



**TOWN OF ACTON
DESIGN REVIEW BOARD
Review Memorandum:
South Acton Vision Plan Review**

February 29, 2024
In-Person Meeting

Design Review Board (DRB) Members in attendance: Peter Darlow (PD)(Chair), Holly Ben-Joseph (HBJ), David Honn (DH), Thomas Doolittle (TD), Richard Keleher (RK), and Jon Cappetta (JC), (Planning Board Representative), Dean Charter (DC)(SB representative).

Proponents in attendance: Kristen Guichard (KG), Town Planner

Documents Reviewed:

A Powerpoint presentation of the South Acton Vision Plan, a document entitled: “Amend Zoning Bylaw and Zoning Map South Acton Village District” (attached).

- KG stated that the document has been prepared by Town planning staff and has three goals:
 - To upgrade the 1995 South Acton Master Plan
 - To incorporate the Commonwealth’s proposed MBTA zoning plan to promote multifamily housing
 - To coordinate zoning provisions with the adjacent proposed Powdermill Corridor Plan
- KG presented an overview of the public outreach that has occurred regarding this planning effort beginning in 2022 and continuing to present.
- KG asked that the DRB prepare a summary memo for the Planning Board meeting on March 19, 2022.
- It is expected that the zoning revisions will be presented as a warrant article for consideration at the spring 2024 Town meeting.

DRB comments:

- Comments from the DRB have been incorporated by the planning staff into the attached document and are high-lighted in blue font.

- DRB members emphasized the importance of presenting clear visual representations of the zoning issues as written (only) zoning language is difficult for the average resident to understand.

Respectfully submitted,

The DRB

ARTICLE #**AMEND ZONING BYLAW & ZONING MAP – South
Acton Village Districts**

(Majority vote)

To see if the Town will vote to amend the Zoning Bylaw and Zoning Map as set forth in the article and to renumber or alphabetize as necessary:

A. In the Table of Contents, delete the line for Section 6.9 and replace it with the following:

6.9 Special Provisions for the Village, Kelley's Corner, Powder Mill Districts, South
Acton Village District 1 and South Acton Village District 2

*[Modifications from the current Bylaw are below. Text shown in ~~strike through~~ is being
replaced with text shown in **bold**.]*

6.9 Special Provisions for the Village, Kelley's Corner, ~~and~~ Powder Mill Districts, **South
Acton Village District 1 and South Acton Village District 2.**

B. In the Classification of Districts, Section 2.1, replace SOUTH ACTON VILLAGE the
following new districts:

SOUTH ACTON VILLAGE 1 SAV-1
SOUTH ACTON VILLAGE 2 SAV-2

*[Modifications from the current Bylaw are below. Added text is shown in **bold**.]*

SOUTH ACTON VILLAGE 1 SAV-1
SOUTH ACTON VILLAGE 2 SAV-2

C. In Section 3 – Table of Principal Uses, in the Village District group, replace SAV column
and replace it with the following two new columns: SAV-1 and SAV-2 as follows:

**[See Attachment: Article – Amend Zoning Bylaw & Zoning Map – South Acton
Village Districts Table of Principal Uses]**

D. In the Notes for Table of Principal Uses, replace note (2) as follows:

(2) Not more than four DWELLING UNITS shall be permitted per multifamily dwelling. In the VR District a Site Plan Special Permit shall not be required.

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(2) Not more than four DWELLING UNITS shall be permitted per multifamily dwelling. In the VR District a Site Plan Special Permit shall not be required. ~~In the SAV district, the Select Board may by Special Permit allow more than four DWELLING UNITS per Multifamily Dwelling.~~

E. In the Notes for Table of Principal Uses, add the following new notes:

- (13) Subject to certain provisions in Section 3.9.4.
- (14) Subject to certain provisions in Section 3.9.5.

F. In Section 3.3 Residential USES, remove subsection a) and replace it with the following:

- a) in the following Districts: Village Districts (EAV, NAV, SAV-1 and SAV-2, WAV); Residence A District (R-A); Residence AA District (R-AA);

*[Modifications from the current Bylaw are below. Added text is shown in **bold**.]*

- b) in the following Districts: Village Districts (EAV, NAV, **SAV-1 and SAV-2**, WAV); Residence A District (R-A); Residence AA District (R-AA);

G. In Section 3.3.3, definition of Dwelling Conversions, remove the existing definition and replace it with the following:

3.3.3 Dwelling Conversions – A single FAMILY dwelling or other residential BUILDING in existence prior to April 1, 1971 with less than four DWELLING UNITS may be altered and used for not more than four DWELLING UNITS if the LOT on which the BUILDING is located contains not less than 10,000 square feet per DWELLING UNIT and if one of the units is occupied by the owner of the property. In the R-A, R-AA, VR, SAV-1 and SAV-2, WAV, NAV, EAV and KC Districts the preceding requirement that the LOT on which the BUILDING is located shall contain not less than 10,000 square feet per DWELLING UNIT shall not apply. In the SAV-1 and SAV-2 the owner occupancy requirement shall not apply.

