

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S SPECIAL MEETING

March 23, 2017

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Peter J. Berry, Janet K. Adachi, Franny Osman, Katie Green, Chingsung Chang, Town Manager Steve Ledoux, Roland Bartl, Planning Director, Special Town Counsel Jeffrey Roelofs, and Lisa Tomyl, Recording Secretary

Mr. Berry opened the meeting at 7:00 PM. Mr. Berry led the meeting with the reciting of the Pledge of Allegiance.

Deliberation and Decision of Site Plan Special Permit #11/12/15 – 459, Nagog Pond Water Treatment Facility

Mr. Roelofs explained the changes as per the deliberations from March 16th.

Under section 2.22 the board discussed editing the language by removing the phrase "To the contrary", all agreed..

Under section 2.23 the board discussed editing the language suggesting the addition of "a limited number of" prior to the word "users", also adding the phrase "the use" prior to "is consistent", and explaining what "protecting the quantity and quality of water". All Board members agreed.

Under section 10.3.5.3, Board members suggested the deletion of the phrase "in the vicinity of the proposed project", all Board members agreed.

Under section 3.3.9, section 1, second paragraph, Board members suggested the removal of language to re-phrase "negotiations continue in good faith", all members agreed.

Under section 3.3.10, section 1, Board members suggested editing language to state particularly in regards to shortening of the fence, protecting the water source and treatment facility, also adding objectives for access to open space for passive recreation. All members agreed.

Under section 3.3.11, section 2, Board members discussed adding language to include submitting a report to the DPW Director. All Board members agreed.

The Board had a straw poll discussion on how the Board members were leaning. Ms. Green noted that the plan does meet the standards of the zoning bylaw, and leaning toward an approval. Mr. Chang is pleased with the new version of the decision, still has an issue with the water supply, and some language at a minimum, still on the fence for a decision. Mr. Berry reminded the board that a supermajority vote is needed. Ms. Adachi clarified the definitions of injurious and harmful to the board and the public – inclined for approval. Ms. Osman feels similar to Mr. Chang and read a prepared statement and highlighted some emails from residents with their concerns. Still concerned about water service to Great Road, and the length of the fence, but still on the fence regarding a decision. Mr. Berry was inclined for an approval. Commented on the water issue, and even if Concord built the plant in

Drafted but not finalized by Clerk, 2016-2017
Approved by Board of Selectmen as is,

Concord, Acton would have no say of how much water is drwn within the state mandates. He pointed out that the fence issue is part of the Special Permit, and Concord could have built it without a special permit. Ms. Osman after listening to all statements from members, and having the language cleared up and adjusted feels more comfortable in more inclined to approve.

Ms. Green moved to approve the SPSP/USP #11/14/2015 – 459, 180 & 182 Skyline Drive (Nagog Pond Water Treatment Facility) with changes in the conditions, Ms. Adachi seconded. All Ayes (5-0)

Ms. Green moved to adjourn, Ms. Adachi seconded. All Ayes. Meeting adjourned at 9:10 PM.

Respectfully Submitted,

Lisa Tomy, Recording Secretary

Franny Osman, Clerk