



BOARD OF SELECTMEN

Meeting Minutes

Monday, March 15, 2021

7:00 PM

Virtual Meeting

Present: Jon Benson, Dean Charter, David Martin, Joan Gardner, Jim Snyder-Grant, Town Manager John S. Mangiaratti

Absent: None

Mr. Benson called the meeting to order at 7:00 PM after exiting from an Executive Session. It was a virtual meeting with no Board members in physical attendance and it was broadcast via Zoom.us virtual meeting platform.

I. Regular Business

1. Citizen Concerns

A resident commented disappointment regarding the amount of taxpayer money spent in 2019 for a court case involving members of the Board of Selectmen regarding an OML complaint for violation. Mr. Benson suggested the Judge's findings are available for the public if requested.

2. Chair Update/Town Manager Update/Members Minutes

Mr. Benson announced 3 upcoming meetings; 10 Year Capital Plan with the Finance Committee 3/29, the Board of Selectmen meeting on April 5, and the Budget Workshop with the Finance Committee 4/6.

Mr. Mangiaratti announced that the Residences at Kelley's Corner received state funding for the proposed senior and disabled housing units. We received 2 grants – one \$30,000 from Mass Development to help provide weekend and evening transportation services provided by local taxi and livery services – for more information call the Town Hotline at 978-929-6600 or Cross Town Connect 978-844-6809. The second award was a technical assistance grant for \$60,000 from the state to help Great Road businesses recover from the pandemic and promote economic development along the Great Road corridor, and a working group will be established consisting of town staff, a member of the Board of Selectmen, Planning Board, and the EDC.

Mr. Snyder-Grant reported on the COD meeting with staff guest Frank Ramsbottom as the Building Commissioner to help learn about accessibility requirements with upcoming site plans specifically 67 Powder Mill Road, 26 Carlisle Road RFP proposed affordable housing single housing unit; Danny's Place and United Way hosting 2 Active Bystander trainings; commended town staff on maintain operations and residents and volunteers supporting residents during the one year of pandemic shutdown.



Mr. Martin noted the school district is transitioning back to in-person learning, school building project is concerned where to bring in utilities since there was ledge found – similar to digging for the septic system, and there is a concern that some blasting may have to commence – they are reaching out to the neighbors.

II. **New/Special Business**

3. SPSP #09/28/2020-480, 67 Powder Mill Road

Mr. Benson read the updated public hearing notice. The applicant has requested a continuance to April 5, 2021

Ms. Gardner moved, seconded by Mr. Martin, Mr. Martin called roll:

Mr. Snyder-Grant – aye

Ms. Gardner – aye

Mr. Charter – aye

Mr. Benson – aye

Mr. Martin - aye

The Board voted 5-0 the motion carried

4. COVID-19 Response Updates

Mr. Mangiaratti noted the one year anniversary since town public facilities including Town Hall had closed to the public. There have been 808 residents that have been affected by COVID, currently 16 in isolation. The state has ordered schools to open fully by April 5th for elementary schools, with higher grades at a later date. Mr. Mangiaratti announced that the town buildings will begin reopening soon to the public, with a date of mid to late April with restrictions, and that window service at Town Hall will begin again next week. The Board was generally supportive of re-opening planning for all public buildings according to recommendations from the state.

Mr. Mangiaratti announced a second vaccine clinic and mobile clinic was held, and working on a regional vaccine clinic in conjunction with 8 other communities to be available to administer vaccines 5 days a week with preliminary location of the Kmart property. The American Rescue Plan Act is approved at the Federal level, which could provide significant financial relief more than the CARES Act with less restrictions in place. The 1.6 million grant from CDBG grant has awarded several 10K microbusiness grants with more available and encouraging more businesses less than 5 employees to apply, along with child care subsidies grants. Food pantry received 40 K in support.

5. Discuss Extending the \$25 per Month Reserved Commuter Train Parking Rate Until June 30, 2021

Mr. Martin recommended extending the \$25 per month reserved commuter parking rate to August 31, 2021. **Mr. Charter moved, seconded by Mr. Martin. Mr. Martin called roll:**

Mr. Snyder-Grant – aye

Ms. Gardner – aye



Mr. Charter – aye

Mr. Benson – aye

Mr. Martin - aye

The Board voted 5-0 the motion carried

6. Approve Letter of Support for Technical Assistance Applications

The Nashoba Greenways project is proposed to meet up multiple towns via rail trails being led by Littleton. Littleton is looking for support from the Board in form of a letter to MAPC.