[Modifications from the current Bylaw are below. Added text is shown in bold.]

3.3.3 Dwelling Conversions – A single FAMILY dwelling or other residential BUILDING in existence prior to April 1, 1971 with less than four DWELLING UNITS may be altered and used for not more than four DWELLING UNITS if the LOT on which the BUILDING is located contains not less than 10,000 square feet per DWELLING UNIT and if one of the units is occupied by the owner of the property. In the R-A, R-AA, VR, **SAV-1 and SAV-2**, WAV, NAV, EAV and KC Districts the preceding requirement that the LOT on which the BUILDING is located shall contain not less than 10,000 square feet per DWELLING UNIT shall not apply. **In the SAV-1 and SAV-2 the owner occupancy requirement shall not apply.**

H. In Section 3.8, Accessory Use Regulations remove Section 3.8.1.2 and replace it with the following:

3.8.1.2 A home occupation, other than retail sales, conducted entirely within the DWELLING UNIT or an accessory BUILDING by a resident and employing no persons other than the residents. In the Village Residential District, the portion of the DWELLING UNIT or accessory BUILDING used for a home occupation shall be limited to 500 square feet of NET FLOOR AREA. The Board of Appeals may authorize by special permit a home occupation which 1) conducts retail sales, or 2) employs non-residents provided that no more than two such non-resident employees shall be present on the premises at any one time. In the SAV-1 and SAV-2 Districts the regulations on retail sales and resident employees do not apply.

[Modifications from the current Bylaw are below. Added text is shown in bold.]

3.8.1.2 A home occupation, other than retail sales, conducted entirely within the DWELLING UNIT or an accessory BUILDING by a resident and employing no persons other than the residents. In the Village Residential District, the portion of the DWELLING UNIT or accessory BUILDING used for a home occupation shall be limited to 500 square feet of NET FLOOR AREA. The Board of Appeals may authorize by special permit a home occupation which 1) conducts retail sales, or 2) employs non-residents provided that no more than two such non-resident employees shall be present on the premises at any one time. **In the SAV-1 and SAV-2 Districts the regulations on retail sales and resident employees do not apply.**

I. In Section 3.9, Special Provisions Applicable to Nonresidential USEs, added the following new sections:

3.9.4 Nonresidential USEs in the SAV-1 District - On LOTS in the SAV-1 District where the FLOOR AREA RATIO exceeds 0.40, only the following USEs shall be located

on the ground floor side of the BUILDING that is facing a STREET: Retail Store; Restaurant; Community Service Organization; Services; Commercial Recreation; Repair Shop, Technical Shop, Studio Shop; Hotel, Motel, Inn, Conference Center; Bed & Breakfast; Lodge or Club; and Commercial Entertainment. All other USES shall be located on BUILDING floors other than the ground level floor, on the ground level floor in a rear portion of a BUILDING, or in a BUILDING situated in the rear of other BUILDINGS that face one or more STREETS, and be hidden or screened so as to be unobtrusive when viewed from a STREET.

3.9.5 Nonresidential USES in the SAV-2 District - On LOTS in the SAV-2 District only the following USES shall be located on the ground floor side of the BUILDING that is facing a STREET: Community Service Organization; Retail Store; Restaurant; Services; Commercial Recreation; Repair Shop, Technical Shop, Studio Shop; Hotel, Motel Inn, Conference Center; Bed & Breakfast; Lodge or Club; Commercial Entertainment. All other USES shall be located on BUILDING floors other than the ground level floor, on the ground level floor in a rear portion of a BUILDING, or in a BUILDING situated in the rear of other BUILDINGS that face one or more STREETS, and be hidden or screened so as to be unobtrusive when viewed from a STREET.

