

Historic District Commission
Meeting Minutes September 29, 2009

Meeting called to order at 7:35 p.m. Scott Kutil (SK), Michaela Moran (MM), Ellie Halsey (EH), and Terra Friedrich (TF) were present. David Barrat (DB), Kathy Acerbo-Bachmann (KAB), and David Honn (DH) were absent. Nina Cook, from the firm of Anderson and Krieger, also the Town Counsel, attended the meeting. The meeting was held in room 121 in Town Hall.

At 7:45 p.m. a poll was taken to go into Executive Session and all commission members voted in favor. The commission concluded the Executive Session at 8:30 p.m.

At this point TF moved that we approve the proposal that was negotiated with Lothrop Mill LLC concerning the garage doors at 83-87 River Street. The motion was seconded by MM and was passed. MM, EH, TF, and SK all voted in favor, DH and KAB were recused.

Maya Minkin (MAYA), KAB, and DH joined the meeting after the vote was taken.

MM asked Nina Cook to explain the Rule of Necessity. Nina said that this rule can only be invoked when all commission members are in attendance and when member recusals prevent a quorum. If this case the Chair can appoint an alternate member to vote in place of a recused member, in order to make a quorum.

Nina also informed the commission about a form that can be filled out if there is some doubt about a conflict of interest that a member might have. This form can be obtained from Town Counsel and is filed with the Selectman: it allows member to declare a conflict of interest but still be allowed to sit and participate in the business of the commission.

Nina also explained the Mullin Rule. The Mullin Rule says that if a member of a municipal board misses one meeting they can make it up by reading the meeting minutes and educating themselves regarding the issues brought before the board. But if they miss more than one meeting they cannot make it up and therefore should not be involved in voting on those issues.

MM passed around a set of guidelines on Garage Doors that was prepared by DH. The commission discussed the guidelines and agreed that only acceptable garage doors would be listed in the guidelines. MM thought that we should also add some language to the guidelines referring to our capacity to give informal advice under the Chapter P Bylaw.

At this point Nina Cook left the meeting.

Minutes for the September 8, 2009 and August 17, 2009 meetings were approved as corrected.

MM has never been formally elected as Chair and therefore the commission members decided to correct this oversight. There was a brief discussion of the Vice Chair position since that would need to be filled. A slate of MM, KAB, and SK was moved for Chair, Vice Chair, and Secretary. The motion was seconded and approved unanimously.

SK reported on the denial of our permit application to put HDC signs in the Mass Highway right of way on Route 111. SK will ask Mass Highway for more detail about the permit denial. SK also suggested that we might put the signs on private property and the commission thought that might be possible. SK will ask the Acton Engineering department if this is feasible. In general there was some dissatisfaction about the current placement of some of the signs. Members of the commission volunteered to look again at sign placement.

We discussed current violations in the districts. The commission will seek the assistance of the Town Building Department to help us with violations. The window violations at 16-20 School Street were discussed and DH will talk to Steve Szu about his plan to cure the violation. Other violations that are still outstanding include those at West Acton businesses: Sweet Bites, Village Hair Salon, and Graphic Connections.

MM will ask Town Counsel if we can accept a new application on a property that has a pending violation.

Bonnie Geithner and Anne Forbes are asking the commission to take another look at the stone wall at 430 Main St. MM would like the property owner to come in and discuss the issue. Terra will be the liaison and will contact the owner.

KAB is willing to organize a window repair seminar that the commission can sponsor. The commission approved of the idea and recommended that the seminar be held after the holidays. The seminar would be funded by the HDC and contain a lecture and a hands-on session and be free to the public.

Meeting was adjourned at 9:50 p.m.