



## BOARD OF SELECTMEN

Meeting Minutes  
Tuesday, May 4, 2020  
7:00 PM  
Virtual Meeting

**Present:** Joan Gardner, Jon Benson, Dean Charter, Peter J. Berry, David Martin, Town Manager  
John S. Mangiaratti

**Absent:** None

Ms. Gardner called the meeting to order at 7:00 PM via a virtual meeting with no Board members in physical attendance and broadcasted via Zoom.us virtual meeting platform.

### I. Regular Business

#### 1. Citizen Concerns

None

#### 2. Chair Update/Town Manager Update

Mr. Mangiaratti updated the Board regarding the Town response to COVID-19. He reported that a special edition of the Municipal Monthly dedicated to the COVID-19 response was published and will be mailed out to every household along with an application for mail in voter application. A hot line has been set hotline for Acton Town Services during business hours 978-929-6619. Also he reported that per state orders masks or face coverings are required while in public beginning May 6<sup>th</sup>.

### II. New/Special Business

#### 3. Discussion and Public Comment on the Housing Production Plan

Liz rust from RHO updated both the BOS and Planning Board on the public comment input, and the timeline of the HPP. RHO will provide a redline and clean version of the final plan once available after the comments of both Boards at a future meeting. The Chair allowed for public comment first.

- Alyssa Nichol – study on median housing price and the comparable communities by the Barrett Planning Group and the median monthly housing cost in Acton was lower than comparable communities. There are 8 data points in the HPP that compare to other communities and that it is a big omission to not include that information. Suggest including all units that are affordable in Acton (approximately 2000) in the HPP.
- Gene Berinsen, 80 School Street – compared the HPP to the 2020 Plan. Of all 8 goals all in support of new housing construction, 4 of 8 goals dealt with new construction, the more we build the more we will need to build. Continued construction of new housing increasing the denominator of housing equation. Following goal 6 of rehabilitation we provide more affordable housing and integrity of the town. HPP had no guidance of how it will be implemented. Should focus on rehabilitation and renovation. Consider a new method of



implementation of the HPP. Suggests dissolving the ACHC and provide an oversight committee with members appointed by the Board of Selectmen that has oversight of new or housing renovations for affordable housing.

- Franny Osman, 16 Half Moon Hill – housing survey in the Fall of 2019 would like Boards to acknowledge 2/3 response to the guide growth to Kelley's Corner and chose mixed use in town center as their 1, 2, or 3rd option out of the 7 and urges to consider mixed use housing in Kelley's Corner. Didn't see a transfer of development rights in HPP.
- Barbra Morse, 8 Piper Road – commented that the plan is all about new development with few exceptions and opposes and suggests to focus on renovation or rehabilitation of existing buildings and focusing on elderly and disabled populations
- Terra Friedrichs, West Acton – urges to use one set of data in the report to provide the actual raw data of affordable housing units
- Michaela Moran, School Street – CPA funds should not be used for rent subsidy when there are other organizations that take care of it. MLS listings have the average rent is 1900 and think the amount listed in the HPP is misleading
- Ron Beck, 80 Esterbrook Road – lives in rezoning district and spoke with neighbors that were not informed their property was deemed for rezoning, and another location for housing has no town water no fire hydrants or sewers. Questions the methodology for choosing the locations. WRAC has not been contacted to discuss water solutions.

Mr. Benson commented his appreciation for people supporting affordable housing and that he supports rehabilitation and renovations of existing buildings. Expressed concerns from constituents that do not want to see a large scale development at the Kmart parcel and would like to see developmental concepts from developers before instituting zoning changes. Mr. Martin indicated that he supports the HPP and has no issue with advocating for rehab of existing units. The small 40Bs don't offer enough affordable units. Mr. Charter concerned about process moving forward, and all comments incorporated in the report, and to give public a chance to review. He was not ready to commit to vote on the plan next week and suggested that we extend the timeline for review. Mr. Berry commented on removing the subsidy of using CPA funds in the plan, in favor of rehabilitation current properties, mixed use along 2A, apartments above vacant storefronts. He highlighted the need for flexibility and a range of options for housing

4. Site Plan and Use Special Permit #11/20/15-459 Request for Extension, Environmental Partners on Behalf of the Town of Concord, 180 & 182 Skyline Drive

Ms. Gardner requested the Board accept citizen comments regarding the request for extension prior to the Board and Town of Concord discussions

- Kim Kastens – recommends Concord provide updated set of engineering plans with narrative any changes since the drawings accepted by the Board of Selectmen 2 years ago



- Carolyn Kiely – urges if the Board accepts the extension request to make the permit end date coincide with the Conservation Commission permit end date for January 6, 2022
- Robert Ferrara – requests that the Friends of Pine Hawk be included in discussion with respect to archeological significance of the location of Nagog Pond and Native American artifacts
- Robert Sekuler – noted the condition regarding a communication plan with the abutters should have been in place prior to submitting the extension request and requests the Board insist on proper communication factors now, and to appoint a representative to monitor the progress and report back to Concord and the abutters

Stephen Crane, Concord Town Manager and Eric from Environmental Partners – asking a determination of good cause that permit be extended for just a change of date, not plans. There has been no communication because there has been no work done due to waiting for the state approval processes. Mr. Berry was concerned regarding a change from a dry well to a wet well and that the Board had not seen those changes to the plans. It was his understanding that Concord is supposed to pay for a site manager to help communicate with the Town and the residents. Mr. Crane explained that he is still waiting on the Chapter 91 permit from the state, so that explains the absence of communication. He is committed to work with the Acton Town Manager to continue working on a communication plan with the town and residents prior to construction beginning by July 1<sup>st</sup>. **Mr. Martin moved to extend Concord's Site Plan Special Permit for the water treatment plant January 6, 2022 to be concurrent with the Conservation Commissions approval, Mr. Benson seconds. Mr. Charter called roll:**

**Mr. Benson – aye**

**Mr. Berry – nay (requests to see a communication plan in writing)**

**Mr. Martin – aye**

**Ms. Gardner – nay**

**Mr. Charter – nay**

**The motion does not carry.**

The Board requests the communication plan be worked on with Mr. Crane and Mr. Mangiaratti and be presented at the next Board meeting in two weeks.

