



SELECT BOARD
MEETING MINUTES
APRIL 28, 2024
6:00 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

I. Public Forum
DPW Facility

Representatives from Weston & Sampson presented in a public forum the final design for the proposed DPW Facility. Members of the public were invited to ask questions related to the design. Total project cost is \$37.9 million.

Tom Beals, Willow Street – noted that the Finance Committee looked at cost and voted to not support the project. Asked if there is a cost estimate for the current parking routine in terms of lost productivity; asked to consider the cost of hiring and training employees and the impact of that lost investment when employee retention is diminished due to the poor state of the facility.

Rustin Carpenter, Anders Way – asked why the Finance Committee voted against the project.

Roland Bourdon, Finance Committee member, noted that the committee felt Engineering Staff could be relocated to another building, the timing for this project is not right so soon after an operating override, and could be looked at in FY29 due to the impact of increased taxes on residents.

Allan Dennison, 22 Mohawk Drive – concerned about the cost of the project, felt the town could not afford it, asked how many residents voted for the design at a previous Town Meeting; suggested using a pre-fabricated building.

Katie Raymond – asked about the next steps if the article does not pass at the ballot and Town Meeting; Mr. Charter noted the town would have to find ways to continue supporting the current building and come up with a plan B.

Ken Henderson, Fort Pond Rd – asked why the building needs to be torn down instead of adding to it. Concerned about the tax increase that would result from the new building.

James Kennedy, 32 Miles Road – feels the town has gone too far with the debt exclusion, and is concerned about taxes.

Karen Dunn, 5 Huron – attended FinCom listening session meeting, and was concerned about the cost of the facility, suggested not parking all vehicles in the building, asked why a geothermal heating system is necessary, not convinced a new facility will improve housing values.

II. Regular Business

1. Resident Concerns

Jo-Ann Berry, Taylor Road – announced that Town Meeting starts Monday May 5th, at the ABRHS auditorium with overflow space in the large gym. She discussed how Town Meeting will proceed through the warrant and articles, expecting the session to last two evenings. She indicated videos on articles are available on ActonTV.

2. Chair Update/Town Manager Update/Members Minute

Ms. Arsenault commented on her role as Chair of the Board, appreciates town staff involvement supporting the Select Board and their effort in accomplishing Select Board goals.

Ms. Nicol noted appreciation for the 250 Committee members' efforts over the past 2 years, as well as the hard work of staff to get the town looking its best ahead of last weekend's Patriots' Day events; Acton Water District recently implemented a non-essential outdoor watering restriction of one day a week, signed a Memorandum of Agreement with other communities to explore together connecting to the MWRA; noted the Health Insurance Trust payment of run-out claims is going well, and the trust is returning \$800K to the district and town, the town will receive \$180,400 and noted that the school district is creating a Health Insurance Stabilization Account with their share of the reimbursement; noted Nursing week starts May 6th; announced the Hazardous Waste Day will take place on June 21st from 9-11:30am at the DPW and will be the only one this year; and announced the Acton Woman's Club Pie Sale is Saturday, May 10.

Mr. Martin discussed Finance Committee responsibility, noting their focus is on spending, and the Select Board's focus is on the operations of the town; he noted the Recreation Department currently has several summer job opportunities available for residents interested in joining the team.

Mr. Snyder-Grant announced the beginning of perambulation of town borders after town meeting, and may have to come back to the Board to choose alternates to participate in the activity.

New/Special Business

3. Approve Proposal for Reuse of 3 and 13 School Street

Mr. Mangiaratti shared that the Town received one proposal for redevelopment at 3 and 13 School Street. The proposal was submitted by Soma Builders owned by Alex Motta. The Town Manager is looking for direction from the Board on whether they would like him to engage in negotiating a Purchase and Sales agreement, dependent on the vote at Town Meeting. The proposal is for reuse of 3

School Street that would maintain the historic façade and include commercial use, a mixed-use commercial and residential structure is proposed for 13 School Street, 8 residential units and 4 ground-floor commerical. The proposed purchase price is \$600K. Ms. Nicol had questions about the design, whether there was sufficient parking as required by zoning, and suggested the plan could maximize the site by eliminating the pocket park. Mr. Motta indicated he is open to suggestions that would potentially include additional parking spots, and to consider collaborating with the owner of 9 School Street on the positioning of both structures.

