

## BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

September 25, 2017

Francis Faulkner Room 204

Regular Meeting 7:00 PM

To view the full meeting, please [click here](#)

Present: Janet K. Adachi, Katie Green, Joan Gardner, Chingsung Chang, Peter J. Berry, Town Manager Steve Ledoux, and Lisa Tomyl, Recording Secretary

### Citizen Concerns

None

### Chairman Update/Operational Update

Ms. Adachi – Chairman Update - Acton Nursing Service flu clinics – 4 in Sept and Oct. Walk-in, no appointment necessary. See Town website for details.

1) Senior Center – ANS office, 30 Sudbury Rd

- Tues, 9/26, 1-4 pm

- Weds, 9/27, 9 am- 1 pm

2) High School

- Tues, 10/3-Weds, 10/4, 2:45-6 pm

Household Goods building-naming, Weds, 9/27 in honor of founders Barbara and Ira Smith. Joan Gardner and Janet Adachi will attend on behalf of BOS.

Insulet groundbreaking, Thurs, 9/28, 9:00 am.

AB Community Resource Network (formerly Safety Net), Thurs, 9/28, 10:00 am, Library

Senior Center open house, Mon, 10/30, 1-4 pm

Mr. Ledoux – Starting budget cycle FY 19 this week. ALG is meeting on Thursday to look at revenue forecast – will be going to Insulet groundbreaking. Governor Baker in attendance as well. Next Wednesday and Thursday is budget presentation referred to as “On the Hill”. Must present a budget 100 days before Town Meeting. MMA breakfast at Community Center in Stow including local Representative Jen Benson and Senator Jamie Eldridge. Spent some time talking about recreational marijuana issue and about potential ballot questions in 2018.

### Public Hearings

Entertainment License, Villa Mexicana – Representing Villa Mexicana is manager Carole Quinones. Ms. Green inquired if the music was to be indoors only. Ms. Gardner inquired if salsa dancing would be on the weekend; Ms. Quinones hasn't decided on the day of the salsa dancing and still trying to figure that out. Ms. Green moved to approve and Entertainment License for Villa Mexicana, Ms. Gardner seconded. All Ayes.

Citizen Petition to Prohibit Recreational Marijuana Establishments – Matt Onken, 2 Hazelnut St – representing a specific group called Acton Cares regarding Recreational Marijuana Establishment OPT OUT for the Town of Acton. Gave a presentation regarding concerns about commercial stores coming into Acton and requesting a ban on recreational Marijuana stores. Would request a moratorium until December 2018. Also formally requests the BOS put a ballot on the annual Town Meeting for a formal ban on recreational marijuana. Physician spoke about treating people with substance abuse addiction and mental health issues.

Ms. Green spoke regarding the statewide vote for recreational marijuana. Ms. Green read some stats regarding special elections in that past and historically has been very low. Does not feel comfortable having a vote on this issue and would suggest it wait until another presidential elections to have a higher voter turnout. Not supportive putting item on a municipal ballot, but if you want to bring a moratorium for future ballot it would be as a citizen petition.

Mr. Berry agree need more information about issue and impact of impact of marijuana stores. Would support a moratorium. Mr. Chang has no problems with moratorium warrant article. Feels it could be (a warrant article) on Town Meeting. Would not support moratorium article because no establishment can open until the regulations are in place around March 2018. Would think a ban article would make sense to have on a presidential election ballot. Mr. Ledoux stated that moratorium articles can only get up to one year as AG has rejected towns that requested extended dates on a moratorium (such as 2019).

Ms. Adachi thinks the moratorium would go through more quickly if the BOS puts the article on the warrant and would be inclined to support the moratorium.

Mr. Onken made a statement that the town could also opt out if the town voted to approve recreational marijuana.

Ally Lee – Had survey and overwhelming response with informal survey with over 300 signatures. If people really cared about the issue they would likely come out to vote. Mr. Berry moved to place on the December Town Meeting warrant whether the town would want to have an moratorium on recreational marijuana establishment in the Town of Acton until December 2018, Ms. Gardner seconded. 4 ayes, 1 nay (Green).

Class II Dealers License, Wheeler Dealers– Representing Wheelers Dealers was the owner. Ms. Green moved to approve the Class II Auto Dealers License, Mr. Chang seconded. All Ayes.

Kelley's Corner Infrastructure Plan Update – Kristin Guichard, Assistant Town Planner gave a brief presentation to the Board regarding an update on the Kelly's Corner Infrastructure project schedule. Mr. Berry questioned the status of the HS on the historical status. Questioned if more funds would be needed for design funds at Annual Town Meeting. Looking for 300K extra.

