



D'AGOSTINE, LEVINE, PARRA & NETBURN, P.C.
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Maryann Cash Cassidy

October 27, 2015

VIA HAND DELIVERY

Board of Selectmen
Town of Acton
472 Main Street
Acton, MA 01720

RE: Applicant: Acton Sports Property Limited Partnership and Acton Teamworks, LLC
(collectively "Applicant")
Premises: 30 Great Road, Acton, MA 01720 ("Premises")
Minor Modification of Special Use Permit #04/20/04-397 ("Special Use Permit")

Dear Board Members,

On behalf of the Applicant, a minor modification is respectfully requested to the Special Use Permit so as to revise Condition 2.4 so as to increase the number of seats in the restaurant from 40 to 67.

Enclosed please find the following:

1. Application for Minor Modification of Special Use Permit #04/20/04-397 together with a copy of the original Special Use Permit;
2. Copy of 40 seat restaurant seating plan;
3. Copy of proposed 67 seat restaurant seating plan;
4. Check in the amount of \$100 made payable to the Town of Acton; and
5. Copy of approval from the Acton Board of Health.

If you need any further information, please immediately advise. Otherwise, please let me know when this matter will be scheduled for consideration by the Board of Selectmen.

Thank you.

ACTON SPORTS PROPERTY LIMITED PARTNERSHIP
AND ACTON TEAMWORKS, LLC
By Their Attorneys
D'AGOSTINE, LEVINE, PARRA & NETBURN, P.C.

By: 
Louis N. Levine
e-mail: llevine@dlpnlaw.com

LNL/jlc

Cc: Client – Via E-mail
Roland Bartl – Via E-mail

Appendix B
TOWN OF ACTON
APPLICATION FOR SPECIAL PERMIT
(ZONING BYLAW)

Indicate the type of Special Permit Requested: Minor Modification of Special Use Permit #04/20/04-397

~~Under Zoning Bylaw Section:~~ s.513 of Board of Selectmen Special Permit Rules

Refer to the "Rules and Regulations for Special Permits" available from the Planning Department for details on the information and fees required for this application. Contact the Planning Department at 978-929-6631 with any questions concerning the Rules. Incomplete applications may be denied.

Please type or print your application.

1. Location and Street Address of proposed SPECIAL PERMIT 30 Great Road, Acton, MA

2. Applicant's Name Indoor Sports Management, Inc.
Address 30 Great Road, Acton, MA 01720
Telephone _____ Email _____

3. Applicant & Record Owner's Name Acton Sports Property Limited Partnership
Address 30 Great Road, Acton, MA 01720
Telephone _____ Email _____

4. Town Atlas Map(s)/Parcel Number(s) Map G5 Parcel 82-1

5. Zoning District (s) of Parcel(s) EAV2 (East Acton Village 2)

6. Detailed description of the proposed SPECIAL PERMIT:
Amend/Modify Special Use Permit #04/20/04-397 so as to increase the
number of seats permitted from 40 to 67 (a copy of the permit is attached).

7. If applying for a USE SPECIAL PERMIT, declare all hazardous materials or wastes that are expected to be generated, stored, used, or disposed of by the proposed USE. The USE must comply with the TOWN'S Hazardous Materials Control Bylaw:
N/A

8. If there was a change in USE, please describe the previous USE on the site: _____
N/A

9. If any SPECIAL PERMITS have been filed previously for this site give file numbers:
Special Use Permit #04/20/04-397.
10. Please indicate expected number of employees, occupants and/or residents: N/A
11. If a restaurant is proposed, please indicate number of proposed seats:
67
12. Hours of operation: N/A
13. Please indicate the following:
 Total NET FLOOR AREA (existing): No Change from permitted condition
 Total NET FLOOR AREA (proposed): No change.
14. Describe any proposed modifications to the exterior features or appearances of the STRUCTURE: N/A
15. If the proposed SPECIAL PERMIT is located on a developed site, please provide the site conditions for the following characteristics:
 LOT size: 8.126+/- acres
 Total LOT coverage (existing): No change from permitted condition.
 Total LOT coverage (proposed): No Change
 Total OPEN SPACE (existing): No change from permitted condition.
 Total OPEN SPACE (proposed): No Change
 Total parking spaces provided on the site: No change from permitted condition.
 Total parking spaces dedicated to proposed use (existing): All are available
 Total parking spaces dedicated to proposed use (proposed): All are available

The undersigned hereby apply to the Board of Selectmen for a public hearing and a special permit under Section 10.3 of the Zoning Bylaw approving the attached use form.

