

April 7th, 1988

Special TM

ARTICLE 1. AMEND SECTION 3.4 - GOVERNMENTAL, INSTITUTIONAL AND PUBLIC SERVICE USES

To see if the Town will vote to insert a new section 3.4.6, DAYCARE and to amend the Table of Principal Uses to reflect these changes of the Acton Zoning By-law, Town of Acton, Massachusetts as follows:

a) Insert a new section 3.4.6 - Daycare under GOVERNMENTAL, INSTITUTIONAL, and PUBLIC SERVICES USES, to read as follows:

3.4.6 Daycare - Private or nonprofit group daycare center, nursery school, kindergarten, after school center, or similar facility operated for children younger than 15 years of age and for special need children younger than 17 years of age and serving more than six (6) children.

b) Amend the Table of Principal Uses by inserting a new Section 3.4.6 - Daycare which reads as follows:

Daycare:					
R-2	R-4	R-8	SAV	WAV	GB
Y*	Y*	Y*	Y	Y	Y
LI	GI	ARC	PCRC	SPSP	
Y**	Y**	N	Y*	R	

*Only a public or nonprofit accessory use to an educational or religious use.

**Only as an accessory use to a permitted use.

c) Insert a new Section 6.3.3 - Schedule of parking USES - k) Daycare - One space for each five (5) children of rated capacity of the daycare facility plus one space for each staff position.

or take any other action relative thereto.

MOTION: MRS. HARTING-BARRAT moves that the Town amend the Acton Zoning By-Law as set forth in this Article, except that in paragraph b), the phrase after the single asterick shall read as follows: "Only as a public or nonprofit accessory use to an education or religious use."

MOTION CARRIES - TOTAL VOTE - 80 YES - 60 NO - 20

THIS ARTICLE REQUIRES A 2/3 VOTE.

ARTICLE 2. AMEND SECTION 6.1.3 - INTERIOR DRIVEWAY

To see if the Town of Acton will vote to amend the Acton Zoning By-law, Section 6.1.3. Interior Driveway as follows:

Section 6.1.3. Interior Driveway - delete in its entirety and replace with:

6.1.3 Interior Driveway - a travel lane located within the LOT which is not used to directly enter or leave parking spaces. An interior driveway shall not include any part of the access driveway,

or take any other action relative thereto.

MOTION: MR. DENNIS moves that the Town amend Section 6.1.3 of the Acton Zoning By-law as set forth in this Article.

MOTION CARRIES UNANIMOUSLY.

THE FOLLOWING ARTICLE REQUIRES A 2/3 VOTE.

ARTICLE 3. AMEND SECTION 3.8.1.5 - COMMON DRIVES

To see if the Town of Acton will vote to amend the Acton Zoning By-law, Section 3.8.1.5 (Common Drives in the Residential districts) as follows:

Section 3.8.1.5 - Delete in its entirety and replace with:

3.8.1.5 No Common Drives are permitted except as defined and allowed herein. In the residential districts, a common drive providing access to two (2) but not more than five (5) LOTS shall be permitted with a Special Permit from the Planning Board. The common drive shall, in the opinion of the Planning Board, have a design, surface, grade, width and turning radii adequate to permit access to fire, police, and other emergency vehicles, have adequate turn around space for fire emergency vehicles and provide for adequate drainage,

or take any other action relative thereto.

MOTION: MR. DENNIS moves that the Town amend Section 3.8.1.5 of the Acton Zoning By-law as set forth in this article.

MOTION LOST: TOTAL VOTE - 138 YES - 81 NO - 57

THE FOLLOWING ARTICLE REQUIRES A 2/3 VOTE.

ARTICLE 4. AMEND SECTION 5 - DIMENSIONAL REGULATIONS

To see if the Town will vote to amend Section 5 of the Acton Zoning By-law, Town of Acton, Massachusetts as follows:

a) 5.2.1 LOT area - delete in its entirety and replace with:

5.2.1 LOT area - for LOTS created on or before January 8, 1988, the LOT area shall be determined by calculating the area within a LOT including any area within the LOT over which easements have been granted, provided that no area within a STREET shall be included in determining minimum LOT area. For LOTS created after January 8,

1988, the LOT area shall be determined by calculating the area within a LOT including any area within the LOT over which easements have been granted, provided that no area within a STREET, or within a private way or common driveway, or within a right of way for travel by motor vehicles shall be included in determining LOT area.

