



**January 23, 2006  
7:00 P.M.**

**PRESENT:** Peter Ashton, Walter Foster, Dore' Hunter, Lauren Rosenzweig, Andrew Magee, and Asst. Manager. The meeting was not televised due to Cable Operator Error.

## **CITIZENS' CONCERNS**

**NONE**

## **SEWER COMMISSIONERS' BUSINESS**

Peter Ashton spoke about the situation regarding the pump stations at the School, and the prohibitive bylaw which does not allow solids in the system. Should we make an assessment of \$2,000 to the schools? Dore' felt we needed to charge them as we would any one who violated the bylaw. Walter agreed that we should treat every one in the system the same, but would like to work with the schools to see what steps they can take to resolve the problem. Andy noted that it was not a fine, it was the cost. He suggested we may consider fines in the future. Lauren agreed to charge the schools the costs of repairs. Peter suggested we have them give us a plan of action to avoid this situation in the future DORE' HUNTER – Moved to charge the school the \$2,000 repair invoice, and ask that they present an action list for future. WALTER FOSTER – second. UNANIMOUS VOTE

## **PUBLIC HEARINGS & APPOINTMENTS**

**OPERATIONAL MINUTE – None**

**DANIELA'S TACORITO, MANAGER CHANGE REQUEST-** Ken Bender gave an overview of what they had done to improve the situation at the restaurant. DORE' HUNTER – Moved to approve the request for change of Manager as submitted. WALTER FOSTER- second. UNANIMOUS VOTE

**DANIELA'S TACORITO, CORPORATE CHANGE REQUEST - DORE' HUNTER –** Moved to approve the request to change Corporate members as submitted. WALTER FOSTER - second. UNANIMOUS VOTE

**JAGDEEP CORP. D/B/A MONSOON, 273 GREAT ROAD COMMON VICTUALLER**  
Andy asked questions about the location. Andy noted that he was pleased that they had attended the TIP's Course. Lauren noted that she was pleased they have located in Acton. Walter reminded them of how serious this responsibility was. He asked that they continue their diligence. Walter asked about the liquor ID notation, noting that it was no longer an accepted form of identification. DORE' HUNTER - Moved to approve the Common Victualler conditioned on BOH and 304 Regulations. WALTER – Second. UNANIMOUS VOTE.

**JAGDEEP CORP. D/B/A MONSOON, 273 GREAT ROAD, ALL ALCOHOLIC BEVERAGE LICENSE AS A COMMON VICTUALLER**

DORE' HUNTER - Moved to approve the Full Liquor License conditioned on BOH and 304 Regulations as noted in staff memo's. WALTER FOSTER – second. UNANIMOUS VOTE.

**SITE PLAN SPECIAL PERMIT 10/27/05/405, BRAVERY REALTY TRUST, 144 GREAT ROAD. (CONTINUATION)**

Joe March the applicant's Engineer gave an overview of the site plan. Peter noted that the applicant was willing to make the trail, but did not want to put the sidewalk along the street. He will offer a 20 foot easement in lieu of the sidewalk on the frontage. Peter asked about the semi parking area in the front of the house. It was noted that this circle would be used by Employees for dropping off and such to access the building quicker. Walter noted that he was pleased that the Bruce Freeman Rail Trail would be accommodated. Lauren said thank you to them for saving this home. Tom Michaleman thanked them for the easement and noted we need to go to Mass Highway. Joe Cornish, Historic New England said that they are happy with the Powers Family and they have been working toward a wonderful project. Trey Shupert spoke on behalf of the Powers family. Bell Choate urged them to approve this project. DORE' HUNTER – Moved to close the hearing and to take under advisement. WALTER FOSTER – second. UNANIMOUS VOTE

**HABITAT FOR HUMANITY** – Bill Schumacher and Megan Foley were present to update the Board on the request made by them regarding the property on River Street. They have noted that CPC funds have been submitted. Dore' said that this location is better than last year and supports this project. Walter wanted to be sure that if they were given River Street would they still build in North Acton. Bill said that they would develop North Acton and River Street. Walter asked him to outline his request to CPC for \$35,000. Andy noted that the North Acton site may require Wetlands Issues to be addressed. Peter asked if they had studied the site to address any problems such as bedrock and asked him if he has seen any thing that may cause concern. Bill said that they are prepared to address all these issues and they are flexible with the housing built by Habitat. Peter thanked him for his getting this going.