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.

10-20-15 *Tom Moore* Tom Moore
 Date Signature of Petitioner(s) Signature of Petitioner(s)

RECORD OWNER'S KNOWLEDGE AND CONSENT

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

10-20-15 *Tom Moore* Tom Moore
 Date Signature of Record Owner(s) Signature of Record Owner(s)

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Special Use Permit # 04/20/04-397
40 Seat Restaurant
30 Great Road

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DECISION of the Board of Selectmen (hereinafter the Board) on the petition of Indoor Sports LLC. [owner]
(hereinafter the Petitioner) for the property located at 30 Great Road Acton, Massachusetts. Said property is
shown on Acton Town Atlas Map G-5 Parcels 82-1. *Time ref 27769-165*

This Decision is in response to an application submitted to the Board on April 20, 2004 by the Petitioner for a
Special Permit under Section 10.3 of the Acton Zoning Bylaw (hereinafter the Bylaw), to establish a 40 seat
restaurant.

After causing notice of the time and place of the public hearing and of the subject matter thereof to be
published, posted and mailed to the Petitioner, abutters and other parties in interest as required by law, the
hearing was called to order on June 14, 2004 at 7:15 P.M. in the Selectmen's Hearing Room at the Acton
Town Hall. Board members F. Dore Hunter, Peter Ashton, Robert Johnson, and Walter Foster 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 properly executed application for Special Use Permit received April 20, 2004. A plan showing
where the restaurant will be located and a USE description.

Exhibit II

Interdepartmental Communication (IDC) from the Town Manager to the Town Staff requesting
comments. The following IDC's were received:

1. Building Commissioner dated June 9, 2004
2. Town Planner dated March 10, 2004
3. Engineering Department dated March 4, 2004
4. Transportation Advisory Committee dated March 5, 2004
5. Recreation Director dated February 9, 2004
6. Fire Chief dated February 10, 2004
7. Health Agent dated February 9, 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 East Acton Village 2 Zoning District and the restaurant is permitted by
Special Use Permit.
- 1.2 The site is located in Zone 3 of the Groundwater Protection District.
- 1.3 The Plan provides for sufficient parking.
- 1.4 The access driveway is a one lane bridge. The bridge was built to access a manufacturing facility.
The building is presently being used as a commercial recreation facility. Members would be familiar
with the single lane bridge but the general public may not be. The Board finds the Applicant should

*Thomas M. Laughlin
Indoor Sports
30 Great Rd, Acton, MA 01726*

Special Use Permit # 04/20/04-397
40 Seat Restaurant
30 Great Road

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clearly post the bridge as a one-lane bridge. The Board reserves the right to reopen the hearing if accidents happen as a result of the one-lane bridge.

1.4 The Plan as herein approved:

1. Will protect the neighborhood and the Town against seriously detrimental or offensive USES on the site and against adverse effects on the natural environment.
2. Will provide for convenient and safe vehicular and pedestrian movement and the locations of driveway openings are convenient and safe in relation to vehicular and pedestrian traffic circulation, including emergency vehicles, on or adjoining the site.
3. Will provide an adequate arrangement of parking and loading spaces in relation to the proposed use of the premises.
4. Will provide adequate methods of disposal of refuse or other wastes resulting from the USES permitted on the site.
5. Is consistent with the Master Plan.
6. Is in harmony with the purpose and intent of this Bylaw.
7. Will not be detrimental or injurious to the neighborhood in which it is to take place.
8. Is appropriate for the site and complies with all applicable requirements of this Bylaw.

Therefore, the Board voted to GRANT the requested Special Permit subject to the following conditions and limitations.

