

FINAL

TOWN CLERK, ACTON

**BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING**

**February 11, 2013**

**Francis Faulkner Hearing Room 7:00 p.m.**

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

**CITIZENS' CONCERNS**

League of Women Voters Representative speaking on behalf of the LWV, urged the board to continue to put budgets at the beginning of the meeting. She read a prepared statement of issues that they have concerns with and suggestions.

**CHAIRMAN'S UPDATE & OPERATIONAL MINUTE**

Ms. Harting-Barrat – spoke about the snow removal efforts in town and thanked the employees for their actions to keep the citizens safe.

Ms. Harting-Barrat spoke about the upcoming Chinese New Year Celebration, urged people to attend this wonderful event.

Mr. Ledoux announced we were lucky with the storm on Friday. We were prepared to open the shelter and felt that the Governor's mandate to keep off the roads was critical to the success. We did have 5 power outages scattered around town. He spoke about the Minuteman Vocational School meeting and proposed budget and Minuteman has received a grant for \$50,000 to conduct a Systems Sustaining Study. Their goal is to have the study done by June 30, 2013, he feels it will cause a great deal of debate. They have undertaken a feasibility study for an expansion of Minuteman and will hope to get it to the selectmen by the end of February. He attended a meeting regarding affordable housing conducted by ACHC and Regional Housing Services which works at the Sudbury Town Hall. Taped the first 472 Main TV and Chief Widmayer, was his first interview and spoke on police and police in the schools issue.

**PUBLIC HEARINGS & APPOINTMENTS**

**JOINT MEETING WITH LIBRARY TRUSTEES**

Mr. Glennon asked that we not fill Mr. Hirst's vacancy. They ask that we just abide by the results of the election in March. Mr. Sonner - Move to leave the trustee position open until the Town Election. Mr. Gowing – second. UNANIMOUS VOTE

**MORRISON FARM DISCUSSION**

Ms. Adachi asked that it be put on the agenda to discuss issues and concerns and possible open meeting law violations. They spoke about the dismantling of the existing barn building at Morrison Farm. Ms. Adachi felt we need to be consistent and the plan has changed along the way and was not aware we approved any changes. She feels it should get an airing; we need to clarify if we want all of the components in the plan. Mr. Gowing read a statement from Bill Mullin, about alleged Open Meeting Law violations.

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Mr. Gowing disagreed with Ms. Adachi that we have had them in twice and the Board told them to go forward to CPC.

Ms. Adachi felt rushed and wanted to hear the proposal again and is concerned with the building and felt that there was not much public comment. She felt people are assuming what the town may want and felt it needed to be further vetted.

Ann Chang said this is a conceptual plan and it is able to change and conceptual designs will move to final designs. Last week they looked at three different proposals. All concerns were addressed regarding the building and the architect is working pro bono and felt that part of the project will involve the Selectmen. They have another focus meeting and site walk. They have had 22 meetings. They have met with Cemetery Commissioners and worked out issues and the Commission supported Plan B. The end support will be when it goes before Town meeting and those people will make the decision on what will be built.

Mr. Clough - spoke about Design Review Board and came up with the same ideas for the movement to block the garden and asked about taking down the barn. They will try to save the lumber if they can and the barn was never going to be used for public use.

Mr. Gowing said it is a stick built barn and built during the depression and that is one of the issues. The barn is unsafe for the public to go into. We could use for storage of equipment.

John Earl a gardener that uses the location had questions of what is right for Morrison Farm. They have listened to the gardener's and accommodated their concerns. If we choose to have a building the best place is on the barn site.

Ann Forbes – comments about wanting to point out that we look to Boxborough and Steele Farm. The barn is used for storage and the house is also on the property. It is a 1930's barn and was built with dimensional lumber, much like Morrison Farm.

Mr. Sonner wanted to address issues and complaints. One is the approach is rushed and what plan is being proposed and has departed from the 2010 plan.

Ann Chang noted the Alarm Stone and they could move it to make it more accessible to those wishing to see it without taking the risk of getting hit by traffic on Concord Road.

Herman Kabakoff asked about it the CPC and the presentation to town meeting. He asked if we could not add or change anything in the plan, and asked if that was the fact and Mr. Ledoux said it is either up or down at town meeting.

Ms. Adachi said that we have a responsibly as the Board and if they are comfortable with the building. The plans are conceptual and may change. There have been changes and we have not seen all the changes.

Ann Chang noted there will be a meeting on March 6 in 204 and two site walks Feb 23 and March 9<sup>th</sup>.

