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TOWN CLERK, ACTON

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

May 20, 2013

Francis Faulkner Hearing Room 7:00 p.m.

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

CITIZENS' CONCERNS

None

CHAIRMAN'S UPDATE & OPERATIONAL MINUTE

Ms. Adachi – Reported on the success of the Academic Team that represented A/B High School. This Wednesday there will be a discussion of the Youth Risk Survey prepared last year. Regionalization proposal has final forums beginning tomorrow at COA, Wednesday at Gates PTO, and Merriam PTO on the 28th. Memorial Day Observation, Mr. Gowing will read the list of those veterans who have passed during the year. Pre-town meeting is scheduled at PSF for presentation review with the Moderator for the Special Town Meeting. June 3rd is the first night of town meeting and they will be discussing second night options. Upcoming items on the June 10 meeting are Caouette Conservation Restriction Committee, the Town Manager review and Morrison Farm Committee will be discussed under Selectmen's Business.

Mr. Ledoux - Participated in the tour at Post Office Square proposed affordable housing project. DHCD said they will try to get materials to them as the Board of Appeals action needs to happen quickly to make the time constraints.

There was a meeting with the Village Crossing Condos on Railroad Street residents regarding their concerns about the use of their property for parking during the Train Station Project. The T will put up a larger sign and police will be patrolling. The T will put up the sign shortly.

Landfill Solar Project began and uncovered some exposed trash, the clay on the site will be spread on top of the landfill to address this.

Mr. Ledoux met with Political Science professors at U Lowell, one of which is an Acton resident. They have offered to conduct a Citizens Satisfaction Survey. Acton has received a Transportation Grant of \$44,000 for Regional Dispatch and \$16,000 for a Mobility Manager.

PUBLIC HEARINGS & APPOINTMENTS

ORDER OF TAKING – KENNEDY LAND, RIGHT OF WAY FROM NARA PARK

Corey York made a presentation of the taking and explained the proposal for the Order of Taking of a portion off Quarry Road.

final

Mr. Clough asked Corey about the road and Corey noted that we plow it and it is paved.

Mr. Sonner - Moved To Lay this out as a Public Way. Mr. Clough – second – UNANIMOUS VOTE

USE SPECIAL PERMIT, 4/10/13-442, ANY TIME FITNESS CENTER, 100 POWDER MILL ROAD (SONNER)

Proponents were present and Mr. Sonner explained that this was a fairly easy hearing. They will be going into the plaza by Stop and Shop. They are looking for two special permits one for 24 hour operation and another for operating a business commercial recreation facility of 2,000 sq. ft. or more.

Mr. Clough asked about the other franchises they own. They own one in Maynard. They explained the operation of the facilities. Mr. Clough asked about age of clients. They allow 16 and up in Maynard and have parent sign the application.

Ms. Adachi asked about problems with people in the facility by themselves. They do not anticipate problems and have not had any problems in this type facility.

Mr. Gowing asked about the check in and check out and asked about someone getting a head injury and not being able to push the button for help.

Mr. Clough asked about the training on equipment and if they had cameras. Everything is videoed at the club.

Ms. Green asked about the trainers and certification of those trainers.

Mr. Sonner noted that there were no problems noted by staff on this request.

Mr. Gowing - Moved to approve site Plan #4/10/13-442 Mr. Clough - second UNANIMOUS VOTE

PANERA, LLC. SITE PLAN SPECIAL PERMIT #3/5/13-441, 252 MAIN STREET (CONTINUED FROM APRIL 22, 2013) (GOWING)

Scott Much, Zoning Enforcement Officer was asked by Mr. Clough if he felt the requested continuance was due to zoning or the request for a traffic study. Mr. Gowing said that the betterments issue needs to be resolved before they come back to us. Mr. Manager will need to follow up. Mr. Sonner – Moved to Continue to June 10 at 7:45 – Mr. Gowing – second UNANIMOUS VOTE

SEWER PRESENTATION OUTLINE 1. ONE OF THREE SESSIONS PRESENTED BY HEALTH DIRECTOR WITH THE BOARD AS SEWER COMMISSIONER'S

Health Director Doug Halley gave a presentation of the history of sewers in Acton.

