



BOARD OF SELECTMEN

Meeting Minutes
FEBRUARY 4, 2019
7:00 pm

ROOM 204, ACTON TOWN HALL, 472 MAIN STREET

Present: Katie Green, Joan Gardner, Jon Benson, Peter Berry, Jon Benson, Town Manager John S. Mangiaratti, Assistant Town Manager Mark Hald, Recording Secretary Lisa Tomyl
Absent: None

1. Opening

Chair Green opened the meeting at 7:00 PM

2. Regular Business

A. Citizen Concern

Concern by resident about an OML complaint and that their name was mentioned at the Selectmen's meeting on January 28 in an accusatory fashion; acknowledged she did engage Mr. Benson in Town Hall immediately following the 348-364 Main Street Re-Use Committee public hearing on January 10 that the Selectmen violated the OML during the public hearing and further acknowledged she did contact Boxborough resident Steven Ballard that evening; happy about having a local watchdog to keep (Boards and Committees) in check; under impression that Board members could not speak in a forum from when she was a Selectmen. Another resident commented on transportation and regional grants via MAPC.

B. Chairman's Update / Town Manager Update

Chairman Green – upcoming event at Recreation Center on 2/9 from 7-10 PM for a Studio Two concert. Memorial Library will be closed this Friday from 9 AM – 1 PM for staff training. VCC serves a reminder on recruiting efforts for membership via online video Board and Committee information by Acton TV. More information will be coming out for the Board on the timeline for the process of the Town Manager's annual review. Next scheduled BoS meeting is 2/25.

John S. Mangiaratti – thanks everyone for the Sidewalk Forum. Encourages residents to sign up on the town website to receive notices for meetings or other important notifications. Kelley's Corner Infrastructure MassDOT public hearing is on March 5th.

3. New/Special Business

A. 7:10 PM – Change in Manager, Not Your Average Joe's

Representing NYAJs is proposed new manager Jose Pino. No questions from the Board.



Ms. Adachi made a motion to approve the change of manager. Ms. Gardner seconded the motion.

The BoS voted 5-0 to approve the motion. The motion was approved.

B. 7:15 PM - Entertainment License, Orange Door Hospitality, LLC

There was no representation from the petitioner. Ms. Gardner moved to postpone hearing until February 25, 2019 at 7:15 PM, Ms. Adachi seconds the motion.

The BoS voted 5-0 to approve the motion. The motion was approved.

C. 7:20 PM – Wine and Malt Pouring License, Twin Seafood

Representing Twin Seafood is John Loblonzo, owner and proposed manager.

Ms. Adachi made a motion to approve the application for a wine and malt pouring license for Twin Seafood. Ms. Gardner seconds the motion.

The BoS voted 5-0 to approve the motion. The motion was approved.

D. Agricultural Working Group – Bettina Abe from the Natural Resource Division presented a power point presentation on “Acton Right to Farm Community”. Board members were generally supportive. Several members of the audience had several questions regarding how would one start a farm (G.L. Title VIII Chap. 61A requires that farms have minimum of 5 ½ acres). Another audience member supports an Agricultural Commission in Acton and stressed that the formation of an AgCom and a Right to Farm Community are different from each other. Another audience member was concerned about people’s rights to clean water, and to be free from dust and the right to peace and quiet.

E. Discussion of Use Recommendations, 354-356 Main Street Master Plan Committee – Presenting the MSMPC recommendation of use is Matthew Selby (“Selby”), Land Use Director and Katie Green, Chair of BOS. Several proposals were presented to the MSMPC. Ms. Green also recommends that the BOS dissolve the MSMPC after the Board meeting one more time to discuss a recent OML complaint. The MSMPC voted unanimously for the Acton Housing Authority proposal. Ms. Adachi had leaned toward the “Boutique Hotel”, but realized that it would not be appropriate for the size and site; also questioned about the amount of tax revenue. Mr. Berry commented that the town needs to be cautious on how the sources of funding for AHA’s purchase of the land is presented at town meeting. Ms. Green commented that the \$1 million purchase price for the property to be paid by AHA will replace the \$1 million paid out of free cash to originally purchase the property. The payment would go right back into free cash. Mr. Benson supports the AHA proposal and amplified Ms. Green’s comments. Ms. Gardner questioned about the potential increase in traffic in and out of the property. Ms. Green mentioned residents may be utilizing town transportation services more so than single family homes. The Board took several questions from members of the audience. Ms. Green took a motion to accept the recommendation of the MSMPC. Ms. Adachi seconds the motion.



The BOS voted 5-0 to approve the motion. The motion was approved.