Ms. Harting-Barrat wanted to know if the Board wanted to see a conceptual plan to vote on because the building has changed before we vote on it. Mr. Sonner questioned an all at once plan. He is not sure that we might hold off on the building and address it in phase II

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Mr. Earl noted the trees do not shade the garden but the building will.

Ms. Adachi noted this is a town project and CPC is the voting party on this issue. The Board will take this up again on February 25 at 8:30.

### **TRAFFIC RULES AND ORDERS, WEST ACTON**

Corey York spoke about the options and possible amendments to the Traffic Rules and Orders. He reviewed the existing restrictions already in place. He outlined his conclusion and suggestions for amendments.

Mr. Gowing asked about neck downs to provide on street handicapped spaces. If we make two hour spots we will lose two spots. They spoke about the car wash property and could it be used for parking. Perhaps the local employers could pay the Botto's to use the lot for their employee parking.

Mr. Sonner spoke about his conversation with the police chief and noted we are not going to have anyone there to catch the parking and monitoring use.

Mr. Clough - Moved to accept the changes proposed by Corey York and removing the two spots at Spruce Street and Kinsley Road. Mr. Gowing – second Scenario one, Mass Ave Project. UNANIMOUS VOTE TO APPROVE

### **PLANNING BOARD DISCUSSION OF WARRANT ARTICLES**

Jeff Clymer, Margret Busse, Derick Chin, Roland Burdon were present for the presentation of 15 zoning articles. They asked if there would be something they could put aside in the Town Meeting Warrant to have articles earlier in the discussion to get greater input.

Mr. Clymer discussed home heating storage and the three bylaws that fit together and to reach a compromise, but they are concerned about this issue. Mr. Clough discussed the heating fuel issues at EDC meeting.

Residents of Robbins Brook spoke about changes being made to the bylaw for wood storage. Helen Taylor spoke about the issue of impacting the wells, neighbors and noise. Robbins Brook is moving forward and talked about zoning and protective bylaws. Pope Road resident spoke about zoning and that it has nothing to do with noise, DEP has the regulations; the Town has no enforcement.

There was much discussion with regard to these bylaws as they pertain to wood and manufacturing of fire wood. The board suggested the neighbors attend the Planning boards Open Hearing on Warrant Articles.

Donation Bins – set-backs and screening issues and regulate it so it does not get out of control.

Brook Side Shops – Amendment came up last year. The property is zoned residential.

Commercial use in private neighborhoods, to use tennis Courts and bubble.

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Define and Regulate Community Service Uses, permit food pantry etc, charitable groups

Citizen Petition – Drive Thru's not addressed as it is not the Board of Selectmen who make recommendation whether or not to move it to the warrant

Amend Definitions Warehouse

Regulations Dispensation Medical Marijuana. Will address at a later time.

Outdoor Retail Sales "sidewalk sales" articles were discussed

Allow Temporary Yard Sales up to three per year

Define Solar Power and Installations

### **WINE CASK CELLARS, APPROVAL FOR TRANSFER OF STOCK**

Ms. Adachi – Moved to approve. Mr. Gowing – second. UNANIMOUS VOTE

### **SELECTMEN'S BUSINESS**

#### **ALG DISCUSSION**

Mr. Ledoux updated the Board on issues and they have not reached consensus on use of the reserves. Maryanne Ashton felt that if there were some justification she might get Fin Com to support \$1.7M APS budget has been reduced and AB assessments has come down somewhat. We hit \$1.7M.

#### **WARRANT ARTICLES**

The Board discussed the ordering of the warrant and issues around having a fall town meeting for zoning in the future.

#### **SELECTMEN'S REPORTS**

Mr. Sonner – Heads up Water District has a contested election. Do we have any regulations regarding citizens plowing sidewalks in front of their properties?

Mr. Clough – DRB Morrison Farm, looked at NARA pavilion. Kelley's Corner feed back to Roland and was a good experience. EDC is working on business process. OPEB estimate may go down to \$60 million. Open Space meeting discussed.

Ms. Harting-Barrat spoke about School Committee conference and made a decision to have one more meeting about regionalization, Boxboro has another financial plan to discuss

Ms. Adachi – ACHC met with architects about the proposed of siding on Sachem way homes. She is still moving forward with a Draft Sign policy

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Mr. Gowing – Legislative Breakfast talked about several issues that were discussed. HDC approved Certificate for WAVE Project.

