



SELECT BOARD  
MEETING MINUTES  
OCTOBER 16, 2023

7:00 PM

ACTON TOWN HALL, ROOM 204  
472 MAIN STREET

Present: Jim Snyder-Grant, Fran Arsenault, Dean Charter, David Martin, Alissa Nicol

**I. Regular Business**

**1. Resident Concerns**

Terra Friedrichs, West Acton – commented on the issue in Israel and calling on people to stop sending weapons to the military and a call for peace.

**2. Chair Update/Town Manager Update/Members Minute**

Mr. Snyder-Grant noted the late posting of documents. Octoberfest returned to Gardner Field this weekend also a Walk Against Hate that took place there as well. ALG met this morning.

Mr. Mangiaratti will prepare an update on Select Board goals at a future meeting. Sheryl Ball retired as the Health Director, Anita Arnum was appointed as the new Fire Chief, recognizes Chief Cogan for the grant for their body camera program, noted that days are getting shorter and to be aware of people walking and using crosswalks, working with state officials noting that Acton will be hosting an emergency shelter and will be working with the schools and other officials and will have an update at a later date.

Mr. Charter noted participated on the Walk Against Hate on Sunday and recognized the community turnout as well as the school district.

Ms. Arsenault noted Octoberfest and hosted a table with Ms. Nicol to reach out to community members to encourage to volunteer for Boards and Committees, need to be mindful of the Jewish, Black and Brown community members with recent events in the middle east with the humanitarian crisis. Attended the Agricultural Commission and noted that they are coordinating a farmers meeting in early December and current openings, noted the Historic District Committee charge, currently working to create a private senior living place at 516 Mass Ave, and have current openings for membership. Historic Commission recently created an archeological bylaw and is considering a 4<sup>th</sup> Historical District on Concord Road and has several openings for memberships.

Mr. Martin noted acknowledge the effect of recent attack in Israel and its effect on Jewish members in Acton with ties to Israel, and Muslim residents with ties to Gaza, and to support our neighbors.

Ms. Nicol noted the Senior Center is sponsoring a high dose flu clinic and pre-registration is required. On October 28<sup>th</sup> the APD is participating in takeback prescription drug day at the Public Safety Facility. Encourages people to check in with Jewish and Muslim neighbors and co-workers after the attack in Israel.

## **II. Public Hearing**

3. 7:10 PM. Site Plan Special Permit #02/27/23-490, MAG RE Holdings-Acton, LLC, 1 & 5 Nagog Park and 499 Great Road (continued from September 18, 2023)

Representing MAG RE Holdings-Acton was Garrett Horssall from Kelly Engineering Group. The updated plans were presented to Board members according to the conditions the Board members requested from previous meetings, as well as the Conservation Commission, and DRB, requests from GCG to address drainage issues. Mr. Charter had requested additional guardrails or bollards along the landscape buffer area and will request as a formal condition due to another McGovern auto dealership parking on the landscape buffer area. Mr. Martin appreciated the changes to the previous plans. Questioned about the lighting plans if the height of the poles are 20 ft high and if they are photocells to go on at dusk – Mr. Horssall noted the lights will be dimmed after close of business at 50% and could be adjusted as needed. Mr. Martin would like to condition the lights be possibly turned off ½ hour after close of business due to the proximity of the abutters. Ms. Arsenault questioned the location of the 25 ft poles – Mr. Horssall noted they are located in the interior of the parking lot and are shielded along the abutters side. Ms. Nicol questioned if the building is a LEED building, questioned about the glass and steel materials impacting the energy cost to heat and cool, use of heat pumps, applicant replied that design is aligned with the new Massachusetts building codes, Ms. Nicol questioned about snow removal and materials used for melting affecting the wetlands, and delivery times for stock during operating hours.

Linda Onuska, Split Rock – questioned about where the car carriers entering the properties, questioned about AC noise, questioned about any asbestos in the current building and how that would be addressed – demolition would be handled through the Building Division permitting.

