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DATE 3/4/94

C. Belbin
TOWN CLERK, ACTON

**SELECTMEN'S MEETING
JANUARY 18, 1994**

The Board of Selectmen held their regular meeting on Tuesday, January 18, 1994 beginning in Acton at 9:30 P.M. Present were F. Dore' Hunter, Anne Fanton, William Mullin, Nancy Tavernier, Norm Lake and Town Manager Johnson. {Representatives from cable were present}

CITIZENS' CONCERNS

None expressed

The Board of Selectmen met in Maynard with the Maynard Board from 7:00 to 8:30 and reconvened at the Acton Town Hall at 9:30 P.M.

Maynard's Chairman read Chairman Hunter's request for a meeting. Chairman Hunter provided a brief overview of the process to date, including a brief description of Acton's problems, the political process between the communities, and other alternatives for resolution of the Acton problem. Dore' also outlined 5 points of discussion if the Towns were going to agree to pursue a joint resolution.

1. 150,000 gal/day of capacity
2. Sludge removal
3. Upgrade to terrestrially treatment
4. Point of collection at Maynard Plant
5. Outflow Point. Is it necessary to move the outfall pipe
6. A.B. School system should need to be accommodated (extra capacity)

The Town of Maynard is currently not in compliance with the terms of the discharge permit because of the levels of ammonia, phosphorous and metals (lead) and sludge. The schedule currently has the final design in 1994, construction in late 1995, 1 year for construction with the Maynard capacity 1.45 million gallons/day. With a cost to Maynard of \$1.6 Million, currently rate is 1-1.2 million gallons/day.

PUBLIC HEARINGS AND APPOINTMENTS

Chairman Hunter gave a brief overview of the joint Board of Selectmen's meeting held in Maynard.

**COMMON VICTUALLERS LICENSE
SZECHUAN PAVILION - 103 NAGOG SQ.**

NANCY TAVERNIER - Moved to approve. NORM LAKE - Second.
UNANIMOUS VOTE

**ALL ALCOHOLIC LIQUOR LICENSE TRANSFER
SZECHUAN PAVILION - 103 NAGOG SQ.**

The Applicant asked the Board for approval of the Transfer of the Liquor license from Dennis Dyer, Giovanies at Nagog Sq. to W&Z Inc. d/b/a Szechuan Pavilion. The applicant presented the Board with a copy of their liquor serving policy for the file. NANCY TAVERNIER - MOVED to approve the transfer of the All Alcoholic License to Szechuan Pavilion. ANNE FANTON - Second. UNANIMOUS VOTE.

**WENDY'S SITE PLAN #11/5/93-341
POWDERMILL ROAD**

· The continued hearing from January 4, 1994

Representatives from Wendy's stated that they would comply with all items contained in staff memos including a contribution to fund \$1,200 of the cost of cleaning the outlet pipes. Wendy's stated that they have submitted documents concerning the impact of Wendy's upon traffic congestion in the area. Wendy's has stated that they would agree with a contribution of \$8-9,000 to offset the additional traffic flows.

Bill Mullin asked again about the pedestrian traffic impacts. Wendy's stated that they took into consideration the traffic markings. Bill stated that the Town would lose real estate tax revenue and receive additional motor vehicle and pedestrian traffic. Therefore, Bill asked if Wendy's had done any additional work on pedestrian traffic in the motor vehicle queue. Bruce Campbell Associates stated that no additional work had been undertaken.

Anne said that it was not reasonable to use a percentage of the total traffic through the 62/High Streets intersection to determine Wendy's contribution because the State and towns customarily look for contributions when the need is triggered by new development even though it means that projects that come later pay the cost of improvements. Therefore, the 4-5% offered is unacceptable. Anne compared the 1960 daily trips estimated to be generated by Wendy's to the 2,360 trips generated by Digital. For Wendy's she subtracted the 25% pass-by traffic, multiplied this by .56 from the Acton area and subtracted 10% using Sudbury Road. This left an estimated 741 daily trips through High/62 generated by Wendy's. (The 2360 from Digital was multiplied by .81 using Route 62, then by .56 from the Acton area, with 10% subtracted for Sudbury Road, leaving an estimated 963.5 through High/62). The Wendy's number is 77% of the Digital number. Since Digital contributed \$30,000, one method for developing a suggested contribution would be 77% of that figure, or \$23,100.