Herman Kabakoff asked about the value of this parcel, the assessed value is \$180,000. Will the betterment be paid and by whom.

Jamie Eldridge spoke in favor of the project. He has worked with the program for the past 10 years.

Dick Laper, High Street Resident he has worked with Habitat for many years.

John Murray was asked to follow up on an Article for Town Meeting.

**ENVIRONMENTAL FILL COMMITTEE** – Peter gave an overview of the committee's progress and suggestions. The Committee said that they were happy with the overview that Peter presented. They are asking that asbestos be included on the list. Peter thanked the Committee for their work on this issue.

## SELECTMEN'S BUSINESS

**STREET ACCEPTANCE DOCUMENTS (2006 ANNUAL TOWN MEETING)** Cory York gave an overview of the Street Acceptance Documents regarding the two roads that may be accepted at Town Meeting. DORE' HUNTER - Move we approve the documents. WALTER FOSTER - second. UNANIMOUS VOTE

**ALG UPDATE** - Peter updated the Board on the last meeting they had. They are looking at the revenue sharing revenues, and how we treat them. The school wanted to take the Minuteman Voc out of schools. Walter noted that the Minuteman is an aging building and Acton's share of the 10 million costs could be taken out of an Override. Peter noted this is a one year experiment to see if it could work. The School has to take a risk the same way we do. Lauren said that this is a good first step. She said that she has heard good things about Minuteman. Andy noted that the split needs to be visited and that this was a working together project and he agreed with Walter and Peter's assessment of this issue.

**POLICE BULLETPROOF VESTS** – Peter discussed the Chief's request for vests and they decided that we should not wait until next year.

**FY07 BUDGET DISCUSSION** – Peter spoke about the Priority List. Peter said that we have it pared down to \$560,000. Peter said that they need to review alternative funding sources. Dore' noted the priority list for crosswalk at the bottom. Dore' feels we need to have marked crosswalks on Main Street. Dore' felt we needed to address this before someone gets killed.

The station alerting system is non-compatible and noted it should be further down the list.

#31 Emergency medical information system. Dore' noted that he was very interested in this equipment.

Wastewater Study for Sewer Expansion. Dore' wanted to look for seed money from NESWC, and it may not be available this year. Dore' urged them to start with planning for the new fire station. Dore' also wanted clarification on the On Line Billing and Collection.

Walter noted the need to use money from dedicated funds. Town Hall painting could be moved up. The COA coordinator, Peter felt it should be moved up. He does not think the chipper should be replaced this year. He agrees with Dore's comments. The Web Content Manager should be funded but was on the fence for GPS.

Lauren asked if GIS was off the list. John said it has fallen off the list to be reviewed later. She agreed with the others comments. She felt we need to do something about Kelly's Corner. She did not want it to fall to the bottom.

Andy asked about the Town Manager's priority list. Painting Town Hall - he did not want to have the Painting damaged while the Slate Roof project was in progress. He wanted it moved further down the list. Andy spoke about Elm Street Ball Field. COA should be

on the list. Senior Center Feasibility for Expansion and Parking. Andy noted that we needed to address the Wastewater issue and Crosswalks and should be included on this list. He wanted to put Kelly's Corner higher on the priority list because we won't have it designed and everything will be jammed up in five years. It was suggested that the Board submit their individual priority list on a spread sheet and give it to the Town Manager.

#### **CHAPTER 40B POLICY WORKING GROUP, RECOMMENDED POLICY STATEMENT**

Lauren outlined the working group's recommendation. They noted that the BOS and Planning Board to review the plans that are presented. The policy tries to encourage the type of affordable housing we want and discard the ones we don't, and we want and to say where we do not want them. They want to encourage small homes with 1 mile radius to the centers. They have prepared maps to show what the one mile radius is and maps to indicate the protected areas where we don't want high density. They have included the examples from to live in Acton that are favorable. Lauren said it was laid out so that developers can see the areas we are willing to put projects in. It would also be helpful for nonprofits. Peter noted it would help staff identify those areas of acceptable development. Lauren said she wanted to see more reuse of existing buildings and historical buildings addressed and preserved in the community. She also wanted to see a preservation of green space for density. Dore' said it is well done and thought we should include a firm desire to see historic structures reused and the external staying unchanged. Walter said it is a resource for what type and where in Town we want to have developed. Andy agreed with Walter and comments on the guidelines, but there was no introduction statement of why we want the one mile radius. Andy said that he wanted to see the zone one comment and Page 5 open space reference to minimal property. Page 7 no disturbance of the Wetlands and that it should remain at 50 feet. Last bullet should be a requirement. It was suggested that a definitions page be developed. Nancy Tavernier said that it was a good committee and felt that we got a big bang for the buck at \$3,500. Nancy said that in adopting this it is a commitment to keep moving forward and we need to make the effort. DORE' HUNTER- Moved to Approve policy as amended by the changes – WALTER FOSTER – second. UNANIMOUS VOTE.

