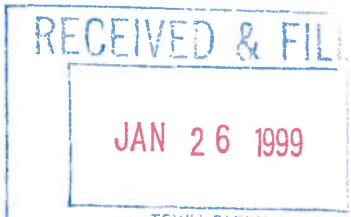


**SELECTMEN'S MINUTES
DECEMBER 15, 1998**



Present: Wayne L. Friedrichs, Herman Kabakoff, F. Dore' Hunter, Nancy Tavernier,
Peter Aston, Town Manager Don Johnson and Assistant Town Manager John Murray.
(The meeting was televised by cable).

CITIZEN'S CONCERNS

None expressed.

PUBLIC HEARINGS AND APPOINTMENT

**COLES BROOK SITE PLAN
CONTINUANCE FROM DECEMBER 8TH**

This hearing was continued from the last meeting in order to get information from our TAC committee. Samuel Lawton, TAC, has reviewed the documents of the project and commended Mr. Ware on a job well done. Mr. Lawton stressed that the additional traffic impact analysis would also need to be reviewed by the TAC. Mr. Lawton stated that the criteria used by the TAC was to minimize traffic impacts of the project. TAC has concerns with the re-zoning of Kelley's Corner which would result in dense buildings with more traffic, and that the TAC feels that the build out assumptions under estimate traffic which will be generated from a re-zoned Kelley's Corner. The current project analysis is based on weekday traffic volume which would not include the high traffic volumes on Saturdays due to the transfer station. The TAC would like to see a weekend analysis done on Saturday. The TAC would also like to see traffic counting techniques on Hosmer Street in order to insure cut through traffic on Hosmer Street is minimized. The TAC also feels that the level of service created by the Coles Brook project would impact the four intersections in Acton that already function at level of service F thereby delaying traffic further resulting in unacceptable levels. A queuing analysis has been provided by Rizzo Associates under a no build restriction and a more detailed analysis needs to be provided for this build condition. TAC suggested that the Board of Selectmen approval contingent on Mass Highway construction of new Rt. 2 intersection.

Herman asked if there should be further contingencies placed for queuing techniques. TAC's concerns are that there will be further deterioration of traffic conditions. Mr. Lawton stated that these issues will be reviewed through the MEPA process. Nancy stated that when a decision is made it should be done in phases so that the Board can review impacts as the job progresses. Peter stated that phasing of the project would allow the impacts to be done at each phase. The impacts would be too hard to predict at a full build. Jeff Chormann, 13 Piper Road, concerned with traffic light impact and the redirection of the traffic. Mr. Chormann is also concerned with the

impacts not only to Hosmer but also School Street and is not against development but is concerned with turning the process over to the MEPA. Mr. Chormann indicated that the addition of the light would benefit Mr. Ware's development and would like to see the impact of rent with the addition of light. Mr. Chormann also suggested that additional traffic studies be done after the project is started. Mr. Chormann also wants a dollar figure to be set aside to deal with any potential problems. Mr. Lawton stated that the new intersection would allow for eastbound and westbound access. Charley Carlson, 145 School Street is concerned with project impacts on Piper Road since more traffic will be diverted onto School and Piper and questioned whether the TAC believes in these impacts. Mr. Carlson is also concerned with the proposed intersection on Route 2 and suggests there be a \$5 per square foot figure for offsite mitigation. Mr. Carlson projects that by charging \$5 per square foot there would be around 2 million available which would allow the Board to hold monies for any future impacts. Mr. Carlson stated that process of queuing if left to MEPA process would make the town lose control over the project. Barbara Morrison, 8 Piper Road, has lived in town 15 years and has seen a traffic increase on Piper Road in the last 10 years and suggested that the increase this project would create would be a detriment to the Town putting more people on the street and stated that the traffic light should enhance the travelers commute. Ms. Morrison also supports asking for additional monies for possible future impacts that cannot be foreseen until project completion. Renee Robins, TAC, stated that the MEPA process would complete all analysis prior to permitting process and the town would benefit by receiving a full boat analysis. Nancy stated that once a site plan is filed we are under a deadline. Mr. Carlson stated that a contribution from the development may encourage Mass. Highway to get moving on the rotary. Nancy stated that she hopes this project will be our catalyst to get Mass Highway moving on Route 2 Impacts. Herman wondered if impact fees were proper to place in site plans. A young resident from 125 School Street, stated that one day his cat almost got squished and his parents have told him he is not allowed to cross the street until he is 18. The young boys mother would like a sign with blinking yellow lights at the intersection of Chadwick to School. Nancy stated that she would like to thank all involved.

NANCY TAVERNIER - Move to close public hearing and take Coles Brook Site Plan under advisement. DORE HUNTER - Second. UNANIMOUS VOTE.

