



Planning Department

**TOWN OF ACTON**  
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**MEMORANDUM**

**To:** Board of Selectmen

**Date:** August 3, 2016

**From:** Planning Department

*R. B.*

**Subject:** Amendment to Site Development Plan #2/1/80-180

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**Overview**

Attached for your consideration is a draft decision for a Site Plan Special Permit Amendment request for the property located at 178 Great Road. On June 6, 2016, the Zoning Board of Appeals voted unanimously to grant a special permit for the horizontal extension of one of the existing buildings on the site along the southern property line and eastern property line along Great Road within the dimensions of the existing non-conforming side and front setback, as described in Decision #16-03. The special permit was granted pursuant to Zoning Bylaw section 8.3.3 following a public hearing. Another building on the site would be demolished.

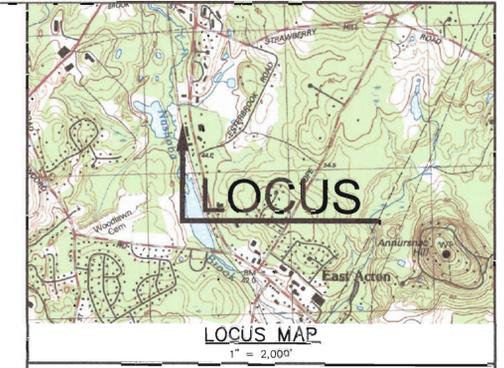
For the ZBA Special Permit, the DRB and all relevant Town departments reviewed the application and plans and made recommendations for the ZBA's consideration. The site plan special permit amendment request is for the same plan.

The proposed changes, as approved by ZBA Decision #16-03, do not require a new Site Plan Special Permit under 10.4.1.2 of the Zoning Bylaw. The proposed building addition does not increase the net floor area of the existing buildings by more than 1,200 square feet. The proposed site plan modifications, which include the removal of two existing bituminous concrete parking lots and reduce total parking spaces from 23 to 7, will result in less total impervious surface area than currently exists.

The original Site Plan Special Permit Decision #2/1/80-180 stipulates that "any changes in this plan shall be approved in writing by the Board of Selectmen prior to actual construction."

**Recommendation**

Typically minor amendments of this nature can be handled as a consent agenda item at a regular Board of Selectmen meeting. The Planning Department recommends approval of the attached draft decision.



**ELEVATION DATUM**  
 DATUM: NAVD 1988

**SITE STATISTICS:**  
 LOT AREA: 23,245 S.F.  
 WATER SUPPLY: MUNICIPAL  
 SEWAGE DISPOSAL: ONSITE SEWAGE DISPOSAL SYSTEM  
 DEVELOPABLE SITE AREA: 22,107 S.F. (LOT AREA - FLOOD PLAIN)  
 FLOOR AREA RATIO (FAR): 0.19 (DATA PROVIDED BY ARCHITECT)  
 OPEN SPACE: 50% OF 23,245 S.F. = 11,622.5 S.F.  
 12,792 S.F. (55%) PROVIDED

**REFERENCES**  
 1. DEED RECORDED IN BOOK 50618, PAGE 265, M.S.D.R.D.  
 2. 1940 STATE HIGHWAY ALTERATION  
 3. PLAN RECORDED AS PLAN #498 OF 1949  
 4. PLAN RECORDED AS PLAN #916 OF 1967  
 5. "ALPHA CARS SITE PLAN" PREPARED BY YM DESIGN, INC. DATED APRIL 20, 2016.  
 6. "ZONING BOARD OF APPEALS PLAN" PREPARED BY GOLDSMITH, PREST AND RINGWALL, INC. PREPARED FOR DMITRY BYHOVOSKY, DATED: JUNE 3, 2016.

**ASSESSORS REFERENCE:**  
 ASSESSORS PROPERTY ID F4-10

**EXISTING CONDITIONS NOTES:**  
 1. EXISTING CONDITION INFORMATION BASED ON AN ON-THE-GROUND TOPOGRAPHIC AND BOUNDARY SURVEY PERFORMED BY GOLDSMITH, PREST & RINGWALL, INC. DURING APRIL 2016.  
 2. WET FLAG "A&B" SERIES HAVE BEEN DELINEATED BY THIS OFFICE. WF-W-200 SERIES FLAGS FROM BRUCE FREEMAN RAIL TRAIL PHASE 2A BY GREENMAN-PEDERSEN, INC SHEET 43A OF 159. PROJECT FIVE 604532. MAY 20, 2014.  
 3. THE PURPOSE OF THIS PLAN IS TO ACCOMPANY AN APPLICATION TO THE NATURAL RESOURCE DEPARTMENT.

**DRAWING ISSUED FOR:**

CONCEPT     CONSTRUCTION  
 PERMIT         CONSTRUCTION RECORD

THIS DRAWING MAY NOT SHOW CONSTRUCTION DETAILS AND SPECIFICATIONS FOR ALL PROPOSED IMPROVEMENTS, AND MAY NOT IDENTIFY ALL CONSTRUCTION WORK ITEMS/AREAS OF CONTRACTOR JURISDICTION.

PER 250 CMR 5.03(13), THE FOLLOWING ARE EXCLUDED FROM THE PROFESSIONAL ENGINEER'S RESPONSIBILITY: ALL BOUNDARY INFORMATION; LOCATION OF EXISTING STRUCTURES, TREES, UTILITIES, TOPOGRAPHY OR SIMILAR FEATURES; DESIGN OF RETAINING WALLS HIGHER THAN 4 FEET ABOVE GRADE, PROPRIETARY EQUIPMENT. SEE EXISTING CONDITION NOTES.

NO.	DATE	BY	APP.	REVISION DESCRIPTION

**GPR** Engineering Solutions for Land & Structures

**GOLDSMITH, PREST & RINGWALL, INC.**  
 38 MAIN STREET, SUITE 301, AYER, MA 01432  
 CIVIL ENGINEERING • LAND SURVEYING • LAND PLANNING  
 VOICE: 978.772.1596 FAX: 978.772.1591  
 www.gpr-inc.com

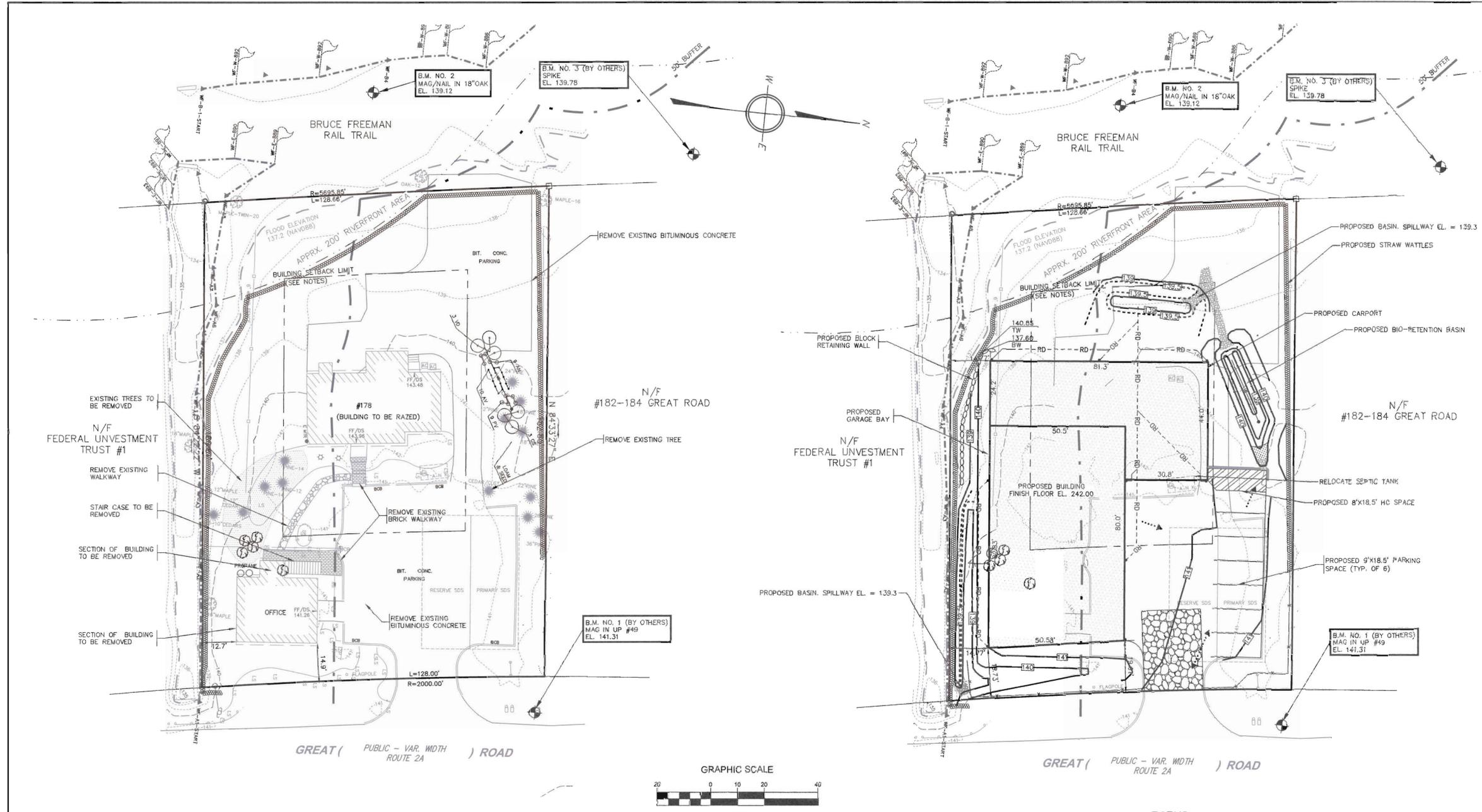
**COMMERCIAL DEVELOPMENT**

**EXISTING CONDITIONS/DEMO PLAN & PROPOSED SITE PLAN**

**ALPHA CARS**  
 178 GREAT ROAD  
 ACTON MA, 01720

PREPARED FOR:  
 178 GREAT RD., ACTON LLC  
 649 MASSACHUSETTS AVE.  
 BOYBOROUGH, MA 01719

DES. BY: JEG    DATE: JULY 2016    JOB: 161025    1 OF 3  
 CHK. BY: BDR



**EXISTING CONDITION/DEMOLITION PLAN**  
**ZONING SUMMARY**

Parameter	Section [1]	Requirement	Remarks
Zoning District	Section 3.1	LB	Limited Business
Overlay District	Section 4.1 Section 4.3.2.3 Section 5.4	Floodplain District [see below] Groundwater District 3 Transfer of Development Rights	Within mapped Zone AE See Note [2] Sending district
Proposed Use	Section 3.1	3.5.22	Vehicle Sale and Rental
Lot Area	Section 5.1	20,003 SF	See Note [3]
Frontage	Section 5.1	200 LF	See Note [4]
Lot Width	Section 5.1	50 FT	
Yard	Section 5.1 Table		
Front		75 FT	See Note [5]
Side		30 FT	
Rear		30 FT	
Building Height	Section 5.1	36 FT	
Floor Area Ratio	Section 5.1	0.20	See Note [6]
Open Space	Section 5.1	50%	
Parking	Section 6	One space per 600 SF NFA	Section 6.3.1.8
Driveways and Entrances	Section 6		
Wetlands Setback	Acton Wetland	Bylaw and Regulations	See Note [7]
MDEP Riverfront Area	possible Riverfront		checking on location
FEMA Floodplain	25017C0356F	2014 FEMA Flood Zone 100 year	
Zone 1 Protective Radius	N/A		none on site
Mapped Zone 2	N/A		none on site
IMPA	N/A		none on site

