

Selectmen's Minutes
JULY 17, 2001
7:30 P.M.



Present: Peter Ashton, William Shupert, F. Dore' Hunter, Walter Foster, Town Manager and his Assistant.

CITIZEN'S CONCERNS

None Expressed

PUBLIC HEARINGS & APPOINTMENTS

VCC OVERSIGHT MEETING – Nancy and her committee gave an overall presentation to the Board of what they do from interview to placement. Peter urged those willing to help to come forward and contact the VCC for any opportunities available. Dore' asked how they recruit volunteers. She gets a fair response from the newspapers as well as having the volunteer forms available at Town Meetings and on the counters at town hall.

APPEALS OVERSIGHT MEETING- Cara gave an overview of what the Board does and how it operates. They hear petitions from 3 basic categories. Peter asked if they had any additional needs. They have tried to firm up the standards to be sure they are fair and consistent. They are seeing a lot of issues on nonconforming uses. Peter asked about the decisions that the Board gets in their mail packets. He asked if they felt that additional members would be helpful and suggested it could be done by changing the Charter. She did not see a problem with alternates sitting in place of full members. Trey asked about authority under the zoning bylaw. He asked how soon could they set up a meeting with Planning to work towards clarity of the Bylaws. Cara said she could get the meeting in the next month or two.

Trey spoke about the Golf course hearing and the issue of cases cited to the applicant. He said he wanted to be sure they are working with the citizens in the proper and professional manner.

CABLE TELEVISION OVERSIGHT MEETING Trey noted the agreement that they helped fashion was very well done. Dore' too noted their participation in JTAC. The committee is very excited about the future and what we can expect from this service.

DORE' HUNTER – Moved to authorize the chairman to sign a letter to AT&T to put them on notice they are in default. **TREY SHUPERT –UNANIMOUS**

CONTINUED DISCUSSION WITH TAC REPRESENTATIVES REGARDING THE ALTERNATIVES OFFERED BY THE STATE TO CAC. Sam Lawton discussed the various alternatives offered by the State. Alternative one dumped the traffic back into Acton, and was not agreed to. Dore' noted they will be drafting a letter with Concord to the State. Peter noted TAC's memo handled our concerns. The committee offered to help draft the letter.

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DIDUCA DISCUSSION – The Chairman noted the reason they are again speaking about this. They went to mediation and a compromise settlement was reached which included the restaurant went from 140 to 120, and the coffee shop 20 Seats. The Town would gain the soccer field and screening. As well as the building going from 80,000 sq. feet to 74,000.

Lou Levine noted some corrections to the decision. He wanted clarification on the driveway signalization and a 5 year bond or as long as the State requires but not over five years.

Trey noted the landscaping issue and whether it was noted. Garry said yes. Peter asked about the screening for Building A and the stockade fences for dumpsters.

Walter asked about turning radius and perhaps use of cul de sac and/or a T turn. They felt that it was not good design having them back up and staff had agreed also.

A copy of the remand will be entered into the record. Trey wanted to set up a special meeting to issue the decision. They noted a meeting for the 30th of July at 7:00 p.m.

Terra Friedrichs asked about the rough grading for the soccer field and the erosion issue.

Evelyn Burns – Thanked the Board for putting in the time they did to review this project. She asked if the original concept of a lifestyle plaza had changed. The concept has not changed according to Lou Levine and it is a still a lifestyle plaza.

Bob Piro asked about the truck traffic and turning.

Nancy Kingman suggested the delivery hours be stopped at 11:00 – They had no objection and will change it.

Graham Knowland – Spoke about the neighborhood efforts to shape a good development for Acton.

Dick Barry of 22 Esterbrook Road – Spoke about flooding at the end of Esterbrook and who was to be responsible.

Lisa DiBartolomeo, 2 Stoneymeade – Asked about keeping the construction vehicles off of the side streets.

TREY SHUPERT - Moved to continue public hearing Monday July 30th at 7:05 PM
DORE' HUNTER Second, UNANIMOUS VOTE

TOWNE SCHOOL BUILDING DISCUSSION- Roule Krabbendam from OMR made a detailed presentation about the reuse possibilities for the Towne school site.

Dore' asked when a wide scope RFP could be on the street. Don felt we needed to narrow the field.

Trey said that he would like a process going to get interested parties to look at it and offer input. Dore' felt that the BOS should make ground rules and goals and alternatives not to be funded by the town. Peter suggested he and Don put ideas together and send out guidelines.

Nancy Tavernier felt that the school committee needs to make the decision on whether or not they wanted to retain the building. She felt that they could not get the feasibility study funded by the State. She urged them to put off the RFP so that we would not be in a contest.

SELECTMEN'S BUSINESS

BANNER REQUEST - TREY SHUPERT- Moved to approve. WALTER FOSTER - Second – UNANIMOUS VOTE

FEE WAIVER REQUEST – Restoration Project for a fee waiver. Peter asked to postpone Board action until they provide additional information regarding their status.

PROPERTY DONATION 28 MAPLE STREET- DORE' HUNTER – Moved to Accept the offer of land at 28 Maple Street. TREY SHUPERT – Second. UNANIMOUS

PALMER PROPERTY – Trey outlined the process and how it stands. The developer contends that the Concom chair has thrown up roadblocks. He spoke about the ENF and many conditions that were added. The Palmer family has decided that they will file a subdivision plan as well as a comprehensive permit.

Mike Eder – Spoke about non-conforming use and the moving of the current kennel.

