

6/14/04-4

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 264-9636
Fax (978) 264-9630

Planning Department

INTERDEPARTMENTAL COMMUNICATION

To: Don P. Johnson, Town Manager **Date:** March 10, 2004
From: Roland Bartl, AICP, Town Planner *R.B.*
Subject: Special Permit #08/22/95-353 - Indoor Sports L.P. - 1 Keefe Rd.

The applicant proposes a 40-seat restaurant within the existing sports facility to serve sporting customers.

It appears that the application is filed to amend the original Commercial Recreation special permit to allow the sale of food and beverages to non-employees as an accessory use in the Industrial Zoning Districts including the Small Manufacturing District (zoning bylaw, section 3.8.2.5.c).

As part of the EAV-2 zoning article that is proposed on the April Town Meeting Warrant, the locus would change from Small Manufacturing to EAV-2, where the accessory use option would disappear. Instead, Restaurant would be allowed as a by-right principal use or by special permit if it has seating for 10 or more persons.

Because the advertisement on the proposed zoning change predates the application, the proposed zoning for EAV-2 governs the uses on the locus. Town Meeting may confirm the change, or by rejecting the article may revert the zoning to Small Manufacturing. This is a peculiar effect of wording in M.G.L. Chapter 40A (The Zoning Act) that leaves the applicant and the Town hanging from the date of advertising until Town Meeting makes a decision.

Short of waiting until after Town Meeting, the applicant could add an application for a Restaurant as a principal use as provided in the proposed EAV-2 zoning for the site, thus covering both possible outcomes of the upcoming Town Meeting action. To limit additional restaurant traffic over the narrow bridge, which is the only site access, the restaurant could be expressly limited to function only as an accessory use for persons otherwise engaged in sports activities in the complex.

Cc: Planning Board
EAVPC

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

Date: March 4, 2004

To: Don P. Johnson, Town Manager

From: Engineering Department



Subject: Review of Special Permit #08/22/95-353, Indoor Sports LP, 1 Keefe Road

The proposal will not require any exterior changes to the facility that might involve changes to the storm drainage system; also, we do not see any significant traffic impacts since the restaurant will be for clients and staff only, although there could be a modest increase in clientele due to this enhancement. The issue that arises anytime there are any changes at this location is the adequacy of the existing one-lane bridge to handle increases in traffic. For the reasons stated above, we do not believe this will be a factor in this case; therefore, we do not have any comments on this application.

C.C.

Garry Rhodes, Building Commissioner

Garry Rhodes

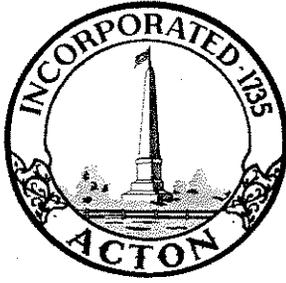
From: Ann Sussman
Sent: Friday, March 05, 2004 10:26 AM
To: Building Department
Cc: Ed Gardiner; Renee Robins; Sam Lawton; Mary Utt
Subject: re: Special Permit for Indoor Sport LLC

Dear Gary,

The TAC has reviewed Indoor Sport LLC's application for a special permit ammendment to allow a portion of the existing facility to include a 40-seat restaurant which serves alcohol and has no comment.

Sincerely,

Ann Sussman
Member
TAC



TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
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Nancy McShea
Recreation Director

Date: February 9, 2004

To: Don Johnson, Town Manager

From: Nancy McShea, Recreation Director

Re: Site Plan Special Permit #08/22/95-353-Indoor Sports L.P. – 1 Keefe Road

Cc: Garry Rhodes

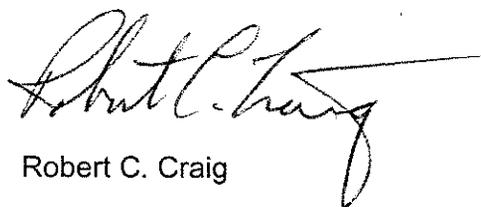
After reviewing the above Site Plan Special Permit I would have concerns over parking demands on this facility with the addition of a 40-seat restaurant. Beyond that concern I think that the health department needs to establish whether or not Acton Indoor Sports could meet the BOH requirements for a facility such as this.

INTEROFFICE MEMORANDUM

TO: DON P. JOHNSON, TOWN MANAGER
FROM: ROBERT C. CRAIG, FIRE CHIEF
SUBJECT: SPECIAL PERMIT #08/22/95-353-INDOOR SPORTS L.P. 1 KEEFE ROAD
DATE: 2/10/04
CC: GARRY RHODES, BUILDING COMMISSIONER

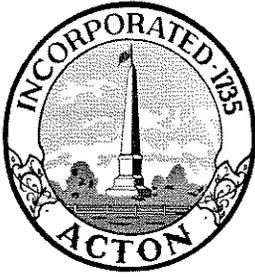
Don:

Please be advised that after review of the above named application, I have no comment or objection.



Robert C. Craig

Fire Chief



TOWN OF ACTON
Health Department
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 264-9634
Fax (978) 264-9630

February 9, 2004

To: Don Johnson, Town Manager
Garry Rhodes, Building Commissioner

From: Heather Marceau, Health Agent 

Re: Special Permit #08/22/95-353 – Acton Indoor Sports, 30 Great Road

This memo is written in response to the recent application made by Acton Indoor Sports for a Special Permit to allow for a food service establishment to be located at 30 Great Road, Acton, MA. At this time, Mr. Tom McLaughlin has submitted a proposed food service plan to the Health Department and is working to ensure that this new facility will be in full compliance with the Food Code. Additionally, Mr. McLaughlin has submitted a plan for the proposed replacement of the on site septic system to accommodate a food service operation; this plan is currently under review.

At this time, the Health Department feels that Acton Indoor Sports is working towards compliance with respect to both the food service and wastewater needs for the facility. The Department recommends approval of the Special Permit.