**LEGEND**

	ELEVATION CONTOUR		PROPOSED SPOT GRADE
	PROPERTY LINE		FLOODPLAIN
	WETLAND DELINEATION		WETLAND BUFFER ZONE
	SHORELINE		100-YEAR FLOODPLAIN LIMIT
	TREE LINE / EDGE OF VEGETATION		EDGE OF PAVEMENT
	CAPE COD BERM CURBING		GRANITE CURBING
	GRAVEL/DIRT ROAD		SILT FENCE BARRIER

**GRAPHIC SCALE**  
 (IN FEET)  
 1 INCH = 20 FEET

ce to section of Zoning Bylaw, where applicable.  
 5.4.2.2 Establishes LB as a sending District.  
 10.3.4.7 Developable Site Area = Lot area less wetlands, Flood plain, any other zoning district which the principal use is a non conforming lot due to lack of required frontage (128).  
 5.1 Footnote (6). The front yard may be reduced to 20% of the lot depth but not less than 36 FT. (64.55)  
 5.1 Footnote (4) Subject to Section 5.4. Parking limits the building size base on 5.4.2.2 for new construction.  
 3.2 local regulations require 50 ft setback of undisturbed natural vegetation and 75 ft setback for driveways, roadways res. Section 3.3 Work for pre existing structures or activities not presently in compliance with 3.2 may not increase the non-conformance of those structures or activities. See bylaw.

**NOTES:**  
 feet; CF=cubic feet; FT=feet; GFA=gross floor area; AC=acres; PB=Planning Board; ZBA=Zoning Board of Appeals;  
 im wetland protection area; ACEC=Area of Critical Environmental Concern; FIRN=Flood Insurance Rate Map;  
 ssachusetts Dept of Environmental Protection

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© COPYRIGHT: GOLDSMITH, PREST & RINGWALL, INC.

# EROSION AND SEDIMENT CONTROL REQUIREMENTS

## PART 1 - GENERAL

- 1.01 SUMMARY
- FURNISH, INSTALL, AND MAINTAIN TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL MEASURES, SUCH AS, BUT NOT NECESSARILY LIMITED TO, STRAW WATTLES, HAY BALE AND SILT FENCE BARRIERS, RIPRAP, DIVERSION CHANNELS AND BERMS, CHECK DAMS, STRATEGICALLY LOCATED STOCKPILES, SEDIMENT BASINS, MULCH, AND SEED MIX (HEREINAFTER "CONTROL MEASURES") ADEQUATE TO PREVENT THE CONVEYANCE OF EROSION PRODUCTS (E.G. SOIL, MULCH, SOD) OFF SITE, OR INTO ENVIRONMENTALLY SENSITIVE AREAS, OR INTO AREAS WHERE WORK WILL BE ADVERSELY IMPACTED. ENVIRONMENTALLY SENSITIVE AREAS INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, WETLANDS, TRIBUTARIES TO WETLANDS, WETLAND BUFFER ZONES, INTERMITTENT AND PERENNIAL STREAMS / RIVERS, AND THEIR ATTENDANT BUFFER ZONES:
    - REFER TO DRAWINGS FOR LOCATION AND DETAILS OF CONTROL MEASURES REQUIRED TO COMMENCE WORK. THESE CONTROL MEASURES WILL BE ADEQUATE ONLY FOR VEGETATION CLEARING. THE DRAWINGS ARE NOT INTENDED TO GRAPHICALLY DEPICT ALL CONTROL MEASURES THAT WILL BE REQUIRED TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A.
    - DEVELOP AND EMPLOY CONTROL MEASURES THROUGHOUT THE DURATION OF PROJECT, OVER ALL AREAS DISTURBED OR UNDISTURBED BY CONSTRUCTION, AS NECESSARY TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A.
    - DEVELOP AND EMPLOY TEMPORARY CONTROL MEASURES AS NECESSARY TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A. WHILE ALLOWING WORK TO PROCEED IN AN EFFICIENT, COST EFFECTIVE MANNER.
    - DEVELOP, EMPLOY AND MAINTAIN CONTROL MEASURES UNTIL SUCH TIME AS THE ENTIRE SITE IS PERMANENTLY STABILIZED BY ESTABLISHED VEGETATION, FINISH LANDSCAPE MATERIALS, PAVED SURFACES, AND/OR ROOF AREA.
    - ONCE THE SITE IS PERMANENTLY STABILIZED AND CERTIFIED AS SUCH BY ENGINEER, REMOVE TEMPORARY CONTROL MEASURES WHILE PROTECTING STABILIZED SURFACES.

- 1.02 SUBMITTALS
- SUBMIT PRODUCT DATA, WARRANTY, AND TEST REPORTS AS INDICATED ON THE DRAWINGS.

## 1.03 QUALITY ASSURANCE

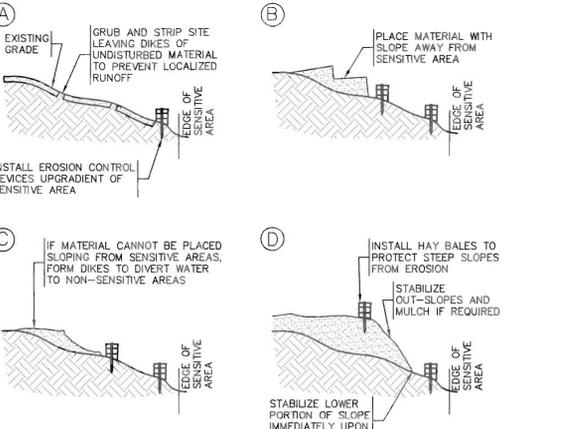
- COMPLY WITH GOVERNING CODES AND REGULATIONS. PROVIDE PRODUCTS FROM ACCEPTABLE MANUFACTURERS. USE EXPERIENCED INSTALLERS. DELIVER, HANDLE, AND STORE MATERIALS IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.
- CONFORM TO CONDITIONS OF APPROVAL ISSUED BY REGULATORY AGENCIES INCLUDING, BUT NOT NECESSARILY LIMITED TO, LOCAL PLANNING BOARD, CONSERVATION COMMISSION, BOARD OF SELECTMEN, BOARD OF HEALTH, PUBLIC WORKS / HIGHWAY DEPARTMENT, STATE ENVIRONMENTAL PROTECTION DEPARTMENT, AND U.S. GOVERNMENT, ENVIRONMENTAL PROTECTION AGENCY. WHERE CONDITIONS OF REGULATORY APPROVAL DIFFER FROM REQUIREMENTS CONTAINED HEREIN OR ON THE DRAWINGS, COMPLY WITH THE MORE STRINGENT REQUIREMENT.

## PART 2 - PRODUCTS

- 2.01 MATERIALS
- STRAW WATTLES: RECYCLED, COMPRESSED AGRICULTURAL STRAW, WRAPPED IN PHOTODEGRADABLE BLACK SYNTHETIC NETTING, 9-INCH DIAMETER, 25-FOOT LENGTHS OR 12-INCH 10-FOOT LENGTHS.
  - HAY BALES: DRY GRASS OR STRAW, MACHINE BOUND WITH JUTE OR WIRE, APPROXIMATE SIZE EACH BALE 42" X 16" X 16".
  - SILT FENCE: NON-WOVEN, UV-RESISTANT, POLYPROPYLENE FABRIC, FLOW RATED AT 10 GPM/SF MINIMUM, GRAB TENSILE RATED AT 124 POUNDS MINIMUM, WITH INTEGRAL STAKE LOOPS, AND HARDWOOD STAKES. USE NO. 2130 BY AMOCO FABRICS & FIBERS, OR APPROVED EQUAL.
  - MULCH: ORGANICS INCLUDING HAY, PROCESSED PINE / HEMLOCK TWIGS AND NEEDLES.
  - SEED MIXES: PERENNIAL RYEGRASS, KENTUCKY BLUEGRASS, AND / OR FINE FESCUE, DISEASE RESISTANT. NON-MAINTAINED AREA OPTION - ANNUAL RYEGRASS COMBINED WITH MEDIUM RED CLOVER.
  - EXCELSIOR BLANKET: CURLED WOOD FIBER ON PHOTODEGRADABLE EXTRUDED PLASTIC MATRIX, 80% OF FIBERS 6-INCHES LONG OR LONGER, WEIGHT 0.975 POUNDS / SY, CONTAINING NO CHEMICAL ADDITIVES. USE CURLEX I BLANKET BY AMERICAN EXCELSIOR COMPANY, OR APPROVED EQUAL.
  - ROCK RIPRAP: SOUND, ANGULAR, 6-INCH MINUS PROCESSED ROCK, BLAST ROCK, OR TAILINGS. CRUSHED STONE: SOUND, ANGULAR, 2-INCH MINUS PROCESSED CRUSHED STONE.

