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**BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING
September 12, 2011**

**Acton Town Hall
Francis Faulkner Hearing Room
Meeting begins at 7:00 P.M.**

Present: Mr. Gowing, Ms. Harting-Barrat, Ms. Adachi, Mr. Clough, Mr. Sonner;
Town Manager Steven Ledoux and Recording Secretary Christine Joyce. The meeting was
televised.

CITIZENS' CONCERNS

James Fenton spoke about the recent power outage, noting that outages have been happening in Acton for 15 years. He said the Town should look at the service NStar provides during power outages, and the timeliness of service hookups for builders. He reminded the Board of the agreement 12 years ago with NStar to place a truck and command center in the DPW for 24-hour coverage during storms. He also talked about the double poles throughout town. He suggested the Town look into getting our power from Concord or Littleton.

CHAIRMAN'S UPDATE

Mr. Gowing spoke about the 9/11 Monument unveiling on Sunday where 1,000 people were in attendance. He thanked the committee members who worked on this project and commended them for their work.

Mr. Gowing said that the Town would be scheduling a meeting of Town staff, NStar and legislators in the future to discuss NStar's handling of emergencies in Acton.

OPERATIONAL MINUTE

Mr. Ledoux announced that Police Lt. Robert Parisi had been named Deputy Police Chief. Lt. Parisi will begin his new position in October.

Mr. Ledoux announced that Fire Chief Robert Craig would be retiring at the end of December, and the assessment of candidates for his replacement was underway.

Mr. Ledoux attended a meeting with the Town Engineer, David Honn of the Historic District Commission and MA-DOT regarding the West Acton railroad crossing. An overhead structure will not be necessary; the proposal is for a median strip like the one in Concord on Walden Street. They will meet again in October.

Mr. Ledoux will be attending the Annual ICMA Conference September 19-23.

final

PUBLIC HEARINGS & APPOINTMENTS

NATIONAL GRID – PERMISSION TO LAY GAS LINE FROM ROBBINS STREET TO BEACON COURT

National Grid is requesting permission for an extension from the existing gas pipeline to one house. Resident Ann Chang complained about the smell of gas and construction-related mess on Robbins Street as well as Heron View; she walks the “lollipop area” daily and has reported the gas smell several times. She asked that an occupancy permit be withheld until the Beacon Court developer repairs the damage on Robbins Street, and that the gas smell be addressed. Mr. Ledoux reported he has encountered the smell of gas in several locations around town. The Board will delay its decision and continue to a future meeting in order to resolve the gas-smell issue before the Board authorizes the extension; the Board requested that the National Grid representative take the Board’s message back to the company.

SITE PLAN 7/6//11-433, 65 POWDER MILL ROAD, OLD MILL DEVELOPMENT TRUST

Ms. Harting-Barrat – Moved to open the hearing and continue to October 3rd at 7:25. Ms. Adachi – second. UNANIMOUS VOTE

SITE PLAN 7/25/11-434, 32 NAGOG PARK

As the assigned Selectman, Mr. Sonner provided a summary of the special permit request, which involves the relocation of an existing business to an existing building on land that is principally in Littleton. The owner has been in Acton for 13 years teaching martial arts, and has relocated three times within Acton to accommodate his growing business. He most recently purchased the Nagog Park building. The abutting daycare center owners have submitted a supporting letter, and resident Bettina Abe, whose sons have been students, spoke in support of the special permit request. There will be minimal changes internally, such as removing walls. Mr. Sonner – Moved to approve. Ms. Harting-Barrat – second – UNANIMOUS VOTE. Staff to prepare the draft decision for the next meeting.

COMMON VICTUALLER AND CARRY IN INTOXICATING BEVERAGES – TWIN SEAFOOD, 541 MASS AVE.

Twin Seafood, with a location in West Concord, will be opening a new location in West Acton and are seeking permission for carry-in alcoholic beverages. The Concord location does not have carry-in permission. The Board cautioned the owners that they needed to be proactive in monitoring potential over-consumption by customers. The owners have filed a policy with the Town Manager’s office. They will have tables outside as well as inside, and a fish market. They have 35 seats allocated to them under the WAVE project. Mr. Gowing – Moved to approve both the Common Victualler and Carry in service. Ms. Harting-Barrat – second. UNANIMOUS VOTE.

SELECTMEN’S BUSINESS

final

EXTENDING BRUCE FREEMAN RAIL TRAIL – ACTON ONLY

Mr. Gowing recused himself.

