



SELECT BOARD
MEETING MINUTES
FEBRUARY 24, 2025, 2024
7:00 PM
ACTON TOWN HALL, ROOM 204
472 MAIN STREET

Present: Fran Arsenault, Dean Charter, Alissa Nicol, David Martin, Jim Snyder-Grant
Additional Attendees: Town Manager John Mangiaratti, Assistant Town Manager Thom Begin
Executive Assistant Lisa Tomyl
Planning Board members: Jon Capetta, Pat Clifford, Michaela Moran, Ron Beck, James Fuccione, Sam Bajwa

I. Regular Business

1. Resident Concerns

Erik Heels, 17 Forest Road – plead for sidewalks on Forest Road to coincide with the DPW facility project and have it bonded with the proposed project.

Luma Sumara, 25 Duggan Road – has 501c3 charity called The Peacemakers Network and invites the town to join. TPN is involved in promoting human rights and social justice through education, community building, and legislative advocacy. TPN hosts many events and trainings, and in mid-May, there will be a family-friendly Day of Joy.

Jeff Champaign, 20 Cowdry Lane – supports the efforts of the Peacemakers and their events and encourages involvement.

2. Chair Update/Town Manager Update/Members Minute

Ms. Arsenault thanked the DPW for its response and work during the recent storm.

Mr. Mangiaratti encouraged residents to get their dog licenses renewed before the February 28th deadline.

Ms. Nicol announced on March 2nd that the 26th annual community skate fundraiser for AB-STEAM will take place at Nashoba Valley skating rink, the Acton Woman's Club is turning 110 this year, and is hosting a free concert on March 8th at the Clubhouse located at 504 Main Street, and Acton Conservation Trust will host their annual meeting on March 16th at 1pm in room 204 in Acton Town Hall with a presentation by Newhouse Wildlife Rescue.

Mr. Charter announced the Acton 250 Committee will be hosting an event on March 6th at 7 pm in room 204, a snapshot of Acton's early Black residents

presented by Mererdith Bergman, the Committee's next meeting will be held on February 27th at 7 pm in room 9 at Acton Town Hall.

Mr. Martin attended a ribbon-cutting ceremony for a new restaurant called Velvet Vine Café at 164 Great Road.

Mr. Snyder-Grant commented on the town's response as related to recent executive orders issued by the current federal administration, with a quick update on immigration enforcement and DEI efforts within the town, and highlighted that Acton maintains its existing policy on immigration, is not impacted by revocation of federal funding for DEI as these local efforts are funded by the town and state grants, and is a welcoming community with inclusive practices.

New/Special Business

3. Legislative Updates from Senator Eldridge, Representative Sena, and Representative Cataldo

Senator Eldridge – noted the cherry sheets for unrestricted local aid indicate a slight increase from last year, revenues are solid, presented before school committee with concerns about the AB budget, and announced a reconvening of the committee to review current chapter 70 funding – increase minimum per pupil aid, regional school transportation, SPED circuit breaker, delegation update from MassDOT Rt 2/Piper/Taylor Road intersection plan for public presentation in June, financing is secured for McManus Manor, apartments at Powdermill making progress with CrossTown Connect to provide service to both locations, appreciates the Select Board policy making Acton a welcoming community and the involvement of law enforcement, filed bill for state grant to provide an energy efficiency manager to communities that do not have one, polluters pay bill to establish at state level to fine oil and gas companies that contribute to climate change

Representative Cataldo – commented on house rules package with changes on how the house does business with more transparency, recording house members' votes on bills; filed 27 bills highlighting the reporting of campaign contributions; appreciates questions from Board members regarding immigration and the continuation of remote town meetings

Representative Sena – gave an overview on chapter 70 formula, noting filing a bill to increase the state's funding allocation budget by 4% that will help the school district and the need to form a commission to study the formula used for Chapter 70 funding, noting the need for immediate funding to support transportation, and increase the investment rate for the education circuit breaker to 90%, the need to support the Safe Communities Act, access to legal services for immigrants, and focused on bills supporting regional transportation services, refiled Acton's Home-Rule Petitions allowing 16 and 17 year olds voting in local elections, ranked choice voting, and residency requirement for police and fire personnel.

4. Discuss Housing Production Plan in Joint Meeting with Planning Board

Ms. Guichard introduced Noah Harper from JM Goldson to give an update on the HPP and noted the next public workshop on 3/12 at 6 PM in room 204. Mr. Harper shared the goals for the 2025 HPP update.