## PART 3 - EXECUTION

- 3.01 THROUGHOUT CONSTRUCTION
- DEVELOP WORK SEQUENCE SO AS TO LIMIT DRAINAGE AREA THAT IS TRIBUTARY TO DISTURBED AREAS. DEVELOP, EMPLOY, AND MAINTAIN CONTROL MEASURES SUCH AS DIVERSION CHANNELS AND BERMS, STRATEGICALLY LOCATED STOCKPILES, AND SEDIMENT BASINS TO SUBDIVIDE DRAINAGE AREAS INTO SMALL, MANAGEABLE SUBAREAS, THEREBY MINIMIZING RUNOFF AND THE POTENTIAL FOR EROSION.
  - MAINTAIN BARRIER AT LIMIT OF WORK AND PROTECT EXISTING VEGETATION / FACILITIES OUTSIDE OF LIMIT OF WORK.
  - MAINTAIN SPARE MATERIAL STOCKPILES FOR IMMEDIATE EMPLOYMENT / REPAIR / EXPANSION OF CONTROL MEASURES. AT A MINIMUM, SUCH MATERIALS SHALL INCLUDE HAY BALES, SILT FENCE AND STAKES, AND CRUSHED STONE.
  - INSPECT AND MAINTAIN EFFECTIVENESS OF CONTROL MEASURES BY REPAIRING AS NECESSARY TO ENSURE INTENDED FUNCTION; BY SUPPLEMENTING AS NECESSARY FOR ADEQUATE EXTENT; BY REMOVING TRAPPED PRODUCTS OF EROSION AS NECESSARY TO MAINTAIN EFFECTIVE TRAP VOLUME.
  - LIMIT EXTENT OF WORK AREA SO THAT ALL DISTURBED AREAS CAN BE STABILIZED WITH CONTROL MEASURES WITHIN A 24-HOUR PERIOD.
  - INSTALL CONTROL MEASURES AS SOON AS PRACTICABLE AFTER EACH MANAGEABLE PORTION OF EARTHWORK IS COMPLETE. EMPLOY TEMPORARY MEASURES AS NECESSARY TO STABILIZE DISTURBED AREAS, EVEN WHERE SUBSEQUENT CONSTRUCTION OPERATIONS MAY REQUIRE RE-DISTURBANCE. WHEN INTENSE RAINFALL IS EXPECTED, CONSIDER, DEVELOP, AND EMPLOY REINFORCING CONTROL MEASURES PRIOR TO THE RAINFALL EVENT TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A. IF NECESSARY, EMPLOY TEMPORARY CONTROL MEASURES ON MATERIAL STOCKPILES TO COUNTERACT POTENTIAL SEDIMENT TRANSPORT DURING INTENSE RAINFALL.
  - WHEN VEHICLE REFUELING IS REQUIRED ON SITE, CONDUCT REFUELING OPERATIONS OUTSIDE OF ENVIRONMENTALLY SENSITIVE AREAS.
  - PROPERLY DISPOSE OF DEBRIS, SOLID WASTE, TRASH, AND CONSTRUCTION WASTE / BYPRODUCTS OFF SITE.
  - SWEEP ON-SITE PAVED AREAS AND OFF-SITE STREETS AS NECESSARY TO PREVENT SILT AND DEBRIS ORIGINATING ON SITE FROM ENTERING CLOSED DRAINAGE SYSTEMS AND / OR ENVIRONMENTALLY SENSITIVE AREAS.
- 3.02 SITE PREPARATION AND ACCESS
- WALK SITE AND IDENTIFY LOCATIONS OF LIMIT OF WORK AND ENVIRONMENTALLY SENSITIVE AREAS. ESTABLISH CONSTRUCTION STAGING AREA, LOCATED BEYOND ENVIRONMENTALLY SENSITIVE AREAS.
  - INSTALL CONTROL MEASURES AS SHOWN ON THE DRAWINGS, INCLUDING THOSE DEFINING THE LIMIT OF WORK.
  - LIMIT VEHICULAR TRAFFIC TO AND FROM SITE TO MINIMIZE TRANSPORT OF SEDIMENT.



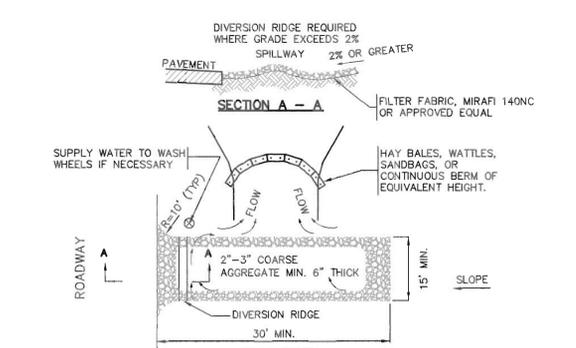
**FILL PROCEDURE**  
SLOPE PROFILES NOT TO SCALE  
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- 3.03 CLEARING, GRUBBING, AND STRIPPING
- SCHEDULE GRUBBING AND STRIPPING TO OCCUR IMMEDIATELY PRIOR TO EARTH DISTURBANCE. DEPENDING ON SITE AREA, CONSIDER MULTIPLE GRUBBING PHASES, SEQUENCED TO TAKE ADVANTAGE OF THE EROSION PREVENTION POTENTIAL OF EXISTING VEGETATIVE COVER.
  - MINIMIZE THE AREA OF EXISTING VEGETATION REMOVED WHEREVER POSSIBLE.
  - LOCATE AND SIZE STOCKPILES TO MINIMIZE EROSION POTENTIAL, TAKING ADVANTAGE OF TERRAIN SLOPE AND ASPECT, WHERE APPROPRIATE.
  - PROTECT VEGETATION, INCLUDING ROOT SYSTEMS, BEYOND LIMIT OF CLEARING.
  - PROCESS TIMBER, STUMPS, SLASH, AND BRUSH SO AS TO PROTECT ENVIRONMENTALLY SENSITIVE AREAS AND INSTALLED CONTROL MEASURES. PROPERLY DISPOSE OF EXCESS OFF SITE. BURIAL OF STUMPS ON SITE IS PROHIBITED.
- 3.04 EXCAVATION FOR BUILDING FOUNDATIONS AND UTILITIES
- DEVELOP AND INSTALL CONTROL MEASURES ADEQUATE TO HANDLE DISCHARGES AND TRAP SEDIMENT FROM FOOTING SUMP AND WELL POINT PUMPS PRIOR TO EXCAVATION.
  - ARMOR SUMP PUMP DISCHARGE LOCATIONS TO PREVENT EROSION AT POINT OF DISCHARGE AND AREAS DOWNSTREAM.
  - IF FOUNDATION EXCAVATIONS GRADE TO DAYLIGHT ON THE LOW SIDE, DEVELOP AND INSTALL CONTROL MEASURES TO HANDLE SURFACE AND GROUNDWATER FLOW FROM EXCAVATION LOW POINT.
  - STOCKPILE EXCAVATED MATERIALS TO BAFFLE OVERLAND RUNOFF, AVOIDING THE CREATION OF LENGTHY PATHS OF CONCENTRATED RUNOFF.
  - BACKFILL UTILITY TRENCHES AS SOON AS PRACTICABLE TO PREVENT FLOODING, SLOUGHING, POTENTIAL OVERFLOW, AND REPETITIVE EARTH DISTURBANCE.

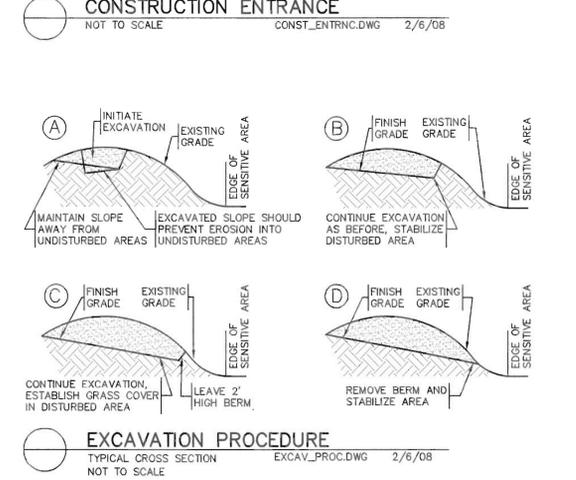
- 3.05 SITE GRADING
- WHERE APPLICABLE, FOLLOW EXCAVATION AND FILL PRACTICES SHOWN ON DRAWINGS TO LOCALIZE AND MINIMIZE EROSION.
  - MONITOR SEDIMENT VOLUME IN TEMPORARY SEDIMENT BASINS AND AT DIVERSION BERMS AND CHECK DAMS. IN ALL AREAS EXCEPT THOSE THAT DO NOT PRESENT POTENTIAL PROBLEMS WITH REGARD TO FUTURE SOIL STABILITY, DRAINAGE, OR BEARING CAPACITY, REMOVE AND PROPERLY DISPOSE OF TRAPPED SEDIMENT BEFORE BRINGING SITE TO FINAL SUBGRADE.

- 3.06 STORMWATER MANAGEMENT SYSTEM
- THE STORMWATER MANAGEMENT SYSTEM INCLUDES, BUT IS NOT NECESSARILY LIMITED TO, ALL PERMANENT DETENTION / RETENTION BASINS, DISCHARGE STRUCTURES / WEIRS, CULVERTS, OPEN CHANNELS, CURBS, GUTTERS, PAVED SWALES, CATCH BASINS, DRAIN MANHOLES, DRAINAGE PIPES, ROOF DRAIN MANHOLES, WATER QUALITY SWALES, SEPARATORS, AND SIMILAR STORMWATER RUNOFF CONVEYANCE, TREATMENT, AND STORAGE FACILITIES.
  - INSTALL STORMWATER MANAGEMENT SYSTEM COMPONENTS STARTING AT THE DOWNSTREAM END AND PROCEED UPSTREAM. WHERE POSSIBLE, COMPLETE INSTALLATION OF PERMANENT DETENTION / RETENTION BASINS PRIOR TO BEGINNING WORK ON UPSTREAM SYSTEM COMPONENTS.
  - INSTALL CONTROL MEASURES AT FINISHED UPSTREAM AND DOWNSTREAM PIPE ENDS AS SOON AS POSSIBLE AFTER COMPLETION OF PIPE RUN. SUCH MEASURES INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, RIPRAP, CHECK DAMS, HAY BALE / SILT FENCE BARRIERS, AND VELOCITY DISSIPATORS.
  - AT THE END OF EACH DAY OR WHEN RAINFALL IS EXPECTED, PLUG UPSTREAM END OF PIPES / DAM OPEN CHANNELS OR OTHERWISE REDIRECT POTENTIAL RUNOFF AND PREVENT FLOW FROM ENTERING PARTIALLY COMPLETED SYSTEM / SYSTEM COMPONENTS.
  - WHERE PORTIONS OF A NEW SYSTEM ARE TO BE ACTIVATED PRIOR TO COMPLETION OF THE ENTIRE SYSTEM, EMPLOY CONTROL MEASURES TO PREVENT SILT AND DEBRIS FROM ENTERING THE SYSTEM. EMPLOY SILT SACKS OR FABRIC ON CATCH BASIN INLETS, AND PIPE AND CULVERT OPENINGS. EMPLOY CHECK DAMS AND TEMPORARY SEDIMENT BASINS UPSTREAM OF AND ALONG OPEN CHANNELS, SWALES, AND DITCHES TO TRAP SEDIMENT UPGRADIENT OF ENVIRONMENTALLY SENSITIVE AREAS.
  - REMOVE TRAPPED SEDIMENT AND DEBRIS FROM ALL SYSTEM COMPONENTS AFTER COMPLETION OF INSTALLATION, AND AGAIN AFTER THE ENTIRE SITE IS PERMANENTLY STABILIZED BY ESTABLISHED VEGETATION, FINISH LANDSCAPE MATERIALS, PAVED SURFACES, AND/OR ROOF AREA. REMOVE TRAPPED SEDIMENT AND DEBRIS FROM DETENTION / RETENTION BASIN BOTTOMS SO THAT FINISH BOTTOM MATERIALS / INFILTRATION FUNCTION CONFORM TO DESIGN.

