

QUESTIONS TO BE ANSWERED ONLY BY APPLICANTS FOR A RESTAURANT ALCOHOLIC BEVERAGE LICENSE

21. Does the applicant have a duly issued and valid common victualler's license? Yes No

22. a. Does the applicant have an entertainment permit? Yes No

b. If yes, date of issuance: _____

c. If no, does the applicant intend to obtain an entertainment permit? Yes No

23. What proportion of your business receipts is expected to be from alcoholic beverages? _____ From food? _____

24. Does applicant plan to offer a full service or limited menu? Full service

25. a. What is applicant's proposed maximum occupancy? _____

b. What is applicant's proposed maximum seating capacity? _____

26. a. Is the kitchen a separate room or rooms? Yes No

b. If yes, state how large the total floor space of the kitchen will be: _____

c. If yes, what cooking equipment is or will be in the kitchen? _____

d. If no, describe the types of cooking equipment and where they are or will be located: _____

27. a. How many function rooms or other rooms will be used for the sale, service or dispensing of alcoholic beverages? _____

b. State the name, if any, used to identify each room, and the floor on which each room is located: _____

28. a. Are there sufficient toilets for men on the premises? Yes No.

b. Are there sufficient toilets for women on the premises to be licensed? Yes No.

APPLICATION FOR TRANSFER OF LIQUOR LICENSE

THE COMMONWEALTH OF MASSACHUSETTS

Town OF Acton

December....., 1993

TO THE LICENSING BOARD

The undersigned licensee, Giovanni's at Nagog Square, Ltd.
respectfully petitions for the transfer of the All alcoholic beverages
(Class of license)

all alcoholic beverages license now exercised by the said licensee on the premises located at 103 Nagog Park
Acton, MA

to W + Z INC.

whose address is 8 Turner Ridge Rd., Marlboro, MA 01752

(If present licensee is a corporation, fill in the following paragraph.)

The said licensee is a corporation duly organized under the laws of the Commonwealth of Massachusetts, and its officers, directors and stockholders, their residences, and shares owned by each are as follows:

From:	(NAME)	(ADDRESS)	(SHARES)
		(Place an * before the name of each director.)	
	Dennis Dyer <i>President</i>	1 Fletcher Rd., Bedford, MA 01730	1000
	Dennis Dyer <i>Treasurer</i>	" " " " " "	
	Dennis Dyer <i>Clerk</i>	" " " " " "	

(If proposed transferee is a corporation, fill in the following paragraph.)

The proposed transferee is a corporation duly organized under the laws of said Commonwealth and having a usual place of business in said Acton, and its officers, directors and stockholders, their residences, and shares owned by each are as follows:

To:	(NAME)	(ADDRESS)	(SHARES)
		(Place an * before the name of each director.)	
	Sau Jing Wong <i>President</i>	8 Turner Ridge Rd., Marlboro, MA	300
	Wan Shing Wong <i>Treasurer</i>	8 Turner Ridge Rd., Marlboro, MA	300
	Wei Dong Zeng <i>Clerk</i>	8 Turner Ridge Rd., Marlboro, MA	300
	Ring Bin Zeng	8 Turner Ridge Rd., Marlboro, MA	100



The Commonwealth of Massachusetts
The Alcoholic Beverages Control Commission

Severett-Sutton Hall Building, Government Center
100 Cambridge Street, Boston 02102

TELEPHONE: 727-3040

FORM B

THIS FORM FOR CORPORATION SET-UP

NAME OF LICENSEE: W & Z INC. DATE: _____

<u>TITLE</u>	<u>NAME</u>	<u>ADDRESS</u>	<u># OF SHARES</u>
PRESIDENT:	<u>Sau Jing Wong</u>	<u>8 Turner Ridge RD Marlboro, MA</u>	<u>300</u>
TREASURER:	<u>Wan Shing Wong</u>	<u>8 Turner Ridge RD Marlboro, MA</u>	<u>300</u>
CLERK:	<u>Wei Dong Zeng</u>	<u>8 Turner Ridge RD Marlboro, MA</u>	<u>300</u>
DIRECTORS:	<u>Sau Jing Wang</u>	<u>8 Turner Ridge Rd Marlboro, MA</u>	
	<u>Wan Shing Wong</u>	<u>8 Turner Ridge Rd Marlboro, MA</u>	

STATE TOTAL SHARES ISSUED: 1,000

SOURCE INFORMATION AS TO ABOVE: Sau Jing Wong - PRESIDENT

INTEREST IN ANY OTHER LIQUOR LICENSE: NONE

(Officers - Directors - Shareholders)

DOES CORPORATON ITSELF HOLD INTEREST IN ANY OTHER LIQUOR LICENSE?

NO

IDENTIFY OCCUPATION OF SHAREHOLDERS: All are employed in restuarant
 business except for Sau Jing Wong who is a homemaker.

FORM C

THIS FORM FOR FINANCING "CAPITALIZATION"

* IS LICENSE PART OF COLLATORAL? YES _____ NO X
(Using Liquor License to secure financing)

* THIS QUESTION MUST BE ANSWERED BEFORE THE FORM IS SUBMITTED

PURCHASE PRICE: \$ 130,000

WHAT WAS PURCHASED: Substantially all assets of Giovanni's of
Nagog Square., Ltd.
SHARES OF STOCK: _____

ASSETS: Lease _____
(Building) (License)

OTHER ASSETS: See attached

WHO PURCHASED: W & Z, INC.

HOW FINANCED: Cash + Note
(Cash - Loans - Mortgage - Bank - Seller - etc.)

PREMISES: 103 Nagog Park Acton, MA
(Owned - Leased - Rented)

IF THIS IS A CLUB LICENSE, HAS THERE BEEN A "SALE" OR "DISSOLUTION"
OF CLUB? _____ CHANGE IN OFFICERS OR CLUB ORGANIZATION? _____

ANY ADDITIONAL INFORMATION THAT YOU MAY HAVE THAT WOULD HELP THE
COMMISSION IN DETERMINING THE STATUS OF THIS APPLICATION: _____

IT IS IMPORTANT TO KEEP ALL INFORMATION CONFIDENTIAL.

Signature of Investigator Date

Certificate of Vote

of
W & Z, Inc.

The undersigned hereby certifies that on December 15, 1993 a meeting was held of the Board of Directors of W & Z, Inc. was held at 9 Meriam St., Suite 2, Lexington, MA 02174 at 10 a.m. Present were, Sau Jing Wong and Wan Shing Wong, comprising all of the Board of Directors of the Corporation. The undersigned as Assistant Secretary of the Corporation was invited into the meeting as Secretary of the meeting.

The undersigned certifies that the following votes of the Board of Directors were proposed, seconded, and unanimously passed:

VOTED: That the proposal presented to the Board of Directors by the President as to the acquisition of the assets of the restaurant known as "Giovanni's at Nagog Square, Inc." and located at 103 Nagog Square, Acton, MA upon the terms and conditions proposed be and is hereby approved and all actions taken previously are hereby ratified.

VOTED: That the President be and is hereby empowered to enter into and to execute and deliver such documents as may reasonably be required to accomplish the acquisition of said assets including the transfer of the liquor license now held by the Seller.

Voted: That the President be and is hereby empowered to make such applications to the Town of Acton and various State Agencies or Boards, as may be appropriate or required, to obtain the liquor license now at the location of the assets being purchased from Giovanni's of Nagog Square, Inc.

The undersigned hereby certifies that the foregoing Votes are in full force and effect and have not been changed or modified in any way and the following comprises a list of the officers of the Corporation:

Sau Jing Wong-President
Wan Shing Wong-Treasurer
Wei Dong Zeng-Clerk and Secretary
Louis R. Vitiello, Esq.-Assistant Secretary

December 21, 1993



Louis R. Vitiello-Secretary of the Meeting and Assistant Secretary of W & Z, Inc.

FORM A

CHANGE OF MANAGER

HIS FORM IS COMPLETED WHEN THERE IS A CHANGE IN THE MANAGER OF A CORPORATION.

INSERT THE NAME OF THE LICENSEE ON LINE BELOW.

W & Z, Inc., d/b/a Szechuan Pavilion purchaser of assets of
Giovanni's of Nagog Sq., LTD

708-460-6888

(TELEPHONE NUMBER)

NAME OF NEW MANAGER: Man Yee Kan

HOME ADDRESS: 177 Yale Ave., Athol, MA 013301

PLACE OF BIRTH: Hong Kong

DATE OF BIRTH: 5/27/62 REGISTERED VOTER: YES NO

ARE YOU A CITIZEN: YES NO

COURT AND DATE OF NATURALIZATION: U. S. District Court-Boston- 9/29/88

FATHER'S NAME: Fu Kan MOTHER'S MAIDEN NAME: Chan

POLICE RECORD: (LIST FELONY OR ANY DRUG CONVICTIONS) None

PRIOR EXPERIENCE IN THE LIQUOR INDUSTRY:

Waitress serving liquor, Restaurant Manager, Owner of Restaurant that had a Liquor license.

FINANCIAL INTEREST, DIRECT OR INDIRECT, IN ANY OTHER LIQUOR LICENSE:

None.

EMPLOYMENT FOR THE LAST TEN YEARS: (Dates, Position, Employer, Address)

- 1982-1984-Waitress-Nan King Restaurant, New Hampshire
- 1984-1985-Waitress- May Garden Restaurant, New Hampshire
- 1985-1990- Owner- King Sing Restaurant, Ornage, MA
- 1990-1992- Manager-Chopstick Restaurant, Leominster, MA
- 1992-Present-Manager-Royal Mandarin-Marlboro, MA

FORM A

HOURS PER WEEK TO BE SPENT ON THE LICENSED PREMISES: 40-50

SIGNED AND SUBSCRIBED UNDER PENALTY OF PERJURY THIS 22 DAY

OF December 1993

BY: SIGNATURE: 

TITLE: Asst., Secretary

1/18/94
(4)

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

DATE: JANUARY 14, 1994

TO: BOARD OF SELECTMEN

FROM: GARRY A. RHODES, BUILDING COMMISSIONER *JAR*

SUBJECT: SITE PLAN SPECIAL PERMIT #11/5/93-341
WENDY'S INTERNATIONAL, INC.
7-11 POWDER MILL ROAD (MULLIN)
ADDITIONAL COMMENTS

As result of the January 4 continued hearing, I am providing additional information for your review.

I have not been provided any cut sheets on the lights as of this time. The pole lights that were installed at 421 Mass. Ave. (Sunoco), according to the plans, are 400 watt metal halide. That decision did not limit the intensity of lighting. The lights at Mobil Oil in West Acton were limited to 250 watt by the decision. The Board also limited the lights at 204 Main Street to 250 watt, however that site has not been developed as of yet.

I have asked for further input from both Engineering and Planning Depts. based on the new plan. Engineering has provided those comments in writing, however the Planning Dept. was unable to provide them in writing at this time. Their only comment was that the drainage appears to be closer to complying with Acton's zoning. I would again state that in my opinion full compliance with Section 4.3.6.3 is not necessary. This plan shows a closer compliance with the standards set by the Bylaw, however does not fully comply. It is my opinion that the Board would be within their right to require full compliance if you feel this is necessary.

I have been provided with additional traffic information from their traffic engineer. I am enclosing a copy of that information for your review. I have also spoken with them concerning total traffic counts for both Wendy's and Digital to determine impact at the High Street intersection. It is their belief that Wendy's will generate 1960 two-way trips. 44% of them will be new traffic, and of these 56% will be from the Acton area, 10% will use Sudbury Road, with the remainder affecting the High Street intersection.

$1960 = 980 \times .44 = 431 \times .56 = 241 \times .10 = 217$ additional vehicles from Wendy's in the intersection of High and Powder Mill Road.

It is their belief that Digital produces 2360 two-way trips. 81% of them will use their main entrance. Of those vehicles, 56% will come from the Acton Area.

$2360 = 1180 \times .81 = 956 \times .56 = 535$ additional vehicles from Digital in the intersection of High and Powder Mill Road.

I have spoken with both Engineering and Conservation concerning comment #1 (Engineering, 1/10/94). In order to accomplish this it will involve preparing a plan and filing it with Conservation and receiving a right of entry from an abutter. This work could be done by the Town except it will involve hiring equipment that the Town does not own. It will cost approximately \$1200 to hire this equipment and file with Conservation. I would propose that the applicant provide a contribution of \$1200 to be used by the Town for this project with the stipulation that the project be completed by the Town within two years or the money will be returned to Wendy's.

(363)

TOWN OF ACTON
INTER-DEPARTMENTAL COMMUNICATION

DATE: 1/10/94

TO: Garry Rhodes, Building Commissioner

FROM: Alan Perry, Engineering Assistant *A.D.P.*

D.A.

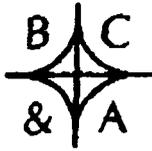
SUBJECT: Site Plan # 11/5/93-341, Revision
Wendy's International
Powdermill Road

The Engineering Department has reviewed the revised site plan for the above referenced property and has the following comments:

1. The outlet of the existing 12" drain line in Powdermill Road needs to be cleaned.
2. Per Bylaw provision 4.3.6.3, the retention ponds need to be lined with soil having a permeability of 0.0001 cm/sec. (0.1417 in./hr.) or less. This should be specified on the plans.
3. A break in the double yellow line along Powdermill Road should be created for cars making left turns both entering and exiting the Wendy's site.
4. The gas trap for the outlet of the trench drain needs to be a LeBaron L219 and cast in the structure with the pipe connection outside of the structure.
5. As storm water runoff is being treated (first inch), gasket joint pipes should be used for the pipe run into detention/retention basin #2.
6. Turning lane arrows and white travel lane separator lines should be thermoplastic to allow for longevity and easy maintenance.
7. The LeBaron catchbasin detail should refer to Note 12 on Sheet 2. This should help avoid confusion when construction of the catchbasin and traps takes place.
8. The slope of the pipe from the proposed trench drain to the diverter DMH should be shown on the plans.
9. The pipe from the outlet structure in detention/retention basin #1 should connect directly into a new catchbasin. The pipe should then connect from the new catchbasin into the catchbasin across the street. The gutter inlet with the existing catchbasin should be removed entirely. This should help eliminate construction of unneeded structures, eliminate unnecessary cutting of the roadway and help keep maintenance at a minimum.
10. A full mortar cap is needed to be placed between the walls of the proposed catchbasin in Powdermill Road and the surface of the ground. This should be shown on the catchbasin detail on Sheet 4 of 5. A detail of a typical catchbasin from the Town of Acton Subdivision Rules and Regulations could be supplied to Wendy's and shown on the plan.