**BRUCE FREEMAN RAIL TRAIL ISSUES** – Walter discussed a number of comments made at the meeting of Bruce Freeman Friends. Walter said they have done a good job and supports the Rail Trail and that Acton has taken the lead on this. He was concerned that the Friends have decided that the cross over of Route 2A is acceptable and have disagreed with what the town will do. Walter noted some wet lands and safety concerns that are present. He said that they need to work together to get to goal and the ability to dedicate the town resources. We need to be on the TIP list and what that means, we are making deadlines. Walter also wanted it noted that we are both working towards this project. Walter suggested that a liaison be named from staff. Roland has been working on this project. Andy will represent the Board. Tom Michaleman gave an overview of the project.

Dore' was concerned with a three town contract. Town Counsel has suggested that we not approach this as a multi-community program. They decided to send a letter of support to Carlisle and Westford. Andy Magee will draft the letter.

## OTHER BUSINESS

### CONSENT AGENDA

DORE' HUNTER – Moved to Approve the Items with those held out for discussion  
WALTER FOSTER – second. UNANIMOUS VOTE. The Site Plan was held as well as the Designer Selection Committee. Lauren wanted Trey Shupert's name removed from the decision and that the trees removed will have new trees planted in their place.

LAUREN ROSENZWEIG – Moved to approve the Site Plan Special Permit at 411 Mass Ave. DORE' HUNTER – second.

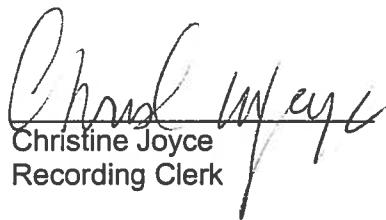
Andy wanted to ask a question about the Fill Committee. ANDY MAGEE - Moved to approve. DORE' HUNTER – Second. DORE' HUNTER – Moved to sign the proclamation and also suggested that the Library Trustees sign it as well. WALTER FOSTER – second. UNANIMOUS VOTE

### TOWN MANAGER'S REPORT

None Required

### EXECUTIVE SESSION

None Required



Christine Joyce  
Recording Clerk



Dore Hunter  
Clerk, Board of Selectmen

Date: 2/27/06

# **BOARD OF SELECTMEN AGENDA**

**January 23, 2006**

**Francis Faulkner Hearing Room  
Acton Town Hall  
7:00 P.M.**

**I CITIZENS' CONCERNS**

**II SEWER COMMISSIONERS' BUSINESS**

**1. CHARTER ROAD SEWER PUMP STATION INCIDENT**

Enclosed please find materials in the subject regard, for Board consideration.

**III PUBLIC HEARINGS & APPOINTMENTS**

**2. 7:05 OPERATIONAL MINUTE**

The Town Manager will give the Board a brief update on various topics.

**3. 7:15 DANIELA'S TACORITO, MANAGER CHANGE REQUEST**

Enclosed please find materials in the subject regard, for Board consideration.

**4. 7:25 DANIELA'S TACORITO, CORPORATE CHANGE**

Enclosed please find materials in the subject regard, for Board consideration.

**5. 7:40 JAGDEEP CORP. D/B/A MONSOON, 273 GREAT ROAD  
COMMON VICTUALLER'S LICENSE**

Enclosed please find materials in the subject regard, for Board consideration.

**6. 7:55 JAGDEEP CORP. D/B/A MONSOON, 273 GREAT ROAD  
ALL ALCOHOLIC BEVERAGE LICENSE AS A COMMON VICTUALLER.**

Enclosed please find materials in the subject regard, for Board consideration.