Mr. Snyder-Grant asked if goal #7, preserving existing affordable housing, included naturally affordable housing.

Ms. Nicol asked whether the numerical order of the goals indicated a hierarchical priority – no. Recalled that goals in 2020 HPP were prioritized based on community feedback, and suggested doing so with the 2025 goals, noting that maintaining existing affordable housing and supporting vulnerable residents should be higher priority. Concerned about degradation of existing housing.

Ms. Clifford asked how the report will help to move forward to production; will the plan include goals and strategies - yes, write up will happen after next forum.

Ms. Guichard noted that draft strategies will be available at forum for public to provide feedback.

Mr. Beck – submitted 3 inputs: the impact of subsidized housing is to increase costs to market-rate homeowners and renters as they pay higher percentage of upkeep should be addressed; look at water infrastructure and availability as well as wastewater infrastructure, about 10% of town is on private wells, tie together in practical strategy; higher density zoning and open space preservation, value of isolated vs connected open space, and access to public

Ms. Nicol asked if the accomplished goals from 2020 will be noted in the current proposed plan – Mr. Harper will consider and incorporate them into the next workshop.

Terra, Mass Ave – asked what the cost would be to subsidize a buydown program to help people stay in place, reduce rent and upgrade use to be climate friendly, and focus on providing housing for people who are housing insecure rather than producing new housing for those who are not.

5. Update on Habitat for All and Tree Clearing Bylaw

Kristen Guichard, Planning Director, presented a refined proposal created with input from multiple Boards, and recently reviewed at a public workshop. Ms. Guichard highlighted features of the proposal: eliminating the current PCRC unit yield percent cut when applicant is constructing smaller homes under 3000 sq. ft, incentivizing inclusionary zoning for affordable housing if the homes are under 1500 sq. ft. - up to 6 units per acre is allowed, and up to 5 units per acre for home sizes 1500-3000 sq. ft. The proposed bylaw would remove the existing PCRC bylaw, open space development bylaw, and affordable housing overlay district, but would remain in the appendix for historical reference. Next steps are a public hearing at the March 18 Planning Board meeting, and presenting to Town Meeting on May 5th and 6th If adopted at Town Meeting, a public hearing on the subdivision rules and regulations will be held in June 2025.

Mr. Martin – asked if a shed would be considered a structure and would be subject to the resource land setback – yes.

Ms. Nicol noted the February 12th workshop was recorded and available on the Planning Division webpage

Olivia Barksdale, Conservation Agent, presented an update on a Tree Clearing Delay bylaw, a result of a 2022 Town Meeting non-binding article, highlighting proposed land clearing limits for 60% of all future subdivisions and resource land preserved in perpetuity. The tree clearing delay would apply to both town and private land, all new developments where 1 or more acre of forest would be cleared, and cannot occur until a development permit is received. Exemptions would include agriculture, diseased trees or emergency removal, and enforcement would include fines imposed and/or requiring replacement trees, with the Conservation Agent as the enforcing authority.

Mr. Charter commented on the tree preservation bylaw to be considered, but that is not coming to Town Meeting this year, noting that his experience with such bylaws in other towns through consulting work indicates an increase to the cost of development per unit and impedes the rate of development.

Mr. Martin – supports the tree clearing delay bylaw, asked if forestry is precluded or considered agriculture – Ms. Barksdale noted that both are considered and will lay that out in the proposed bylaw.

Mr. Snyder-Grant – supports tree clearing bylaw, but will take time to see what people want, different regulations with an affordability component that may have at different levels of enforcement

Ms. Nicol – mentioned the Design Review Board example of the tree clearing that occurred for the development behind CVS on Mass Ave and asked if the town has an existing bylaw to prevent that happening again or if the proposed tree clearing bylaw must be brought to TM to address that – Ms. Guichard noted that the proposed bylaw is needed to stop such clearing.

Terra, Mass Ave – requests the workshop separate the different bylaws, asked if there is a minimum acreage required for the Habitat for All subdivision law.