Mr. Gowing asked about multi-family units and cost. Ms. Green asked about Privilege Fee and Doug said it is based upon increased use.

final

Mr. Sonner asked about percentage of those who have hooked up. He also asked about effects on health. Mr. Sonner also asked about the effect on development. Doug said we have high density users who have their own plant, and some did take advantage of the sewerage to build on lots that were unbuildable without the sewers.

Mr. Halley noted many of the issues mentioned by the board will be addressed at the next Presentation.

SELECTMEN'S BUSINESS

REQUEST FROM SHARON MERCURIO, COA DIRECTOR, FOR DISCUSSION OF SPACE NEEDS AT THE ACTON SENIOR CENTER

Sharon noted the 52% increase in Acton's senior population alone, and the increase in services they provide for the residents using the facility. She said they are 60 to 90 plus and the needs are varied. She wanted to address the needs of the older seniors. She asked about fund raisers and having a sub-committee look for private donors.

They are looking for support to move forward and to reconstitute the senior center study committee and identify it as one of the Selectmen's Goals.

Mr. Gowing noted that he has volunteered at COA and has also been a board member and they have talked about the need for a new senior center during that time. Then the economy crashed. They looked at leasing, building a new center and it failed at town meeting. We are still faced with the same problems as were known in 2007. We cannot wait for the resolution because we are currently turning seniors away.

Mr. Sonner asked about if they are looking at just a long range, or also a short range plan. Sharon said they are looking at long range approach.

Mr. Clough asked about the vote at town meeting and noted that while it got a majority of the vote, it did not get the required 2/3's vote.

Ms. Green said it was clear we need to look at it. She talked about fund raising and asked if the Friends Group could take the lead in fund raising.

Ms. Adachi asked about approval and would we still have inadequate space until a resolution is found which would be a five year wait until it is finished. It may be a good time to review and reconstitute the Senior Center Study Committee.

Sid Levin spoke about the need for addressing this. He felt we needed to know why it did not pass at town meeting.

Lynn Osborn of the Friends Group urged that we keep this on the front burner and said it is time to address this issue.

Barbara Panzer – She said the center is an important part of her life and supports the staff and expansion. They need space.

Peter Ashton spoke about the other speakers and the need to move forward. He thinks it failed at town meeting because we did not express our needs well enough and the last two months it got comingled with the Community Center concept.

final

Mr. Clough wanted to start with having the space needs addressed. Mr. Sonner agreed that we need to look at the space study as a whole.

Mr. Ledoux has asked about the space study cost estimates. Dean Charter said within the next month they will have priced out the items either with or without the consultant. Mr. Clough asked about the time table and how this all fits together. Dean said the documents should be done by July and bidding out the work on Town Hall in August or September. Dean noted that this is a 20 year plan.

Ms. Adachi said we need to reconstitute the committee and will follow up with the Board

DISCUSSION OF NEW FINES FOR DOG BYLAW VIOLATIONS

Mr. Gowing – Moved to pass over. Mr. Sonner- second UNANIMOUS VOTE

SELECTMEN'S REPORTS

Mr. Sonner – Spoke about scheduling the Selectmen's Goals for June 17th if it is good for the Board. 2020 has only four members and has processed some of the new members. He spoke about Panera and the issue of the 10 foot gap and 10 foot setback for the sidewalk. SATSAC is working on communication around the train station construction. The VCC wants to know if they need to re-interview known people in town if they apply for another board position. We could instead leave the interview to the committee Liaison. Mr. Gowing felt that the board liaison should still interview them. Ms. Green spoke about the need to make it easy and one level of screening if we know the person. Board agreed that the VCC could skip the interview for people who have already served on other boards, but that the Selectman liaison will still complete and interview.

Mr. Clough - Cory Atkins meeting - She spoke about the House budget and Chapter 90 funds as well as Regional School funds. Talked about police and fire and whether they are ready to handle emergencies. EDC met and are looking at electronic inventory of business.

Ms. Adachi – ABCC finished up the movie program. ACHC reported on site visit to 6 Post Office crossing, she also attended the COD meeting as reported by Ms. Green. Conservation meeting talked about Hybrid Farm leasing town land, and they discussed the Quail Ridge Conservation Restriction that has been drafted. She reported on Safety Net meeting.

