



SELECT BOARD
MEETING MINUTES
NOVEMBER 7, 2022
7:00 PM
ACTON TOWN HALL, ROOM 204
472 MAIN STREET

I. Regular Business

1. Resident Concerns

Scott Smyers, Central Street – questioned about the public hearing on Discovery Way and asked when the hearing for the Zoning Board of Appeals would be; commented on the posting of the statement by the DEIC and that the Police Department have concluded their investigation (of the incident at the high school) and if there would be an update from the Select Board or Town Manager and to put such update on the town website. Mr. Charter will speak with the Town Manager about placing that item on the agenda for next meeting and noted the hearing for the Zoning Board of Appeals would continue through Nov 21st.

Michael Schulze, Brucewood Road – commented on the public hearing for 100 Discovery Way and concerned about the danger of explosion, and that the neighborhood has hired an attorney to assist the local community in their defense; noted the Board of Health voted to continue their hearing, and the neighborhood has filed an appeal to the Zoning Board of Appeals regarding its determination of the facility as a warehouse.

Linda Vieira, Great Elm Way – organizing a healing heart at the high school for Cesar Soto Saturday at 6 PM.

Terra, Mass Ave – supports purchasing apartments at 68 Parker Street for affordable housing.

2. Chair Update/Town Manager Update/Members Minutes

Mr. Mangiaratti announced on Thursday night at 7 PM there will be a virtual forum for the Open Space Plan and encourages people to attend; on Veterans Day, there will be a ceremony on the Town Common beginning at 11 AM.

Mr. Snyder-Grant announced that the Climate and Housing Justice for All applied and received a grant for energy relief, and appreciates town staff's assistance in the absence of Andrea Becerra for sustainability efforts. Three large oak trees were saved at Kelley's Corner per the MassDOT contract for possible future use as sculptures.

Mr. Martin responded to comments requesting that the statement released by the DEIC be changed since the release of the police report.

Ms. Arsenault enjoyed the joint meeting with the four Boards and Committees last week and listening to the different entities' goals, and hopeful to collaborate more with the towns; the Human Services Committee met for the first time last Thursday.

Ms. Nagireddy noted that voting is tomorrow and encouraged people to go to the polls.

Mr. Charter mentioned about a tree protection bylaw with some concern of the town getting involved with trees on private property and expanding on the tree clearing bylaw; attended the executive committee meeting for the Concord 2025 Committee. They have much more infrastructure to deal with and have about 60 people working on the celebrations.

II. Public Hearings

3. Site Plan Special Permit #7/12/2022-487, 100 Discovery Way

Mr. Charter read the public hearing notice and noted the applicant has requested a continuance to November 21, 2022 at 7:10 PM. **Mr. Martin moved, seconded by Ms. Arsenault to approve the request for an extension to November 21, 2022 at 7:10 PM and approved unanimously.**

III. New/Special Business

4. Approve Haartz Proclamation Celebrating 100 Years in Business

Mr. Mangiaratti summarized the request to declare September 22, 2022 as Haartz Corporation Day retroactively. Mr. Martin mentioned that several had toured the facility and it is very cool, they make fabrics for the army. Mr. Snyder-Grant questioned about noting companies that have been in town for many years. Mr. Mangiaratti is working with Economic Development Director to find a way to celebrate as many businesses and non-profits as possible. Mr. Charter recused himself as a direct abutter to the property. **Mr. Snyder-Grant moved to accept the proclamation and declare september 22, 2022 as Haartz Corporation Day in Acton, seconded by Mr. Martin and approved 4-0.**

5. Presentation of the Department of Public Works Facility Study Committee

Mr. Charter presented the finding of the engineering firm and the recommendation of the DPW Facility Study Committee, which has met 8 times. The feasibility study and review have been completed; recommended a phased approach for both financial and logistical reasons; develop a comprehensive site plan, defer action of the Transfer Station as no member recommends closing the transfer station. Construction will take several years to complete and operations will need to be temporarily relocated. Creation of a replacement DPW is a high priority infrastructure project that impacts everyday health and well-being of our 24,000 residents. The committee is planned to sunset at the end of the year, but there has been interest to continue the committee from current members and Mr. Charter will bring this back to the Board next month for its recommendation.