Richard Kelleher – recommended working with the 9 School Street owner to create a line of commercial units and apartments, asked what would be on the second floor of the fire station; Mr. Motta indicated he would like to plan 2 commercial units, but the size of the space is very limited.

Terra, West Acton – noted the project will have to go through the Historic District Commission process, and suggested the Town should negotiate a right of first refusal for 3 School Street in the agreement.

Mr. Snyder-Grant moved, seconded by Ms. Nicol, to authorize the Town Manager to proceed with negotiating a purchase and sales agreement with the project proposer and approved 5-0-0.

4. **Sewer Commissioners Business**

- Consider Request from Primrose School for Sewer Connection at 451 Massachusetts Avenue, Acton

Mark Brobowski, Attorney for Primrose School, Josh Klein from Stonefield Engineering presented an overview of the proposed project. They are requesting 6 additional sewer units for the site, which currently has one allocated for the single-family home currently on site. This approval would provide the project with a total of 7 units. Ms. Nicol suggested the developer maintain the historic house on site by adding a modern addition, move the playground out back, and asked whether the number of parking spaces planned was needed. Mr. Klein noted a previous demolition permit for the building currently located on site was approved by the Historic Commission. Mr. Snyder-Grant noted there is sewer unit availability, and that next steps would be a site plan review. He mentioned the Town has spent thousands on subsidizing daycare during and post-COVID, and suggested allowing possible subsidized spots available through Community Services as the value of the available sewer units. Members asked what the privilege fee would be for the 7-sewer unit connection; the Town Manager noted he would look into the cost. Ms. Arsenault requested Primrose School consider keeping the current house on the lot to use as office space and noted that the 40 parking spaces seems excessive. Mr. Charter noted the cost of preserving a historic structure is significant, and could place a burden on the developer. Ms. Nicol would like to know more about subsidized day care spots that could be offered by

Primrose before approving the additional sewer units, noting this is not about approving a site plan, but offering feedback to consider before the plan is too far advanced, could use the historic home as office space.

Mr. Martin moved, seconded by Ms. Nicol, to have the Town Manager negotiate an agreement with the petitioner and bring it back to the Board and approved 5-0-0.

5. Approve Exemption Process for Fossil Fuel Free Building Requirement

Mr. Snyder-Grant updated the Board on the application for a waiver and guidelines for approving or denying a fossil fuel free waiver application. Mr. Snyder-Grant noted the waiver application would be available on OpenGov similar to other permit applications. **Mr. Snyder-Grant moved, seconded by Ms. Nicol, to approve the application for variance and approved 5-0-0.**

Mr. Snyder-Grant outlined the guidelines for granting a waiver for the fossil fuel free bylaw. It was noted that the Building Commissioner felt it is important to discuss waivers publicly, and that the current practice is for the Commissioner to initially deny the request so the Select Board decides to approve or deny the waiver. He suggested having a subcommittee of Select Board members decide on future waiver requests if they are similar in reasoning. Ms. Arsenault prefers that the bulk of the requests be handled by the Building Commissioner with unique requests to be handled and determined by the Select Board.

Mr. Snyder-Grant commented on strengthening the language for commercial kitchen use. Mr. Snyder-Grant will update the guidelines and bring them back to the Board for future consideration

6. Approve the Recommended Exterior Paint Color for the 17 Woodbury Lane Building

Mr. Begin explained the recommended choice of the external paint colors to members of the Board. The intent is to maintain a Greek revival style while closely mirroring the colors of Town Hall. **Ms. Nicol moved, seconded by Mr. Martin, to approve the recommended paint colors for the exterior of 17 Woodbury Lane and approved unanimously 5-0-0.**

7. Accept Amended Easement for Discovery Museum

Mr. Mangiaratti briefed the Board on the requirement for the amended easement reviewed by Town Counsel. Ms. Nicol suggested including a change regarding access times in the amended easement to allow people access when the Museum is closed. The amended easement will be brought back to a future meeting to discuss and vote on.