6. Approve Site Plan Special Permit #06/24/2024-492, 358A & 358B Great Road Decision

Ms. Nicol noted her request for a slight change in wording that was updated in the draft. **Mr. Martin moved, seconded by Ms. Nicol, to approve site plan special permit #06/24/2024-492 for 358A & 358B Great Road using the decision in the packet and approved 5-0-0.**

7. Request for Waiver of Building Permit Fees Related to the Renovation of 19-21 Maple Street from the Acton Food Pantry

Lisa Gordon, Executive Director of Acton Food Pantry and Michelle Ouellette, the project architect, presented conceptual renderings of what the building would look like when open and functioning. Mr. Martin asked the cost of the proposed renovations – they do not have the cost as of today, but per the RFP the estimate was \$900 K, and have fundraised about \$500K. Ms. Nicol asked staff for the approximate amount for building permit fees, about \$12-14K. Mr. Martin noted his hesitancy to waive fees since it costs the town money to perform the inspections, but would be amenable to capping the total amount charged. Mr.

Charter is also hesitant to waive all fees and the need to responsibly manage revenue from taxpayers. Ms. Nicol suggested supporting the request, noting the Town Manager stated that the Building Operations Fund is at a stable place, and the Food Pantry is spending the equivalent of \$90K per year for the 10 year lease in renovation costs. Mr. Snyder-Grant supports setting a maximum in fee waiver funds. **Mr. Martin moved, seconded by Ms. Nicol, to cap building permit fees at \$4,000 and approved 5-0-0.**

8. Approve Town-wide Complete Street Prioritization Plan Update

Corey York, DPW Director presented the complete street prioritization plan with Nicole Rogers of GPI. Mr. Snyder-Grant noted careful response to concerns raised by the Transportation Advisory Committee. Mr. Martin noted the result of the final plan is very good, addressing the most dangerous sections of town for pedestrians and bikers. Ms. Nicol noted the many data points and public outreach, noted a change in priority with the Stow Street sidewalk due to public input, making it a higher priority; appears a lower priority in the presentation and asked for clarification of the total length of the sidewalk. Ms. Rogers noted the 2 separate projects on Stow Street were consolidated; now the project extends from Maple to Robbins.

Ms. Nicol Moved, seconded by Mr. Martin, to approve the town-wide complete street prioritization plan and approved 5-0-0

9. Presentation of the Main Street Complete Street Study (Route 2 to Acton Center)

Ms. Carolyn Radisch from Toole Design presented the Main Street complete streets study report. The tie-in at Rt 2/Rt.27 is a roundabout under design currently, noting bike and pedestrian safety concerns at the westbound bridge and on/off ramp from Rt. 2, the Hayward Road intersection adds buffered bike lanes and signalized intersection turn lanes, shorter pedestrian crossings, and extends to the town center, recently completed. Ms. Radisch proposed 3 designs, highlighting the existing conditions; option 1- sidewalks and buffered bike lanes, option 2- install 8' side paths on both sides of the street, option 3 - install 10' side path and sidewalk. She highlighted the impact comparison of the 3 options, and recommended option 3 based on results from the public forums and concerns voiced by the Transportation Advisory Committee and suggested a the potential for a hybrid approach.

Mr. Charter suggested moving forward with the 25% design. Ms. Nicol liked the proposal to pursue a hybrid design, and noted residents who attended the open house expressed concerns about the proposed narrowing of the travel lanes which might hamper ability of emergency vehicles to pass and abutters ability to turn in/out of driveways. Ms. Arsenault commented that the narrowing of the lanes would promote slower speeds. Mr. Snyder-Grant noted the Transportation Advisory Committee's concern on the transition of the bicycle lane entering the center of town.

Terra, Mass Ave - objects to the inclusion of a traffic light at Hayward/Main

Mr. Snyder-Grant moved, seconded by Mr. Martin, to move forward with a 25% design focusing on option 3 and approved unanimously 5-0-0.

10. Discuss Recommendations to Acton Leadership Group Consensus

Mr. Mangiaratti briefed the Board about the last meeting, noting an increase in state aid and FinCom reps asking that the town budget be reduced further to get closer to 3%, how the DPW Facility building plays into the consensus and requesting feedback from the Board. The next meeting is scheduled for March 4th. Ms. Arsenault asked if the Finance Committee reps requested an additional \$700K reduction to the budget. Mr. Mangiaratti noted it was not a precise amount. Ms. Nicol recalled the Fin Com request was for no more than a 3% increase in the budget due to the direction the School Committee gave to the district administration, but is comfortable with further reductions to the proposed budget. Mr. Charter noted preference to discuss the proposed budget cuts before discussing at ALG, and suggested that the town has deferred many projects over the years to accommodate the school budget.