TOWN MANAGER BUDGET PRESENTATION

Don presented the Board with the proposed budget. Don indicated that the FY 2000 budget will come with the new millennium which is good, however, the Y2K issue is bad. The Y2K problems are computers, public safety and public health concerns. The Town has sent all vendors a letter asking about their readiness for the year 2000 and we are currently receiving processes and contingencies. The Town's financial outlook is strong and the debt service is 7 % and will be increasing significantly in the next few years. Free Cash will be approximately 1.9 million in 1999. The FY 1999 Free Cash level will be at 4.2%, slightly below the FINCOM's recommendation of maintaining Free

Cash at a 5% level. New Growth shows that the numbers are declining. State aid is a bright piece to our picture since it is growing, however, 64% of the aid is earmarked. Ed reform will be ending in the year 2000. Don stated that the focus of budget presentation includes Memorial Library, NARA, which include infrastructure improvement, problem solving and basics. Don stated that we have lived with Prop. 2 ½ with the budgeting guidelines of 3 % colas plus steps and expenses based upon needs. FY 2000 appropriation is \$15, 532, 449 up 4.57 % with recurring revenues and no overrides. Enterprise funds have tax subsidies of 667,000, COA van \$10,000 and a new fund for sewers. In summary, the duties of the Town are to ensure that the citizens of the third millenium be given new opportunities.

Herman would like copies of slides given to Finance Committee and the two School Committees since the Fincom cannot make the January 20 ALG meeting date. Dore' is concerned with the increase in staff and would like to explore other alternatives. Fincom been officially invited to January 9, 1999 budget meeting. Nancy Tavernier stated that she was interested in pursuing pulling out debt and placing it in separate warrant articles since she does not think of debt as a operating budget. Peter would like revenue projection discussion at the January 9, 1998 meeting.

SELECTMEN'S BUSINESS

CLASS II LICENSE IMPORT DOMESTIC AUTO CENTER 317 CENTRAL STREET

Import Domestic Auto Center has had problems complying with conditions of their Class II License with a maximum of thirteen vehicles for sale. Scott Sandford, holder of the Class II license stated that the complaints against his company are for the position and the amount of vehicles stored on site. Mr. Sanford indicated that the vehicles have been removed from the grassy surfaces and stated that at one point in August he had 45-50 vehicles on the property. Mr. Sanford indicated that he sells and services vehicles on site. Mr. Sanford stated that he can not control the amount of service vehicles on site. Mr. Sanford indicated that he spoken with Garry Rhodes and has been making an effort to comply with the regulations. Mr. Sanford seeks an amendment of the site plan to allow more vehicles on site. Wayne indicated that the amount of vehicles on any given day have ranged from 36-45 at any given time. A site plan special permit amendment would need to be applied for to increase the number of vehicles, however, an increase would not make Mr. Sanford in compliance with his Class II license. Mr. Rhodes indicated that in 1978, an amendment was issued for a maximum of 22 vehicles. The site plan process would take up to 65 days. Wayne indicated that Mr. Sanford should make an effort to comply with the regulations and then apply for an amendment. Dore' indicated that there have been complaints in regards to the amount of vehicles. Mr. Sanford indicated that at no time he has had more than 13 vehicles for sale. Nancy stated that she has had several calls and complaints. Nancy stated that she has counted over 55 vehicles on the lot at one time. Nancy also indicated that vehicles seem to stay for months and finds it hard to believe that they are there for service. Nancy stated that she

would not support continuance of the Class II license until our regulations are complied with by Mr. Sanford. DORE' HUNTER – Move to extend class II license to Import Domestic Auto Center until the end of January, 1999 with current conditions and with a weekly watch of the site and Mr. Sanford will be required to pay for 1/12 of fee.
HERMAN KABAKOFF - Second. UNANIMOUS VOTE.

COMPUTERIZATION - APS - Dore' asked if this issue is resolved. John indicated that the Town has put this issue on hold until after the budget, however, staff is currently training the school.

COMMUTER LOT - Nancy asked the Board's pleasure regarding the commuter and whether or not the Board should direct the TAC to review this lot on the resident vs non resident space. Currently, the lot is divided with a 45 to 55 % split. It was asked what other towns use for a formula for dividing up their lot for residents vs non resident parking.

ACTON 2001 - SOCIAL – Don reminded the Board that there is a Acton 2004 Social on December 21, 1998 at 6:30 PM in the Town Hall. Don indicated that Tom Mackey is going to give an overview on status of capital plan.

HOLIDAY LIGHTS – The Board stated that the trees on the common look very nice.

SEWER UPDATE - Nancy gave the Board a sewer update. Nancy also stated that Acton has made a name for ourselves and has heard that we brought the State government to a standstill by tying up fax machines. Nancy also indicated that the DEP and Governors office called stating enough, they got the message and meetings are now taking place regarding sewer funding. Legislation has been filed to hopefully alleviate money concerns regarding the sewers. It was noted that other towns have filed for legislative relief, however, all the other towns currently have sewers and Acton is the only town filing who currently have no sewers. It was also stated that the Town received a call from Paul Hogan, D.E.P. and he is very optimistic. Representative Resor is meeting with DEP tomorrow morning.

CONSENT AGENDA

PETER ASHTON - Move to approve with addition of Grant for greenways..
HERMAN. Second. UNANIMOUS VOTE.

TOWN MANAGER'S REPORT

None.

HERMAN KABAKOFF - Move to adjourn the meeting at 9:45. NANCY TAVERNIER – Second. UNANIMOUS.

Nancy E. Jarchow

Clerk

1/19/99

Date

Sheryl Ball

Sheryl Ball
Recording Secretary

Doc: min12_15_98