

## **BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING**

**June 24, 2013**

**Francis Faulkner Hearing Room 7:00 p.m.**

Present: Ms. Adachi, Mr. Gowing, Ms. Green, Mr. Clough, Mr. Sonner, and Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised

### **CITIZENS' CONCERNS**

Mrs. Kilpatrick spoke about her inability to get permits to build a porch at 9 Devin Drive in Robbins Brook. The Planning Department would not allow this porch until the project is built out and they review the FAR calculations.

The chair asked for the status of the figures being developed. Planning Director Roland Bartl said they are 40% done.

Wayne Friedrichs, 24 Windsor Ave. read a letter about the West Acton Historic District and Zoning plans. He would like a program in place to address the zoning in the West Acton District and other Village Residential and Historic Districts, and noted the need for town staff to support it. They want the Board's attention focused on this sooner rather than later.

Neal Bower – 1 Devon Drive, Chair of the Robbins Brook condo association urged the Board to not hold up the developer's construction permits.

Ms. Adachi spoke about a citizen's concern phoned into her about work being performed in West Acton at the railroad crossing, which has backed up traffic onto the railroad tracks. It was noted that this is already being resolved.

### **CHAIRMAN'S UPDATE & OPERATIONAL MINUTE**

Ms. Adachi –Announced that she signed the final version of the Regionalization Agreement and the charter changes under Article 2 passed at the Special Town Meeting. She discussed Election Day tomorrow. ALG Leadership group will begin meeting and discussing their schedule. Selectmen were invited to the Woman's Club tour to view the improvements funded by CPA funds. Fourth of July activities will take place at NARA on July 4<sup>Th</sup>.

Mr. Ledoux – Mass Ave issues at the crossing have been discussed with MBTA. The improvements started today. The T is working on the Head House and platforms will be worked on later this week. Solar project is moving forward. Jennifer Whitton-Woodruffing an Associate Professor at UMass Lowell and Town resident will be working on a citizen survey.

## **PUBLIC HEARINGS & APPOINTMENTS**

### **SITE PLAN #4/30/71-15, E&A NORTHEAST, LP, 371-395-291-307 MAIN STREET (ADACHI)**

Ms. Adachi discussed the proposed amendment to the site plan, which is the second amendment since the original site plan in 1971. This will allow changes to parking at the Not Your Average Joe's and Roche Bros. Plazas on No Name Road. Paving work will mostly be done at night. Signage has been proposed for the façades at each plaza. Keith Hague, Brian Levey, and Joshua Swerling noted that they are before the Board requesting a minor amendment for upgrades and deferred maintenance as existing issues are getting worse. They are trying to make the area more pedestrian friendly. They propose to make changes on Mass Ave. exiting right in, right out. Relocation of the driveway taking a left on No Name was moved to allow better cuing. They also changed the parking area on the side of Acton Wine and reoriented the parking along the side of the building. From a pedestrian standpoint, as suggested by Planning, they added a 6-foot sidewalk on Main Street and down No Name Road to connect the lower plaza. They will install benches, trash cans and landscaping. Maintenance items need to be addressed due to drainage and erosion by water, which has been eroding the Middlesex Savings bank building, and this will eliminate those water issues.

They plan to replace the lighting as it was installed over 20 years. They are also planning on renovating what is there today, and they will take down the canopy to bring in more light and reface the buildings. He again noted that they will be doing some of the work at night. They have the contractor and are working on the schedule. They anticipate 23 nights of construction which will include milling and paving and begin in the middle of July and be done by November 1<sup>st</sup> if they can work at night as well as during the day. If they cannot do work at night, they will not be done until spring.

The Project will add 23 parking spaces and will include the installation of bike racks, which will allow patrons to bike. There will be no increase of the square footage of the buildings.

Mr. Sonner – asked about how the curb cuts will line up with the proposed CVS across the street. Mr. Sonner asked if they can the address the noise at night for the residents in that area. Mr. Sonner wanted plenty of notice to the residents and to provide the residents with a number for them to call with questions/complaints.

Mr. Clough asked about the residents in the apartments. They answered that it would be noisy during some of the night work. Mr. Clough asked about limiting the number of consecutive days of night work in the week. He would also like to see a sidewalk at the cleaners. They cannot do that as there is a Mass Highway Right of Way in this location. He wanted to be sure the DRB was included in the process although it was determined that the DRB will not meet until after the work is planned to begin.

Final

Mr. Gowing spoke about the great changes that have been needed for a long time. The cuing issues are currently dangerous. He suggested that the lighting used for night work face away from Yankee Village Condos and face toward the lot, which would eliminate the light shining into their buildings. There will be night and day work and they will be installing drainage. The curbs and landscaping work will take place during the day. Mr. Gowing asked that they submit the lighting plan for the parking lots to the Town.

Ms. Green noted that most of her questions have been answered. She asked about the day work. All work to the buildings will be done during the day. She asked about handicapped parking spots. They have installed HP Spaces in different locations at the request of the town.