11. A LeBaron 219 gas and oil separator should be cast within the detention basin outlet structure to help prevent trash from escaping from the site.
12. In Note 12 on Sheet 2, the word "have" should be added after the word "to" in the last sentence.
13. According to our information, vehicles cannot cross a hatch lined separator island when exiting or entering driveways. The hatch lined separator island shown in front of house at #25 Powdermill Road and the proposed Wendy's site should be removed. However, the travel lane separator line on the north side of the hatch lined separator island should remain.

.94*123



Time Period	ITE Data			BC&A Data			% Change
	In	Out	Total	In	Out	Total	
Weekday Noon	113	30	43	NA	NA	NA	-
Weekday PM	59	54	113	51	48	99	-12%
Saturday Noon	90	86	176	102	100	202	+15%

Thus it can be seen from the above table that BC&A data compare quite well with ITE data. ITE data was used throughout our traffic study and also in this correspondence.

- Wendy's New Traffic

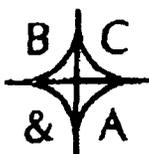
A phenomena of traffic generated by retail projects is that a percentage of that traffic, is already on the roadway system. This traffic is defined as pass-by traffic. The remaining traffic is defined as new traffic. This breakdown is well documented in *ITE Trip Generation Manual* and Wendy's new traffic is shown below in Table 3.

Time Period	In	Out	Total
Weekday Noon	85	2	87
Weekday PM	45	40	85
Saturday Noon	68	64	132

Thus using the directional split of traffic on Route 62 as it is today, 56% of Wendy's traffic is expected to come from the east (from Acton) (46% coming through the Route 62/High Street intersection and 10% coming down Sudbury Road).

- Traffic Increases at Route 62/High Street

Thus using the above-noted directional splits and information in Tables 1 & 3 combined, the actual volume of new traffic and percentage increases as result of Wendy's traffic can be noted in Table 4 below.



Bruce Campbell & Associates, Inc.

Transportation Engineers and Planners

PRINCIPALS

Bruce Campbell, P.E.
 Georgy Bezkorovainy, P.E.
 Michael Gruenbaum, P.E.
 Gutekin Sultan, P.E.

January 11, 1994

Mr. Gary Rhodes
 Town Building Inspector
 Town of Acton
 Town Hall
 Acton, Massachusetts 01720

Dear Gary:

Subject: Proposed Wendy's/Route 62 - Fair Share Contribution

This correspondence is intended to follow-up our conversation of Friday, January 7, 1994 regarding an appropriate fair-share contribution for the Wendy's project. The analysis to follow is based on traffic impacts of the project at the Route 62/High Street intersection.

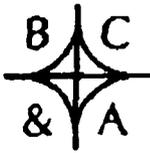
- Traffic Counts at High Street

Traffic counts at High Street, conducted by VHB in June 1989, were secured from Town of Acton files. These counts for the weekday noon, weekday PM and Saturday midday periods are shown on the attached graphic and for purposes of this correspondence will be referred to "base condition". Table 1 below summarizes the total volume entering the intersection for 3 time periods.

Table 1 Traffic Volume Entering Route 62/High Street Intersection	
Peak Hour Condition	Entering Volume (Base)
Weekday Noon	1423
Weekday PM	1962
Saturday Midday	1147

- Wendy's Total Traffic

As noted in our traffic study, Wendy's total (new traffic plus pass-by traffic) peak hour site traffic is derived using Institute of Transportation Engineers (ITE) *Trip Generation Manual*. These estimates, plus data that BC&A actually collected in the field at eight (8) sites in Massachusetts, are summarized below in Table 2 for a 3,100 gsf building.



Page Three

Peak Hour Condition	Entering Volume (Build)	% Increase
Weekday Noon	1469	3.2
Weekday PM	2002	2.0
Saturday Midday	1210	5.5

Thus for the PM peak condition (the condition generally used for design), Wendy's actual traffic increase through the Route 62/High Street intersection is 2% over the base condition. Using the \$60,000 figure (deficit) required to complete the intersection, an appropriate fair-share can be determined ($\$60,000 \times 0.02 = \$1,200$).

- Digital Building Size and Related Traffic

As you suggested, I contacted Mr. Paul LeSage to determine the actual size of the Digital facility. He indicated the facility is 300,000 gsf and typically houses 12-1,500 employees.

Using the size of the Digital building and standard ITE trip generation estimates, this equates to a total of 440 new vehicle trips during the PM peak hour. Wendy's new traffic is 19% of this Digital total.

From research of Town records, a \$30,000 contribution was made by Digital for off-site improvements. If this figure is proportioned to the Digital site trips (440/PM peak hour) and related to Wendy's 85 new vehicles, then Wendy's contribution is \$5,800.

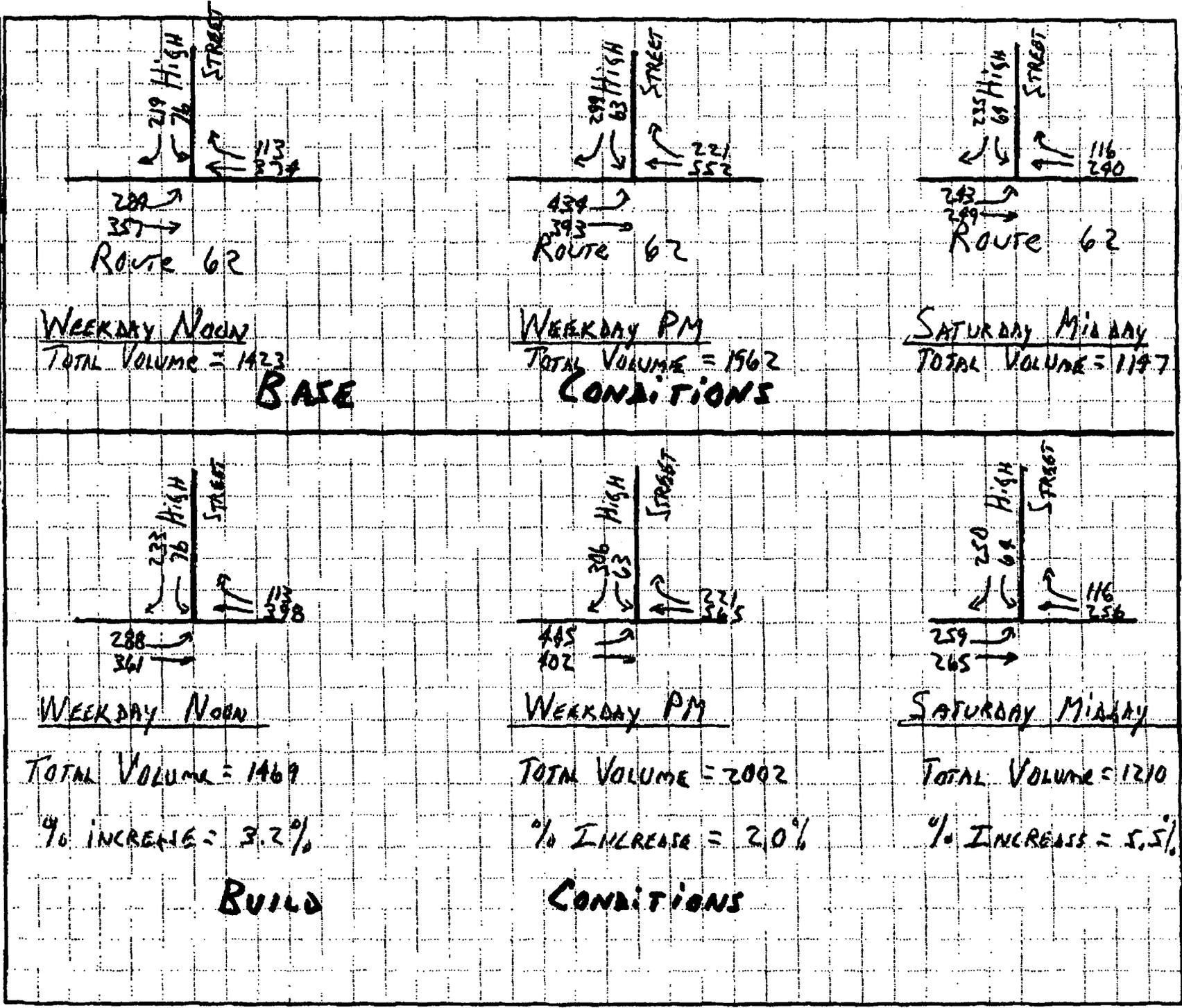
Another methodology would be if Digital donated \$30,000 for 300,000 gsf (\$0.10/gsf) then Wendy's building is approximately 1/100 the size and its contribution should be $\$0.10/\text{gsf} \times 3,100 = \310 .

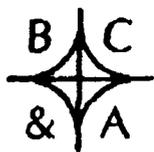
JOB Wemy's - Route 62 / High St

BRUCE CAMPBELL & ASSOCIATES, INC.
 Transportation Engineers and Planners
 38 Chauncy Street Suite 701
 BOSTON, MASSACHUSETTS 02111
 (617) 542-1199 FAX (617) 451-9904

SHEET NO. _____ OF _____ DATE 1/7/94
 CALCULATED BY DP
 CHECKED BY _____

SCALE BASE + BUILD **CONDITION**





Page Four

As you can see, there are a couple of different approaches that can be taken.

Should you have questions on the above, or would like to meet to settle this issue, please contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Doug Prentiss".

Douglas C. Prentiss, P.E.
Senior Transportation Engineer

cc: C. Orcutt
C. Adams

1/18/94

5

JAN 11 0 1994

BOY SCOUTS OF AMERICA
Troop #32
7 Lincoln Drive
Acton, Massachusetts 01720
January 6, 1994

Board of Selectman
Town of Acton
Town Hall
Acton, Massachusetts 01720

Dear Sir/Madam:

It is with great pleasure that I invite a you to a Court of Honor being given for Peter Hess on Sunday afternoon, March 6, 1994 at 3:00 PM at St. Elizabeth of Hungary Church, 89 Arlington Street, Acton, Massachusetts. Peter will be receiving the highest honor Boy Scouting can give, the rank of Eagle Scout.

Peter has been involved in Scouting for ten years. He is a senior at Acton-Boxborough Regional High School and next year, plans to attend college. He has shown many of the skills he will need in the future while doing his Eagle project. Planning, leadership and hard work went into his installation of wooden benches in the Acton Arboretum. The citizens of Acton can be proud of Peter and the work he and the other Scouts did.

We hope you can join us in this tribute to Peter. Please R.S.V.P. to the above address.

Yours truly,



Sharon Santillo
Coordinator, Eagle Scout Advancement

1/18/94

6

TO: Board of Health
FR: Board of Selectmen
RE: Matrix of Responsibilities for Master Plan Actions

At our meeting on January 4, the Board of Selectmen discussed your responses to the Master Plan Coordinating Committee's (MPCC's) matrix of responsibilities for Master Plan actions, which you submitted to the MPCC some time ago. Thank you for giving the suggested actions such detailed attention and thought. We apologize for not responding to the questions you asked us sooner, but hope that the following responses will be useful in your ongoing deliberations as you identify issues on which to focus your attention. It is our intention that all Town boards use the Master Plan Goals and Objectives and suggested actions as a guide in identifying priorities for action. The sections of the matrix which contain the actions and your board's comments are attached for reference when reviewing our responses, as follows:

Action 1 Require treatment plants for major new developments and seek installation of extra capacities to service existing and future needs.

While we are concerned that new regulations for subdivisions will increase the cost of housing, we concur with you that such regulations should be drafted by the Planning Board. By copy of this memo, we are making that suggestion. We would prefer that any treatment plants be run by condominium associations rather than deeded to the Town, however, this detail and others can be discussed at the time of review of such draft regulations.

Action 2 Construct adequate sewage treatment facilities for areas where septic systems are aging or failing, particularly where on-site replacement is not possible.

While there may not be any currently failing systems where on-site replacement is impossible, as you suggest, their replacement may not be economically justifiable based on the value of the house; in addition, they might not be to code. As you know, we have asked to open negotiations with the Town of Maynard about tying in with their treatment plant and we will have to consider

all of the guidelines that you have suggested if this goes forward. The Board of Selectmen will take the lead in this effort, but we will want the Board of Health to be informed and involved in it.

Action 3 Establish tertiary sewage treatment or equivalent as future minimum standard in Acton.

We agree with your response as stated.

Action 4 Continue and improve hazardous waste collection efforts and public education regarding the use and disposal of hazardous materials.

This was included among the list of actions because of its importance, with the understanding that funding is currently limited. However, we believe that some additional education could be provided by Board of Health volunteers, without cost, similar to the information that was provided by the Recycling Task Force in the local newspaper.

Actions 9 - 15 We concur with your comments as written.

Action 17 Initiate and participate in regional environmental protection programs.

We have recently communicated with you about a regional water protection study being conducted by the Metropolitan Area Planning Council (MAPC). Each town in their MAGIC (Minuteman area) subregion was asked to have a minimum of two representatives appointed to a regional group to oversee the study. We have appointed representatives from the Planning Board and Water District to the study group, and we would like to appoint an alternate from the Board of Health. Please notify us if one of your members is willing to serve so that we may appoint him or her and notify MAPC.

Secondly, we would encourage you to put together a planning committee of health officials as suggested in your response to this action. This is consistent with our need to increase the sharing of resources, and we would be very supportive of such an effort by your board. Please keep us informed.

Actions 18 and 19 Institute educational programs for Town boards and staff on environmental issues. Institute environmental education and outreach programs serving the general public.

Again, we agree with your comments, but would encourage you to focus volunteer energies on this as much as possible. Your annual health fair is one vehicle for addressing Action 19, and it does include a number of environmental issues as you have noted. We encourage you to seek ways to increase the visibility of and attendance at your health fair so that more residents will benefit from it.

