

SELECTMEN'S MEETING  
JUNE 21, 1994

TOWN  
CLERK

The Board of Selectmen held its regular meeting on Tuesday, June 21, 1994 at 7:30 P.M. Present were Norman Lake, F. Dore' Hunter, William Mullin, Nancy Tavernier, Wayne Friedrichs, Town Manager Johnson, and Assistant Town Manager John Murray.  
{Representatives from cable were present}

CITIZENS' CONCERNS

NONE EXPRESSED

CONSENT CALENDAR

F. DORE' HUNTER - Moved to approve Consent Calender item #11 with the condition that the Town Manager's office ask for a letter of support from Senator Bob Durand and Representative Pam Resor. UNANIMOUS VOTE.

F. DORE' HUNTER - Moved to accept the Consent Calendar as printed - NANCY TAVERNIER - Second. UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

PRISON ADVISORY COMMITTEE APPOINTMENT - NANCY TAVERNIER - Move to appoint Thomas Ballantyne to a term to expire 6/30/97. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

PLANNING BOARD APPOINTMENT - NANCY TAVERNIER - Move to appoint Joshua Chernin and Richard Croswell from Associate Members to Full members with a five (5) year term.

F. DORE' HUNTER - Second. UNANIMOUS VOTE.

TOWN MANAGER'S CONCERNS

Don discussed the memos that were included in the Board's extra information packets. The selectmen advised Don to send a letter to the School regarding early retirement. Dore' drafted a written agreement to hold municipal budget harmless in regards to early retirement to send with Don's letter.

Don stated that staff has narrowed their search for a new computer system down to three companies. The three companies are Munis, Access and Pentamation. Don also stated that staff would be travelling to Augusta, Maine tomorrow to see a Pentamation system that the City of Augusta is currently utilizing. If staff is impressed with the computer system then a trip to Virginia where Pentamation's home base is will be necessary. Pentamation



has offered the Town \$1000.00 to help defray travel expenses.  
DORE' HUNTER - Moved to accept gift of \$1000.00 with the  
understanding that no preference will be given to this company  
because of the gift. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

#### PUBLIC HEARINGS AND APPOINTMENTS

##### CROSSROADS LIQUOR VIOLATION HEARING

Jay Manning, owner and manager of the Crossroad's spoke to the Board about the incident and explained the background of the sale to the minor. He stated that the bartender that served Ms. Dineen has been with him for seven (7) years and is presently a trusted employee. He apologized for the infraction and stated that all staff has recently gone through training to prevent this type of infraction from happening again. Mr. Manning also stated that employees are checking identification at the door on their busier nights and bartenders are also required to check identification. Mr. Manning stated that he recognizes the responsibility of holding a liquor license, realizes its consequences and will take all precautions necessary to see that this won't happen again.

DORE' HUNTER - Moved to instruct the Town Manager to issue a letter to Crossroad's expressing the Board's displeasure with what happened and warning that if it happened again, there would be a revocation or suspension of the license. NANCY TAVERNIER - SECOND. UNANIMOUS VOTE.

##### SITE PLAN SPECIAL PERMIT #4/15/94-345 251 ARLINGTON STREET SAVOURY LANE

The applicants, Rick and Paula Gordon, are proposing to construct a one and one-half story building with a basement to be used as a 32 seat restaurant with a small area designated for retail sales. Department heads have reviewed this proposal and have submitted comments to the Board of Selectmen. Abutters have received notification regarding this proposed construction and were present to voice their concerns. Tom Sheehan, 306 Arlington Street, stated that there are already six restaurants in the West Acton Village area and he doesn't want to see a seventh. Walter Pizzano stated that there is presently a traffic congestion problem in this area and by allowing this construction would only add to the problem. He also stated that customers would tend to park on the street, thereby creating more traffic hazards. Stanley Veasie stated that he has lived adjacent to the proposed restaurant for 55 years and would like to see a tall fence between his house and the proposed construction. His house is located only 11 feet from the proposed building. Eric Liquest, president of the W. Acton Village Condo's, stated that the tenants/owners are concerned with any parking lot lights,

removal of the ash tree, fencing, customers parking on their sidewalk, and cars cutting through their back parking lot. Phil Modine, 301 Central Street, stated he was concerned with lighting and would like to see a fence installed. The Selectmen stated that these concerns would be taken under advisement after the public hearing is closed.

WILLIAM MULLIN - Move to take site plan special permit #4/15/94 - 345 under advisement. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

#### ATLANTIC SEA GRILL LIQUOR VIOLATION HEARING

The manager of the Atlantic Sea Grill was present before the Board to discuss this liquor license infraction. The Board of Selectmen stated that they wish to speak with the license holder/owner and that this hearing would be rescheduled for a later date. Mr. Hunter stated his displeasure that the owner chose not to be present for tonight's hearing.

