



SELECT BOARD
MEETING MINUTES
DECEMBER 16, 2024

7:00 PM

ACTON TOWN HALL, ROOM 204
472 MAIN STREET

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

Additional Attendees: Town Manager John Mangiaratti, Assistant Town Manager Thom Begin, Executive Assistant Lisa Tomyl

I. Regular Business

1. Resident Concerns

Erik Heels, 17 Forest Road – read from a prepared statement requesting the installation of a sidewalk along Forest Road be part of the DPW Building project and a copy of the grant application that secured funding for the Harris St sidewalk.

Debra Simes, Concord Road – shared concern about residents in the community who would be vulnerable to federal deportation effort, and asked what steps the town can take to protect residents.

2. Chair Update/Town Manager Update/Members Minute

Ms. Arsenault commented on two events that were held Friday, December 13: the swearing-in of three new Acton Fire employees and the promotion of four Fire Department employees, and the ribbon-cutting ceremony for the newly opened Stop & Shop, highlighting the number of people, including elected officials and staff from many departments, who attended both events.

Mr. Mangiaratti announced the awarding of a contract for the rehab of 17 Woodbury Lane with the groundbreaking to take place in early 2025, a grant for \$57K from the state from Community Compact Efficiency to look at Fire Department operations and response and deployment models. He also noted that remote meetings are still permitted with a provision that is due to expire in March of 2025 unless the legislature passes an extension; he recommends planning for this option to continue. Mr. Mangiaratti also announced that the Gardner Field temporary fencing was removed, and the electric chargers located at Veterans Field are operational. Ms. Nicol noted appreciation of the relocation of the chestnut tree from 17 Woodbury to the lawn of the Acton Memorial Library, announced the Acton Water District has scheduled their annual meeting for March 19, 6:00 PM, at the Acton Memorial Library, and the Economic Development Bill recently passed by the State Legislature allows craft beer to be

sold at Farmers Markets and also the eliminated the citizenship requirement for liquor licenses. Mr. Charter noted the Community Preservation Commission began hearings on project proposals with an \$800K difference between requests and funding available, and that the Acton 250 Committee will be holding multiple events in the next few months. Mr. Martin announced the successful passage of the Warrant Articles at the Special Town Meeting, noted that the town's Housing Production Plan includes an online survey that is still accepting entries, and also announced his intention to seek re-election. Mr. Snyder-Grant noted the Volunteer Coordinating Committee is in need of new members and encouraged residents to apply. He also suggested posting the charge of the VCC in Town Hall; the Commission On Disabilities is also in need of additional members focused on advocacy for people with disabilities.

II. Public Hearings

3. 7:10 PM Use Special Permit #09/24/2024-503, 268 Main Street (applicant has requested to continue to January 13, 2025 at 7:10 PM)
No comments from the Board.

4. 7:10 PM All Alcoholic Beverage License Transfer, Great Road Seafood Sales, LLC to Seafood from Heaven, LLC, 77 Great Road, Acton
Ms. Arsenault read the public hearing. Representing Great Road Seafood Sales is Vincent Pusitarian. Mr. Martin asked if there would be any changes to the structure and operation; Mr. Pusitarian responded that there are no plans for changes to staff or operations. Ms. Nicol asked about the different numbers of seats on the application and notes from staff – Mr. Pusitarian clarified that the numbers relate to the max permitted for septic and for flexible operation depending on when the function room and patio seating is available, and has worked with both the Health and Building Division; the restaurant will be in compliance with septic regulations. Mr. Charter asked the seating capacity in the function room – 56 total. Mr. Pusitarian noted the additional application for an alteration of premise.
Mr. Martin moved, seconded by Mr. Snyder-Grant, to close the public hearing and approved unanimously 5-0. Mr. Martin moved, seconded by Ms. Nicol, to approve all alcoholic beverage license transfer to Seafood from Heaven, LLC at 77 Great Road operating as Atlantic Seafood and approved unanimously 5-0-0.

5. 7:15 PM Malt and Wine License Transfer, Chaki Corporation to RSY Store, LLC, 465 Great Road, Acton
Ms. Arsenault read the public hearing. Representing the applicant is Angelique Eliopoulos. There will be no change in operation aside from the installation of a digital scanner to scan IDs to help eliminate the sale to minors as current operation does not have that technology. **Mr. Martin moved, seconded by Ms. Nicol, to close the public hearing and approved unanimously 5-0. Mr. Martin**

moved, seconded by Mr. Snyder-Grant, to approve a malt and wine license transfer from Chaki Corporation to RSY Store, LLC located at 465 Great Road and approved unanimously 5-0-0.