Westford Selectman Kelly Ross and Angus Jennings, Director of the Westford Department of Land Management, presented a proposal to extend the BFRT to North Acton and provide parking there in an area where Acton has an easement. Westford has had difficulties in finding a suitable area for parking in Westford. The parking in Acton would be an interim solution. Mr. Jennings described the town's multi-boards meeting on 8/31 to review proposed Westford parcels; of 19 parcels, four were more feasible but still presented significant challenges, including wetlands and ownership. Iron Horse Preservation Society, which has worked on other rail conversions nationwide, would remove the railroad ties and retain them as reclaimed materials and prepare the bed and, if provided with recycled asphalt product (RAP), place it at no cost. The Westford Engineering would do the bed and parking design work in consultation with Acton. Westford is applying for a state grant. Westford is willing to consider an inter-municipal maintenance agreement.

Mr. Clough asked about negotiations with Carlisle. They were communicating with the Carlisle Selectmen until it became clear that the parking solution would involve another town. Mr. Clough asked about the timeline to extend into Acton; construction funding currently is scheduled for FY 2021-25. Mr. Clough knew of one property owner willing to lease part of the property for parking: Mr. Jennings said Westford was aware of the property and said it was fraught with problems.

Mr. Sonner asked about the costs of materials and felt \$10,000 is a good conservative cost. Mr. Sonner asked about the application for the grant. Mr. Jennings said a letter of support or conditional support from Acton would be helpful.

Ms. Adachi expressed support for the BFRT but, referring to the 8/31 meeting presentation materials from the Westford website, asked about the issues that abutters to prospective sites in Westford had raised, such as excess demand, litter, etc. She also asked about the size of the proposed lot, the presence of wetlands, and whether at some point Acton would be under pressure to expand the parking area.

Tom Michelman, President of the BFRT Friends, spoke about the issue of parking in Westford and signage. The Acton parcel is logical in what is an industrial/business area and he hopes the Board will provide the requested endorsement letter; even Westford does not get the grant, they can begin fund raising activities.

Planning Director Roland Bartl noted that more parking eventually would be necessary, but wetlands on the Acton site would limit the parking area size there. He felt the Westford proposal was a good interim solution to the problem. Mr. Ledoux agreed with Roland and hoped that we would be able to find a longer term solution.

Ms. Adachi – Moved to support the parking solution. Mr. Sonner – second UNANIMOUS VOTE

Ms. Adachi – Moved to replace Chairman's signature with Vice-Chairman on the support letter for BFRT and Assabet River Rail Trail. Mr. Sonner– second. UNANIMOUS VOTE

final

6 PIPER ROAD – REQUEST FOR PERMISSION TO PROCEED WITH THE RE-LISTING OF THE PROPERTY

Mr. Ledoux provided an overview of the issues and the proposal to re-list the property without a historical preservation restriction. When the Board last considered the issue, the Massachusetts Historical Commission had said the information from the Town was insufficient, so Bill Klauer put together additional information. The Community Preservation Committee has expressed support for moving the property without the restriction. Mr. Gowing expressed support for the proposal.

Ms. Adachi agreed that it would be good to move the property, but wanted to be sure that there was no legal issue under the Community Preservation Act with the Town's dropping the historical preservation restriction.

Ms. Adachi – Moved to re-list the property without a historic preservation restriction, subject to legal review. Ms. Harting-Barrat –second. UNANIMOUS VOTE,

SELECTMEN'S REPORTS

Ms. Adachi noted that the Towne School groundbreaking would be on Thursday at 4:00. The Acton Community Housing Corporation is reviewing a potential Chapter 40B project. Upon query by Mr. Gowing, she said the site was on Great Road, across from Donelan's. The Commission on Disability refined its expansive list of goals for the coming year, using the method that the Selectmen used for their own goal setting, and elected new officers. The Community Preservation Committee has been off all summer and will be meeting on 9/22, which is the public information session for the benefit of potential applicants. She and Roland Bartl have attended a couple of meetings at MA-DOT about the BFRT crossing of Route 2. The Water Resources Advisory Committee continues to work on the draft of the second stormwater management bylaw.

Ms. Adachi added that she lost power and water for 24 hours due to Tropical Storm Irene, and was grateful for the efforts of the Town and Schools staff—the robo-calls and e-mails from the IT Department and the Town Manager, the collaboration with the schools to provide showers and meals to those who were without power for even longer, including Mr. Clough.

Ms. Harting-Barrat expressed concern about the new committee forming to study K-6 regionalization, and the exclusion of Selectmen representatives.

Mr. Clough reported that the Design Review Board is regrouping in the wake of the discussion at the Selectmen's last meeting.. They have the documents that Ms. Adachi sent and will ask for another meeting once they review them. The Economic Development Committee is using Manta to keep up to date. He reported on the Open Space Committee and communications with the Sudbury Valley Trustees.