Actions 20, 21, 24, and 27 We agree with your comments as written.

Action 33 Clean up Fort Pond Brook and other surface water bodies as needed, to maintain or improve their natural and recreational values.

In regard to surface water bodies, we have a pending project proposed for Ice House pond for which we could use your support. Please coordinate with the Municipal Properties Department and Conservation in this regard.

We do not feel that a new survey in South Acton would be useful because the need for sewerage has been established and we need to move forward. It has been discussed at Town Meeting over many years. The questions are now ones of physical and fiscal reality. If we are successful in working out a means of sewerage, we will go back to Town Meeting asking for an appropriation to carry out the plan as developed.

Again, thank you for your thoughtful comments and questions, and your efforts on behalf of the Town. I hope that our responses have been useful in communicating our priorities and providing some guidance for your board.

cc. Planning Board

January 10, 1994

TO: Board of Selectmen
FROM: Anne Fanton, Vice Chair
SUBJECT: FY 1995 Budget

1/18/94
①

This past weekend, I received a call from Pam Harting-Barratt in regard to some information that Steve Aronson had brought to her following a discussion at MPCC. Somehow, it had been linked to our two boards' disagreements over budgets even though it was in no way relevant. Without going into details, it brought home to me how rumor-driven and petty our current communications with the School Committee, and indirectly with the community, have become. I then had a discussion with Pam similar to all of our discussions with the School Committee about the budgets and Municipal Forum which, while not unfriendly, was as unproductive as others have been to date.

When I subsequently reviewed all the materials in our packets, in particular Isa Zimmerman's 1/4/94 memo to us regarding their FY '95 budget presentations, I framed the following set of thoughts and recommendations which I will ask the Board to discuss on 1/18 under Selectmen's Business:

1. For all of the reasons that we have discussed, including but not limited to Education Reform, *we* need to take a fresh approach to establishing and seeking approval of the FY '95 municipal budget. This was made clear at Town Meeting.
2. Our public statements and writings to date have:
 - A. On the + side, established that the Ed. Reform formula will devastate municipal services in Acton.
 - B. On the - side, continued a tone of divisiveness and anger that may not help us reach our goals, i.e. support for municipal budget needs.

Therefore, I recommend that, from now on, we issue statements as a whole Board. This will depersonalize the issues and the discussion.

3. A minimum of one BOS member and a staff representative attend each of the scheduled school presentations for the purpose of understanding the schools' budgets, not for the purpose of presenting municipal budget issues. Their presentations, I believe, are part of their fresh approach and will be very useful and informative to us and the voters.
4. We continue to take the position and promote discussion of budget numbers and issues at the Municipal Forum with our Municipal Forum representatives.
5. **We plan, and schedule at this time, our own forum for municipal budget presentation to the community, in advance of the Finance Committee's hearing.** All municipal department heads and key staff should be present at this meeting to answer questions, however, the presentations would be done by the Town Manager and the BOS.

I am offering these suggestions in support of the positions we have taken to date, but also in the interest of taking a fresh and more productive approach which I think we need if we are to gain community support.

Anne

**SELECTMEN'S MEETING
DECEMBER 14, 1993**

Consent 1/18/94
(8)

The Board of Selectmen held their regular meeting on Tuesday, December 14, 1993. Present were F. Dore' Hunter, Anne Fanton, William Mullin, Nancy Tavernier and Town Manager Johnson. {Representatives from cable were present}

CITIZENS' CONCERNS

None expressed

Dore' Hunter spoke about the pro-forma budget that will be presented to the Board by the Town Manager later in the meeting and further noted it will be forwarded to the Finance Committee by the December 20th deadline.

Dore' than read a prepared statement (attached) regarding the financial health of the Town. He said he would be forwarding it to the Beacon to be printed under Letters to the Editor. Bill Mullin noted that while he agreed with the substance of the letter he could not support the tone of Dore's statements regarding our legislators. Bill urged the Board to work with the legislators to correct the legislation. Anne requested the letter be sent to the editor from Dore' personally. Dore' assured her that was his intent.

PUBLIC HEARINGS AND APPOINTMENTS

DECK HOUSE

848 MAIN STREET - SITE PLAN AMENDMENT

The applicant described the request to construct a storage area to keep lumber dry outside. The applicant is willing to work on the construction of the sidewalk. He felt the sidewalk would enhance that area. He asked that the landscaping in front of the model home be consistent with what currently exists. The proposed amendment would consist of connecting two buildings in the middle to accommodate the outdoor storage of assorted lumber products.

WILLIAM MULLIN - Moved to approve, this approval to initiate the construction of the sidewalk consistent with staff's recommendation. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

**WENDY'S INTERNATIONAL
SITE PLAN POWDERMILL ROAD**

Atty. Charles Orcutt asked that the hearing be continued to allow the applicant to coordinate outstanding issues with the

plan with Maynard as well as Acton. Bill Mullin asked about the increased traffic to High Street and the 62 intersection. It was decided to address these issues at the re-scheduled public hearing. Anne asked for clarification on sidewalk issues as described in the staff memorandum. Bill said that these issues are currently being addressed with staff and will be discussed at the public hearing, but thought the sidewalks would be on the same side of the street as Wendy's. Anne further asked about parking and to have discrepancies in staff comments clarified before the hearing. Bill replied that the parking lot would be substantially in Acton.

NANCY TAVERNIER - Moved to reschedule the Wendy's International Site Plan Public Hearing to January 4, 1994 at 7:45 P.M.

**SUPERINTENDENT OF SCHOOLS
TOWN MEETING SCHEDULE**

Dr. Zimmerman withdrew her request to meet with the Board.

JEAN SIFLEET- SCHOOL ST. SIDEWALK

Ms. Sifleet updated the Board on the progress of the sidewalk on School Street. Engineering has walked the street with her and they have developed a plan that is very acceptable to the current street layout which takes into account the topography of the street. Dore' reminded her that the Board did not expect to have any capital expenditures in the upcoming budget. She said she was looking into ways to fund it partially by private donations. Anne apologized for the fact that there was longer money available to fund the project because of the override's failure. Nancy asked what the cost would be. David felt in the area of \$75000. There are about 21 abutters involved. Nancy asked about setting up a general sidewalk fund.

Don said the only problem he could see would be funding since most of the abutters were supportive of this project and most of the construction would be in the town's right of way. Don suggested funding might be available through intermodal surface transportation efficiency act (ICETEA) or Chapter 90 funds. Dore' asked that the momentum be retained. WILLIAM MULLIN - Moved to open a gift account for construction of the School Street Sidewalk. ANNE FANTON - Second. UNANIMOUS VOTE.

Bill noted we are in a budget crunch and there is a very small chance that the town will be allocating funds in FY95 for sidewalks, and urged her to notify those contributing to the fund of the status of the Town's financial situation.

Anne felt that they should talk to those properties that would require easements to solve potential issues.

Jean will contact abutters and draft a solicitation letter for the Board's review. Nancy asked that the project be added to our Capital Plan if we bonded in the future. Don was asked to work with Jean on the solicitation notification to citizens.

NURSING SERVICE NURSING SERVICE STUDY REPORT

William McInnis went over the report to the Selectmen on the Study of the Nursing Service as prepared by the Study Committee. Dore asked about the financial issue which suggests raises; is it good fiscally? Bill felt the conclusion of the Key Assumptions addresses that issue. The Committee recommends the municipal model be retained and improved. The income exceeds the expenses currently by 40%. Bill Mullin asked what affect the grade changes for the nurses could have. Bill McGinnis explained the worst case \$27,000 rise in employee costs would leave a \$100,000 balance. \$27,000 divided by the number of visits to equal about a \$3.00 increase per visit.

Bill McInnis also asked that the \$30,000 be released to fund the programs listed in the report. There was some confusion on the issue of the \$30,000. It was felt that the money was not added but held for the purpose of paying a consultant if the Board felt an independent consultant was needed.

Anne asked for clarification on approved uses for the surplus and the need for programs listed.

Don Johnson shared some concern, but felt that answers could be obtained after careful review. Dore' suggested that the Board send questions to Bill McInnis for response. Bill Mullin recognized the town support for nursing, however he wanted all financial issues looked into.

NANCY TAVERNIER - Moved to accept and pose any additional questions, and report back after analysis of the employee issues raised were clarified. To release the funds upon satisfactory conclusion of the funding report. BILL MULLIN -Second.
UNANIMOUS VOTE.

GOLDEN BULL - ALL ALCOHOLIC BEVERAGES

William Mullin excused himself from the discussion because he has had business through his employer with Mr. Charomy.

Dore' asked that a liquor license policy be filed with the Selectmen's office. All outstanding issues relative to the Board of Health are being resolved. ANNE FANTON - MOVED to approve the Transfer of the All Alcoholic Beverage License. NANCY TAVERNIER - Second. UNANIMOUS, Bill Abstaining.

CONSENT CALENDAR

NANCY TAVERNIER - Moved to accept the Consent Calendar as submitted holding item 15 for discussion. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

Item 15 - Street cut request was clarified and approved under the Consent Calendar after discussion.

SELECTMEN'S BUSINESS

1994 LICENSE RENEWALS - ANNE FANTON - Moved to approve renewal of the Class II Licenses as listed. BILL MULLIN - Second. UNANIMOUS

NANCY TAVERNIER - Moved to approve renewal of the Class I license as listed with the exception of Village Saab. ANNE FANTON - Second. UNANIMOUS VOTE.

Attorney Kadison spoke on behalf of the owner of the property. He outlined a plan to solve and correct the problems. He felt under current conditions that work would be completed by January. NANCY TAVERNIER - Moved to renew the Class I license until the end of February. BILL MULLIN - Second. UNANIMOUS VOTE.

NANCY TAVERNIER - Moved to approve the Entertainment license as listed. BILL MULLIN - Second. UNANIMOUS VOTE.

24 Hr. Permit - Nancy updated the Board on her conversation with Mr. Hardy an abutter regarding the extreme light over the restrooms. Atty. Kadison spoke on behalf of his client, Mr. Quigley and said the wrong light had been installed and that it would be discussed with the Building Commissioner and resolved. NANCY TAVERNIER - Moved to approve conditioned on the replacement of the light outside the restrooms. 3-1 ANNE FANTON - NO.

WILLIAM MULLIN - Moved to approve the Automatic Devices, Taxi car and driver and Fortune Teller Licenses as listed. ANNE FANTON - Second. UNANIMOUS VOTE.

ANNE FANTON - Moved to approve the Common Victualer Licenses as listed. BILL MULLIN - Second. UNANIMOUS VOTE. (Nancy Tavernier abstaining from the Key West Coffee portion).

NANCY TAVERNIER - Moved to approve the retail package stores and common victualer liquor licenses with Pizza Hut held for discussion. ANNE FANTON - Second. UNANIMOUS VOTE. Anne mentioned her observation at Triple A Market with regard to supervision at the registers. Bill mentioned a comparable observation and Don said that a letter would be sent.

Darrell Rocco, Area Manager of Pizza Hut discussed the recent incident with the store manager and the Town Manager's Office. He apologized for the misunderstanding and vouched for Mr. Spencer's abilities as a good store manager. They submitted the required policy of serving liquor for their file.

NANCY TAVERNIER - Moved to approve a Beer and Wine License for Pizza Hut. ANNE FANTON - Second. UNANIMOUS VOTE.

PROPOSED SEPTAGE REGULATIONS - The Board briefly discussed the proposed regulations and suggested that the Board of Health require haulers to notify customers every two years of the requirement to pump. Anne Fanton did not agree feeling that it was more appropriate for the Town to notify residents.

INTERMODAL FACILITY - Nancy updated the board on the issue of trains. She has found the South Acton bridge will be 21 feet so that the issue of double stacks will probably not be an issue. She plans to write a letter. Anne felt we should send the letter to North West Weekly and testify at the Transportation Bond Issue hearing since we have not been notified of plans for use of the rail line.

MAPC APPOINTMENT - NANCY TAVERNIER - Moved to appoint Joseph Lauzon, Water Commissioner to the Regional Water Supply Committee. ANNE FANTON - Second. UNANIMOUS VOTE. Anne felt an alternate from the Board of Health should be appointed and noted this was welcomed by MAPC.

ANNUAL TOWN MEETING WARRANT - NANCY TAVERNIER - Moved to close the Warrant on January 7, 1994 at 5:00 P.M. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

BOARD OF HEALTH - The Selectmen decided to postpone discussion of the Board of Health answers to the Master Plan Matrix until the January 4th meeting.

TOWN MANAGER'S CONCERNS

PRO-FORMA BUDGET - Don Johnson outlined the process that the Town has gone through over the past 5 years. He further outlined how he got to the pro-forma budget for FY95.

Bill Mullin spoke about the complexity of budget forecasting. He is taking the view that the School budget is already set. He said we should let the taxpayers know about the items they need to vote on. He felt they will understand if new equipment is required and wants to present a general override with debt exclusions and put in place a pyramid of items. He feels if clearly explained, the voters will vote an override to maintain Town services.

NANCY TAVERNIER - Moved to transmit the Pro-forma budget to the Fin Com by December 20th. ANNE FANTON - SECOND. UNANIMOUS VOTE.

Nancy further gave direction to the Town Manager on preparation of the budget. She feels that the School budget has been set and wants "B" Budgets at town meeting no matter how complex it is to prepare. She is leaning towards separate override questions.

She felt the Town Manager should prepare a list of things we can't do now and develop a contingency list for Town Meeting. She felt the Board needed to make a decision on the West Acton Library funding source. Bill Mullin felt that there were battles to fight and not to fight and the uniqueness and support by the citizenry for the WAL meant to him it is one we don't fight. Dore felt if it goes in it goes down 11% and goes up at a rate of 12/ or 1%. Nancy felt it should be funded separately. Anne felt she was not quite ready to decide this issue this evening.

Bill urged the Board to continue to try to bring in the Finance Committee support and to support living and dying by the sword. Bill urged the Fin Com to attend Municipal Forum Meetings.

Anne felt it was important to clarify for Town Meeting the difference between this year's and last year's budgets in terms of services.

NEGOTIATIONS WITH MAYNARD - The Board reviewed the letter of invitation from Maynard Selectmen. The Board agreed to attend Maynard's January 18th meeting at 7:00 P.M. and asked staff to respond favorably to Maynard's officials.

