

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

July 6, 2015

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Katie Green, Peter Berry, Janet Adachi, Franny Osman, Chingsung Chang, Town Manager
Steven Ledoux, Town Counsel Nina Pickering Cook. Lisa Tomyl, Recording Secretary

Chairman Green opened the meeting at 7:05PM

Citizens' Concerns

None

Chairman's Update and Operational Update:

Ms. Green: Hope everyone is having a great summer. Had a beautiful Independence Day celebration – the Recreation Department did a great job. The Glenn Miller Orchestra is this Friday, July 10. Tickets are \$10.00.

Mr. Ledoux: The Governor signed the special house bill removing the Town of Acton from Civil Service for the Police Department. Been in bargaining with the Police Superior Union, Teamsters who represent Dispatchers, and Fire Department regarding Advanced Life Support service.

Public Hearings and Appointments

Site Plan Special Permit #5/29/15 – 454, Haartz Corporation, Building Café Addition and Increase Parking Space: Doug Seaver VP, COO, Brian Dunn Civil Engineer, and David Saltzman, corporate architect representing Haartz Corporation. Mr. Berry is the Selectmen assigned to the SPSP. Mr. Seaver gave a brief overview on what the company currently manufactures: polymer products such as auto linings and interiors. Demand for higher-end products such as seamless airbags means more chemical engineers on-site and need for more workspace and parking; some of the increased parking will be to replace spaces lost to workspace expansion. Mr. Saltzman gave an overview of the design of the building including a color rendition of the “environmentally friendly” addition with solar panels installed on the addition. The company will add parking in a currently open area partially over the septic system, and will expand the septic system The Board of Health has approved the septic work. Mr. Berry reviewed the Town Department Directors' comments and recommendations. Mr. Dunn stated that the company could easily address most all of the comments from the Department Heads Mr. Berry noted the absence of comments from the Acton Sidewalk Committee, although the Town typically requested developers to provide either sidewalks or payments in lieu of sidewalks, which in this instance could be a substantial sum. Mr. Mr. Berry also address the lighting in the parking lot, and the potential for LED lighting to be too bright. He suggested the company consult with a lighting engineer to keep the wattage

Board of Selectmen

July 6, 2015

low. Mr. Dunn or Mr. Saltzman said that key issue is not wattage but level of lumens at ground level and that the company would work with the Town to ensure the lumens level was appropriate.

Ms. Adachi asked for confirmation that the proposed work would be outside of the 100' wetlands-protection buffer zone: yes. She noted the Design Review Board's suggestion of plantings or other shading for the large windows; the company will be installing special shades.

Jim Snyder-Grant, 18 Half Moon Hill –Reminded the Board and Haartz Corporation of the zoning requirement for bicycle parking . Mr. Berry stated that the Planning Department already addressed the bicycle parking issue.

Dean Charter, Charter Road –Said The use of green space over the septic system for parking was a good solution from an environmental perspective that would leave the surrounding woods intact. Mr. Charter added that the brightest lights at the school which is exempt from the Town's bylaws.

Mr. Berry moved to approve the SPSP on condition that the applicant satisfy the comments of the Planning and Engineering, work out a contribution to the Sidewalk Fund and delegate the Chairman to sign with the conditions as outlined in the department comments/memo . Ms. Adachi second. All Ayes (5-0).

Medical Marijuana Dispensary, Mass Wellspring: Stephanie Lipton, President of Mass Wellspring gave an overview of the history of the company, and how the proposed dispensary would operate. The company will offer mostly home delivery versus walk-ins. The building will have a high degree of security. It is a cash business but there is a plan for a credit union. Offering delivery services will decrease the traffic into the facility. Patients will have access to the dispensary during normal business hours; cultivation will be a 24/7 operation inaccessible to patients and the general public. Ms. Lipton is looking for an approximately 5000 sq ft space for the cultivation, and the security will be 24/7 video in both cultivation area and dispensary. Visitors will require a medical marijuana card, which requires that a patient be in the MA Department of Public Health system, and a valid picture ID,. As where security is concerned, the cash on hand is more of an issue than the marijuana

Deputy Police Chief Burrows reported that a dispensary had opened in Salem a week earlier and the cultivation center is an Amesbury. The security is very tight, with drivers that must alter their delivery routes, notify the MA Department of Public Health if there is any diversion from security (if drivers are robbed, etc). Salem limits foot traffic, requires appointments. Ms. Lipton said Mass Wellspring also will require appointments, though that is not a requirement under the law.