- 3.07 LANDSCAPING
- COMPLETE LANDSCAPING AS SOON AS POSSIBLE AFTER COMPLETION OF FINAL SUBGRADE.
  - IMMEDIATELY AFTER PLACEMENT OF TOPSOIL, STABILIZE WITH CONTROL MEASURES INCLUDING, BUT NOT NECESSARILY LIMITED TO, SEED MIX, MULCH, AND / OR BLANKET.



- NOTES:**
- THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
  - WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
  - WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.
  - USE SANDBAGS, HAY BALES OR OTHER APPROVED METHODS TO CHANNELIZE RUNOFF TO BASIN AS REQUIRED.



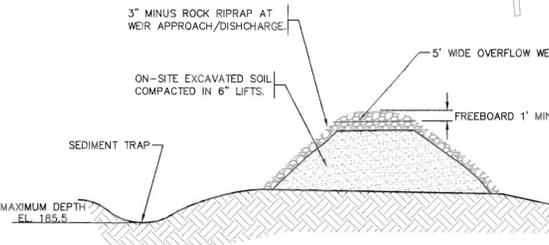
## GENERAL SEQUENCE OF CONSTRUCTION

IN AN EFFORT TO PROTECT ENVIRONMENTALLY SENSITIVE AREAS ON AND ADJACENT TO SITE, THE FOLLOWING PROCEDURE WILL SERVE AS A GUIDE TO THE CONTRACTOR IN COMPLETING SITE WORK:

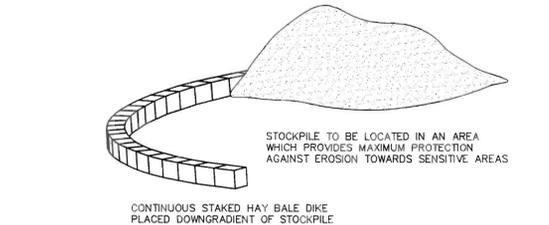
- BEFORE ANY GRADING ACTIVITIES BEGIN:**
- WALK SITE AND IDENTIFY LOCATIONS OF LIMIT OF WORK AND ENVIRONMENTALLY SENSITIVE AREAS. ESTABLISH A CONSTRUCTION STAGING AREA LOCATED BEYOND ENVIRONMENTALLY SENSITIVE AREAS.
  - DEFINE LIMITS OF CLEARING ASSOCIATED WITH CONSTRUCTION.
  - INSTALL EROSION CONTROL MEASURES AS SHOWN ON THE APPROVED PLAN AND AS DIRECTED BY ORDER OF CONDITIONS. PLACE REQUIRED SIGNAGE.

- SITE GRADING AND CONSTRUCTION:**
- REMOVE EXISTING STRUCTURES AND PARKING AREA;
  - BEGIN CLEARING AND GRUBBING OPERATIONS;
  - BEGIN SITE GRADING AND TOPSOIL STRIPPING;
  - ESTABLISH TOPSOIL STOCKPILE AREAS;
  - INSTALL STRAW WATTLES AROUND STOCKPILES;
  - DISTURBED AREAS WHERE CONSTRUCTION WILL CEASE FOR MORE THAN 14 DAYS WILL BE STABILIZED WITH EROSION CONTROLS;
  - ROUGH GRADE BUILDING PADS AND PARKING AREA;
  - INSTALL BUILDING FOUNDATION AND PARKING AREA;
  - PLACE GRAVEL OF PARKING AREA PAVEMENT;
  - CONSTRUCT BUILDING;
  - CONSTRUCT BIORETENTION AREA, INSTALL TEMPORARY EROSION CONTROL AS NECESSARY TO PROTECT SOIL MEDIA WITHIN BIORETENTION AREA UNTIL FINAL STABILIZATION;
  - PLACE PARKING AREA BINDER, CURBING AND FINAL ASPHALT.

- FINAL STABILIZATION:**
- COMPLETE FINAL GRADING;
  - PREPARE SITE FOR FINAL SEEDING AND LANDSCAPING;
  - HYDRO-SEED AND PLANT LANDSCAPING AS SHOWN AROUND PARKING AREA AND WITHIN BIORETENTION AREA;
  - MONITOR STABILIZED AREAS UNTIL FINAL STABILIZATION IS ACHIEVED. RE-SEED EXPOSED SOILS;
  - REMOVE ALL EROSION CONTROL MEASURES AND SIGNS. SWEEP PAVED AREAS;
  - STRIP PAVEMENT MARKINGS AS SHOWN ON APPROVED PLANS.

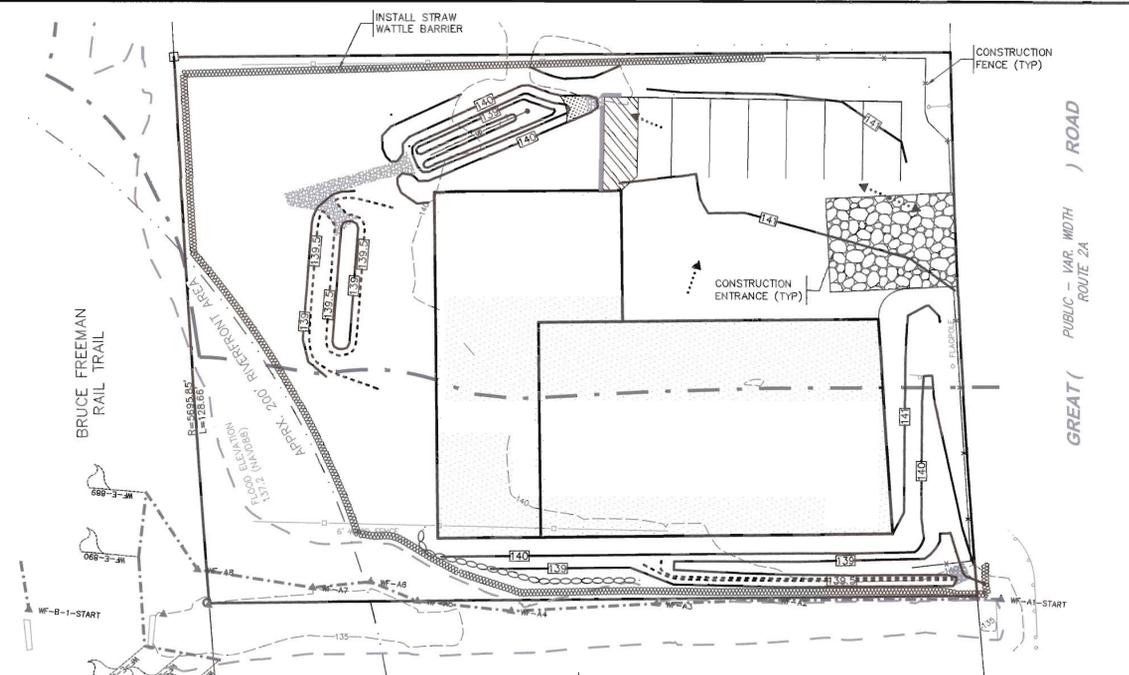


**TEMPORARY SEDIMENT BASIN**  
TYPICAL CROSS SECTION NOT TO SCALE  
TEMP\_SED\_BSN.DWG 2/6/08



**TEMPORARY STOCKPILE**  
ISOMETRIC VIEW NOT TO SCALE  
TEMP\_STOCKPILE.DWG 2/6/08

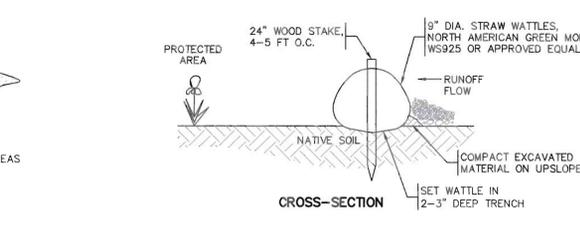
- PLAN NOTES:**
- WORK WITHIN THE WETLANDS ABUTTING AND SOUTH OF THE PROJECT SITE IS LIMITED TO REMOVAL OF INVASIVE SPECIES, REMOVING DEBRIS AND PLANTING OF NATIVE SHRUBS AND GRASSES.
  - THE AREA OF PROJECT SITE WEST OF THE NEW BUILDING TO THE RAIL TRAIL IS TO BE RECLAIMED AS LAWN AND PLANTINGS OF NATIVE SHRUBS AND TREES. THESE PROPOSED PLANTINGS TO BE APPROVED BY THE NATURAL RESOURCE DEPARTMENT PRIOR TO INSTALLATION.



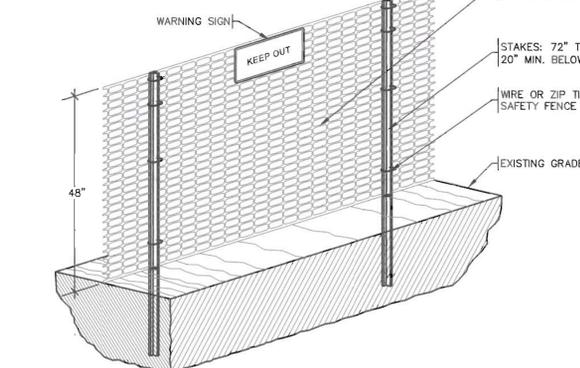
**EROSION & SEDIMENT CONTROL PLAN**  
SCALE: 1" = 20'

**PLAN NOTE:**  
[1] LOCATIONS AND USES OF EROSION & SEDIMENT CONTROL PROCEDURES AND DEVICES SHOWN HEREON ARE A GENERAL GUIDE TO THEIR USE RATHER THAN A PROPOSED LAYOUT TO BE FOLLOWED BY THE CONTRACTOR. THE CONTRACTOR IS WHOLLY RESPONSIBLE FOR THE USE, LOCATION AND IMPLEMENTATION OF THESE CONTROLS TO ENSURE THE PROTECTION OF SENSITIVE AREAS ON AND ADJACENT TO THE SITE DURING CONSTRUCTION.

