the comments in the 10-20-15 Memo:

Site Comments:

1. The proponent has not sited the building parallel to Main Street as recommend by the DRB. If this is not possible due to lease lines, the DRB suggests it is possible to stay within the lease lines and have the front of the building parallel to Main Street. This would improve its relationship to the street and surrounding buildings.
2. The outdoor eating area as revised is parallel to the street but is does not seem enlarged as recommended by the DRB recommendation.
3. The building entrance and pedestrian space outside of the door are appropriate.
4. The sidewalk along the south side has been narrowed to 5 feet from 6 feet contrary to the DRB's recommendation to widen the walk. The DRB recommends widening this walk.
5. The sidewalk entrance from Main Street has been widened and aligned with the walk along the building as the DRB suggested.
6. Bike racks have been provided in the plaza. The DRB supports the bike racks but has concerns about the location across the entry drive from the restaurant.

7. No change has been made regarding vehicular entrances. The DRB recommends combining the two entrances into the lot into one drive in a central location.
8. The landscape plan has not been revised, and no plantings have been added to screen the north wall as suggested. The neighboring lot has trees along this border which will partially screen; the addition of shrubs on the 110 Grill lot in this location is recommended. The remainder of the plans seems appropriate for the space and use.
9. The outdoor eating edge has been revised to align with Main Street, the DRB supports this change.
10. The DRB has concerns about the proposed hardscape plaza; we believe this is a plaza bound to fail and is a place that would not be an attractive feature along Main Street, and would not be an attractive place for people to sit. The plaza design does not work for the following reasons: the shape is too narrow and long, (was a planting island previously), it has no protection from the surrounding busy street, driveways and parking spaces, it has no plantings to define or shade the space, and it does not connect with any other building or use, it essentially is still a "parking lot island." The DRB does not support this addition to the plan and recommends the Proponent request a waiver on the by-law.

Building Comments:

1. The DRB appreciates the changes in the roof line from the vertical parapet to a sloping roofline.
2. In reviewing the revised drawings showing the 110 Grill signage pulled out to be parallel to Main Street as suggested by the DRB to make the building seem aligned with Main Street, we do not think that this solution fulfills the goal of making the building seem parallel to Main Street, and recommend returning to the original proposal (if the proponent prefers this). The DRB suggests the architect align the front face of the building with Main Street as mentioned in a previous comment.
3. The DRB supports the revisions to exterior façade materials.
4. The DRB continues to recommend providing a canopy of some sort at the outdoor patio to provide semi-protected outdoor dining.

New Comments:

1. The DRB is supportive of the additional two windows, one at the rear of the building (west elevation), one on the corner of the building at Main Street (north elevation).
2. The west façade (facing the K-mart parking lot) has a long expanse of board and batten siding. This could be improved with some detailing or with another panel of Ipe wood to make the back wall more interesting. Many people walk to the restaurants in the area through the k-mart parking lot and this façade is visually important.
3. It is difficult to tell if there is a change in plane where the two siding types meet. The DRB recommends where the materials change, there should also be a change in plane to make shadow lines which will give the building more interest.

Respectfully Submitted,

Design Review Board

TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 929-6630
Fax (978) 929-6340

Engineering Department

INTERDEPARTMENTAL COMMUNICATION

To: **Planning Department** ***Date:*** 11/17/2015

From: **Engineering Department**

Subject: **Site Plan Special Permit – 110 Grill – 252-256 Main St – SPSP #09/11/15-457 – 2nd & 3rd revisions**

We have reviewed the application for the above mentioned special permit and the site plan for 252-256 Main Street titled "Site Plan for 110 Grill Restaurant 256 Main Street (Route 27) Acton, MA" dated September 9, 2015 and a revision date of October 28, 2015 and have the following comments:

Sewer

1. The applicant is proposing 189 interior and 51 seasonal use seats for the proposed restaurant. A privilege fee is assessed on properties which intensify the use beyond what was assessed as a betterment. The former McDonald's restaurant was assessed a betterment of 10.98 sewer betterment units (SBUs) which equates to 94.11 seats. Based on these numbers and a privilege fee of $12,311.52 per SBU, the increase from 94.11 seats to 189 interior seats would equate to a privilege fee of $136,294.68.

   For the 51 seasonal seats, the applicant may request a reduction in the privilege fee relative to the seasonal use of those seats. Assuming the seasonal use is 4 months of the year, the privilege fee for the 51 seasonal seats can be reduced to $24,417.85 if approved by the Board.

   Assuming a reduced fee for the seasonal seats, the total privilege fee is $160,712.53. A more detailed breakdown of the privilege fee calculation has been provided with this memo

2. A sewer connection permit will be required from our office. The sewer connection will require a right-of-way access permit for work within Main St which will be available between March 15th and November 15th.

3. The grease trap must conform to Title 5 standards which we will defer to the Board of Health as to whether the proposed grease trap complies.

4. The grease trap is located beneath the drainage swale which is sized to infiltrate the 100-year storm. The grease trap may be located below the seasonal high groundwater level. If so, the applicant should check the buoyancy of the grease trap. A copy of the buoyancy calculations should be made available to our department and Health.

Traffic

5. A traffic study is required for any use that generates 30 additional trips per peak hour or an average of 400 additional trips per weekday. The applicant provided a traffic memo which states that the change in use from a 94 seat McDonald's to the proposed 110 Grill will result in 6 fewer vehicle trips in the morning peak hour, 9 additional trips in the evening peak hour and 676 fewer trips during the average weekday.

   Whether a traffic study would be required depends on what the Board considers "existing traffic conditions". Existing conditions today reflect no vehicle trips since the McDonald's is abandoned. The proposed 110 Grill will increase vehicle trips by 113 vehicles in the morning peak hour, 98 in the evening peak hour and 1160 during the average weekday if compared to no vehicle trips that exist today.

6. The applicant is not proposing any changes to the curb cut on Main St, which works for an SU-30 vehicle, however we will defer comment on fire accessibility to the Fire Department

7. The property has an existing sidewalk along its frontage however, being in the Kelly's Corner District, the Board of Selectmen can require on and off-site sidewalks, walkways, bikeways and crosswalks consistent with the planning objectives set forth in the Kelly's Corner Plan. The Town, through the Planning Department, has recently completed a conceptual infrastructure improvement plan for Kelly's Corner. We'll defer any recommendations to the Planning Department.

Drainage

8. The applicant is proposing to add an additional 1,516 square feet of impervious area due to the proposed patio. They have designed a swale large enough to accommodate this area for the 100-year storm by completely infiltrating it. Though not required, the applicant should consider improving the stormwater quality elsewhere within the new pavement area. Such improvements can include providing gas trap hoods within the existing catch basins and directing roof runoff to underground detention to increase groundwater recharge. Such improvements would comply with the spirit of section 10.4.6 of the zoning bylaw.

Miscellaneous

9. The horizontal datum should be NGVD 1929. The site plans should state which datum the elevations shown are at and if it's not NGVD 1929, provide a conversion factor for the datum shown to the correct datum.

Privilege Fee Calculation

Sewer Betterment Rates and Info:

- $12,311.52 per SBU (set by Board of Selectmen in 2005)
- 1 SBU = 300 gallons per day (gpd)
- 1 seat = 35 gpd (Title 5 requirement)

Former McDonald's Capacity

- McDonald's assessed 10.98 SBU
- 10.98 SBU x 300 gpd = 3,294 gpd
- 3,294 gpd / 35 gpd/seats = 94.11 seats

Proposed 110 Grill Capacity

Interior Seats – 189 total

- 189 seats – 94.11 = 94.89 seat increase from former McDonald's
- 94.89 seats x 35 gpd = 3,321.15 gpd
- 3,321.15 gpd / 300 gpd/SBU = 11.0705 SBU
- 11.0705 SBU x $12,311.52 per SBU = $136,294.68 Privilege Fee

Seasonal Seats – 51 total

- 51 seats x 35 gpd = 1,785 gpd
- 1,785 gpd / 300 gpd/SBU = 5.95 SBU
- 5.95 SBU x $12,311.52 per SBU = $73,253.54 Privilege Fee
  Reduction assuming 4 months of use
  - $73,253.54 x (4/12) = $24,417.85

Planning Department

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 929-6631
Fax (978) 929-6340
planning@acton-ma.gov

MEMORANDUM

To: Board of Selectmen ***Date:*** **Revised November 30, 2015**

From: Kristen Guichard, AICP, Assistant Town Planner KMG

Subject: **Site Plan and Use Special Permit Application #9/11/15 – 457**
Review of Revised Plans and Information Submitted on 11/05/15 and 11/25/15

Location:	252-256 Main Street
Map/Parcel:	F3-116, F2-129-1 and F3-139
Applicant:	Ryan Development LLC
Owner:	Stop and Shop Supermarket Company LLC
Engineer:	Katie Enright, PE - Howard Stein Hudson
Previous Site Plans:	#01/02/73-0055: Construct New McDonald's Restaurant
	#01/30/75-0096: Construct General Retail Use Building
	#03/13/81-0204: Construct McDonald land Park
	#02/09/82-0215: Construct Playland Addition to Existing McDonald's Rest.
	#11/07/94-0348: Construct 800 ft2 Addition to Existing McDonald's
Previous BOA Hearings:	#75-19: Petition for Review – Denied
	#98-14: Variance for Signage – Denied
	#80-6: Variance to Construct New Entrance/Vestibule
Zoning:	Kelley's Corner (KC)
	Groundwater Protection Dist. Zone 4
Lot Area & Developable Site Area (same):	+/- 278,349 square feet (6.3 acres) *according to assessor's data*
Proposed Net Floor Area:	+/- 6,020 square feet
Proposed Floor Area Ratio (FAR):	0.255 (Includes existing Kmart building)
Proposed Uses:	240 Seat Restaurant (189 indoor and 51 outdoor)
Hearing Date:	**11/2/15**
Continued to:	**12/07/15**
Decision Due:	**1/31/16**

Below are the Planning Department comments based on the revised plans presented at the Board's 11/02/15 meeting and submitted to the Planning Department on 11/05/15 and additional information emailed on 11/25/15. These comments are noted in red and reflect the changes made to date. As stated at the public hearing, the record owner's knowledge and consent to the application presented is a requirement within the Site Plan Special Permit Rules and Regulations. The revised plans propose significant changes outside the delineated lease area and within a location of a newly

erected freestanding sign for the Kmart business (also a tenant at the site). On November 25th the Planning Department received a letter of acknowledgment from the property owner consenting to the modified plans revised on 10/28/15 although there is no acknowledgement of the Kmart sign.

Overview

The site in review is located off Main Street in the Kelley's Corner (KC) Zoning District. This site is typically referred to as the "Kmart property". The Site is comprised of three parcels in the same ownership; for zoning purposes they merge into one lot. The site is deemed pre-existing non-conforming due to its non-compliance with Section 5.6 of the Zoning Bylaw for sites exceeding 0.20 FAR in the KC Zoning District. The Applicant proposes to demolish the existing vacant McDonald's building[1] and to construct a new 110 Grille Restaurant with 240 seats. New building construction on the site must comply with Section 5.6 as it applies to lots exceeding 0.20 FAR.

The Applicant also proposes modifications to the existing parking lot and the northerly access drive on Main Street. ZBL S. 10.4.6 charges the Board of Selectmen as Site Plan Special Permit granting authority to require any reconstruction as well as improvements to the site to comply with the currently applicable standards of the Bylaw to the extent practicable. Therefore, our review of the site plan only takes into account areas of the Site that are being reconstructed, modified, or improved.

Compliance with Kelley's Corner Zoning (ZBL Section 5.6)

1. There is an existing +/- 6 ft. sidewalk along the Site's frontage of Main Street. ZBL S. 5.6.3.1 requires a 10 ft. wide sidewalk with a 10ft. wide landscape buffer be provided. The Applicant should provide a 10 ft. wide sidewalk along the Main Street frontage for a distance equal to the length of frontage where modifications are being made on the Site.

   The applicant has addressed this requirement but should discuss plans with the Engineering Department as the entire proposed sidewalk is within the Town's right of way.

2. The following is a review of the building design features that are not in compliance with subsections of ZBL S. 5.6.3.4:

   (a) *"At least 60 percent of the front side of a LOT facing a STREET, measured in percentage of linear feet of the LOT FRONTAGE, shall be occupied by BUILDINGS or by a pedestrian plaza that are located within 40 feet of the STREET sideline. A reduction of this requirement to 50 percent of the front side of a LOT may be allowed provided the Site Plan Special Permit Granting Authority finds that the alternative design features are consistent with Section 5.6.1 of this Bylaw."*

   Lot frontage is a defined term in the ZBL. The total lot frontage along Main Street is 340 ft.; 60% of the lot frontage would require 204 ft. of the frontage to be occupied by buildings or a pedestrian plaza; 50% of the lot frontage would require 170ft. of the frontage to be occupied by buildings or a pedestrian plaza. The proposed building only occupies 86 ft. of the frontage and is not entirely located within 40 ft. of the front property line – even if the Board determines a 50% reduction is consistent with Section 5.6.1 the current building and site design would need to be significantly modified to comply or include a pedestrian plaza for the remaining area. The ZBL does not grant the Board the authority to make any further reductions. The intent of the 'Special Provisions for the Kelley's Corner District' is stated under ZBL S. 5.6.1. This particular design requirement was established to provide a street edge, defined by buildings or a pedestrian plaza that is conducive to pedestrian uses, fosters a comfortable pedestrian environment and to encourage buildings with a pedestrian oriented scale and design.

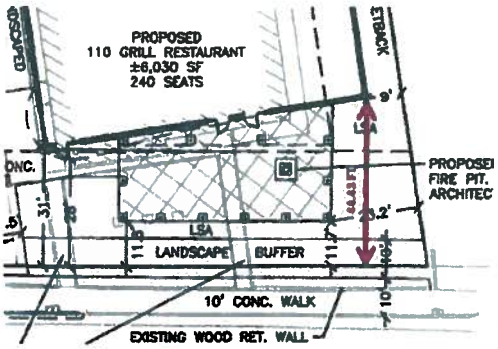
1. Although the applicant has added a 2,238 square foot hardscaped pedestrian plaza to occupy an additional 121 feet of the lot frontage, it does not comply with the standards set forth in subsection 5.6.3.2 of the ZBL and should be modified:

   a) Pedestrian plazas shall be located in front of the building or on the side of the building. The pedestrian plaza is currently located as an island; the pedestrian plaza is surrounded by two access drives and a parking lot. As stated at the public hearing, the pedestrian plaza should be relocated so that it is on the side of the building. Revised plans should also show changes to parking calculations.

   d) Shade trees and ornamental trees and other landscaping shall be provided to create a separation between pedestrian and vehicular traffic, to highlight buildings and pedestrian spaces, to provide shelter from the sun, to minimize glare for drivers, to reduce noise, and to mitigate fumes. There is no landscaping shown in the pedestrian plaza. Landscaping should be added incompliance with this section and subsection 'e'.

2. The pedestrian plaza is proposed in the same location as a newly permitted and erected freestanding Kmart sign. ZBL S. 7.8.3 requires the freestanding sign to include a 195 square foot landscaped area around the base. The pedestrian plaza should be modified so that it is separate from and does not interfere with the freestanding sign and its required landscape. The plans should be modified to address this issue.

3. The proposed building is not entirely located within 40 ft. of the front property line. This has not been addressed. The northeasterly side of the building is approximately +/- 44 feet from the property line. This portion of the building should be moved forward to comply. (see below)



(l) **20% of the ground level portion of the building's front façade surface must be windows. Approximately 16.5% of the total building's front façade is covered by windows. The Applicant should verify that the ground level portion of the buildings front façade complies with this section or modify the design.**

The plans have been modified; the front façade surface has 28% coverage by windows.

(m) **Highly reflective mirror windows are not allowed on building fronts. The Applicant should verify the window type.**

A note has been added to the plans that the glass is non-reflective.

(n) ***"Roofs shall be gabled with a minimum pitch of 9/12 (9" vertical for every 12" horizontal) and have overhanging eaves of at least one foot. Two or three story BUILDINGS, or two or three story portions of a BUILDING, may have a flat roof provided that the tops of the BUILDING front facades are treated with an articulated***

cornice, dormers, or other architectural treatment that appears an integral part of the BUILDING from all visible sides of the BUILDING."

The proposed building design does not comply with this requirement. The entire building must comply with the 9/12 pitch requirement or the building should be designed with two stories.

The plans have been modified to comply by changing the flat 1-story roof to a 9/12 pitch. The architect has indicated in their letter dated 11/23/15 that the tower has a "two-story nature" – The Applicant should confirm if this portion of the building is two-stories or just designed to look like two stories.

(o) *"The main features of the architectural treatment of the BUILDING front facades, including the materials used, shall be continued around all sides of the BUILDING that are visible from a STREET or a pedestrian plaza. The Site Plan Special Permit Granting Authority may approve alternate treatment of side and rear BUILDING walls that is consistent with Section 5.6.1 of the Bylaw and preserves the architectural integrity of the BUILDING as a whole."*

The vertical board and batton siding and T&G wood siding is not continued to the northerly side of the building (facing Verizon) and will be visible from Main Street. The same pattern should be used continuously around this side of the building by using T&G wood on the portion with the higher elevation and vertical board and batton siding along the lower portion.

The plans have been modified to comply.

3. The minimum front yard setback in the Kelley's Corner Zoning District is 30 feet. A fire pit is shown as a permanent structure within the 30-foot setback and should be modified to comply.

Parking Lot Modifications (ZBL Section 6)

4. Bicycle parking is not shown on the plan and is required under ZBL S. 6.3.7.

   Bicycle racks must be located as close as possible to the main building. They shall be principally part of and accessible from the vehicle parking lot or facility rather than part of the sidewalk and walkway system. The revised plans show bicycle parking located within the pedestrian plaza. Pedestrian Plazas are to be used exclusively by pedestrians. The bicycle parking should be relocated so that it complies with the ZBL; as close as possible to the building and a location that is accessible from the vehicular parking and not part of the walkway system.

5. The modified parking lot along the south side of the proposed building is located +/-20ft from the property line where a 30ft setback is required under ZBL S. 6.7.2. The parking space closest to the street should be removed.

   This has not been addressed. As noted above, ZBL S. 10.4.6 charges the Board of Selectmen as Site Plan Special Permit granting authority to require any reconstruction as well as improvements to the site to comply with the current applicable standards of the Bylaw to the extent practicable. ZBL Section 8.4 [(3)] does not apply; the applicant is proposing to make improvements to the site by relocating and realigning the parking spaces in this location and thus should comply with the current bylaws.

6. The Site has two access drives on Main Street, which are pre-existing non-conforming. There is an additional access drive located off Mass. Ave. The Applicant proposes to modify the northerly access drive on Main Street. The Site as modified is not automatically entitled to the two access drives under ZBL S. 6.7.3:

"ACCESS Driveways – Each LOT may have one ACCESS driveway through its FRONTAGE which shall be 24 feet wide, unless, in the opinion of the Special Permit Granting Authority (if the parking area is related to a permitted USE for which a site plan or other special permit is required) or the Zoning Enforcement Officer (for other parking areas), a wider and/or greater number of ACCESS driveways is necessary to provide adequate area for safe vehicular turning movements and circulation. An ACCESS driveway for one-way traffic only may be a minimum of 14 feet wide. There shall be no more than one additional ACCESS driveway for each 200 feet of FRONTAGE and all such additional ACCESS driveway(s) shall be at least 200 feet apart on the LOT measured from the centerline of each ACCESS driveway."

The total frontage on Main Street is 340ft. Therefore, the Planning Department strongly recommends closing the *northerly* access drive on Main Street. Closing the northerly access drive will reduce turning movement conflicts on Main Street in close proximity to the heavily traveled signalized Main Street and Mass. Ave. intersection. Both businesses on the site would continue to be sufficiently served by the southerly access drive off Main Street and the access drive off Mass. Ave.

This has not been addressed. As noted above, ZBL S. 10.4.6 charges the Board of Selectmen as Site Plan Special Permit granting authority to require any reconstruction as well as improvements to the site to comply with the currently applicable standards of the Bylaw to the extent practicable. Under ZBL, s. 6.7.3, the standards with respect to the number and separation of access driveways are (1) not more than one driveway per lot; (2) under site plan special permit the Board of Selectmen may grant additional access driveways for each 200 feet of frontage but each driveway must be 200 feet apart from the others. The existing driveways are +/-150 feet apart, less than the minimum required 200 feet. And in any case, the 340 ft. of Main Street frontage entitle the lot to only one driveway. As in par. 4 above, ZBL Section 8.4 does not apply where the applicant is proposing to make major site modifications as shown on the plan. The Planning Department maintains its recommendation that the Board of Selectmen require pursuant to ZBL s. 10.4.6 that the site be brought into compliance by removing the north access drive off Main Street.

7. ZBL S. 6.7.6 requires a minimum 10-foot wide perimeter landscape buffer for parking lots. The perimeter landscape between the modified parking lot and the proposed restaurant only shows a 9ft wide landscape area. The landscaped area should be widened to comply.

   The plan has been modified to comply in this location.

   Although the location above has been modified to comply, the 10-foot wide perimeter landscape buffer has been removed and a pedestrian plaza has been placed next to the parking lot cells. The Applicant should amend the plans by adding a 10-foot wide perimeter landscape buffer to boarder the parking lot cells. A pedestrian plaza cannot count towards the required 10-foot wide perimeter landscape buffer. Parking calculations should be revised to show changes.

Restaurant Use

8. The proposed restaurant use is allowed in the KC Zoning District by Special Permit.
9. The plan shows 286 parking spaces on the site which meets the minimum parking space requirement of the Bylaw for the Kmart retail use and the proposed restaurant.

Recommendations

The Planning Department has identified significant defects in the plan's compliance with the ZBL as outlined above in #2(a), #2(n) and #5. This will require a complete redesign of the building, parking lot layout and access driveways. Other issues noted above must be brought into compliance with the ZBL. The purpose of the Kelley's Corner District is clearly stated under ZBL S. 5.6.1[2]. The Planning Department recommends denial of the requested permits, or an extended public hearing continuation that allows for well thought out plan changes, departmental reviews, and new notifications to parties in interest.

The Board should also note comments and concerns submitted by the Acton Water Supply District, Engineering Department, Fire Department and Health Department.

Significant issues still remain that should be addressed and resolved before the close of the public hearing.

cc: Engineering Department
Health Department

---

1) The former McDonald's restaurant was permitted with 94 seats.

2) 5.6.1 Purpose – In the Kelley's Corner District, the principal goal guiding the regulations set forth herein is to sustain and encourage a vital business center that provides needed goods, services, jobs and increased tax revenues in a manner that is compatible with Acton's historic development pattern and establishes pedestrian accessibility and circulation throughout the Kelley's Corner area. These regulations will provide clear guidance to those who would like to expand or locate businesses in the Kelley's Corner District. They will ensure that future development will help create the form, cohesion, order, and supporting infrastructure that will identify the Kelley's Corner District as an attractive, pleasant, and desirable center for business, shopping and other commercial and community activities.

Pedestrian access and circulation are favored in order to limit vehicular congestion and air pollution. Adjacent residential neighborhoods will be connected to the Kelley's Corner District via pedestrian ways but are otherwise separated with landscape buffers. In order to support the growth and vitality of the center, higher density developments are required to contribute to a fund for the construction of a centralized wastewater collection and treatment system serving the Kelley's Corner District and surrounding areas. The regulations are intended to implement the Kelley's Corner Plan as amended.

It is widely recognized that the mere provision of sidewalks and crosswalks will not encourage pedestrian use of a commercial area unless the layout and design of the sites and BUILDINGS are also conducive to pedestrian use. The leading design principles are therefore to provide convenient and efficient pedestrian access within the Kelley's Corner District and to surrounding neighborhoods and facilities, to provide a safe and comfortable pedestrian environment with walkways, pedestrian conveniences and amenities, and to encourage BUILDINGS with a pedestrian oriented scale and design.

3) In the Applicant's response letter dated October 30, 2015 he argues that Section 8.4 of the Zoning Bylaw exempts the plan from having to comply with the current Zoning Bylaw parking requirements.
Section 8.4 reads:

"Nonconforming Parking – This Bylaw shall not be deemed to prohibit the continued USE of any land or STRUCTURES that is nonconforming with respect to parking requirements."

The intent of this section of the Bylaw is to allow pre-existing non-conforming parking that is **not** being modified. Where the Applicant proposes parking modifications, they must comply with the current applicable standards of the Bylaw per S. 10.4.6.

