

**SELECTMEN'S MEETING
DECEMBER 6, 1994**



The Board of Selectmen held its regular meeting on Tuesday, December 6, 1994 at 7:30 P.M. Present were Norman Lake, William Mullin, Nancy Tavernier, F. Dore' Hunter, Wayne Friedrichs, Town Manager Johnson, and Assistant Town Manager John Murray. {Representatives from cable were present}

CITIZENS' CONCERNS

Charlotte Sagoff and Sue Funk presented the Board with information regarding Mosquito Control and asked for direction regarding placement of an Citizen's Petition Article on the 1995 Town Meeting Warrant. Mr. Lake said they should proceed with any citizen petition they felt necessary and suggested they contact the Town Clerk's Office to check on procedure for placement.

PUBLIC HEARINGS AND APPOINTMENTS

**COMMITTEE INTERVIEW
MARION MAXWELL - BOARD OF APPEALS**

Ms. Maxwell was interviewed by the Board for an three year associates appointment to the Board of Appeals. Ms. Maxwell was on the BOA in the past and was again willing to serve the Town again. She has no conflicts as she is currently unemployed. She expressed a desire to get back to serving on a committee as her schedule was now open and allowed her time to serve.

DORE' HUNTER - Moved to appoint Marion Maxwell to the Board of Appeals as an Associate Member for a three year term. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

**LITTLETON RESTAURANT
SPECIAL USE PERMIT #347 - 358 Great Road**

Chris Hart the owner of the property presented the Board with his proposed plans with regard to the Bagel Cafe proposed for the Old Brett Yarn building on Great Road. It would be designed to serve 16 seats, the product would be brought in from the Waltham store and items removed to the Waltham store. The plan required the redesign of the parking lot and entrances. They have made the changes to reflect staff concern. Mr. Mullin questioned the State Highway statement. Mr. Hart stated that he is required to file for State curb cut permits and intends to do so. Those approvals would be obtained at the State level.

There was no public comment.

DORE' HUNTER - Moved to take under consideration. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

**LITTLETON RESTAURANT
COMMON VICTUALER LICENSE - 358 Great Road**

The applicant stated that he would be bringing the product from another store. This would merely be a satellite store serving the public with 16 seats and take out. He felt the parking would be more than adequate as most of the business in coffee and a bagel on the go. They want to open from 6-6 on Monday through Friday and 7-4 on Saturday, 7-2 on Sunday. The name of the store is the Bagel Cafe.

DORE' HUNTER - Moved to approve contingent upon the approval of the Special Permit. NANCY TAVERNIER - Second. UNANIMOUS VOTE

**GREENE 61A LAND
RIGHT OF FIRST REFUSAL - Pope Road**

This hearing was continued from an earlier meeting for the continued discussion of the Town's Right of First Refusal options. Mr. Costello's attorney reasserted his contention that the 120 days were officially and properly triggered and asked the Board for their input. After discussion and plan review with neighbors and interested parties, the Board voted. DORE' HUNTER - Moved to not exercise the Town's Right of First Refusal with regard to the subject parcel identified at the southwesterly parcel on submitted documents containing .75 acres located at 331-341 Pope Road. NANCY TAVERNIER - Second. UNANIMOUS VOTE>

**SOUTH ACTON VILLAGE DRAFT PLAN
PRESENTATION**

Trey Shupert of the Planning Board presented the draft to the Board. It suggests 6 zoning changes. Wayne questioned the 10 foot set back in relation to the same issue in the West Acton Plan and the New Savory Lane Building as built. He does not like the way it looks. Trey said that he has gotten feedback that some people love it others don't, its purely opinion. Nancy Tavernier stated she thinks the Savory Lane and the Mobil Station both look great. They will be holding public hearings for comment. They will hold the required hearings for zoning changes and hope to be on track for the Spring Town Meeting. Mr. Lake asked about the Mast arm vs. the cable for the proposed lights on Main Street in South Acton. They felt it was a matter of aesthetics.

BUDGET PRESENTATION

Town Manager Don Johnson presented the Budget to the Board and gave an overview of the materials contained in the budget.

Mr. Mullin noted that he would not be in favor of raising taxes to have more free cash for a higher Moody's rating.

