



SELECT BOARD
MEETING MINUTES
MAT 19, 2025
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

I. Regular Business

1. Resident Concerns

Terra, West Acton - Commented on ICE raids noting an email with legal citations to view the local police checking warrants before entering town, asked if Town Counsel and how town employees can protect residents and they don't serve ICE or other agencies, and that they are legally lawful with their authority to arrest people, and to protect the people from unlawful arrest

2. Chair Update/Town Manager Update/Members Minute

Mr. Charter commented on trying to keep meetings on track by enforcing 3-minute comment period and only allow Acton residents with full name and street address mentioned when speaking and not allow dialog during public comment periods, as well as presentations by town staff and contractors limited to 15 minutes. May 26th annual Memorial Day parade at AB at 10 AM. June 2nd formal time for a listening session for Select Board Goal Setting workshop and encourage residents to send in comments to Select Board emails. Mr. Mangiaratti mentioned today starts phase 2 of the AFD pilot program operating out of 3 stations north, south and west stations. There is a survey open for a month with 300 responses. He encouraged residents to respond to the survey.

Woodlawn chapel is having an accessible entrance under construction, and a gutter replacement for Town hall beginning 5/20.

Ms. Nicol announced the AWD representative on WRAC will be replaced by Corey Godfied, and will be hosting a public forum on 5/29 in room 204, 5/24 from 10-1 Green Acton hosting a fix it clinic at Memorial Library. Farmers Market is looking for volunteers, and project graduation as well at AB High School on June 6th. 5/20 at 7 PM will be an immigration forum in 204.

Jim Snyder-Grant LSC working in May and June removing garlic mustard on conservation land. Working with Mr. Charter marking boundaries in the coming weeks with neighboring towns and encourages participation. Thanked Acton

Exchange on article on raid on May 10th listing the name of the people that were taken by ICE and to read more about the article.

II. Public Hearings

3. 7:10 PM Gas Main Replacement Petition, National Grid in Nashoba Road at the Elm Street/Central Street Intersection

Mr. Charter read the public hearing notice. Representing National Grid was Mary Maloney. Mr. Martin questioned about the need – to replace a leak prone pipe and to maintain the safety and integrity. Mr. Snyder-Grant questioned the current leaks – NG noted fixing 5 leaks.

Karen Watkins, Strawberry Hill Road – called to look at alternative on the gas main replacements, concerned about cost to replacement, suggest to repair the pipes at a lesser cost to customers.

Mr. Martin moved, seconded by Ms. Nicol to close the public hearing and approved 5-0. Mr. Martin moved, seconded by Ms. Arsenault to approve the gas main replacement in Nashoba Road at Elm Street and Central Street and 3-0-2 (Snyder-Grant and Nicol)

4. 7:15 PM Gas Main Replacement Petition, National Grid, Arlington Street

Mr. Charter read the public hearing notice. Representing National Grid was Mary Maloney and explained the replacement need. Ms. Nicol questioned about any repairs on Arlington due to the age of the pipe – yes. Mr. Martin questioned any leaks on the existing plastic pipe – Mary noted to not have any break in the pipe – Mr. Martin in favor of replacement of the steel pipe and not replacing the existing plastic pipe and what support will there be when it goes under the bridge – they will be doing test pits first to be sure its protected. Mr. Martin questioned if the Engineering Department is responsible for the structural integrity of the bridge, and questioned the project cannot proceed without the approval of the Engineering Department and is in favor of replacing the steel pipe and not the current plastic pipe.

Mr. Martin moved, seconded by Ms. Nicol to close the public hearing and approved 5-0.

Mr. Martin moved, seconded by Mr. Snyder-Grant to allow National Grid to replace the coated steel of gas main on Arlington Street and not existing plastic pipe and fails at 2-3.

Mr. Charter moved, seconded by Ms. Arsenault to approve the application as submitted and failed 2-3.

Mr. Martin moved, seconded by Ms. Nicol to open the public hearing and to continue hearing and approved 4-1.

Ms. Maloney assured the Board that this hearing is for permission to pull a permit and that National Grid is under strict scrutiny with the DPW/Engineering Department before any work is to be conducted and must contact the town when work is to be conducted.

Ms. Nicol moved, seconded by Ms. Arsenault to close the hearing and approved 5-0.