**TEMPORARY SEDIMENT BASIN**  
TYPICAL CROSS SECTION NOT TO SCALE  
TEMP\_SED\_BSN.DWG 2/6/08



**STRAW WATTLES**  
NOT TO SCALE



**CONSTRUCTION SAFETY FENCE**  
TYPICAL CROSS SECTION NOT TO SCALE

**NOTES:**

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ACTIVE CONSTRUCTION AREAS DURING CONSTRUCTION AND INSTALLATION LOCATIONS.
- SAFETY FENCE SHOULD BE FASTENED SECURELY TO THE T-POSTS.
- THE FENCING MUST REMAIN IN PLACE DURING PHASES OF CONSTRUCTION; ANY CHANGE OF THE PROTECTIVE FENCING MUST BE APPROVED.
- "KEEP OUT" SIGNS TO BE SPACED AT 100 FT INTERVALS.

## DRAWING ISSUED FOR:

- CONCEPT  CONSTRUCTION  
 PERMIT  CONSTRUCTION RECORD

THIS DRAWING MAY NOT SHOW CONSTRUCTION DETAILS AND SPECIFICATIONS FOR ALL PROPOSED IMPROVEMENTS, AND MAY NOT IDENTIFY ALL CONSTRUCTION WORK ITEMS/AREAS OF CONTRACTOR JURISDICTION.

PER 250 CMR 5.03(13), THE FOLLOWING ARE EXCLUDED FROM THE PROFESSIONAL ENGINEER'S RESPONSIBILITY: ALL BOUNDARY INFORMATION; LOCATION OF EXISTING STRUCTURES, TREES, UTILITIES, TOPOGRAPHY OR SIMILAR FEATURES; DESIGN OF RETAINING WALLS HIGHER THAN 4 FEET ABOVE GRADE, PROPRIETARY EQUIPMENT. SEE EXISTING CONDITION NOTES.

NO.	DATE	BY	APP.	REVISION DESCRIPTION

**GPR** Engineering Solutions for Land & Structures

**GOLDSMITH, PREST & RINGWALL, INC.**  
39 MAIN STREET, SUITE 301, AYER, MA 01432  
CIVIL ENGINEERING • LAND SURVEYING • LAND PLANNING  
VOICE: 978.772.1590 FAX: 978.772.1591  
www.gpr-inc.com

**COMMERCIAL DEVELOPMENT**

**STORM WATER POLLUTION PREVENTION PLAN**

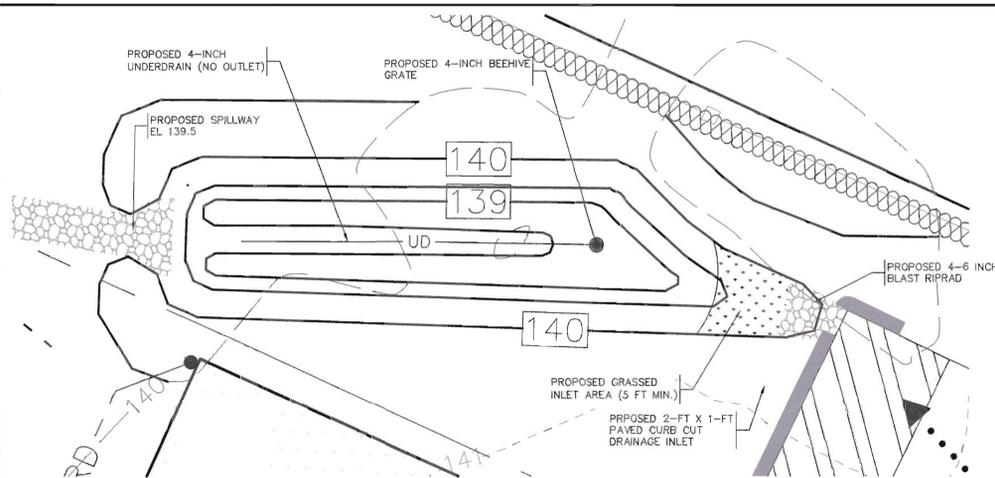
**ALPHA CARS**  
178 GREAT ROAD  
ACTON, MA

PREPARED FOR:  
178 GREAT RD., ACTON LLC  
649 MASSACHUSETTS AVE.  
BOXBOROUGH, MA 01719

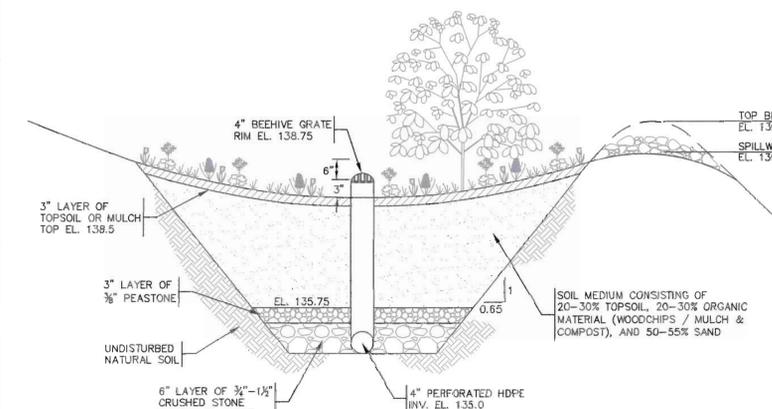
DES. BY: JEG	DATE: JULY 2016	JOB 161025	2 OF 3
CHK. BY: DEM			

P: 16-11-161025.DWG PERMIT.DWG 07-21-16 5:18:44 PM - LAYOUT SWPPP

2016 © COPYRIGHT GOLDSMITH, PREST & RINGWALL, INC.



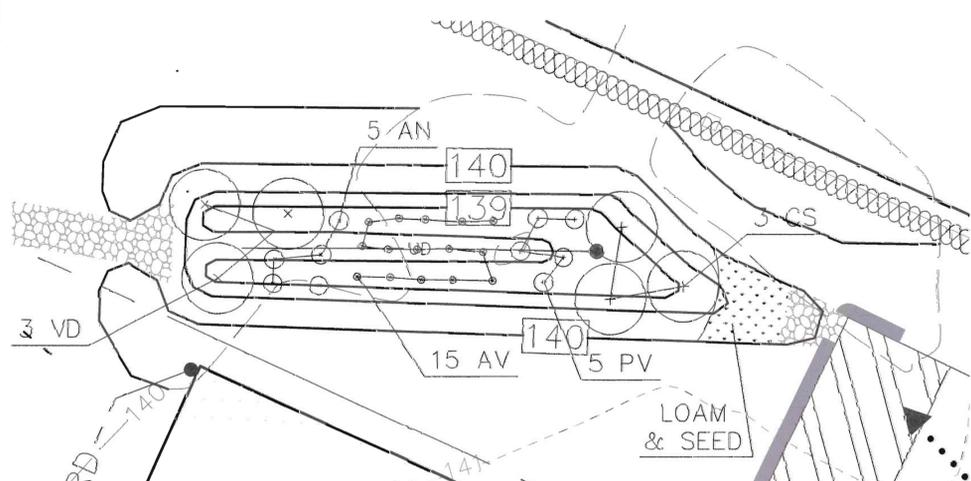
**BIORETENTION AREA**  
CROSS SECTION  
SCALE: 1" = 6'



**MATERIAL NOTES:**

- [1] SOIL MIX MUST BE UNIFORM, FREE OF STONES, STUMPS, ROOTS OR SIMILAR OBJECTS LARGER THAN 2 INCHES. CLAY CONTENT SHOULD NOT EXCEED 5%.
- [2] SOIL pH SHOULD GENERALLY BE BETWEEN 5.5-6.5.
- [3] USE SOILS WITH 1.5%-3% ORGANIC CONTENT AND MAXIMUM 500-PPM SOLUBLE SALTS.
- [4] SAND COMPONENT SHOULD BE GRAVELLY SAND THAT MEETS ASTM D 422.
- [5] TOPSOIL COMPONENT SHALL BE LOAMY SAND.
- [6] COMPOST COMPONENT MUST BE PROCESSED FROM YARD WASTE IN ACCORDANCE WITH MASS DEP. GUIDELINES. COMPOST SHALL NOT CONTAIN BIOSOLIDS.
- [7] ON-SITE SOIL MIXING OR PLACEMENT IS NOT ALLOWED IF SOIL IS SATURATED OR SUBJECT TO WATER WITHIN 48 HOURS. COVER AND STORE SOIL TO PREVENT WETTING OR SATURATION.
- [8] TEST SOIL FOR FERTILITY AND MICRO-NUTRIENTS AND, ONLY IF NECESSARY, AMEND MIXTURE TO CREATE OPTIMUM CONDITIONS FOR PLANT ESTABLISHMENT AND EARLY GROWTH.
- [9] GRADE THE AREA TO ALLOW A PONDING DEPTH OF 6-8 INCHES; DEPENDING ON SITE CONDITIONS, MORE OR LESS PONDING MAY BE APPROPRIATE.
- [10] MULCH SHALL BE FINE-SHREDDED HARDWOOD.

