

## BOARD OF SELECTMEN MEETING

January 28, 2019  
Francis Faulkner Room 204  
6:45 PM  
[To view the video, please click here](#)

Present: Katie Green, Joan Gardner, Jon Benson, Peter J. Berry, Janet K. Adachi, Town Manager John S. Mangiaratti, and Assistant Town Manager, Mark Hald, and Lisa Tomyl, Recording Secretary  
Executive Session – The Board voted to enter in to Executive Session to consider the purchase, exchange, lease, or value of real property located at 19-21 Maple Street as an open meeting may have detrimental effect on the on the negotiating position of the public body.

Mr. Benson called roll.

Ms. Adachi – aye

Mr. Berry - aye

Ms. Green – aye

Ms. Gardner – aye

Mr. Benson - aye

### Citizen Concerns

David Honn discussed issues regarding SANA and the proposed 40B development at 6 Piper Lane. He read from a prepared statement. Handed out a letter from SANA. Commented that the applicant is submitting additional paperwork with the opportunity to comment and respond by both the SANA group and the Board of Selectmen.

Terra Friedrichs informed the board of the recent citizen petitions submitted for Annual Town Meeting. Concerned about Taser money, sewer money and Kelley's Corner money as part of the budget.

### Operational Minutes/Chair Report

Katie Green – Pedestrian Safety and Sidewalk Forum 1/30/19 in room 204. Recreation Department hosting Winter Carnival this Saturday 2/2 at NARA. Last day to obtain papers to run for an elected office is Friday, February 1, and last day to register for upcoming elections is March 6<sup>th</sup>. Local elections is March 26<sup>th</sup>, Annual Town Meeting is April 1<sup>st</sup>. Presentation on Main Street Master Plan Committee recommendation on the use of the property is on February 4<sup>th</sup> at next BOS meeting.

John S. Mangiaratti – Had town counsel reach out to Mass Housing Counsel and not getting much response, found out Mass Housing changed counsel. Did follow up and did be made aware of additional material for the Piper Lane development. Public forum on March 5<sup>th</sup> KC 25% Design Hearing. Made first presentation to CPC about Asa Parlin House,

### Appointments

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7:10 PM . Use Special Permit #12/18/18-473,Great Road Seafood – representing Atlantic Seafood is Kostas , owner. Applicant has expanded the restaurant for increase in seating and size. During summer season they move seating outside and close up additional inside. Will not have over the number of seats. Ms. Gardner moves to approve the Use Special Permit #12/18/18-473 with conditions as listed, Ms. Adachi seconds. All Ayes (5-0)

7:20 PM Common Victualler License, West Side Creamery – Ice cream restaurant opening in West Acton. No questions from the Board. Ms. Gardner moves to approve, Ms. Adachi seconds, all ayes (5-0)

**Selectmen Business**

Board to Close Annual Town Meeting Warrant – Mr. Hald stated there are 51 articles slated for the Annual Town Meeting warrant. Large budget items will be on the first night (21). Second and subsequent nights have 9 citizen petitions both binding and non-binding. Mr. Berry moves to close the Annual Town Meeting Warrant, MS. Gardner seconds. All Ayes (5-0)

Discussion and Amendment of Avalon II Memorandum of Agreement – Michaela from Avalon gave an update regarding the 6<sup>th</sup> Amendment to Memorandum of Agreement looking for support for phase 2. Applicant will be filing the LIP in the early spring – there was concern that 2 of the current Board members will be gone after the beginning of April. Avalon feels that the LIP will be submitted before April and on a conservative timeline will receive its comprehensive permit by the end of May. Meeting with the ZBA February 21<sup>st</sup>.

Public comments included concerns about public housing and low income housing availability and pleased that the development is offering that. Suggested alternative energy opportunities such as solar. Development already have implemented many energy saving features. Will be energy star certified. Questions about natural gas, number of clear cutting trees. Ms. Adachi moves to approve signing of the amendment to Avalon II Memorandum of Agreement, Ms. Gardner seconds. All ayes (5-0)

Discussion of Open Meeting Law Complaint, January 11, 2019 – Ms. Green outlined the recent OML complaint regarding attendance of members of the board at an open forum of the 348-364 Main Street Re-use Committee on January 10. Since members were attending as audience members and there was no deliberation occurring between board members, a violation did not occur. Ms. Gardner moves to authorize Ms. Green to work with Town Counsel to write a letter in response to the OML complaint to the Attorney General, Ms. Adachi seconds. All ayes (5-0).