Mr. Sonner reported that the Green Advisory Board is looking at energy savings based on structural and behavioral change. Acton 2020 is starting the next phase of meetings on the proposed goals. The South Acton train station project is in the 90% design phase; there will be no additional parking and that there will be fewer spaces available during construction. He met with the Information Technology Director and Ms. Adachi in connection with the Selectmen's website-improvement goal; they are hoping to find a volunteer

Board of Selectmen
September 12, 2011

final

with technical writing experience as well as someone to help educate committees on the use of DocuShare and provide staff training on Powerpoint, etc.

Mr. Sonner said he would like to be able to attend the All-Boards-Chairmen meetings and thinks they should be posted and have minutes.

Mr. Gowing noted the request that no Selectmen serve on the school regionalization study committee and said the Selectmen would discuss the issue at a later meeting.

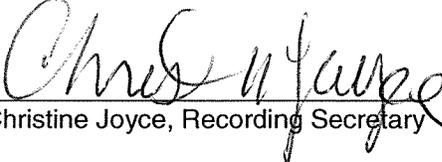
He reported that the Transportation Advisory Committee is reducing the Minuteman Van fees for West Acton parking to \$250 for Acton residents and non-residents because \$500 seems too high for non-residents; plus with the planned work on the train station, parking is likely to be more of an issue. The Council on Aging Senior Center Committee has been meeting all summer and is looking to go before 2012 Town Meeting with a design proposal. The COA is looking into having Senior-discount Charlie Cards available at the COA. The Health Insurance Trust has commissioned Segal Company to do an analysis of GIC health insurance options and costs. The report is due 9/22 and will be before the Selectmen on 9/26. RTAC is sending letters to the MPO about issues in the MPO region. The Home Rule Petition to reduce senior tax (HB3466) will be before the House tomorrow.

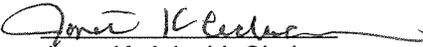
Dick Calandrella noted that Acton TV filmed the 9/11 activities on Sunday and will be broadcasting the event on the local station.

CONSENT AGENDA

Mr. Gowing – Moved to accept the Consent Agenda. Mr. Clough - second. UNANIMOUS VOTE

Ms. Harting-Barrat- Moved to adjourn. Mr. Sonner Second. The meeting adjourned at 9:20 pm


Christine Joyce, Recording Secretary


Janet K. Adachi, Clerk

3 October 2011
Date

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA

Francis Faulkner Hearing Room
September 12, 2011
7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. **7:05 CHAIRMAN'S UPDATE**
The Chair will briefly update the Board
2. **7:10 OPERATIONAL MINUTE**
The Town Manager will provide a brief report
3. **7:15 NATIONAL GRID – PERMISSION TO LAY GAS LINE FROM ROBBINS STREET TO BEACON COURT**
Enclosed please find materials in the subject regard
4. **7:20 SITE PLAN 7/6/11-433, 65 POWDER MILL ROAD, OLD MILL DEVELOPMENT TRUST (SELECTMAN HARTING-BARRAT)**
Enclosed please find materials in the subject regard
5. **7:45 SITE PLAN 7/25/11-434, 32 NAGOG PARK (SELECTMAN SONNER)**
Enclosed please find materials in the subject regard
6. **8:10 TWIN SEAFOOD, COMMON VICTUALLER LICENSE AND CARRY IN INTOXICATING BEVERAGE LICENSE, 541 MASSACHUSETTS AVENUE**
Enclosed please find materials in the subject regard

III. SELECTMEN'S BUSINESS

7. **EXTENDING BRUCE FREEMAN RAIL TRAIL – ACTON ONLY**
Enclosed please find materials in the subject regard
8. **6 PIPER ROAD - REQUEST FOR PERMISSION TO PROCEED WITH RE-LISTING THE PROPERTY**
Enclosed please find materials in the subject regard
9. **SELECTMEN'S REPORTS**

IV. CONSENT AGENDA

10. SUDBURY VALLEY TRUSTEES, COMPENSATION FOR THE CO-HOLD WITH ACT, CAOUCETTE-SIMEONE CONSERVATION RESTRICTION

Enclosed please find materials in the subject regard

11. ACTON WOMEN'S CLUB REQUEST TO PLACE SIGN ON THE COMMON TO ADVERTISE THEIR BAKE SALE ON OCTOBER 15TH.

Enclosed please find materials in the subject regard

12. ACTON/BOXBORO FARMER'S MARKET, REQUEST FOR USE OF THE WINDSOR BUILDING ON NOVEMBER 20, 2011 FOR THEIR FINAL MARKET OF THE SEASON

Enclosed please find their request and staff comment in the subject regard.