Ms. Adachi asked about conservation issues, and if the Conservation Commission has approved. She asked about the milling process. She asked about the hours of work on the site. They want to have the night work when the tenants are closed and you do your work at that time. She noted that the Police should be notified of this work. She said that she was pleased to have the bike racks and other improvements, which will make this area better.

Gena Manlan 7 Kelley Road, asked about right in and right out proposal. They noted there will be a raised island and will prevent anyone from attempting to take a left. She suggested that they allow no left turns forcing people take a right and make a left hand turn at the light. It was noted that that is out of the realm of this project, and would be a problem for tenants. She has a problem with the playground because it is a parking lot and potentially dangerous area and would draw children in.

Ms. Green asked if it would cost them more money to do the work in blocks if we required them to limit the number of consecutive nights of work each week. They said yes.

Roland noted the draft decision has the language about police details. He also felt it should go on the Web site and have signage.

Ms. Adachi spoke about section 2.11 regarding hours of work.

Mr. Sonner wanted to have construction on eastern side of the lower lot for no more than 3 consecutive nights. They were asked to notify police, Selectmen, Planning and to notify the neighbors one week before the work begins. Under 2.12 they were asked to send a notice if there is a change in plans from the contractor and to the abutters as well.

Mr. Clough – Moved to approve with conditions as noted and have the Chairman sign the decision with those changes. Mr. Gowing - second. UNANIMOUS VOTE

## **SECOND OF THREE SEWER PRESENTATIONS**

Final

Mr. Halley presented a slide show of how various sewer issues are addressed, such as how finances are handled and how many users do we have. He spoke about how sewers are operated and how we contract for the operation of the sewerage plant. He noted we currently have 850 betterments that are connected. He addressed questions such as what is the potential additional capacity of our system. He said we were allowed to increase to 299 gallons per day. If we wanted more capacity, we would need an additional site. He discussed how the abatements are handled, and how W.R. Grace is addressed. We will need future capital reserves and have begun to address the ageing facility. We currently have \$1,435,818 in the Reserve. He discussed Additional users: those being Water District, Powder Mill Pump Station and Parker Village Apartments.

Mr. Gowing discussed the need for another plant and pump to the new location.

Ms. Green asked about calculation of water rates without water use history.

Mr. Clough asked about the difference between capacity used and the betterments used. Doug said it was hard to tie capacity into the betterments, and noted that people are conserving more.

Ms. Adachi asked for clarification on several issues.

## **REPORT OF THE SPACE NEEDS STUDY**

The meeting tonight is to follow up on the February meeting. Mr. Charter stated they have refined the designs and developed more cost estimates, which will guide them through the capital planning for next year.

Mr. Charter outlined the Space Needs Study Scope of work, and those locations not included in the scope.

Dean felt we needed to step back and re-evaluate the plans for the north wing of Town Hall and that in 3-5 years we may not be happy with the current suggestions. He suggested that we might want to look at space outside the Town hall.

He also went over the rest of the town hall upper floors and the allocation of space.

With regard to the Senior Center, we have 99 year lease and Dean noted that he has served on several committees looking at the physical constraints of the building. In 2009 the cost estimate for a new building was \$7,185,000. Building committee updated estimates to up to \$7,689,000 in 2012.

He also discussed the Harris Street Property owned by the Commonwealth. Recreation would love to move to Harris Street, especially because of its proximity to NARA and its useful out buildings.

## Final

Public Works Facility was discussed as well as the Red House, including their uses and needs for the future. The lift for the Red House will be installed and operational by the fall.

Dean discussed the ASA Parlin House including past work down by the Historical Commission and the request for CPA funds to study the stabilization of the building. CPA asked that they only release money for a Study. He felt it was not significant to address in the space needs study and that they should discuss demolishing the building. Selectmen had different reactions to whether or not to include ASA Parlin House in the discussion of the space needs study and what the future of the building should entail.

Dean suggested we lease out the Morrison Farm house to prevent vandalism and fire.

Mr. Clough noted that we still don't know what to do after this presentation. He felt we have not made any progress. He felt the data was flawed and maybe the numbers are wrong. Dean noted the initial study was carefully derived by measures and many people's input and felt the numbers were correct. They gave it to Kang Associates and noted that Allegro's plans were not that much different. Dean was concerned that Staff will move into the space in the north wing and will find it too small. We need to make sure that this is what everyone wants and he is trying to give as much information as possible so that we go into this with our eyes open.

Mr. Gowing said there is no easy solution. He asked if we should we revisit what we have at the Highway because it has the least constraints because of the land and perhaps we could move more departments into the building if we further increased the square footage.

Dean noted that 14 Forest Road is not as large as they think and there are issues with sloping, Trash Mountain, and abutting neighborhoods.

Ms. Green felt it was helpful and had questions about the proposal to move out the land use departments, and whether this meant we planned to never have them come back to this facility. Dean said he did not see them coming back into the building and noted it is a 20 year plan.

Ms. Adachi asked if we accept all the recommendations will it solve the issue. Dean said that we will have the space and be in shape for a long time to come.