**BIORETENTION AREA**  
CROSS SECTION  
NOT TO SCALE



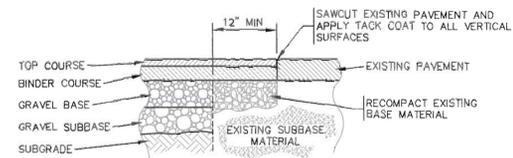
**BIORETENTION AREA PLANTINGS**  
CROSS SECTION  
SCALE: 1" = 6'

**PLANTING NOTES FOR BIO-RETENTION BASIN**

1. THE CONTRACTOR SHALL COVER THE BOTTOM OF THE EXCAVATION WITH COARSE GRAVEL, OVER PEA GRAVEL, OVER SAND.
2. THE SOIL MIX FOR BIO-RETENTION AREAS SHOULD BE A MIXTURE OF 40% SAND, 20% TO 30% TOPSOIL, AND 30% TO 40% COMPOST. SOIL PH SHOULD GENERALLY BE 5.5 TO 6.5. USE SOILS WITH 1.5% TO 3% ORGANIC CONTENT AND MAX. 500 PPM SOLUBLE SALTS. THE TOPSOIL COMPONENT SHALL BE A SANDY LOAM, LOAMY SAND OR LOAM TEXTURE.
3. THE COMPOST COMPONENT MUST BE PROCESSED FROM YARD WASTE IN ACCORDANCE WITH MASSDEP GUIDELINES. THE COMPOST SHALL NOT CONTAIN BIOSOLIDS.
4. ON-SITE SOIL MIXING OR PLACEMENT IS NOT ALLOWED IF SOIL IS SATURATED OR SUBJECT TO WATER WITHIN 48 HOURS. COVER AND STORE SOIL TO PREVENT WETTING OR SATURATION.
5. COVER THE SOIL WITH 2 TO 3 INCHES OF FINE-SHREDDED HARDWOOD MULCH. SUBMIT SAMPLE OF MULCH FOR APPROVAL.
6. DURING CONSTRUCTION, AVOID EXCESSIVELY COMPACTING SOILS AROUND THE BIO-RETENTION AREAS AND ACCUMULATING SILT AROUND THE DRAIN FIELD. PLACE PLANTING SOILS IN 1-FOOT TO 2-FOOT LIFTS AND COMPACT THEM WITH MINIMAL PRESSURE UNTIL THE DESIRED ELEVATION IS REACHED.
7. INSPECT EACH MONTH, AND WEED OUT INVASIVE PLANT MATERIAL AND REMOVE TRASH.
8. MULCH ONE TIME PER YEAR IN THE SPRING. INSPECT AND RE-MULCH VOID AREAS AS NEEDED. REPLACE MULCH EVERY TWO YEARS IN THE EARLY SPRING.
9. FERTILIZE ONE TIME INITIALLY IN THE SPRING.
10. REMOVE DEAD VEGETATION IN THE FALL AND SPRING, TWICE PER YEAR. REPLACE DEAD VEGETATION ANNUALLY IN THE SPRING.
11. PRUNE 1-2 TIMES PER YEAR.

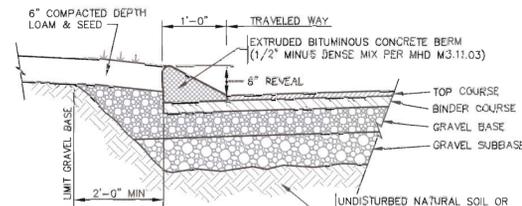
**BIORETENTION AREA PLANT LIST**

NO.	KEY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
3	VD	VIBURNUM DENDATUM	ARROWWOOD VIBURNUM	2'-3'	6'-8' O.C.
3	CS	CORNUS SERICEA	RED OSIER DOGWOOD	2'-3'	6'-8' O.C.
5	PV	PANICUM VIRGATUM	SWITCHGRASS	2" PLUG	2'-3' O.C.
15	AV	ANDROPOGON VIRGINICUS	BROOM SEDGE BLUESTEM	2" PLUG	1'-2' O.C.
5	AN	ASTER NOVAE-ANGLIAE	NEW ENGLAND ASTER	2" PLUG	2'-3' O.C.

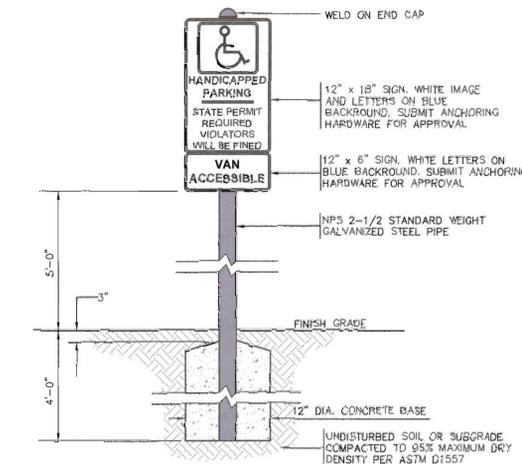


- NOTES:**
- [1] FLEXIBLE PAVEMENT REMOVAL SHALL BE INITIATED BY MAKING A FULL-DEPTH VERTICAL SAWCUT AT THE LOCATIONS INDICATED ON THE PLANS. SAWCUTS SHALL BE ACCOMPLISHED USING A STANDARD DIAMOND-TYPE BLADE SAW.
  - [2] IF SAWCUT IS WITHIN THREE (3) FEET OF AN EXISTING BUILDING, CURB LINE OR EXISTING FENCE, COMPLETELY REMOVE EXISTING PAVEMENT AND REPLACE ACCORDING TO THE REQUIREMENTS OF THE BITUMINOUS CONCRETE PAVEMENT SECTION.

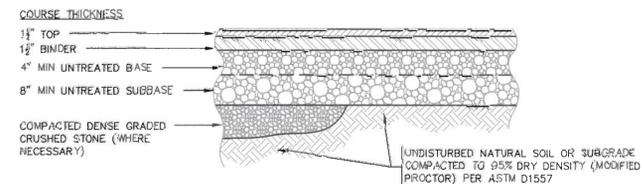
**FLEXIBLE PAVEMENT SAWCUT DETAIL**  
TYPICAL CROSS SECTION  
NOT TO SCALE



**CAPE COD BERM**  
TYPICAL CROSS SECTION  
NOT TO SCALE



**HANDICAP PARKING SIGN**  
NOT TO SCALE



COURSE	MATERIAL	SPECIFICATION PER MASS HIGHWAY DEPARTMENT (MHD)	MAX. AGG. SIZE (INCH)	COMPACTION REQUIREMENTS	TEST DESIGNATION
TOP	BITUMINOUS CONCRETE	M3.11.03 CLASS 1, TYPE I-1	1 1/2	(NOTE 1)	AASHTO-T166
BINDER	BITUMINOUS CONCRETE	M3.11.03 CLASS 1, TYPE I-1	3/4	(NOTE 1)	AASHTO-T166
BASE	GRAVEL BORROW	MT.03.0 TYPE C	2	95% (NOTE 3)	ASTM D1557/AASHTO-T99
SUBBASE	GRAVEL BORROW	MT.03.0 TYPE B	3	95% (NOTE 3)	ASTM D1557/AASHTO-T99
SUBGRADE	ORDINARY BORROW	MT.01.0 (SEE NOTE 2)	6	95% (NOTE 3)	ASTM D1557/AASHTO-T99

- NOTES:**
- [1] COMPACT TO TEST AVERAGE OF 95% TEST SHALL NOT BE LOWER THAN 93%.
  - [2] UNSUITABLE MATERIAL IN THE SUBGRADE SHALL BE REMOVED AND REPLACED WITH AN ACCEPTABLE SUBSTITUTE MATERIAL: 3/4" MINUS DENSE GRADED CRUSHED STONE.
  - [3] MATERIAL SHALL BE SPREAD AND COMPACTED IN LAYERS NOT EXCEEDING 8-INCHES IN DEPTH. COMPACTED MEASUREMENT; LAST LAYER OF MATERIAL SHALL NOT EXCEED 4-INCHES IN DEPTH, COMPACTED MEASUREMENT.

**BITUMINOUS CONCRETE PAVEMENT**  
TYPICAL CROSS SECTION  
NOT TO SCALE

**DRAWING ISSUED FOR:**

- CONCEPT     CONSTRUCTION  
 PERMIT         CONSTRUCTION RECORD



PROPOSED CONCEPTS SHOWN ON THIS DRAWING MAY NOT COMPLY WITH ANY REGULATIONS / BYLAWS / ORDINANCES, AND MAY NOT BE RENDERED IN DETAIL SUFFICIENT FOR PERMITTING PURPOSES. AND IS NOT INTENDED FOR CONSTRUCTION. NO RESPONSIBILITY UNDER 260 CMR IS IMPLIED OR ACCEPTED.

NO.	DATE	BY	APP.	REVISION DESCRIPTION



**GOLDSMITH, PREST & RINGWALL, INC.**  
39 MAIN STREET, SUITE 301, AYER, MA 01432  
CIVIL ENGINEERING • LAND SURVEYING • LAND PLANNING  
VOICE: 978.772.1960 FAX: 978.772.1591  
www.gpr-inc.com

**COMMERCIAL DEVELOPMENT**

**CONSTRUCTION DETAILS**

**ALPHA CARS**  
178 GREAT RD.,  
ACTON, MA

PREPARED FOR:  
178 GREAT RD., ACTON LLC  
649 MASSACHUSETTS AVE.  
BOXBOROUGH, MA 01719



Engineering Solutions  
for Land & Structures

Civil Engineering • Land Planning • Land Surveying

RECEIVED

AUG 01 2016

TOWN CLERK  
ACTON

July 29, 2016

Acton Planning Department  
Attn.: Roland Bartl  
c/o Town Hall  
472 Main Street  
Acton, MA 01720

RECEIVED

AUG 1 2016

Town of Acton  
Planning Department

RE: Modification of Site Development Plan #2/1/80-180  
Property: 178 Great Road, Acton, Map F4-10  
Owner: 178 Great Road Acton, LLC

Dear Mr. Bartl:

On behalf of the owner / applicant of the above referenced property GPR requests a minor modification of the existing permit. The applicant and their representatives have met with the Planning Department to discuss the redevelopment of this property on several occasions. As the Department is aware the applicant owns Alpha Cars of Boxborough and proposes to use the property for a second site for automotive sales. The Great Road site would not conduct repairs or service work. The site would be used for display and sales.

Since the initial meetings with the Planning Department the applicant had filed for a Special Permit with the ZBA under Section 8.3.3 of the A Zoning Bylaws to extend an existing in nonconforming building horizontally within the dimension of its existing nonconformity. In preparation for meeting with the ZBA the applicant also met with the Design Review Board ((DRB). Those meetings were very productive and helped create the final architectural design and site layout. The ZBA issued a Special Permit and granted decision #16-03.

Recently the applicant has filed a Notice of Intent with the Acton Conservation Commission for work within their jurisdiction as well as under Chapter X, Stormwater Management and Erosion & Sediment Control. The proposed site redevelopment reduces the sites total impervious footprint while reducing the parking spaces from roughly twenty-three to seven. The current site development doesn't treat the stormwater runoff other than overland flow from the paved surfaces and a point discharge. The proposed new structures approved by the ZBA will collect the roof runoff and recharge the runoff in two shallow basins on site. The runoff from the parking and paved surfaces will be treated in a bio-retention basin.