ACTON WATER DISTRICT

Water Supply District of Acton

693 MASSACHUSETTS AVENUE
P.O. BOX 953
ACTON, MASSACHUSETTS 01720

TELEPHONE (978) 263-9107 FAX (978) 264-0148

DATE: October 23, 2015

TO: Town of Acton Planning Dept.
FROM: Chris Allen, District Manager
RE: Comments on Site plan special permit application (SPSP 09/11/15-457) for 252-256 Main Street, 110 Grill

1. The proposed development will require the owner, or owner's representative, to submit a "Water Impact Report" per Acton Water District (AWD) Rules & Regulations annotating all water efficiency and conservation measures to be implemented.

2. All water mains, services, appurtenances and installation of such must comply with AWD specifications.

3. A final "As-Built" plan delineating exact locations of all water infrastructure must be submitted by the contractor or engineer prior to filling of any water mains for pressure test or disinfection per AWD specifications.

4. Due to the proposed expansion of the building footprint, the existing 10" Cast Iron water main serving the existing structure and Kmart will be underneath the building. Additionally, the proposed 4,000-gallon Grease Trap will make the 10" pipe difficult to access without severe disruption. This, and service to the building, should be renewed and rerouted back to the Public Right of Way in Main Street outside of the building footprint.

5. Any new water service or fire line from the water main to a dwelling, building or structure will be in a separate, underground trench. No other utility will be in the same trench unless the District determines that the conditions prevent a separate trench. In such cases, a suitable plan prepared by a registered Professional Engineer will be submitted to the District for approval to insure safety and accessibility for repair, replacement or inspection of the lines located in the same trench.

6. AWD requests to see estimated water use and details on the proposed fixtures/appliances for the bathrooms and kitchen area. AWD recommends that High Efficiency (HE) fixtures be placed in restrooms and hand washing basins and that HE pre-rinse spray nozzles and dishwashing equipment be utilized.

7. The need for irrigation at this project has not been indicated. Alternative sources of irrigation water should be explored, especially collection of rooftop runoff, since this project is constrained in its stormwater management options. AWD expects this to be addressed in the Impact Report.

8. All grass and plantings should be native and drought tolerant to reduce irrigation needs.

Respectfully submitted

Chris Allen
District Manager

Kim Gorman

From: Frank Ramsbottom
Sent: Friday, October 23, 2015 6:37 PM
To: Robert Hart
Cc: Kim Gorman; Building Department; Planning Department; Engineering Department; Patrick Futterer; Health Department; Natural Resources Department; Sidewalk Committee; Chris Allen; Design Review Board; Economic Development Committee; Transportation Advisory Committee; Lisa Tomyl
Subject: Re: 252-256 Main Street - Site Plan Special Permit Application - Comments

Hi Kim

I also have the same concerns mentioned by Deputy Hart. I discussed this with him and also wanted to add that It would be preferable to move the dumpster away form the building

Perhaps I missed it but it was not clear to me if the occupancy of 189 includes the outdoor seating.

Do you know if the applicants intended to ever have entertainment?

Regards

Frank Ramsbottom
Acton Building Commissioner

Sent from my iPhone

On Oct 23, 2015, at 12:47 PM, Robert Hart <rhart@acton-ma.gov> wrote:

> Hello Kim,
>
> After review of the plans I have a few concerns. I don't see provisions for a fire department connection for the required sprinkler system. A hydrant must be located within 100 feet of said connection. Further the site plan shall comply with 527 CMR 1.0 and NFPA 1141. More information is needed about the patio seating, it looks like the only entry to this patio area is through the building. Therefore, in an emergency, the patrons would be forced back into the building to exit.
>
> Respectfully,
>
> Robert Hart
> Deputy Fire Chief
>
> **From:** Kim Gorman
> **Sent:** Thursday, October 22, 2015 4:01 PM
> **To:** Building Department; Planning Department; Engineering Department; Patrick Futterer; Robert Hart; Health Department; Natural Resources Department; Sidewalk Committee; Chris Allen; Design Review Board; Economic Development Committee; Transportation Advisory Committee
> **Cc:** Lisa Tomyl
> **Subject:** RE: 252-256 Main Street - Site Plan Special Permit Application - Comments
>
> Hello everyone,
> If you have not commented yet, the application has sent revised plans.
>
> I have placed them in a revised plans folder within the same link below.
>
> Thank you!
> Kim

From: Kim Gorman
Sent: Friday, September 25, 2015 1:43 PM
To: Building Department; Planning Department; Engineering Department; Patrick Futterer; Robert Hart; Health Department; Natural Resources Department; Sidewalk Committee; Chris Allen; Design Review Board; Economic Development Committee; Transportation Advisory Committee
Cc: Lisa Tomyl
Subject: 252-256 Main Street - Site Plan Special Permit Application - Comments
Importance: High

Good afternoon,

I am in receipt of an application for a Site Plan Special Permit #SPSP 09/11/15-457 for 252-256 Main Street.

The location of the documents are within docushare, here is the link - http://doc.acton-ma.gov/dsweb/View/Collection-7008

The applicant is proposing development of a 6,020 +/- s.f. restaurant to be located on a portion of the property know as 252-256 Main Street (formerly McDonald's restaurant), to raise the existing structure and to construct a new 110 Grill Restaurant containing 189 indoor seats and 51 seasonal patio seats.

Please email your questions or comments if any to the Planning Department – planning@acton-ma.gov no later than Friday, October 23, 2015.

Thank you!

Sincerely,

Kim Gorman
Secretary
Acton Planning Department
472 Main Street
Acton, MA 01720
kgorman@acton-ma.gov
978-929-6631

Kim Gorman

From: Robert Hart
Sent: Friday, October 23, 2015 12:48 PM
To: Kim Gorman; Building Department; Planning Department; Engineering Department; Patrick Futterer; Health Department; Natural Resources Department; Sidewalk Committee; Chris Allen; Design Review Board; Economic Development Committee; Transportation Advisory Committee
Cc: Lisa Tomyl
Subject: RE: 252-256 Main Street - Site Plan Special Permit Application - Comments

Hello Kim,

After review of the plans I have a few concerns. I don't see provisions for a fire department connection for the required sprinkler system. A hydrant must be located within 100 feet of said connection. Further the site plan shall comply with 527 CMR 1.0 and NFPA 1141. More information is needed about the patio seating, it looks like the only entry to this patio area is through the building. Therefore, in an emergency, the patrons would be forced back into the building to exit.

Respectfully,

Robert Hart
Deputy Fire Chief

From: Kim Gorman
Sent: Thursday, October 22, 2015 4:01 PM
To: Building Department; Planning Department; Engineering Department; Patrick Futterer; Robert Hart; Health Department; Natural Resources Department; Sidewalk Committee; Chris Allen; Design Review Board; Economic Development Committee; Transportation Advisory Committee
Cc: Lisa Tomyl
Subject: RE: 252-256 Main Street - Site Plan Special Permit Application - Comments

Hello everyone,
If you have not commented yet, the application has sent revised plans.

I have placed them in a revised plans folder within the same link below.

Thank you!
Kim

From: Kim Gorman
Sent: Friday, September 25, 2015 1:43 PM
To: Building Department; Planning Department; Engineering Department; Patrick Futterer; Robert Hart; Health Department; Natural Resources Department; Sidewalk Committee; Chris Allen; Design Review Board; Economic Development Committee; Transportation Advisory Committee
Cc: Lisa Tomyl
Subject: 252-256 Main Street - Site Plan Special Permit Application - Comments
Importance: High

Good afternoon,

I am in receipt of an application for a Site Plan Special Permit #SPSP 09/11/15-457 for 252-256 Main Street.

The location of the documents are within docushare, here is the link - http://doc.acton-ma.gov/dsweb/View/Collection-7008

The applicant is proposing development of a 6,020 +/- s.f. restaurant to be located on a portion of the property know as 252-256 Main Street (formerly McDonald's restaurant), to raise the existing structure and to construct a new 110 Grill Restaurant containing 189 indoor seats and 51 seasonal patio seats.

Please email your questions or comments if any to the Planning Department – planning@acton-ma.gov no later than Friday, October 23, 2015.

Thank you!

Sincerely,

Kim Gorman
Secretary
Acton Planning Department
472 Main Street
Acton, MA 01720
kgorman@acton-ma.gov
978-929-6631

Kim Gorman

From: Sheryl Ball
Sent: Thursday, October 08, 2015 1:12 PM
To: Planning Department
Cc: Health Department
Subject: Site Plan Special Permit #SPSP 09/11/15-457 for 252-256 Main Street.

The Health Department has the following concerns:

1. A plan review of the proposed restaurant will be required by the Health Department prior to construction along with application and fee.
2. The external grease trap must be upgraded to accommodate the increase in seats – 750 gallons provided; 3600 gallons required
3. The dumpster must be surrounded by a fence and equipped with a lockable gate. The dumpster must be licensed by the Health Department on a yearly basis.

Sheryl Ball
Public Health Inspector
Town of Acton
472 Main Street
Acton, MA 01720
978-929-6632
fax 978-929-6340

RYAN DEVELOPMENT LLC

October 30, 2015

Acton Board of Selectmen
Katie Green, Chair
Acton Town Hall
472 Main Street
Acton, MA 01720

RE: Special Permit and Site Plan Special Permit Applications
252-256 Main Street, Acton, MA

Dear Ms. Green and Members of the Board:

The Applicant is in receipt of the following departmental comment letters:

1) Memorandum to the Board of Selectmen from Kristen Guichard, AICP dated October 26, 2015 ("Planning Memorandum");
2) Letter from the Water Supply District of Acton dated October 23, 2015 ("Water District Letter");
3) Letter from the Town of Acton Engineering Department dated October 23, 2015 ("Engineering Letter");
4) Email from Deputy Fire Chief Robert Hart dated October 23, 2015 ("Fire Department Letter");
5) Email from Sheryl Ball Public Health Inspector dated October 8, 2015 ("BOH Letter"); and
6) Email from Frank Ramsbottom, Acton Building Commissioner dated October 23, 2015 ("Building Department Letter").

In light of the above, the Applicant submits the following responses to the Board of Selectmen. Where a comment is made that does not require a response, the Applicant has not listed it in this letter:

Planning Memorandum:

1. *"There is an existing +/- 6 ft. sidewalk along the Site's frontage of Main Street. ZBL S. 5.6.3.1 requires a 10 ft. wide sidewalk with a 10ft. wide landscape buffer be provided. The Applicant should provide a 10 ft. wide sidewalk along the Main Street frontage for a distance equal to the length of frontage where modifications are being made on the Site."*

RYAN DEVELOPMENT LLC • 2 LAN DRIVE • WESTFORD, MASSACHUSETTS 01886
TELEPHONE (978) 692-9450 • FAX (978) 692-4424 • www.raventures.net

Response: The plan has been modified to provide a 10' wide sidewalk along the Main Street frontage for a distance equal to the length of frontage where modifications are being made to the Site.

2. See below.
   a. *"At least 60 percent of the front side of a LOT facing a STREET, measured in percentage of linear feet of the LOT FRONTAGE, shall be occupied by BUILDINGS or by a pedestrian plaza that are located within 40 feet of the STREET sideline. A reduction of this requirement to 50 percent of the front side of a LOT may be allowed provided the Site Plan Special Permit Granting Authority finds that the alternative design features are consistent with Section 5.6.1 of this Bylaw."*

      Response: The plan has been modified to provide a pedestrian plaza located within forty (40) feet of the street sideline. Accordingly, sixty (60%) percent of the front side of the lot facing Main Street is now occupied by buildings or pedestrian plaza area per the bylaw.

   b. *"20% of the ground level portion of the building's front façade surface must be windows. Approximately 16.5% of the total building's front façade is covered by windows. The Applicant should verify that the ground level portion of the buildings front façade complies with this section or modify the design."*

      Response: The building design has been modified to provide 20% of the ground level portion of the front façade surface as windows.

   c. *"Highly reflective mirror windows are not allowed on building fronts. The Applicant should verify the window type."*

      Response: The Applicant proposes to use non-reflective mirror style windows. These are not highly reflective mirror windows.

   d. *"Roofs shall be gabled with a minimum pitch of 9/12 (9" vertical for every 12" horizontal) and have overhanging eaves of at least one foot. Two or three story BUILDINGS, or two or three story portions of a BUILDING, may have a flat roof provided that the tops of the BUILDING front facades are treated with an articulated cornice, dormers, or other architectural treatment that appears an integral part of the BUILDING from all visible sides of the BUILDING"*

      Response: The building design has been modified to comply with this requirement.

   e. *"The main features of the architectural treatment of the BUILDING front facades, including the materials used, shall be continued around all sides of the BUILDING that are visible from a STREET or a pedestrian plaza. The Site Plan Special Permit Granting Authority may approve alternate treatment of side and*

rear BUILDING walls that is consistent with Section 5.6.1 of the Bylaw and preserves the architectural integrity of the BUILDING as a whole."

Response: The building design has been modified to comply with this requirement.

3. *"Bicycle parking is not shown on the plan and is required under ZBL S. 6.3.7."*

   Reponse: Bicycle parking per ZBL S. 6.3.7 has been added to the Plan.

4. *"The modified parking lot along the south side of the proposed building is located +/-20ft from the property line where a 30ft setback is required under ZBL S. 6.7.2. The parking space closest to the street should be removed."*

   Response: The Applicant suggests that the parking lot along the south side of the proposed building as shown, while within the 30' setback, is precisely the same distance from the street as existing conditions. Section 8.4 of the Zoning Bylaws permits the continued use of land that is non-conforming with respect to parking requirements.

5. *"The Site has two access drives on Main Street, which are pre-existing non-conforming. There is an additional access drive located off Mass. Ave. The Applicant proposes to modify the northerly access drive on Main Street. The Site as modified is not automatically entitled to the two access drives under ZBL S. 6.7.3."*

   Response: The Applicant is not proposing to relocate of modify the curb cut within the right of way. Section 6.7.3 of the Zoning Bylaws is a subset of Section 6 entitled "Parking Standards." Accordingly, the single curb cut requirement cited in Section 6.7.3 is a parking requirement. Section 8.4 of the Zoning Bylaws states as follows:

   "Nonconforming Parking- This Bylaw shall not be deemed to prohibit the continued USE of any land or STRUCTURE that is nonconforming with respect to parking requirements."

   In this case, the land located at 252-256 Main Street has a preexisting parking requirement nonconformity in that it has two existing access driveways for a total of approximately 340' of frontage. Section 8.4 expressly allows the continued use of the land with that existing nonconformity in place.

6. *"ZBL S. 6.7.6 requires a minimum 10-foot wide perimeter landscape buffer for parking lots. The perimeter landscape between the modified parking lot and the proposed restaurant only shows a 9ft wide landscape area. The landscaped area should be widened to comply."*

   Response: The Plan has been modified to conform with this requirement.

Water District Letter:

1. *"The proposed development will require the owner, or owner's representative, to submit a "Water Impact Report" per Acton Water District (AWD) Rules & Regulations annotating all water efficiency and conservation measures to be implemented."*

   Response: A Water Impact Report will be submitted per the AWD Rules & Regulations upon approval.

2. *"All water mains, services, appurtenances and installation of such must comply with AWD specifications."*

   Response: All water mains, services, appurtenances and installations will comply with AWD specifications.

3. *"A final "As-Built" plan delineating exact locations of all water infrastructure must be submitted by the contractor or engineer prior to filling of any water mains for pressure test or disinfection per AWD specifications."*

   Response: Upon completion of the proposed reconstruction, a final As-Built plan will be submitted per this requirement.

4. *"Due to the proposed expansion of the building footprint, the existing 10" Cast Iron water main serving the existing structure and Kmart will be underneath the building. Additionally, the proposed 4,000-gallon Grease Trap will make the 10" pipe difficult to access without severe disruption. This, and service to the building, should be renewed and rerouted back to the Public Right of Way in Main Street outside of the building footprint."*

   Response: The Applicant will examine and reroute the water line, as necessary, per this comment and comply with AWD requirements.

5. *"Any new water service or fire line from the water main to a dwelling, building or structure will be in a separate, underground trench. No other utility will be in the same trench unless the District determines that the conditions prevent a separate trench. In such cases, a suitable plan prepared by a registered Professional Engineer will be submitted to the District for approval to insure safety and accessibility for repair, replacement or inspection of the lines located in the same trench."*

   Response: The Applicant will comply with this requirement.

6. *"AWD requests to see estimated water use and details on the proposed fixtures/appliances for the bathrooms and kitchen area. AWD recommends that High Efficiency (HE) fixtures be placed in restrooms and hand washing basins and that HE pre-rinse spray nozzles and dishwashing equipment be utilized."*

Response: The Applicant will provide details on the proposed fixtures and appliances during the building permit process.

7. *"The need for irrigation at this project has not been indicated. Alternative sources of irrigation water should be explored, especially collection of rooftop runoff, since this project is constrained in its stormwater management options. AWD expects this to be addressed in the Impact Report."*

   Response: The Applicant anticipates that irrigation will be minimal, consistent with a commercial use with landscape areas of the proposed scope.

8. "All grass and plantings should be native and drought tolerant to reduce irrigation needs."

   Response: The Applicant has selected drought tolerant, native plantings for the project landscape scheme.

Engineering Letter:

1. *The applicant is proposing 189 interior and 51 seasonal use seats for the proposed restaurant. A privilege fee is assessed on properties which intensify the use beyond what was assessed as a betterment. The former McDonald's restaurant was assessed a betterment of 10.98 sewer betterment units (SBUs) which equates to 94.11 seats. Based on these numbers and a privilege fee of $12,311.52 per SBU, the increase from 94.11 seats to 189 interior seats would equate to a privilege fee of $136,294.68.*
   For the 51 seasonal seats, the applicant may request a reduction in the privilege fee relative to the seasonal use of those seats. Assuming the seasonal use is 4 months of the year, the privilege fee for the 51 seasonal seats can be reduced to $24,417.85 if approved by the Board. Assuming a reduced fee for the seasonal seats, the total privilege fee is $160,712.53. A more detailed breakdown of the privilege fee calculation has been provided with this memo.

   Response: The Applicant agrees with the assessment as it pertains to the 189 seats. However, the Applicant suggests that no privilege fee be assessed for the outdoor patio area. In the Applicant's extensive experience in operating restaurants with outdoor seating, the outdoor seating does not generate higher water usage. Instead, it merely provides an option for a customer to exercise a preference to either sit indoors or outdoors. Accordingly, the Applicant respectfully requests that the privilege fee be capped at $136,294.68.

2. *"A sewer connection permit will be required from our office."*

   Response: The Applicant will obtain a sewer connection permit.

3. *"A cleanout is required on connections over 100-feet in length."*

Response: A sewer cleanout has been added to the sewer service shown on the revised plan set.

4. *"A metal ferrous rod or pipe is required at the 90-degree bend at the chimney connection."*

   Response: A note has been added to the plan set identifying this requirement.

5. *"The grease trap must conform to Title 5 standards which we will defer to the Board of Health as to whether the proposed grease trap complies."*

   Response: The grease trap will comply to Title 5 standards.

10. *"The horizontal datum should be NGVD 1929"*

    Response: The horizontal datum will be NGVID 1929

11. *"No earth removal calculations were provided with the application, though we suspect the amount is minimal."*

    Response: Proposed earth removal is de minimis.

Fire Department Letter:

1. *" I don't see provisions for a fire department connection for the required sprinkler system. A hydrant must be located within 100 feet of said connection."*

   Response: The Plan has been revised to indicate a fire department connection and hydrant within 100 feet of such connection. Details to be provided at time of submittal for building permit.

2. *"Further the site plan shall comply with 527 CMR 1.0 and NFPA 1141."*

   Response: The Applicant will ensure Plan compliance with all applicable regulations.

3. *"More information is needed about the patio seating, it looks like the only entry to this patio area is through the building. Therefore, in an emergency, the patrons would be forced back into the building to exit."*

   Response: The patio area, as shown on the plan, is a open patio, roughly at grade, that will be defined by 42" high piers with chains between the piers. There will be an opening so unimpeded access will be available to the main entrance. Re-entry through the building is not required.

BOH Letter:

1. *"A plan review of the proposed restaurant will be required by the Health Department prior to construction along with application and fee."*

   Response: Prior to construction, the Applicant will submit the final plan for review by the Health Department.

2. *"The external grease trap must be upgraded to accommodate the increase in seats – 750 gallons provided; 3600 gallons required."*

   Response: The Applicant is proposing a 4,000 gallon grease trap.

3. *"The dumpster must be surrounded by a fence and equipped with a lockable gate. The dumpster must be licensed by the Health Department on a yearly basis."*

   Response: The Applicant is proposing a fenced dumpster corral that will include a lockable gate and will be licensed by the Health Department on a yearly basis. A note has been added to the dumpster enclosure detail to meet this requirement.

Building Department Letter:

1. *"I missed it but it was not clear to me if the occupancy of 189 includes the outdoor seating."*

   Response: The Applicant is proposing 189 all-year, indoor seats. The patio seats are additional, seasonal seats.

2. *"Do you know if the applicants intended to ever have entertainment?"*

   Response: The Applicant intends to have entertainment in the form of TVs, recorded music and live music.

We look forward to discussing the above at the hearing scheduled for November 2, 2015. Thank you for your time and consideration.

Sincerely,

Kevin S. Eriksen

Site Plans 3rd Revision

December 3, 2015

RYAN DEVELOPMENT LLC

December 2, 2015

Acton Board of Selectmen
Katie Green, Chair
Acton Town Hall
472 Main Street
Acton, MA 01720

RE: Special Permit and Site Plan Special Permit Applications
252-256 Main Street, Acton, MA

Dear Ms. Green and Members of the Board:

The Applicant is in receipt of the following supplemental department comment letters:

1) Memorandum to the Board of Selectmen from Kristen Guichard, AICP dated October 26, 2015, Revised through November 30, 2015 ("Planning Memorandum");
2) Letter from the Town of Acton Engineering Department dated October 23, 2015, Revised through 11/17/2015 ("Engineering Letter"); and
3) Letter from the Design Review Board dated 11/19/15 ("DRB Letter");

In light of the above, the Applicant submits the following supplemental responses to the Board of Selectmen along with the attached plans entitled "Site Plan for 110 Grill Restaurant, 256 Main Street (Route 27), Acton, MA" revised through 12/3/15 along with revised Architectural Renderings.

Planning Memorandum:

1. Original Comment:

   "There is an existing +/- 6 ft. sidewalk along the Site's frontage of Main Street. ZBL S. 5.6.3.1 requires a 10 ft. wide sidewalk with a 10ft. wide landscape buffer be provided. The Applicant should provide a 10 ft. wide sidewalk along the Main Street frontage for a distance equal to the length of frontage where modifications are being made on the Site."

   Revised Comment:

   "The applicant has addressed this requirement but should discuss plans with the Engineering Department as the entire proposed side is within the Town's right of way."

Response: ZBL S. 5.6.3.4 states that "[s]idewalks may be located **wholly** or partially within the STREET layout." (emphasis added). Accordingly, the sidewalk location is in full compliance with the Bylaw.

2.1(a) Revised Comment:

"Although the applicant has added a 2,238 square foot hardscaped pedestrian plaza to occupy an additional 121 feet of the lot frontage, it does not comply with the standards set forth in subsection 5.6.3.2 of the ZBL and should be modified:

Response: The proposed plan, as modified, shows a pedestrian plaza in full compliance with ZBL S. 5.6.3.2.

a. *"Pedestrian plazas shall be located in front of the building or on the side of the building. The pedestrian plaza is currently located as an island; the pedestrian plaza is surrounded by two access drives and a parking lot. As stated at the public hearing, the pedestrian plaza should be relocated so that it is on the side of the building. Revised plans should also show changes to the parking calculations."*

Response: The location of the pedestrian plaza is in full compliance with ZBL S. 5.6.3.2. The Bylaw requires that pedestrian plazas be located at "the STREET level", which the plans indicate. Moreover, the pedestrian plaza is located to the side of the proposed building as required. Contrary to the suggestion of the Planning Staff, there is no prohibition to locating the pedestrian plaza between two grandfathered access drives.

