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**DECISION** of the Board of Selectmen (hereinafter the Board) on the petition of Steven Nuenighoff (hereinafter the Petitioner) for the property located at 2 Craig Road Acton, Massachusetts. Said property is shown on Acton Town Atlas Map H-4 parcel 25.

This Decision is in response to an application submitted to the Board on May 25, 2004 by the Petitioner for an amendment of the existing Special Permit under Section 10.3 of the Acton Zoning Bylaw (hereinafter the Bylaw), to increase the space to 20,000 square feet.

The request was heard without a public hearing in that the Board finds this request minor and finds that the amendment is not significant to the public interest and is consistent with the purpose and intent of the Bylaw. The request was heard in the Selectmen's Hearing Room at the Acton Town Hall. Board members F. Dore' Hunter, Peter Ashton, Walter Foster, and Robert Johnson were present throughout the proceedings.

The record of the proceedings and submissions upon which this permit is based may be referred to in the Office of the Town Clerk, or the Office of the Board.

Submitted for the Board's deliberation prior to the close of the hearing were the following exhibits:

Exhibit I

A request to amend the decision dated May 25, 2004. An IDC from the Building Commissioner dated May 26, 2004

**1.0 Findings and Conclusions**

Based upon its review of the exhibits and records of the proceedings, the Board found and concluded that:

- 1.1 The site is located in the Light Industrial Zoning District and Commercial recreation is permitted by Special Use Permit.
- 1.2 The site is located in Zone 2 of the Groundwater Protection District.
- 1.3 The Accelerated Sports Performance Training Center will be occupying an additional 5,000 square feet for a total of 20,000 square feet in an 45,000 square foot existing building. They are not proposing any increase in the existing building or any changes to the site.
- 1.4 The Decision will remain in full force and effect except as herein amended.

Therefore, the Board voted to **GRANT** the requested amendment of the existing Special Permit.

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4.0 **Appeals**

Any person aggrieved by this Decision may appeal pursuant to the General Laws, Chapter 40A, Section 17 within 20 days after the filing of this Decision with the Acton Town Clerk.

Witness our hand this                      day of July, 2004

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F. Dore` Hunter, Chairman

I, Christine Joyce, hereby certify that this is a true copy of the Decision of the Board of Selectmen.

\_\_\_\_\_  
Christine Joyce, Recording Secretary

\_\_\_\_\_  
Date filed with Town Clerk

\_\_\_\_\_  
Edward Ellis, Town Clerk

TO WHOM IT MAY CONCERN: This is to certify that the 20 day appeal period on the Decision of Peak Performance Partners passed and there have been no appeals made to this office.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Edward Ellis, Town Clerk

cc:     Petitioner  
          Building Commissioner, Planning Board, Engineering, Conservation, Director of Municipal Properties,  
          Board of Health, Town Clerk  
          Planning Boards - Concord, Littleton, Westford, Maynard, Carlisle, Boxboro, Stow, Sudbury