KG – thanks all involved – was also concerned about the timeline. Thinks more time is needed and going to December Town Meeting for Community Lane, and Annual Town Meeting in April 2018 for 300 Main Street. Mr. Chang likes alternatives on 2 and 4 for the Hosmer House (300 Main St.). Ms. Gardner is in favor in going to special Town Meeting with the whole bundle. Ms. Adachi commented about not having a strong preference for the alternatives, but would like to see more landscaping in place.

Doug Herrick 40 Brook Street, member of and HDC – our (Commission) stand is not really in the position to choose any of the options for the Hosmer House. Feels the information needs to go out to the MHC, and not jumping into choice “A B or C”. Would like a win-win solution. Ms. Green recommends the Planning Department and the Historical Society meet again with the consultants as to what the warrant article means and have the whole bundle be on special town meeting or just Community Lane for the special town meeting. Ms. Green moves with alternative 2 to go with the 25% design and have the discussion with the HS to get a feel of any opposition.

### **Selectmen Business**

Minuteman Building Update – Pam Nourse, representative on Minuteman school Committee, Mike Majors, Finance Committee and Minuteman Building Committee. 7/1 district membership changed to the ten member towns, school committee changed as well. September meeting SC reviewed goals for the coming year. Discussed upcoming curriculum, enrollment projections, working with superintendent and recruiting new member towns, repurposing the formal campus, etc. Currently in module 7 of the building phase. Mr. Majors gave a small presentation regarding the building project. Anticipates opening of the new school building in the Fall 2019. Ms. Green questioned the \$250,000 in permit fees, Mr. Majors stated they budgeted up to 1 million in permit fees and almost \$90,000 in consultant fees.

Sidewalk Fund Discussion – Mr. Berry gave the Board an update. There is over \$116,000 in the fund currently. \$190,000 is dedicated for the fund from Concord Muse project to build sidewalks on High Street. The town has not had to use operating funds because there is enough revenue. The (Sidewalk) Committee’s ranking is in backup documents in packet, and comments from citizens requesting sidewalk installation.

Corey York, DPW Director explained the difficulties in building sidewalks. First is getting a survey of streets and a conceptual design, and begin the easement takings. Takes time for installation.

Mr. Berry mentioned about the committee cannot meet quorum and requested to change the committee membership from 7 to 5 to make quorum. Ms. Adachi mentioned about putting an update onto the town website regarding sidewalk construction. Ms. Green moved to change the charter of the committee membership from 7 full members to 5 full members to help meet quorum, Ms. Gardner second. All Ayes.

Danny Factor , 11 Davis Road. Speaking on behalf of People With Disabilities (PWD) navigating a narrow shoulder on Davis Road and spoke to the Sidewalk Committee regarding this location. Asked Corey about if the impediment for the sidewalk construction from DOT and the DPW. Mr. York stated the design is ready, but the rail trail came through first and couldn’t impede their project. Looks like the work on Great Road for the ARRT is winding down and will have to check back in with DOT, then go through the final MassDOT process with them (regarding Davis Road sidewalk installation).

Fee Recommendations, Building Department – Frank Ramsbottom, Building Commissioner gave the overview of the Building Permit Fees, Electrical, Plumbing and Gas Fees.

Barry Rosen, - concerned about the percent fees for residents based on the expense. Feels it has a number of negative consequences. More efficient windows your pay more in fees than a person that

puts in cheap windows. Feels that the percentage charge is not a fair way of charging for service and should be more fair for residents. Ms. Green moves to approve fees as per memo from the Building Commissioner, Ms. Gardner seconded. All Ayes.

Acton 2020 Plan Update – Matthew Selby, Land Use Economic Development Director presented the overview of their plan update and 5 key areas. They would like to plan open forums regarding the key areas. First forum would be housing. Ms. Green questioned about the public forums and stakeholders – questioned if it was just for stakeholders or an all public forums. Suggest initial meeting with financial stakeholders, and then a couple of public forums. Makes sense with this type of targeted update. Danny Factor, 11 Davis Road – happy with first forum is with housing, feels this is a crisis. Thinks that the stakeholders that should be targeted are people that make less than the minimum (salary for qualifying ) for 40B housing. AHA has a very large waiting list. Also, PWD should be considered for housing priority as well as a target as stakeholders. Ms. Green moved to approve proposed approach for the Comprehensive Plan from the memo from the Acton 2020 committee, Ms. Gardner second.

**Consent Agenda**

Ms. Green moved to approve consent items 9-16, Ms. Gardner second. All Ayes  
Ms. Green moved to adjourn, Mr. Chang second. Meeting adjourned at 10:15 PM

  
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Lisa Tomyl, Recording Secretary

  
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Joan Gardner, Clerk