The Applicant notes that Planning Staff's insistence on this position is curious in light of their recently issued interpretation of ZBL S. 5.6.3.4 for a previous applicant on this very site. On May 15, 2013, the Planning Staff determined that only 60% of the **"lease area"** frontage need be occupied by a BUILDING or pedestrian plaza. Accordingly, Planning Staff advised this Board that the previous applicant was "compliant with this bylaw requirement" without the need to even include a pedestrian plaza because their Building occupied 64.8% of their **"lease area frontage."** Similarly, under the 2013 interpretation, the Applicant would exceed the bylaw requirement by occupying 78% of their "lease area frontage" with a Building. [1]

Notably, the Applicant met with Planning Staff prior to submitting the current application to the Board of Selectmen. At that meeting, we were advised by staff to closely review the comments from Planning Staff in connection with the above

[1] As it happens, an interpretation of ZBL S. 5.6.3.4 consistent with the previous application for this site would address the DRB's concern in comment 10 of the DRB Letter. In comment 10, the DRB raises "concerns about the proposed hardscape plaza" noting their belief that it is "bound to fail" and stating that they do not "support this addition." They suggest a waiver be requested, which this Board does not have the authority to grant. However, the Board does have the authority to interpret the Bylaw as it was previously interpreted by Planning Staff in 2013.

mentioned 2013 application for redevelopment of this lease area. The 2013 interpretation that we were directed to by Planning Staff at that meeting was one of the primary reasons the initial plans did not include a pedestrian plaza. Although the Applicant has, in the spirit of cooperation, agreed to provide a pedestrian plaza that was not required for the very same site just two years prior, we do not agree that the proposed location need be redesigned as suggested in Planning Staff's most recent memorandum where such redesign is not supported by the plain language of the Bylaw.

b. "*Shade trees and ornamental trees and other landscaping shall be provided to create a separation between the pedestrian plaza and vehicular traffic, to highlight buildings and pedestrian spaces, and to provide shelter from the sun, to minimize glare for drivers, to reduce noise, and to mitigate fumes. There is no landscaping shown in the pedestrian plaza. Landscaping should be added in compliance with this section and subsection 'e'.*"

Response: The plans have been revised to include landscaping in compliance with the Bylaw.

2.2 "*The pedestrian plaza is proposed in the same location as a newly permitted and erected Kmart sign. ZBL S. 7.8.3 requires the freestanding sign to include a 195 square foot landscaped area around the base. The pedestrian plaza should be modified so that it is separate from and does not interfere with the freestanding sign and its required landscape.*"

Response: The plans have been revised to show a 196 s.f. landscaped area around the base of the sign. Landscaping is also a component of the pedestrian plaza. Moreover, ZBL S. 7.8.3 expressly states that "[t]he landscaped area required under this section may be provided as part of a landscaped area required under any other section of this Bylaw." Accordingly, the plan as revised is in full compliance with the Bylaw.

2.3 "*The proposed building is not entirely located within 40ft. of the front property line. This has not been addressed. The northeasterly side of the building is approximately 44' from the property line. This portion of the building should be moved forward to comply.*"

Response: The plans have been modified to comply by extending the canopy projection and its colonnade structure the entire length of the Main Street façade.

(l) Comment acknowledged as satisfied.

(m) Comment acknowledged as satisfied.

(n) "*Roofs shall be gabled with a minimum pitch of 9/12 (9" vertical for every 12" horizontal) and have overhanging eaves of at least one foot. Two or three story*

BUILDINGS, or two or three story portions of a BUILDING, may have a flat roof provided that the tops of the BUILDING front facades are treated with an articulated cornice, dormers, or other architectural treatment that appears an integral part of the BUILDING from all visible sides of the BUILDING"

Original Comment:

The proposed building design does not comply with this requirement. The entire building must comply with the 9/12 pitch requirement or the building should be designed with two stories.

Revised Comment:

"The plans have been modified to comply by changing the flat 1 story roof to a 9/12 pitch. The architect has indicated in their letter dated 11/23/15 that the tower has a "two story nature" – The Applicant should confirm if this portion of the building is two stories or just designed to look like two stories."

Response: The building design as revised complies with ZBL s. 5.6.3.4(n).

(o) Comment acknowledged as satisfied.

3. *"The minimum front yard setback in the Kelley's Corner Zoning District is 30 feet. A fire pit is shown as a permanent structure within the 30 foot setback and should be modified to comply"*

Response: The ZBL defines Structure as "[a] combination of materials assembled to give support or shelter…" A fire pit does not qualify as a Structure as that term is defined in the Bylaw. Accordingly, it need not comply with the front yard setback.

Parking Lot Modifications (ZBL S. 6.3.7)

4. Original Comment:

"Bicycle parking is not shown on the plan and is required under ZBL S. 6.3.7."

Revised Comment:

"Bicycle racks must be located as close as possible to the main building. They shall be principally part of and accessible from the vehicle parking lot or facility rather than part of the sidewalk and walkway system. The revised plans show bicycle parking located within the pedestrian plaza. Pedestrian Plazas are to be used exclusively by pedestrians. The bicycle parking should be relocated so that it complies with the ZBL; as close as

possible to the building and a location that is accessible from the vehicular parking and not part of the walkway system."

Reponse: The plan has been revised to provide bicycle parking accessible from the vehicle parking lot and outside of the pedestrian plaza. It is also located near the main entrance of the building. The plan as revised complies with ZBL S. 6.3.7.

5. *"The modified parking lot along the south side of the proposed building is located +/-20ft from the property line where a 30ft setback is required under ZBL S. 6.7.2. The parking space closest to the street should be removed."*

   Response: The plan has been modified to remove the parking space closest to the street. Accordingly, the plan as revised complies with ZBL S. 6.7.2.

6. Original Comment:

   "The Site has two access drives on Main Street, which are pre-existing non-conforming. There is an additional access drive located off Mass. Ave. The Applicant proposes to modify the northerly access drive on Main Street. The Site as modified is not automatically entitled to the two access drives under ZBL S. 6.7.3."

   Revised Comment:

   "This has not been addressed. As noted above, ZBL S. 10.4.6 charges the Board of Selectmen as Site Plan Special Permit granting authority to require any reconstruction as well as improvements to the site to comply with the currently applicable standards of the Bylaw to the extent practicable. Under ZBL, s. 6.7.3, the standards with respect to the number and separation of access driveways are (1) not more than one driveway per lot; (2) under site plan special permit the Board of Selectmen may grant additional access driveways for each 200 feet of frontage but each driveway must be 200 feet apart from the others. The existing driveways are +/-150 feet apart, less than the minimum required 200 feet. And in any case, the 340 ft. of Main Street frontage entitle the lot to only one driveway. As in par. 4 above, ZBL Section 8.4 does not apply where the applicant is proposing to make major site modifications as shown on the plan. The Planning Department maintains its recommendation that the Board of Selectmen require pursuant to ZBL s. 10.4.6 that the site be brought into compliance by removing the north access drive off Main Street."

   Response: The Applicant has revised the plan to remove any modifications to the access drives located on the Property. ZBL S. 6.7.3 is a subset of Section 6 entitled "Parking Standards." Accordingly, the single curb cut requirement cited in Section 6.7.3 is a parking requirement. Section 8.4 of the Zoning Bylaws states as follows:

   "Nonconforming Parking- This Bylaw shall not be deemed to prohibit the continued USE of any land or STRUCTURE that is nonconforming with respect to parking requirements."

In this case, the land located at 252-256 Main Street has a pre-existing parking requirement nonconformity in that it has two existing access driveways for a total of approximately 340' of frontage. As noted in footnote 3 of the Planning Memorandum, Section 8.4 "allows pre-existing non-conforming parking that is not being modified" to remain. The removal of any modifications to the access drives, as the Applicant has done with its most recent revisions, eliminates any ambiguity remaining in this regard. The plan with the preexisting curb cuts fully complies with the Bylaw[2].

7. Original Comment:

   "ZBL S. 6.7.6 requires a minimum 10-foot wide perimeter landscape buffer for parking lots. The perimeter landscape between the modified parking lot and the proposed restaurant only shows a 9ft wide landscape area. The landscaped area should be widened to comply."

   Revised Comment:

   "Although the location above has been modified to comply, the 10-foot wide perimeter landscape buffer has been removed and a pedestrian plaza has been placed next to the parking lot cells. The Applicant should amend the plans by adding a 10-foot wide perimeter landscape buffer to boarder the parking lot cells. A pedestrian plaza cannot count towards the required 10-foot wide perimeter landscape buffer. Parking calculations should be revised to show changes."

   Response: The Plan has been modified to add a 10 foot wide perimeter landscape buffer to boarder the parking lot cells referenced in the comment above. As revised, the plan fully complies with this requirement. The parking calculations on the Site Plan have been updated to reflect the corrected number of parking spaces located on the Property.

<u>Engineering Letter:</u>

1. *The applicant is proposing 189 interior and 51 seasonal use seats for the proposed restaurant. A privilege fee is assessed on properties which intensify the use beyond what was assessed as a betterment. The former McDonald's restaurant was assessed a betterment of 10.98 sewer betterment units (SBUs) which equates to 94.11 seats. Based on these numbers and a privilege fee of $12,311.52 per SBU, the increase from 94.11 seats to 189 interior seats would equate to a privilege fee of $136,294.68.*
   For the 51 seasonal seats, the applicant may request a reduction in the privilege fee relative to the seasonal use of those seats. Assuming the seasonal use is 4 months of the year, the privilege fee for the 51 seasonal seats can be reduced to $24,417.85 if approved

---

[2] Again, it is worth noting that the 2013 application made by Panera Bread did not propose to close either of the curb cuts. The Planning Staff at that time did not raise this as in issue in their comments to this Board.

by the Board. Assuming a reduced fee for the seasonal seats, the total privilege fee is $160,712.53. A more detailed breakdown of the privilege fee calculation has been provided with this memo.

Previous Response: The Applicant agrees with the assessment as it pertains to the 189 seats. However, the Applicant suggests that no privilege fee be assessed for the outdoor patio area. In the Applicant's extensive experience in operating restaurants with outdoor seating, the outdoor seating does not generate higher water usage. Instead, it merely provides an option for a customer to exercise a preference to either sit indoors or outdoors. Accordingly, the Applicant respectfully requests that the privilege fee be capped at $136,294.68.

Revised Response: The Applicant agrees to a total privilege fee of $160,712.53 as suggested by the Engineering Department.

2. *"A sewer connection permit will be required from our office. The sewer connection will require a right-of-way access permit for work within Main St which will be available between March 15th and November 15th."*

   Response: The Applicant will obtain a sewer connection permit.

3. *"The grease trap must conform to Title 5 standards which we will defer to the Board of Health as to whether the proposed grease trap complies."*

   Response: The grease trap will comply to Title 5 standards.

4. *"The grease trap is located beneath the drainage swale which is sized to infiltrate the 100-year storm. The grease trap may be located below the seasonal high groundwater level. If so, the applicant should check the buoyancy of the grease trap. A copy of the buoyancy calculations should be made available to our department and Health."*

   Response: The Applicant will comply during the building permit process.

5. *"A traffic study is required for any use that generates 30 additional trips per peak hour or an average of 400 additional trips per weekday. The applicant provided a traffic memo which states that the change in use from a 94 seat McDonald's to the proposed 110 Grill will result in 6 fewer vehicle trips in the morning peak hour, 9 additional trips in the evening peak hour and 676 fewer trips during the average weekday. Whether a traffic study would be required depends on what the Board considers "existing traffic conditions". Existing conditions today reflect no vehicle trips since the McDonald's is abandoned. The proposed 110 Grill will increase vehicle trips by 113 vehicles in the morning peak hour, 98 in the evening peak hour and 1160 during the average weekday if compared to no vehicle trips that exist today."*

   Response: As stated at the hearing, the data submitted by the Applicant from a professional traffic engineer suggests that the proposed restaurant will be a lower traffic

generator than the previous 94 seat McDonalds. Though not currently in operation, the Town and area is not so far removed from the McDonald's operation to justify a full traffic study given the scope of the proposal and the nature of the use. The site and surrounding area operated for years with a more intensive traffic generator than the proposal calls for. This is substantiated by the previously mentioned memorandum from our professional traffic engineer, Vanasse and Associates.

6. *The applicant is not proposing any changes to the curb cut on Main St, which works for an SU-30 vehicle, however we will defer comment on fire accessibility to the Fire Department.*

   No Response Required.

7. *The property has an existing sidewalk along its frontage however, being in the Kelly's Corner District, the Board of Selectmen can require on and off-site sidewalks, walkways, bikeways and crosswalks consistent with the planning objectives set forth in the Kelly's Corner Plan. The Town, through the Planning Department, has recently completed a conceptual infrastructure improvement plan for Kelly's Corner. We'll defer any recommendations to the Planning Department.*

   No Response Required.

Drainage

8. *The applicant is proposing to add an additional 1,516 square feet of impervious area due to the proposed patio. They have designed a swale large enough to accommodate this area for the 100-year storm by completely infiltrating it. Though not required, the applicant should consider improving the stormwater quality elsewhere within the new pavement area. Such improvements can include providing gas trap hoods within the existing catch basins and directing roof runoff to underground detention to increase groundwater recharge. Such improvements would comply with the spirit of section 10.4.6 of the zoning bylaw.*

   Response: The proposed project, with revisions, intends to increase impervious areas by 1,760 square feet over the existing conditions. To mitigate the impact we have proposed a drainage swale capable of handling the runoff from the proposed patio area including the 100 year storm event with no infiltration modeled.

   The proposed infiltration swale is capable of holding 851 cubic feet of water. This increases the onsite infiltration significantly and offsets any increase runoff due to the minor increase in impervious areas.

   Also, if we were to calculate the recharge required for the entire building and patio under Massachusetts Stormwater Guidelines, Standard 3, assuming an A Hydrologic Soil Group, the requirement would be as follows:

Recharge Volume = Impervious Area * target depth factor based on soil type

The largest amount of recharge required is for A (allows the most infiltration) type of soil at a target depth of 0.6 inches per square foot of impervious areas.
Recharge Volume = 7,690 square feet * 0.6 in/12=384.5 cubic feet.
The static volume of the basin of 851 cf is greater than 384 cf. The amount of recharge provided would mitigate 17,020 sf of impervious area, creating for a significant increase in infiltration over the existing condition.

With this, we believe the bylaw has been met.

9. The horizontal datum should be NGVD 1929. The site plans should state which datum the elevations are at and if it's not NGVD 1929, provide a conversion factor for the datum shown to correct the datum.

   Response: The difference is negative 0.702', which should be subtracted from any record NGVD 29 elevations before comparing with our NAVD 88 survey.

DRB Letter:

Site Comments:

1. *The proponent has not sited the building parallel to Main Street as recommend by the DRB. If this is not possible due to lease lines, the DRB suggests it is possible to stay within the lease lines and have the front of the building parallel to Main Street. This would improve its relationship to the street and surrounding buildings.*

   Response: The building as situated and proposed meets the requirements of the Bylaw.

2. *The outdoor eating area as revised is parallel to the street but is does not seem enlarged as recommended by the DRB recommendation.*

   Response: The Applicant is not proposing to increase the size of the outdoor eating area.

3. *The building entrance and pedestrian space outside of the door are appropriate.*

   Response: No response necessary.

4. The sidewalk along the south side has been narrowed to 5 feet from 6 feet contrary to the DRB's recommendation to widen the walk. The DRB recommends widening this walk.

   Response: Per the revised plan, the sidewalk is six (6) feet in width.

5. The sidewalk entrance from Main Street has been widened and aligned with the walk along the building as the DRB suggested.

Response: No response necessary.

6. *Bike racks have been provided in the plaza. The DRB supports the bike racks but has concerns about the location across the entry drive from the restaurant.*

   Response: The plan has been revised to provide bicycle parking accessible from the vehicle parking lot and outside of the pedestrian plaza. It is also located in near the main entrance of the building. The plan as revised complies with ZBL S. 6.3.7

DRB Review Memo – 110 Grill Restaurant 11.19.15

7. No change has been made regarding vehicular entrances. The DRB recommends combining the two entrances into the lot into one drive in a central location.

   Response: See response to Comment #6 of Planning Memorandum.

8. The landscape plan has not been revised, and no plantings have been added to screen the north wall as suggested. The neighboring lot has trees along this border which will partially screen; the addition of shrubs on the 110 Grill lot in this location is recommended. The remainder of the plans seems appropriate for the space and use.

   Response: The landscape plan has been revised to add plantings per this comment.

9. The outdoor eating edge has been revised to align with Main Street, the DRB supports this change.

   Response: No response necessary.

10. The DRB has concerns about the proposed hardscape plaza; we believe this is a plaza bound to fail and is a place that would not be an attractive feature along Main Street, and would not be an attractive place for people to sit. The plaza design does not work for the following reasons: the shape is too narrow and long, (was a planting island previously), it has no protection from the surrounding busy street, driveways and parking spaces, it has no plantings to define or shade the space, and it does not connect with any other building or use, it essentially is still a "parking lot island." The DRB does not support this addition to the plan and recommends the Proponent request a waiver on the by-law.

    Response: According to the current interpretation of ZBL S. 5.6.3.4 made by the Planning Staff in the Planning Memorandum, this space is a requirement of the Bylaw. Though the Board of Selectmen cannot waive this provision as it has been interpreted, an interpretation consistent with the Planning Staff's 2013 interpretation referenced above would allow the Applicant to eliminate the pedestrian plaza from the plans.

Building Comments:

1. *The DRB appreciates the changes in the roof line from the vertical parapet to a sloping roofline.*

   Response: No response necessary.

2. *In reviewing the revised drawings showing the 110 Grill signage pulled out to be parallel to Main Street as suggested by the DRB to make the building seem aligned with Main Street, we do not think that this solution fulfills the goal of making the building seem parallel to Main Street, and recommend returning to the original proposal (if the proponent prefers this). The DRB suggests the architect align the front face of the building with Main Street as mentioned in a previous comment.*

   Response: To further define a plane of the building façade as parallel with Main Street, the canopy projection, and its colonnade structure, has been extended the entire length of the Main Street façade with the canopy returning back at the Northeast corner.

3. The DRB supports the revisions to exterior façade materials.

   Response: No response necessary.

4. The DRB continues to recommend providing a canopy of some sort at the outdoor patio to provide semi-protected outdoor dining.

   Response: The canopy projection as designed will provide some partially protected outdoor dining area at the patio.

New Comments:

1. The DRB is supportive of the additional two windows, one at the rear of the building (west elevation), one on the corner of the building at Main Street (north elevation).

   Response: No response necessary.

2. The west façade (facing the K-mart parking lot) has a long expanse of board and batten siding. This could be improved with some detailing or with another panel of Ipe wood to make the back wall more interesting. Many people walk to the restaurants in the area through the k-mart parking lot and this façade is visually important.

   Response: The Ipe panel has been extended to reduce the overall length of board & batten siding along the west façade.

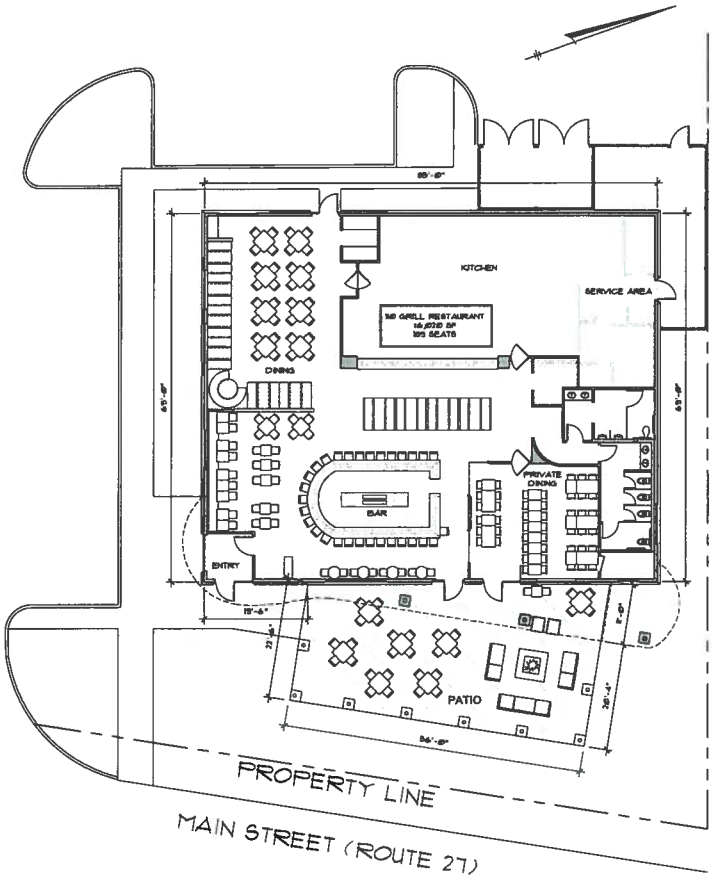
3. It is difficult to tell if there is a change in plane where the two siding types meet. The DRB recommends where the materials change, there should also be a change in plane to make shadow lines which will give the building more interest.

   Response: At each material transition there is 3" projection of the Ipe wood siding beyond the face of the board & batten face.

We believe that these plan revisions address all open comments. Accordingly, we look forward to finalizing the permit application at the hearing scheduled for December 7, 2015. Thank you for your time and consideration.

Sincerely,

Kevin S. Eriksen



JD LaGrasse & Associates, Inc.

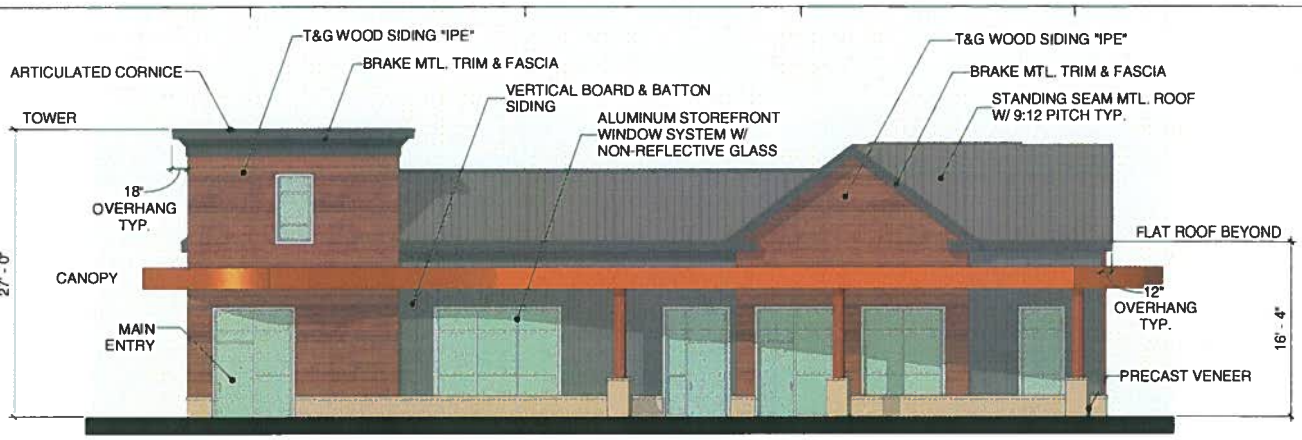
110 GRILL

258 Main Street

FLOOR PLAN SKETCH

JDLAI 2015 ©

A1



1 EAST (MAIN ST. ELEVATION)
1/4" = 1'-0"

NOTE:
FACADE FACING THE STREET IS 28% GLAZED AT GROUND LEVEL

2 SOUTH
1/4" = 1'-0"

JD LaGrasse & Associates, Inc.