The applicant has also reached out to the owner of the abutting properties at 172 Great Road for permission to request authorization from the Acton Conservation Commission to remove invasive plant material from the wetland swale long the common property line as part of the NOI filing.

**Goldsmith, Prest & Ringwall, Inc.**

03/17/08

The proposed changes and use do not require a Site Plan Special Permit under 10.4.1.2. The proposed building has less than the 1,200 square foot net floor area than the existing and the total site has less impervious area. Therefore, we request the Board issue a minor site plan modification for the proposed changes. Copies of the architectural plans are on file with the Planning Department and the ZBA. Stormwater Management calculations and water balance calculations are on file with the Acton Conservation Commission and the Acton Engineering Department.

In connection with the filing we have prepared and attached the following:

1. Application for Site Plan Modification;
2. Check number 1007 in the amount of \$250 for the filing fee;
3. Copy of the Site Development Plan Decision #2/1/80-180 filed at the Middlesex South Registry of Deeds in Bk 13962 pg 380;
4. ZBA decision#16-03;
5. Deed Bk 67625 pg 156;
6. Certified Abutter list; and
7. Site plan set by GPR of three sheets including an Existing Conditions/Demo Plan & Proposed Site Plan, a Stormwater Pollution Prevention Plan and Construction Details.

Should you need additional copies or more information please contact me at our office.

Sincerely,



Bruce D. Ringwall, Pres.

Copy to: Dmitry Bykhovsky, 178 Great Road Acton, LLC  
Lou Levine, D'Agostine, Levine, Parra & Netburn, PC

1007

E-ZShield<sup>SM</sup> Check Fraud Protection for Business

**FLEET LOGIC, LLC**  
649 MASSACHUSETTS AVE  
BOXBOROUGH, MA 01719

53-7052-2113

DATE 04/28/16

PAY TO THE ORDER OF

Town of Aston  
two hundred fifty

\$ 250-

DOLLARS Security Features  
Details on back.

**Avidia Bank**

FOR

Site plan modification

⑈001007⑈ ⑆211370529⑆ 32324709⑈

**Appendix B**  
**TOWN OF ACTON**  
**APPLICATION FOR SITE PLAN SPECIAL PERMIT**

For Minor Modification of Site Development Plan #02/1/80-180  
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 178 Great Road, Acton, MA 01720
2. Applicant's Name 178 Great Road Acton, LLC  
Address 649 Massachusetts Ave, Boxborough, MA 01719  
Telephone 978-760-5258 Email dmitry@alphacars.com
3. Record Owner's Name 178 Great Road Acton, LLC  
Address Same  
Telephone \_\_\_\_\_ Email \_\_\_\_\_
4. Town Atlas Map(s)/Parcel Number(s) F4-10
5. Zoning District (s) of Parcel(s) LB

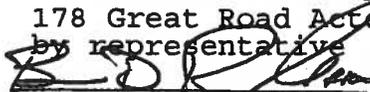
If any site plans have been filed previously for this site give file numbers: ZBA #16-03

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.

7/29/16  
Date

\_\_\_\_\_  
Signature of Petitioner(s)

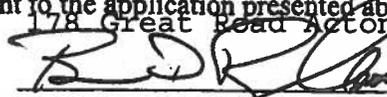
178 Great Road Acton, LLC  
by representative  
  
Signature of Petitioner(s)  
Bruce Ringwall  
for GPR, Inc

**RECORD OWNER'S KNOWLEDGE AND CONSENT**

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

7/29/16  
Date

\_\_\_\_\_  
Signature of Record Owner(s)

178 Great Road Acton, LLC  
  
Signature of Record Owner(s)  
Bruce Ringwall  
for GPR, Inc.

552 0322 4400

15

BK13962 PG379



TOWN OF  
ACTON, MASSACHUSETTS

TOWN CLERK

April 15, 1980

TO WHOM IT MAY CONCERN:

RE: SITE DEVELOPMENT PLAN #2/1/80-180

THIS IS TO ADVISE THAT THE 20 DAY APPEAL PERIOD FOR THE  
ABOVE MENTIONED SITE DEVELOPMENT PLAN ELAPSED. THIS DECISION  
WAS FILED WITH THE TOWN CLERK'S OFFICE ON MARCH 24, 1980.

13859-310

*Lydia E. Lauro*  
Lydia E. Lauro  
Town Clerk

LRL/c

SEE ATTACHED

RECEIVED  
APR 28 1980

BK 13962 PG380



TOWN MANAGER  
CHRISTOPHER J. FARRIELL

TOWN OF ACTON

TOWN HALL

P. O. BOX 286  
ACTON, MASSACHUSETTS 01720  
TELEPHONE (617) 269-2761

BOARD OF SELECTMEN

JOAN M. GARDNER, CHAIRMAN  
JOYCE E. FOLEY, VICE-CHAIRMAN  
STANTON J. COLLINS, JR., CLERK  
ALFRED F. STENHAUER  
HAYDEN A. SUGGAN

March 21, 1980

RECEIVED & FILED

DATE MAR 24 1980

AK 13859 Pg 310  
Peter Flagg, Trustee  
138 Great Road  
Acton, Massachusetts 01720

*Lucia J. Service*  
TOWN CLERK, ACTON

Dear Mr. Flagg: Re: Site Development Plan #2/1/80-180

Under the provisions of Section VIII of the Zoning Bylaw of the Town of Acton, the Board of Selectmen, at its regular meeting held on March 18, 1980, voted to approve site development plan #2/1/80-180, and as shown on (1) Locus Map of the Town of Acton, (2) Plan #498 of 1949, Book 7417, page 466, recorded in the Middlesex Registry of Deeds, South District, Cambridge, Massachusetts, April 14, 1949, (3) Site Plan for #178 Great Road by David W. Perley, Civil Engineer, Concord, Massachusetts (4) Front Elevations, (5) Floor Plan, (6) End Elevations and Side Elevations for renovations to 178 Great Road by Paul Douglas Minor, Architect, 595 Massachusetts Avenue, Cambridge, Massachusetts 02139, submitted by Peter Flagg on March 21, 1980, subject to the following conditions:

1. Prior to the issuance of a building permit or the start of any work on the site the applicant shall obtain all necessary permits and approvals under the Wetlands Protection Act.
2. Prior to the issuance of a building permit or the start of any work on the site the applicant shall submit copies of approved curb cut permit(s) from the Commonwealth of

Massachusetts DPW to the Board of Selectmen and Building Commissioner.

3. All abandoned wells shall be covered.
4. There shall be no further subdivision or development of the site without further site plan approval.
5. All development of the site must be in accordance with plans as approved by this decision and with the Bylaws of the Town of Acton.
6. No approval of any indicated signs or advertising devices is implied.
7. A detailed landscaping plan shall be submitted to the Board of Selectmen within 60 days of this date for their written approval. Said approved plan shall be carried into effect and completed prior to occupancy or any portion of the premises.
8. Any changes in this plan shall be approved in writing by the Board of Selectmen prior to actual construction. Upon completion of the project, an as built plan shall be submitted to the Board of Selectmen for written approval and to the Building Commissioner.
9. No building or structure authorized by this site plan shall be occupied or used and no activity authorized to be constructed upon the land which is the concern of this site plan approval shall be commenced until a Certificate of Compliance as specified in Section XII-A-3 of the Zoning Bylaw has been issued.

Peter Flagg

-3-

March 21, 1980

10. The conditions of this site development plan approval shall be carried into effect and completed by the applicant by March 18, 1981 and prior to the occupancy permit.

Very truly yours,

BOARD OF SELECTMEN

By:

Jean N. Gardner  
Chairman

JNG/rpb

cc: Town Clerk  
 Building Commissioner  
 Engineering Department  
 Planning Board  
 Board of Health  
 Conservation Commission  
 Board of Assessors  
 Fire Department  
 Water District

RECEIVED

JUN 30 2016

TOWN CLERK  
ACTON



**DECISION #16-03**

**DECISION ON THE PETITION OF DMITRY BYKHOVSKY, 178 GREAT ROAD**

A public hearing of the Acton Board of Appeals was held in the Town Hall on Monday, June 6, 2016 on the Petition of Dmitry Bykhovsky for a **SPECIAL PERMIT** under Section 8.3.3 of the Zoning Bylaws to extend an existing nonconforming building horizontally within the dimension of its existing nonconformity. 178 Great Road, Map F4, Parcel 10.

Present at the hearing were Jonathan Wagner, Chairman; Richard Fallon, Member; and Adam Hoffman, Member. Also present were Kimberly Bicker, Board of Appeals Secretary; Kristen Guichard, Assistant Town Planner; Robert Hummel, Assistant Town Planner; the Petitioner, Attorney Louis Levine representing the Petitioner and the Petitioner's architect.

Chairman Wagner opened the hearing and read the contents of the file. In addition to the Petition (which included a Site Plan, original and updated (as of 6/3/2016) architectural and schematic plans), the file contained an Interdepartmental Communication from Kristen Guichard, Assistant Town Planner, explaining that the site now consists of two buildings, one in the rear and one at the front of the lot on Great Road, and that the present front building is nonconforming because of insufficient setbacks on the front and side. The Petitioner proposes to raze the rear building and totally renovate and expand the front building for use as an automobile showroom. The proposed extension of the (front) building will comply with rear setback requirements and extend the building horizontally within the dimension of its existing nonconformity.

Chairman Wagner asked the Petitioner to explain why he was seeking the Special Permit. The Petitioner's architect explained that the purpose of the Special Permit was to permit the renovation of the site by razing one of the existing buildings and expanding the remaining (front) building for use as an automobile showroom. The Petitioner currently has a sales location in Boxborough doing business as Alpha Cars and is seeking to open a new location in Acton on this site. He further stated that he had engaged in extensive discussions with the Design Review Board, which had essentially supported the plans for renovation with some minor changes, which were in fact adopted and incorporated in the revised plans recently submitted.

The Board members discussed whether the proposed expansion constituted a "horizontal extension" as that term is used in the applicable language in Section 8.3.3. Board members concluded the issue was close but acceptable as recommended by the Planning Department. The Board members all agreed that the proposed redesign would not be substantially more detrimental to the neighborhood than the existing structures.