J. In Section 5 – Table of Dimensional Regulations, in the Village District group, replace SAV row and replace it with the following two new rows: SAV-1 and SAV-2 as follows:

DISTRICT	ZONING DISTRICTS	MINIMUM LOT AREA in sq. ft.	MINIMUM LOT FRONTRAGE in feet	MINIMUM LOT WIDTH In feet	MINIMUM FRONT YARD in feet	MINIMUM SIDE & REAR YARD in feet	MINIMUM OPEN SPACE in percent	MAXIMUM FLOOR AREA RATIO	MAXIMUM HEIGHT in feet
VILLAGE DISTRICTS	EAV	NR	NR	NR	10 (10)	NR (1)	25%	0.20 (4)	36
	EAV-2	15,000	50	NR	10	10 (1)	35%	0.20 (4)	36
	NAV	10,000	100	50	10 (9)	10 (1)	35%	0.20 (4)	36
	SAV-1	NR	NR	NR	5 (10)	10	NR	0.40 (13)	40
	SAV-2	NR	NR	NR	5 (10)	NR(18)	NR	NR	45(19)
	WAV	NR	NR	NR	5 (10)	NR (1)	NR	0.40 (11)	36 (12)

And delete note (10), and replace it with the following new note (10):

(10) The maximum front yard shall be ten (10) feet in the WAV District, SAV-1 and SAV-2 Districts and twenty feet (20') in the EAV Districts, or the lesser of the front yards of the two BUILDINGS or STRUCTURES on either side, whichever is the least. In the SAV-1 and SAV-2 Districts the maximum setback is 20 feet if parallel parking is provided in

accordance with Section 6.9.7.4.1. Exceptions: a) The maximum front yard requirement shall not apply to a BUILDING or STRUCTURE in the rear of an existing BUILDING or to an addition to the rear of an existing BUILDING or STRUCTURE, if all are located on one LOT with FRONTAGE on only one STREET. b) The maximum front yard requirement shall not apply to a BUILDING or STRUCTURE on a LOT without FRONTAGE and located entirely in the rear of existing BUILDINGS or STRUCTURES so that it does not face a STREET.

And delete note (13), and replace it with the following new note (13):

(13) The maximum Floor Area Ratio (FAR) may be increased to 1.0, provided that the following USE(S) be located on the ground floor side of the BUILDING front facing a STREET: Community Service Organization; Retail Store; Restaurant; Services; Commercial Recreation; Repair Shop Technical Shop, Studio; Hotel, Motel Inn, Conference Center; Bed & Breakfast; Lodge or Club; and Commercial Entertainment.

And insert notes (18) and (19) as follows:

(18) If a LOT abuts a South Acton Village 1 District the side and rear yard setback shall be 10 feet.

(19) If a LOT abuts a South Acton Village 1 District the maximum height is limited to 40 feet within 320 feet of the SAV-1 District.

DISTRICT	ZONING DISTRICTS	MINIMUM LOT AREA in sq. ft.	MINIMUM LOT FRONTAGE in feet	MINIMUM LOT WIDTH In feet	MINIMUM FRONT YARD in feet	MINIMUM SIDE & REAR YARD in feet	MINIMUM OPEN SPACE in percent	MAXIMUM FLOOR AREA RATIO	MAXIMUM HEIGHT in feet
VILLAGE DISTRICTS	EAV	NR	NR	NR	10 (10)	NR (1)	25%	0.20 (4)	36
	EAV-2	15,000	50	NR	10	10 (1)	35%	0.20 (4)	36
	NAV	10,000	100	50	10 (9)	10 (1)	35%	0.20 (4)	36
	SAV-1	NR	NR	NR	510-(10)	10	NR	0.40 (13)	40
	SAV-2	NR	NR	NR	5 (10)	NR(18)	NR	NR	45(19)
	WAV	NR	NR	NR	5 (10)	NR (1)	NR	0.40 (11)	36 (12)

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K. In Section 5.5, insert a new Section 5.5D, Special Provisions for the South Acton Village District 1 and South Acton Village District 2.