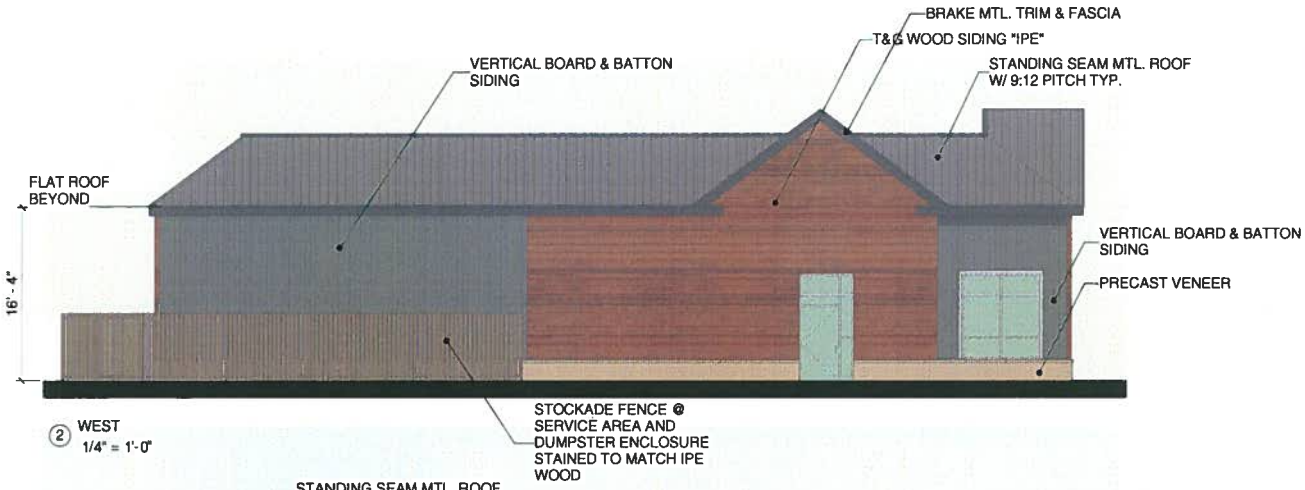
110 GRILL

258 Main Street

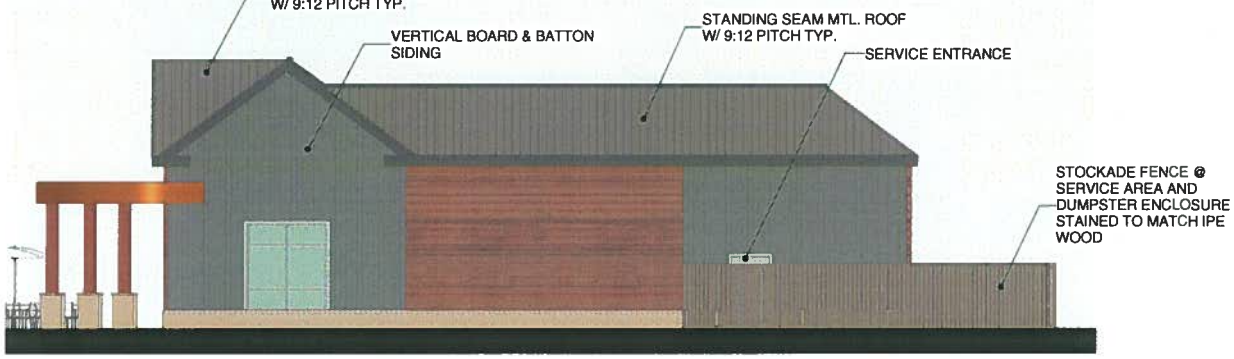
ELEVATIONS

JDLAI 2015 ©

A2



② WEST
1/4" = 1'-0"



① NORTH
1/4" = 1'-0"

JD LaGrasse & Associates, Inc

110 GRILL
256 Main Street

ELEVATIONS CONT.

JDLA1 2015 ©

A3

JD LaGrasse & Associates, Inc

110 GRILL
256 Main Street

STREET PERSPECTIVE

JDLA1 2015 ©

R1

R2

JDLA1 2013 O

STREET PERSPECTIVE 2

110 GRILL

256 Main Street

JD LaGrasse & Associates, Inc

SITE PLAN
FOR
110 GRILL RESTAURANT
256 MAIN STREET (ROUTE 27)
ACTON, MA

GENERAL NOTES:

1. EXISTING PROPERTY LINE AND UTILITY INFORMATION SHOWN IS BASED ON A PLAN ENTITLED "EXISTING CONDITIONS PLAN" PREPARED BY WSP, NASHUA, NH, DATED JULY 21, 2015.
2. THE ACCURACY AND COMPLETENESS OF THE UNDERGROUND UTILITIES AS SHOWN ON THE PLANS ARE NOT GUARANTEED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION, SIZE, TYPE, ETC. OF ALL UNDERGROUND UTILITIES THAT MAY BE AFFECTED BY BY THE WORK. AT LEAST 72 HOURS BEFORE EXCAVATION, THE CONTRACTOR SHALL BE REQUIRED TO CONTACT DIGSAFE AT 1-888-344-7233.
3. THE CONTRACTOR SHALL FIELD VERIFY CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
4. WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION, AND SIZE OF THE UTILITY SHALL BE APPROPRIATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION.
5. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE NOTIFIED, INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN, PRIOR TO EXCAVATING, BLASTING, INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION OR REPAVING.
6. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES EXCEPT THOSE NOTED TO BE ABANDONED, REMOVED AND DISPOSED.
7. THE CONTRACTOR SHALL DISPOSE OF ALL WASTE MATERIAL IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REQUIREMENTS AT HIS/HER OWN EXPENSE, OUTSIDE OF THE PROJECT LIMITS.

SHEET INDEX

SHEET 1 COVER SHEET
SHEET 2 LAYOUT AND MATERIALS PLAN
SHEET 3 GRADING, DRAINAGE, AND UTILITY PLAN
SHEET 4 DETAIL SHEET 1
SHEET 5 DETAIL SHEET 2

LANDSCAPE PLAN
EXISTING CONDITIONS PLAN

LEGEND

ABUTTERS LOT LINE
APPROXIMATE PROPERTY LINE
EXTERIOR PROPERTY LINE
LEASE LINE
EASEMENT
VINYL FENCE
SEWER LINE
DRAIN LINE
WATER LINE
GAS LINE
ABANDONED GAS LINE
UNDERGROUND ELECTRIC
TELEPHONE LINE
OVERHEAD WIRES
TREE LINE
INTERMEDIATE CONTOURS
INDEX CONTOURS
LANDSCAPED AREA

BLDG BUILDING OVERHANG
RCP REINFORCED CONCRETE PIPE
PVC POLYVINYL CHLORIDE
BHC BENCH
CG STRAIGHTEND CURB
VGC VERTICAL GRANITE CURB
SGC SLOPED GRANITE CURB
CC CONCRETE CURB
WRW WOOD RETAINING WALL
BM BENCHMARK
FHD DRILL HOLE FOUND
FPD IRON PIPE FOUND
FND IRON ROD FOUND
DHI DRAIN INLET
UTILITY POLE WITH LIGHT AND INDEX
UTILITY POLE WITH INDEX
UTILITY POLE
VALVE GATE
CONNECTION CONTROL VALVE
FIRE HYDRANT
DECIDUOUS TREE
CONIFER TREE
SIGNS
LIGHT POLE
HANDICAP PARKING
POST
DOG (SNIFFLE MOTOR)
ELECTRIC MANHOLE
DRAIN MANHOLE
CATCH BASIN
DRILLHOLE
GAS LINE MANHOLE
SEWER MANHOLE

LOCUS MAP
1"=200'
SOURCE: GOOGLE MAPS

OWNER
THE STOP AND SHOP SUPERMARKET COMPANY
QUINCY CENTER PLAZA
1385 HANCOCK STREET
QUINCY, MA

APPLICANT
RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA 01886

ASSESSORS INFORMATION
PROPERTY ID F3-118, F3-138, & F3-129-1

REFERENCES
1. EXISTING CONDITIONS SHOWN PER A PLAN ENTITLED "EXISTING CONDITIONS PLAN" PREPARED BY WSP, NASHUA, NH, DATED JULY 21, 2015.

ZONING REQUIREMENTS
KELLEY'S CORNER (KC) ZONING DISTRICT
GROUNDWATER PROTECT DISTRICT ZONE 4 - WATERSHED PROTECTION AREA

DIMENSIONAL REQUIREMENTS	REQUIRED	PROPOSED
MINIMUM LOT AREA	10,000 SF	±290,192 SF
MINIMUM LOT FRONTAGE	100'	±340'
MINIMUM LOT WIDTH	50'	±336'
MINIMUM FRONT YARD	30'	31'
MINIMUM SIDE YARD - ABUTTING RESIDENTIAL	50'	±40' (EXISTING)
- ABUTTING COMMERCIAL	0'	0.2'
MINIMUM REAR YARD	50'	±75' (EXISTING)
MINIMUM FRONT PARKING SETBACK	30'	±18' (EXISTING)
MINIMUM PARKING LANDSCAPE BUFFER	20'	±16' (EXISTING)
MINIMUM OPEN SPACE	NONE	N/A
MINIMUM INTERIOR LANDSCAPING	10%	<10% (EXISTING)
MAXIMUM BUILDING HEIGHT	36'	<36'
MAXIMUM FLOOR AREA RATIO	0.40	±0.25

PARKING REQUIREMENTS
RESTAURANTS - 1 SPACE REQUIRED PER 3 SEATS
189 SEATS / 3 = 63 SPACES REQUIRED OR
= 82 SPACES REQUIRED
(WITH PROPOSED BIKE PARKING PER ZONING BY-LAW SECTION 8.3.7.7)

RETAIL - 1 SPACE REQUIRED PER 300 SF NET FLOOR AREA
±64,998 SF GFA - ASSUMED 20% MECHANICAL AND UTILITY AREA (±13,000 SF) = ±51,998 SF
±51,998 / 300 = 173.3 = 174 SPACES

TOTAL REQUIRED = 82 (WITH PROPOSED BIKE PARKING) + 174 = 236 SPACES REQUIRED

EXISTING PARKING = 286
REMOVED PARKING = 15 SPACES
PROPOSED PARKING = 11 SPACES

PROVIDED PARKING = 286 - 15 + 11 = 282 SPACES
PROVIDED BIKE PARKING = 3 BIKE SPACES

SITE PLAN AND SPECIAL PERMITS REQUIRED
1 - RESTAURANTS IN THE KC DISTRICT REQUIRE A SPECIAL PERMIT FROM THE BOARD OF SELECTMEN PER SECTION 3 OF THE ZONING BYLAWS

HOWARD STEIN HUDSON
114 Turnpike Road Suite 2C
Chelmsford, MA 01824
www.hshansor.com

PREPARED FOR
RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS

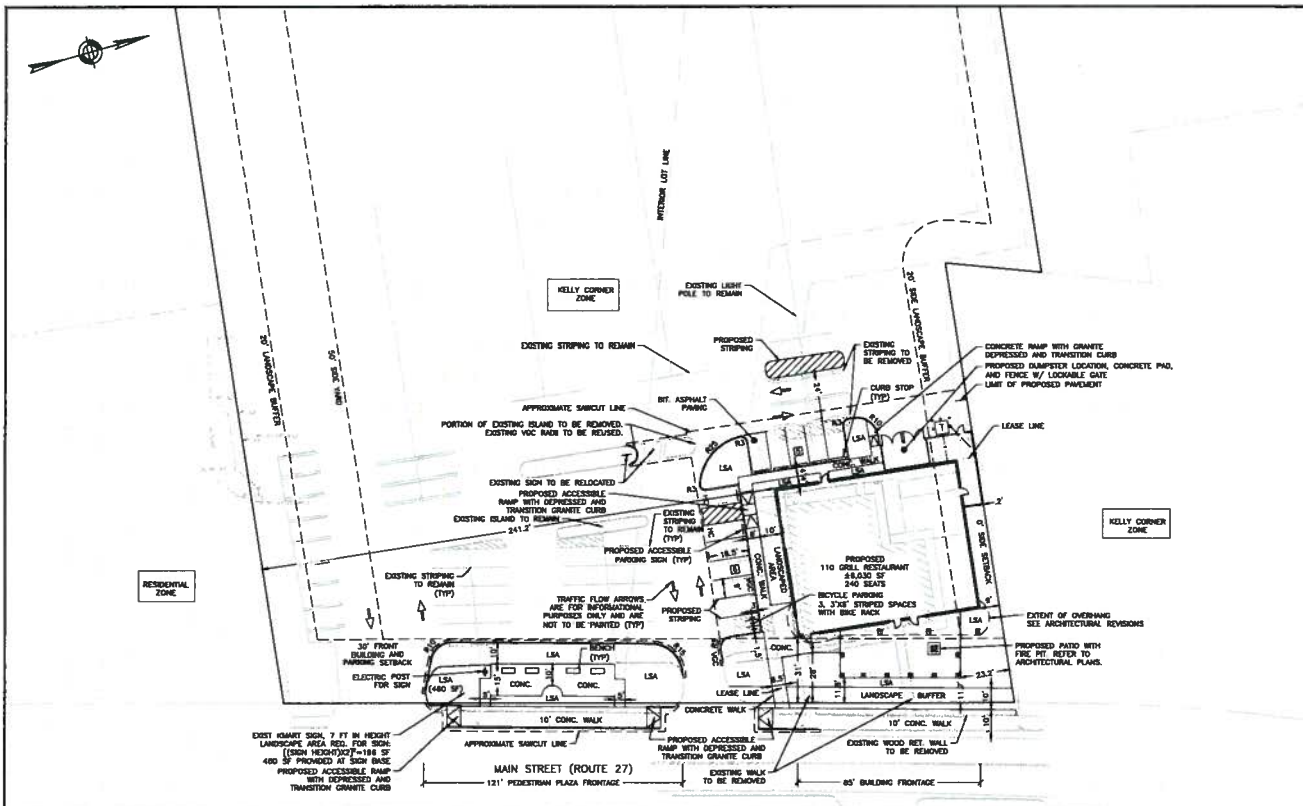
NO	BY	DATE	DESCRIPTION
1	HG	10-21-15	REV BUILDING
2	HG	10-29-15	REV. SITE PLAN
3	HG	12-3-15	REV. SITE PLAN/BUILDING

SITE PLAN

COVER SHEET

DATE	09-09-2015
PROJECT NUMBER	15095
DESIGNED BY	DML
DRAWN BY	HEG/DML
CHECKED BY	KLE

1



NOTE: EXISTING CURB CUTS ONTO MAIN STREET (ROUTE 27) TO REMAIN UNTOUCHED DURING CONSTRUCTION

HOWARD STEIN HUDSON
114 Turnpike Road Suite 2C
Chelmsford, MA 01824
www.hshansor.com

PREPARED FOR
RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS

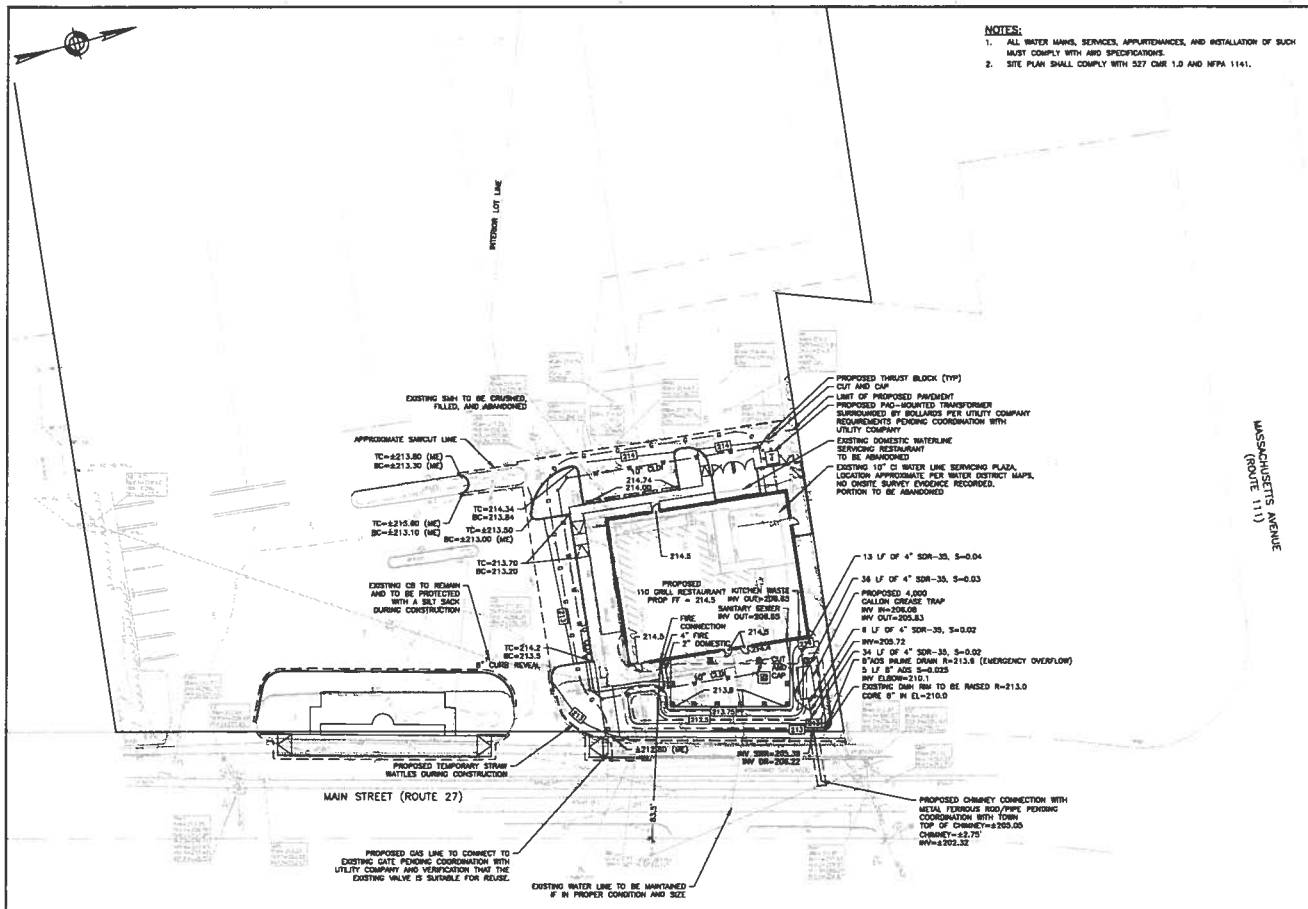
NO	BY	DATE	DESCRIPTION
1	HG	10-21-15	REV. BUILDING
2	HG	10-29-15	REV. SITE PLAN
3	HG	12-3-15	REV. SITE PLAN/BUILDING

SITE PLAN

LAYOUT AND MATERIALS PLAN

DATE	09-09-2015
PROJECT NUMBER	15095
DESIGNED BY	DML
DRAWN BY	HEG/DML
CHECKED BY	KLE

2



HOWARD STEIN HUDSON
114 Turnpike Road Suite 2C
Chelmsford, MA 01824
www.hshassoc.com

PREPARED FOR

RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS

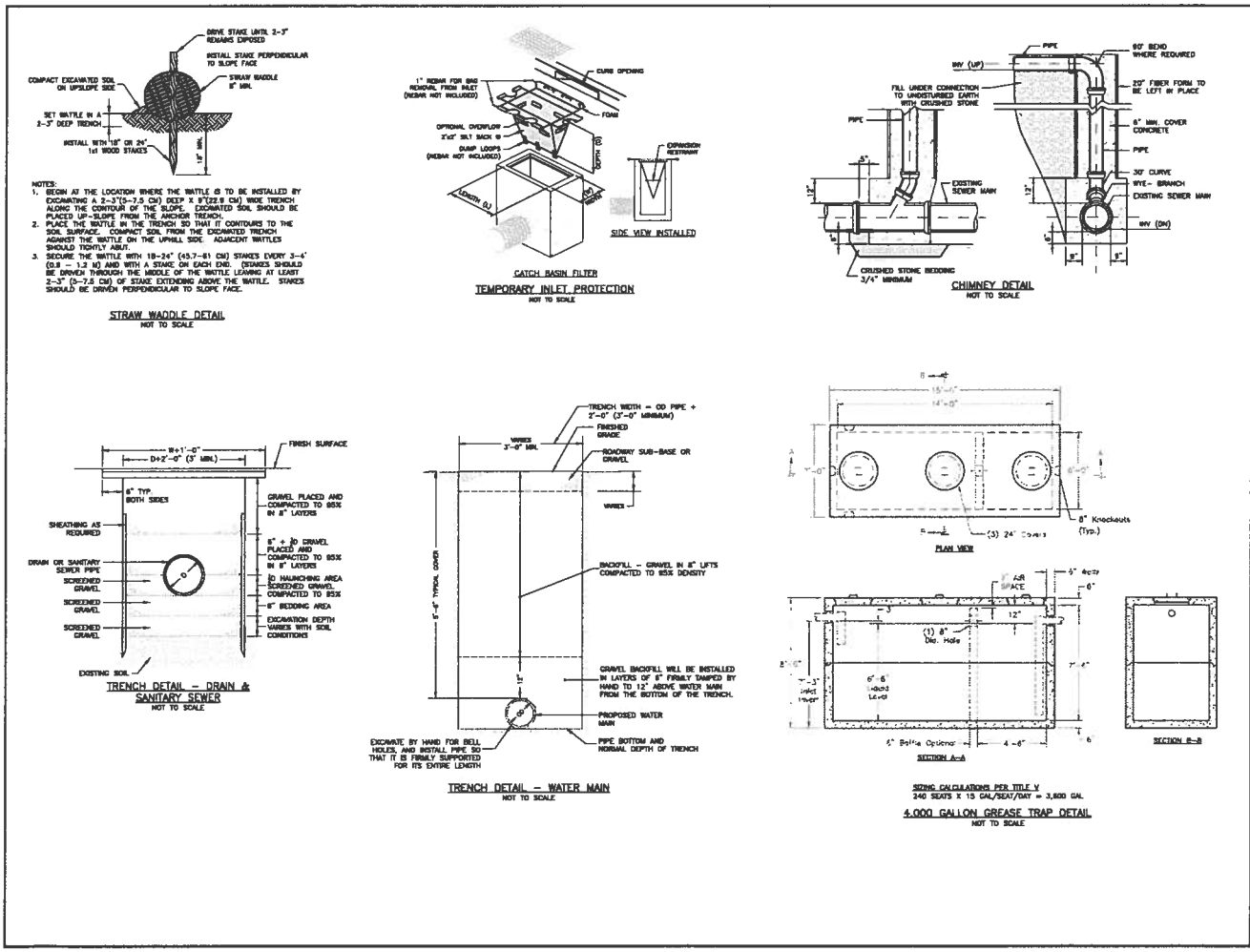
NO	BY	DATE	DESCRIPTION
1	HG	10-21-15	REV BUILDING
2	HG	10-28-15	REV SITE PLAN
3	HG	12-3-15	REV SITE PLAN/BUILDING

SITE PLAN

GRADING, DRAINAGE, AND UTILITY PLAN

DATE:	08-06-2015
PROJECT NUMBER:	15095
DESIGNED BY:	DML
DRAWN BY:	HEG/DML
CHECKED BY:	KLE

3



HOWARD STEIN HUDSON
114 Turnpike Road Suite 2C
Chelmsford, MA 01824
www.hshassoc.com

PREPARED FOR

RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS

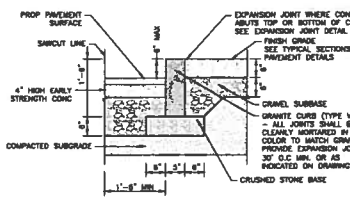
NO	BY	DATE	DESCRIPTION
1	HG	10-21-15	REV BUILDING
2	HG	10-28-15	REV SITE PLAN
3	HG	12-3-15	REV SITE PLAN/BUILDING

SITE PLAN

DETAIL SHEET 1

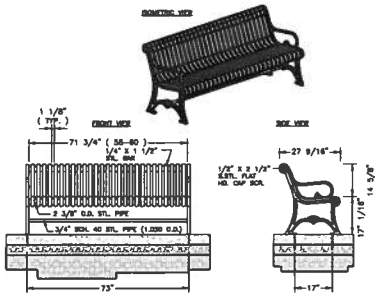
DATE:	08-06-2015
PROJECT NUMBER:	15095
DESIGNED BY:	DML
DRAWN BY:	HEG/DML
CHECKED BY:	KLE

4



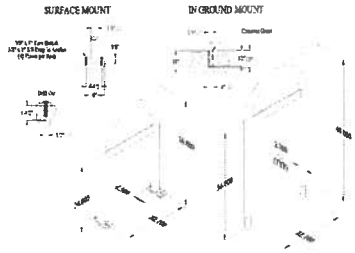
NOTE: USE 2" BIT. CONC. TOP COURSE ABOVE HIGH EARLY STRENGTH CONCRETE FOR RESETTING CURBS

VERTICAL GRANITE CURB
NOT TO SCALE

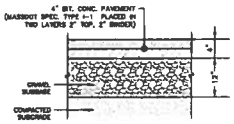


NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
2. ALL STL. MEMBERS COATED W/ ZINC RICH EPOXY THEN FINISHED W/ POLYESTER POWDER COATING.
3. 1/2" X 3 3/4" EXPANSION ANCHOR BOLTS PROVIDED.
4. BENCHES SHALL INCLUDE CENTER ARMREST (NOT SHOWN ABOVE)

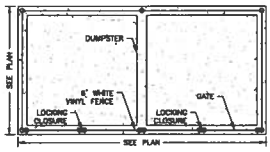
BENCH
NOT TO SCALE

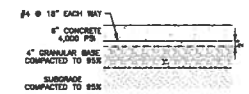


INVERTED U-SHAPE BICYCLE RACK WITH CROSSBAR
NOT TO SCALE



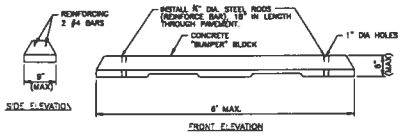
FULL DEPTH PARKING LOT SECTION DETAIL
NOT TO SCALE



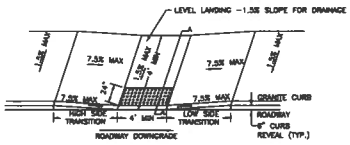


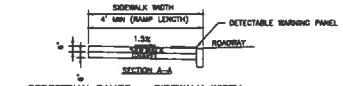
NOTES:
1. THE DUMPSTER MUST BE SURROUNDED BY A FENCE AND EQUIPPED WITH A LOCKABLE GATE.
2. THE DUMPSTER SHALL BE LICENSED BY THE HEALTH DEPARTMENT ANNUALLY.