6. Update on Proposed Crosswalk Traffic Control System on Great Road Near Brook Street

Mr. Mangiaratti updated the Board on the recent accidents that have occurred the last few weeks and the Complete Streets study, with proposed projects available to view on the town website to improve safety. In October, the Board discussed installation of a HAWK crosswalk flashing beacon system at the crosswalk on Great Road at Brook Street that was approved October 3rd, and MassDOT has agreed to fund the installation which will take several months to complete. There are several additional crosswalks to address. Similar traffic control systems have been installed around town and will be installing one by the Discovery Museum and MassDOT will be looking at additional improvements over the next couple of years.

Mr. Snyder-Grant commented on the State taking over the installation of the flashing beacons which will financially assist the town and also will expedite the installation and improvements and appreciates the effort of the Town Manager and MassDOT which have made meeting with local representatives to work together.

Scott Smyers, Central Street – requested doing more to make awareness of the crosswalks and also mentioned the crosswalk at Harris Street.

Madeline Cruz, Sachem Way- questioned if the Board could also install a similar flashing light at Harris Street – Mr. Mangiaratti noted all crosswalks in that corridor are being evaluated for similar installations

Ann Chang – need more crosswalk notification further down Great Road by Davis and recommends to post a slower speed limit at 25 or 30 miles per hour

Daniel Gilfax, Vanderbilt Road – feels the speed limit of 40 MPH is too fast on Great Road due to the amount of growth and suggests lowering it to 35 MPH

Chris Hardy, Great Road – asked if there was a temporary crosswalk flashing lights that could be posted. Mr. Mangiaratti noted the four temporary speed radar posts along Great Road and will be meeting with MassDOT later in the month and will discuss if they have any temporary flashing beacons available.

Linda Viera – noted that we need better lighting on big roads in town and more public education on driving safely. Town Manager noted that short-term, we are looking at the fixtures, and long-term we are looking to improve the lighting.

Terra, Mass Ave – suggested placing cones in crosswalks and also by intersections, and change the speed limit of Great Road to 25 MPH using the speed safety zone method and to write to the MassDOT with the findings. Town Manager noted that town meeting approved town-wide speed limit, it was set to 25 mph. Corey York has ordered many signs and this will go in places where there isn't a speed sign.

7. Discuss Request to Allow Parking on Strawberry Hill Road and Requested Zoning Changes Related to Parking at 5 Strawberry Hill Road

Rapscallion owners request the reversal of the restriction of parking on Strawberry Hill Rd. Town Manager noted that in 2018 we did a road safety audit,

recommended that parking was not recommended because the street was so narrow. In 2021, it was requested that the town post “no parking” signs. Mr. Martin noted that the Select Board voted for this after comments from the police department and fire department. Ms. Arsenault asked if there have been any changes to the no parking recommendation. Town Manager responded that the town just completed the complete road study and there was not a huge opportunity for parking. Ms. Nagireddy asked of there has been any changes to the fire and police departments recommendation. Town Manager replied that based on informal discussion, there has not been any changes to this recommendation. Rapscallion owners noted that parking is a huge safety concern, the restaurant is crowded, and they are concerned about a tragedy, parking has also changed because of COVID and wants to see if parking can be allowed on the road. Mr. Charter noted that he was reluctant to reverse the previous Select Board vote unless the Board gets something from the police and fire departments. Recognizes this is a safety issue but doesn’t want to go back to unsafe situations in the past.

Mr. Charter questioned how many seats are currently in the restaurant, Mr. Mangiaratti noted they are permitted for 75 seats with some outside, the septic is currently in failure, and the restaurant is finalizing plans for the septic repair, Mr. Charter commented that with the septic in failure may jeopardize their capability of renewing their liquor license, but will be up to the Board. Heidi White, Manager of Rapscallion and representing the restaurant noted that they are willing to work with just 75 seats to comply with the septic, but need the parking expanded. The plan is to have the septic upgraded by the end of December 2022 or January 2023 at the latest.