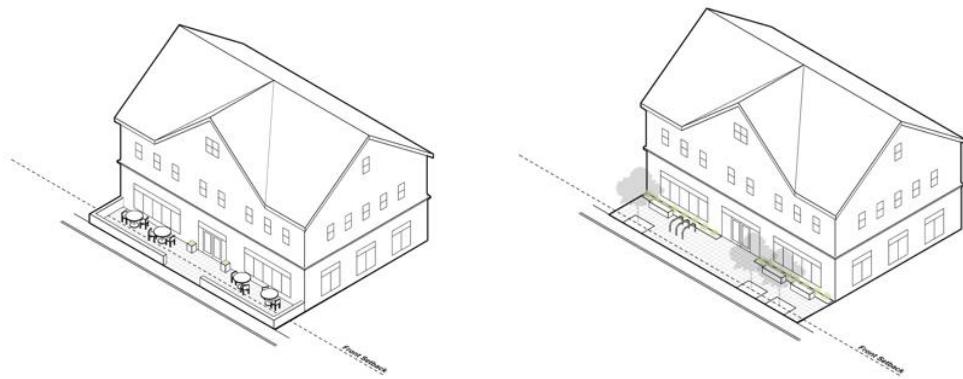
5.5D Special Provisions for the South Acton Village 2 (SAV-2) District and parcels in the South Acton Village 1 (SAV-1) District located outside on the South Acton Historic District.

5.5D.1 LOTs abutting the SAV District 1 – Any portion of a BUILDING located within 20 feet of the SAV-1 District is limited to a height of 40 feet.

[insert diagram]

5.5D.2 BUILDING Design and layout

- a. BUILDING facades facing STREETS are also referred to herein as building fronts or building front facades.
- b. The entire front side of a LOT facing a STREET shall be occupied by BUILDINGS or by a pedestrian plaza that are located within the 10-foot maximum setback, with the exception of sidewalks, walkways and the minimum allowed width for an access drives. Pedestrian plazas shall be a natural gathering spot at the STREET level in front of a BUILDING, on the side of a BUILDING, in between BUILDINGS, which is to be used exclusively by pedestrians and connects to the sidewalk and walkways. Pedestrian plazas may be utilized for outdoor dining.



Example of pedestrian plaza and building fronts.

- c. Gabled roofs shall have a minimum pitch of 9/12 and have overhang eaves of at least one foot. BUILDINGS with a flat roof shall have tops that are treated with an **articulated** cornice, **dormers**, or other architectural treatment that appears an integral part of the BUILDING from all visible sides of the BUILDING.
- d. Rooftop mechanical equipment shall be screened from a STREET by the use of architecturally compatible materials.
- e. The main features of the architectural treatment of the BUILDING front facades, including the materials used, shall be continued around all sides of the BUILDING that are visible from a STREET. The Site Plan Special Permit Granting Authority may approve alternative treatment of side and rear BUILDING walls that is consistent.
- f. Visual distinction – the BUILDING design for multi-story and multi-use BUILDINGS shall create a visual distinction between upper and lower floors. Upper stories should have the effect of “receding” from the ground floor. The intended effect can be achieved through several means, including a 1' step-back,

architectural banding above the first story of approximately 1' in height or depth, ~~a canopy~~, or other visual break that creates a similar effect.

- g. Flat-roofed BUILDINGS shall provide a minimum of a 5-foot setback on the BUILDING front between the third and fourth stories.
- h. The ground floor of BUILDINGS facing the Street shall be occupied, or designed to be available for occupancy by Business Uses that typically have a regular flow of people into and out of the establishment. This includes the following uses: Retail Store; Restaurant; Services; Commercial Recreation; Repair Shop, Technical Shop, Studio; Hotel, Motel, Inn, Conference Center; Bed & Breakfast; Lodge or Club; and Commercial Entertainment. Floors above the ground floor or first floor facades facing the rear or side of the property may contain Residential uses.
- i. The BUILDING front facades shall be articulated to achieve a human scale and interests. The use of different textures, shadow lines, uneven angles, detailing and contrasting shapes is required. BUILDING facades shall have a varied articulated façade at a minimum of every twenty-five (25) feet. ~~BUILDING facades shall may incorporate architectural elements that project or recess by at least two feet from the adjacent section of the façade. The projecting or recessed facade shall occur on a minimum interval of fifty feet or less. Not more than fifty feet of a continuous BUILDING front shall be in the same vertical plane.~~
- j. On the ground floor of a BUILDING front, the amount of windows in the façade surface shall be at least ~~sixty (60%)~~⁴⁰ percent. Ground floor display windows shall be framed on all sides. They shall be highlighted with frames, lintels and sills or equivalent trim features, or may instead be recessed into the wall or projected from the wall.
- k. Mirror windows and highly reflective surfaces shall not be allowed ~~on the BUILDING fronts.~~
- l. Main business entrances to each ground floor business shall be from the BUILDING front and shall be identified by larger doors, signs, canopy or similar means of highlighting.
- m. Projecting Storefront – a projecting storefront shall be no more than 20 ft in width and 3ft in depth and shall not exceed 1 story in height. A projecting storefront may have a flat roof.