DUMPSTER ENCLOSURE DETAILS
NOT TO SCALE

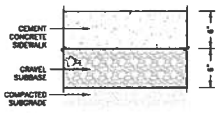


PARKING BUMPER DETAIL
NOT TO SCALE



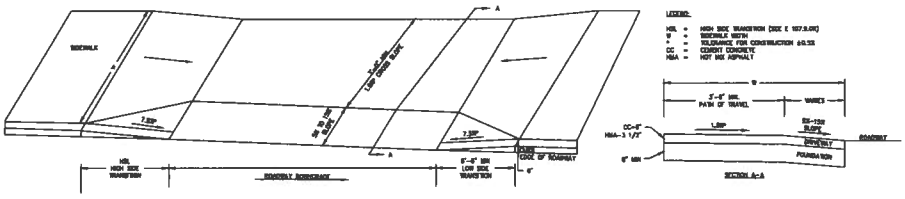


PEDESTRIAN RAMPS - SIDEWALK WIDTH LESS THAN 6.5'
NOT TO SCALE



NOTES:
1. CONCRETE SIDEWALK DETAIL AND NOTES APPLY TO SIDEWALK WITHIN THE RIGHT-OF-WAY.
2. CONCRETE SHALL BE 4,000 PSI.
3. SIDEWALKS ARE TO BE RAKED FINISH WITH 3/8 INCH TROWEL JOINTS.

CEM CONC SIDEWALK SECTION DETAIL
NOT TO SCALE



SIDEWALK THROUGH DRIVEWAYS WITHOUT CURB RETURNS
NOT TO SCALE

HOWARD STEIN HUDSON
114 Turnpike Road Suite 2C
Chelmsford, MA 01824
www.hshassoc.com

PREPARED FOR
RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

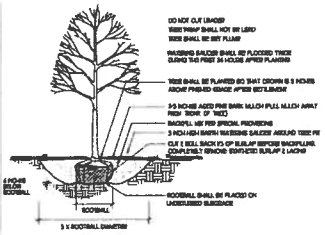
REVISIONS			
NO	BY	DATE	DESCRIPTION
1	HG	10-21-15	REV BUILDING
2	HG	10-29-15	REV SITE PLAN
3	HG	12-3-15	REV SITE PLAN/BUILDING

SITE PLAN

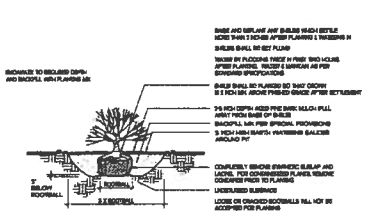
DETAIL SHEET 2

DATE	09-09-2015
PROJECT NUMBER	15086
DESIGNED BY	DML
DRAWN BY	HEG/DML
CHECKED BY	KLE

5



1 Tree Planting Detail
NOT TO SCALE



2 Shrub Planting Detail
NOT TO SCALE

PLANT LIST

No.	Key	Botanical Name	Common Name	Installation Size	Mature Size
SHADE & ORNAMENTAL TREES (B&B unless otherwise specified) All trees to be tagged by the Landscape Architect					
5	GT	Gleditsia t. i. 'Halka'	Honeylocust	2.5-3" cal	35 ft.
3	ST	Syringa reticulata	Japanese Tree Lilac	8'-9' B&B multi	20 ft.
SHRUBS					
11	HP	Hydrangea paniculata 'Limelight'	Hydrangea	2-3 ft. B&B	6 ft.
25	IC	Ilex crenata 'Hetzer'	Hetzer Holly	#3 pot	3-4 ft.
18	IV	Ilex verticillata 'Red Sprite'	Winterberry	2-3 ft. B&B	4 ft.
6	JC	Juniperus chinensis 'Torulosa'	Hollywood Juniper	5-8 ft.	15 ft.
12	JH	Juniperus horizontalis 'Blue Chip'	Blue Chip Juniper	#2 15"-18"	6 in.
5	PM	Pinus mugo 'Pumilio'	Dwarf Mugo Pine	#3 pot	4 ft.
4	PO	Physocarpus opulifolius 'Center Glow'	Ninebark	#3 pot	6 ft.
10	RO	Rosa 'Knockout'	Red Knock-Out Rose	#3 pot	3 ft.
10	SJ	Spiraea japonica 'Shibori'	Spirea	#3 pot	3 ft.
7	WF	Weigela florida 'Fine Wine'	Weigela	#3 pot	3 ft.
PERENNIALS					
125	HM	Hemerocallis 'Happy Returns'	Daylily	#1 pot	18 in.
32	PV	Panicum virgatum 'Shenandoah'	Switchgrass	#2 pot	3 ft.

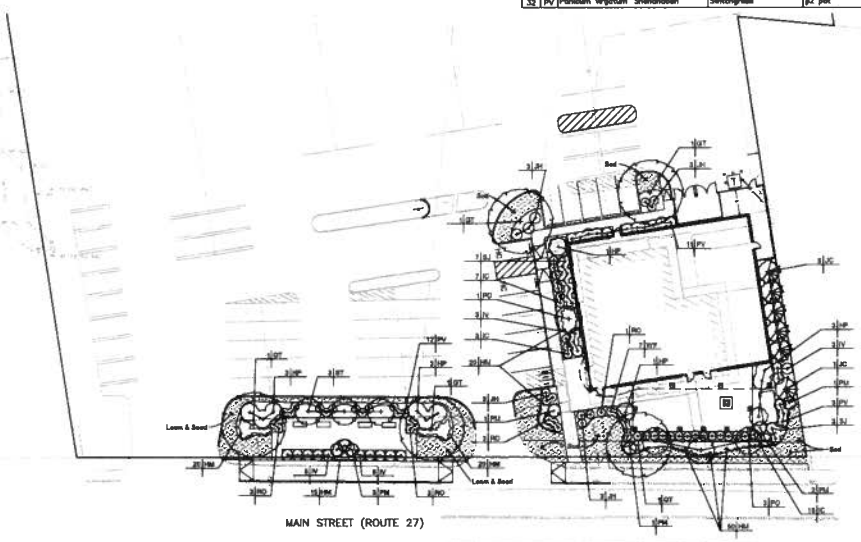
Lorayne Black ASLA
Landscape Architect
TRIMLINES
P.O. Box 996, Groton, MA 01450
www.trimlinesltd.com

HOWARD STEIN HUDSON
114 Turnpike Road Suite 2C
Chelmsford, MA 01824
www.hshassoc.com

PREPARED FOR
RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS			
NO	BY	DATE	DESCRIPTION
1	HG	10-21-15	REV BUILDING
2	HG	10-29-15	REV SITE PLAN
3	HG	12-3-15	REV SITE PLAN/BUILDING



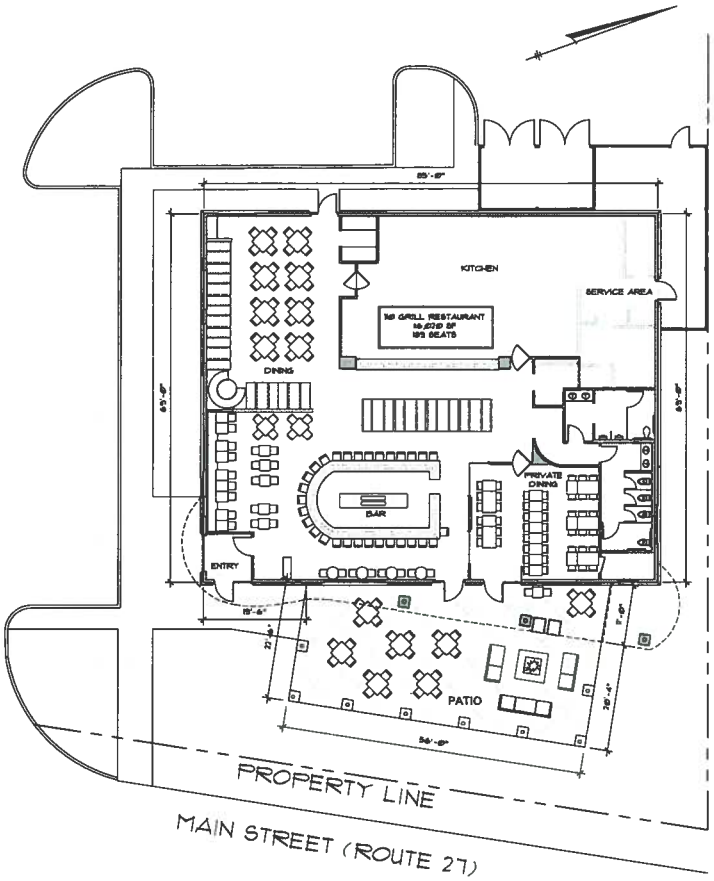
SITE PLAN

LANDSCAPE PLAN

DATE	09-09-2015
PROJECT NUMBER	15086
DESIGNED BY	DML
DRAWN BY	HEG/DML
CHECKED BY	KLE

L1

20 0 20 40
SCALE IN FEET



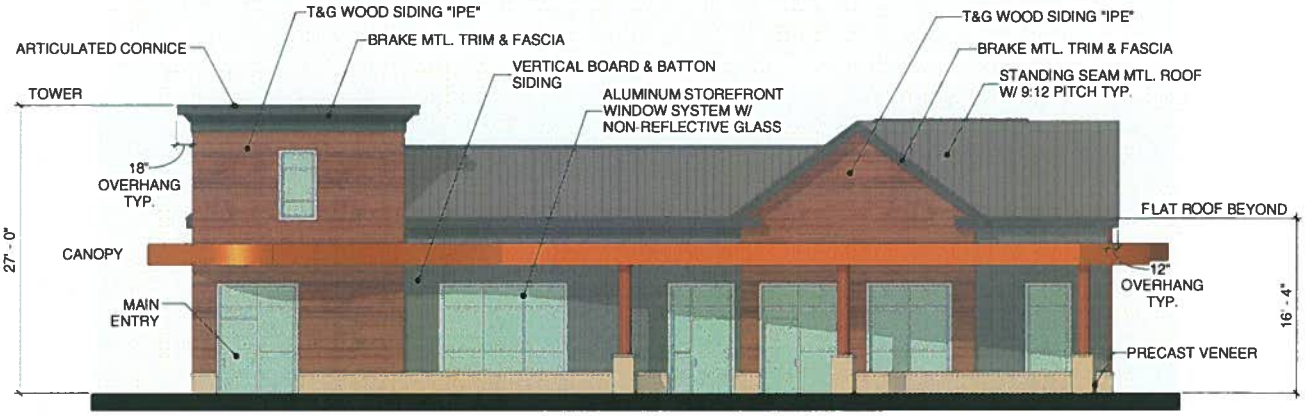
JD LaGrasse & Associates, Inc.

110 GRILL

FLOOR PLAN SKETCH

JDLAI 2015 ©

A1



① EAST (MAIN ST. ELEVATION)
1/4" = 1'-0"

NOTE:
FACADE FACING THE STREET IS 28% GLAZED AT GROUND LEVEL

② SOUTH
1/4" = 1'-0"

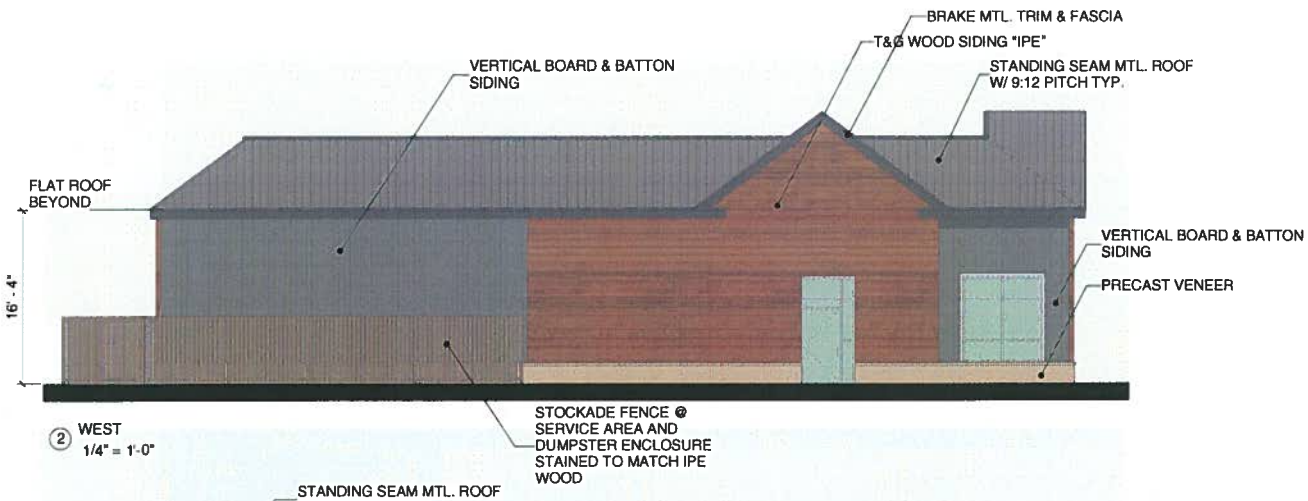
JD LaGrasse & Associates, Inc.

110 GRILL

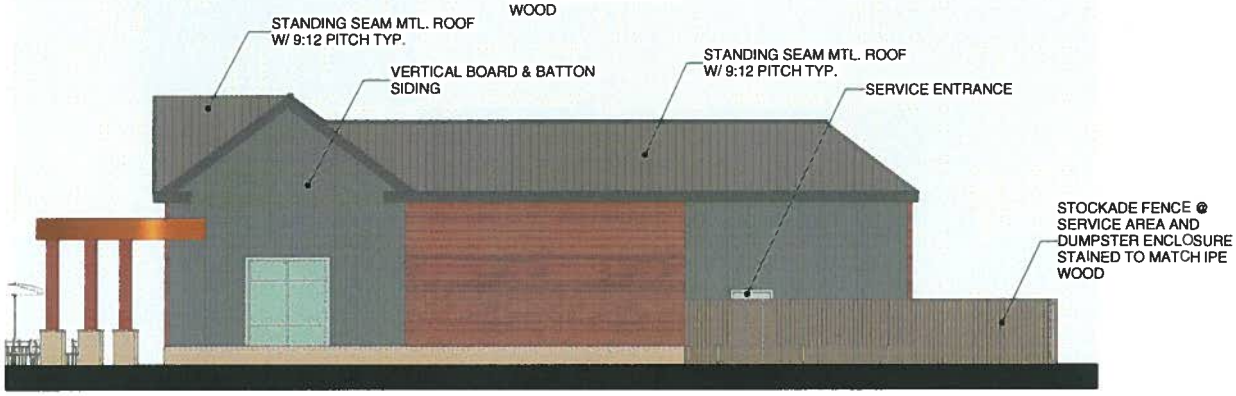
ELEVATIONS

JDLAI 2015 ©

A2



2 WEST
1/4" = 1'-0"



1 NORTH
1/4" = 1'-0"

JD LaGrasse & Associates, Inc

110 GRILL

ELEVATIONS CONT.

A3

JD LaGrasse & Associates, Inc

110 GRILL

STREET PERSPECTIVE

R1

R2

STREET PERSPECTIVE 2

110 GRILL

250 Main Street

JD LaGrasse & Associates, Inc

Site Plans 3rd Revision

Corrected Scale

December 14, 2015

SITE PLAN
FOR
110 GRILL RESTAURANT
256 MAIN STREET (ROUTE 27)
ACTON, MA

GENERAL NOTES:

1. EXISTING PROPERTY LINE AND UTILITY INFORMATION SHOWN IS BASED ON A PLAN ENTITLED "EXISTING CONDITIONS PLAN" PREPARED BY WSP, NASHUA, NH, DATED JULY 21, 2015.
2. THE ACCURACY AND COMPLETENESS OF THE UNDERGROUND UTILITIES AS SHOWN ON THE PLANS ARE NOT GUARANTEED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION, SIZE, TYPE, ETC. OF ALL UNDERGROUND UTILITIES THAT MAY BE AFFECTED BY THE WORK. AT LEAST 72 HOURS BEFORE EXCAVATION, THE CONTRACTOR SHALL BE REQUIRED TO CONTACT DIGSAFE AT 1-888-344-7233.
3. THE CONTRACTOR SHALL FIELD VERIFY CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
4. WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION, AND SIZE OF THE UTILITY SHALL BE APPROPRIATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION.
5. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE NOTIFIED, INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN, PRIOR TO EXCAVATING, BLASTING, INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION OR REPAVING.
6. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES EXCEPT THOSE NOTED TO BE ABANDONED, REMOVED AND DISPOSED.
7. THE CONTRACTOR SHALL DISPOSE OF ALL WASTE MATERIAL IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REQUIREMENTS AT HIS/HER OWN EXPENSE, OUTSIDE OF THE PROJECT LIMITS.

SHEET INDEX

SHEET 1	COVER SHEET
SHEET 2	LAYOUT AND MATERIALS PLAN
SHEET 3	GRADING, DRAINAGE, AND UTILITY PLAN
SHEET 4	DETAIL SHEET 1
SHEET 5	DETAIL SHEET 2

LANDSCAPE PLAN
EXISTING CONDITIONS PLAN

LEGEND

ABUTTERS LOT LINE
APPROXIMATE PROPERTY LINE
NORTH PROPERTY LINE
LEASE LINE
EASEMENT
WATER FENCE
COVER LINE
DRAIN LINE
SEWER LINE
GAS LINE
ABANDONED GAS LINE
UNDERGROUND ELECTRIC
TELEPHONE LINE
OVERHEAD WIRES
TREE LINE
ENVIRONMENTAL CONTOURS
BACK CONTOURS
LANDSCAPED AREA

BLDG BUILDING OVERHANG
RCP REINFORCED CONCRETE PIPE
PVC POLYVINYL CHLORIDE
INV INVERT
BC BITUMINOUS CURB
VCC VERTICAL GRANITE CURB
SCC SLOPED GRANITE CURB
CC CONCRETE CURB
RCW WOOD RETAINING WALL
BM BENCHMARK
IP/FD IRON PIPE FOUND
IRF/FD IRON ROD FOUND
GM GAS METER
UTILITY POLE WITH LIGHT AND FEEDER
UTILITY POLE WITH FEEDER

UTILITY POLE
WV WATER GATE
IRRIGATION CONTROL VALVE
FIRE HYDRANT
DECIDUOUS TREE
CONIFER TREE
SIGNS
LIGHT POLE
HANDICAP PARKING
POST
BIKE (DOUBLE FRAME)
ELECTRIC MANHOLE
DRAIN MANHOLE
CATCH BASIN
BOLLARD
MB LABEL MANHOLE
SEWER MANHOLE

LOCUS MAP
1"=200'
SOURCE: GOOGLE MAPS

OWNER
THE STOP AND SHOP SUPERMARKET COMPANY
QUINCY CENTER PLAZA
1385 HANCOCK STREET
QUINCY, MA

APPLICANT
RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA 01886

ASSESSORS INFORMATION
PROPERTY ID F3-116, F3-138, & F3-129-1

REFERENCES
1. EXISTING CONDITIONS SHOWN PER A PLAN ENTITLED "EXISTING CONDITIONS PLAN" PREPARED BY WSP, NASHUA, NH, DATED JULY 21, 2015.

ZONING REQUIREMENTS
KELLEY'S CORNER (KC) ZONING DISTRICT
GROUNDWATER PROTECT DISTRICT ZONE 4 – WATERSHED PROTECTION AREA

DIMENSIONAL REQUIREMENTS	REQUIRED	PROPOSED
MINIMUM LOT AREA	10,000 SF	±280,183 SF
MINIMUM LOT FRONTAGE	100'	±340'
MINIMUM LOT WIDTH	50'	±338'
MINIMUM FRONT YARD	30'	31'
MINIMUM SIDE YARD – ABUTTING RESIDENTIAL	50'	±40' (EXISTING)
– ABUTTING COMMERCIAL	0'	0.3'
MINIMUM REAR YARD	50'	±75' (EXISTING)
MINIMUM FRONT PARKING SETBACK	30'	±18' (EXISTING)
MINIMUM PARKING LANDSCAPE BUFFER	20'	±18' (EXISTING)
MINIMUM OPEN SPACE	NONE	N/A
MINIMUM INTERIOR LANDSCAPING	10%	<10% (EXISTING)
MAXIMUM BUILDING HEIGHT	38'	<34'
MAXIMUM FLOOR AREA RATIO	0.40	±0.25

PARKING REQUIREMENTS
RESTAURANTS = 1 SPACE REQUIRED PER 3 SEATS
188 SEATS / 3 = 63 SPACES REQUIRED OR
= 62 SPACES REQUIRED
(WITH PROPOSED BIKE PARKING PER ZONING BY-LAW SECTION 6.3.7.7)

RETAIL = 1 SPACE REQUIRED PER 300 SF NET FLOOR AREA
±64,998 SF GFA – ASSUMED 20% MECHANICAL AND UTILITY AREA (±13,000 SF) = ±51,998 SF
±51,998 / 300 = 173.3 = 174 SPACES

TOTAL REQUIRED = 62 (WITH PROPOSED BIKE PARKING) + 174 = 236 SPACES REQUIRED

EXISTING PARKING = 286
REMOVED PARKING = 15 SPACES
PROPOSED PARKING = 11 SPACES

PROVIDED PARKING = 286 – 15 + 11 = 282 SPACES
PROVIDED BIKE PARKING = 3 BIKE SPACES

SITE PLAN AND SPECIAL PERMITS REQUIRED
1 – RESTAURANTS IN THE KC DISTRICT REQUIRE A SPECIAL PERMIT FROM THE BOARD OF SELECTMEN PER SECTION 3 OF THE ZONING BYLAWS

HOWARD STEIN HUDSON
114 Tall Pine Road, Suite 2C
Chelmsford, MA 01824
www.hsheng.com