6. 7:20 PM Site Plan Special Permit #06/24/2024-492, AHC, Inc & Thomas Buckborough, 358A & 358B Great Road

Representing the applicant is Paul Kirchner from Stamski & McNary. The applicant is requesting a waiver from the property frontage in the front yard, and Chapter X bylaw by decreasing the total impervious surface on the site; an erosion control plan was submitted, and Mr. Kirchner noted that a letter to the Board was submitted late today summarizing their interpretation of the Chapter X bylaw and the firm's opinion that the plans meet regulations and the applicant exceeds the Chapter X bylaw thresholds.

Ms. Nicol reviewed the letter with Planning staff, noting GCG is suggesting the location is ideal for improving the stormwater runoff and encouraged the Board to check with Engineering if the Conservation Commission order of conditions can serve as the permit of the Select Board as implementing authority, and to consider checking in with GCG about what specific measures they had in mind. Kaila Sauer, Senior Planner, noted that the recommendations from Ms. Nicol were appropriate. Mr. Martin asked for details about the stormwater plan. Mr. Kirchner noted an infiltration trench to be installed on the left side of the parking lot. Mr. Martin noted the parking lot would drain into the trench.

Terra, Mass Ave – noted the Conservation Commission can only approve changes to the wetlands and buffers and the Select Board is the approving authority for the Stormwater Bylaw, Ch X, asked that other sites for the stormwater runoff be considered, and suggested the Board consider fines for applicants if they do not maintain the culverts on their property.

Mr. Snyder-Grant noted that due to unanswered questions from Board members regarding the application, it is not appropriate to close the hearing, Ms. Arsenault noted that the applicant still needs to appear in front of the Historical Commission. **Ms. Nicol moved, seconded by Mr. Snyder-Grant, to continue the public hearing to January 13, 2025 at 7:10 PM and approved unanimously 5-0-0.**

III. New/Special Business

7. Appoint Kristen Caouette as Interim Town Accountant

Mr. Mangiaratti introduced Ms. Caouette. Ms. Caouette is currently the Assistant Town Accountant. **Mr. Martin moved, seconded by Ms. Nicol, to appoint Kristen Caouette as Interim Town Accountant effective December 20, 2024 and approved unanimously 5-0-0.**

8. Select Board Budget Workshop and Presentation of FY 2026-2035 Capital Improvement Plan

Mr. Mangiaratti presented the Budget Workshop and presentation of the FY 2026-2035 Capital Improvement plan. Mr. Charter requested an explanation on the vegetative management plan proposed in the free cash projects, wouldn't feel supportive of the electronic message board, requested more information on the childcare and transfer station subsidies. Mr. Martin asked about funding for complete streets and sidewalks; Mr. Mangiaratti noted grants received for Great Road improvements and Powder Mill Road, which need to be completed before applying for additional funding. Mr. Martin suggested the child care and transfer station funding should be in the general budget, asked about the bathrooms in the library that need to be enlarged for ADA compliance, and asked about the calculation used to reach the .78%; Mr. Mangiaratti noted an error in the figure that will be corrected. Ms. Nicol noted the projects to pursue or defer capital borrowing aligns with Select Board goals and direction provided by the board during the last budget discussion, recommended applying for more grants to fund other capital projects, and appreciates the reduction in cost for the DPW facility project. She further noted that the electronic message board does not seem to align with cost-cutting efforts, the stormwater utility study seems to be ahead of public opinion and the work that the Water Resource Advisory Committee just started, and would like justification for the additional Fire Dept staff and the results of the operational analysis announced during the manager's update. Mr. Snyder-Grant appreciated the work done in the proposed plan, suggested considering the use of Chapter 90 funding to assist in sidewalk construction, deferring the electronic message board, although there is value to this item as the town's current system is not serving the public appropriately due to the functional limits of the sign trailers, and eliminating annual fireworks after 2025. Ms. Arsenault noted support for the DPW locker rooms. Ms. Nicol also noted support for the 2 library projects. Board members noted their support for use of stabilization funding as proposed by the manager.

9. Presentation and Recommendation from Citizens' Library Governance Advisory Committee

Ms. Nicol reviewed the committee charge and highlighted parts of the report, including that the two library trustee boards will continue to meet jointly while the committee continues to advance a solution. The committee's recommendation is to unite the two Boards into a single Board of 12 trustees to oversee the two libraries in Acton's library system. Any necessary amendments to the town or AML charter, bylaws, and deed will need to be approved. Town Counsel will weigh in on the steps required to implement the plan.

Terra Friedrichs, Mass Ave – concerned about the status of the Citizens' Library, volunteers being fired and staff resigning, suggested that people are afraid to speak up, appreciates the trustees of Citizens Library during joint meetings are able to make separate votes regarding the operation of the library, and believes a bylaw should focus on what Town Meeting voters want town staff to do with the libraries.