The Board directed the Town Manager's office to send a letter to Atlantic Sea Grill with a new hearing date and to reiterate the importance of the owner's presence.

#### DAVID BROWN COMMITTEE INTERVIEW BOARD OF ASSESSORS

The Board thanked Mr. Brown for applying and stated to him that it was the Board's policy to interview potential members. Each Board member questioned Mr. Brown, covering his work and personal background. Mr. Brown was asked if he would have any conflict of interest between his present job and the Board of Assessors. Mr. Brown stated that it wouldn't be likely, however, if it were to occur he would excuse himself from the vote.

WILLIAM MULLIN - Move to appoint David Brown for a three (3) year term as a full member of the Board of Assessors to expire 6/30/97. DORE HUNTER - Second. UNANIMOUS VOTE.

The Board reminded Mr. Brown to be sworn in by the Town Clerk prior to attending a meeting as an official member.

#### TOWN MANAGERS CONCERNS (con't)

Mr. Johnson discussed the parking problems for the Library and Town Hall. Mr. Johnson stated that the problems arose after construction of the playground and stated that the playground could be the contributing factor. There is additional parking behind the Fire Station, however, crossing Main Street then becomes an issue.

Nancy stated that she would like to see the Regional School Committee minutes. Don stated that he would include them in the next packet.

Don updated the Board regarding the railroad bridge repair. Don is concerned that the funding will be taken away from Acton and used for the Central Artery Tunnel. Don has received two conflicting letters regarding this issue.

#### EXECUTIVE SESSION

The Board voted to go into Executive Session for the purpose of negotiations.

Roll Call was taken all ayes.

The Board adjourned at 9:45 P.M.

Nancy E. Tavelnier  
Clerk 7/26/94  
Date

Sheryl Ball

Sheryl Ball  
Recording Secty.  
cmjW11-(524)

JUNE 17, 1994

TO: Board of Selectmen  
FROM: NORMAN D. LAKE, Chairman  
SUBJECT: SELECTMEN'S REPORT

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AGENDA

ROOM 204

JUNE 21, 1994

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:45 CROSSROADS CAFE - Liquor license violation review.
2. 8:00 SITE PLAN SPECIAL PERMIT #4/15/94-345 - (MULLIN) Restaurant at 251 Arlington Street - This hearing was continued from June 7, 1994. Please let the Manager's Office know if you did not retain the materials from the June 7th packet.
3. 8:30 ATLANTIC GRILL - Liquor license violation review.
4. 8:45 DAVID BROWN - COMMITTEE INTERVIEW - BOARD OF ASSESSORS - Enclosed please find Citizen Resource Sheet and VCC Recommendation for David Brown as a Full Member of the Board of Assessors to expire 6/30/97.

III. SELECTMEN'S BUSINESS

5. PRISON ADVISORY COMMITTEE APPOINTMENT - Enclosed please find a recommendation from VCC to appoint Thomas Ballantyne to a term to expire 6/30/97 for Board action.
6. PLANNING BOARD APPOINTMENT - Enclosed please find a request from Planning Staff that the Board approve their request to move Joshua Chernin and Richard Croswell from Associate Members to Full Members for Board discussion.

IV. CONSENT AGENDA

7. ACCEPT MINUTES - Enclosed Please find the Minutes from May 3, and May 17th for Board approval.

8. SITE PLAN SPECIAL PERMIT AMENDMENT - Enclosed please find a request and comment from the Building Commissioner to amend Site Plan #7/8/91-332 Village Saab for Board action.
9. FEE WAIVER - Enclosed please find a request from Stamski and McNary in behalf of its client Distinctive Acton Homes, Inc. for a reduced Common Drive way filing fee and staff comment for Board action.
10. ACCEPT GIFT - Enclosed please find copies of checks in connection with Site Plan Special Permit #11/5/93-341 from Wendy's International with staff comment and recommendation for Board action.
11. KELLEY'S CORNER MIG GRANT ENDORSEMENT - Enclosed please find a letter drafted by Planning staff for Board signature to be submitted with the Town's MIG Grant for Board review and action.

#### **V. TOWN MANAGER'S REPORT**

#### **VI. EXECUTIVE SESSION**

##### **MEETINGS**

##### **ADDITIONAL INFORMATION**

Enclosed please find additional correspondence which 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.

July 12 - Boston Edison/Boston Gas Hearings  
Papa Gino's Violation review  
Sanford Motors - Class II

July 26 -