PREPARED FOR:
RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

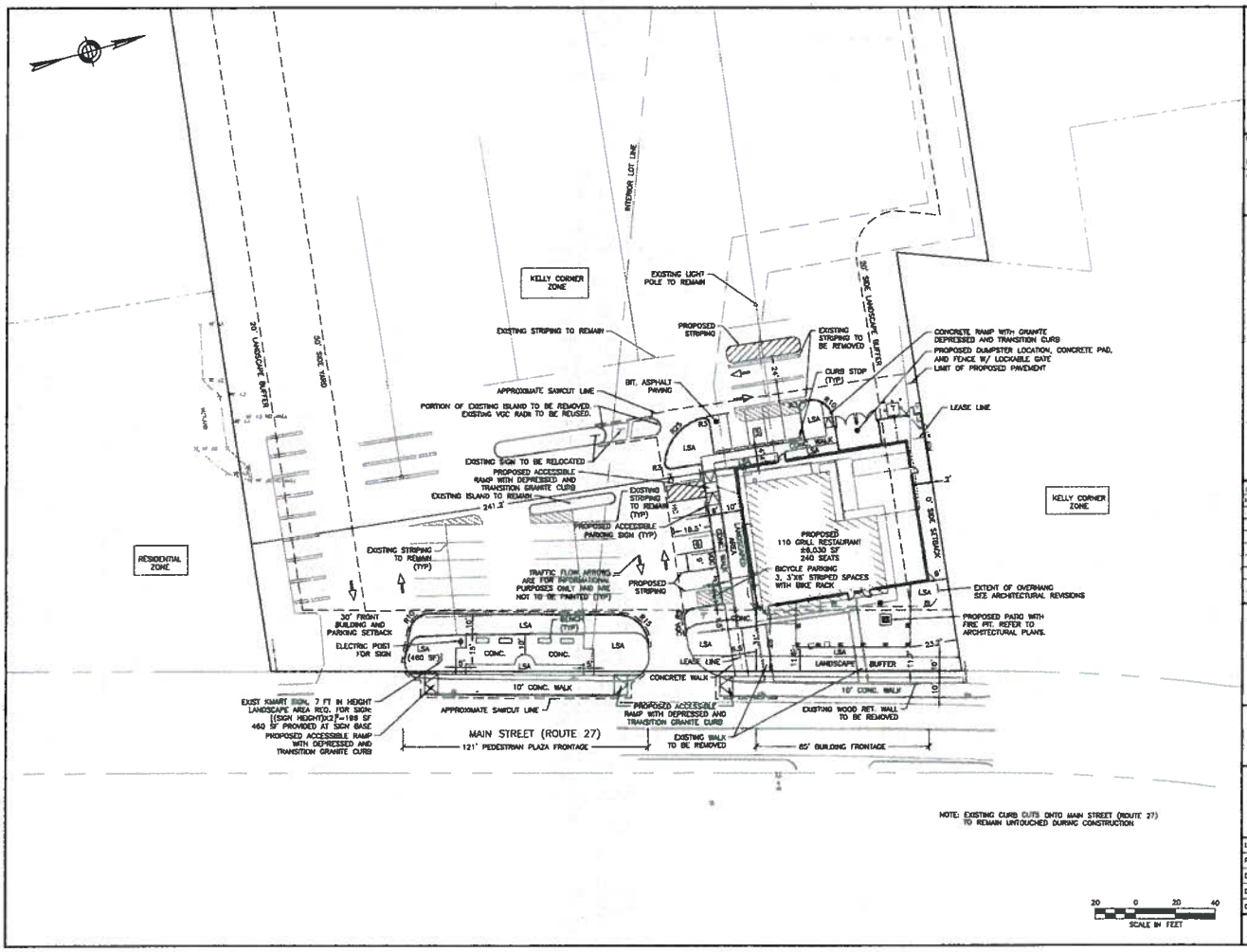
REVISIONS

NO	BY	DATE	DESCRIPTION
1	HS	10-21-15	REV BUILDING
2	HS	10-23-15	REV SITE PLAN
3	HS	12-8-15	REV SITE PLAN/BUILDING

SITE PLAN

COVER SHEET

DATE:	09-09-2015
PROJECT NUMBER:	15085
DESIGNED BY:	DML
DRAWN BY:	HS/DML
CHECKED BY:	RLL



HOWARD STEIN HUDSON
14 Turnpike Road, Suite 2C
Chelmsford, MA 01824
www.howardstein.com

PREPARED FOR:

RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS

NO	BY	DATE	DESCRIPTION
1	HS	10-21-15	REV BUILDING
2	HS	10-28-15	REV SITE PLAN
3	HS	12-3-15	REV SITE PLAN/BUILDING

SITE PLAN

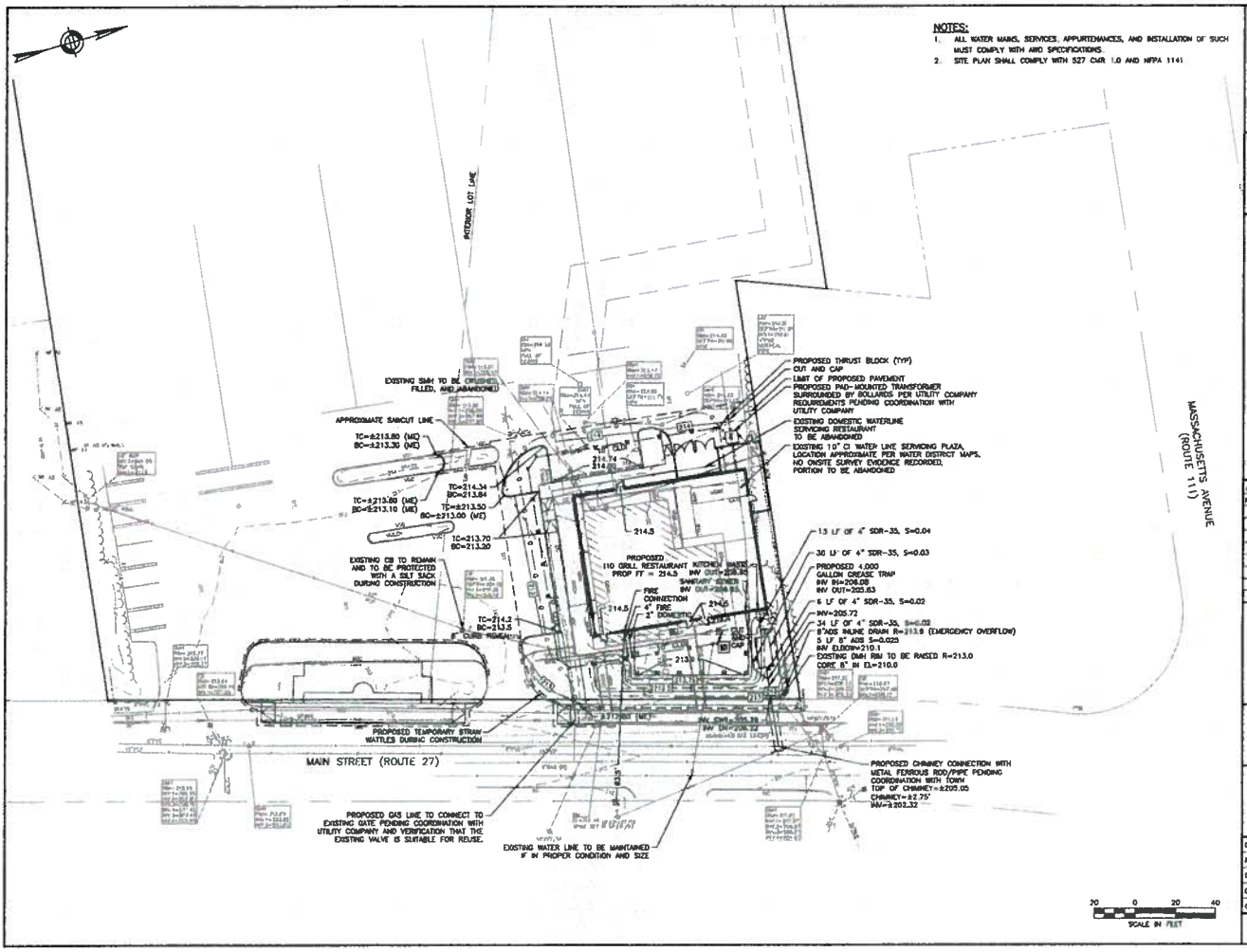
LAYOUT AND MATERIALS PLAN

DATE	08-09-2015
PROJECT NUMBER	15095
DESIGNED BY	DML
DRAWN BY	HC/JDM/1
CHECKED BY	KLE

2

NOTES:

1. ALL WATER MAINS, SERVICES, APPURTENANCES, AND INSTALLATION OF SUCH MUST COMPLY WITH AWO SPECIFICATIONS.
2. SITE PLAN SHALL COMPLY WITH 527 CMR 1.0 AND NFPA 1141



HOWARD STEIN HUDSON
114 Turnpike Road, Suite 2C
Chelmsford, MA 01824
www.hshassoc.com

PREPARED FOR:

RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS:

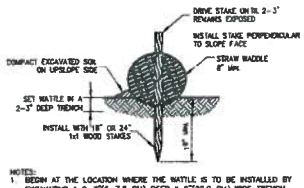
NO	BY	DATE	DESCRIPTION
1	HG	10.21.15	REV BUILDING
2	HG	10.28.15	REV SITE PLAN
3	HG	12-3-15	REV SITE PLAN/BUILDING

SITE PLAN

GRADING, DRAINAGE, AND UTILITY PLAN

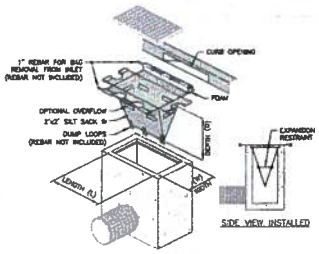
DATE	09-09-2015
PROJECT NUMBER:	15095
DESIGNED BY:	DML
DRAWN BY:	HEG/DML
CHECKED BY	KLE

3



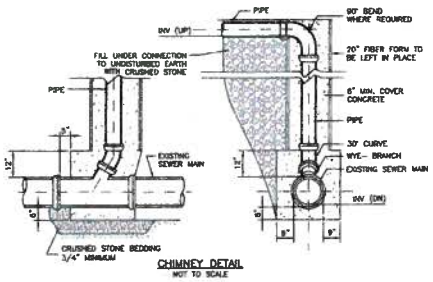
NOTES:
1. BEGIN AT THE LOCATION WHERE THE WATTLE IS TO BE INSTALLED BY EXCAVATING A 2-3"(5-7.5 CM) DEEP X 9"(22.9 CM) WIDE TRENCH ALONG THE CONTOUR OF THE SLOPE. EXCAVATED SOIL SHOULD BE PLACED UP-SLOPE FROM THE ANCHOR TRENCH.
2. PLACE THE WATTLE IN THE TRENCH SO THAT IT CONTOURS TO THE SOIL SURFACE. COMPACT SOIL FROM THE EXCAVATED TRENCH AGAINST THE WATTLE ON THE UPHILL SIDE. ADJACENT WATTLES SHOULD TIGHTLY ABUT.
3. SECURE THE WATTLE WITH 18-24" (45.7-61 CM) STAKES EVERY 3-4' (0.9 - 1.2 M) AND WITH A STAKE ON EACH END. (STAKES SHOULD BE DRIVEN THROUGH THE MIDDLE OF THE WATTLE LEAVING AT LEAST 2-3" (3-7.5 CM) OF STAKE EXTENDING ABOVE THE WATTLE. STAKES SHOULD BE DRIVEN PERPENDICULAR TO SLOPE FACE.

STRAW WADDLE DETAIL
NOT TO SCALE

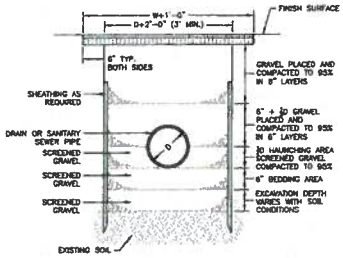


CATCH BASIN FILTER

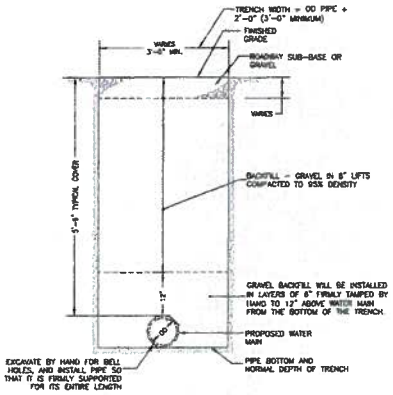
TEMPORARY INLET PROTECTION
NOT TO SCALE



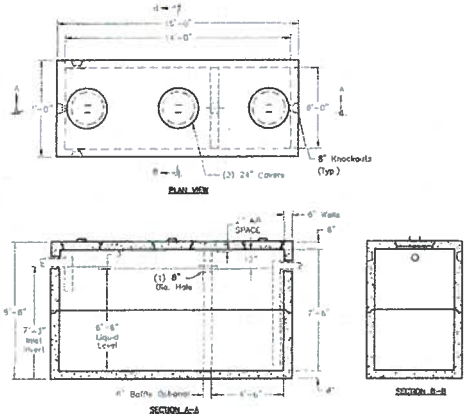
CHIMNEY DETAIL
NOT TO SCALE



TRENCH DETAIL – DRAIN & SANITARY SEWER
NOT TO SCALE



TRENCH DETAIL – WATER MAIN
NOT TO SCALE



SIZING CALCULATIONS PER TITLE V
240 SEATS X 15 GAL/SEAT/DAY = 3,600 GAL

4,000 GALLON GREASE TRAP DETAIL
NOT TO SCALE

HOWARD STEIN HUDSON
14 Tupelo Road, Suite 2C
Chelmsford, MA 01824
www.hshassoc.com

PREPARED FOR:
RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

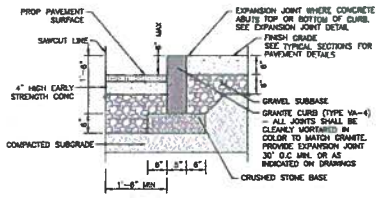
REVISIONS:

NO	BY	DATE	DESCRIPTION
1	HG	09-21-15	REV BUILDING
2	HG	09-28-15	REV SITE PLAN
3	HG	12-3-15	REV SITE PLAN/BUILDING

SITE PLAN

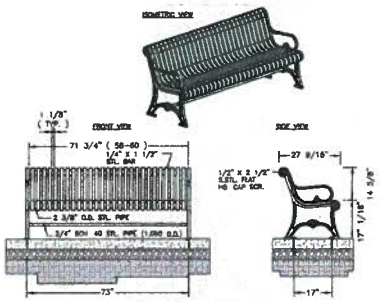
DETAIL SHEET 1

DATE	08-09-2015
PROJECT NUMBER	15086
DESIGNED BY:	DML
DRAWN BY:	HEG/DML
CHECKED BY:	KLE



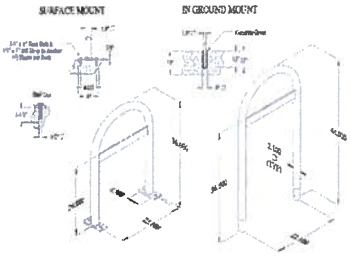
NOTE: USE 2" BIT. CONC. TOP COURSE ABOVE HIGH EARLY STRENGTH CONCRETE FOR RESETTING CURBS

VERTICAL GRANITE CURB
NOT TO SCALE

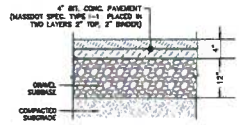


NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
2. ALL STL. MEMBERS COATED W/ ZINC RICH EPOXY THEN FINISHED W/ POLYESTER POWDER COATING.
3. 1/2" X 3 3/4" EXPANSION ANCHOR BOLTS PROVIDED.
4. BENCHES SHALL INCLUDE CENTER ARMREST (NOT SHOWN ABOVE)

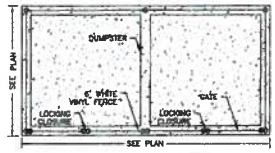
BENCH
NOT TO SCALE

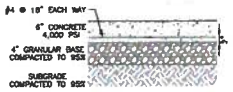


INVERTED U-SHAPE BICYCLE RACK WITH CROSSBAR
NOT TO SCALE



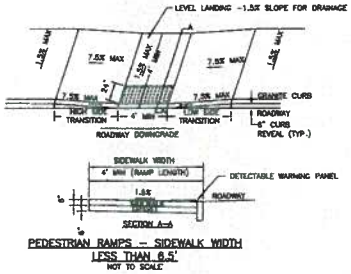
FULL DEPTH PARKING LOT SECTION DETAIL
NOT TO SCALE

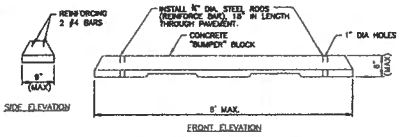




NOTES:
1. THE DUMPSTER MUST BE SURROUNDED BY A FENCE AND EQUIPPED WITH A LOCKABLE GATE.
2. THE DUMPSTER SHALL BE LICENSED BY THE HEALTH DEPARTMENT ANNUALLY.

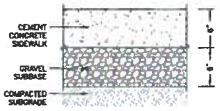
DUMPSTER ENCLOSURE DETAILS
NOT TO SCALE





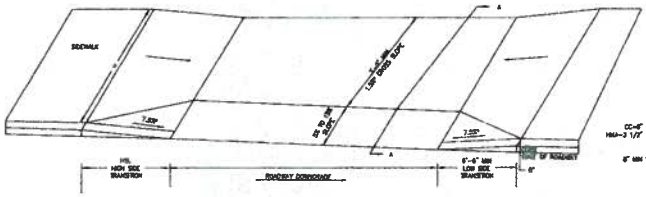
PARKING BUMPER DETAIL
NOT TO SCALE

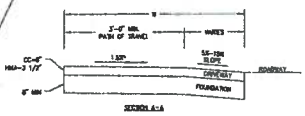
PEDESTRIAN RAMPS – SIDEWALK WIDTH LESS THAN 6.5'
NOT TO SCALE



NOTES:
1. CONCRETE SIDEWALK DETAIL AND NOTES APPLY TO SIDEWALK WITHIN THE RIGHT-OF-WAY.
2. CONCRETE SHALL BE 4,000 PSI.
3. SIDEWALKS ARE TO BE RAKED FINISH WITH 3/8 INCH TROWEL JOINTS.

CEM CONC SIDEWALK SECTION DETAIL
NOT TO SCALE





LEGEND:
HSL = HIGH SIDE TRANSITION (SEE 1, W7.5.01)
W = SIDEWALK WIDTH
± = TOLERANCE FOR CONSTRUCTION ±0.5%
CC = CEMENT CONCRETE
HMA = HOT MIX ASPHALT

SIDEWALK THROUGH DRIVEWAYS WITHOUT CURB RETURNS
NOT TO SCALE

HOWARD STEIN HUDSON
114 Turnpike Road, Suite 2C
Chelmsford, MA 01824
www.hshassoc.com

PREPARED FOR

RYAN DEVELOPMENT LLC
4 LAN DRIVE
WESTFORD, MA

110 GRILL
256 MAIN STREET
(ROUTE 27)
TOWN OF ACTON
MIDDLESEX COUNTY
MASSACHUSETTS

REVISIONS:

NO	BY	DATE	DESCRIPTION
1	HG	10-31-15	REV. BUILDING
2	HG	10-28-15	REV. SITE PLAN
3	HG	12-3-15	REV. SITE PLAN/BUILDING

SITE PLAN

DETAIL SHEET 2

DATE	09-08-2015
PROJECT NUMBER	15095
DESIGNED BY:	DML
DRAWN BY:	HEG/DML
CHECKED BY:	KLE

Staff Comments

Revised December 14, 2015

ACTON WATER DISTRICT

Water Supply District of Acton

693 MASSACHUSETTS AVENUE
P.O. BOX 953
ACTON, MASSACHUSETTS 01720

TELEPHONE (978) 263-9107 FAX (978) 264-0148

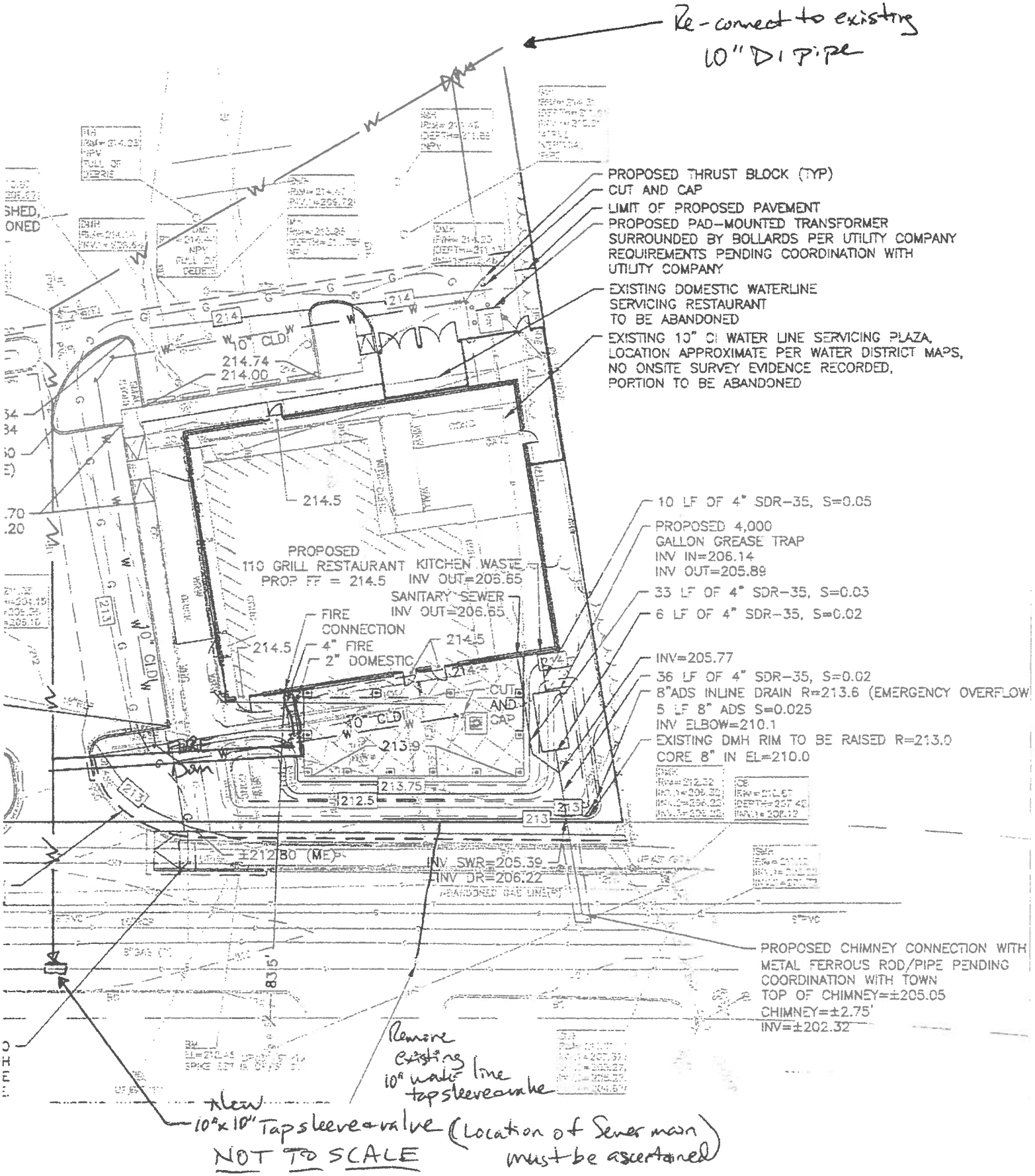
DATE: December 1, 2015

TO: Town of Acton Planning Dept.
FROM: Chris Allen, District Manager
RE: ***ADDITIONAL*** Comments on Revision to the Site plan special permit application (SPSP 09/11/15-457) for 252-256 Main Street, 110 Grill
NOTE: These comments are submitted in addition to the District's original comments from October 23, 2015.

1. Since the 10" Ductile Iron main suffered severe breakage in the recent past, to restore reliability of the supply and remove potential future failure, we recommend that a new 10" line be tapped further south on Main Street on the existing 10" Cast Iron main in the public right of way, reconnect the existing main behind the proposed building, and the old line be removed from service in the public right of way on Main Street. (See pg. 2). Fire service and Domestic service would need to be modified similar to depicted to accommodate this change.