8. Discuss and Take Position on Town Meeting Warrant Articles

Mr. Mangiaratti noted all three recently negotiated collective bargaining agreements have been settled and ratified by the respective unions. They are now prepared for presentation at Town Meeting.

Mr. Snyder-Grant asked if a name has been brought forward for Citizens' Library Trustee. Mr. Mangiaratti noted in the past the Moderator would hold an election on the floor. Mr. Snyder-Grant asked which town seal will be used in the presentation templates. Mr. Begin noted the black and white seal will be used and the template has been updated

9. Approve Request for Building Permit Fee Refund from Yan Ma for 51 Robbins Street

Mr. Mangiaratti noted the Building Commissioner recommended the refund since the project did not move forward.

Mr. Snyder-Grant moved, seconded by Ms. Nicol, to approve request for refund of the building permit fee from Yan Ma for 51 Robbins Street.

Mr. Martin requested additional information regarding the process of waiving building permit fees if the plan was denied by the ZBA, and is concerned about setting a precedent of refunding fees for denied applications since staff time is spent.

Mr. Snyder Grant withdrew his motion, and Ms. Nicol withdrew her second on the motion.

10. Discuss Acton Leadership Group

Mr. Mangiaratti noted this topic is a standing agenda item. Mr. Martin noted disappointment that ALG could not come to a consensus, citing communication as a factor, contention for the budget in the out years, differences in the financial forecast. Ms. Nicol referred to the ALG charter to identify historic process, and noted that currently, the process laid out is for the reps from the three groups to come together, decide on a plan, and then take that plan back to each respective group for approval. This past year, the practice was the reverse of that. Mr. Martin noted that ALG's role is to apportion revenue rather than manage spending which is the Finance Committee's role. The ALG also determines the individualized percentage of the budget each entity receives, and that should be determined by November each year. Mr. Snyder-Grant noted recently a trend towards each committee having a position on the budget before discussion at ALG meetings.

11. Update on DPW Building Project

Mr. Charter noted the finalization of the design and recent presentation from Weston & Sampson. He will provide a presentation at Town Meeting dependent

on the outcome of the Annual Town Election. Mr. Charter suggested asking representatives from Weston & Sampson to be available for Monday night at Town Meeting. Members suggested discussing the warrant article at the pre-meeting meeting on May 5th before the start of Town Meeting regarding the results of the ballot question.

12. Discuss Town Manager Review

Ms. Arsenault noted all members' performance reviews of the Town Manager have been incorporated, and the manager received a strong and overall positive review. She noted the next steps are contract review and renewal. Mr. Mangiaratti noted to the Board his appreciation for the review and also for the assistance from the entire team of staff and support from his office.

III. Consent Items

Mr. Martin held consent item 17. **Ms. Nicol moved, seconded by Mr. Martin, to approve consent 13-16, 18, 19-20 and approved 5-0.**

Mr. Martin asked about the application for an all alcohol one day license and was informed 501C3 charities are permitted to serve and consume all alcoholic beverages.

Mr. Martin moved, seconded by Ms. Nicol, to approve consent item 17 and approved 5-0.

**Ms. Nicol moved, seconded by Mr. Martin, to adjourn and approved 5-0.
Meeting adjourned at 10:05 PM**

- April 28, 2025 Agenda
- Proposal for 3 and 13 School Street
- Letter from Stonefield Engineering for Primrose School
- Exemption Process and Application for Fossil Free Fuel Bylaw
- Recommended Exterior Paint Color for 17 Woodbury Lane
- Amended Easement for Discovery Museum
- Town Meeting Warrant
- Building Permit Fee Refund Request
- Meeting Minutes from April 7, 2025
- Farmers Market Winery License Applications from Aaronap Cellars and Pony Shack Cider
- Multiple One Day Malt and Wine License Application, Boston Events
- One Day All Alcoholic Beverage License Application, Carnegie Mellon University Boston Network
- One Day Malt and Wine License Application, Savoyards Light Opera Co.
- Memo from Town Manager for a Donation of \$250 from Anne Kadlek Towards Acton 250 Celebration Account Dated April 23, 2025

- Memo from town Manager for a Donation of \$515 from Steve Trimble from Proceeds of Merchandise Sales Dated April 23, 2025