Dan Kline noted that an individual has abused his position to advance a personal agenda and asked them to support the golf course.

Terra Friedrichs said she is pro golf course given there is no harm to the environment.

Eric Rhodes said Mr. Eder canvassed his neighborhood trying to stop the development. He also noted that he wanted the town board member penalized and urged the Board to take action.

COMMUNITY PRESERVATION ACT – Peter Ashton wanted to form a group to gather information and to move forward. Dore' thought we should have a substantial membership from Fin Com on this Adhoc Committee.

SEWER BONDS- DORE' HUNTER – Moved we sign the bond as recommended by staff, WALTER FOSTER - Second. UNANIMOUS VOTE.

OTHER BUSINESS

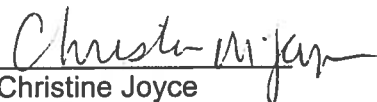
Town Manager's Review held over until next meeting on the 30th.


CONSENT AGENDA

TREY SHUPERT – Moved to approve. DORE' HUNTER - Second. UNANIMOUS VOTE.

TOWN MANAGER'S REPORT EXECUTIVE SESSION

TREY SHUPERT – Moved to go into Executive Session to discuss active litigation
PETER ASHTON - SECOND. The Board will only return to open session to adjourn.
Roll Call taken by the Clerk, All Ayes.


Christine Joyce
Recording Clerk


Clerk
10/9/01
Date

July 13, 2001

TO: Board of Selectmen

FROM: Peter Ashton, Chairman

SUBJECT: Selectmen's Report

JULY 17, 2001

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. **7:35 VCC OVERSIGHT MEETING** – Members of the Committee will be present for this meeting.
2. **7:45 BOARD OF APPEALS OVERSIGHT MEETING** - Members of the Board will be present for this meeting.
3. **8:00 CABLE TV OVERSIGHT MEETING** – Members of the committee will be present for this meeting. Also, staff may have additional materials, related to the AT&T License for Board action Tuesday evening.
4. **8:15 CONTINUED DISCUSSION WITH TAC REGARDING THE ALTERNATIVES OFFERED BY THE STATE TO CAC.** Enclosed please find comments from the Transportation Advisory Committee.
5. **8:45 DIDUCA DISCUSSION** - Site Plan # 07/26/00-372 - Enclosed please find the revised Site Plan which was remanded to the Board for further consideration.
6. **9:15 TOWNE SCHOOL BUILDING DISCUSSION**

III. SELECTMEN'S BUSINESS

7. **BANNER REQUEST** – Enclosed please find a request from the Discovery Museums for placement of a banner as well as staff comment for Board action.
8. **FEE WAIVER REQUEST – THE RESTORATION PROJECT** – Enclosed please find a request for a reduction in fees charged by the Board of Health with staff comment for Board action.
9. **PROPERTY DONATION** – Enclosed please find a request to have the Board of Selectmen accept a parcel of land located at 28 Maple Street, Parcel ID:HD.A.41-5.
10. **PALMER PROPERTY** – Selectman Shupert will update the Board.
11. **COMMUNITY PRESERVATION ACT** – The Chairman will propose the formation of a short-term Advisory Committee.
12. **SEWER BONDS** – Enclosed please find materials from the Director of Finance regarding the signing of 12.8 million sewer bonds.

13. OTHER BUSINESS

IV CONSENT AGENDA

14. ACCEPT MINUTES – Enclosed please find Minutes of May 8th and May 30, 2001 for Board acceptance.

15. ACCEPT GIFT – Enclosed please find a request from the West Acton Library to accept a gift for Tot Time Funding.

16. USE OF TOWN PROPERTY – Enclosed please find a request from the Acton Family Network to use the grass area between the rear of the AML and playground structure for a tag sale on September 29th for Board action.

17. SITE PLAN SPECIAL PERMIT #4/13/01- 376 RAILROAD STREET – Enclosed please find a draft decision for Board review.

18. SITE PLAN SPECIAL PERMIT - #11/18/98-366 –886 Main Street – Enclosed please find a draft amended decision for Board review.

V. TOWN MANAGER’S REPORT

VI EXECUTIVE SESSION

An Executive Session will be required

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that 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.

- August 14 – Oversight Meetings with: Conservation and Health
Site plan #6/7/01378 – 31 Powdermill Road
- Sept. 11 - Historical Commission Oversight
- Sept. 25 - HDC Oversight
- Oct. 9 – Oversight meeting with Assessors and Private Way Plowing final vote.
- Oct. 23 – Oversight Meeting with Planning

GOALS 2001-2002

1. Resolution of on-going Labor Negotiations (Peter/Trey)
2. Improve Communication with Town Boards (Peter)
3. Towne Building Reuse (Walter/Dore')
4. ALG process be used for purpose of Budget Planning for FY '02 (Peter/Trey)
5. Residential and Commercial Growth (Walter/Trey/Pam)
6. Open Space and Recreation Plan (Peter/Walter)
7. Health Insurance Trust Agreement (Peter)
8. HDC Bylaw Review (Dore'/Peter)
9. Decision on Pentamation Accounting System (Dore'/Pam)
10. Process Planning for "Life after NESWC" (Pam)

FY 2000 GOALS carried forward

11. Public Safety Facility (Dore'/Trey)
12. Determine future of Vallencourt House - 17 Woodbury Lane.
13. Provide looking at salary levels in the organization, include liaison with Personnel Board (Trey /Peter)

Revised 5/15/01