Respectfully submitted

Chris Allen
District Manager


Re-connect to existing 10" DI pipe
PROPOSED THRUST BLOCK (TYP)
CUT AND CAP
LIMIT OF PROPOSED PAVEMENT
PROPOSED PAD-MOUNTED TRANSFORMER SURROUNDED BY BOLLARDS PER UTILITY COMPANY REQUIREMENTS PENDING COORDINATION WITH UTILITY COMPANY
EXISTING DOMESTIC WATERLINE SERVICING RESTAURANT TO BE ABANDONED
EXISTING 10" DI WATER LINE SERVICING PLAZA, LOCATION APPROXIMATE PER WATER DISTRICT MAPS, NO ONSITE SURVEY EVIDENCE RECORDED, PORTION TO BE ABANDONED
10 LF OF 4" SDR-35, S=0.05
PROPOSED 4,000 GALLON GREASE TRAP
INV IN=206.14
INV OUT=205.89
33 LF OF 4" SDR-35, S=0.03
6 LF OF 4" SDR-35, S=0.02
INV=205.77
36 LF OF 4" SDR-35, S=0.02
8"ADS INLINE DRAIN R=213.6 (EMERGENCY OVERFLOW
5 LF 8" ADS S=0.025
INV ELBOW=210.1
EXISTING DMH RIM TO BE RAISED R=213.0
CORE 8" IN EL=210.0
PROPOSED CHIMNEY CONNECTION WITH METAL FERROUS ROD/PIPE PENDING COORDINATION WITH TOWN
TOP OF CHIMNEY=±205.05
CHIMNEY=±2.75'
INV=±202.32
PROPOSED
110 GRILL RESTAURANT KITCHEN WASTE
PROP FF = 214.5 INV OUT=205.65
SANITARY SEWER
INV OUT=206.65
FIRE CONNECTION
4" FIRE
2" DOMESTIC
CUT AND CAP
214.5
214.74
214.00
10" CLDI
213.9
213.75
212.5
±212.80 (ME)
INV SWR=205.39
INV DR=206.22
83.5'
Remove existing 10" water line tapsleeve & valve
New 10"x10" Tapsleeve & valve (Location of Sewer main must be ascertained)
NOT TO SCALE

Planning Department

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 929-6631
Fax (978) 929-6340
planning@acton-ma.gov

MEMORANDUM

To: Board of Selectmen ***Date:*** **Revised November 30, 2015**

From: Kristen Guichard, AICP, Assistant Town Planner KAG

Subject: **Site Plan and Use Special Permit Application #9/11/15 – 457**
Review of Revised Plans and Information Submitted on 11/05/15 and 11/25/15

Location:	252-256 Main Street
Map/Parcel:	F3-116, F2-129-1 and F3-139
Applicant:	Ryan Development LLC
Owner:	Stop and Shop Supermarket Company LLC
Engineer:	Katie Enright, PE - Howard Stein Hudson
Previous Site Plans:	#01/02/73-0055: Construct New McDonald's Restaurant
	#01/30/75-0096: Construct General Retail Use Building
	#03/13/81-0204: Construct McDonald land Park
	#02/09/82-0215: Construct Playland Addition to Existing McDonald's Rest.
	#11/07/94-0348: Construct 800 ft2 Addition to Existing McDonald's
Previous BOA Hearings:	#75-19: Petition for Review – Denied
	#98-14: Variance for Signage – Denied
	#80-6: Variance to Construct New Entrance/Vestibule
Zoning:	Kelley's Corner (KC)
	Groundwater Protection Dist. Zone 4
Lot Area & Developable Site Area (same):	+/- 278,349 square feet (6.3 acres) *according to assessor's data*
Proposed Net Floor Area:	+/- 6,020 square feet
Proposed Floor Area Ratio (FAR):	0.255 (Includes existing Kmart building)
Proposed Uses:	240 Seat Restaurant (189 indoor and 51 outdoor)
Hearing Date:	**11/2/15**
Continued to:	**12/07/15**
Decision Due:	**1/31/16**

Below are the Planning Department comments based on the revised plans presented at the Board's 11/02/15 meeting and submitted to the Planning Department on 11/05/15 and additional information emailed on 11/25/15. These comments are noted in red and reflect the changes made to date. As stated at the public hearing, the record owner's knowledge and consent to the application presented is a requirement within the Site Plan Special Permit Rules and Regulations. The revised plans propose significant changes outside the delineated lease area and within a location of a newly

erected freestanding sign for the Kmart business (also a tenant at the site). On November 25th the Planning Department received a letter of acknowledgment from the property owner consenting to the modified plans revised on 10/28/15 although there is no acknowledgement of the Kmart sign.

Overview

The site in review is located off Main Street in the Kelley's Corner (KC) Zoning District. This site is typically referred to as the "Kmart property". The Site is comprised of three parcels in the same ownership; for zoning purposes they merge into one lot. The site is deemed pre-existing non-conforming due to its non-compliance with Section 5.6 of the Zoning Bylaw for sites exceeding 0.20 FAR in the KC Zoning District. The Applicant proposes to demolish the existing vacant McDonald's building[1] and to construct a new 110 Grille Restaurant with 240 seats. New building construction on the site must comply with Section 5.6 as it applies to lots exceeding 0.20 FAR.

The Applicant also proposes modifications to the existing parking lot and the northerly access drive on Main Street. ZBL S. 10.4.6 charges the Board of Selectmen as Site Plan Special Permit granting authority to require any reconstruction as well as improvements to the site to comply with the currently applicable standards of the Bylaw to the extent practicable. Therefore, our review of the site plan only takes into account areas of the Site that are being reconstructed, modified, or improved.

Compliance with Kelley's Corner Zoning (ZBL Section 5.6)

1. There is an existing +/- 6 ft. sidewalk along the Site's frontage of Main Street. ZBL S. 5.6.3.1 requires a 10 ft. wide sidewalk with a 10ft. wide landscape buffer be provided. The Applicant should provide a 10 ft. wide sidewalk along the Main Street frontage for a distance equal to the length of frontage where modifications are being made on the Site.

   The applicant has addressed this requirement but should discuss plans with the Engineering Department as the entire proposed sidewalk is within the Town's right of way.

2. The following is a review of the building design features that are not in compliance with subsections of ZBL S. 5.6.3.4:

   (a) *"At least 60 percent of the front side of a LOT facing a STREET, measured in percentage of linear feet of the LOT FRONTAGE, shall be occupied by BUILDINGS or by a pedestrian plaza that are located within 40 feet of the STREET sideline. A reduction of this requirement to 50 percent of the front side of a LOT may be allowed provided the Site Plan Special Permit Granting Authority finds that the alternative design features are consistent with Section 5.6.1 of this Bylaw."*

   Lot frontage is a defined term in the ZBL. The total lot frontage along Main Street is 340 ft.; 60% of the lot frontage would require 204 ft. of the frontage to be occupied by buildings or a pedestrian plaza; 50% of the lot frontage would require 170ft. of the frontage to be occupied by buildings or a pedestrian plaza. The proposed building only occupies 86 ft. of the frontage and is not entirely located within 40 ft. of the front property line – even if the Board determines a 50% reduction is consistent with Section 5.6.1 the current building and site design would need to be significantly modified to comply or include a pedestrian plaza for the remaining area. The ZBL does not grant the Board the authority to make any further reductions. The intent of the 'Special Provisions for the Kelley's Corner District' is stated under ZBL S. 5.6.1. This particular design requirement was established to provide a street edge, defined by buildings or a pedestrian plaza that is conducive to pedestrian uses, fosters a comfortable pedestrian environment and to encourage buildings with a pedestrian oriented scale and design.

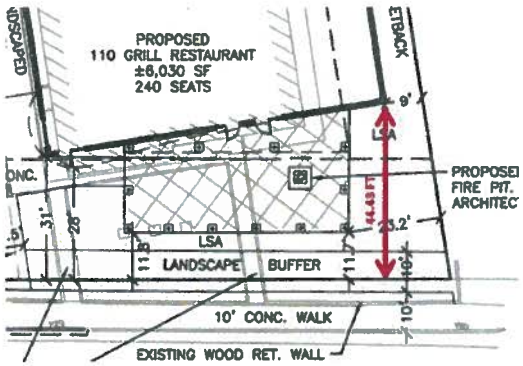
1. Although the applicant has added a 2,238 square foot hardscaped pedestrian plaza to occupy an additional 121 feet of the lot frontage, it does not comply with the standards set forth in subsection 5.6.3.2 of the ZBL and should be modified:

   a) Pedestrian plazas shall be located in front of the building or on the side of the building. The pedestrian plaza is currently located as an island; the pedestrian plaza is surrounded by two access drives and a parking lot. As stated at the public hearing, the pedestrian plaza should be relocated so that it is on the side of the building. Revised plans should also show changes to parking calculations.

   d) Shade trees and ornamental trees and other landscaping shall be provided to create a separation between pedestrian and vehicular traffic, to highlight buildings and pedestrian spaces, to provide shelter from the sun, to minimize glare for drivers, to reduce noise, and to mitigate fumes. There is no landscaping shown in the pedestrian plaza. Landscaping should be added incompliance with this section and subsection 'e'.

2. The pedestrian plaza is proposed in the same location as a newly permitted and erected freestanding Kmart sign. ZBL S. 7.8.3 requires the freestanding sign to include a 195 square foot landscaped area around the base. The pedestrian plaza should be modified so that it is separate from and does not interfere with the freestanding sign and its required landscape. The plans should be modified to address this issue.

3. The proposed building is not entirely located within 40 ft. of the front property line. This has not been addressed. The northeasterly side of the building is approximately +/- 44 feet from the property line. This portion of the building should be moved forward to comply. (see below)



(l) 20% of the ground level portion of the building's front façade surface must be windows. Approximately 16.5% of the total building's front façade is covered by windows. The Applicant should verify that the ground level portion of the buildings front façade complies with this section or modify the design.

The plans have been modified; the front façade surface has 28% coverage by windows.

(m) Highly reflective mirror windows are not allowed on building fronts. The Applicant should verify the window type.

A note has been added to the plans that the glass is non-reflective.

(n) *"Roofs shall be gabled with a minimum pitch of 9/12 (9" vertical for every 12" horizontal) and have overhanging eaves of at least one foot. Two or three story BUILDINGS, or two or three story portions of a BUILDING, may have a flat roof provided that the tops of the BUILDING front facades are treated with an articulated*

cornice, dormers, or other architectural treatment that appears an integral part of the BUILDING from all visible sides of the BUILDING."

The proposed building design does not comply with this requirement. The entire building must comply with the 9/12 pitch requirement or the building should be designed with two stories.

The plans have been modified to comply by changing the flat 1-story roof to a 9/12 pitch. The architect has indicated in their letter dated 11/23/15 that the tower has a "two-story nature" – The Applicant should confirm if this portion of the building is two-stories or just designed to look like two stories.

(o) *"The main features of the architectural treatment of the BUILDING front facades, including the materials used, shall be continued around all sides of the BUILDING that are visible from a STREET or a pedestrian plaza. The Site Plan Special Permit Granting Authority may approve alternate treatment of side and rear BUILDING walls that is consistent with Section 5.6.1 of the Bylaw and preserves the architectural integrity of the BUILDING as a whole."*

The vertical board and batton siding and T&G wood siding is not continued to the northerly side of the building (facing Verizon) and will be visible from Main Street. The same pattern should be used continuously around this side of the building by using T&G wood on the portion with the higher elevation and vertical board and batton siding along the lower portion.

The plans have been modified to comply.

3. The minimum front yard setback in the Kelley's Corner Zoning District is 30 feet. A fire pit is shown as a permanent structure within the 30-foot setback and should be modified to comply.

Parking Lot Modifications (ZBL Section 6)

4. Bicycle parking is not shown on the plan and is required under ZBL S. 6.3.7.

   Bicycle racks must be located as close as possible to the main building. They shall be principally part of and accessible from the vehicle parking lot or facility rather than part of the sidewalk and walkway system. The revised plans show bicycle parking located within the pedestrian plaza. Pedestrian Plazas are to be used exclusively by pedestrians. The bicycle parking should be relocated so that it complies with the ZBL; as close as possible to the building and a location that is accessible from the vehicular parking and not part of the walkway system.

5. The modified parking lot along the south side of the proposed building is located +/-20ft from the property line where a 30ft setback is required under ZBL S. 6.7.2. The parking space closest to the street should be removed.

   This has not been addressed. As noted above, ZBL S. 10.4.6 charges the Board of Selectmen as Site Plan Special Permit granting authority to require any reconstruction as well as improvements to the site to comply with the current applicable standards of the Bylaw to the extent practicable. ZBL Section 8.4 [(3)] does not apply; the applicant is proposing to make improvements to the site by relocating and realigning the parking spaces in this location and thus should comply with the current bylaws.

6. The Site has two access drives on Main Street, which are pre-existing non-conforming. There is an additional access drive located off Mass. Ave. The Applicant proposes to modify the northerly access drive on Main Street. The Site as modified is not automatically entitled to the two access drives under ZBL S. 6.7.3:

"ACCESS Driveways – Each LOT may have one ACCESS driveway through its FRONTAGE which shall be 24 feet wide, unless, in the opinion of the Special Permit Granting Authority (if the parking area is related to a permitted USE for which a site plan or other special permit is required) or the Zoning Enforcement Officer (for other parking areas), a wider and/or greater number of ACCESS driveways is necessary to provide adequate area for safe vehicular turning movements and circulation. An ACCESS driveway for one-way traffic only may be a minimum of 14 feet wide. There shall be no more than one additional ACCESS driveway for each 200 feet of FRONTAGE and all such additional ACCESS driveway(s) shall be at least 200 feet apart on the LOT measured from the centerline of each ACCESS driveway."

The total frontage on Main Street is 340ft. Therefore, the Planning Department strongly recommends closing the *northerly* access drive on Main Street. Closing the northerly access drive will reduce turning movement conflicts on Main Street in close proximity to the heavily traveled signalized Main Street and Mass. Ave. intersection. Both businesses on the site would continue to be sufficiently served by the southerly access drive off Main Street and the access drive off Mass. Ave.

This has not been addressed. As noted above, ZBL S. 10.4.6 charges the Board of Selectmen as Site Plan Special Permit granting authority to require any reconstruction as well as improvements to the site to comply with the currently applicable standards of the Bylaw to the extent practicable. Under ZBL, s. 6.7.3, the standards with respect to the number and separation of access driveways are (1) not more than one driveway per lot; (2) under site plan special permit the Board of Selectmen may grant additional access driveways for each 200 feet of frontage but each driveway must be 200 feet apart from the others. The existing driveways are +/-150 feet apart, less than the minimum required 200 feet. And in any case, the 340 ft. of Main Street frontage entitle the lot to only one driveway. As in par. 4 above, ZBL Section 8.4 does not apply where the applicant is proposing to make major site modifications as shown on the plan. The Planning Department maintains its recommendation that the Board of Selectmen require pursuant to ZBL s. 10.4.6 that the site be brought into compliance by removing the north access drive off Main Street.

7. ZBL S. 6.7.6 requires a minimum 10-foot wide perimeter landscape buffer for parking lots. The perimeter landscape between the modified parking lot and the proposed restaurant only shows a 9ft wide landscape area. The landscaped area should be widened to comply.

   The plan has been modified to comply in this location.

   Although the location above has been modified to comply, the 10-foot wide perimeter landscape buffer has been removed and a pedestrian plaza has been placed next to the parking lot cells. The Applicant should amend the plans by adding a 10-foot wide perimeter landscape buffer to boarder the parking lot cells. A pedestrian plaza cannot count towards the required 10-foot wide perimeter landscape buffer. Parking calculations should be revised to show changes.

Restaurant Use

8. The proposed restaurant use is allowed in the KC Zoning District by Special Permit.
9. The plan shows 286 parking spaces on the site which meets the minimum parking space requirement of the Bylaw for the Kmart retail use and the proposed restaurant.

Recommendations

The Planning Department has identified significant defects in the plan's compliance with the ZBL as outlined above in #2(a), #2(n) and #5. This will require a complete redesign of the building, parking lot layout and access driveways. Other issues noted above must be brought into compliance with the ZBL. The purpose of the Kelley's Corner District is clearly stated under ZBL S. 5.6.1[2]. The Planning Department recommends denial of the requested permits, or an extended public hearing continuation that allows for well thought out plan changes, departmental reviews, and new notifications to parties in interest.

The Board should also note comments and concerns submitted by the Acton Water Supply District, Engineering Department, Fire Department and Health Department.

Significant issues still remain that should be addressed and resolved before the close of the public hearing.

cc: Engineering Department
Health Department

---

1) The former McDonald's restaurant was permitted with 94 seats.

2) 5.6.1 Purpose – In the Kelley's Corner District, the principal goal guiding the regulations set forth herein is to sustain and encourage a vital business center that provides needed goods, services, jobs and increased tax revenues in a manner that is compatible with Acton's historic development pattern and establishes pedestrian accessibility and circulation throughout the Kelley's Corner area. These regulations will provide clear guidance to those who would like to expand or locate businesses in the Kelley's Corner District. They will ensure that future development will help create the form, cohesion, order, and supporting infrastructure that will identify the Kelley's Corner District as an attractive, pleasant, and desirable center for business, shopping and other commercial and community activities.

Pedestrian access and circulation are favored in order to limit vehicular congestion and air pollution. Adjacent residential neighborhoods will be connected to the Kelley's Corner District via pedestrian ways but are otherwise separated with landscape buffers. In order to support the growth and vitality of the center, higher density developments are required to contribute to a fund for the construction of a centralized wastewater collection and treatment system serving the Kelley's Corner District and surrounding areas. The regulations are intended to implement the Kelley's Corner Plan as amended.

It is widely recognized that the mere provision of sidewalks and crosswalks will not encourage pedestrian use of a commercial area unless the layout and design of the sites and BUILDINGS are also conducive to pedestrian use. The leading design principles are therefore to provide convenient and efficient pedestrian access within the Kelley's Corner District and to surrounding neighborhoods and facilities, to provide a safe and comfortable pedestrian environment with walkways, pedestrian conveniences and amenities, and to encourage BUILDINGS with a pedestrian oriented scale and design.

3) In the Applicant's response letter dated October 30, 2015 he argues that Section 8.4 of the Zoning Bylaw exempts the plan from having to comply with the current Zoning Bylaw parking requirements.
Section 8.4 reads:

"Nonconforming Parking – This Bylaw shall not be deemed to prohibit the continued USE of any land or STRUCTURES that is nonconforming with respect to parking requirements."

The intent of this section of the Bylaw is to allow pre-existing non-conforming parking that is **not** being modified. Where the Applicant proposes parking modifications, they must comply with the current applicable standards of the Bylaw per S. 10.4.6.

DRB Memorandum

Project: 110 Grill Restaurant
Project Location: 252-256 Main Street, Frontage of K-mart Lot
Memorandum Date: 11-19-15

Drawings Reviewed:
Site Plan for 110 Grill Restaurant – Permit Package

Site Plan C2	Revised Dates: 10-21-15, 10-28-15
Street Perspective R1	Date: 11-02-15
Street Perspective R2	Date: 11-02-15
Floor Plan A1	Date: 11-02-15
Building Elevations East and South A2	Date: 11-02-15
Building Elevations West and North A3	Date: 11-02-15

Proponent Representatives:
Kevin Ericson, Robert and Michele Walker (Ryan Development) Not Present

DRB Members:
Holly Ben-Joseph (HBJ), Kim Montella (KM), Michael Dube (MD)

Date of First Review of Project: 10-07-15
Date of DRB Review: 11-18-15

The DRB met on November 18, 2015 to review the revised drawings submitted to the Town. The DRB in general had a favorable opinion of the revised drawings and appreciates the proponent adjusting the drawings according to the DRB suggestions. The DRB has the following comments on the revised drawings. These comments refer back to the comments in the 10-20-15 Memo:

Site Comments:

1. The proponent has not sited the building parallel to Main Street as recommend by the DRB. If this is not possible due to lease lines, the DRB suggests it is possible to stay within the lease lines and have the front of the building parallel to Main Street. This would improve its relationship to the street and surrounding buildings.
2. The outdoor eating area as revised is parallel to the street but is does not seem enlarged as recommended by the DRB recommendation.
3. The building entrance and pedestrian space outside of the door are appropriate.
4. The sidewalk along the south side has been narrowed to 5 feet from 6 feet contrary to the DRB's recommendation to widen the walk. The DRB recommends widening this walk.
5. The sidewalk entrance from Main Street has been widened and aligned with the walk along the building as the DRB suggested.
6. Bike racks have been provided in the plaza. The DRB supports the bike racks but has concerns about the location across the entry drive from the restaurant.

7. No change has been made regarding vehicular entrances. The DRB recommends combining the two entrances into the lot into one drive in a central location.
8. The landscape plan has not been revised, and no plantings have been added to screen the north wall as suggested. The neighboring lot has trees along this border which will partially screen; the addition of shrubs on the 110 Grill lot in this location is recommended. The remainder of the plans seems appropriate for the space and use.
9. The outdoor eating edge has been revised to align with Main Street, the DRB supports this change.
10. The DRB has concerns about the proposed hardscape plaza; we believe this is a plaza bound to fail and is a place that would not be an attractive feature along Main Street, and would not be an attractive place for people to sit. The plaza design does not work for the following reasons: the shape is too narrow and long, (was a planting island previously), it has no protection from the surrounding busy street, driveways and parking spaces, it has no plantings to define or shade the space, and it does not connect with any other building or use, it essentially is still a "parking lot island." The DRB does not support this addition to the plan and recommends the Proponent request a waiver on the by-law.

Building Comments:

1. The DRB appreciates the changes in the roof line from the vertical parapet to a sloping roofline.
2. In reviewing the revised drawings showing the 110 Grill signage pulled out to be parallel to Main Street as suggested by the DRB to make the building seem aligned with Main Street, we do not think that this solution fulfills the goal of making the building seem parallel to Main Street, and recommend returning to the original proposal (if the proponent prefers this). The DRB suggests the architect align the front face of the building with Main Street as mentioned in a previous comment.
3. The DRB supports the revisions to exterior façade materials.
4. The DRB continues to recommend providing a canopy of some sort at the outdoor patio to provide semi-protected outdoor dining.

New Comments:

1. The DRB is supportive of the additional two windows, one at the rear of the building (west elevation), one on the corner of the building at Main Street (north elevation).
2. The west façade (facing the K-mart parking lot) has a long expanse of board and batten siding. This could be improved with some detailing or with another panel of Ipe wood to make the back wall more interesting. Many people walk to the restaurants in the area through the k-mart parking lot and this façade is visually important.
3. It is difficult to tell if there is a change in plane where the two siding types meet. The DRB recommends where the materials change, there should also be a change in plane to make shadow lines which will give the building more interest.

Respectfully Submitted,

Design Review Board

TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 929-6630
Fax (978) 929-6340

Engineering Department

INTERDEPARTMENTAL COMMUNICATION

To: **Planning Department** ***Date:*** 12/11/2015

From: **Engineering Department**

Subject: **Site Plan Special Permit – 110 Grill – 252-256 Main St – SPSP #09/11/15-457 – 4th revision**

We have reviewed the application for the above mentioned special permit, the site plan for 252-256 Main Street titled "Site Plan for 110 Grill Restaurant 256 Main Street (Route 27) Acton, MA" dated September 9, 2015 with a revision date of December 3, 2015 and a letter from Ryan Development LLC dated December 2, 2015 and have the following comments:

Sewer

1. It is left to the discretion of the Sewer Commissioners regarding privilege fees. Our calculations reflect the maximum potential of wastewater generated by the proposed use. We will defer to the Board of Selectmen/Sewer Commissioners regarding the request to waive the $24,417.85 assessed as a privilege fee for the 51 seasonal seats.

2. The applicant requests to comply with our grease trap comment during the building permit process. We don't foresee an issue with the request and will require the buoyancy calculations during the sewer connection permit process.

Traffic

3. We will defer to the Board of Selectmen regarding whether the proposed use requires a traffic study.

Drainage

4. We accept the response to our drainage comment

Miscellaneous

5. We accept the note regarding the datum and conversion factor however the applicant should add the note to the plans themselves and the as-built plan.

TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 929-6630
Fax (978) 929-6340

Engineering Department

INTERDEPARTMENTAL COMMUNICATION

To: **Planning Department** ***Date:*** 11/17/2015

From: **Engineering Department**

Subject: **Site Plan Special Permit – 110 Grill – 252-256 Main St – SPSP #09/11/15-457 – 2nd & 3rd revisions**

We have reviewed the application for the above mentioned special permit and the site plan for 252-256 Main Street titled "Site Plan for 110 Grill Restaurant 256 Main Street (Route 27) Acton, MA" dated September 9, 2015 and a revision date of October 28, 2015 and have the following comments:

Sewer

1. The applicant is proposing 189 interior and 51 seasonal use seats for the proposed restaurant. A privilege fee is assessed on properties which intensify the use beyond what was assessed as a betterment. The former McDonald's restaurant was assessed a betterment of 10.98 sewer betterment units (SBUs) which equates to 94.11 seats. Based on these numbers and a privilege fee of $12,311.52 per SBU, the increase from 94.11 seats to 189 interior seats would equate to a privilege fee of $136,294.68.

   For the 51 seasonal seats, the applicant may request a reduction in the privilege fee relative to the seasonal use of those seats. Assuming the seasonal use is 4 months of the year, the privilege fee for the 51 seasonal seats can be reduced to $24,417.85 if approved by the Board.

   Assuming a reduced fee for the seasonal seats, the total privilege fee is $160,712.53. A more detailed breakdown of the privilege fee calculation has been provided with this memo

2. A sewer connection permit will be required from our office. The sewer connection will require a right-of-way access permit for work within Main St which will be available between March 15th and November 15th.