Peter Daniel, owner of Rapscallion noted that the issue is the parking available for only 30 spots and asking how this could be changed. Mr. Charter requested the Town Manager to update the Board on the progress on the septic for the property at the next meeting, Mr. Mangiaratti explained what the current zoning bylaws are, and the process to consider changing the current bylaw, however there is no guarantee that if a proposed bylaw change is approved at Town Meeting they would be able to utilize the property if the new septic system doesn’t fit on the property, which would interfere allowing additional parking on the property. The manager is requesting to add an additional 20 spots.

Mr. Mangiaratti noted the Planning Division would have to review for any zoning change and would have to have a public hearing which will consume some time for town staff which would go to Town Meeting in May. Mr. Martin would like the feedback from the Planning Division on ideas on changing the bylaw in the limited business district, suggested that Rapscallion could also bring a petition to Town Meeting, but without support from town staff and Boards, it may not pass. Mr. Charter suggested contacting the Town Manager for continuing communication efforts and next steps, and Mr. Mangiaratti suggested communicating with Julie Pierce, Economic Development Director. Mr. Snyder-

Grant appreciates the suggestion of the Planning Division for its continuance to work on this matter.

Ann Chang – encourages contacting Julie Pierce and the Economic Development Committee for continued communication and should consider all of the limited business zoning district and not consider taking their liquor license away for septic issues.

Karen Watkins, Strawberry Hill Road – thanked Rapscallion for their hospitality and being a great neighbor and hopes they can work with the town with a solution.

Terra, Mass Ave – does not agree with holding their liquor license over their septic issue. Suggests having special permits approved by the Select Board on a case-by-case basis rather than re-zoning the entire district

Carol (did not give last name), 60 Strawberry Hill Road – impressed with Rapscallion creativity in use of unused land for parking and if a temporary formal lack of enforcement will be overlooked during the winter months.

8. Acton Community Housing Corporation Request for Approval of Affordable Housing Funds Towards the McManus Manor Senior Housing Project

Mr. Mangiaratti noted the letter to request for the use of affordable housing funds towards McManus Manor. **Mr. Marin moved, seconded by Ms. Arsenault to approve the ACHC for \$200,000 for the McManus Senior Housing project and approved unanimously.**

9. Discuss Potential Community Preservation Act Applications

Mr. Mangiaratti read through the proposed CPA application projects to the Board. The plan for the Morrison Farmhouse is to bring in a specialist to decide what work needs to be done to restore the exterior of both the farmhouse and the barn, with possible improvements to the interior portion of the barn. The Board was in general support of all CPC funding requests.

IV. Consent Items

Mr. Snyder-Grant held item 16. **Mr. Martin moved, seconded by Ms. Arsenault to approve consent items 10 through 15 inclusive and approved unanimously.** Mr. Snyder-Grant questioned if there was some staff time involved to process the application and the process. Mr. Snyder-Grant asked if there was the capability to approve a partial refund. **Mr. Martin move to take no action on item 16 seconded by Ms. Arsenault and approved unanimously.**

Documents Used

- Agenda, Select Board, November 7, 2022
- Public Hearing Notice for Site Plan Special Permit #7/12/2022-487, 100 Discovery Way
- Agreement on Time Extension, 100 Discovery Way
- DPW Facility Study Committee Presentation and Report

- ACHC Letter for Request for Approval of Affordable Housing Funds Towards the McManus Manor Senior Housing Project Dated October 25, 2022
- Email from Town Manager for Potential for CPA Applications Dated November 4, 2022
- Meeting Minutes, October 3, 2022
- Executive Session Minutes, October 3, 2022
- Accept Gift Memo for \$291 from the Recreation Department from Anonymous Dated October 19, 2022
- Accept Gift Memo for \$10 from the Recreation Department from Benjamin and Andrea Kravit Dated October 19, 2022
- Accept Gift Memo for \$100 from the Recreation Department from David Baxter and Anne Anderson Dated October 20, 2022
- Committee Recommendations for Bill Klauer, Steve Trimble, and Dave Lunger from the Volunteer Coordinating Committee