**CONSENT**

**HOLD SIGN REQUESTS ON THE COMMON #13 AND #14, 11, 15**

Mr. Gowing - Moved to approve the Consent Agenda excluding 11,13,14 and 15. - Mr. Sonner - second. UNANIMOUS VOTE

John Sonner was an abutter to the lights and had concern on the use of the parking lot fees.

John Sonner held #13 & 14 – signs on the Common issue. He noted we temporarily hold until a procedure is put into place.

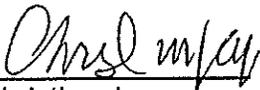
Mr. Gowing spoke about the sign request for the common, he felt we could put a sign in front of the red house and could relax for groups that have traditionally had signs. He still would like to allow and encourage them to hold the plant sale on the common.

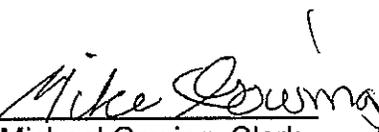
Mr. Clough was concerned about accidents and we could try it. Ms. Harting-Barrat did not feel that is was not a problem. Mr. Sonner said we find a solution until the procedure is prepared to address this.

Mr. Sonner – Move to approve sign requests, 13 and 14, and he felt we leave it to town staff for the placement of the signs on the Common. Mr. Clough -second. 4-1 Mr. Gowing Nay- Motion passes

Mr. Gowing - Move to approve item 11 as part of an overall policy determined by Town Manager. Mr. Clough – second. Mr. Sonner to abstain as he is an abutter 4-1 Motion passes

Adjourned 11:00 p.m.

  
Christine Joyce,  
Recording Secty

  
Michael Gowing, Clerk  
2/25/13  
Date

**BOARD OF SELECTMEN & SEWER COMMISSIONERS'**  
**MEETING AGENDA**

*Francis Faulkner Hearing Room*  
*February 11, 2013*  
*7:00 PM*

**I. CITIZENS' CONCERNS**

**II. PUBLIC HEARINGS AND APPOINTMENTS**

1. **7:05 CHAIRMAN'S UPDATE/OPERATIONAL MINUTE**  
The Chair will briefly update the Board -The Town Manager will provide a brief report
2. **7:10 JOINT MEETING WITH THE ACTON MEMORIAL LIBRARY TRUSTEES**  
Enclosed please find materials in the subject regard
3. **7:20 MORRISON FARM DISCUSSION**  
Enclosed please find materials in the subject regard
4. **7:45 TRAFFIC RULES AND ORDERS AMENDMENTS – WEST ACTON**  
Enclosed please find materials in the subject regard
5. **8:15 PLANNING BOARD – DISCUSSION OF WARRANT ARTICLES**  
Enclosed please find materials in the subject regard
6. **8:45 WINE CASK CELLARS – APPROVAL FOR TRANSFER OF STOCK**  
Enclosed please find materials in the subject regard

**III. SELECTMEN'S BUSINESS**

7. **ALG DISCUSSION**
8. **WARRANT DISCUSSION**

**SELECTMEN'S REPORTS**

#### **IV. CONSENT AGENDA**

- 9. CONFIDENTIAL REFINANCE OF AN AFFORDABLE UNIT**  
Enclosed please find materials in the subject regard
- 10. APPOINTMENT OF STEPHEN BARRETT AS TOWN TREASURER COLLECTOR**  
Enclosed please find materials in the subject regard
- 11. REQUEST FOR ADDITIONAL STREET LIGHTS NEAR TRAIN STATION, STOW STREET AND JONES FIELD**  
Enclosed please find materials in the subject regard
- 12. BOSTON BRAIN TUMOR RIDE, MAY 19, 2013**  
Enclosed please find materials in the subject regard
- 13. REQUEST TO USE TOWN HALL AND MEETING HOUSE HILL FOR THE PATRIOTS DAY ACTIVITIES ON APRIL 15 AND PERMISSION TO PLACE A SIGN ON THE COMMON**  
Enclosed please find materials in the subject regard
- 14. ACTON GARDEN CLUB PLANT SALE AND REQUEST TO PUT SIGNS UP ON THE COMMON, MAY 18TH**  
Enclosed please find materials in the subject regard
- 15. ONE DAY LIQUOR LICENSE, WEDDING RECEPTION AT NARA PARK**  
Enclosed please find materials in the subject regard
- 16. ONE DAY LIQUOR LICENSE, FUND RAISER FOR ST. ELIZABETH'S YOUTH MINISTRY PROGRAM**  
Enclosed please find materials in the subject regard
- 17. ONE DAY LIQUOR LICENSE, ACTON BARN COOPERATIVE, SILENT AUCTION AT THE CHURCH OF THE GOOD SHEPHERD**  
Enclosed please find materials in the subject regard
- 18. ONE DAY LIQUOR LICENSE, FAMILY PICNIC AT NARA, JUNE 23, 2013**  
Enclosed please find materials in the subject regard
- 19. ONE DAY LIQUOR LICENSES, CHURCH OF THE GOOD SHEPHERD, FOR MARCH 1, APRIL 5, AND MAY 3, 2013 FOR THEIR FIRST FRIDAY CONCERT FUND RAISER EVENTS**  
Enclosed please find materials in the subject regard