[insert diagram]

- n. Rooftop ~~machinal mechanical~~ equipment shall be screened from the STREET by the uses of architectural compatible materials.

- o. Accessory STRUCTURES, air conditioning equipment, electric utility boxes, satellite dishes, trash receptacles and other ground level utilities shall be unobtrusive when viewed from the STREET and adjacent LOTS
- p. Garage doors or loading docks shall not be allowed in the BUILDING fronts.
- q. Low emitting materials – BUILDINGS shall meet at least one product category from LEED BD+C: New Construction, Low-Emitting Materials, as amended.

5.D.3 Street Trees – The front yard setback shall include landscaping that consists of a minimum of one ~~shade~~-tree for every 40 feet of LOT frontage. ~~Shade~~-Trees shall be placed at reasonable intervals. Water-wise landscaping shall be utilized, including drought tolerant plants and mulching. ~~Shade~~-Trees included in the required front yard setback shall consist of a mix of ~~not~~-invasive tree species that have a minimum caliper size of ~~two-three (32)~~ inches when planted. Trees with narrow crotch angles shall be avoided.

L. In Section 6.9, Special Provisions for Parking in the Village Kelley's Corner, and Powder Mill Districts, insert a new section 6.9.7 SAV-1 and SAV-2 Districts

6.9.7 SAV-1 and SAV-2 Districts – In the South Acton Village 1 and South Acton Village 2 Districts, no BUILDING or STRUCTURE shall be located on a LOT and no activity shall be conducted upon any LOT unless off-STREET parking is provided in accordance with the following requirements:

6.9.7.1 Required off-STREET parking for a USE may be provided on any LOT within the same Zoning District as the USE, but not necessarily on the same LOT as the USE.

6.9.7.2 Design Requirements – The parking lot design requirements of Section 6.7 shall not apply in the SAV-1 and SAV-2 Districts. Off-STREET parking spaces shall be either contained within a BUILDING or STRUCTURE, or subject to the following requirements.

- a) Required parking spaces, ACCESS driveways, and interior driveways shall be provided and maintained with suitable grading, paved surfaces, adequate drainage, and landscaping as required in Section 6.9.4.7.
- b) ACCESS Driveways – Not more than one ACCESS driveway for two-way traffic from a STREET to a parking facility shall be permitted. An additional ACCESS driveway from a STREET may be permitted provided that the ACCESS driveways are limited to one-way traffic. However, there shall not be more than two (2) ACCESS driveways for one-way traffic for any parking facility. ACCESS, interior and common driveways for two-way traffic shall be twenty feet (20') wide. The ACCESS, interior and common driveways for one-way traffic shall be fourteen (14) feet wide.
- c) Set-Backs – Except where parking lots established in accordance with Section 6.9.4.5 cross over common LOT lines, all parking spaces and paved surfaces other

than ACCESS driveways or common driveways shall be set back a minimum of five (5) feet from any LOT lines.

6.9.7.3 Landscaping of Parking Lots – Parking lots shall include a landscape area equal to a minimum of five percent (5%) of the area of the parking lot.

- a) ~~Shade-Street~~ trees – One ~~shade~~-tree shall be provided for each two thousand (2,000) square feet or less of pavement area. Each ~~shade~~-tree shall be from a deciduous species rated for the current U.S.D.A. Hardiness Zone for Acton, Massachusetts that is expected to reach at least 20 feet in height at maturity; be seven (7) feet in height with a trunk caliper size of at least 3/4 inches at the time of planting; and be surrounded by a landscaped area of one hundred square feet (100 sq. ft.) to accommodate the root system of the tree.
- b) Perimeter Planting Strip – Parking lots adjacent to STREETS, sidewalks, paths or ACCESS driveways shall include a perimeter planting strip at least seven and one-half (7.5) feet wide. However, if the planting strip is protected from vehicular damage through the use of planting beds that are raised above the surface of the parking lot at least twelve (12) inches or through the use of bollards or balustrades, the width of the planting strip may be reduced to five (5) feet. Said planting strip shall feature a physical separation of the parking lot and adjacent ways of at least two and one-half (2.5) feet in height. This physical separation may be created through the use of plantings, walls, or fencing (other than chain link or smooth concrete) or a combination of plantings and fencing. No more than twenty percent (20%) of this perimeter planting strip shall be impervious.
- c) Plantings – Plantings for landscaped areas shall include a mixture of flowering and decorative deciduous and evergreen trees and shrubs and shall be planted with suitable ground cover.
- d) Sight Distance – All landscaping along any STREET FRONTAGE shall be placed and maintained so that it will not obstruct sight distance.
- e) Protection of Landscaped Areas – Landscaped areas shall be planted and protected in such a manner that the plantings will not be damaged by vehicles.

