



## SELECT BOARD MEETING MINUTES

FEBRUARY 3, 2025, 7:00 PM

ACTON TOWN HALL, ROOM 204

472 MAIN STREET

Present: Fran Arsenault, David Martin, Jim Snyder-Grant, Alissa Nicol (remote)

Additional Attendees: Town Manager John Mangiaratti, Assistant Town Manager Thom Begin  
Executive Assistant Lisa Tomyl

### **I. Regular Business**

#### **1. Resident Concerns**

Erik Heels, 17 Forest Road – change.org petition to add sidewalks on Forest Road has 327 supporters, noted that there is no support from change.org for the DPW Facility project without sidewalks. Read from a prepared statement.

#### **2. Chair Update/Town Manager Update/Members Minute**

Mr. Mangiaratti announced a contractor is working for the Assessor Office to make sure property record cards match what is in or on properties, and that we expect our contractors to adhere to our customer service standards; if anyone has any questions or concerns to reach out to the Assessor's office. The town recently closed on the sale of 348-352 Main Street for McManus Manor last week, and construction meetings are occurring. The town also signed a lease with Acton Food Pantry at 19-21 Maple Street property with a large renovation project planned. Mr. Martin noted a working group drafting the Conservation Restriction for the Wetherbee property, conducted a site walk looking for features of the property that indicate if any Indigenous people artifacts may be present, and the CR is to be completed by June. Ms. Nicol noted the Town Manager shared with the Board that the state calculated the Subsidized Housing Inventory (SHI) and that is now over 10%, and announced that the Town Manager was recently elected president of the Massachusetts Municipal Management Association.

### **Public Hearings**

#### **3. 7:10 PM Site Plan Special Permit, #06/24/2024-492, AHC, Inc. & Thomas Buckborough, 358A & 358B Great Road**

Kaila Sauer, Senior Planner updated the Board on recent changes to the plans; met with GCG, Town Engineer, and Stamski & McNary, noting they meet the requirements for the stormwater systems planned for the location and meets the requirements for a waiver from subsection 3.4.6.4.1 of the stormwater Ch. X bylaw

and recommends approval of the SPSP from the Board. Representing the applicant is Paul Kirchner. Mr. Snyder-Grant noted a memo regarding why the waiver was necessary, Mr. Kirchner noted the requirements for stormwater retention is for new development and not renovations such as this project and that the project is reducing the impervious surface.

Ms. Nicol asked if the applicant addressed all DRB suggestions; Ms. Sauer noted the DRB reviewed the plans and noted it met all the criteria and can include conditions in the approval.

Terra, Mass Ave – asked about giving a waiver for stormwater X would they have to meet stormwater x requirements – Ms. Sauer noted the waiver is granted in redevelopment projects, and GCG required additional treatment for the redevelopment due to the wetlands. Terra requests the Board not approve a waiver to Ch. X.

Mr. Snyder-Grant asked whether there is any history of previous issues with stormwater runoff on the site – Mr. Kirchner and Planning staff are unaware of any issues.

Mr. Snyder-Grant asked about the Conservation Commission review and how it relates to the stormwater questions; Mr. Kichner noted they reviewed the plan, including stormwater calculations, but the plans did not included the added vegetative filter strip. He will be speaking with the Conservation agent tomorrow, and will rectify any issues with Order of Conditions.

Ms. Nicol noted appreciation that the applicant is improving the quality of stormwater runoff, and would like to condition approval on complying with recommendations from DRB, including the addition of windows to the right side of the mixed-use building.

**Select Board to close the public hearing and add a list of conditions for the SPSP approval at the next meeting. Mr. Martin moved, seconded by Mr. Snyder-Grant, to close the public hearing and approved 4-0-0 by roll call vote.**

4. 7:15 PM Grant of Location, NSTAR Electric Company d/b/a Eversource Energy for Conduit and Manhole Installation at 362 Main Street  
Representing Eversource Energy is Christine Crosby. The plan would be to install conduit underground at 362 Main Street. **Mr. Martin moved, seconded by Mr. Snyder-Grant, to close the public hearing and approved 4-0-0 by roll call vote.**  
**Mr. Marti moved, seconded by Mr. Snyder-Grant, to approve the grant of location, NSTAR Electric Company d/b/a Eversource Energy for conduit and manhole installation at 362 Main Street, and approved 4-0-0 by roll call vote.**
5. 7:20 PM Use Special Permit #09/24/2024-503, 268 Main Street (continued from January 27, 2025)

Applicant Travis Minor updated the board that he spoke with Acton Water District. They will disconnect the water service from 268 Main attached to Redstone Condominium and add a separate line to 268 Main Street by April 30<sup>th</sup>. Ms. Nicol asked if there could be a contract between the new owner and condo association to take on any new water and sewage usage until April 30<sup>th</sup>. Travis is amenable to the request and would need to determine the actual water usage. Mr. Martin feels it would be too complicated for the short duration. Suggests a contract with a date certain.

Alex Parra, trustee for the owner of the building, confirmed the construction for the separate water meter, and noted it would be in March or April weather permitting, and expects to have a written and signed contract for the work.

**Mr. Martin moved, seconded by Mr. Snyder-Grant, to close the public hearing and approved 4-0-0 by roll call vote.**

Mr. Martin wanted assurance that the Planning Department receives the contract prior to signing the approved Use Special Permit.

**Mr. Martin moved, seconded by Ms. Nicol, to find the Use Special permit is consistent with the master plan, is in harmony with the purpose and intent of this bylaw, will not be detrimental or injurious to the neighborhood in which it is to take place, is appropriate for the site in question, complies with all applicable requirements of this bylaw, and approve the use special permit #9/24/2024-503 at 268 Main Street conditioned on the submission to the Planning Department a signed contract to establish an independent water service before the business opens and approved 4-0-0 by roll call vote.**

## **II. New/Special Business**

### **6. Update on Acton Community Dog Park Project**

Sent out a bid and awarded a company for the construction of the dog park, now coordinating with MassDOT thanks to the town Engineering Department. Next step is to hold a coordination meeting with the contractor.