Miles Feldman, Old Stonebrook – feels this is a change of use from the original site plan years ago, requests confirmation of another dealership will be built, questioned about re-routing the trucks entrance to location

Karla Hailer, Old Stonebrook – questioned if there was a light pollution study conducted, questioned if there will be sidewalks on the eastern side of the property, questioned there was a dog grooming place still planned, concerned about car carriers parking on Great Road,

Barbara Lang, Split Rock Road – complaint about a bright light on top of Frolic & Detour

**Mr. Charter moved, seconded by Mr. Martin to close the hearing and approved 5-0.**

Members discussed potential conditions such as a vehicle impervious barrier installed on the eastern edge of the property to protect the landscape barrier such as boulders or bollards as a deterrent to prevent an axillary parking area, vehicle inventory drop off and dumpster service be done during operating hours, service delivery to occur during operating hours, lights go off on either side of the property after ½ hour after close of business, and turn on ½ hour before start of business with advise from the Police Department, approving a variance to remove the greenspace to relocate to the east side of the property, consult with the Police Chief on data regarding dimming the lights rather than having them turn off, possible consider a granite curb cut as a deterrent for an axillary parking site, condition a post-construction sound test, review other departmental memos, deliveries only allowed from 7AM-7PM. Mr. Charter commented to instruct town staff to draft a decision to be reviewed at a subsequent meeting.

#### **New/Special Business**

4. **Water Resource Advisory Committee Mailer Presentation**

Joe Robb presented the zoning for ground water protection and the estimated cost. The committee weighed on the best way for distributing the information, and felt that direct mailing would reach the most households over social media or the Municipal Monthly. The proposed information will cost approximately \$4,655 and the cost will be shared with Acton Water District and will be distributed to both business and renters in Acton.

**Ms. Nicol moved, seconded by Ms. Arsenault to direct Town Manager to collaborate with water district manager to get mailing printed and mailed out to every Acton address and approved 5-0.**

Ms. Nicol also suggested to have the information on the Town website.

5. **Presentation of the Pre-Rule Train Whistle Ban Supplemental Safety Measure Designs**

Corey York, DPW Director presented the pre-rule train whistle ban safety measure designs. This project is just an update to the Board of the work done over the years to maintain the whistle ban.

6. **Consider Establishing an Affordable Rehab Trust (Select Board Goal #10)**

Liz Rust from the Regional Housing Service Office presented to the Board with the study that was a result of a citizen's petition that was approved at the 2022 Annual Town Meeting and commissioned by the Select Board. There is no action need to be taken by the Board but allow for more discussion. Ms. Nicol expressed disappointment that it is not a break-even analysis, but feels there is a way to entertain a housing trust using a non-profit entity to oversee the rehab trust, or another housing agency that currently creates affordable housing, questioned if a PILOT would be possible with a non-profit. Mr. Martin suggested that this would not necessarily be economically viable with a non-profit entity.

Mr. Charter doesn't feel this would be something the town wouldn't get involved in and CPA funding wouldn't be able to make a significant contribution, and would possibly require a budget override, and doesn't seem like a viable option. Mr. Snyder-Grant mentioned a real estate transfer tax towards supporting affordable housing and feels need to take a step back. Ms. Nicol will continue discussing options with proponents and reach out to the ACHC to explore a potential role for them in working with non-profit developers on rehab projects

7. Presentation of Nashoba Regional Greenway

David Merberg presented what the Nashoba Regional Greenway is regarding creating shared route trails connecting existing trails along the Bruce Freeman Rail Trail and the Assabet River Rail Trail in creating safe routes. Mr. Snyder-Grant noted that the Transportation Advisory Committee is supportive of the NRG and their initiatives.

**Ms. Arsenault moved, seconded by Mr. Martin to direct the Town Manager to work with the NRG assigning a Planning staff to work with the Town of Maynard to advance the initiative.**

III. Consent Items

**Mr. Martin moved, seconded by Ms. Nicol to approve consent items 8-12 inclusive and approved 5-0.**

IV. Meeting Evaluation

Mr. Snyder-Grant commented on the getting through the public hearing and everyone listening to each other and looking forward to the draft decision coming back, and the items in new business had a lot of citizen involvement. Ms. Nicol noted to have the Board have a follow up on direction for WRAC.

**Ms. Nicol moved, seconded by Mr. Martin to adjourn and approved 5-0. Meeting adjourned at 10:45 PM**

Documents Used

- October 16, 2023 Agenda
- Site Plan Special Permit #02/27/2023-490, MAG RE Holdings-Acton LLC, 1 & 5 Nagog Park and 499 Great Road
- Water Resource Advisory Committee Mailer Presentation
- Pre-Rule Train Whistle Ban Supplemental Measure Design Presentation
- Rehab Trust Study
- Nashoba Regional Greenway Presentation
- Meeting Minutes, October 2, 2023
- One Day Alcoholic Beverage License Application, Swiss Society of Boston
- One Day Alcoholic Beverage License Application, St. Elizabeth of Hungary
- One Day Alcoholic Beverage License Application, Greater Boston Vintage Society
- One Day Alcoholic Beverage License, Nashoba Sportsman Club