Mr. Ledoux noted he needs to get more information on the cost of lease space vs. what just making changes to Town Hall and the tradeoffs. Maybe we renovate the North wing, and maybe we consider long term lease space.

Mr. Sonner would like an overall picture and the total build and long range planning. He felt we need to make a decision on the ASA Parlin House. Mr. Sonner felt we need to move ahead to allow town staff to rent out the Morrison Farm House. There was much

Final

discussion over whether or not to vote on renting out the Morrison Farm house tonight and the timeline for discussing the future of the ASA Parlin house.

Ms. Adachi noted that we need to put ASA Parlin on the agenda for more discussion. She feels the idea of the Morrison Farm house is compatible and if the MFC is ok then we rent the house.

Mr. Gowing noted we need adequate space for our employees.

Dean noted the reason he included MFC and ASA Parlin House was that in the past he had been asked for a Global Study. Maybe we check off and move forward not including them in the study.

Mr. Sonner wanted operating costs not just capital listed on a spread sheet. We need to have leasing information to review.

### **USE SPECIAL PERMIT, 5/6/13-443, 531 MAIN STREET**

Ms. Green noted it was a simple change in use. The owner presented the proposed permit and said they are moving to get more space and that they have better bathrooms and they are contained within her space with private dressing rooms and showers. Mr. Gowing asked about parking. It was felt it was not an issue.

Mr. Sonner – Moved to approve the Use Special Permit. Mr. Gowing – second.  
UNANIMOUS VOTE

### **SELECTMEN'S BUSINESS**

#### **RATIFY BOARD OF SELECTMEN'S GOALS**

Mr. Sonner – Moved to Ratify the Long short range Goals. Ms. Green – second.  
UNANIMOUS

#### **EAGLE SCOUT COURT OF HONOR, KEVIN IMMERMEN AND MATTHEW ROBBERTZ**

Mrs. Immerman to pick up the packets

#### **REVIEW CHARGE OF FIRE STATION STUDY COMMITTEE**

Mr. Ledoux discussed his draft of the Committee Charge. Mr. Gowing asked that we reach out to former committee members. He also noted that the Center Station needs costly renovation as well. Mr. Sonner asked if the committee will look at the other

Final

stations as well and said it would help to get numbers on bringing the existing buildings into good repair

Mr. Sonner – Moved to approve the Charge for Fire Station Study – Mr. Gowing – second. UNANIMOUS

## **TOWN MANAGER'S ANNUAL REVIEW**

The Board reviewed the forms prepared for Mr. Ledoux's Review.  
Mr. Clough – Moved to sign the cover Letter. Mr. Sonner – second.  
Ms. Green, Abstaining 4-1 motion passes

## **SELECTMEN'S REPORTS**

Mr. Sonner –. 2020 looking at other action items to decide which ones they will focus on this year. Water District land purchase was discussed.

Mr. Clough – Finance Committee made their Liaison assignments. They also discussed any turn backs by the School and Town side. Attended Planning Board meeting when Nancy Tavernier discussed the formula for what a builder should pay if the builder does not or cannot sell an affordable unit. EDC is working on their business directory and they have been gathering names and companies.

Ms. Adachi – Nancy Tavernier received Housing Hero award at Devens. Ms. Adachi also attended the meeting with Nancy and the Planning Board to talk about how to calculate an amount of money to have the builder pay if the builder does not sell or cannot sell an affordable unit as the ACHC thinks the \$50,000 a builder recently paid was too little. Avalon's bond will be released as all the work has been done. She attended the Mass DOT hearing on the Assabet River Rail Trail in Maynard. A resident of Maple Street was also attending and was concerned with Caouette land and why was there was a change in the parking plan. Attended Pasture Dinner which was attended by past and current members of the BOS. Also attended tribute to Dore Hunter to thank him for his 24 years of service.

Mr. Gowing –Morrison Farm committee met and elected their new officers. Mary Ann Ashton is now the Chairman. Health Trust met and discussed several issues including Retirees' benefits. Safety Net met and announced that Budget Buddies, a nonprofit for financial planning will open in Acton and will be available to discuss financial planning for those that need it. Also attended the Friends of the Acton Nursing Service annual dinner.

Ms. Green – Attended the COD annual retreat where they discussed their plans for next year. They also discussed and voted to recommend a variance for 100 Nagog Rd. The AB School Committee voted to renew the Superintendent's contract for 2 years and gave a 2% raise. The Acton School Committee also met and discussed the year end

Final

budget. Right now, the Superintendent recommends using about half of the leftover funds and returning \$170,000 to the town.

**CONSENT**

With regard to obsolete library materials, Mr. Gowing would like to have back up if anything else is declared obsolete besides books.

Mr. Gowing - Moved to approve the Consent Items - Mr. Sonner - second.  
UNANIMOUS VOTE

Ms. Adachi Moved to adjourn. Mr. Clough – second. UNANIMOUS VOTE

\_\_\_\_\_  
Christine Joyce  
Recording Secty

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Clerk  
\_\_\_\_\_  
Date