Ms. Nicol moved, seconded by Ms. Arsenault to approve the gas main replacement for Elm St., Arlington Street, Houghton and Central Streets and approved 3-0-2 (Martin, Snyder-Grant)

5. 7:20 Common Victualler and Carry In Alcoholic Beverage License (Malt and Wine), Acton Seafood Company, 541 Mass Ave, Acton

Mr. Charter read the public hearing notice. Representing Acton Seafood Company was Dean Gaudet. Former owner of Twins Seafood offered to sell the business to current employees and new owners changed the name to Acton seafood Co. and decided to not have the liquor license transfer and choose to have a carry in license. Ms. Nicol questioned what the policy would be to supervise alcohol consumption, Mr. Gaudet noted that customers must enter in through the front door where ID check will occur as well as seated customers.

Ms. Nicol moved, seconded by Mr. Snyder-Grant to approve a common victualler and carry in alcoholic beverage license for malt and wine for Acton Seafood Company at 541 Massachusetts Ave and approved 5-0.

III. New/Special Business

6. Introduce Patricia Costa, Director of Economic Development

Ms. Costa introduced herself to the Board and gave a background of her qualifications, interests, and upcoming projects within the Town of Acton.

7. Joint Meeting with Planning Board to Review Additional Public Comment and Approve Housing Production Plan

Kristen Guichard, Planning Director updated both Boards that no additional public comment had been received since last week.

Janet Adachi, Simon Hapgood Lane – representative of ACHC noting support of the HPP thanks Select Board and Planning Board for the extended comment period, the 2025 HPP is well produced it does not change existing and local laws with water supply, noted the recently approved Habitat for All zoning bylaw and the MBTA Communities zoning bylaw and updated ADU provision and requests the Select Board approve the proposed plan

Bob VanMeter, Half Moon Hill – supports plan, requests support from Planning staff for the ACHC, have had some support from RHSO in past, suggests adding a 10th goal implementing accessory dwelling units over course of the next plan by overcoming barriers for homeowners providing technical assistance by town staff June Leslie, Mohegan Road – questioned if the HPP is for existing subsidized housing and development or repairing and what percentage is non-subsidized housing, Ms. Guichard noted Acton is above the 10% threshold (under chapter 40B) for affordable housing and the plan is for establishing goals and strategies ways to provide housing and needs of the community and allow for people to age in place

Terra – commented about the public comment period, using current housing converted for deed restricted affordable housing providing housing options for

people who work in town, senior tax release increased to \$80,000 per year and or not have seniors pay taxes.

Ms. Nicol moved, seconded by Ms. Arsenault to approve the Housing Production Plan and approved 5-0.

8. Discussion of Planned Road Work and Detours on Powder Mill Road

Mr. Mangiaratti updated the Board the developer needs to put in a sewer main on Rt. 62 from High Street to opposite Wendy's restaurant with construction occurring from 7-3 every day from May – October. He held a meeting with the development company and Acton, Maynard and Concord public safety departments about access for businesses that would be affected by a long term road closure and detour requesting to keep one lane open on Powder Mill Road with traffic details at all times unless absolutely necessary, and to notify abutters when there will be a detour put in place.

9. Approve Request Acton Community Housing Corporation for Funding \$60,000 for Habitat for Humanity-North Central MA Affordable Housing Project at 416 Great Road in Acton

Ms. Nicol moved, seconded by Ms. Arsenault to approve request from ACHC for funding \$60,000 for Habitat for Humanity-North Central MA affordable housing project at 416 Great Road in Acton and approved 5-0

10. Authorization for Execution of Documents Related to Wetherbee Conservation Restriction (CR) Closing

Mr. Mangiaratti noted this was approved at recent Town Meeting and requesting authorize the execution of documents related to the Wetherbee Conservation Restriction

Ms. Nicol moved, seconded by Mr. Martin to approve that the Conservation Restriction (the “Conservation Restriction”) on the Property being granted by the Town of Acton, acting by and through its Select Board, to the Sudbury Valley Trustees, Inc., in the form presented to the Select Board tonight May 19, 2025 and

- (a) To authorize the Select Board to execute the Conservation Restriction; and**
- (b) To authorize the Town Manager to take all actions on behalf of the Select Board that are reasonably necessary, in the judgement of the Town Manager, to complete the Select Board’s granting of the Conservation Restriction, including without limitation, executing any and all closing documents and/or closing forms and approved 5-0.**

11. Discuss and Vote on Request for Fossil Fuel Bylaw Waiver Application, Sri Chaitanya Somanchi, 2 Betty Lane

Mr. Somanchi met with Mr. Snyder-Grant about the request to waive the fossil fuel free bylaw noting the heat cooking the food and taste of the food differs from gas use and induction cooking, and the alignment of pans with the induction plate magnate needing precision to cook properly, and requesting to use a propane based cooking stove. Mr. Somanchi noted the difficulty family members have with the induction stove. Mr. Charter noted his objections to the Board deciding how residents can cook in their home and should be tolerant with cultural differences. He supports the waiver application using propane (not natural gas),

which could be portable. Ms. Nicol noted her support due to respect even if Town Meeting passed the bylaw, suggested more education efforts regarding real estate agents to future owners of new homes about the town bylaw. Mr. Martin commented that cooking with induction can obtain high heat with the use of alternative cookware. He noted that the town is moving away from relying on fossil fuels that are causes of global warming. Mr. Snyder-Grant noted ambivalence with applicant and the policy. He suggests showing Acton TV programming to include cooking on induction stoves.