b) 5.2.1.1 - Add new Section 5.2.1.1 as follows:

5.2.1.1 - For LOTS created after January 8, 1988, the following additional regulation applies: When the distance between any two points on LOT lines is less than 50 feet, measured in a straight line, the smaller portion of the LOT which is bounded by such straight line and such LOT lines shall not be considered in computing the LOT area unless the distance along such LOT lines between such two points is less than 150 feet.

c) Insert new Section 5.2.3.1 as follows:

5.2.3.1 - Each LOT created after January 8, 1988 shall also have a width of not less than 80 percent of the required FRONTAGE at all points between the sideline of the right-of-way along which the FRONTAGE of the LOT is measured and the nearest point of the front wall of the DWELLING upon such LOT. Such width shall be measured along lines which are parallel to the sideline of the frontage street.

LOT FRONTAGE	LOT WIDTH
R-2 150'	R-2 120'
R-4 175'	R-4 140'
R-8 200'	R-8 160'

d) 5.3.3.1 - Add a new phrase at the end of the existing section so that it now reads:

FRONTAGE - Exception LOTS - In the residential districts the minimum LOT FRONTAGE may be reduced by 50 feet per LOT (FRONTAGE reduced in the R-2 district to 100 feet, in the R-4 district to 125 feet, and in the R-8 district to 150 feet) provided that the minimum LOT area required for each LOT is doubled (LOT increased in the R-2 district to 40,000 square feet, in the R-4 to 80,000 square feet and in the R-8 district to 160,000 square feet) and each LOT created after January 8, 1988, shall have a width of not less than 100% of the required FRONTAGE at all points between the sideline of the right-of-way along which the FRONTAGE of the LOT is measured and the nearest point on the front wall of the DWELLING upon such LOT. Such width shall be measured along lines which are parallel to the sideline of the frontage street,

or take any other action relative thereto.

FRONTAGE EXCEPTION:	LOT WIDTH:
R-2 - 100'	R-2 - 100'
R-4 - 125'	R-4 - 125'
R-8 - 150'	R-8 - 150'

MOTION: MR. BARRY moves that the Town amend Section 5 of the Acton Zoning By-law as set forth in this article, except that in paragraph a), the words "or common driveway" shall be deleted and that in all paragraphs the date "January 8, 1988" shall be "April 8, 1988".

MOTION IS LOST. TOTAL VOTE - 195 YES - 124
NO - 71

ARTICLE 5. AMEND SECTION 10.4.3 - SITE DESIGN STANDARDS FOR SITE PLAN SPECIAL PERMITS

To see if the Town will vote to amend Section 10.4.3, Site Design Standards for Site Plan Special Permits, of the Acton Zoning By-law to insert two new sections, 10.4.3.5 DEVELOPABLE SITE AREA, and 10.4.3.6. MAXIMUM NET FLOOR AREA and to amend the Table of Standard Dimensional Regulations to reflect these changes, and to amend Section 1.3 DEFINITIONS to insert definitions for DEVELOPABLE SITE AREA; FLOOR AREA, NET; FLOOR AREA RATIO; and to renumber the section accordingly.

a) 10.4.3.5 DEVELOPABLE SITE AREA:

The DEVELOPABLE SITE AREA:

The DEVELOPABLE SITE AREA shall be calculated by subtracting from the LOT area, all land which is located in:

1) a wetland, which shall mean a "freshwater wetland" as defined in Chapter 131, Section 40, M.G.L.

2) a Flood Plain District as defined in Section 4.1 of the Town of Acton Zoning By-law.

3) another zoning district in which the Principal use of the LOT is not also permitted, subject to the provisions of Section 2.3.4.

b) 10.4.3.6 MAXIMUM NET FLOOR AREA - The maximum NET FLOOR AREA on a LOT shall not exceed the product of the DEVELOPABLE SITE AREA and the maximum FLOOR AREA RATIO set forth in the Table of Standard Dimensional Regulations. To simplify the determination of NET FLOOR AREA, 80 percent of the GROSS FLOOR AREA may be used.

c) Replace in the Table of Standard Dimensional Regulations the column entitled MAXIMUM BUILDING COVERAGE IN PERCENT with a column entitled MAXIMUM FLOOR AREA RATIO. The new column shall read as follows:

R-2	NR
R-4	NR
R-8	NR
SAV	.20
WAV	.20