MAPC ALERT - NANCY TAVERNIER - Moved to send letters of support as outlined by MAPC. ANNE FANTON - Second. 3-1 Bill Mullin Abstaining.

WEST ACTON TRAIN STOP - The Board discussed the recent correspondence regarding a possible train stop for West Acton. Staff was asked to have Roland Bartl review it and to investigate the rules of engagement.

ADAM'S STREET - Anne felt it was developing into a West Acton Library issue. She asked that the buffering and smell issues be looked into before Town Meeting.

Dore' felt if it goes forward to Town Meeting ACHC should have a meeting with the neighborhood. Bill Mullin again asked to have his concerns about the land transfer for \$0 money be noted.

EXECUTIVE SESSION

Moved and Seconded to go into executive session for the purpose of discussing negotiations. Bill Mullin took Roll Call, All ayes.

The Board adjourned at 11:15 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(452)

EXECUTIVE SESSION

DECEMBER 4, 1993

FIRE BARGAINING -The Town Manager reported on the status of collective bargaining with the Fire Dept. They have agreed to a three year contract with 2% in each year retaining the 90/10 health Insurance benefit.

ACORN PARK

The Town Manager updated the Board on his discussions with Kirk Ware. Kirk Ware was interested in the potential FAR adjustments. Don was very hopeful that this issue could be resolved without a tremendous legal expenditure.

The Board adjourned at 11:30 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(452)

1/18/94 ⑨

Please donate this money
in the amount of \$500 to
ACTION Commission on Disability
Gift Account

Thank you

Ed Kelly



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TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: Jan. 14, 1994

TO: Board of Selectmen
FROM: Don P. Johnson, Town Manager
SUBJECT: Budget Retreat Report

On Wednesday and Thursday, January 12 and 13, we conducted a budget retreat with all Town Departments. The purpose was to build the entire FY95 Municipal Budget from scratch.

After two days we are approximately 1/2 of the way through the process. I have scheduled two more days, January 19 and 20, to work our way through the balance.

I am extremely pleased with the progress that staff has made and I look forward to presenting a Detailed Budget early in February that, in major part, has been constructed based on the consensus of our staff. (I have made it clear that both the Selectmen and I retain veto rights over any recommendations emanating from the retreat.)





BOARD OF SELECTMEN
TOWN OF FOXBOROUGH

40 SOUTH STREET, MASS 02035

cc: BOS

JAMES W. EVANS, JR. Chairman
MICHAEL J. COPPOLA, Vice Chairman
DONALD J. SCHMIDT, Clerk

ANDREW A. GALA, JR.
Town Administrator
Tel: 508 543-1200
Fax: 508 543-6278

URGENT APPEAL TO CONTACT YOUR LEGISLATOR

Dear Chief Elected Officials;

The Foxborough Board of Selectmen oppose the stadium component of the proposed Megaplex legislation. While we have local interest in the continued operation of Foxboro Stadium, we also have concerns regarding the statewide effect of the Megaplex proposal.

The Megaplex proposal contradicts the public purpose of state government, enriches a single team owner at the public's expense and burdens the taxpayer with undetermined costs.

We respectfully request that you contact your State Representative and State Senator to voice your opposition to the stadium component of the Megaplex proposal.

The Commonwealth should not be in the business of competing with private enterprise. This is not an appropriate function of the State and is in direct conflict with Governor Weld's campaign promise of government downsizing and privatization.

The current owner of Foxboro Stadium has pledged to spend 60 million dollars to make the Stadium a state-of-the-art facility. Such a private investment makes the expenditure of public funds for a Megaplex stadium, on a questionable site, entirely unnecessary.

Don't expect a 700 million dollar Megaplex to be built without a major injection of public money. In a 1991 study of 14 stadiums across the country every publicly owned stadium was found to have resulted in a net loss to the taxpayers.

The Megaplex debate has turned into Mega-hype. Our governor says that the price tag for the Megaplex is a mere 700 million dollars and we need to spend public funds to keep the Patriots in Massachusetts. The 700 million dollar figure is just a start! No one in the Commonwealth can predict the final cost of this Mega-mistake!

Are we looking at more lost revenues to cities and towns? Will we see further losses in local aid or further reductions in lottery revenues to pay for this? Who will pay the minimum expected 65 million dollars per year debt service?

As municipal officials we are well aware of the State's past record in keeping funding promises to local governments. The current lack of funding of the Quinn Bill is but one example.

With the projected costs of the Megaplex, will the State keep its promise and continue to fund educational reform or will the eventual cost of that program be passed on to local government while the State operates a football stadium at a loss?

In spite of what the Governor and the newspapers say, it will be difficult for any owner to move the Patriots. Their lease requires them to play at Foxborough until January 31, 2002. The Town of Foxborough, being a third party beneficiary to that agreement, receives a significant annual income which pays for many municipal services. We are hard pressed to understand why the Governor would actively assist in the clear breach of a contractual obligation. The only one who benefits from the Megaplex proposal is James B. Orthwein, the owner of the New England Patriots.

Governor Weld has no business either preparing or supporting legislation that would entice anyone to break an agreement with one of the Towns of the Commonwealth. The Governor's action has placed Foxborough in the position of having to prepare to sue the Commonwealth. The damages are significant and the cost of those damages will be borne by the taxpayers of Massachusetts.

Public funds should not be used to increase the value of one person's investment. We believe taxpayers' money is better used to fund educational, municipal and human services and to reduce the income tax burden to the citizens of our communities.

Please contact your state legislators and let them know that you oppose the stadium component of the proposed Megaplex.

Sincerely,

The Foxborough Board of Selectmen
January 8, 1994

cc: BOS

JAN 11 1994

ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE
MINUTES

Library
Junior High School

December 2, 1993

Members Present: Pamela Harting-Barrat, Stephen Aronson, Jean Butler, Linda Kroll, Rick Sawyer, Lees Stuntz, Mary Anne Vogel, Micki Williams

Also Present: Isa Zimmerman, Mac Reid, Bill Ryan, Dan Leclerc, student representatives - Whitney Barrat and Jennifer Wu, citizens.

The meeting was called to order at 7:46 p.m. by Pam Harting-Barrat, Chairperson.

There was a brief discussion regarding live cable TV broadcasting of regional school committee meetings. Tonight's meeting is being broadcast live in Acton only; the tape will be available for Boxborough cable viewing tomorrow. Mary Anne Vogel talked with the director of Boxborough's cable company and said that any event in the future can have the tape shown.

The minutes of November 4 and 18, 1993 were approved as presented.

Warrant #94-019 in the amount of \$129,827.24, warrant #94-020 in the amount of \$114,087.11, warrant #94-021 in the amount of \$-1,212.33, warrant #94-022 in the amount of \$156,867.61, warrant #93-105 in the amount of \$100.90 and payroll warrants totaling \$801,435.65 were signed by the Chairperson and circulated to other members of the Committee.

Pam Harting-Barrat highlighted the agenda items to be discussed.

PUBLIC PARTICIPATION: None

OLD BUSINESS :

1) Updated Net School Spending

Bill Ryan reported that we have sent in the numbers to the state and asked for a recalculation. We have not yet received confirmation of our numbers and until we do, we cannot go forward. The responses to our waiver requests have not yet come. Dr. Zimmerman said that until we receive the final numbers no proposed spending will be planned.

2. Proposed Activities' Fees Guidelines

There was discussion regarding *Phase II: Universal Activities Fee: Models for Consideration*. The three proposals were:

1) To cover all costs if the program were to be eliminated. This proposal would cost approximately \$61,675; students (other than the 2% waived) would pay a \$50 fee, with a family limit of \$200. This is the "worst case" scenario.

2) To cover anticipated "deltas". This proposal would cost approximately \$17,970; students would pay a \$15 fee, with a family limit of \$60.

3) To cover the Band only - a separate fee. This proposal would cost approximately \$8,050; participants would pay \$60, or whatever the athletic activities fee is, e.g. \$50. It was noted that athletics were not included in the above proposal - just extra and co-curricular activities. Proposals #1 and #2 include the band. Dr. Zimmerman suggested that the athletics and band should be grouped together and all other extracurricular activities would form the second group. Rick Sawyer suggested the board consider the feasibility of charging each student an activities fee, whether they participate in an activity or not. Several members agreed. Mary Anne Vogel suggested that we need across the board rules as to what support the district will give to teams and activities. Regarding the role of booster groups supporting athletic teams, Lees commented that changing to a different system will take several years, due the fact that there is a strong tradition of independence in the groups. She felt they should be incorporated into whatever plan we have. Steve Aronson suggested that a formula be devised and to charge a flat rate for every activity, probably eliminating booster groups. Rick said he did not support eliminating booster groups, that they provided good spirit/cooperation within the groups - perhaps they could make up the difference in the more expensive activities. Dr. Zimmerman will further develop the Phase II proposals.

3. School Council Guidelines

Mary Anne Vogel asked that a "s" be added to #5, making "Town Hall "plural. Dr. Zimmerman hoped that the School Councils can get out to cable and Internet. Perhaps their regular meeting times could be published (Beacon, Lamplighter?).

4) Report of Municipal Forum

Steve made two important points: 1) there was a gentlemen's agreement on the numbers, which is a change from prior meetings, and 2) discussion of the visioning process. Sandy Stone will act as facilitator. It requires the support of the Forum and it is not universally accepted by all. They hope to work through the process to get to a level of understanding. Micki asked if the intent of the MF was to implement the visioning plan. Dr. Zimmerman said ideally the process would be sponsored by the MF, but that the town meeting would eventually accept the developed vision statement as a standard against which decisions are made.

NEW BUSINESS:

1) & 2) Acceptance of Gifts from Mr. Barry Cohen and Dr. Steven Schenker

It was moved, seconded and unanimously

VOTED: To accept the gifts of Mr. Cohen (\$160, allowing 35 students to participate in a biotechnology experiment which acquainted them with micropipetting techniques, etc.) and Dr. Schenker (fencing materials, approximating \$3,000).

The Committee thanked the these individuals for these donations.

3) Approval of Community Education Budget, FY'94

Bill Ryan reviewed the line items for the Committee, as compared to those of the previous year. Increases in this year's budget are primarily due to the loss of \$30,000 from the town (due to failure of the override) which is now paid by Community Ed, and

some increases in program areas. Health insurance for the staff will be shifted over to Community Ed's budget. Steve Aronson asked about the philosophy of the program - to make money or to serve the community? Bill said the philosophy has been a balance between the two. They hope to encourage the community to use the schools and make it the center of community life. Community Ed contributes to the schools in purchase of computers, cafeteria tables, carpeting entry ways, etc. Bill does not think the program can generate lots of money. Their surplus may be used to buy additional computers which can be used by both community ed and the schools. Bill said one area that concerns him is the growing need for the extended day program which already has a waiting list, and they are expanding out of existing space. Micki suggested that we look into offering Russian and German for credit through Community Ed. Jean Butler thanked Bill and his staff for the excellent job they have done.

It was moved, seconded and unanimously

VOTED: To approve the proposed FY '94 Community Education Budget:
Expenses - \$893,185, Revenue - \$923,928, Surplus - \$30,743.

4) Acceptance of Bids for Driver Education Cars

It was moved, seconded and unanimously

VOTED: To approve the bid from Mirak Leasing, 75 Summer Street, Arlington, MA 02174, for the lease of 2 Lumina Sedans at \$785 per month, \$9,420 - yearly bid price.

FOR YOUR INFORMATION

- Dr. Zimmerman referred to Senator Durand's letter. She, Bill Ryan and Steve Desy met with him, our state representatives, a DEP representative, a lawyer from Ropes and Gray and Mark Paré, engineer, to discuss the wastewater situation. It was a positive meeting, and DEP agreed to give us some time and to initiate meetings that regional groups would be invited to to consider alternatives.
- Music and Art (K-12) were added to the 11/20/93 memo regarding the budget process schedule. The local and regional meeting dates should be reversed, and the 3/11 date should be 3/10. The dates of the budget presentations to the School Committee have not yet been determined, probably in February, two evenings and a Saturday in the auditorium.
- JH Principal Search Information - a job description is being developed. Please let Dr. Zimmerman know if you are interested in representing the School Committee on the search committee. Dr. Zimmerman hopes to have a few more parent volunteers, so please call the Superintendent's Office as soon as possible if you are interested.
- Violation of Extra-Curricular Policy. There was discussion about an incident at the high school in November and five students were suspended today as a result of a drinking incident on Senior Dress-Up Day. Dr. Zimmerman will call a meeting of parents, police, etc., to plan for solutions. The newly appointed Health Coordinator, Kathy Bowen, will also be involved. Pam commented that the Drug and Alcohol Task Force had been very active last year. Jean suggested that perhaps penalties should be cumulative. Pam added that she thought the athletic department should take a greater role. The memorandum of understanding that participants sign each year might be published in the Lamplighter. Bill commented that we have a terrific relationship with

our police department, and incidents are reported, then acted on. Mary Anne asked for the help and advice of the student school committee reps.

- Opening Day of School, September 1994 - There was a one-vote difference between those teachers wanting to start school on Wednesday vs. Thursday.

WARRANT DISCUSSION: None.

CONCERNS OF THE COMMITTEE:

- Dr. Zimmerman announced the appointment of Kathy DeSisto, JH Social Studies department chair, to the position of principal of the Hale Middle School in Stow, effective January 3, 1994. Although we will miss her talents and energy, we offer our congratulations on her appointment.
- Jack Hughes has been appointed interim JH Principal.
- Jean mentioned that she and Linda had attended a Department of Education Colloquia, which was excellent. She invited all to attend the performance of Acton-Boxborough's Brass Ensemble, Chorus and Madrigals at Quincy Market on Dec. 17, 7-10 p.m. The band will march in the Sleigh Bell Parade in Boston on Dec. 5.
- Steve congratulated Art Goodall on the excellent brochure regarding Education/Business partnerships.
- NEXT MEETING - January 6, 1994 - 7:00 p.m., Executive Session, Room 114
- 7:45 p.m., Open Session, JH Library.

The meeting was adjourned at 10:28 p.m.

