



## BOARD OF SELECTMEN

Meeting Minutes

Monday, July 15, 2019

7:00 PM

ACTON TV STUDIO, 16A CRAIG ROAD, ACTON

**Present:** Joan Gardner, Jon Benson, Dean Charter, Peter J. Berry, David Martin

**Absent:** None

### I. Regular Business

#### 1. Citizen Concerns

Several Residents spoke regarding the concern regarding the Memorandum of Agreement with Piper Lane, LLC. Several prepared statements were presented as public documents. Jim Snyder-Grant from Green Acton read from a prepared statement regarding Green Acton's position on the proposed 40B Development and the MOA. A copy was provided to the Board.

Michaela Moran, School Street – read from a prepared statement regarding the Piper Lane, LLC development and the Memorandum of Agreement. A copy was provided to the Board.

Gene Beresin - School Street – read from a prepared letter to the Board of Selectmen on behalf of SANA regarding the MOA with Piper Lane LLC. A copy was provided to the Board.

Terra Friedrich, West Acton – commented on the affordable housing problem.

#### 2. Chair Update/Town Manager Update

Ms. Gardner – none.

Mr. Mangiaratti – Holding a report on Economic Development and Housing Public Forum on Wednesday, July 24<sup>th</sup> at 7 PM at Acton Town Hall room 204, Fire Station public forum on July 30<sup>th</sup> at 7 PM. Thanked George Cox from acton TV who is leaving today and wish him the best in his next project. Request pass on item number 3 – not ready to present that tonight, and agree to take consent items first.

### II. New/Special Business

#### 3. FY20 Sewer Usage Rates

This topic will be rescheduled to August 5, 2019.

#### 4. North Acton Fire Station Presentation from Kaestle Boos

Representing Kaestle Boos is \_\_\_\_\_. An overview of the plans for the North Acton Fire Station was presented to the Board of Selectmen.

Resident commented on the road being narrow and pleased that traffic study is going to be included but would like that consideration of road improvements be included with the plan.

Another resident has concerns regarding the top of Harris Street has a steep grade and the amount of pedestrians and bicyclists that use Harris Street daily and the impact of the safety of the residents.



Another resident asked about energy efficiency and the thought of using less energy. KB – still in the planning and architecture period will include maximizing energy efficiency.

5. Request to Use Funding from the Energy Efficiency Fund for Voltrek Chargepoint Station Town Hall has an electric charging station, Town wants to purchase another charging station to provide better service. Looking to use \$8000 for the energy efficiency fund. Mr. Martin moves to approve the funds, Mr. Charter seconds. The Board voted 5-0. The motion carries.

6. Discussion on South Acton Train Station Advisory Committee Recommendations Regarding the Parking Program

Mr. Martin moves that the Board of Selectmen adopt the following changes to train station parking rates and policies, and that the Town Manager should determine the best implementation schedule and methods:

- Raise the daily metered parking rate to \$6
- Raise the annual resident sticker price to \$200
- Raise the reserved rate for both Maple Street reserved lots to \$175/month
- Maintain the reserved rate for the Jones Field lot at \$100/year
- Maintain a lottery system for the open reserved spaces. Commuters will keep their spaces indefinitely once attained. (if an applicant is offered a a spot and declines, they will be removed from the applicant pool)

Mr. Martin moves to approve the motion, Mr. Charter seconds. The Board voted 5-0. The motion carries.

Mr. Martin moves that the Board of Selectmen solicit input from the transportation Advisory Committee on the following proposals:

- Reduce remote parking and transportation cost to \$1/day, payable via Passport app, instead of to the driver, or \$100 annual pass purchased via TransAction
- Open remote parking lots to Acton resident sticker holders
- Allow riders on the rail shuttle for free, if they don't park
- Encourage the creation of new remote parking lots, and the possible addition of an additional rail shuttle van

Mr. Martin moves to approve the motion, Mr. Charter seconds. The Board voted 5-0. The motion carries.