Ms. Nicol moved, seconded by Mr. Charter to approve request for fossil fuel bylaw waiver from Sri Chaitanya Somanchi at 2 Betty Lane and approved 3-2. (Martin, Snyder-Grant)

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

Mr. Mangiaratti asked staff how much time was spent reviewing the permit application, and have not discussed with staff, noting the permit application was submitted and approved a year ago. Mr. Martin suggests refunding up to 80% of the cost. Ms. Nicol noted the bulk of the fee is for inspections, and staff salary, and questioned the Town Manager if 80% is acceptable, Mr. Mangiaratti would like to discuss with the Building Division about a refund policy in the future. Mr. Nicol voiced concern about setting a precedence and would recommend a partial refund.

Mr. Martin moved, seconded by Ms. Arsenault to approve a 75% building permit fee refund. Mr. Mangiaratti noted that the applicant also applied for a permit to a smaller project that was approved after the original project was denied. **Mr. Martin withdrew his motion, seconded by Ms. Arsenault. Mr. Martin moved, seconded by Ms. Arsenault to refund the entire fee and approved 5-0.**

13. Approve Payment in Lieu of Taxes (PILOT) Agreement for Discovery Way
Mr. Mangiaratti noted in Massachusetts solar projects are taxed differently and our assessors would tax it as personal property, and agreement is reached with the town and developer of the assessed rate over 20 years providing stable tax payment for the town and the developer. The pack provides the document being proposed for \$68,000, which has been done with other projects in town. The PILOT agreement was approved at 2022 Town Meeting and recommending the Board approve the PILOT agreement which would be deposited in the energy efficiency fund. The project is a renewable energy operation. Mr. Snyder-Grant asked if the DOR needs to approve the project. Mr. Mangiaratti responded the town follows their guidance.

Mr. Martin moved, seconded by Ms. Nicol to approve payment in lieu of taxes as presented for Discovery Way and approved 5-0.

14. Approve Appropriation of \$250,000 from Energy Efficiency Fund for Final Design of Town Hall HVAC and Emergency Power Replacement Project
Mr. Begin is proposing appropriation from the energy efficiency fund. Time frame is 4-5 months for the project.

Ms. Nicol moved, seconded by Ms. Arsenault to approve the appropriation of \$250,000 from the Energy Efficiency Fund for the purpose of final design and bidding services associated with the Town Hall HVAC and Emergency Power Replacement project and approved 5-0.

15. Confirm Select Board Liaison Assignments

Mr. Charter noted to changes to liaison assignments just a change to remove Ms. Arsenault from ALG and include Ms. Nicol. CLAC will not be meeting but will not sunset until the home rule petition is approved next year. AB Regional School District Building Committee does not exist and can be stricken in the liaison list. Members agreed with the assignments.

16. Assign Member to Attend Eagle Scout Court of Honor on June 4, 2025

Mr. Charter and Ms. Nicol will attend the ceremony.

IV. Consent Items

Mr. Martin moved, seconded by Ms. Nicol to approve consent items 17-24 inclusive and approved 5-0

**Ms. Nicol moved, seconded by Mr. Martin to adjourn and approved 5-0.
Meeting adjourned at 9:38 PM**

- May 19, 2025 Agenda
- Public Hearing Notice and Documents for Gas Main Replacement from National Grid for Nashoba Road and Elm Street/Central Street Intersection
- Public Hearing Notice and Documents for Gas Main Replacement from National Grid for Arlington street
- Public Hearing Notice and Carry In and Common Victualler Applications for Acton seafood Company
- Housing Production Plan, Public Comments and Draft Final Plan
- Wetherbee Conservation Restriction
- Memo from Acton Community Housing Corporation Dated May 15, 2025
- Fossil Fuel Free Waiver Application, Sri Chaitanya Somanchi, 2 Betty Lane
- Email Request for Building Permit Fee Refund, Yan Ma
- PILOT Agreement, Discovery Way
- Select Board Liaison Assignments