11. Discuss FY2026 Budget Recommendation

Mr. Mangiaratti reminded the board that the deadline for submitting the budget to the Finance Committee is March 6th. The budget recently had to be adjusted to accommodate a higher than expected 14% increase in health insurance costs. Mr. Mangiaratti suggested several cuts to bring the increase in budget down from 4.56% to 3.81%. The proposed cuts are \$290K in operations and \$175K in free cash: proposing hiring 1 firefighter instead of 2, cut helpdesk and digital communications position, and delay the hiring of other FTEs for 6 months. Mr. Charter would support the recommendations on the budget reduction and transmit to the Finance Committee. Board members were in agreement to decrease the budget for a total budget increase of 3.81%.

Mr. Martin moved, seconded by Mr. Charter, to approve the 3.81% and transfer the budget to the Finance Committee and approved 5-0-0.

12. Review Annual Town Meeting Warrant Articles

Deferred to next meeting

13. Discuss DPW Facility Building Project and February 28th Joint Meeting with Finance Committee

Mr. Charter noted at the most recent building committee meeting since the previous Select Board meeting, the building design cost was cut by a considerable percentage, to an anticipated cost of \$37.6 million with a reduction of 3-4000 sq feet in size and asked how the joint meeting with the Finance Committee on Friday night will be structured. Ms. Arsenault will have the Town Moderator moderate the meeting.

14. Discuss Potential Sale or Lease of 3 School Street and 13 School Street

Mr. Mangiaratti updated the Board about the recent attempt to sell or lease the properties, with the last developer planning for a multi-family project with a possible café use for 3 School Street, but Town Meeting voted down the disposition of both properties. Many properties have, or will, change hands since the previous Town Meeting, and there is a placeholder on the warrant for authorization to dispose of 13 School Street for sale or lease. The owner of 9 School Street is not pursuing the permitted multifamily development and that

property is now available for a possible mixed-use combining all 3 parcels. Mr. Martin would not want to give up the parking lot for only housing, and prefers mixed-use development and to wait for responses to the RFP. Mr. Charter supports sending out an RFP and seeing what the responses are. Ms. Nicol requests reaching out to the entities that are currently there and supports a mixed-use development. The church that bought Exchange Hall is seeking to expand their programming, and may need additional parking. The lot was $\frac{2}{3}$ full the day before. Ms. Arsenault thinks leasing the lot could be a great idea. Mr. Martin clarified that Town Mtg approval is not required for the RFP, only the disposition. Michaela Moran, 80 School Street, is concerned about the South Acton Congregational Church and its future use without parking, and supports mixed-use, but parking is needed.

Mr. Martin noted that the lot was paid for by commuters, and other use should be paid by users. Mr. Snyder-Grant suggested reaching out to owners of church or realtor. Ms. Nicol suggests if there is concern about the lot being used by non-commuters, the town could charge fees for parking.

IV. Consent Items

Mr. Begin noted that consent item 18 will be deferred to the next Select Board meeting. **Ms. Nicol moved, seconded by Mr. Martin, to approve consent items 15-17, and 19-22 and approved unanimously 5-0-0.**

Mr. Martin moved, seconded by Ms. Nicol, to adjourn and approved unanimously 5-0-0. Meeting adjourned at 12:25 AM on Tuesday, February 25th.

Documents Used

- February 24, 2025 Agenda
- Housing Production Plan Presentation
- Acton Tree Bylaw Presentation
- Site Plan Special Permit #06/24/2024-492 Draft Decision
- Acton Food Pantry Request for Waiver Email Dated February 6, 2024
- Town Wide Complete Street Prioritization Plan Email from Corey York Dated January 30, 2025
- Complete Street Program Main Street to Route 2 Email from Corey York Dated January 30, 2025
- Draft 2025 Annual Town Meeting Article List
- Silver Unicorn Kids Graphic Novel Festival License Agreement and Email Request from Paul Swydan with Staff Comments
- Silver Unicorn Kids Graphic Novel Festival Presentation
- Meeting Minutes, January 13, 15, 21, and February 3, 2025
- Recreation Commission Proposed Charge
- One Day Malt and Wine License Application, Tactical Reintegration Project
- Accept Gift Memo, Recreation Department – Northern Bank and Trust Company Dated February 12, 2025
- Accept Gift Memo, Recreation Department – Eckel Hoag and O'Connor Dated February 12, 2025
- Memo from Conservation Division Dated February 20, 2025