7. Update on Kelley's Corner Infrastructure Project

Mr. Mangiaratti updated the Board. The transition has formally taking place Mass DOT is taking care of the payment. Landscape design hearing in August. Working on strategy to help businesses in Kelley's Corner when construction begins and come up with a plan. August 14 and 15 are the public workshops with the draft plans and the week of August 19<sup>th</sup> there will be video broadcasted to the public for a week, then a follow up public meeting on August 26th.



8. Discuss Recent Open Meeting Law Complaint and Delegate Response by July 19, 2019  
Mr. Benson gave an explanation regarding the Friday, June 28<sup>th</sup> Executive Session at Middlesex Superior Court to discuss a late settlement offer prior to the evidentiary hearing scheduled that morning at Middlesex Superior Court. Mr. Martin pointed out that due to the last minute settlement offered late on the 6/27, it was necessary to have the 12 minute emergency executive session. Mr. Martin moves to delegate response to Town Manager and Town Counsel and that the Board's finding is without merit. Mr. Benson seconds. The Board voted 5-0. The motion carries.
9. Board to Discuss the DEP Hearing Regarding Concord Water Intake Valve Plans  
Members of the Board attended a hearing by DEP regarding the Concord Water intake valves. There seemed to be 2 plans submitted that had 2 different intake heights, concerned that it would have an impact on the water withdrawal. A resident read an email from Kim Kastens regarding the change of the drawings from the SPSP submitted to the BOS and the DEP. A response is due by July 30<sup>th</sup>. Mr. Mangiaratti has assigned Matt Selby, Land Use Director, as the liaison between the Site Plan Special Permit and the public, and also attended the DEP hearing. Board requesting to have town staff work with DEP with comments on the record from the town on the Board's behalf. Mr. Charter moves Town Manager work with staff and AWD and interested parties to develop a comment letter to be sent to DEP by July 30, 2019 with concerns of possible impact of this new infrastructure and how it would impact Concord's Water Management Act permit, Mr. Berry seconds. The Board voted 5-0. The motion carries.
10. Board to Discuss Special Town Meeting Warrant  
Mr. Mangiaratti bringing forward to see if the Board wanted to close the warrant at a date certain. Ms. Gardner would like it on the agenda for August 5<sup>th</sup>. Mr. Berry moves to close the special town meeting warrant, Mr. Charter seconds. The Board voted 5-0. The motion carries.

### **III. Consent Items**

Consent item 11 was held as the remaining consent items were read first. Chief Rich Burrows presented to the board an electric motorcycle as a gift from Bursaw Oil. Mr. Benson held consent item 21 for further review at the August 5<sup>th</sup> meeting. Mr. Berry held consent item 19. Mr. Charter moves to approve consent items 12-16, 18, 20, and 22. Mr. Martin seconds. The Board voted 5-0. The motion carries. Mr. Berry moves to approve consent item 19 as a special one day license, Mr. Martin seconds. The Board voted 5-0. The motion carries. Mr. Charter moves to approve consent item 11, Mr. Martin seconds. The Board voted 5-0. The motion carries.

Mr. Martin moves to adjourn, Mr. Charter seconds. The Board voted 5-0. The motion carries. Meeting adjourned at 8:45 PM.

### **Documents and Exhibits Used During this Meeting**

- Memo for FY20 Sewer Usage Rates



- North Acton Fire Station Presentation
- Email Request for Funding from the Energy Efficiency Fund for Voltrek Chargepoint Station
- Open Meeting Law Complaint
- Acton Police Department Memo
- Committee Appointment Recommendation, Carolyn Kilpatrick
- Committee Appointment Recommendation, Jim Snyder Grant
- Committee Appointment Recommendation, Ben Patterson
- Committee Appointment Recommendation, Carolyn Kiely
- Committee Appointment Recommendation, Robert V. Ferrara
- Meeting Minutes
- One Day Alcoholic Beverage License Application, Sanborn Head and Associates
- One Day Alcoholic Beverage License Application, True West
- Sidewalk Contribution Memo, Anthem Village
- Written Statement Regarding Piper Lane, LLC from Green Acton
- Written Statement Regarding Piper Lane, LLC from Attorney Dan Hill
- Written Statement Regarding Piper Lane, LLC from Michaela Moran and Gene Beresin