Respectfully submitted,

Sarah T. Lawton, Secretary

cc: BOS

ACTON SCHOOL COMMITTEE

Library
Douglas School

January 13, 1994
7:45 p.m.

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES OF DECEMBER 9, 1993, and STATEMENT OF WARRANT
- III. CHAIRMAN'S INTRODUCTION (2 min.)
- IV. PUBLIC PARTICIPATION (10 min.)
- V. OLD BUSINESS
 1. Confirmation of Acceptance of McCarthy-Towne Parent Gift
 2. Proposed PTO Fundraising Guidelines
 3. Approval of 1994-95 School Calendar
- VI. NEW BUSINESS
 1. Acceptance of Gift to Conant School
 2. Bid Award for New Dump Truck
 3. Approval of Administration of Prescription Medication Policies
(TENTATIVE -material will be available on Monday)
 4. Education Report - *Update on Social Studies Curriculum Development*
- VII. FOR YOUR INFORMATION
 1. School Council Minutes
 2. *Merriam School Community News* - 12/13/93 edition
 3. *Panther Pages* - Gates Newsletter - 12/93 edition
 4. Grant Awards Update
 5. *"Let There Be Light at Douglas School"*
 6. School Object Report
- VIII. WARRANT DISCUSSION
- IX. CONCERNS OF THE SCHOOL COMMITTEE
- X. NEXT MEETINGS - January 27, 7 p.m. - *Budget* - Local only
February 3, 7:45 - 9:30 p.m. - *Budget* - Regional
February 5, 8:45 a.m.-1 p.m. - *Budget* - Regional & Revolving
February 10, 7 p.m. - *Regular Meeting* - Merriam
February 17, 7 p.m.- *Budget* - Regional/Local
- XI. ADJOURNMENT

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: Jan. 11, 1994

TO: Bill Ryan
FROM: Don P. Johnson, Town Manager
SUBJECT: School Warrant Articles

We received your memo dated 1/7 by Fax last Friday at approximately 3:00 PM. I was unable to respond on Friday because of the snow storm and yesterday I was out of the office all day at the Labor Relations Commission.

My reaction to your memo on Friday, and again when I read it today, is that it was broader than what Isa and I discussed Friday morning and it must have been prepared and forwarded before we spoke. Isa asked me whether the Schools were held to the Warrant closing date (1/7) or whether you could submit something later. I told her that the Selectmen were fairly firm and definitely needed to know about such things as the Technology Article. Isa informed me that the Schools had decided not to proceed with that article and then explained that the question was really that you had not completed your budget preparation and you wanted to complete that process to accurately determine any potential articles.

In response to Isa's explanation I asked her to drop me a note to that effect for the Selectmen's consideration. I guess I do not believe that my indication to Isa was quite so broad as the characterization contained in your first sentence.



cc: Isa Zimmerman
Board of Selectmen ✓

ACTON PUBLIC SCHOOLS
ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT
16 Charter Road
Acton, MA 01720
(508) 264-4700 X 204 - Fax (508) 263-8409

DATE: January 7, 1994

TO: Don Johnson

FROM: Bill Ryan

RE: School Warrant Articles

Don - It is my understanding that the local and regional schools have until mid February, 1994 to propose any warrant articles that the school committees may approve for the annual town meeting. At the present time the only special warrant article that the schools (APS) have requested is for the Blanchard chimney replacement.

Thanks,

Bill

cc: I. Zimmerman

MUNICIPAL FORUM
MINUTES OF 1/10/94 MEETING

PRESENT: John Murray, Pam Harting-Barrat, Don Johnson, Lees Stuntz, Mary Donald, Jake Diemert, Isa Zimmerman, Dore' Hunter, Paul Kahout, Bill Ryan, Bob Wiltse, Nancy Tavernier, Mary Ann Vogel

OBSERVERS: Raaj Chitaley, Art Harrigan, Sandy Stone, Ann Chang, Steve Aronson

Meeting called to order by Facilitator Jake Diemert at 7:23AM.

I. Review of minutes of 1/3/94

Concern was expressed about the purpose statement which includes non-financial issues open for discussion at Municipal Forum meetings. The group accepted the statement, as written, by consensus. The Minutes were accepted as written. Bob Wiltse stated that he had not been notified of the 1/3/94 meeting. Isa agreed to take responsibility for communicating with the Minuteman Rep. and the town will continue to notify the Finance Committee.

II. Report from the Boards

Dore' reported that the Board of Selectmen voted (5-0) to continue its participation in the Municipal Forum until after April Town Meeting when it will be again re-evaluated as to its purpose and effectiveness. The Board is concerned about the magnitude of Town staff's time being spent in and out of Municipal Forum, on Forum issues, and has agreed to allow staff to set time limits that are realistic and appropriate.

Pam reported that the Regional School Committee voted to not rescind the student activity fees which would have allowed both towns to accept a waiver of further financial obligations to the regional schools for FY94. The Boards of Selectmen of Boxboro and Acton had requested the rescinding of the fees. The Regional School Committee did not discuss, nor reconsider, their position in favor of participating in Municipal Forum.

The Finance Committee didnot make a report.

III. Dore' Hunter's response to criticism of the Board of Selectmen by members of the Regional School Committee (Pam & Steve) at their 1/6/94 meeting.

Dore' responded that the projected \$1 million cut to the municipal budget was based on a number that was generated by the Department of Education in September, it was not developed by the Town. Subsequently, that number has been reduced through cooperation with the Town, the Schools, DOE and DOR. Had it not been reduced, the Town budget would have been cut by that amount incurring severe cuts in public safety to the community. Dore' further reported that comments about what happened at the 1/4/94 BOS meeting were puzzling since it was not televised and none of the School committee members were in attendance. He corrected the statements.

Dore' took issue with Pam's statement that the BOS was blaming the School Committee for School Reform. In every statement issued by Dore', he has specifically placed the blame on the Legislators not the School Committee.

Pam responded that School Committee members had heard from municipal employees who were blaming them for budget problems. Don Johnson asked Pam to give him the names since he is ultimately responsible for all actions of Town employees. None were given.

Isa suggested that the School Central Office people and the Town department heads should get together to discuss the budget. The Town Manager will take the suggestion under advisement.

Bill suggested that he and John get together to discuss the revenue projections for next year and then once they are in agreement to include the Finance Committee. Isa will discuss with the Town any numbers before she publicizes them and vice versa. There was no discussion about these suggestions.

Pam stated that she is concerned about pitting vital public safety needs against education.

IV. School Choice Revenues - request made by BOS for pooled revenue numbers.

The Town has developed revenue projections with the assumption that school choice revenues will be shared at a FY94 level-fund of \$304,000. Dore' explained that the Town budget is being prepared this week and if this money cannot be counted on, it will result in a \$304,000 cut to the town budget. Isa stated that the schools are aware that the Town needs this information ASAP but until the school budgets are prepared (late Feb.) they will not have an answer. Dore' explained that because school choice revenue does not count toward the local

contribution required by Ed. Reform, it is a serious flaw. School choice money is not appropriated by Town Meeting, it is used at the discretion of the School Committee. Isa preferred that school choice revenues not be described that way even though those are the facts. Pam urged caution in discussion of school choice since Acton is beginning to lose students to other systems and choice revenue is dropping. It will be difficult to project school choice revenues in the future.

Bill explained that it is the local choice ^{budget} that is the problem. Last year, the local schools shared \$72,000 with the Town but there will be \$30,000 less this year from the state due to outmigration. The local schools will be gradually going out of the choice business due to space limitations but the region can increase their enrollment.

Dore' responded that we will report the facts as we see them, if there is no choice money to be shared with the Town then that is a fact. We must be open with our people.

V. Communication on the Budget

Dore' asked that in order to get the message out and to have a consistent message about the needs of both the schools and the town, that municipal representatives be allowed to attend school forums on budgets or potential overrides. Isa agreed that it seemed appropriate for major forums.

VI. Blanchard Chimney repair

Bill is attempting to get permission to reduce the height of the Blanchard chimney so that the repair would be more in the \$25,000 range rather than the \$50,000. He has submitted a warrant article for the repair which appears to be a Town responsibility since it is considered a Town Bldg. (the Blanchard Auditorium only.)

VII. Minuteman Tech Report

Bob reported that the budget meeting will be held 1/11/94 and that it was anticipated that there would be a significant increase to the 16 member towns due to Ed Reform spending requirements. He will update us at the next MF meeting.

VIII. Observer Comments

Art commented that today's discussions were the reason there should be a Municipal Forum so that they are not aired in the press. He encouraged a philosophy of level-funded budgets and warrant articles for

anything over that amount.

Sandy Stone commented that he would like to see the group take a larger view of the community rather than a schools vs. town approach.

Ann Chang urged the boards to get going so that the community can begin to understand the magnitude of the problems.

Steve Aronson commented ^{that} Dore's comments on school choice revenues are very dangerous and that it was inappropriate to say they are completely the discretion of the Administration. The Town has never acknowledged the many benefits received from the choice program. He has no problem if elected officials argue with each other but is very disturbed when the Town Manager publishes a document that disparages our Superintendent, that is a serious problem. We must all work together.

IX. Next Meeting: Monday, January 24, 7:15AM

- Agenda:
1. Discussion on need for an override and what format.
 2. Minuteman report

Meeting adjourned at 8:30AM

Respectfully submitted,
Nancy Tavernier, BOS

CC: BOS - FYI

January 10, 1994
To: Don Johnson
From: Ann Chang

JAN 11 1994

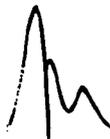
At the close of today's MF meeting without any resolution of the Choice money question, I think that you should not count on getting any.

Bill Ryan knows we need an override. He stated that the failure of an override would result in the lay-off of 60 teachers at the local level. From his point of view this draconian cut has to be balanced against the possible cuts in Town employees and of course he will try to keep as many school employees as possible. It is not that the schools are **against** the town, they are just **for** the schools.

Art Harrigan thinks the budgets should be level funded.

The Choice money will not be available for much longer. The opening of more class rooms in the Merriam school will take up any slack that is left. There will be a reduction, it has already started, in the number of students coming into the Acton system from the outside. There is no room for any on the local level at all, so any Choice money that does come in will be for the region. There is an out migration of Acton students into other districts. Bill mentioned something on the order of \$30,000 being paid out for Acton students at other schools. I can see this trend continuing as the classes get larger and the number of course offerings drop.

So, from the Town's point of view, I think we should forget the Choice money and move on from there building(or tearing down) the budgets without those much needed funds.

A handwritten signature, possibly 'A', consisting of a tall vertical stroke followed by a horizontal line and a small loop.

DRAFT

**SELECTMEN'S MEETING
JANUARY 4, 1994**

The Board of Selectmen held their regular meeting on Tuesday, January 4, 1994. Present were F. Dore' Hunter, Anne Fanton, William Mullin, Nancy Tavernier and Town Manager Johnson. {Representatives from cable were not present}

CITIZENS' CONCERNS

None expressed

Anne Fanton announced that she will not seek re-election. Anne urged candidates to step forward who will dedicate themselves to the community to assist municipal government with the many challenges. Anne also thanked the other members of the Board and staff for their assistance during her term.

PUBLIC HEARINGS AND APPOINTMENTS

COMMITTEE INTERVIEW - COUNCIL ON AGING

**JAMES PARKER
ANGELENE CONN**

These items were moved to the Consent Section. Staff included these on the Appointment section of the Agenda in error.

Anne asked that the Town Manager regularly obtain minutes from COA for the Reading File.

Nancy asked that the Board clarify the issue of residents of Audubon Hill's participation on the Council on Aging. ANNE FANTON - Moved to limit residents of Audubon Hill membership on the COA to two. NANCY TAVERNIER - Second. Bill Mullin asked for a delay to review further information. 4-1 BILL MULLIN - Motion Passed.

WENDY'S SITE PLAN POWDERMILL

The continued hearing from December 14, 1993 was opened. Charles Orcutt updated the board on issues with regard to Maynard. they have completed all public hearings in Maynard. Final approvals are due from Maynard conservation and Board of Appeals. The Site Plan approval is due on January 10, 1994. The Certified Mail Receipts were turned in. (8 from Maynard, 2 from Concord) Note: None from Acton.

Wendy's personnel made a presentation to the Board.

Bill asked if it would be appropriate for the two left turn lanes (one for Wendy's and one for DEC). Wendy's stated they believed it was a hazard to have two Left turn lanes.

Nancy and Anne questioned the holding ponds/drainage Anne believes that Gary's memo #3 is inconsistent with the Master Plan.

Anne questioned the number of parking stalls at the site. She stated that 22 spots in Maynard and 30 in Acton. She requests an interpretation by Counsel over the "Total Parking Stalls" as it relates to a split jurisdiction question.

Don states that a clear interpretation and lack of legal president. Anne submits that the Board consider a reduced number of parking stalls. She suggests the 7 site average as a specific number.

Wendy's contends that 52 spots are necessary for a freestanding site. They also suggest that some of the 8 sites include sites that are not free standing locations (in shopping malls)

Traffic consultant says there will be no changes in traffic patterns for DEC and Sudbury Road. High Street and 62 fair share contributor between 2-3 % of the current delta from total cost and current funds (expended and in hand)

Dore' asked how Wendy's determined other traffic counts for Wendy's and how the consultant determined the direction of the traffic to Wendy's. the consultant answered text book and existing traffic flows.

Anne asked about page 10 of the traffic study and page 11 and cited then as a question towards the 2-3%.

Wendy's offered \$3-5,000 contribution of linkage fees.

Anne asked for a cut sheet on lighting and evaluating the intensity of lighting. She also asked for a comparison among the other sites.

Bill questioned guard on retaining wall. Wendy's agreed to install one where requested by the Building Commissioner.

Bill had questions about the LOC/Cash Bond.

The hearing was continued to 9:45 on January 18th.

**LMI -LIQUID METRONICS
POST OFFICE SQ. LIGHT**

Dennis Hunt, Fred Porter representing LMI requested an extension of the Letter of Credit.

NANCY TAVERNIER - Moved to extend the LOC to May 1, 1994 Presented prior to January 14th. NORM LAKE - Second - 4-1 BILL MULLIN - NO.