**7. 8:10 SITE PLAN SPECIAL PERMIT # 10/27/05-405, BRAVERY REALTY TRUST,  
144 GREAT ROAD (continued from previous meeting)**

Enclosed please find materials in the subject regard, for Board consideration.

**8. 8:25 HABITAT FOR HUMANITY**

Members William Schumacher and Megan Foley, of Habitat for Humanity-North Central Massachusetts, will be presenting a proposal for Board consideration.

**9. 8:45 ENVIRONMENTAL FILL COMMITTEE**

Enclosed please find materials in the subject regard, for Board consideration.

## **IV SELECTMEN'S BUSINESS**

- 10. STREET ACCEPTANCE DOCUMENTS (2006 Annual Town Meeting)**  
Enclosed please find materials in the subject regard, for Board consideration.
- 11. ACTON LEADERSHIP GROUP (ALG) UPDATE**  
The Chairman will update the Board on the status of the ALG Plan.
- 12. POLICE BULLETPROOF VESTS**  
Enclosed please find materials in the subject regard, for Board consideration.
- 13. FY07 BUDGET DISCUSSION**  
Enclosed please find materials in the subject regard, for Board consideration.
- 14. CHAPTER 40B POLICY WORKING GROUP, RECOMMENDED POLICY STATEMENT**  
Enclosed please find materials in the subject regard, for Board consideration.
- 15. BRUCE FREEMAN RAIL TRAIL ISSUES**  
Enclosed please find materials in the subject regard, for Board consideration.
- 16. OTHER BUSINESS**

## **VI CONSENT AGENDA**

- 17. ACCEPT MINUTES, BOARD OF SELECTMEN, DECEMBER 12, 2005**  
Enclosed please find minutes for Board acceptance.
- 18. SITE PLAN SPECIAL PERMIT #8/26/05-404, SF PROPERTIES, 403, 409 and 411 MASSACHUSETTS AVE.**  
Enclosed please find a draft decision for Board consideration.
- 19. SITE PLAN SPECIAL PERMIT #11/18/98-366 PHASE II, ACTON ASSISTED LIVING, LLC, 866 MAIN STREET**  
Enclosed please find a draft decision for revision of this site plan, for Board consideration.
- 20. HERITAGE LANDSCAPE INVENTORY PROGRAM'S FREEDOM'S WAY RECONNAISSANCE SURVEY**  
Enclosed please find materials in the subject regard, including a proposed memorandum of Agreement, for Board consideration.
- 21. DESIGN REVIEW GUIDELINES COMMITTEE**  
Enclosed please find a list of recommended appointments to the subject committee, for Board consideration.
- 22. CHAPTER 70 PROPOSAL**  
Enclosed please find materials in the subject regard, for Board consideration.
- 23. GEORGIA F. WHITNEY FUND / BETSY BALL FUND REQUEST**  
Enclosed please find confidential materials in the subject regard, for Board consideration.

24. **NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) FEDERAL FISCAL YEAR 2006 REQUIREMENTS**  
Enclosed please find a request for the Board to adopt NIMS for the Town, for Board consideration.
25. **LIBRARY PROCLAMATION**  
Enclosed please find materials in the subject regard, for Board consideration.
26. **ACCEPT GIFT** – Enclosed please find a request from the Recreation Department for Board acceptance of a gift of \$12,000 from Donelan's Supermarkets to be used for the Fourth of July Fireworks at NARA Park, for Board consideration.
27. **ACCEPT GIFT** – Enclosed please find a request for Board acceptance of \$4,500 from Atlantic Management Corporation for the fee due for the estimated cost of permitting for the public portion of the sewer extension to Powder Mill Plaza, for Board consideration.

## **VII TOWN MANAGER'S REPORT**

## **VIII EXECUTIVE SESSION**

### **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.

January 30	March 13 & 27
February 13 & 27	April: Annual Town Meeting

### **GOALS 2004-2005**

1. Produce Morrison Farm Development Master Plan (Walter)
2. NARA Park
3. Pursue Commercial Tax Base
4. Master Plan review meeting once per year

### **GOALS carried forward**

5. Monitor Labor Negotiations (Peter)
6. Improve Communication with Town Boards (ALL), Improving Inter-Board Communication (Dore')
7. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision, and to get a first rough cut of what happens next year before school is out for the summer (Peter)
8. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
9. Process Planning for "Life after NESWC"
10. Middlesex Pension Alternatives (Walter)