Mr. Snyder-Grant moved, seconded by Mr. Martin, that the Select Board support the recommendation of the CLGAC including to proceed to work with Town Counsel on what needs to be done and approved unanimously 5-0-0

10. Presentation and Update for Habitat for All

Kaila Sauer, Senior Planner, shared the Habitat for All presentation to Board members, outlining the public outreach process and timeline. Based on feedback the working group is proposing to establish the Planned Conservation Residential Community (PCRC) bylaw as the default option for subdivisions, and require a special permit for standard subdivisions. The proposal will include improvements to the PCRC bylaw, incentivizing smaller homes, and incentivizing inclusionary zoning for affordable housing. Mr. Martin asked what is meant by strengthen tree and vegetative buffers; Ms. Sauer noted rules to ensure vegetation along the frontage of the existing street, does not affect an existing empty lot rather than a subdivision – as long as it is under a 1 acre lot and zoning district. Mr. Charter asked about the concurrent work of other groups on tree protection and vegetative buffers; the working group is aiming to have the proposed bylaw ready by Town Meeting.

11. Review CPC Applications

Mr. Begin introduced the town project applications the board is being asked to weigh in on. Ms. Arsenault asked whether the 17 Woodbury request could be deferred to next year. Mr. Begin noted the building project is scheduled to take 6-8 months and commence in July. Mr. Martin noted the need to complete projects that have already been started, disputed the open space set aside that is almost equal to all the other projects combined, and would recommend reducing the monetary amount. Ms. Nicol noted the increasing price of land has led to the recent increase of the amount for the open space set aside. She feels the CPC could determine whether to fund the town projects based on a review of Select Board goals, and is supportive of the historic preservation projects. Mr. Charter questioned whether the greening of the Red House application should be classified as Recreation, and suggested cutting the amount for the antique fire apparatus to limit it to one truck this year and another next year. Mr. Martin suggested that the Red House funding is for the meadow and gazebo. Mr. Snyder-Grant paused on the disc golf project and the fire apparatus project, asked whether the interpretive panel at Heath Hen Meadow could be funded by a town department, and supports the greening of the Red House. Ms. Nicol supports the library documents preservation request. Mr. Martin supports providing funding to service one fire truck this year and another next year. Ms. Arsenault agrees that ongoing projects be funded to completion. Mr. Charter summarized the Board's stated priorities: community housing, RHSO, CPA Admin support, debt service, 17 Woodbury, 53 River Street construction and historic signage, Library Preservation, and noted skepticism that the greening of the red house is a

Recreation project. Ms. Nicol offered that the greening of the red house is a recreation project, and noted that disc golf design and construction has been socialized to other committees. Mr. Charter will recommend reducing the amount proposed for the open space fund.

12. Update from Public Works Building Committee

Mr. Charter noted the reduction in the construction cost estimate. The committee determined that eliminating the phased construction by moving staff and equipment off site during construction would shorten the length of construction and reduce costs. The Town Manager and the DPW Facility Building Committee toured locations around town for the temporary relocation of staff and equipment. Designers proposed moving the frontage footprint back further and include additional vegetative buffers at the street to further reduce impacts to abutters. Next meeting will be 1/29/2024 in room 204 at 7:00 PM for feedback from Weston & Sampson. On 1/30/2025 at 1:00 PM, Mr. Charter will be presenting the project at the Senior Center. On 1/26/2024 from 10-12 PM there will be public tours in the existing building with a snow date the following Saturday.

13. Update from Acton Leadership Group

Mr. Mangiaratti noted being in a better place now since the override passed, but some consensus building at the table is still required; the next meeting is at 7:30 AM tomorrow; the current deficit is ~\$100K, and will likely change in the Town Manager recommended budget. The issues likely to be discussed at the next meeting are: use of free cash, excess levy capacity use, the DPW Building project. The role of ALG is to figure out how the DPW debt service fits in a long-term plan. The Select Board and Finance Committee will make their decision on what to support at Town Meeting. The added level service budget, with the use of free cash in the \$1.6 million range, is the reason for the \$100K deficit in the model.

14. Approve Hazard Mitigation Plan

Andrea Becerra, Sustainability Director, and DPW Director Corey York presented the Hazard Mitigation Plan (HMP) update. Ms Becerra explained the HMP process. Once FEMA approves the plan, the next steps is to bring it back to the Select Board for final approval. Ms. Nicol asked about the proposed policy on snow removal around fire hydrants, and a mechanism to address private drainage inspections. Ms. Nicol suggested the Emergency Management Plan be made available to the public in the event an evacuation is required. Mr. Mangiaratti noted that portions of the plan contain sensitive and secure data that is not available for public viewing, but some components of the plan could be published if the Board requests.