BILL MULLIN - Moved to exercise the credit. NANCY TAVERNIER - Second for the purpose of discussion. 3-2 Motion fails.

CONSENT CALENDAR

NANCY TAVERNIER - Moved to accept the Consent Calendar as submitted holding Item 13 for discussion as well as addition of the two Council on Aging Appointments originally on the Appointment/Public Hearing section of the Agenda. WILLIAM MULLIN - Second. UNANIMOUS VOTE.

Item 13 - After discussion the offer for paving materials was accepted.

SELECTMEN'S BUSINESS

EAGLE SCOUT - Nancy Tavernier will attend.

BOARD OF HEALTH - MASTER PLAN ACTIONS - The Board discussed the MPCC actions as outlined by Anne.

Action 1 - Supported the discussion of Planning some concern about "Deed to town"?

Action 2 - Places in Town where a replacement system can economically be replaced.

Action 3 - Establish tertiary treatment.

Action 4. Continued Education without cost.

Actions 9-15 Concur with comments as written.

Action 18 - Agree and encourage focus volunteer energies.

Action 25 - Agreed with Board of Health.

TOWN MANAGER'S CONCERNS

CONCORD AUTO AUCTION - Board would not reject future consideration of Concord Auto Auction's request.

NAGOG POND - Staff was asked to reserve a space on the 1194 Warrant for the Concord Water Dept.

ACTON BOXBORO REGIONAL SCHOOL WAIVER - Boxboro has stated they will send a letter asking the schools to rescind the activities fees. NORM LAKE - Moved to send a letter to the School Committee's requesting that they refund the activities fees collected in order to comply with the Waiver condition. ANNE FANTON - Second. UNANIMOUS.

NORM LAKE MOVED - To send a letter to confirm that the School Committee shall commit \$ _____ of School Choice monies to the FY95 Budget as amended by Bill - ANNE FANTON - Second. 4-1 BILL MULLIN - NO

NANCY TAVERNIER - Moved to continue to participate in the Municipal Forum under the current composition and the next meetings agenda shall be prepared by the Forum at the close of the meeting. ANNE FANTON - Second. UNANIMOUS VOTE.

EXECUTIVE SESSION

Moved and Seconded to go into executive session for the purpose of discussing Legal strategies. Bill Mullin took Roll Call, All ayes.

The Board adjourned at 11:00 P.M.

Clerk

Date

John Murray
Acting Recording Secty.
cmjW11-(460)

Draft

EXECUTIVE SESSION

JANUARY 4, 1994

GZA - W. R. GRACE

The Board discussed the issue of GZA becoming Grace's consultant. The Board wanted adequate assurances that no one who had worked in behalf of the Town of Acton would now be employed as a consultant for W. R. Grace. Also, no information derived while consulting for the Town of Acton would be transferred to W. R. GRACE. If those assurances could not be obtained in ___ days then we would file injunctions preventing GZA from being hired as Grace's consultant for the Acton site.

BILL MULLIN - Moved that adequate assurances be obtained so that one on that had worked as an consultant on behalf of the Town of Acton would be employed as a consultant for W. R. Grace in regard to the Acton site. Further, that no information derived by GZA while consulting for Acton be transferred or used by them in regard to the Acton site. That if assurances could be obtained within ___ days that the Town file injunctions preventing GZA from being hired as W. R. Grace's consultant for the Acton site. ANNE FANTON - Second. UNANIMOUS VOTE.

The Board adjourned at 11:30 P.M.

Clerk

Date

John Murray
Acting Recording Secty.
cmjW11-(460)

CABLEVISION

CC: BOS
CABLE ADVISORY COMM.

January 11, 1994

Ms. Doree Hunter, Chairperson
Board of Selectmen
472 Main Street
Acton, MA 01720

Dear Ms. Hunter,

Enclosed is A-R Cable Services reponses regarding Rate Filing Notice Request for Additional Information in connection with FCC Form 393 filing in your community, as requested by the Commonwealth of Massachusetts Community Antenna Television Commission.

Sincerely,

Jay Somers (cac)
Jay Somers
Assistant General Manager

COMMONWEALTH OF MASSACHUSETTS
COMMUNITY ANTENNA TELEVISION COMMISSION
100 Cambridge Street, Suite 2003
Boston, Massachusetts 02202
(617) 727-6925

RATE FILING NOTICE

Date: December 22, 1993 Community: Acton
Operator: Cablevision/A-R CUI#: MA 0196

A preliminary review of your company's FCC Form 393 submission reveals that you did not enclose the information indicated with a check mark below. In order for the Commission to analyze your FCC 393 filing, you must forward this information to us within 15 days from the date of this notice. You are also required to forward a copy of your response to this notice to your relevant issuing authority.

A. _____ CHANNEL/SUBSCRIBER INFORMATION. Provide the total number of satellite channels and the total number of regulated channels you used to derive current and September 1992 benchmark rates. Indicate if you used the FCC benchmark formula or benchmark tables to calculate these benchmark rates. If you used the tables to derive your benchmark, indicate the table you used. If you used the FCC's benchmark formula, provide the exact number of system subscribers used for your calculation.

B. _____ RESUBMIT FCC FORM 393. (1) _____ Rates used in Worksheet 1 are incorrect. The rates to be used should be those in effect at the initial date of regulation. (2) _____ See _____ below.

C. _____ COST-OF-SERVICE FILING. Your current rate for the basic service tier exceeds the maximum permitted rate for that tier as indicated on Worksheet 1. Per FCC instructions, you must submit a cost-of-service showing for your basic tier or your basic service rate will be reduced. -

D. The following elements of the above-referenced filing were missing or not fully completed.

1. _____ FCC Form 393, Part I
Comment(s) _____

2. _____ FCC Form 393, Part II
Worksheet(s) 1 2 3 4 5

(over)

Comment(s) _____

3. _____ FCC Form 393, Part III

Step(s) A B C D E F G

Schedule(s) A B C D

Comment(s) _____

4. XX **EXPLANATIONS.** Per FCC instructions, please attach explanations of how you arrived at the figures indicated below.

Step A, Line 2 Step A, Line 4 Step C, Line 9
Step D, Line 16 Step E, Line 23 Step G, Line 33

Comment(s) _____

5. _____ Commission Attachment A (included with your regulation notification letter).

Item(s) 1 2 3 4 5 6

Comment(s) _____

6. XX Other: In step C, D, and E, FCC Form 393 directs operators on Lines 9, 16, and 23 to include total hours spent repairing and servicing each type of equipment. Your facsimile of the form changed the wording from "maintenance/service hours" to "maintenance/installation hours". Please explain why you made this change.

We will contact you in the future should we require further information.

Rate Regulation Unit
Massachusetts Cable Television Commission

cc: Issuing Authority

A-R CABLE SERVICES, INC.
COMMUNITY: ACTON
OUID #0108

QUESTION #8

The original forms issued by the FCC had "maintenance/installation" indicated at the points you reference. Although the Company has changed the method of calculation so that only maintenance and service hours have been included in the calculation on those lines, no change was made to the cosmetics of the form.

COPY



George W. Robinson
Chief of Police

January 11, 1994



Acton Police Department

P. O. Box 2212

Acton, Massachusetts 01720

Telephone 263-2911

Town Manager Information

Dear Parent(s):

Your son/daughter is currently participating in the D.A.R.E. Program at the Douglas School. The instructor, Detective Todd Fenniman recently participated in a National Bias Crimes Training seminar presented in cooperation with the Educational Development Center of Massachusetts and The Department of Justice in Washington D.C.

The Educational Development Center is in the process of producing a documentary on this training and has interviewed Detective Fenniman for this project. They will be taking photos of him performing his role as police officer in different situations for this documentary. The production company wishes to take photos of him teaching the D.A.R.E. Program in your son or daughter's school. Accordingly, your son or daughter may appear in these photos and eventually in the documentary. The production company requires a release form signed by all parents in the class for those students who may appear in the video. Those students not wishing to provide a release will not be in the photos. The picture taking will be as non-disruptive a possible. If you have any concerns or questions about this project, please contact Det. Todd Fenniman or Dr. Lisette Kaplowitz at the Douglas School. A release form is attached with this memo. If you approve of your son or daughter participating, please sign the form in the appropriate places and have your son or daughter return it to their classroom.

Sincerely yours,

George W. Robinson
Chief of Police

CC: BOS - FYI

January 10, 1994

CC: D. ABBT
D. CHARTER
T. TIDMAN
R. WETHERBY

PLEASE
COMMENT.

✓ 1/14

Board of Selectmen
Town of Acton
Town Hall
~~472 Main Street~~
Acton, Ma. 01720

Dear Sirs:

It is our desire to give to the town as a gift the land located at 48 Conant Street Behind, Parcel 13-127, Class 132, valued at \$10,400.00 to use as you deem necessary.

We set forth no conditions, except that the town take responsibility for the filing of a new deed and absorb the \$142.21 due on the property as of February 1, 1994.

If this request can be brought before the town at the next town meeting for approval it would be appreciated.

We await your reply.

Sincerely,

E. Joseph DiCarlo

E. Joseph DiCarlo, Representative of
LaSell Realty Corp.
224 South Street
Hopkinton, Ma. 01748-0000
617-769-8866

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: Jan. 14, 1994

TO: Board of Selectmen
FROM: Don P. Johnson, Town Manager
SUBJECT: Warrant Articles

In the press of the Budget preparation we have had no opportunity to organize the Warrant Article requests that were received as of last Friday, the close of the Warrant. The number received/known at this time is quite substantial, though, so we have opted to send you a very rough package to give you a jump on reviewing these requests.

The attached package includes every request submitted by the due date ... including citizens' petitions, board and department requests, holding titles and even implied articles (unknown articles that might come from the school budget preparation process). It also includes articles that were received in anticipation of a Fall or Winter Special Town Meeting. We have not included any articles or Override Questions that might spring from the budget preparation process. We will have a much better sense in the latter regard as we complete the budget and prepare to present it to you on February 1.

Staff has done absolutely no review of these requests at this time so we will not be prepared to speak to any of them during your Jan. 18 meeting.

CC: Finance Committee

PRELIMINARY WARRANT ARTICLES 1994 ATM

1/12/94
461

1. West Acton Village Planning Articles - *see attached list*
2. Various Zoning articles - *see attached list*
3. Planning: Zoning change Digital Facility - Piper Road
4. Blanchard Chimney Replacement
5. Building - Additional funding in FY94 self-funding program and also FY95
6. Engineering - Roadway easements: Sun Oil at Kelley's Corner Charter Road (3)
7. Engineering - Street Acceptance
8. LHDC - Amend Local Historic District Bylaw
9. Municipal Properties: Amend District Bylaw Municipal Exemption.
10. Municipal Properties: Gift of Land - Hearthstone Farm
11. Cemetery: Transfer of funds - Cemetery Land Fund
12. Cemetery: Repurchase a Cemetery Lot
13. Cemetery: Land Gift- West Acton Cemetery Feltus
15. Commission on Disability: Bylaw Amendment- Notification
16. Memorial Library: Budget funding related
17. Acton Community Housing: Adams Street Land Gift
18. Citizen's Petition: Appoint Committee to establish Municipal Power organization
19. Citizen's Petition: Re-zone parcel on Rte. 2A for use by Nashoba Valley Trailers.
20. Citizen's Petition: West Acton Citizen's Library Appropriation
21. Remove Police Chief from Civil Service
22. Nagog Pond - Concord Water District

ACTON PLANNING BOARD
NOTICE OF PUBLIC HEARING
ZONING BYLAW AMENDMENTS

The Acton Planning Board will hold a public hearing on Monday, February 14, 1994, at 8:00 PM in the ACTON TOWN HALL to discuss the following proposed amendments to the Zoning Bylaw:

Article - ~~RAV~~ District, GB District & LB District in West Acton. Amend Zoning Map; amend ~~Section~~ 3, Table of Principle Uses; amend Sections 3 & 5, amend Section 5, Table of ~~Standard~~ Dimensional Regulations.

Article - Village Residential District in West Acton. Amend Zoning Map; amend Sections ~~2~~ & 3; amend Section 3, Table of Principal Uses; amend Section 5, Table of Standard Dimensional Regulations.

Article - ~~Parking~~ in Village Districts. Amend Section 6.

Article - ~~Site~~ Plan Special Permit in Village Districts. Amend Section 10.

Article - ~~Tract~~ of Land Required for Certain Developments. Amend Section 4.

Article - ~~Establish~~ Maximum Ceiling for Residential Component in Planned Unit Developments. Amend Section 9A.

Article - ~~Corrections~~, Clarifications & Minor Adjustments to the Zoning Bylaw.

Article - ~~Accommodation~~ of Handicapped and Van Accessible Parking. Amend Section 6.

Article - ~~Change~~ Special Permit Requirement for Common Drives. Amend Section 3.

Article - ~~Eliminate~~ Special Permit Requirements for Certain Accessory Uses. Amend Section 3.

Article - ~~Eliminate~~ Prohibition Against and Special Permit Requirement for Tertiary Wastewater Treatment Facilities. Amend Section 4.

Article - ~~Elimination~~ of Special Permit Requirements for Certain Dimensional Provisions. Amend Section 5.

Article - ~~Associate~~ Members for Planning Board when Acting as Special Permit Granting ~~Authority~~. Amend Section 10.

Copies of ~~the~~ proposed amendments are available from the Planning Department and the Town ~~Clerk~~.

Map F-2A Parcel 23 (WAV)	44 Spruce St.
Map F-2A Parcel 24 (WAV)	42 Spruce St.
Map F-2A Parcel 27 (WAV)	309 Central St.
Map F-2A Parcel 28 (WAV)	40 Spruce St.
Map F-2A Parcel 32 (WAV)	307 Central St.
Map F-2A Parcel 37 (WAV)	305 Central St.
Map F-2A Parcel 38 (WAV)	305 Central St. (beside)
Map F-2A Parcel 39 (WAV)	34 Spruce St.
Map F-2A Parcel 42 (WAV)	303 Central St.
Map F-2A Parcel 43 (WAV)	303 Central St. (rear)
Map F-2A Parcel 50 (WAV)	301 Central St.
Map F-2A Parcel 52 (WAV)	30 Spruce St.
Map F-2A Parcel 58 (WAV)	299 Arlington St.
Map F-2A Parcel 59 (WAV)	299 Arlington St. (rear)
Map F-2B Parcel 32, which is the portion west of the drainage easement of Parcel shown as F-2B/32 and F-2B/41 (LB)	5 Willow St.
Map F-2B Parcel 49 (LB)	13 Willow St.