2.0 Limitations

The Authority granted to the Petitioner by this permit is limited as follows:

- 2.2 This Decision applies only to the requested Special Permit. Other permits or approvals required by the Acton Zoning Bylaw, other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied by this Decision. No approval of any signs or advertising devices is implied by this Decision.
- 2.3 The foregoing restrictions are stated for the purpose of emphasizing their importance but are not intended to be all inclusive or to negate the remainder of the Acton Zoning Bylaw.
- 2.4 This approval of a restaurant Special Permit is limited to 40-seats.
- 2.5 This Special Permit shall lapse on July 12, 2006 unless work approved by this permit has commenced except for good cause. Any request for extensions shall be made at least thirty (30) days prior to expiration.
- 2.6 The Board reserves the right to reopen the hearing if accidents occur to consider appropriate action including but not limited to revoking this permit for a restaurant.

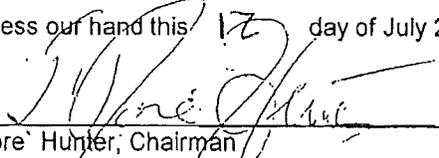
Special Use Permit # 04/20/04-397
40 Seat Restaurant
30 Great Road

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4.0 Appeals

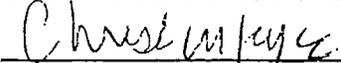
Any person aggrieved by this Decision may appeal pursuant to the General Laws, Chapter 40A, Section 17 within 20 days after the filing of this Decision with the Acton Town Clerk.

Witness our hand this 17 day of July 2002



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

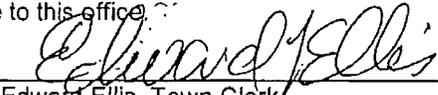
July 13, 2004
Date filed with Town Clerk



Edward Ellis, Town Clerk

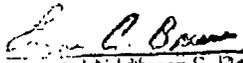
TO WHOM IT MAY CONCERN: This is to certify that the 20 day appeal period on the Decision of Acton Indoor Sports LLC passed and there have been no appeals made to this office.