Mr. Snyder-Grant moved, seconded by Mr. Martin to approve the letter of certificate of adoption and approved unanimously 5-0-0.

15. Approve Decarbonization Roadmap Letter for Green Communities Climate Leader Application

Ms. Becerra presented the Green Communities Climate Leader Application crafted in collaboration with the Acton Boxborough Regional School District and noted that Acton currently meets the criteria as a climate leader, having our own municipal decarbonization roadmap, facility study, and electrification roadmap, and a climate leader designation will result in eligibility for more grant dollars from the Green Communities program. **Mr. Snyder-Grant moved, seconded by Mr. Martin, to approve the signing of the letter noting approving the decarbonization roadmap community divisions climate leaders application and approved unanimously 5-0-0.**

16. Approve 2025 License Renewals

Mr. Begin noted that Marzae Winery LLC has not submitted its renewal application, and wants to formally request a waiver of the annual license fee due to financial restraints. The application has not yet been received. Ms. Arsenault read the motions for each category of license. **Ms. Arsenault moved, seconded by Mr. Snyder-Grant, to approve the license to keep for sale, and to sell all kinds of alcoholic beverages to be drunk on premise, common victualler licenses to expose, keep for sale, and to sell wines and malts to be drunk on premise, retail package goods store licenses to expose, keep for sale, and to sell all kinds of alcoholic beverages, not to be drunk on premise, approve class II dealer licenses, approve class I dealer licenses, entertainment licenses, bowling alley and billiard table license, 24-hour operating permit, automatic amusement devices, livery/taxi license, common victualler licenses and approved unanimously 5-0-0.**

17. Approve 2025 Select Board Fee Schedule

Board requested to continue this agenda item to January 13, 2024

18. Approve Final ARPA Allocations

Mr. Mangiaratti noted changes made in reallocation requests since the previous meeting to 3 areas; transportation, dog park, and 17 Woodbury Lane projects and requested approval from the Board to allocate any additional funding remaining for the 3 projects. Finance and Administration Director Marianne Flecker reiterated that the Finance Department must have all paperwork submitted by December 31st to ensure all \$7 million in ARPA funding has been properly spent. **Mr. Martin moved, seconded by Mr. Charter to authorize the Town Manager to add any additional leftover funding for any of the three projects and approved 4-0-1 (Nicol)**

19. Consent Items

Ms. Arsenault held consent item 19. Mr. Charter held consent item 23. Mr. Mangiaratti noted that there will be additional documents to sign and requested the Select Board authorize him to sign and execute the deed and to include any additional materials associated with the closing. **Mr. Martin moved, seconded**

by Ms. Arsenault, to approve and execute deed for 348-352 Main Street and any additional materials and approved unanimously 5-0-0.

Mr. Charter wanted to express his gratitude to the Lions Club with the monetary donations generously donated to the town. **Ms. Nicol moved, seconded by Mr. Martin, to approve consent item 23 and approved unanimously 5-0-0.**

Mr. Martin moved, seconded by to approve consent items 20,22,24-32 and approved unanimously 5-0-0. Mr. Martin moved, seconded by Ms. Nicol, to adjourn and approved unanimously 5-0-0. Meeting adjourned at 11:30 PM.

Documents Used

- December 16, 2024 Agenda
- Memo from Town Manager on Interim Town Account Appointment
- Presentation of FY 2026-2035 Capital Improvement Plan
- Presentation from Citizen Library Governance Committee
- Presentation for Habitat for All
- Hazardous Mitigation Plan
- Decarbonization Roadmap Letter for Green Communities Climate Leader Application
- 2025 License Renewal List
- 2025 Select Board Fee Schedule
- Deed for 348-352 Main Street
- Email from Dean Charter Dated December 12, 2024
- Memo from Town Manager to Accept Donation from MacKinnon Printing Company
- Letter from Lions Club to Accept Donation for Senior Service Coordinator Dated November 19, 2024
- Letter from Lions Club to Accept Donation to Community Services Coordinator Dated November 19, 2024
- Memo from Community Services Coordinator Regarding Gift Acceptance from Rotary Club of Acton-Boxborough Dated December 10, 2024
- Memo from Community Services Coordinator Regarding Gift Acceptance from Saint Vincent de Paul Dated December 10, 2024
- One Day Malt and Wine License Application, Boston Events
- Memo from Conservation Agent Requesting Waiving Filing Fee Dated December 4, 2024
- Conservation Restriction, 328 Pope Road
- Meeting Minutes
- LAND Grant
- Email from Crystal Blais Dated December 12, 2024