The Green Advisory Board and the Sustainability Director Andrea Becerra are looking for support from the Board for TAP funding for the Town of Acton's Climate Action Planning from MAPC.

The Board approved Jon Benson to sign both letters of support with no formal vote involved.

7. Approve Letter of Support for Acton Housing Authority Project Eligibility Application

The Board approved Jon Benson to sign the letter of support with no formal vote involved.

8. Discuss Drive Up Window Zoning Bylaw Proposal

Mr. Charter updated the Board the result of public surveys regarding adding drive-up window service, which was well received and supported to move forward with a public hearing by the Planning Board. The DRB generally did not support drive-up service, but added in a memo with suggestions on how to proceed or design the allotment in the village districts and be a special permit required.

The Board supported the Planning Department to present a proposed zoning by-law to allow for drive-up windows for pharmacies and restaurants town-wide at a public hearing of the Planning Board on Wednesday, March 24. Some members of the Board noted concerns from businesses in West Acton unable to add a drive up component and fear losing business from it. The Board supported moving ahead with a draft bylaw with the Planning Board public hearing on March 24th and Mr. Charter will reach out to the DRB ahead of the Planning Board hearing.

9. Preliminary Feedback on FY2022-FY2031 Capital Improvement Plan ahead of Planned March 29th Presentation

Mr. Mangiaratti recapped the Board on the proposed 10 year CIP plan. Mr. Mangiaratti was looking to the Board for feedback prior to the presentation to the Finance Committee on 3/29. Mr. Snyder-Grant suggested adding a community center as a possibility to include in the 10 year plan.

10. Discuss Acton Leadership Group Financial Model and Proposed Use of Reserves

The Board supported the Town Manager's proposal to use stabilization funds in place of Free Cash to fund a portion of the proposed FY22 capital plan which will help to



balance the current ALG plan, as well a proposal to include funding for a dog park grant match.

11. Presentation from Agricultural Commission of Right to Farm Signs and Approval of Sign Locations

Patrick Hearn from the Agricultural Commission made a brief presentation on the approval of sign locations for Right to Farm. The purpose is to promote farm awareness and would be positioned at entrances into Acton. There would be 2 different signs, a stand-alone and one added to the existing Entering Acton signs. The AgCom is requesting approximately \$300 to purchase the signs and permission to place them.

Ms. Gardner moved the Right to Farm signs as proposed locations are supported by the Board, seconded by Mr. Charter. Mr. Martin called roll:

Mr. Snyder-Grant – aye

Ms. Gardner – aye

Mr. Charter – aye

Mr. Benson – aye

Mr. Martin – aye

The Board voted 5-0, the motion carried.

12. Update on the Vacant Kmart Property and Potential Proposed Concept for Reuse

Mr. Charter briefed the Board and the public about the history of the vacant Kmart parcel. Several different developers have approached town staff in the past with development proposals, but since backed out. Ed Marsteiner and Matt Davis of National Development of Newton, Massachusetts, made a preliminary presentation of a plan for the redevelopment of the K-Mart parcel which included a possible independent/memory care apartment type living facility with two separate commercial buildings. Several comments and questions were made by Board members and members of the public. The Board took no position.

III. Consent Items

Ms. Gardner moved to approve consent items 13-15, seconded by Mr. Snyder-Grant. Mr. Martin called role:

Mr. Snyder-Grant – aye

Ms. Gardner – aye

Mr. Charter – aye

Mr. Benson – aye

Mr. Martin - aye

The Board voted 5-0 the motion carried

Ms. Gardner moved to adjourn, seconded by Mr. Martin. Mr. Martin called role:

Mr. Snyder-Grant – aye

Ms. Gardner – aye



Mr. Charter – aye

Mr. Benson – aye

Mr. Martin - aye

The Board voted 5-0 the motion carried. Meeting adjourned at 9:45 PM

Documents and Exhibits Used During this Meeting

- Agenda, March 15, 2021
- SPSP #09/28/2020-480 Application and Request for Agreement on Time Extension
- Draft Letter of Support for Technical Assistance Application
- Draft Letter of Support for Acton Housing Authority Project Eligibility Application
- Planning Division Memo Dated March 12, 2021
- ALG Financial Model and Proposed Use of Reserves Presentation
- Agricultural Commission Right to Farm Presentation
- Meeting Minutes, February 22, and March 1, 2021
- Amended Executive Session Minutes, February 1, 2021
- Accept Gift Memo, Council on Aging Dated February 25, 2021