13. GREEN ADVISORY BOARD – REQUEST TO CHANGE FULL MEMBER TOM MICHELMAN, TO ASSOCIATE MEMBER AND TO ELEVATE ASSOCIATE MEMBER DAVID KEENE TO FULL MEMBER TO FILL MR. MICHELMAN'S UNEXPIRED TERM TO 6/30/14

Enclosed please find materials in the subject regard

14. COMMITTEE APPOINTMENT ACTON BOXBOROUGH CULTURAL COUNCIL, MING WANG – TERM TO EXPIRE 6/30/14

Enclosed please find materials in the subject regard

15. COMMITTEE APPOINTMENT – 2020 COMMITTEE FULL MEMBER, PAULINA KNIBBE

Enclosed please find materials in the subject regard

16. UNITED NATIONS DAY PROCLAMATION

Enclosed please find materials in the subject regard

17. ACCEPT GIFT, PLANNING BOARD – ROBBINS BROOK

Enclosed please find a gift of \$14,000.00 from Robbins Brook Housing Element Construction to be used to be used for affordable housing within the town

18. ACCEPT GIFT, CEMETERY DEPARTMENT

Enclosed please find a gift of a Japanese Maple Tree Valued at \$150.00 to be planted at Mount Hope Cemetery, from Paulette Joyce in memory of her late husband

19. DISPOSAL OF OBSOLETE MATERIALS, BOOKS, COMPUTER ITEMS, ACTON MEMORIAL LIBRARY.

Enclosed please find materials in the subject regard

V. EXECUTIVE SESSION

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This is not a complete agenda

SEPTEMBER 26

Class 1 Car Dealer's License
60 Powder Mill Road

OCTOBER 3

Nothing Scheduled

MINUTES PENDING VOTES

January 8, August 8, 2011

PENDING COMMITTEE APPOINTMENTS

Location: Home » Public Meetings » Board of Selectmen » 2011 » 09-12
» Agenda Listing

Agenda

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<input type="checkbox"/>	Type	Title	Owner	Edited	Size	Actions
<input type="checkbox"/>		010 Agenda, Board of Selectmen, September 12, 2011	admin	09/09/11	114 KB	    ▼
<input type="checkbox"/>		020 (3) National Grid Install of Gas Line at Beacon Court	admin	09/09/11	140 KB	    ▼
<input type="checkbox"/>		030 (4) Citizen and Staff Comments, Site Plan 7/6/11-433, 65 Powder Mill Road, Old Mill Development	admin	09/09/11	1 MB	    ▼
<input type="checkbox"/>		040 (4) Site Plan Application, 65 Powder Mill Road Site Plan #7/6/11-433	admin	09/09/11	2 MB	    ▼
<input type="checkbox"/>		050 (5) Site Plan #7/5/11-434, 32 Nagog Park, Athletic Balance Chinese Martial Arts	admin	09/09/11	1014 KB	    ▼
<input type="checkbox"/>		060 (6) Twin Seafood, 541 Mass Ave., Common Victualler and Carry in License	admin	09/09/11	889 KB	    ▼
<input type="checkbox"/>		070 (7) Extending Bruce Freeman Rail Trail - Acton Only	admin	09/09/11	259 KB	    ▼

<input type="checkbox"/>		080 (8) Request to Re-List the 6 Piper Road Property	admin	09/09/11	3 MB	    ▼
<input type="checkbox"/>		090 (10) Sudbury Valley Trustees, Compensation for Co-Hold with Acton Conservation Trust, Caouette-Simeone Con. Restriction	admin	09/09/11	75 KB	    ▼
<input type="checkbox"/>		110 (11) Acton Women's Club Request for a Sign on the Common Advertising their Bake Sale	admin	09/09/11	50 KB	    ▼
<input type="checkbox"/>		120 (12) Request to use the Windsor Building from the Acton/Boxboro Farmer's Market	admin	09/09/11	183 KB	    ▼
<input type="checkbox"/>		121 (13) Green Advisory Board Appointments	admin	09/09/11	12 KB	    ▼
<input type="checkbox"/>		130 (14) Committee Appointment, ABCC, Tse Ming Wang	admin	09/09/11	143 KB	    ▼
<input type="checkbox"/>		140 (15) Committee Appointment, Paulina Knibbe, 2020 Committee	admin	09/09/11	48 KB	    ▼
<input type="checkbox"/>		150 (16) United Nations Proclamation	admin	09/09/11	91 KB	    ▼
<input type="checkbox"/>		160 (17) Accept Gift, Planning Dept., Robbins Brook	admin	09/09/11	37 KB	    ▼
<input type="checkbox"/>		170 (18) Accept Gift, Cemetery Department, Remembrance Tree in Mount Hope	admin	09/09/11	30 KB	    ▼
<input type="checkbox"/>		180 (19) Disposal of Obsolete Materials, Computer and Books, Acton Memorial Library	admin	09/09/11	248 KB	    ▼

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