November 11, 2004
Date

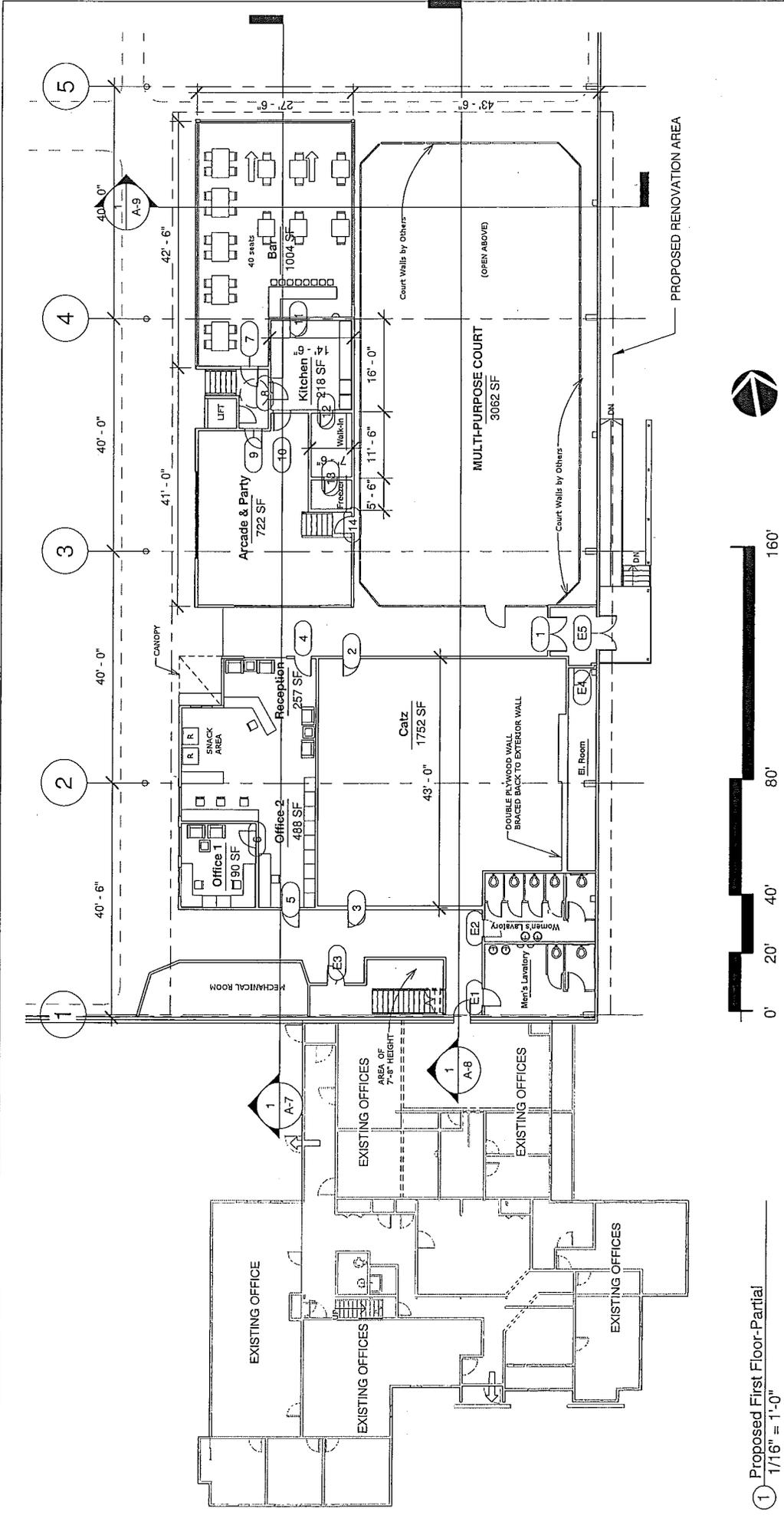


Edward Ellis, Town Clerk

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



A. C. Brown, Registrar



1 Proposed First Floor-Partial
1/16" = 1'-0"

Proposed 1st Floor Plan - Partial	
Project number	Project Number
Date	6/19/2013
Drawn by	VeRasko
Checked by	Checker
A-1	
Scale 1/16" = 1'-0"	

No.	Description	Date

Indoor Sports Center
30 Great Road
Acton, MA 01720

TeamWorks
ELTON+HAMPTON ARCHITECTS
103 Terrace St.
Boston, MA 02120

4432

D'AGOSTINE, LEVINE, PARRA & NETBURN, P.C.
ATTORNEY AT LAW
268 MAIN ST
ACTON, MA 01720-3713

EP
Enterprise
Bank
Enterprise Bank & Trust Company
LOWELL, MASSACHUSETTS
53-274-113

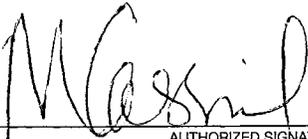
10/19/15

PAY TO THE
ORDER OF Town of Acton

\$ **100.00

One Hundred and 00/100***** DOLLARS

Town of Acton



AUTHORIZED SIGNATURE

MEMO
Minor Modification of Special Use Permit

⑈004432⑈ ⑆011302742⑆ 484 781⑈

D'AGOSTINE, LEVINE, PARRA & NETBURN, P.C.

4432

Town of Acton
6360 Forms, Copies and Reports

10/19/15

100.00

Enterprise Bank

Minor Modification of Special Use Permit

100.00

Security features. Details on back.



ACTON BOARD OF HEALTH

Doug Halley
Health Director

472 Main Street
Acton, MA 01720

Telephone 978-929-6632
Fax 978-929-6340

October 20, 2015

Teamworks
30 Great Road
Acton, MA 01720

Dear Teamworks:

On October 5, 2015 the Acton Board of Health unanimously voted to grant an approval to Teamworks, 30 Great Road to allow an increase to no more than 67 seats with the following conditions:

1. Establishment water use records shall be submitted to the Health Department on semi-annual basis to ensure compliance.
2. If water records indicate higher usage than proposed the applicant will be required to appear before the Board.
3. The Board of Health may suspend or revoke this approval should the use result in a threat or hazard to the public or environmental health.

Sincerely,

Sheryl Ball
Public Health Inspector