B.1 Zoning Bylaw - Section 3. Table of PRINCIPAL USES. Delete the WAV column under the heading for Village Districts and replace with the following new WAV column:

(For reference purposes, where changes are proposed in the WAV district, the present designation is shown in brackets.)

PRINCIPAL USES		VILLAGE DISTRICTS	
		WAV	
3.2	GENERAL USES		
3.2.1	Agriculture	Y	
3.2.2	Conservation	Y	
3.2.3	Earth Removal	N	[SPA]
3.2.4	Recreation	SPS	
3.3	RESIDENTIAL USES		
3.3.1	Single Family Dwelling	Y	
3.3.2	Single Family Dwelling with one Apartment	Y	[Y(3)]
3.3.3	Dwelling Conversions	Y	[SPA]
3.3.4	Multifamily Dwelling	Y	[N(2)]
3.4	GOVERNMENTAL, INSTITUTIONAL AND PUBLIC SERVICE USES		
3.4.1	Municipal	Y	
3.4.2	Educational	Y	
3.4.3	Religious	Y	
3.4.4	Nursing Home	SPS	
3.4.5	Public or Private Utility Facilities	Y	

3.4.6	Child Care Facility	Y	
3.5	BUSINESS USES		
3.5.1	Retail Store	Y	
3.5.2	Business or Professional Office	Y	
3.5.3	Financial	Y	
3.5.4	Restaurant	SPS	
3.5.5	Hotel, Inn or Motel	SPS	
3.5.6	Combined Business and Dwelling	Y	[SPS]
3.5.7	Lodge or Club	SPS	
3.5.8	Funeral Home	Y	
3.5.9	Veterinary Care	SPS	[N]
3.5.10	Commercial Kennel	N	
3.5.11	Personal Services	Y	
3.5.12	General Services	Y	
3.5.13	Studio	Y	
3.5.14	Building Trade Shop	Y	
3.5.15	Commercial Recreation	SPS	[N]
3.5.16	Commercial and Trade School	SPS	
3.5.17	Amusement Facility	SPS	[N]
3.5.18	Motor Vehicle Service Station or Car Wash	N	[SPS]
3.5.19	Motor Vehicle Repair or Body Shop	SPS	[Y]
3.5.20	Light Vehicular and Equipment Sales	N	
3.5.21	Parking Facility	Y	
3.6	INDUSTRIAL USES		
3.6.1	Warehouse	N	
3.6.2	Mini-Warehouse	N	[SPS]
3.6.3	Construction Yard	N	
3.6.4	Lumber Yard	N	
3.6.5	Heating Fuel Sales and Service	N	
3.6.6	Light Manufacturing	SPS	[N]
3.7	PROHIBITED USES		
3.7.1	Heavy Manufacturing	N	
3.7.2	Storage	N	
3.7.3	Amusement	N	
3.7.4	General	N	
3.7.5	Heavy Vehicular Sales or Repair Garages	N	

B.2 Zoning Bylaw - Section 3. Amend Section 3.5.5 as stated below.

After "(NAV)" add the following:
 ", West Acton Village (WAV)"

C.1 Zoning Bylaw - Section 5. Delete the first paragraph of Section 5.5.2 and replace with:

"Maximum Floor Area of Businesses and Industries - The maximum NET FLOOR AREA of an individual business or industrial establishment shall not exceed the following (all limits expressed in square feet):

C.2 Zoning Bylaw - Section 5. Amend the WAV column in Section 5.5.2 to read as follows:

3.5.1	Retail Store	5,000
3.5.2	Business or Professional Office	5,000
3.5.3	Financial	5,000
3.5.4	Restaurant	5,000
3.5.7	Lodge or Club	5,000
3.5.9	Veterinary Care	3,000
3.5.11	Personal Services	3,000
3.5.12	General Services	5,000
3.5.13	Studio	3,000
3.5.14	Building Trade Shop	5,000
3.5.15	Commercial Recreation	5,000
3.5.17	Amusement Facility	5,000
3.6.6	Light Manufacturing	5,000

C.3 Zoning Bylaw - Section 5. Table of Standard Dimensional Regulations. Amend the WAV entry in the Table of Standard Dimensional Regulations to read as follows:

Zoning Districts	Minimum LOT Area in sq.ft.	Minimum LOT FRONTAGE in feet	Minimum LOT Width in feet	Minimum Front Yard in feet	Minimum Side & Rear Yard in feet	Minimum OPEN SPACE in %	Maximum FLOOR AREA RATIO	Maximum Height in feet
WAV	NR	NR	NR	5 (10)	NR (1)	NR	.40 (11)	36 (12)

C.4 Zoning Bylaw - Section 5. Table of Standard Dimensional Regulations. Add the following new footnotes as stated below:

- (10) The maximum, front yard shall be ten (10) feet, or the lesser of the front yards of the two BUILDINGS or STRUCTURES on either side, whichever is the least. The maximum front yard requirement shall not apply to additions to the rear of existing BUILDINGS or STRUCTURES or to a BUILDING or STRUCTURE located directly or partially to the rear of another BUILDING or STRUCTURE on the same LOT or on an adjacent LOT.
- (11) The FAR may be increased to .70 provided that for every 1000 square feet of non-residential NET FLOOR AREA built above FAR of .40 an equal amount of residential NET FLOOR AREA is provided simultaneously.
- (12) In the West Acton Village District, the minimum height of BUILDINGS shall be twenty (20) feet.

or take any other action relative thereto.

SUMMARY

This article, if adopted, proposes to reduce the West Acton Village (WAV) District to the area which is currently the core business center of West Acton Village. The Article will eliminate the "legs" of the present business district zoned partially WAV and partially General Business (GB) which now extend north on Central Street and north on Spruce Street. Although the geographic area of the WAV District is proposed to be reduced, the article proposes to increase the maximum floor area ratio in the newly defined WAV District to provide expansion potential of business uses in West Acton Village.

In addition, the following changes are proposed: changes to the Table of Principal Uses; limits on the size of individual businesses are established to maintain the "village scale"; an additional increase in the maximum floor area ratio is an option that will provide more expansion potential for business uses when it is built concurrently with new space for residential use; and new dimensional standards are established.

The Article also proposes to rezone the parcels that comprise the "legs" of West Acton Village and a few other parcels to the Residence 2 zoning district. In the next Article these same lots will be rezoned to a new residential zoning district to recognize the unique characteristics of village residences.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)
(P)

ARTICLE ____ VILLAGE RESIDENTIAL DISTRICT in West Acton
(2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw and the Acton Zoning Map as follows:

- A. **Zoning Map.** Rezone to Village Residential (VR) the following parcels of land identified by their 1993 Town of Acton Atlas Map and Parcel numbers.

(Street addresses are provided for reference purposes only.)

(For reference, the following parcels are presently zoned GB; Article ____ of this warrant, if adopted, has rezoned the parcels to Residence 2 (R-2).)

Map E-2	Parcel 239, only that portion which is on the east side of Central St.	331-347 Central St.
Map E-2	Parcel 252	355 Central St.
Map F-2A	Parcel 2-1	317 Central St.

(For reference, the following parcels are presently zoned WAV; Article ____ of this warrant, if adopted, has rezoned the parcels to Residence 2 (R-2).)

Map F-2A	Parcel 2	311 Central St.
Map F-2A	Parcel 17	68 Spruce St.
Map F-2A	Parcel 19	50 Spruce St.
Map F-2A	Parcel 23	44 Spruce St.
Map F-2A	Parcel 24	42 Spruce St.
Map F-2A	Parcel 27	309 Central St.
Map F-2A	Parcel 28	40 Spruce St.
Map F-2A	Parcel 32	307 Central St.
Map F-2A	Parcel 37	305 Central St.
Map F-2A	Parcel 38	305 Central St. (beside)
Map F-2A	Parcel 39	34 Spruce St.
Map F-2A	Parcel 42	303 Central St.
Map F-2A	Parcel 43	303 Central St. (rear)
Map F-2A	Parcel 50	301 Central St.
Map F-2A	Parcel 52	30 Spruce St.
Map F-2A	Parcel 58	299 Arlington St.
Map F-2A	Parcel 59	299 Arlington St. (rear)

(For reference, the following parcel is presently zoned LB; Article ____ of this warrant, if adopted, has rezoned the parcel to Residence 2 (R-2).)

Map F-2B	Parcel 49 (LB)	13 Willow St.
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(For reference, the following parcels are presently zoned Residence 2 (R-2).)

Map F-2A	Parcel 16	308 Central St.
Map F-2A	Parcel 16-1	310 Central St.
Map F-2A	Parcel 16-2	306 Central St.
Map F-2A	Parcel 18	51 Spruce St.

Map F-2A Parcel 20	215 Arlington St.
Map F-2A Parcel 25	37 Spruce St.
Map F-2A Parcel 29-10	226 Arlington St.
Map F-2A Parcel 33	33 Spruce St.
Map F-2A Parcel 34	221 Arlington St.
Map F-2A Parcel 35	217 Arlington St.
Map F-2A Parcel 36	302 Central St.
Map F-2A Parcel 44	239 Arlington St.
Map F-2A Parcel 45	235 Arlington St.
Map F-2A Parcel 46	227 Arlington St.
Map F-2A Parcel 49	298 Central St.
Map F-2A Parcel 53	220 Arlington St.
Map F-2A Parcel 56	294 Central St.
Map F-2A Parcel 57	296 Central St.
Map F-2A Parcel 64	292 Central St.
Map F-2A Parcel 77	603 Massachusetts Ave.
Map F-2A Parcel 84	285 Arlington St.
Map F-2A Parcel 85	612 Massachusetts Ave.
Map F-2A Parcel 96	608 Massachusetts Ave.
Map F-2A Parcel 99	276 Arlington St.
Map F-2A Parcel 103	531 Massachusetts Ave.
Map F-2A Parcel 104	525 Massachusetts Ave.
Map F-2A Parcel 108	278 Arlington St.
Map F-2A Parcel 114	537 Massachusetts Ave.
Map F-2A Parcel 115	284 Arlington St.
Map F-2A Parcel 127	264 Central St.
Map F-2A Parcel 132	550 Massachusetts Ave.
Map F-2A Parcel 133	544 Massachusetts Ave.
Map F-2A Parcel 134	17 Windsor Ave.
Map F-2A Parcel 135	18-20 Windsor Ave.
Map F-2A Parcel 136	5 Kinsley Rd.
Map F-2A Parcel 137	542 Massachusetts Ave.
Map F-2A Parcel 139	536 Massachusetts Ave.
Map F-2A Parcel 140	530 Massachusetts Ave.
Map F-2B Parcel 1	258 Central St.
Map F-2B Parcel 2	257 Central St.
Map F-2B Parcel 3	25 Windsor Ave.
Map F-2B Parcel 4	24 Windsor Ave.
Map F-2B Parcel 5	520 Massachusetts Ave.
Map F-2B Parcel 6	516 Massachusetts Ave.
Map F-2B Parcel 7	9 Church St.
Map F-2B Parcel 8	7 Church St.
Map F-2B Parcel 9	5 Church St.
Map F-2B Parcel 10	250 Central St.
Map F-2B Parcel 11	253 Central St.
Map F-2B Parcel 12	29 Windsor Ave.
Map F-2B Parcel 13	30 Windsor Ave.
Map F-2B Parcel 14	9 Kinsley Rd.
Map F-2B Parcel 15	540 Massachusetts Ave.
Map F-2B Parcel 16	11 Church St.
Map F-2B Parcel 17	12 Church St.
Map F-2B Parcel 18	8 Church St.
Map F-2B Parcel 19	248 Central St.
Map F-2B Parcel 20	249 Central St.

3.2.1	Agriculture	Y
3.2.2	Conservation	Y
3.2.3	Earth Removal	N
3.2.4	Recreation	SPS
3.3	RESIDENTIAL USES	
3.3.1	Single Family Dwelling	Y
3.3.2	Single Family Dwelling with one Apartment	Y
3.3.3	Dwelling Conversions	SPA
3.3.4	Multifamily Dwelling	SPA (7)
3.4	GOVERNMENTAL, INSTITUTIONAL AND PUBLIC SERVICE USES	
3.4.1	Municipal	Y
3.4.2	Educational	Y
3.4.3	Religious	Y
3.4.4	Nursing Home	SPS
3.4.5	Public or Private Utility Facilities	N
3.4.6	Child Care Facility	Y
3.5	BUSINESS USES	
3.5.1	Retail Store	Y (8)
3.5.2	Business or Professional Office	Y (8)
3.5.3	Financial	Y (8)
3.5.4	Restaurant	SPS (8)
3.5.5	Hotel, Inn or Motel	SPS
3.5.6	Combined Business and Dwelling	Y (8)
3.5.7	Lodge or Club	N
3.5.8	Funeral Home	N
3.5.9	Veterinary Care	SPS (8)
3.5.10	Commercial Kennel	N
3.5.11	Personal Services	Y (8)
3.5.12	General Services	Y (8)
3.5.13	Studio	Y (8)
3.5.14	Building Trade Shop	N
3.5.15	Commercial Recreation	N
3.5.16	Commercial and Trade School	N
3.5.17	Amusement Facility	N
3.5.18	Motor Vehicle Service Station or Car Wash	N
3.5.19	Motor Vehicle Repair or Body Shop	N
3.5.20	Light Vehicular and Equipment Sales	N
3.5.21	Parking Facility	N
3.6	INDUSTRIAL USES	

3.6.1	Warehouse	N
3.6.2	Mini-Warehouse	N
3.6.3	Construction Yard	N
3.6.4	Lumber Yard	N
3.6.5	Heating Fuel Sales and Service	N
3.6.6	Light Manufacturing	N
3.7	PROHIBITED USES	
3.7.1	Heavy Manufacturing	N
3.7.2	Storage	N
3.7.3	Amusement	N
3.7.4	General	N
3.7.5	Heavy Vehicular Sales or Repair Garages	N

C.2 Zoning Bylaw - Section 3. Table of PRINCIPAL USES. Add the following new footnotes:

- (7) Not more than four (4) DWELLING UNITS shall be permitted per multifamily dwelling. At least one of the DWELLING UNITS shall be occupied by the owner of the property. For purposes of this footnote, the owner shall be defined as one or more individuals residing in a DWELLING UNIT who hold legal or beneficial title and for whom the DWELLING UNIT is the primary residence for voting and tax purposes.
- (8) Provided that the property is owner-occupied, the business USE is limited to 500 square feet of NET FLOOR AREA, and all parking spaces are provided to the rear or side of the BUILDING. For purposes of this footnote, the owner shall be defined as one or more individuals residing in a DWELLING UNIT who hold legal or beneficial title and for whom the DWELLING UNIT is the primary residence for voting and tax purposes. This is not a home occupation under Section 3.8.1.2. Site Plan Special permit is not required. Hours of business operation shall be limited to 7 AM to 9 PM Monday through Saturday, except hours of retail sale shall be limited to 7 AM to 7 PM Monday through Saturday. Exterior lighting fixtures for the business use shall not be illuminated except during hours of business operation.