- F. Citizen Petition: Building Moritorium – Terra Friedrichs summarized her petition to halt all residential building for a period of time.
- G. Citizen Petition: Developing Rate Limitation Bylaw – Terra Friedrichs presented her petition request to limit the number of new building permits issued.
- H. Citizen Petition: Land Clearing Limits – Terra Friedrichs presented her petition to limit the amount of land clearing.
- I. Citizen Petition: Limit Size of New Single Family Homes – Terra Friedrichs presented her petition to limit the size of new single family homes to 4000 sq. ft.
- J. Citizen Petition: Do Not Add Turning Lanes at Route 11 and Route 27 – Terra Friedrichs presented her petition for reasons to not add turning lanes at Kelley’s Corner citing pedestrian safety.
- K. Citizen Petition: Accessory Apartments – Franny Osman presented a citizen petition on accessory apartments. MS. Adachi commented that the Planning Division intends to present an article at Town Meeting as well on the matter. No further questions.
- L. Citizen Petition: Plastic Bag Reduction – Carolyn Platt presented her petition to reduce the amount of plastic bag use in Acton. She stated the Board of Health will be the enforcement agency. 2 ABRHS students spoke about their class project in regards to banning plastic bags. Board is supportive of the citizen petition.
- M. Citizen Petition: Land Acquisition, 257 Central Street – Terra Friedrichs presented the citizen petition and gave a general overview as the original petitioner could not stay to present and answer questions. The citizen petition is requesting the town to come up with the funding of \$250,000. Mr. Benson expressed serious concern the parcel is under contract (purchase and sale agreement) for sale to a third party who plans to develop the one-third acre parcel.
- N. Citizen Petition: Register to Intent to Purchase the Kmart Property – several petitioners presented their intent for the Town to pursue the purchase of the Kmart parcel in an effort to secure the future of the Kmart parcel. Audience member suggested that all the citizen petitions should have gone through the Planning Division for review and suggested providing a cost analysis of how much all the petitions would cost the town. No further questions or comments.
- O. Letter of Non-Opposition, Natures Remedy – Bob Carr filled the Board in on where Natures Remedy is at on the medical marijuana dispensary on Great Road. They have their building permit, but need to be medically integrated. They are ready to begin the build out. Next step is to sign a community host agreement.
- P. Community Preservation Town Application Ranking and Voting – The CPC has already reviewed and ranked or approved the applications. CPC requested to have a bit more information regarding the Asa Parlin house request, as well as the Acton Arboretum ADA Compliant Entrance. Mr. Mangiaratti explained the history of the past 6 years of the Asa Parlin property which the Board declared surplus property and requested selective demolition. The Historical Commission would not grant the certification for the request. Mr. Mangiaratti is requesting \$175,000 for selective demolition of the non-historical structures and to stabilize the property. Ms. Gardner is supportive of



preserving the structure for historical meeting rooms and offices. Ms. Green is supportive of this alternative than past requests to CPC.

4. Consent Agenda

- A. Ms. Green held agenda item 25. Ms. Green motions to approve item 25 with a letter from the Police Chief recommending the one day alcoholic beverage license, Ms. Gardner seconds the motion. The BoS voted 5-0. The motion is approved. Ms. Gardner motions to approve consent items 17-24, and 26-30. The BoS voted 5-0. The motion is approved.

5. Adjournment

At 10:20 p.m., it was moved and seconded to adjourn the meeting. The motion was approved unanimously.

Documents and Exhibits Used During this Meeting

<http://doc.acton-ma.gov/dsweb/View/Collection-10715>



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Board of Selectmen
MEETING AGENDA

Monday, February 4, 2019
7:00 PM

Francis Faulkner Hearing Room 204
Acton Town Hall

- I. **Citizens' Concerns**
- II. **Chairman's Update / Operational Update**
The Chairman will briefly update the Board. The Town Manager will provide a brief report
- III. **Public Hearings and Appointments**
 1. 7:10 PM Change in Manager, Not Your Average Joe's
 2. 7:15 PM Entertainment License, Orange Door Hospitality
 3. 7:20 PM Wine and Malt Pouring License, Twins Seafood
- IV. **Selectmen's Business**
 4. Agricultural Working Group
 5. Discussion of Use Recommendations, 348-356 Main Street Master Plan Committee
 6. Citizen Petition; Building Moratorium
 7. Citizen Petition: Developing Rate Limitation Bylaw
 8. Citizen Petition; Land Clearing Limits
 9. Citizen Petition; Limit Size of New Single Family Homes
 10. Citizen Petition; Do Not Add Turning Lanes at Route 111 and Route 27
 11. Citizen Petition; Accessory Apartments
 12. Citizen Petition; Plastic Bag Reduction
 13. Citizen Petition; Land Acquisition: 257 Central Street
 14. Citizen Petition; Register to Intent to Purchase the Kmart Property
 15. Letter of Non-Opposition, Nature's Remedy
 16. Community Preservation Town Application Ranking and Voting