6.9.7.4 No off-STREET parking spaces shall be established between the front line of the principal BUILDING and the front property line along a STREET, except for on-street parallel parking as described in Section 6.9.7.4.1.

6.9.7.4.1 On-Street Parallel Parking – the Site Plan Special Permit Granting Authority may allow the provision of parallel parking spaces, designed as on-street parking, in front of a BUILDING along the RIGHT OF WAY to support the viability of commercial uses and provide traffic calming by separating busy streets from the pedestrian way.

- a. On-street parallel parking shall be deemed an extension of the street onto the LOT at the election of the applicant.
- b. All allowed on-street parking shall not conflict with crosswalks and bike lanes and shall be coordinated with all existing and new curb cuts to maintain and promote a safe pedestrian experience.
- c. On-street parallel parking lanes shall be a minimum of 8 feet wide and 20 feet long. At the beginning and end of an on-street parking section a minimum of 8-foot

transition area shall be provided to transition the curb from the parking space and the abutting property. If parallel parking is provided, the maximum setback for STRUCTURES is 20 feet.

- d. No parallel parking shall be allowed within 20 feet of an intersection.
- e. Continuous sidewalks shall be provided directly behind the on-street parking. All sidewalks shall connect to walkways and sidewalks on adjacent LOTS.

6.9.7.5 Connection of Parking – A Special Permit Granting Authority shall require that all parking facilities be connected by a common driveway to the parking facilities of all adjacent USES and to all adjacent land in the same Zoning District, unless it finds that physical constraints, present site configuration, uncooperative abutters, or land vacancy precludes strict compliance. In such cases, the site and the parking facility shall be designed to provide for the future construction of common driveways. For the purposes of this section, common driveway shall be defined as a driveway that is shared by two or more LOTS and located at least partially within the required setback areas of such LOTS. Such a common driveway can be either a shared ACCESS driveway to a STREET or a driveway to a STREET or a driveway connecting such LOTS with each other.

6.9.7.6 Number of Parking Spaces – Unless otherwise noted below in the SAV-1 and SAV-2 Parking Schedule, the maximum number of allowed parking spaces shall be the requirements in Section 6.3.1. The minimum number of required parking spaces shall be 70% of the requirements in Section 6.3.1. In the case of collective use of a parking lot in accordance with Section 6.9.7.7 below, the minimum number of required parking spaces shall be 50% of the requirements in Section 6.3.1.

SAV-1 and SAV-2 Parking Schedule

Dwelling	Minimum of one space for each DWELLING UNIT, no maximum parking spaces.
Retail Stores and Services, Repair Shop, Technical Shop, Studio; Restaurants without seats; Restaurants with seats; Fast Food Restaurants with seating but no table service; Commercial Recreation; Commercial Entertainment	No minimum and no maximum parking spaces.

6.9.7.7 Collective Use of Parking Facilities – Off-STREET parking facilities may serve, collectively or jointly, different USES located throughout the same Zoning District where such a collective use of the parking facility is based on a written agreement that: 1) assures the continued collective use; 2) states the number of parking spaces allocated to each participating USE; and 3) assures ACCESS to and maintenance of the common parking facility. The parking spaces provided through the collective use of parking facilities shall be counted towards the minimum required number of spaces for the participating USES applying the discount as set forth in Section 6.9.7.6.

M. In Section 10.4.3, Site Design Standards for Site Plan Special Permits, insert a new Section, 10.4.3.13 Special Provisions Applicable to the SAV-1 and SAV-2 Districts as follows:

10.4.3.13 Special Provisions Applicable to the SAV-1 and SAV-2 Districts – In the SAV-1 and SAV-2 Districts the site and BUILDING design shall be in compliance with Section 5.5D of this Bylaw.

N. To determine whether the Town will vote to amend the Zoning Map by removing the South Acton Village Zoning District and creating two new Zoning Districts, South Acton Village District 1 or South Acton Village District 2 as follows:

[insert map]

, or take any other action relative thereto.

SUMMARY

Direct inquiries to: Kristen Guichard, Planning Director: planning@actonma.gov / (978) 929-6631

Select Board member assigned:

Recommendations: **Select Board** **Finance Committee** **Planning Board**