The company needs a letter from the Town to submit with its application to the state. Town Counsel explained that the dispensary law prohibits the Town from banning or blocking the dispensary, but the Town is not obligated to furnish a letter, whether to express support or non-opposition.

Harry Wilson - Asked if this item could be added to the Special Town Meeting.

Board members were inclined to submit a letter of non-opposition, essentially confirming what the Town's obligation was under the dispensary law. PB – moved to have the Board approve the submission of a letter of non-opposition for the Mass Wellsprng application to the MA Department of Public Health to open a medicinal marijuana facility. Ms. Adachi seconded. All Ayes. (5-0)

Common Victualler License, 7th Settlement South, LLC – Sherryl Gould, Gould Law Offices and Peter Henry representing 7th Settlement South, LLC. Ms. Adachi moved to approve the common victualler license and Mr. Chang seconded. All Ayes (5-0)

Transfer of Stock and Renovations to Existing Building, 7th Settlement South, LLC – Ms. Adachi moved to approve the transfer of stock and renovations to existing building. Mr. Chang seconds, All Ayes. (5-0)

Selectmen's Business

Request for Fee Waiver, Acton Wine and Spirits – Mr. Ledoux explained the uniform fee policy the Board established a few years back. As the Board of Health memorandum indicated, the equipment requires regular inspection and all other stores that have bottle-return machines pay the inspection fee. Mr. Chang moved to deny the waiver of fee, Mr. Berry seconded. All Ayes. (5-0)

Board to Consider Special Town Meeting: Over the past 4-5 years the Town has been involved with litigation with Walker Realty. The Board has made a tentative agreement with Walker Realty to purchase the parcel for \$1.8 million. Part of the agreement is to allow the Kennedy landscape business to remain there for the rest of the season. The high school auditorium is available on August 4th. Mr. Ledoux's recommendation is to open and close the warrant for the one article.

Barry Rosen, 5 Windemere Drive,- Asked Town Counsel if the warrant article did not pass at Town Meeting, would the matter go back to litigation. Ms. Pickering Cook stated that it would.

Ms. Adachi moved to approve the Special Town Meeting on August 4, 2015 at 7 pm with the one warrant article on the acquisition of the Walker Realty property and opening and closing of the 1 warrant article. Mr. Berry seconded. All Ayes. (5-0)

Update on Acton Leadership Group – Ms. Green gave an update on ALG. June 18th was the most recent meeting. Discussion of having a 3-board meeting with Board of Selectmen, Finance Committee, and School Committee. The School Committee suggested they are interested in having a School Finance 101 meeting with 5 Boards (Acton BOS, FinCom, Boxborough BOS and FinCom, ABSC) or just the 3 Acton boards. Ms. Osman would like to see the 3 boards meet, but would like transportation to be a discussion point. Ms. Adachi stated she was interested in 3-board meeting that included Town concerns and did not simply focus on AB, and involved discussion of specific topics that would keep the

Board of Selectmen
July 6, 2015

meeting focused. Mr. Berry in favor of 3- board meeting and would leave it to the chairs to come up with the topics. Mr. Chang would be interested in hearing about school finance. Mr. Ledoux suggested that the committees should have their goal-setting completed before a 3-board meeting.

Selectmen's Reports: The Selectmen Reports were included in the Selectmen packet and there were no questions.

Consent Agenda

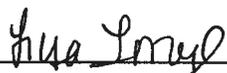
Ms. Adachi held consent item 9. No Police Department feedback; applicant expects 50+ guests but does not plan to have a trained bartender, although the application expressly requires that. Event is not until August, so Board will take up at subsequent meeting.

Ms. Adachi moved to approve consent agenda items 8, and 10-24, Mr. Chang seconded, All Ayes (5-0)

Ms. Green requested to add another consent item 26 for the Town Boards and Committee Re-Appointments, Ms. Osman moved, Mr. Berry seconded. All Ayes (5-0)

Mr. Chang moved to adjourn, Ms. Adachi seconded. Meeting Adjourned at 9:30 PM

Respectfully Submitted,



Lisa Tomy, Recording Secretary



Janet K. Adachi, Clerk