**20. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$1,000.00 from Sechrest & Bloom, LLC for 2013 Summer Concert Series at NARA

**21. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$2,800.00 (\$500.00 donation and \$2,300.00 in product) from Dunkin' Donuts to support the Winter Carnival

**22. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$1,400.00 from various donors to be used for the Goward Field Playground Project

**23. ACCEPT GIFT, RECREATION DEPARTMENT**

Enclosed please find a gift of \$130.00 from the Acton Garden Club from sales of their fund raiser Cook Book

**24. ACCEPT GIFT, PLANNING DEPARTMENT**

Enclosed please find a gift of \$2,000.00 from Robbins Brook Housing Element to be used for Community Housing – Program Fund

**25. DISPOSAL OF OBSOLETE MATERIALS, 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

<b>FEBRUARY 25</b>	<b>MARCH 11</b>	<b>MARCH 18</b>
Space Study Presentation OPEB Discussion	Site Plan, 321 Main Street Acton Crossroads, Inc. J. Sonner Assigned	
	Site Plan, 20 Main Street Wedgewood Reality Trust D. Clough Assigned	

**PENDING MINUTES**

- May 21
- June 25 - 2/25
- July 9
- January 5 – Budget Saturday
- January 28 – 2/25

**PENDING COMMITTEE APPOINTMENTS**

- Doris Lillie- sent to VCC 1/28 for review –various comm.
- Theresa Hoggins – sent to VCC 2/7 2020 Assoc.

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<input type="checkbox"/>		030 (4) Business Owners Support for Amendments in West Acton	admin	02/07/13	251 KB	▼
<input type="checkbox"/>		040 (5) Planning Board Articles for Discussion	admin	02/07/13	61 KB	▼
<input type="checkbox"/>		045 Planning - Notice of Public Hearing on Proposed Zoning Changes	admin	02/08/13	3 MB	▼
<input type="checkbox"/>		050 (6) Wine-Cask Cellars, Transfer of Stock for Board Signature	admin	02/07/13	85 KB	▼
<input type="checkbox"/>		060 (10) Appointment of Treasurer Collector, Stephen Barrett	admin	02/07/13	37 KB	▼
<input type="checkbox"/>		070 (11) Request for Additional Street Lights Near to the Train Station	admin	02/07/13	846 KB	▼
<input type="checkbox"/>		080 (12) Brain Tumor Ride Application to Travel Through Acton	admin	02/07/13	174 KB	▼
<input type="checkbox"/>		090 (13) Request from the Acton Historical Society, Inc. to Use Town Hall and Meeting House Hill for the Patriots Day Celebration	admin	02/07/13	157 KB	▼
<input type="checkbox"/>		110 (14) Acton Garden Club Request to use Town Common for their Annual Plant Sale	admin	02/07/13	91 KB	▼
<input type="checkbox"/>		120 (15) One Day Liquor License	admin	02/07/13	116 KB	▼
<input type="checkbox"/>		130 (16) One Day Liquor License	admin	02/07/13	99 KB	▼
<input type="checkbox"/>		140 (17) One Day Liquor License	admin	02/07/13	101 KB	▼
<input type="checkbox"/>		150 (18) One Day Liquor License	admin	02/07/13	83 KB	▼

	160 (19) One Day Liquor License (3)	admin	02/07/13	217 KB					
	170 (20) Accept Gift, Recreation Department	admin	02/07/13	59 KB					
	180 (21) Accept Gift, Recreation Department	admin	02/07/13	239 KB					
	190 (22) Accept Gift, Recreation Department	admin	02/07/13	51 KB					
	200 (23) Accept Gift, Recreation Department	admin	02/07/13	346 KB					
	210 (24) Accept Gift, Planning Department	admin	02/07/13	49 KB					
	220 (25) Disposal of Obsolete Materials, AML	admin	02/07/13	48 KB					

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