



BOARD OF SELECTMEN

Meeting Minutes *Amended*

Monday, April 22, 2019

7:00 PM

ROOM 204, ACTON TOWN HALL, 472 MAIN STREET

Present: Joan Gardner, Jon Benson, Dean Charter, Peter J. Berry, David Martin

Absent: None

1. **Opening**

Ms. Gardner opened the meeting at 7:00 PM

2. **Regular Business**

A. Citizen Concerns

Alyssa Nichol, 76 School Street – 3 concerns regarding ACHC, presentation on June 18th on Piper Lane 40B, minutes posted are not correct. Sent email to ACHC asking minutes be amended. Former chair of BOS noted that it was received but minutes are responsible of the actual committee and not of the BOS. Never received a response from ACHC with her request. Concerned about the posting of the ACHC agendas. Concerned there have not been another itemized agenda topic on Piper Lane proposal. Feels that agenda needs to be changed and that the BOS appoints members to the ACHC. Noted that many committees have adopted a new agenda template, and that they should be not meeting on the same meeting night of the BOS.

Terra Friedrichs, West Acton – Interested in tracking planning and growth and developing a matrix for the public. Concerned that Planning Board doesn't make the decisions on planning and it is in the hands of staff – feels that decisions should be made public.

Shauna Wilkenson – requesting that Jon Benson follows up to meet with the owners of the Kmart parcel.

B. Chair Update/Operational Update

Town Manager had no updates. The Chair had no updates.

3. **New/Special Business**

A. Livery License, Little Helping Hands Day Care, Vickie Williams, 187 Great Road Unit A-1

Representing Little Helping Hands is Vickie Williams. Requesting a livery license to transport children. The business is not a day care. This will be a transportation service for parents to home, school, day care. Mr. Berry motions to grant license on the condition to get a letter from landlord and condominium association to use the condo as a place of business, Mr. Martin seconds. The Board voted 5-0. The motion passes.

B. Board to Discuss Support Increase Funding for the Community Preservation Act Letter of Support



Mr. Berry stated he was in favor for the increase in funding. Mr. Berry explained the process in getting an increase in funding. Mr. Berry motions to approve the letter and draft a separate letter along the lines of the Community Preservation Coalition and the ways and means budget, Mr. Charter seconds. The Board voted 5-0. The motion passes.

C. Update on Sewer Project

Paul Campbell updated the sewer project in West Acton. Town Meeting approved the funding for the survey and preliminary design. Acton Water District is going to split the cost of the survey. Mr. Martin mentioned that the West Acton Sewer Action Advisory Committee voted unanimously to support it. Mr. Martin moves (on behalf of the Sewer Commissioners) to support the survey, Mr. Benson seconds. The Board voted 5-0. The motion passes.

4. **Consent Items**

Mr. Benson held item 14 (Committee Appointment, Danny Factor, Planning Board). Ms. Gardner motions to approve consent items 6-13, 15-16. Mr. Benson seconds. The Board voted 5-0. The motion passes.

Ms. Gardner stated that as the liaison of the Planning Board, she will not recommend the appointment. Mr. Benson *commented that the Planning Board is an adjudicatory body not an advocacy board and an appointee needs to come to bodies like the Planning Board with no agenda and an open mind. Mr. Benson expressed his concerns that Mr. Factor's recent Town Meeting comments in support of four non-binding anti-growth articles that he would politicize Planning Board discussions of zoning changes and other policies as reasons for not recommending Mr. Factor's appointment. Mr. Charter commented on Mr. Factor's opposition regarding the Kelley's Corner project and that his views were not congruent with the Board of Selectmen and 89% of the voters at the 2019 Town Meeting as reasons for not recommending the appointment.*

Mr. Factor made a statement in front of the Board *regarding his experience as a member of the Commission on Disabilities for 9 years and service as the COD liaison to the Acton Housing Authority; believes in treating all people with dignity and respect; identified to the Board the numerous diverse emails that were sent to the Board supporting his appointment adding that his appointment would increase diversity on the Planning Board as he is an apartment renter; that advancing minority opinions is a healthy part of the town government process; understands that the Planning Board is not and advocacy board and that it plays an adjudicatory role; and feels that as an attorney he would bring expertise regarding zoning bylaws*

Mr. Martin asked several questions to Mr. Factor *regarding what Mr. Factor would bring to the Board and concluded that having diversity on the Board and collaboration is important and would recommend Mr. Factor's appointment to the Planning Board. In response to a question from Mr. Berry as to why she opposes Mr. Factor's appointment, Ms. Gardner noted she serves as liaison to the COD (Commission on Disabilities on*



which Mr. Factor was a former member) and past meetings have been very difficult, lasting more than 3 hours, with the COD having a difficult time coming to consensus on agenda topics. Mr. Berry commented that Mr. Factor has been known in the past to be antagonistic towards town boards and anti-development and would be concerned that Mr. Factor would attempt to influence decisions made on the Planning Board rather than follow town bi-laws. While concerned over Mr. Factor's ability to work with Planning Board members, Mr. Berry expressed reluctance to reject a volunteer who steps forward to serve.

Ms. Gardner moves to not appoint Mr. Factor to the Planning Board, Mr. Benson seconds. The Board votes 4-1 (Mr. Martin nay) not to appoint Mr. Factor to the Planning Board.

5. Adjournment

At 8:03 p.m., it was moved and seconded to adjourn the meeting. The motion was approved unanimously.

Documents and Exhibits Used During this Meeting

- Engineering Department Memo
- Planning Board Decision
- Recreation Department Memo Gift Request – Acton Ford
- Recreation Department Memo Gift Request – Jones Renovation Committee
- Recreation Department Memo Gif Request – Anonymous
- DRAFT 2019 Acton Boxborough Farmers Market License Agreement
- Meeting Minutes March 26, April 1, and April 8, 2019
- Executive Session Minutes, March 26, 2019
- Volunteer Coordinating Committee Recommendations, Arthur Leavens and Danny Factor
- Acton Memorial Library Memo
- Selectmen Reports