##### **5. COVID-19 Response Discussion**

Mr. Charter is concerned about the limitation on parking at town recreation areas and the Arboretum and suggests that BOH should look into relaxing the parking restrictions. **Mr. Charter moves to have the BOS request the BOH to review the parking restrictions (Arboretum, Assabet River Rail Trail) and provide with some relief, Mr. Martin seconds. Mr. Charter called roll:**

**Mr. Benson – aye**

**Mr. Berry – aye**

**Mr. Martin – aye**

**Ms. Gardner – aye**

**The Board voted 5-0. The motion carries.**



Mr. Berry circulated a bill regarding allowing virtual Town Meetings and commented that Town meetings are exempt from the restriction of gatherings of more than 10 people and allowed to be held outside. He mentioned that a sustainability group that has not met for a while, and that the reduction in traffic on our roads has resulted in less air pollution. Mr. Benson mentioned the ACHC request to distribute monies for housing rental assistance which will be discussed at the next Board meeting. Public Health Nursing has received homemade mask donations.

6. Reconsider Vote Regarding Polling Hours for the June 2<sup>nd</sup> Town and Special State Elections  
**Mr. Benson moves to amend order to have polls open from 7:00 AM – 8:00 PM, Mr. Berry seconds. Mr. Charter called roll:**  
Mr. Benson – aye  
Mr. Berry – aye  
Mr. Martin – aye  
Ms. Gardner – aye  
Mr. Charter – aye  
**The Board voted 5-0. The motion carries.**
7. Discussion of Small Business Relief Measures  
Mr. Mangiaratti updated the Board on small business relief measures currently being considered and the matter will be discussed at the upcoming Finance Committee.
8. Board to Appoint Liaison to the Agricultural Commission  
Mr. Charter offered to be liaison. **Mr. Benson moves to appoint Mr. Charter as the Selectmen Liaison to the Agricultural Commission, Mr. Martin seconds. Mr. Charter called roll:**  
Mr. Benson – aye  
Mr. Berry – aye  
Mr. Martin – aye  
Ms. Gardner – aye  
Mr. Charter – aye  
**The Board voted 5-0. The motion carries.**
9. Board to Postpone Volunteer Appreciation Reception  
**Mr. Berry moves to postpone the Volunteer Appreciation Reception for a date to be determined, Mr. Charter seconds. Mr. Charter called roll:**  
Mr. Benson – aye  
Mr. Berry – aye  
Mr. Martin – aye  
Ms. Gardner – aye  
Mr. Charter – aye  
**The Board voted 5-0, the motion carries.**



**10. Authorize the Chair to Sign an Extension to the Piper Lane Memorandum of Agreement**

Mr. Mangiaratti commented on the amendment signed on December 2019. Counsel is working on a further amendment due to the hearings being postponed with the ZBA due to the current state of emergency to be July 6, 2020. **Mr. Benson moves to approve the extension of the Piper Lane Memorandum of Agreement to July 6, 2020. Mr. Martin seconds. Mr. Charter called roll:**

**Mr. Benson – aye**

**Mr. Berry – aye**

**Mr. Martin – aye**

**Ms. Gardner – aye**

**Mr. Charter – aye.**

**The Board voted 5-0. The motion carries.**

**III. Consent Items**

Mr. Berry held consent item 13.

**Mr. Martin moves to approve consent items 11-12, and 14, Mr. Berry seconds. Mr. Charter called roll:**

**Mr. Benson – aye**

**Mr. Berry – aye**

**Mr. Martin – aye**

**Ms. Gardner – aye**

**Mr. Charter – aye**

**The Board voted 5-0. The motion carries.**

Mr. Berry was concerned about the gathering of 50 people for a wedding in October at the Picnic Pavilion for the one day liquor license. Mr. Mangiaratti commented that it is for the liquor license only, and that the Recreation Department issues the use permit.

**Mr. Berry moves to approve consent item 13, Mr. Martin seconds. Mr. Charter called roll:**

**Mr. Benson – aye**

**Mr. Berry – aye**

**Mr. Martin – aye**

**Ms. Gardner – aye**

**Mr. Charter – aye**

**The Board voted 5-0. The motion carries.**

**Mr. Martin moved to adjourn, Mr. Benson seconds. Mr. Charter called roll:**

**Mr. Berry – aye**

**Mr. Martin – aye**

**Mr. Benson – aye**

**Ms. Gardner – aye**

**Mr. Charter – aye**

**The motion carries. Meeting adjourned at 9:50 PM.**



## Documents and Exhibits Used During this Meeting

- Agenda, May 4, 2020
- Housing Production Draft, May 4, 2020
- Site Plan and Use Special Permit #11/20/15-459 Request for Extension, Environmental Partners on Behalf of the Town of Concord, 180 & 182 Skyline Drive
- Site Plan and Use Special Permit #11/20/15-459 Decision, April 18, 2018
- Committee Appointments, Agricultural Commission and ACHC
- One Day Alcoholic Beverage License, Amanda Capps
- Accept Gift, Natural Resources