Mr. Gowing – Transaction Associates – transportation committee went to see what they are using for software. HDC further discussed citizen's petition on Windsor Ave. Attended softball meeting regarding Elm Street with Recreation. ACAT Board is working on modifying their agreement with the Town. Cable Advisory met and trying to bring their new members up to speed. Mr. Gowing led the 3rd Annual Caouette Walk and reminded folks about the upcoming Memorial Day activities.

Ms. Green – She met with the Nursing Service Tiger Team and got good background information and noted that the Nursing Service has had an increase in Medicare and admissions. Met with Senior Tax Aid Committee Tiger Team and discussed ideas to offer seniors tax relief. Historical Commission had brief meeting on a preservation restriction request from a resident. Ms. Green attended a double Eagle Scout ceremony which went well. COD discussed two variances requested: one on Great Road and one for Starbucks. Spoke about

final

her attendance at School Committee meeting and their vote to increase lunch prices for next year.

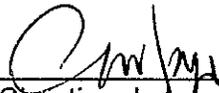
CONSENT

Hold 9 - Mr. Clough asked about our Town Counsel representing the Gaming Commission and it was noted that we would have to obtain Special Counsel. It is noted their participation will not harm Acton.

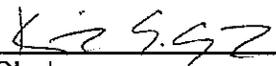
Hold - Mary Ann Ashton #17 - Ms. Adachi would like to pull it until another volunteer waiting for appointment is interviewed. Noted that some members are behind in liaison reviews and wishes we would do better with follow-up.

Ms. Adachi - Moved to pull and defer Mary Ann Ashton's Appointment to June 10th, Mr. Sonner – second, 4-1 Mr. Gowing, Nay, Motion passes

Mr. Clough - Moved to approve the Consent as amended - Mr. Sonner - second. UNANIMOUS VOTE



Christine Joyce
Recording Secty



Clerk
6/29/13

Date

BOARD OF SELECTMEN & SEWER COMMISSIONERS'
MEETING AGENDA

Francis Faulkner Hearing Room

May 20, 2013

7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:05 **CHAIRMAN'S UPDATE/OPERATIONAL MINUTE**
The Chairman will briefly update the Board. The Town Manager will provide a brief report.
2. 7:20 **ORDER OF TAKING, KENNEDY LAND, RIGHT OF WAY, FROM NARA PARK**
See enclosed materials.
3. 7:20 **USE SPECIAL PERMIT, #4/10/13-442, ANY TIME FITNESS CENTER, 100 POWDER MILL ROAD (SONNER)**
See enclosed materials.
4. 7:45 **PANERA, LLC. SITE PLAN SPECIAL PERMIT #3/5/13-441, 252 MAIN STREET CONTINUED FROM APRIL 22, 2013, (GOWING)**
See enclosed materials.
5. 8:00 **SEWER PRESENTATION OUTLINE 1. ONE OF THREE SESSIONS PRESENTED BY DOUG HALLEY, HEALTH DIRECTOR WITH THE BOARD AS SEWER COMMISSIONERS**
See enclosed materials.

SELECTMEN'S BUSINESS

6. **REQUEST FROM MS. MERCURIO, COA DIRECTOR, FOR DISCUSSION ON SPACE NEEDS OF THE ACTON SENIOR CENTER**
See enclosed materials.
7. **DISCUSSION OF NEW FINES FOR DOG BYLAW VIOLATIONS**
See enclosed materials.