### **7. Discuss Fire Station Deployment Pilot Program Starting February 10, 2025**

Mr. Mangiaratti reminded the Board the Fire Department is engaging in a pilot program beginning next week and lasting for 3 months and will be consolidating staff into 2 stations; station 4 (North) on Harris Street and station 2 (south) on School Street, and briefed the Board on steps leading up to the beginning of the pilot program and will follow up with another survey after the initial pilot study. Unstaffed stations will have a notification sign to alert the public the station is unstaffed and to call 911 or press a button that is connected to dispatch if there is an emergency. Any questions or concerns contact the Fire Chief Anita Arnum or the Town Manager's office.

### **8. Discuss Draft Leaf Blower Bylaw Updates**

Mr. Martin updated the Board with the latest version of the gas leaf blower bylaw based on the response from Board members and will consult with Town Counsel

regarding imposing the fines. Mr. Snyder-Grant consolidated responses from the public and listed changes in section 2 the same clause is redundant and requests Town Counsel review, and also the dates of implementation of September 15, 2029, prohibition by property owners and private contractors to September 15, 2027, and initial use of commercial gas leaf blowers' owners June 1, 2026, and noted that many towns combine this with a noise ordinance.

Mr. Martin suggests coming back at a later date to ensure that Mr. Charter is present as he was a strong proponent for a later implementation date. Mr. Snyder-Grant noted in section 3E the exception to parcels over 1 acre during spring and fall cleanup periods was removed. Mr. Martin will update the dates and review with Town Counsel and bring it back to the Board.

Terra, Mass Ave – doesn't agree with restrictions on the size of the parcel and felt it should be everyone or no one.

**9. Discuss Annual Town Meeting**

Mr. Mangiaratti is working on a draft warrant article list. Mr. Begin noted an updated Town Meeting calendar with the addition of the School Committee Budget workshop and an extension to the deadline for withdrawing nomination papers from the election. Mr. Martin requested the town meeting calendar be made available for public viewing on the Clerk's page, and requested to have an article list at the next Board meeting.

**10. Discuss Acton Leadership Group**

Mr. Mangiaratti noted that the latest version of the ALG plan has not changed, and the next meeting is scheduled for February 12.

**11. Discuss Department of Public Works Facility Building Project**

Mr. Begin updated the Board that the DPW Facility Building Committee held a meeting at the COA, the discussion included an update from Weston & Sampson on the fleet inventory layout, a schematic layout of every piece of equipment, and also an energy modeling scenario. Next meeting is February 12 in room 204 at 7 PM. Weston & Sampson will be moving forward to a 40% design and updated estimated cost.

Ms. Arsenault will consult with the Finance Committee Chair about scheduling another workshop meeting. Mr. Martin suggested forming a subcommittee with 2 from the Select Board and 2 from the Finance Committee. Mr. Martin suggested designating a single Board member to respond to questions from the Finance Committee.

**12. Approve Intermunicipal Agreement with Littleton for Public Health Nurse Position**

Mr. Mangiaratti updated the Board on an arrangement to increase the Public Health Nurse from a part-time to full-time position shared with the Town of Littleton. The position will be based in Acton, with 13 hours and associated

percentage of benefits paid by Littleton. Mr. Mangiaratti requested that the Board delegate the Town Manager to move forward with the agreement. Littleton is still reviewing the contract with their Town Counsel.

**Mr. Martin moved, seconded by Ms. Nicol, moved to have the Town Manager negotiate an intermunicipal agreement with Littleton for a public health nurse with conditions similar to those presented in the packet and approved 4-0-0 by roll call vote.**

13. Discuss FY2026 Budget Recommendation

Mr. Mangiaratti updated the Board on an expected increase to health insurance costs; an average rate increase of 14.8% was announced by MIIA, but we won't know until later this month what Acton's rate increase will be. We are currently capped at an average at 10%, the maximum liability is 14.8%. To address an estimated additional \$160K cost, the Town Manager is looking at salary and expense items and other line items such as office supplies and professional development. He noted that we can consider reducing or not filling positions, reduce Town Meeting clicker expense by seeking a grant, but is not requesting any specific changes be approved by the board today.

**IV. Consent Items**

Ms. Nicol held consent item 15. **Mr. Martin moved, seconded by Mr. Snyder-Grant, to approve consent items 14, 16 and 17 and approved 4-0-0 by roll call vote.** Ms. Nicol asked about parking plans for the location on Elm Street. Mr. Martin noted that last year attendees parked at the Boardwalk campus, and APD posted temporary no parking signs along Elm Street. **Ms. Nicol moved, seconded by Mr. Martin, to approve consent item 15 and approved 4-0-0 by roll call vote.**

**Mr. Martin moved, seconded by Mr. Snyder-Grant, to adjourn and approved 4-0-0 by roll call vote. Meeting adjourned at 9:32 PM.**

**Documents Used**

- February 3, 2025 Agenda
- Site Plan Special Permit 306/24/2024-492
- Grant of Location, NSTAR Electric Company d/b/a Eversource Energy
- Use Special Permit 309/24/2024-268 Main Street
- Draft Leaf Blower Bylaw
- Intermunicipal Agreement with Littleton for Public Health Nurse Position
- Meeting Minutes, January 13, 2025
- Acton Boxborough Farmers Market License Agreement
- Memo from Acton 250 Committee Dated January 30, 2025
- Memo from Council on Aging Dated January 24, 2025