



TOWN CLERK

TOWN OF ACTON
472 MAIN STREET
ACTON, MASSACHUSETTS, 01720
TELEPHONE (978) 929-6620
FAX (978) 929-6340
clerk@acton-ma.gov

May 5, 2014

MIDDLESEX, SS:

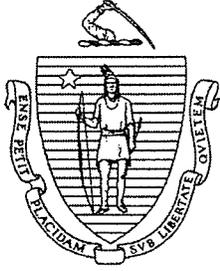
ON THE ABOVE DATE, I POSTED ATTESTED COPIES OF THE AMENDMENT TO THE TOWN ZONING BYLAW, ARTICLES 27 AND ARTICLE 29, WHICH PASSED AT THE ANNUAL TOWN MEETING THAT CONVENED ON APRIL 7, 2014. THE ARTICLES MENTIONED FOR THE ZONING BYLAW, WERE APPROVED BY THE ATTORNEY GENERAL, MARTHA COAKLEY ON MAY 1, 2014 AND IS POSTED AT THE FOLLOWING PLACES IN THE TOWN OF ACTON:

NAGOG WOODS POST OFFICE, TOWN HALL, WEST ACTON POST OFFICE, CENTER POST OFFICE, PUBLIC SAFETY FACILITY, CENTER LIBRARY AND TOWN WEB PAGE.

CONSTABLE

CLAIMS OF INVALIDITY BY REASON OF ANY DEFECT IN THE PROCEDURE OF ADOPTION OR AMENDMENTS OF THESE BYLAWS MAY ONLY BE MADE WITHIN NINETY DAYS (90) PER CHAPTER 40, SECTION 32, OF THE GENERAL LAWS OF THE COMMONWEALTH.

EVA K. SZKARADEK
TOWN CLERK



MARTHA COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

May 1, 2014

Eva K. Szkaradek, Town Clerk
Town of Acton
472 Main Street
Acton, MA 01720

RECEIVED

MAY - 5 2014

TOWN CLERK
ACTON

RE: Acton Annual Town Meeting of April 7, 2014 - Case # 7096
Warrant Articles # 27 and 29 (Zoning)
Warrant Article # 3 (General)

Dear Ms. Szkaradek:

Articles 27 and 29 – We approve Articles 27 and 29, and the map amendments pursuant to Article 29, from the April 7, 2014 Annual Town Meeting.

Article 3 – We have retained Article 3 for further review. We will issue our decision on Article 3 on or before our deadline of July 23, 2014.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) **general** by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) **zoning** by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,
MARTHA COAKLEY
ATTORNEY GENERAL

Margaret J. Hurley

by: Margaret J. Hurley, Assistant Attorney General
Chief, Central Massachusetts Division
Director, Municipal Law Unit
Ten Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 x 4402

cc: Town Counsel Stephen Anderson



TOWN CLERK

A TRUE COPY, ATTEST:

Jan K. Szymanski

TOWN CLERK, ACTON, MA

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472 MAIN STREET
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EXCERPT OF THE ANNUAL TOWN MEETING HELD
MONDAY, APRIL 7, 2014, 7:00 P.M.
ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL AUDITORIUM
WITH ADJOURNED SESSION HELD APRIL 8, 2014
NUMBER OF REGISTERED VOTERS ATTENDING TOWN MEETING
APRIL 7, 2014 – 373 AND APRIL 8, 2014 – 430

ARTICLE 27 AMEND ZONING BYLAW – BICYCLE PARKING
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw Section 6.3 – Minimum Parking Space Requirements by Use by inserting a new subsection 6.3.7 as follows:

6.3.7 Bicycle Parking –Off-STREET parking facilities shall provide bicycle parking spaces as follows:

- 6.3.7.1 Bicycle parking spaces shall be located as close as possible and within plain sight of the main BUILDING entrance or entrances without displacing required parking spaces for persons with disabilities. They shall be principally part of and accessible from the vehicle parking lot or facility rather than part of the sidewalk and walkway system.
- 6.3.7.2 Each bicycle parking space shall measure at least 2.5 feet in width by 6 feet in length with at least one 4-foot wide maneuvering aisle perpendicular to the length.
- 6.3.7.3 Each bicycle parking space shall feature a securely anchored rack (ground-mounted inverted-U with cross bar, or similar shape or functionality) high enough to support the entire height of a bicycle frame, to allow locking of the bicycle frame to the rack in more than one location, and to prevent the rack from being a tripping hazard when empty.
- 6.3.7.4 Bicycle parking spaces shall be protected from motor vehicles with solid barriers such as posts or bollards.
- 6.3.7.5 Bicycle parking spaces shall be provided for all USES, except single- to four-FAMILY Dwellings, at a rate of not less than one (1) bicycle parking space for each twenty (20) motor vehicle parking spaces in the parking facility, but never less than two (2) bicycle parking spaces; and no parking facility shall be required to have more than thirty (30) bicycle parking spaces overall.
- 6.3.7.6 The number of bicycle parking spaces provided for a residential USE may be located within a BUILDING. Such indoor bicycle parking does not have to comply with the dimensional and design standards set forth herein, but shall be designed as a practical

installation for easy access and use. Where bicycle parking spaces within a BUILDING are not accessible to visitors, at least one third of the required bicycle parking spaces shall be installed outdoors in compliance with this section 6.3.7.

6.3.7.7 The first two (2) through six (6) bicycle parking spaces provided in compliance with this section shall reduce by one space the minimum off-street motor vehicle parking requirement set forth in section 6.3.1 above, and each additional six (6) bicycle parking spaces so provided shall further reduce said motor vehicle parking requirement by one (1) space.

, or take any other action relative thereto.

MOTION: Mr. Dube moves that the Town adopt the zoning bylaw amendments as set forth in the Article.

**MOTION CARRIES
DECLARED 2/3 BY MODERATOR***

*TOWN OF ACTON HAS ACCEPTED MGL CH 39 SEC 15 AT IT'S ANNUAL TOWN MEETING APRIL 2001.
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)



TOWN CLERK

A TRUE COPY, ATTEST:

Eva K. Sgherard

TOWN CLERK, ACTON, MA

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ARTICLE 29 * AMEND ZONING BYLAW – FLOOD PLAIN ZONING MAP
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw and Zoning Map, effective July 7, 2014, as follows:

A. Delete the 2nd bulleted paragraph in Section 2.2 (Zoning Map) and replace it with the following:

- “Flood Insurance Rate Map” (FIRM) for Middlesex County issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP), dated and effective beginning on July 7, 2014, Scale 1" = 500', consisting of the 14 map panels that are wholly or partially within the Town of Acton, designated herein as Map Number 2, and enumerated by FEMA as panels: 25017C0238F, 25017C0239F, 25017C0241F, 25017C0242F, 25017C0243F, 25017C0244F, 25017C0351F, 25017C0352F, 25017C0353F, 25017C0354F, 25017C0356F, 25017C0357F, 25017C0358F and 25017C0366F; and including the Middlesex County Flood Insurance Study (FIS) report dated July 7, 2014.

[Note – this paragraph currently reads as follows:

- “Flood Insurance Rate Map” (FIRM) for Middlesex County issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP), dated and effective beginning on June 4, 2010, Scale 1" = 500', consisting of the 14 map panels that are wholly or partially within the Town of Acton, designated herein as Map Number 2, and enumerated by FEMA as panels: 25017C0238E, 25017C0239E, 25017C0241E, 25017C0242E, 25017C0243E, 25017C0244E, 25017C0351E, 25017C0352E, 25017C0353E, 25017C0354E, 25017C0356E, 25017C0357E, 25017C0358E and 25017C0366E; and including the Middlesex County Flood Insurance Study (FIS) report dated June 4, 2010.]

B. Amend Section 4.1 (Flood Plain District) as follows:

1. At the end of the lead paragraph of section 4.1, change the date from “June 4, 2010” to “July 7, 2014”.

2. In both Subsections 4.1.3 and 4.1.3.1, change the date from “June 4, 2010 to “July 7, 2014”.
3. In subsection 4.1.9.2, delete “120.G” after “780 CMR”.
, or take any other action relative thereto.

MOTION: Ms. Adachi moves that the Town adopt the Zoning Bylaw amendments as set forth in the Article.

MOTION CARRIES UNANIMOUSLY