SELECTMEN'S REPORTS

III. CONSENT AGENDA

- 8. REQUEST FROM CYCLE KIDS, INC. TO USE PART OF THE SOUTH ACTON TRAIN STATION AS A REST AREA ON SUNDAY JUNE 9TH**
See enclosed materials.
- 9. REQUEST FROM A&K TO REPRESENT THE MASSACHUSETTS GAMING COMMISSION ON CERTAIN MATTERS**
See enclosed materials
- 10. REQUEST FROM ACTON HOUSING AUTHORITY FOR FAMILY NARA SUMMER BEACH PASSES FOR FOUR LOW-INCOME FAMILIES**
See enclosed materials
- 11. REQUEST FOR FARMER'S MARKET WINE LICENSE, STILL RIVER WINERY**
See attached materials.
- 12. WAVE SPECIAL PERMIT AMENDMENT**
See attached materials
- 13. ACCEPT GIFT, RECREATION**
Gift of \$120.00 from Ellen Grant Valade to be used to support the Goward Field Project.
- 14. ACCEPT GIFT, PLANNING**
Gift of \$2,000.00 for the Housing Program Fund
- 15. ACCEPT GIFT, PLANNING**
Gift of \$11,666.67 for the Monument Place Project off Harris Street and Quarry Road (10th deposit)
- 16. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY**
See enclosed materials
- 17. COMMITTEE APPOINTMENT, MORRISON FARM COMMITTEE, MARY ANN ASHTON**
See enclosed materials

EXECUTIVE SESSION

ADDITIONAL INFORMATION

See enclosed 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

JUNE 10

Annual Board and Committee Reappointment process (needs to be completed by July 1st)
Use Special Permit #5/6/13-443, Peter Pippas Karate Studio, 531 Main Street (Green Assigned)

JUNE 24

Acton Housing Authority to fill unexpired vacancy
Second in the series of three Sewer Presentations to the Sewer Commissioner's by the Health Director

July 8

Final session in the series of three Sewer Presentations to the Sewer Commissioner's by the Health Director

July 22

PENDING MINUTES

April 22

May 6, May 7

May 13

PENDING COMMITTEE APPOINTMENTS

Eric Solomon – 2020, TAC
Sharon Schifer 2020 or VCC
Leanne Baxter – Morrison Farm Reuse Committee
Pamela Harting-Barrat - BOH Assoc.
David Shoemaker – HDC
Eileen Lucey – COA
Bruce Forman – 2020

Vickie Wallin - 2020 sent to VCC
Andrew Brockway – 2020 –sent to VCC
Joe Will – Land Steward, Cemetery Com. Sent to VCC
Ronald Regan – HDC – Sent to VCC
Franny Osman – COA – Sent to VCC
Madeleine Harvey – COD – Sent to VCC
Cindy Patton – COD – sent to VCC

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<input type="checkbox"/>		010 Agenda, Board of Selectmen, May 20, 2013	manager	05/17/13	49 KB	
<input type="checkbox"/>		020 (2) Order of Takings	manager	05/17/13	86 KB	
<input type="checkbox"/>		030 (3) Use Special Permit 4-10-14-13-442 Any time Fitness	manager	05/17/13	645 KB	
<input type="checkbox"/>		040 (4) Panera site Plan materials	manager	05/17/13	280 KB	
<input type="checkbox"/>		050 (5) Sewer Presentation Materials	manager	05/17/13	2 MB	
<input type="checkbox"/>		060 (6) Space Needs Study Concerns, COA Director	manager	05/17/13	11 KB	
<input type="checkbox"/>		070 (7) Dog Fine Fee's Review	manager	05/17/13	157 KB	
<input type="checkbox"/>		080 (8) Request to use South Acton Train station for Rest Stop for Cycle Kids	manager	05/17/13	95 KB	
<input type="checkbox"/>		090 (9) Request from Counsel for consent to work for the Mass Gaming Commission (Boxboro Site)	manager	05/17/13	149 KB	
<input type="checkbox"/>		120 (11) Farmers Market Winery Permit	manager	05/17/13	382 KB	
<input type="checkbox"/>		130 (12) Wave Project Presentation	manager	05/17/13	3 MB	
<input type="checkbox"/>		140 (13) Accept Gift recreation	manager	05/17/13	17 KB	
<input type="checkbox"/>		160 (14) Accept Gift, Planning	manager	05/17/13	13 KB	
<input type="checkbox"/>		160 (15) Accept Gift, Planning	manager	05/17/13	13 KB	

-  **170 (16) Disposal of Obsolete Materials, AML**  manager 05/17/13 13 KB     ▼
-  **180 (17) Committee Appointment, Mary Ann Ashton, to Morrison Farm Reuse Committee**  manager 05/17/13 64 KB     ▼

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