Board to Approve FY20 Budget – Ms. Green reviewed the FY Budget Plan via the ALG proposal. Ms. Adachi moves to approve the FY20 Budget, Ms. Gardner seconds. All Ayes (5-0)

2019 Acton Clean-Up Week, April 27-May 5 – Jim Snyder-Grant introduced several AB High School students who presented the outline for Acton Clean-Up Week. Ms. Adachi moves that the BOS support Acton Clean-Up Week by providing town services, Ms. Gardner seconds. All Ayes (5-0)

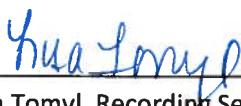
ABFM Temporary Location Recommendation – Mr. Mangiaratti outlined the update on the temporary potential relocation of the ABFM. A staff working group was formed and met and recommended to change the location of Pearl Street rather than relocate to Gardner Field or next to the library. This would have a portion of Pearl Street/Windsor Ave closed during the operation of the market. Debra Simes questioned that if ground doesn't break for the proposed property that they could stay where they are seasonally set up, and move to the proposed "L" shape to further down Pearl St. and the corner of Windsor Ave. Ms. Gardner moves to approve as backup plan, Ms. Adachi seconds. All Ayes (5-0).

Veterans' District Discussion – Mr. Mangiaratti commented that the Town of Boxborough approached Acton in forming a district for Veterans' Service. Boxborough's service director is stepping down, and the Acton Veterans' Service Officer is currently working with some Boxborough residents. Mr. Mangiaratti is asking the Board if they are comfortable in moving forward in creating a district. It requires both Boards to agree on a Veteran's Service District. Mr. Benson cautioned that we be sure that Boxborough holds up to their financial agreement. Mr. Mangiaratti commented that it would be in a form of a contract with very specific financial responsibilities outlined. Looking to have a contract by July 1, 2019.

Social Media Policy – Mr. Mangiaratti gave an outline of the draft Social Media policy. The Board was appreciative of an extensive social media policy. Mr. Mangiaratti plans on having staff training in the future. Land Stewardship Committee and the Recreation Division currently have a social media page and will plan on attend trainings and adhere to the town policy. Ms. Gardner moves to approve policy, Ms. Adachi seconds. All ayes (5-0)

**Consent Agenda**

Ms. Green held item 11, Mr. Berry held items 14 and 15. Ms. Green moves to approve item 11 waiver request for building fees less the cost of \$775 to cover staff cost, Ms. Gardner seconds. All Ayes. (5-0)



Lisa Tomyl, Recording Secretary



Jon Benson, Clerk

Dated: February 25, 2019



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## **Board of Selectmen**

### **MEETING AGENDA**

Monday, January 28, 2019

6:45 PM

Francis Faulkner Hearing Room 204  
Acton Town Hall

#### **6:45 PM EXECUTIVE SESSION**

To consider the purchase, exchange, lease, or value of real property located at 19-25 Maple Street as an open meeting may have a detrimental effect on the negotiating position of the public body.

#### **I. Citizens' Concerns**

#### **II. Chairman's Update / Operational Update**

The Chairman will briefly update the Board. The Town Manager will provide a brief report

#### **III. Public Hearings and Appointments**

1. 7:10 PM Use Special Permit #12/18/18 - 473, Great Road Seafood  
<http://doc.acton-ma.gov/dsweb/View/Collection-10582>
2. 7:20 PM Common Victualler License, West Side Creamery

#### **IV. Selectmen's Business**

3. Board to Close Annual Town Meeting Warrant
4. Discussion and Amendment of Avalon II Memorandum of Agreement
5. Discussion of Open Meeting Law Complaint, January 11, 2019
6. Board to Approve FY20 Budget
7. 2019 Acton Clean Up Week, April 27-May 5
8. ABFM Temporary Location Recommendation
9. Veterans' District Discussion
10. Social Media Policy

#### **V. Consent Agenda**

11. Permit Fee Waiver Request, Mark Starr, 4 Cherry Ridge Road
12. Committee Appointment, David Manalan, Associate Member, Kelley's Corner Steering Committee (term to expire 6/30/2022)
13. Committee Appointment, Stephanie Krantz, Full Member, 53 River Street Master Plan Committee (standing until completion of task)
14. One Day Alcoholic Beverage License, Congregation Beth Elohim, February 2, 2019