The Board of Appeals, after considering the materials submitted with the Petition, together with the information developed at the hearing, finds that:

1. The Petitioner seeks a SPECIAL PERMIT under Section 8.3.3 of the Zoning Bylaws to allow the horizontal extension of an existing nonconforming building.
2. The site is located in a Limited Business District.
3. The building to be extended and expanded is nonconforming because of insufficient setbacks on the front and side.
4. The proposed extension and expansion of the existing building will not increase the setback nonconformity.
5. The proposed extension will not be substantially more detrimental to the neighborhood than the existing STRUCTURE on the nonconforming LOT.
6. The proposed addition is:
  - (a) consistent with the Master Plan and is in harmony with the general purpose and intent of the Zoning Bylaws;
  - (b) appropriate for the site and will not be more detrimental or injurious to the neighborhood;
  - (c) otherwise complies with the applicable requirements of the Zoning Bylaws.

Therefore, the Board of Appeals, after reviewing the available materials and based upon the above findings, voted unanimously to GRANT the SPECIAL PERMIT subject, however, to the following conditions:

1. The proposed extension of the building shall be substantially in accordance with the most recent Plans submitted with the Petition and contained in the file.
2. Final landscaping to be reasonably similar to landscaping depicted on the most recent Plans submitted with the Petition and contained in the file.

3. Subject to issuance of Land Disturbance Permit from the Acton Conservation Commission.
4. Subject to approval of the Acton Conservation Commission.
5. Petitioner to construct a sidewalk along the entire frontage (Great Road) of the lot, or alternatively at his option, make standard sidewalk contribution to the Acton Sidewalk Fund.
6. The building will be used only as a sales showroom and related administrative purposes and not for mechanical repairs, servicing or maintenance.

Any person aggrieved by the decision may appeal pursuant to Massachusetts General Laws, Chapter 40A, Section 17 within twenty (20) days after this decision is filed with the Acton Town Clerk.

**TOWN OF ACTON BOARD OF APPEALS**

		
Jonathan Wagner Chairman	Richard Fallon Member	Adam Hoffman Member

I certify that copies of this decision have been filed with the Acton Town Clerk and Planning Board on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Kimberly Bricker, Secretary  
Board of Appeals

This decision, or any extension, modification or renewal thereof, shall not take effect until a copy of the decision bearing the certification of the Town Clerk that (1) 20 days have elapsed after the decision has been filed in the office of the Town Clerk and (2) either no appeal has been filed or an appeal has been filed within such time, has been recorded with the Middlesex South County Registry of Deeds and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. Any person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.



2016 00108400

Bk: 67525 Pg: 156 Doc: DEED  
Page: 1 of 2 08/29/2016 10:20 AM**MASSACHUSETTS QUITCLAIM DEED**

Vanash Interiors, Inc., a Massachusetts Corporation, of 178 Great Road, Acton, Massachusetts for full consideration paid of Six Hundred Forty Thousand and 00/100 (\$640,000.00) Dollars, grant to 178 Great Rd Acton LLC, a Massachusetts limited liability company with an address of 649 Massachusetts Avenue, Boxborough, Massachusetts *with quitclaim covenants*

A certain parcel of land with the buildings thereon in the easterly part of Acton, Middlesex County, Massachusetts, containing about one-half acre and bounded and described as follows:

Beginning at the southeasterly corner thereof at the State highway from Concord to Littleton and by land formerly of Martin H. Worden; thence Westerly by said Worden 1 and about 183.25/100 feet to the land of the New York, New Haven and Hartford Rail road Company; thence Northerly by land of said Railroad Company about 128.50/100 feet to land formerly of Robert C. and Etta V. Ferguson; thence Easterly by said Ferguson land about 195.75/ 100 feet to the State Highway aforesaid; thence Southerly along said State Highway about 129.75/100 feet to the point of beginning, excepting from the above described premises so much as was taken by the Commonwealth of Massachusetts by an order dated June 11, 1940 for State Highway purposes; also subject to any rights of the New England Telephone & Telegraph Company to maintain poles and wires, insofar as the same is now in force and applicable.

Being the same premises as shown on a plan entitled, "Land in Acton measured for Charles T. Baxter" by Horace F. Tuttle, April 8, 1931, recorded with Middlesex South District Registry of Deeds in Book 7417, Page 466, however otherwise bounded, measured or described.

This conveyance does not constitute all or substantially all of the assets of Vanash Interiors Inc., and this sale is made in the ordinary course of business.

For title, see deed from 178 Great Road, LLC, dated January 9, 2008 and recorded on January 22, 2008 with the Southern Middlesex District Registry of Deeds in Book 50618, Page 265.

In witness whereof, the said Vanash Interiors, Inc., has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by Karen Maines, its President and Treasurer, hereto duly authorized this 16<sup>th</sup> day of June, 2016.

Please return to: D'Agostine, Levine. Parra & Netburn, P.O. Box 2223,  
Acton, MA 01720

MASSACHUSETTS EXCISE TAX  
Southern Middlesex District ROD # 001  
Date: 08/29/2016 10:20 AM  
Ctrl# 245059 22286 Doc# 00108400  
Fee: \$2,918.40 Cons: \$640,000.00

178 Great Road, Acton, MA

Corporate  
Witness my hand and seal on this 16<sup>th</sup> day of June, 2016

*Karen Maines*, President &  
Karen Maines, President and Treasurer  
Treasurer of Vanash Interiors, Inc.

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

On this 16<sup>th</sup> day of June, 2016, before me, the undersigned notary public, personally appeared Karen Maines, proved to me through satisfactory evidence of identification, which was a passport and/or driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose. on behalf of Vanash Interiors, Inc.



*M. Henry Dorner*  
M. Henry Dorner, Notary Public  
My Commission Expires: 12/12/19

\*President and Treasurer of Vanash Interiors, Inc.

178 Great Road Acton, LLC  
Amendment #1 Site Plan Special Permit #02/01/80-180  
178 Great Road  
August 8, 2016

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Board of Selectman

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**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts 01720  
Telephone (978) 929-6611  
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[BOS@acton-ma.gov](mailto:BOS@acton-ma.gov)  
[www.acton-ma.gov](http://www.acton-ma.gov)

## **FIRST AMENDMENT OF DECISION**

**# 02/01/80-180**

**178 Great Road**

August 8, 2016

GRANTED

Decision of the Acton Board of Selectmen (hereinafter the Board) on the request of Goldsmith, Prest, and Ringwall, Inc. on behalf of 178 Great Road Acton, LLC of 178 Great Road, Acton MA 01720 (hereinafter the Applicant), dated July 29, 2016, 2016 for an amendment of a Site Plan Special Permit dated April 15, 1980 (the Original Decision). The subject property is located at 178 Great Road and shown on the Town Atlas as parcel F4-10 (hereinafter the Site). The Board considered the request at a regular meeting on August 8, 2016. The minutes of the meeting and submissions on which this decision is based on may be found in the Planning Department or in the Town Clerk's office at the Acton Town Hall.

### **1 EXHIBITS**

Submitted for the Board's deliberation were the following exhibits:

- 1.1 Cover letter by Goldsmith, Prest, & Ringwall, Inc. dated July 29, 2016.
- 1.2 Supplemental information as follows:
  - Application for Site Plan Modification;

- Filing fee;
- Copy of the Site Plan Special Permit #02/01/80-180 filed at the Middlesex South Registry of Deeds in Book 13962, page 380;
- ZBA Decision #16-03;
- Departmental reviews for ZBA Decision #16-03;
- Deed Book 67625 page 156;
- Site plan set by GPR of three sheets including an Existing Conditions/Demo Plan & Proposed Site Plan, a Stormwater Pollution Prevention Plan and Construction Details.

1.3 Interdepartmental and other communication:

- Planning Department Memo, dated August 3, 2016.

Exhibit 1.1 through 1.2 is referred to herein as the Plan.

## **2 FINDINGS and CONCLUSIONS**

Based upon its review of the exhibits and the record of the proceedings the Board finds and concludes that:

- 2.1 The Amendment request is for the approval of the horizontal extension of one building along the southern property line and eastern property line along Great Road within the dimensions of the existing non-conforming side and front setback as approved by the Zoning Board of Appeals in its Decision #16-03. The second building on the Site is to be razed.
- 2.2 The proposed horizontal extension along the southern property line extends +/- 85 feet towards the back of the lot; the proposed horizontal extension along the eastern property line abutting Great Road extends +/- 20 feet.
- 2.3 The Floor Area Ratio and the percentage of open space associated with the proposed development are in compliance with the standards set forth for the Limited Business district in the Zoning Bylaw.
- 2.4 The total impervious surface of the Site is reduced by removal of two existing bituminous concrete parking lots and existing walkways.
- 2.5 Stormwater management on the site is improved by the addition of two shallow bio-retention basins, which collect and recharge roof runoff.
- 2.6 The Plan shows a reduction of 16 parking spaces to 7 spaces. As proposed, 178 Great Road has sufficient amounts of parking for the proposed use, vehicle sales, in compliance with the Zoning Bylaw. 7 parking spaces conform to the maximum number allowed under section 5.4.6.2.
- 2.7 The proposed plan change and the requested amendment of the Original Decision are minor in nature, do not trigger new Site Plan Special Permit, and do not warrant a public hearing as they do not expand the ground area, impervious materials, or building floor areas.

**3      BOARD ACTION**

Therefore, the Board voted unanimously on August 8, 2016 in favor of GRANTING the Site Plan Special Permit amendment as the applicant had requested and as delineated in the Exhibits listed herein, subjected to the following conditions.

**4      CONDITIONS**

The following conditions shall be binding on the Applicant and its successors and assigns. Failure to adhere to these conditions shall render the special permit amendments granted with this decision null or void, and shall constitute grounds for the revocation of any or all building or occupancy permits issued hereunder. The Town of Acton may elect to enforce compliance with the special permits using any and all power available to it under the law.

- 4.1      This Decision shall be recorded at the Middlesex South District Registry of Deeds or the Land Court prior to the issuance of any building permit.
- 4.2      All work on the Site shall be conducted in accordance with the terms of these special permits as amended herein and shall conform with and be limited to the improvement shown on the Plan as conditioned, modified, and approved herein.

**5.      EFFECT AND SCOPE OF THIS AMENDMENT DECISION**

This Amendment Decision only responds and decides on the limited matters before the Board as outlined herein. Except as herein specified, the Original Decision shall remain in full force and effect.

The Town of Acton Board of Selectmen

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Peter Berry, Chair

Copies furnished:

Applicant      Building Commissioner  
Owner          Fire Chief  
Town Engineer      Assistant Assessor

Health Director  
Police Chief  
Town Clerk

Acton Water District  
Natural Resource Director  
Town Manager