3. The grease trap must conform to Title 5 standards which we will defer to the Board of Health as to whether the proposed grease trap complies.

4. The grease trap is located beneath the drainage swale which is sized to infiltrate the 100-year storm. The grease trap may be located below the seasonal high groundwater level. If so, the applicant should check the buoyancy of the grease trap. A copy of the buoyancy calculations should be made available to our department and Health.

Traffic

5. A traffic study is required for any use that generates 30 additional trips per peak hour or an average of 400 additional trips per weekday. The applicant provided a traffic memo which states that the change in use from a 94 seat McDonald's to the proposed 110 Grill will result in 6 fewer vehicle trips in the morning peak hour, 9 additional trips in the evening peak hour and 676 fewer trips during the average weekday.

   Whether a traffic study would be required depends on what the Board considers "existing traffic conditions". Existing conditions today reflect no vehicle trips since the McDonald's is abandoned. The proposed 110 Grill will increase vehicle trips by 113 vehicles in the morning peak hour, 98 in the evening peak hour and 1160 during the average weekday if compared to no vehicle trips that exist today.

6. The applicant is not proposing any changes to the curb cut on Main St, which works for an SU-30 vehicle, however we will defer comment on fire accessibility to the Fire Department

7. The property has an existing sidewalk along its frontage however, being in the Kelly's Corner District, the Board of Selectmen can require on and off-site sidewalks, walkways, bikeways and crosswalks consistent with the planning objectives set forth in the Kelly's Corner Plan. The Town, through the Planning Department, has recently completed a conceptual infrastructure improvement plan for Kelly's Corner. We'll defer any recommendations to the Planning Department.

Drainage

8. The applicant is proposing to add an additional 1,516 square feet of impervious area due to the proposed patio. They have designed a swale large enough to accommodate this area for the 100-year storm by completely infiltrating it. Though not required, the applicant should consider improving the stormwater quality elsewhere within the new pavement area. Such improvements can include providing gas trap hoods within the existing catch basins and directing roof runoff to underground detention to increase groundwater recharge. Such improvements would comply with the spirit of section 10.4.6 of the zoning bylaw.

Miscellaneous

9. The horizontal datum should be NGVD 1929. The site plans should state which datum the elevations shown are at and if it's not NGVD 1929, provide a conversion factor for the datum shown to the correct datum.

Privilege Fee Calculation

Sewer Betterment Rates and Info:

- $12,311.52 per SBU (set by Board of Selectmen in 2005)
- 1 SBU = 300 gallons per day (gpd)
- 1 seat = 35 gpd (Title 5 requirement)

Former McDonald's Capacity

- McDonald's assessed 10.98 SBU
- 10.98 SBU x 300 gpd = 3,294 gpd
- 3,294 gpd / 35 gpd/seats = 94.11 seats

Proposed 110 Grill Capacity

Interior Seats – 189 total

- 189 seats – 94.11 = 94.89 seat increase from former McDonald's
- 94.89 seats x 35 gpd = 3,321.15 gpd
- 3,321.15 gpd / 300 gpd/SBU = 11.0705 SBU
- 11.0705 SBU x $12,311.52 per SBU = $136,294.68 Privilege Fee

Seasonal Seats – 51 total

- 51 seats x 35 gpd = 1,785 gpd
- 1,785 gpd / 300 gpd/SBU = 5.95 SBU
- 5.95 SBU x $12,311.52 per SBU = $73,253.54 Privilege Fee
  Reduction assuming 4 months of use
  - $73,253.54 x (4/12) = $24,417.85

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 929-6631
Fax (978) 929-6340
planning@acton-ma.gov

Planning Department

MEMORANDUM

To: Board of Selectmen ***Date:*** January 4, 2016

From: Kristen Guichard, AICP, Assistant Town Planner KAG

Subject: **Site Plan and Use Special Permit Application #9/11/15 – 457 (110 Grill) Review of Revised Plans and Information Submitted on 12/3/15**

The Applicant submitted a third set of revised plans on 12/03/15. At the continued hearing on 12/07/15 the Applicant and the Board agreed to continue the hearing to January 25, 2015 and maintain the decision deadline for March 6, 2015. The most concerning non-compliance issues previously highlighted in our past memos still exist. The items identified below are not new. We have outlined these issues in our previous memos and at the public hearing on December 7, 2015. This memo is organized by subject to better identify the current outstanding issues:

1. **Lease area vs. LOT:**

   a. The Applicant contends that their "lease area frontage" meets the definition of LOT FRONTAGE. They cite a Planning Department staff memo from 2013 in which a previous Zoning Enforcement Officer stated this was sufficient.

   b. The Zoning Bylaw defines, LOT and FRONTAGE as follows:

      Section 1.3.12 LOT:
      "An area of land, undivided by any STREET, in one ownership with definitive boundaries ascertainable from the most recently recorded deed or plan which is 1) a deed recorded in Middlesex County South District Registry of Deeds, or 2) a Certificate of Title issued by the Land Court and registered in the Land Court section of such Registry, or 3) title of record disclosed by any and all pertinent public documents."

      Section 1.3.10 FRONTAGE:
      "A continuous LOT line along the sideline of a STREET. The sideline of a STREET is defined by the front boundary lines of LOTS along a STREET and not necessarily the pavement edge of a STREET or sidewalk."

   c. The term, "lease area", does not meet the definition of LOT or LOT FRONTAGE.

   d. The Planning Department staff met briefly with the Applicant on August 21, 2015 to discuss their conceptual development plans. At that time staff recommended the Applicant review the previous staff memo written for the 2013 Panera Restaurant application to help assist them with their building design. The Planning Department also recommended the Applicant schedule an application pre-submission meeting with Planning, and other Land Use

Department staff to help identify any potential issues prior to submitting the formal application to help avoid a lengthy public hearing process. The applicant decided to submit their application without requesting such a meeting. In the process of our review we found that several items did not meet zoning compliance. We also found that the previous Zoning Enforcement Officer's memo for Panera incorrectly implied that the lease area would be a sufficient equivalent to a LOT.

The previous Zoning Enforcement Officer's memo dated 5/15/13 was incorrect by referring to "lease area" frontage for his review of the Panera Site Plan instead of the specifically defined ZBL term, "LOT FRONTAGE". The Planning Department has the obligation to correct and not perpetuate past mistakes. In addition, the Panera application was withdrawn and the Board of Selectmen never issued a permit for the Panera Site Plan.

2. **BUILDING and Pedestrian Plaza requirements along the LOT FRONTAGE -**

   a. **Section 5.6.3.4 (a)BUILDING Design** reads:
   "At least 60 percent of the front side of a LOT facing a STREET, measured in percentage of linear feet of the LOT FRONTAGE, shall be occupied by BUILDINGS or by a pedestrian plaza that are located within 40 feet of the STREET sideline. A reduction of this requirement to 50 percent of the front side of a LOT may be allowed provided the Site Plan Special Permit Granting Authority finds that the alternative design features are consistent with Section 5.6.1 of this Bylaw."

   This section of the bylaw relies on the terms LOT and FRONTAGE as defined in the ZBL (see above) in order to achieve the purpose of the Kelley's Corner Zoning District[(1)]. Requiring a certain percentage of the front side of the lot facing a street to be occupied by buildings or a pedestrian plaza is a zoning tool used to organize and orient buildings and pedestrian amenities to create a sense of place that is comfortable and safe for pedestrians, and creates a town center or "downtown" environment. It aims to help organize buildings and pedestrian amenities in a manner that reduces pedestrian and vehicular conflicts. If we used the term "lease area" instead of LOT FRONTAGE, it would result in defeating this section of the bylaw. Property owners could divide up their land into lease areas and not have to comply. This would then perpetuate an environment much like what we see on the Kmart property today - parking in front and no defined street edge. The Planning Department reviewed this section again, and affirms our zoning determination that the 60% coverage is based on the LOT FRONTAGE.

   b. The total LOT FRONTAGE on Main Street is 340 feet; 60% (or 204 feet) of the LOT FRONTAGE should be occupied by buildings or a pedestrian plaza within 40 feet of the sideline of the street.

      b1. Building - The proposed building is +/-85 feet wide, but only +/- 45 feet is located within 40 ft. of the front property line. The northeasterly side of the building is approximately +/- 44 feet from the property line. The building should be moved forward to comply. (See below)

      The Applicant contends that the canopy projection satisfies this requirement of the Bylaw. Bylaw section 5.6.3.4(a) requires at least 60% of the LOTS FRONTAGE be occupied by 'BUILDINGS' or a pedestrian plaza. The term 'BUILDING' is a defined term in the Zoning Bylaw:

BUILDING: A STRUCTURE enclosed within exterior walls, built or erected with any combination of materials, whether portable or fixed, having a roof, to form a STRUCTURE for the shelter of persons, animals, or property.

The canopy projection is not enclosed within exterior walls and therefore does not satisfy this section of the Bylaw. As positioned the plan as proposed does not comply with the 60% requirement. The Planning Department reviewed this section again, and affirms our zoning determination that the 60% coverage is based on the LOT FRONTAGE and the plans currently do not comply.

b2. Pedestrian Plaza -

The Zoning Bylaw prescribes a Pedestrian Plaza as:

5.6.3.2 (a) "The pedestrian plaza shall be an area at the STREET level in front of a BUILDING, on the side of a BUILDING, or in between BUILDINGS, which is to be used exclusively by pedestrians and connects to the sidewalk. For the purpose of this section, a pedestrian arcade located within a BUILDING footprint and open to the outdoors may be counted towards the minimum area required for a pedestrian plaza."

Location - The Applicant proposes to use the pedestrian plaza option to help meet the requirements of ZBL Section 5.6.3.2 (a) for the remaining percentage to equal a total of 60% of the LOT Frontage (see above), but the location of the pedestrian plaza does not comply. The pedestrian plaza is currently located as an island; the pedestrian plaza is surrounded by two access drives and a parking lot. As stated at the public hearing, the pedestrian plaza should be relocated so that it is on the side of the building. The current location increases chances for pedestrian and vehicular conflict – the layout and design of the site is not conducive to pedestrian use [(1)]. The Planning Department has reviewed this section again and affirms our zoning determination that the proposed pedestrian plaza is not on the side of the building and must be relocated to comply.

Dimensional and Use Requirements – As noted above the overall proposed location of the pedestrian plaza does not comply with zoning requirements. In the proposed non-complying location the plan shows the following dimensions and uses that are also non-compliant:

1. **ZBL Section 5.6.3.2(b) requires** *"At least one of the pedestrian plazas shall measure 1,500 square feet or more with a minimum side dimension of 20 feet."*

   Main Street is a Town owned street. The Applicant proposes a portion of the pedestrian plaza within the Town's right of way in order to meet the 20-foot required width. The portion within the lot is only 18 ½-feet wide. A public street cannot be used to meet the dimensional requirements of this Section of the Bylaw. In any case, as stated above the location of the pedestrian plaza does not comply with the zoning bylaw.

2. **ZBL Section 5.6.3.2 (a) requires** *"The pedestrian plaza shall be an area at the STREET level in front of a building, on the side of a BUILDING, or in between BUILDINGS, which is to be used exclusively by pedestrians and connects to the sidewalk."*

   The pedestrian plaza is proposed in the same location as a newly permitted and erected freestanding Kmart sign. The pedestrian plaza

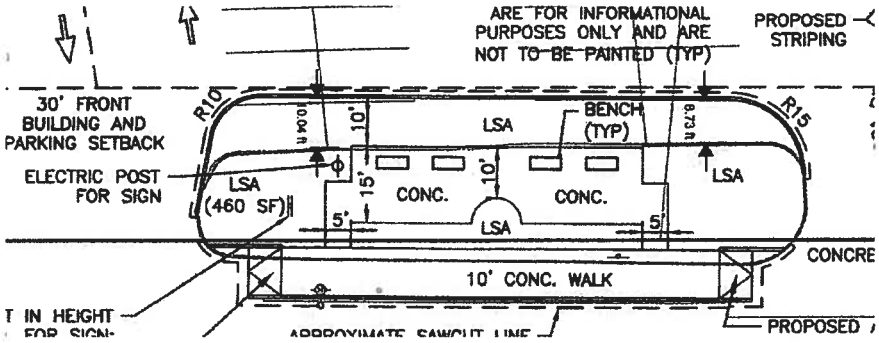
should be modified so that it is separate from and does not interfere with the freestanding sign and its required landscaped area.

The Applicant suggests that the landscape area requirements for the freestanding sign are met by placing it within the pedestrian plaza.

Pedestrian plazas are to ***"be used exclusively by pedestrians."*** The freestanding Kmart sign cannot be located within the pedestrian plaza. The freestanding sign serves vehicular traffic – NOT pedestrians. As proposed the location of the Kmart sign and associated landscaped area renders an entire area within the pedestrian plaza unusable. An example of an allowed sign that does serve pedestrians would be a kiosk or community bulletin board, where a pedestrian can walk up to the sign and use it accordingly. Pedestrian Plazas contain landscaping elements that provide buffers and shade for its users; this is not the same as a landscaped area required for a freestanding sign or other landscape area requirements of the bylaw. The Planning Department looked closely at this issue again and maintains our position that a freestanding sign cannot be placed within a pedestrian plaza. In any case, as stated above the location of the pedestrian plaza does not comply with the zoning bylaw.

3. **<u>Parking Requirements</u>**

a. **Perimeter Landscaping – ZBL Section 6.7.6** [(2)] requires a minimum 10-foot wide perimeter landscape buffer for parking lots. The perimeter landscape between the parking lot and the pedestrian plaza is not 10-feet wide in all locations boarding the parking lot cells. The landscape buffer is visibly narrower on the northerly side (+/-8.8 feet), please see dimensions below. In any case, as stated above the location of the pedestrian plaza does not comply with the zoning bylaw.



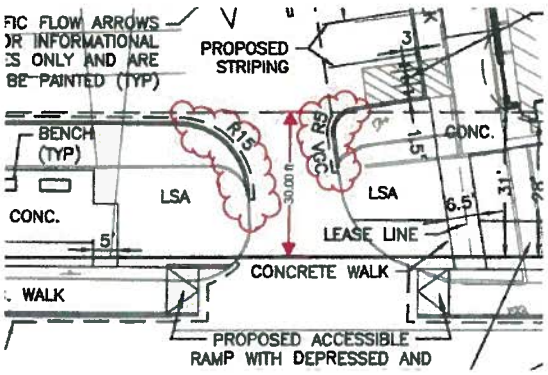
b. **Access Driveways** – The Site has two access drives on Main Street, which are pre-existing non-conforming. Under the applicable Zoning Bylaw Section this LOT is entitled to one access driveway through its frontage on Main Street [3]. ZBL S. 10.4.6 charges the Board of Selectmen as Site Plan Special Permit Granting Authority to require any reconstruction as well as improvements to the site to comply with the currently applicable standards of the Bylaw to the extent practicable [4]. The Applicant contends they are no longer modifying the northerly access drive and therefore does not need to close the access drive.

Zoning Bylaw Section 6.1.1 defines ACCESS Driveway as:

"ACCESS Driveway –The travel lane that allows motor vehicles ingress from the STREET and egress from the site and includes the area between the edge of STREET pavement to the

area within the LOT where the ACCESS driveway is no longer within the minimum parking area setback required under Section 6.7.2."

The minimum parking area setback is 30 feet; the access driveway extends from the property line 30 feet back. The Applicant is still modifying the access drive within this area by altering the drive and curbing and therefore should comply (see excerpt of plan below). This site has two wide access drives on Main Street and one wide access drive on Massachusetts Avenue. Closing one of the two Main Street access drives leaves is more than practical for the site to property function. The Planning Department maintains its recommendation that the Board of Selectmen require pursuant to ZBL s. 10.4.6 that the site be brought into compliance by removing the north access drive off Main Street. Even if the Applicant proposed no modifications to the access drive, significant reconstruction and improvements are being made on the site and under ZBL S. 10.4.6 the Board is charged with bringing the site into compliance to the extent practicable.



4. **Building Design -**

   a. **ZBL Section 5.6.3.4 (n)** requires that *"Roofs shall be gabled with a minimum pitch of 9/12 (9" vertical for every 12" horizontal) and have overhanging eaves of at least one foot. Two or three story BUILDINGS, or two or three story portions of a BUILDING, may have a flat roof provided that the tops of the BUILDING front facades are treated with an articulated cornice, dormers, or other architectural treatment that appears an integral part of the BUILDING from all visible sides of the BUILDING."*

   The Applicant states that, "The building design as revised complies with ZBL S. 5.6.4.3(n)." Without a floor plan of the second story portion of the building we cannot confirm this area of the building complies with ZBL S. 5.6.3.4(n).

Our original comments are attached for your reference. As noted above, the plan still contains significant non-compliance issues. This is our last review until the January 25, 2016 continued hearing.

cc: Engineering Department
Health Department

---

[1] 5.6.1 Purpose – In the Kelley's Corner District, the principal goal guiding the regulations set forth herein is to sustain and encourage a vital business center that provides needed goods, services, jobs and increased tax revenues in a manner that is compatible with Acton's historic development pattern and establishes pedestrian accessibility and circulation throughout the Kelley's Corner area. These regulations will provide clear guidance to those who would like to expand or locate businesses in the Kelley's Corner District. They will ensure that future development will help create the form, cohesion, order, and supporting infrastructure that will identify the Kelley's Corner District as an attractive, pleasant, and desirable center for business, shopping and other commercial and community activities.

Pedestrian access and circulation are favored in order to limit vehicular congestion and air pollution. Adjacent residential neighborhoods will be connected to the Kelley's Corner District via pedestrian ways but are otherwise separated with landscape buffers. In order to support the growth and vitality of the center, higher density developments are required to contribute to a fund for the construction of a centralized wastewater collection and treatment system serving the Kelley's Corner District and surrounding areas. The regulations are intended to implement the Kelley's Corner Plan as amended.

It is widely recognized that the mere provision of sidewalks and crosswalks will not encourage pedestrian use of a commercial area unless the layout and design of the sites and BUILDINGS are also conducive to pedestrian use. The leading design principles are therefore to provide convenient and efficient pedestrian access within the Kelley's Corner District and to surrounding neighborhoods and facilities, to provide a safe and comfortable pedestrian environment with walkways, pedestrian conveniences and amenities, and to encourage BUILDINGS with a pedestrian oriented scale and design.

[2] Zoning Bylaw Section "6.7.6 Perimeter Landscaping
Requirements – All parking lots/cells with more than five (5) spaces and all loading areas shall be bordered on all sides with a minimum of a ten (10) foot wide buffer strip on which shall be located and maintained appropriate landscaping of suitable type, density and height to effectively screen the parking area. The perimeter landscaping requirements shall be in addition to any minimum OPEN SPACE or landscaped buffer area required elsewhere in this Bylaw. However, where the minimum required front, side or rear yard is less than forty (40) feet, the landscaped buffer areas required in Section 10.4.3.6 and the areas required for perimeter landscaping may overlap. In such instances, the landscaping requirements of Sections 10.4.3.6 and 6.7.8 shall be applied in a manner that will, in the opinion of the Special Permit Granting Authority (if the parking area is related to a permitted USE for which a site plan or other special permit is required) or the Zoning Enforcement Officer (for other parking areas), provide a landscaped buffer as effective as it would be achieved through the separate implementation of the requirements of Sections 10.4.3.6 and 6.7.8."

[3] "ACCESS Driveways – Each LOT may have one ACCESS driveway through its FRONTAGE which shall be 24 feet wide, unless, in the opinion of the Special Permit Granting Authority (if the parking area is related to a permitted USE for which a site plan or other special permit is required) or the Zoning Enforcement Officer (for other parking areas), a wider and/or greater number of ACCESS driveways is necessary to provide adequate area for safe vehicular turning movements and circulation. An ACCESS driveway for one-way traffic only may be a minimum of 14 feet wide. There shall be no more than one additional ACCESS driveway for each 200 feet of FRONTAGE and all such additional ACCESS driveway(s) shall be at least 200 feet apart on the LOT measured from the centerline of each ACCESS driveway."

[4] Zoning Bylaw Section "10.4.6 - When granting a Site Plan Special Permit or when approving an amendment thereto, the Board of Selectmen shall require, and in reviewing an application for a building permit, the Zoning Enforcement Officer shall require that any repair, replacement, or reconstruction of improvements to the site, including but not limited to, drainage, exterior lighting, landscaping, pedestrian and vehicular circulation or parking facilities, required or approved by the Site Plan Special Permit, shall, to the extent practicable, comply with the currently applicable standards of this Bylaw, whether or not such repair, replacement or reconstruction requires a new Site Plan Special Permit. When evaluating an application for such repair, replacement, or reconstruction of existing facilities, the Board of Selectmen or the Zoning Enforcement Officer shall consider the practicability of compliance with currently applicable standards in light of the existing site configuration, and the cost of compliance compared to the increase in public safety or convenience achieved thereby."

Kim Gorman

From: Kate Chung [chungwkate@gmail.com]
Sent: Friday, December 11, 2015 9:09 PM
To: Kim Gorman; Sidewalk Committee
Subject: Re: 252-256 Main Street - Site Plan Special Permit Application - 3rd REVISION - Comments

Hi Kim -
For 252-256 Main Street, the Sidewalk Committee would love to see a bio swale or landscaped buffer (such as native grass and shade trees) between the sidewalk and the street.
Thanks,
Kate Chung
Acton Sidewalk Committee

On Fri, Dec 4, 2015 at 1:47 PM, Kim Gorman <kgorman@acton-ma.gov> wrote:

Hello everyone,

The applicant has submitted revisions on 12/3/2015.

I have placed them in a revised plans folder (Revisions submitted on 12/3/2015) within the same link - http://doc.acton-ma.gov/dsweb/View/Collection-7008

-

If you have not commented yet, please email your questions or comments if any to the Planning Department – planning@acton-ma.gov.

Thank you!

Kim

From: Kim Gorman
Sent: Tuesday, November 10, 2015 10:52 AM
To: Building Department; Planning Department; Engineering Department; Patrick Futterer; Robert Hart; Health Department; Natural Resources Department; Sidewalk Committee; Chris Allen; Design Review Board; Economic Development Committee; Transportation Advisory Committee
Cc: Lisa Tomyl
Subject: RE: 252-256 Main Street - Site Plan Special Permit Application - REVISIONS - Comments
Importance: High

Hello everyone,

The applicant has submitted revisions on 11/5/2015.

Please email your questions or comments if any to the Planning Department – planning@acton-ma.gov no later than Tuesday, December 1, 2015.

I have placed them in a revised plans folder (Revisions submitted on 11/5/2015) within the same link - http://doc.acton-ma.gov/dsweb/View/Collection-7008

Thank you!

Kim

From: Kim Gorman
Sent: Thursday, October 22, 2015 4:01 PM
To: Building Department; Planning Department; Engineering Department; Patrick Futterer; Robert Hart; Health Department; Natural Resources Department; Sidewalk Committee; Chris Allen; Design Review Board; Economic Development Committee; Transportation Advisory Committee
Cc: Lisa Tomyl
Subject: RE: 252-256 Main Street - Site Plan Special Permit Application - Comments

Hello everyone,

If you have not commented yet, the application has sent revised plans.

I have placed them in a revised plans folder within the same link below.

Thank you!

Kim

From: Kim Gorman
Sent: Friday, September 25, 2015 1:43 PM
To: Building Department; Planning Department; Engineering Department; Patrick Futterer; Robert Hart; Health

Department; Natural Resources Department; Sidewalk Committee; Chris Allen; Design Review Board; Economic Development Committee; Transportation Advisory Committee
Cc: Lisa Tomyl
Subject: 252-256 Main Street - Site Plan Special Permit Application - Comments
Importance: High

Good afternoon,

I am in receipt of an application for a Site Plan Special Permit #SPSP 09/11/15-457 for 252-256 Main Street.

The location of the documents are within docushare, here is the link - http://doc.acton-ma.gov/dsweb/View/Collection-7008

The applicant is proposing development of a 6,020 +/- s.f. restaurant to be located on a portion of the property know as 252-256 Main Street (formerly McDonald's restaurant), to raise the existing structure and to construct a new 110 Grill Restaurant containing 189 indoor seats and 51 seasonal patio seats.

Please email your questions or comments if any to the Planning Department – planning@acton-ma.gov no later than Friday, October 23, 2015.

Thank you!

Sincerely,

Kim Gorman

Secretary

Acton Planning Department

472 Main Street
Acton, MA 01720

kgorman@acton-ma.gov

978-929-6631