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



Board of Selectman

TOWN OF ACTON
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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



Janet K. Adachi, Vice Chair

Copies furnished:

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|---------------|-----------------------|-----------------|---------------------------|
| Applicant | Building Commissioner | Health Director | Acton Water District |
| Owner | Fire Chief | Police Chief | Natural Resource Director |
| Town Engineer | Assistant Assessor | Town Clerk | Town Manager |