Nancy stated that she was interested in \$15-17,000, and Anne agreed that is seemed a reasonable compromise.

Dore' stated that the Board had received notification from Maynard's Planning Board that all outstanding issues had been satisfactorily resolved.

Wendy's traffic consultant had researched the Town's records and reminded the Board of contributions made by other commercial establishments and that he used peak P.M. traffic flow. Different methodologies were discussed for deriving an appropriate improvement for determining traffic flow controls and the applicable cost factors.

Questions concerning lighting information were provided to staff today. Wendy's provided information that Parking lot lights are to be shut off 5-10 minutes after staff leaves, approximately 45 minutes after closing.

Anne raised the drainage provision issue. Total lot drainage should comply with Acton's bylaws. Anne stated that Acton is receiving the flow from drainage from the portions of the lot and structures that are in Maynard. Bill stated that he did not see this as a deal breaker.

NORM LAKE - Moved to take under advisement. WILLIAM MULLIN
-Second. UNANIMOUS VOTE.

CONSENT CALENDAR

ANNE FANTON - Moved to accept the Consent Calendar as submitted. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

SELECTMEN'S BUSINESS

EAGLE SCOUT - Bill Mullin will attend on behalf of the Board.

BOARD OF HEALTH - MASTER PLAN ACTIONS - The Board discussed the MPCC actions and response prepared by Anne. NORM LAKE - Moved to sign and send the memo prepared by Anne. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

On Going Budget Discussion - Anne Fanton discussed her memo in the packet. Dore' told the Board that the Superintendent was supportive of the Town's suggestion that the Town would be invited to all school presentations and visa versa. Members of the Board discussed a two meeting budget presentation. Anne agreed to write a letter to the editor inviting the public to the February 1 presentation.

TOWN MANAGER'S CONCERNS

None discussed

The Board adjourned at 11:00 P.M.

John Murray
John Murray
Acting Recording Secty.
cmjW11-(463)

Will C. Mulli
Clerk
3-1-94
Date

JANUARY 14, 1994

TO: Board of Selectmen
FROM: F. DORE' HUNTER, Chairman
SUBJECT: SELECTMEN'S REPORT

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AGENDA

7:00 P.M. At the MAYNARD BOARD OF SELECTMEN'S OFFICE

ROOM 204 after 9:30

JANUARY 18, 1994

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. THE BOARD OF SELECTMEN WILL BE MEETING WITH THE MAYNARD BOARD OF SELECTMEN AT THE MAYNARD TOWN HALL BEGINNING AT 7:00 P.M. AT THE CONCLUSION OF THAT MEETING THE ACTON BOARD WILL RETURN TO THE ACTON TOWN HALL FOR SCHEDULED PUBLIC HEARINGS BEGINNING AT 9:30 P.M. (Directions to Maynard Town Hall attached)
- 1a. 9:25 CHAIRMAN'S MINUTE
2. 9:30 SZECHUAN PAVILION - 103 NAGOG SQ. - Enclosed please find application and staff comment regarding the application of Szechuan Pavilion for a Common Victuallers License for Board action.
3. 9:30 SZECHUAN PAVILION - 103 NAGOG SQ. - Enclosed please find application and staff comment regarding the application of Szechuan Pavilion for a the Transfer of an All Alcoholic Beverage as a Common Victuallers License from Giovanni's for Board action.
4. 9:45 WENDY'S INTERNATIONAL SITE PLAN CONTINUATION FROM 1/4/94.

III. SELECTMEN'S BUSINESS

5. BOY SCOUT COURT OF HONOR - Enclosed please find an invitation to attend the Court of Honor being given for Peter Hess on March 6, 1994 for Selectman assignment.

6. BOARD OF HEALTH / MATRIX OF MASTER PLAN ACTIONS - Enclosed please find a memo drafted by Selectman Fanton for Board review and action summarizing Board actions/discussion of January 4, 1994.

7. ON GOING BUDGET DISCUSSIONS - Enclosed please find a memo from Selectman Fanton regarding the FY95 Budget for Board discussion.

IV. CONSENT AGENDA

8. ACCEPT MINUTES - Enclosed please find minutes from December 14, 1993 for Board approval.

9. ACCEPT GIFT - Enclosed please find a request for acceptance of \$500.00 from Ed Kelly's Golf Tournament to the Commission on Disability Gift account for Board action.

V. TOWN MANAGER'S REPORT

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.

Feb 1, 1994