15. One Day Alcoholic Beverage License, Congregation Beth Elohim, March 16, 2019
16. One Day Alcoholic Beverage License, True West, February 1, 2109
17. Easement Relocation Agreement, New View Condominium
18. Meeting Minutes, January 5 and 7, 2019
19. Accept Gift, Veterans' Services
20. Accept Gifts, Acton Police Department  
Board to accept a gift from the Ring Corporation for several Ring security devices
21. Request for Use of 468 Main Street, Acton Garden Club, May 13-18, 2019
22. Accept Gift, Natural Resources  
Board to accept a gift totaling \$1336.00 from the George Morey Foundation to promote and develop natural resources of the Town of Acton
23. Committee Appointment, Matt Mostellar, Water Resources Advisory Committee, Acton Water District Representative, (term to expire 6/30/2022)
24. Accept Gift, Recreation Department  
Board to accept a gift of \$500 from Ludwig Agency to support production costs for the 2019 Summer Concert Series and Special Events
25. Accept Grant, Recreation Department  
Board to accept a grant of \$500 from the Acton Boxborough Cultural Council to cover costs associated with the Chinese Music and Dance Night on June 14, 2019
26. Approve Letter of Support for the Residences at Kelley's Corner

**VI. Selectmen Reports**

27. Selectmen Reports are now included in the docushare file.

The docushare link for additional material can be found by [clicking here](#)

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## Agenda

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Type	Title	Owner	Modified Date	Size	Actions
	<a href="#">010 Agenda, Board of Selectmen, January 28, 2019.pdf</a>	manager	01/24/19	186 KB	
	<a href="#">030 (2) Common Victualler, West Side Creamery</a>	manager	01/24/19	350 KB	
	<a href="#">040 (4) Amendment of Avalon II MOA</a>	manager	01/24/19	182 KB	
	<a href="#">045 (4) Avalon Acton Phase II - BOS Presentation</a>	manager	01/28/19	12 MB	
	<a href="#">050 (5) OML Complaint, January 11, 2019</a>	manager	01/24/19	471 KB	
	<a href="#">060 (6) FY20 Budget</a>	manager	01/28/19	135 KB	
	<a href="#">070 (8) Acton Boxborough Farmers Market</a>	manager	01/24/19	541 KB	
	<a href="#">075 (9) Veterans' Service District</a>	manager	01/24/19	4 MB	
	<a href="#">080 (10) Draft Social Media Policy</a>	manager	01/24/19	226 KB	
	<a href="#">090 (11) Fee Waiver Request, Mark Starr, 4 Cherry Ridge Road</a>	manager	01/24/19	119 KB	
	<a href="#">100 (12) Committee Appointment, David Manalan</a>	manager	01/24/19	63 KB	
	<a href="#">110 (13) Committee Appointment, Stephanie Krantz</a>	manager	01/24/19	102 KB	
	<a href="#">120 (14) One Day Alcoholic Beverage License, Congregation Beth Elohim, February 2, 2019</a>	manager	01/24/19	115 KB	
	<a href="#">130 (15) One Day Alcoholic Beverage License, Congregation Beth Elohim, March 16, 2019</a>	manager	01/24/19	157 KB	
	<a href="#">140 (16) One Day Alcoholic Beverage License, True West Brewery</a>	manager	01/24/19	137 KB	
	<a href="#">150 (17) Easement Relocation Agreement, New View Condominium Trust</a>	manager	01/24/19	312 KB	
	<a href="#">160 (18) Meeting Minutes</a>	manager	01/24/19	130 KB	
	<a href="#">170 (19) Accept Gift, Veterans' Services</a>	manager	01/24/19	357 KB	
	<a href="#">180 (20) Accept Gift, Police Department</a>	manager	01/24/19	140 KB	

Type	Title	Owner	Modified Date	Size	Actions
 PDF	<a href="#">190 (21) Request for Use of Town Property, Acton Garden Club</a>	manager	01/24/19	98 KB	  
 PDF	<a href="#">200 (22) Accept Gift, Natural Resources</a>	manager	01/24/19	1 MB	  
 PDF	<a href="#">210 (23) Committee Appointment, Matt Mostellar</a>	manager	01/24/19	85 KB	  
 PDF	<a href="#">220 (24) Accept Gift, Recreation Department - Ludwig Agency</a>	manager	01/24/19	108 KB	  
 PDF	<a href="#">230 (25) Accept Gift, Recreation Department - ABCC</a>	manager	01/24/19	109 KB	  
 PDF	<a href="#">240 (26) Residences at Kelley's Corner Support Letter Draft</a>	manager	01/24/19	162 KB	  
 PDF	<a href="#">250 (27) Selectmen Reports</a>	manager	01/25/19	109 KB	  