Mr. Hunter made a point that the FY96 levy increase was 6 not 2 1/2 as most commonly thought.

Mr. Mullin asked for a copy of sources of the funds in the NESWC accounts. He realized the volatilities of the situation at NESWC but would like the detail as it would be helpful.

NANCY TAVERNIER - Moved to accept the budget as a working document. DORE' HUNTER - Second. UNANIMOUS VOTE.

The Board discussed the formation of a Budget Committee to replace the Coordinating Committee. It was noted that the Chairman of the Finance Committee as well as the Board of Selectmen and School Committee's should also be represented and the focus should be on money.

CONSENT CALENDAR

DORE' HUNTER - Moved to accept the Consent Calendar as printed. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

Elizabeth White Fund - Mr. Mullin moved to approve the list of Christmas disbursements as recommended by the White Fund Trustees with gratitude. Mr. Hunter - Second. UNANIMOUS VOTE.

Mr. Mullin asked about the procedures for Bon Fire regulation. Mr. Johnson said that the Town is allowed one Bon Fire per year and it is regulated by the Fire Chief. He has the authority to cancel if the weather is adverse.

TOWN MANAGER'S CONCERNS

1995 License renewals - Board discussed the license before them for renewal. The Town Manager said that several were held for follow up. the Board approved all the licenses except for four Class II licenses. The Board asked that J&B Motors, DJS Automotive, Bruschi Motors and Anderson Sales be scheduled for December 20th for discussion and clarification of the issues outlined in staff correspondence.

The Board adjourned 11:00 P.M.

Nancy E. Tavernier
Clerk
11/10/95
Date

Christine M. Joyce
Christine M. Joyce
Recording Secty
cmjW11-(577)

DECEMBER 2, 1994

TO: Board of Selectmen
FROM: NORMAN D. LAKE, Chairman
SUBJECT: SELECTMEN'S REPORT

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AGENDA

ROOM 204

DECEMBER 6, 1994

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:31 BOARD OF APPEALS INTERVIEW - MARION MAXWELL - Enclosed please find Ms. Maxwell's Citizen Resource sheet and VCC comment regarding possible three year appointment as an Associate Member of the Board of Appeals for Board review and action.
2. 7:45 LITTLETON RESTAURANT- SPECIAL USE PERMIT #347, 358 Great Road - Enclosed please find application and staff comment regarding the Special Use Permit for Littleton Restaurant, Inc. for Board review.
3. 8:00 LITTLETON RESTAURANT - COMMON VICTUALLERS LICENSE - Enclosed please find application and staff comment regarding this request for a Common Victuallers License for Board review.
4. 8:15 GREENE LAND CONTINUATION - Enclosed please find additional material submitted by Mr. Hogan for Board review.
5. 8:30 SOUTH ACTON VILLAGE PLAN DRAFT PRESENTATION
6. 9:00 BUDGET PRESENTATION

III. SELECTMEN'S BUSINESS

7. ELIZABETH WHITE FUND - Enclosed please find the yearly gift recommendations from the White Fund Trustees for Board review and action.

IV. CONSENT AGENDA

8. ACCEPT MINUTES - Enclosed please find minutes of November 8, 1994 for Board signature.
9. UNDERGROUD STORAGE - FOOTE'S SERVICE STATION, 408 MASS AVE. - Enclosed please find a memo from the Fire Chief regarding the need

to update the storage license as outlined in his memo for Board action.

10. ACCEPT GIFT - Enclosed please find a request to accept \$923.24 for Public Ceremonies Fireworks Fund / Lions Gift account for Board acceptance.

V. TOWN MANAGER'S REPORT

11. 1994 LICENSE RENEWALS - Enclosed please find the motion list and several issue identified by staff for Board discussion and review.

VI. EXECUTIVE SESSION

MEETINGS

ADDITIONAL INFORMATION

Enclosed please find additional correspondence which is strictly informational and requires no Board action.

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete agenda.

Dec. 20- Site Plan Special Permit - McDonalds
 Asst. Interviews: Barbara Smith,
 Mark Benedict, Lisa Wolf
 Municipal Power Committee Mtg. and Charge
 PCC, Inc. Liquor License Continuation

Jan 10 Bike Path Presentation
Jan 24
Feb 7