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Groundwater Protection District Special Permit PB 23-04 Amendment #1 (PBSP-25-4)
308 Old High Street
Phoenix Adhesives Company, Inc. dba RH Adhesives
August 19, 2025



TOWN OF ACTON
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DECISION
PB 23-04
Amendment #1

308 Old High Street
Groundwater Protection District Special Permit
Amendment #1

August 19, 2025

APPROVED (with Conditions)

This is an amendment by the Planning Board (hereinafter the Board) of its decision on the application of Phoenix Adhesives Company, Inc. dba RH Adhesives (hereinafter the Applicant) issued to the Applicant, for property in Acton, Massachusetts, owned by Phoenix Adhesives Company, Inc. on August 19, 2025. The property is located at 308 Old High Street and shown on the Acton Town Atlas Map J3 as parcel 34-1 (hereinafter the Site).

This Amendment Decision is in response to the request of Shawn McCormack, for an amendment to the Original Decision and of the plan approved herein. The Planning Board received an Amendment Request on August 13, 2025 for a minor amendment.

The Board discussed this amendment request at a public meeting on August 19, 2025. Board members Ms. Patricia Clifford (Chair), James Fuccione, Ron Beck, Sam Bajwa, and Michaela

Moran were present throughout the hearing. At the public meeting of August 19, 2025, the Board determined that the requested modification is minor in nature and as such does not require a public hearing. The minutes of the meeting and submissions, on which this decision is based, may be referred to in the Office of the Town Clerk or in the Acton Planning Department.

1 EXHIBITS

Submitted for the Board's deliberation were the following exhibits:

- 1.1 A site plan entitled "Site Plan 308 Old High Street in Acton, Massachusetts", dated May 15, 2023 and revised on November 20, 2023, February 20, 2024, and February 11, 2025 drawn by Stamski and McNary of 1000 Main Street, Acton, MA 01720 consisting of one sheet.
- 1.2 Supplemental items and documentation consisting of:
 - Memo from Michael P. Carpenter, Jr., President of RH Adhesives, authorizing Shawn M. McCormack, Esq. of Davis Malm & D'Agostine PC to apply on behalf of Phoenix Adhesives Company, Inc.
 - Letter from Shawn M. McCormack, Esq. requesting a minor amendment to the Original Decision issued by the Acton Planning Board.
 - Filing Fee.

Exhibits 1.1 through 1.2 are referred to herein as the Plan.

2 FINDINGS and CONCLUSIONS

Based upon its review of the exhibits and the record of the proceedings the Board finds and concludes that:

- 2.1 The applicant has an approved Groundwater Protection District Special Permit, approved on September 19, 2023.
- 2.2 The Amendment consists of a minor adjustment to the location of two storage trailers, bringing them further upland from the existing canal at the request of the Acton Conservation Commission.
- 2.3 The extension of the use as shown on the Plan and as amended herein complies with the applicable requirements of the Bylaw; is in harmony with and enhances the purpose and intent of the Bylaw, specifically Section 4.3; is in harmony with the existing and probable future uses of the area and with the character of the surrounding area and neighborhood; is consistent with the Master Plan; will not be detrimental or injurious to the neighborhood; and is appropriate for the Site.

3 BOARD ACTION

Therefore, the Board voted unanimously on August 19, 2025, to GRANT the requested special permit, subject to and with the benefit of the following waivers, conditions, plan modifications, and limitations.

3.1 CONDITIONS

The following conditions shall be binding upon the Applicant and its successors and assigns. Failure to adhere to these conditions shall render this special permit null and void, without force and effect, and shall constitute grounds for the revocation of this special permit, and of any building or occupancy permit issued hereunder. The Town of Acton

may elect to enforce compliance with this special permit using any and all powers available to it under the law.

- 3.1.1 Except as modified herein, the Original Decision, and the plan approved thereunder, shall remain in effect.
- 3.1.2 No building permit shall be issued until the Zoning Enforcement Officer (ZEO) confirms that the approved Plan includes all information necessary to demonstrate compliance with this Decision and the Zoning Bylaw.
- 3.1.3 This Decision and the endorsed Record Plan shall be recorded by the Applicant at the Middlesex South District Registry of Deeds or the Land Court prior to the issuance of a building permit on the Site.

3.2 LIMITATIONS

The authority granted to the Applicant under this special permit is limited as follows:

- 3.2.1 The foregoing required modifications and conditions have been stated for the purpose of emphasizing their importance, but are not intended to be all inclusive or to negate the remainder of the Bylaw and other applicable laws and regulations.
- 3.2.2 This special permit approval applies only to the Site identified in this decision and to the proposed use and activity as shown on the Plan.
- 3.2.3 Other approvals or permits required by the Bylaw, other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied by this decision.
- 3.3.4 The Board hereby reserves its right and power to modify or amend the Plan and the terms and conditions of this decision with or without a public hearing upon the request of the Applicant, their designees or assigns, or upon its own motion.

4 CERTIFICATE OF ACTION

This document stating the Decision of the Board shall serve as the Certificate of the Board's Action to be filed with the Town Clerk pursuant to MGL, Ch. 41, s. 81-U.



Nathaniel Ryan, Assistant Planner II
for the Town of Acton Planning Board

Copies furnished:

Applicant -
certified mail #
Town Clerk
Fire Chief
Owner
[Historic District Commission]

Building Department
Engineering Department
Natural Resources Dept.
Police Chief
Historical Commission

Health Department
Tree Warden
Town Manager
Acton Water District
Assistant Assessor