V. Consent Agenda

17. Accept Gift, Recreation Department
Board to accept a gift of \$200 from Acton Medical Associates to support the 2019 Summer Concert Series and Events
18. Accept Gift, Recreation Department
Board to accept a gift of \$2,500 from Cambridge Savings Bank to support the 2019 Summer Concert Series and Special Events
19. Accept Gift, Recreation Department
Board to accept a gift of \$6,000 from Donelan's Supermarket to support the July 4th fireworks event
20. Accept Gift, Recreation Department
Board to accept a gift of \$2,500 from TD Bank to support the 2019 Summer Concert Series and Special Events
21. Accept Gift, Recreation Department
Board to accept a gift of \$387.80 from Michael Balulescu and Sarah Staley for funding a new recreation facility and playground at Jones Field
22. Accept Gifts, Council on Aging
Board to accept gifts totaling \$425 for building furnishings at the Senior Center
23. Easement Acceptance, 37 Mohegan Road
24. One Day Alcoholic Beverage License, Nashoba Valley Neighbors Club, April 6, 2019
25. One Day Alcoholic Beverage License, Top of the Hill Gang, July 14, 2019, NARA Park
26. One Day Alcoholic Beverage License, Theater III, March 9 (rain date March 10), 2019
27. Request for Use of Public Roads, National Brain Tumor Society, May 19, 2019
28. Waiver of Fee Request, Recreation Department
29. Right of Way Street Cut Permit
30. Meeting Minutes, January 28, 2019

VI. Selectmen Reports

31. Selectmen Reports are now included in the docushare file.

The docushare link for additional material can be found by [clicking here](#)

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Agenda

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Type	Title	Owner	Modified Date	Size	Actions
	010 Agenda, Board of Selectmen, February 4, 2019	manager	01/31/19	192 KB	
	020 (1) Change in Manager, Not Your Average Joe's	manager	01/31/19	1 MB	
	030 (2) Entertainment License, Orange Door Hospitality	manager	01/31/19	326 KB	
	040 (3) Wine and Malt Pouring License, Twin Seafood, LLC	manager	02/04/19	3 MB	
	050 (5) Main Street Master Plan Recommendation	manager	02/01/19	4 MB	
	060 (6) Building Moritorium	manager	01/31/19	156 KB	
	070 (7) Development Limitation Rate Bylaw	manager	01/31/19	147 KB	
	080 (8) Land Clearing Limits	manager	01/31/19	156 KB	
	090 (9) Limit Size of Single Family Houses	manager	01/31/19	169 KB	
	100 (10) Do Not Add Turning Lanes at Routes 111 and 27	manager	01/31/19	168 KB	
	110 (11) Detached Assesory Apartments	manager	01/31/19	192 KB	
	120 (12) Plastic Bag Reduction	manager	02/04/19	405 KB	
	130 (13) Land Aquisition - 257 Central Street	manager	01/31/19	721 KB	
	140 (14) Register Intent to Purchase KMart Parcel	manager	01/31/19	190 KB	
	150 (15) Letter of Non-Opposition Natures Remedy	manager	01/31/19	59 KB	
	160 (16) Town CPA Applications	manager	02/04/19	5 MB	
	170 (17) Accept Gift, Recreation Department - Acton Medical Associates	manager	01/31/19	133 KB	
	180 (18) Accept Gift, Recreation Department - Cambridge Savings Bank	manager	01/31/19	142 KB	

Type ^	Title	Owner	Modified Date	Size	Actions
	190 (19) Accept Gift, Recreation Department - Donelan's Supermarket	manager	01/31/19	130 KB	
	200 (20) Accept Gift, Recreation Department - TD Bank	manager	01/31/19	135 KB	
	210 (21) Accept Gift, Recreation Department - Jones Field	manager	01/31/19	1 MB	
	220 (22) Accept Gifts, Council on Aging	manager	01/31/19	111 KB	
	230 (23) Easement Acceptance, 37 Mohegan Road	manager	01/31/19	263 KB	
	240 (24) One Day Alcoholic Beverage License, Nashoba Valley Neighbors Club	manager	01/31/19	272 KB	
	250 (25) One Day Alcoholic Beverage License, Top of the Hill Gang	manager	01/31/19	78 KB	
	260 (26) One Day Alcoholic Beverage License, Theater III	manager	01/31/19	221 KB	
	270 (27) National Brain Tumor Ride, May 19, 2019	manager	01/31/19	883 KB	
	280 (28) Waiver of Fee Request, Recreation Department	manager	01/31/19	283 KB	
	290 (29) Right of Way Street Cuts	manager	01/31/19	686 KB	
	300 (30) Meeting Minutes	manager	01/31/19	116 KB	
	310 (31) Selectmen Reports	manager	02/01/19	70 KB	

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