C.3 Zoning Bylaw - Section 3. Amend Section 3.8.1.2 by adding the following words after the first sentence:

"In the Village Residential District, the portion of the DWELLING UNIT or accessory BUILDING used for a home occupation shall be limited to 500 square feet of NET FLOOR AREA."

D. Zoning Bylaw - Section 5. Table of Standard Dimensional Regulations. Add the following entry to the Table of Standard Dimensional Regulations:

Zoning Districts	Minimum LOT Area in sq.ft.	Minimum LOT FRONTAGE in feet	Minimum LOT Width in feet	Minimum Front Yard in feet	Minimum Side & Rear Yard in feet	Minimum OPEN SPACE in %	Maximum FLOOR AREA RATIO	Maximum Height in feet
VR	15,000	50	NR	10	10	20%	NR	36

or take any other action relative thereto.

SUMMARY

This article proposes the creation of a new residential zoning district entitled "Village Residential" (VR) in recognition of the unique settlement pattern of the village homes adjacent to the business center in West Acton Village. The new residential district is tailored to West Acton Village's individual characteristics which include single family homes on narrow lots, duplexes, multifamily dwellings and large scale antique homes on small lots. The proposed uses are fairly consistent with those permitted in other residential zoning districts. The differences are as follows: certain business uses are permitted subject to a limitation of 500 square feet, provided that the residence is owner-occupied; the lot size is slightly smaller than the lot requirement in the Residence 2 zoning district; and multifamily dwellings (up to 4 dwelling units) are allowed by special permit.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
 Selectman Assigned:

- (S)
- (F)
- (P)

ARTICLE ____ PARKING IN VILLAGE DISTRICTS
(2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw as follows:

- A.1 Zoning Bylaw - Section 6. Amend Section 6.2 - General Provisions, by deleting the present text and substituting the following text in its place:

All required parking shall be located on the same lot as the use it serves, except within a MAJOR AFFORDABLE Housing Development (Section 4.4), a PCRC (section 9) and a PUD (section 9A) where required parking may be provided in a flexible configuration within the TRACT OF LAND comprising the development, and except as provided in Section 6.9. Parking facilities shall also comply with the requirements of the Massachusetts Architectural Access Board.

- A.2 Zoning Bylaw - Section 6. Delete Section 6.4 - Exception in Village Districts, and re-number the remaining Sections 6.5, 6.6, 6.7, 6.8, and 6.9 to become Sections 6.4, 6.5, 6.6, 6.7, and 6.8 respectively.

- A.3 Zoning Bylaw - Section 6. In Section 6.5 - Loading Areas (re-numbered as Section 6.4), add the following at the beginning of the first sentence:

"Except in the WAV District"

- A.4 Zoning Bylaw - Section 6. Amend Section 6.8 (re-numbered as Section 6.7) by adding the following words after "except":

"Parking lots in the WAV District, and"

- A.5 Zoning Bylaw - Section 6. Amend Section 6.8.2 (re-numbered as Section 6.7.2) by deleting the last sentence.

- A.6 Zoning Bylaw - Section 6. Amend Section 6.9 - Structured Parking (re-numbered as Section 6.8) by adding the following phrase at the beginning of the first sentence:

"Except in the WAV District"

and by adding the following phrase at the beginning of the second sentence:

"In all zoning districts"

- B. Zoning Bylaw - Section 6. Add new section 6.9 - Special Provisions for Parking in the Village Districts, as follows:

6.9 Special Provisions for Parking in the Village Districts

- 6.9.1 SAV, NAV and EAV Districts.
- 6.9.1.1 In the SAV, NAV and EAV Districts, the Board of Selectmen may authorize by special permit an off-street parking lot or STRUCTURE not located upon the same LOT with the associated USE, provided said parking lot or STRUCTURE lies within the same Village District as the BUILDING it is intended to serve.
- 6.9.1.2 In the SAV, NAV and EAV Districts, no off-STREET parking spaces shall be established in a location that is closer to the STREET sideline than the nearest portion of the principal BUILDING or STRUCTURE.
- 6.9.2 In the WAV District, except as otherwise provided herein, no BUILDING or STRUCTURE shall be located on any LOT and no activity shall be conducted upon any LOT unless off-STREET parking is provided in accordance with the following requirements:
- 6.9.2.1 Required off-STREET parking for a USE in the WAV District may be provided on any LOT within the WAV District.
- 6.9.2.2 In the WAV District, no off-STREET parking spaces shall be established on a LOT in a location that is closer to the STREET sideline than the nearest portion of the principal BUILDING or STRUCTURE.
- 6.9.2.3 Connection of Parking - In the WAV District, all parking facilities shall be connected by a common driveway to the parking facility of all adjacent USES and to all adjacent land in the WAV District. Physical constraints, present site configuration, uncooperative abutters, or land vacancy may preclude strict compliance with this section. In such cases, the site and the parking facility shall be designed to allow for future connection when it becomes possible. For the purposes of this section, common driveway shall be defined as a driveway that is shared by two or more LOTS and located at least partially within the required setback areas of such LOTS. Such a common driveway can be either a shared ACCESS driveway to a STREET or a driveway to a STREET or a driveway connecting such LOTS with each other.
- 6.9.2.4 Number of Parking Spaces - In the WAV District, the minimum number of required parking spaces shall be 70% of the requirements in Section 6.3.1. In the case of collective use of a parking facility in accordance with Section 6.9.2.5, the minimum number of required parking spaces shall be 50% of the requirements in Section 6.3.1.
- 6.9.2.5 Collective Use of Parking Facilities - In the WAV District, off-STREET parking facilities may serve, collectively or jointly, different BUILDINGS or USES located throughout the WAV District where such a collective use is documented to the Building Commissioner or Special Permit Granting Authority, as appropriate, by a written agreement that: 1) assures the continued collective use; 2) states the number of parking spaces allocated to each participating USE; and 3) assures ACCESS to and maintenance of the common parking facility. The parking spaces provided through the collective use of parking facilities shall be counted towards the minimum required number of spaces for the participating BUILDINGS and USES applying the discount as set forth in Section 6.9.2.4.

6.9.2.6 Design Requirements - Off-STREET parking spaces in the WAV District, except parking spaces serving a single or two family residential USE, shall be either contained within a BUILDING or STRUCTURE or subject to the following requirements:

- a) Required parking spaces, ACCESS driveways, and interior driveways shall be provided and maintained with suitable grading, paved surfaces, adequate drainage, and landscaping as required in Section 6.9.2.7.
- b) ACCESS Driveways - Not more than one ACCESS driveway for two-way traffic from a STREET to a parking facility shall be permitted. An additional ACCESS driveway from a STREET may be permitted provided that the ACCESS driveways are limited to one-way traffic. However, there shall not be more than two (2) ACCESS driveways for one-way traffic for any parking facility. ACCESS, interior and common driveways for two-way traffic shall be twenty feet (20') wide. The ACCESS, interior and common driveways for one-way traffic shall be fourteen (14) feet wide.
- c) Set-Backs - Except where parking lots established in accordance with Section 6.9.2.5 cross over common LOT lines, all parking spaces and paved surfaces other than ACCESS driveways or common driveways shall be set back a minimum of five (5) feet from any LOT lines.

6.9.2.7 Landscaping of Parking Lots in the WAV District - Parking lots shall include a landscape area equal to a minimum of five percent (5%) of the area of the parking lot.

- a) Shade trees - One shade tree shall be provided for each two thousand (2000) square feet or less of pavement area. Each shade tree shall be from a deciduous species rated for U.S.D.A. Hardiness Zone 5 that is expect to reach small to medium height at maturity; be seven (7) feet in height with a trunk caliper size of at least two (2) inches at the time of planting; and be surrounded by a landscaped area of one hundred square feet (100 sq.ft.) to accommodate the root system of the tree. Additional landscaping may be required by the Building Commissioner or the Special Permit Granting Authority, as appropriate, to screen the parking lot because of its location in relation to adjacent USES.
- b) Perimeter Planting Strip - Parking lots adjacent to STREETS, sidewalks, paths or ACCESS driveways shall include a perimeter planting strip at least seven and one-half (7.5) feet wide. However, if the planting strip is protected from vehicular damage through the use of planting beds that are raised above the surface of the parking lot at least twelve (12) inches or through the use of curb stops or bollards, the width of the planting strip may be reduced to five (5) feet. Said planting strip shall feature a physical separation of the parking lot and adjacent ways of at least two and one-half (2.5) feet in height. This physical separation may be created through the use of plantings, walls, or

fencing (other than chain link or smooth concrete) or a combination of plantings and fencing. No more than twenty percent (20%) of this perimeter planting strip shall be impervious.

- c) Plantings - Plantings for landscaped areas shall include a mixture of flowering and decorative deciduous and evergreen trees and shrubs and shall be planted with suitable ground cover.
- d) Sight Distance - All landscaping along any STREET FRONTAGE shall be placed and maintained so that it will not obstruct sight distance.
- e) Protection of Landscaped Areas - Landscaped areas shall be planted and protected in such a manner that the plantings will not be damaged by vehicles.

C. Zoning Bylaw. Amend the following sections of the Zoning Bylaw to correct cross-references within the Zoning Bylaw as follows:

In Section 3.9.2, change from 6.8 to 6.7;
In Section 6.1.1, change from 6.8.2 to 6.7.2;
In Section 6.8.5, change from 6.8.7 to 6.7.7;
In Section 9A.7.5, change from 6.8 to 6.7, and
In Section 10.4.4.1 c), change from 6.8 to 6.7.

or take any other action relative thereto.

SUMMARY

This article amends Section 6, Parking Standards, to establish special provisions for parking in the WAV District in recognition of the unique features of a village environment such as on-street parking, multi-task vehicle trips, and the relationship between pedestrian traffic and vehicular traffic. In addition, the article proposes the establishment of parking lot and landscape design standards for parking lots that can be achieved in the village setting. The proposed parking provisions encourage businesses to share parking resources by providing for the collective use of parking lots and structures parking facilities. The proposed provisions also encourage the connection of parking lots to provide off-street circulation and reduce vehicle conflicts.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)
(P)

ARTICLE ____ SITE PLAN SPECIAL PERMIT IN VILLAGE DISTRICTS
(2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw as follows:

- A. Zoning Bylaw - Section 10. Delete Section 10.4.1 and replace with new sections 10.4.1, 10.4.1.1, and 10.4.1.2 as follows:

10.4.1 Applicability - A Site Plan Special Permit shall be required as follows:

10.4.1.1 In the WAV District, a Site Plan Special Permit shall be required in all instances 1) for the initial development of land specified in Section 3, Table of PRINCIPAL USES as requiring a Site Plan Special Permit and for all ACCESSORY USES thereto, or 2) where the NET FLOOR AREA of an existing BUILDING is increased 500 square feet or more for USES designated as requiring a Site Plan Special Permit on the Table of PRINCIPAL USES, or 3) where a USE designated as requiring a Site Plan Special Permit on the Table of PRINCIPAL USES is expanded in ground area by 500 square feet or more of either impervious material, open storage or any area of the site devoted to the conduct of the PRINCIPAL or ACCESSORY USE.

10.4.1.2 In all other zoning districts, a Site Plan Special Permit shall be required in all instances 1) for the initial development of land specified in Section 3, Table of PRINCIPAL USES as requiring a Site Plan Special Permit and for all ACCESSORY USES thereto, or 2) where the NET FLOOR AREA of an existing BUILDING is increased 1200 square feet or more for USES designated as requiring a Site Plan Special Permit on the Table of PRINCIPAL USES, or 3) where a USE designated as requiring a Site Plan Special Permit on the Table of PRINCIPAL USES is expanded in ground area by 1200 square feet or more of either impervious material, open storage or any area of the site devoted to the conduct of the PRINCIPAL or ACCESSORY USE.

- B. Zoning Bylaw - Section 10. Add new Section 10.4.3.9 as follows:

10.4.3.9 Special Provisions Applicable to the West Acton Village District - In the WAV District, the design and placement of BUILDINGS, STRUCTURES and other site improvements shall be carefully considered to ensure the retention and enhancement of the village character and environment. Proposed BUILDINGS and STRUCTURES shall be related harmoniously to the terrain and to the scale and architecture of existing BUILDINGS in the village that have a functional or visual relationship to the proposed BUILDINGS and STRUCTURES. Proposed BUILDINGS and STRUCTURES shall be compatible with their surroundings with respect to: height; street facade; rhythm of solid surfaces and openings; spacing of BUILDINGS and STRUCTURES; roof slopes, and scale. To minimize the impact of mechanical equipment on the West Acton Village environment and character, window air conditioning units, condenser elements, and heating units shall not be located on the front facades. A certificate issued by the Acton Historic District Commission for development activity proposed on a LOT that is located within the West Acton

Local Historic District shall be deemed to satisfy this section.

or take any other action relative thereto.

SUMMARY

This article proposes to amend the Site Plan Special Permit provisions of the Zoning Bylaw to change the threshold for site plan review from gross floor area to net floor area to be consistent with the other sections of the Bylaw. In addition, because of the distinctive features of village scale and village environment, the article proposes amendments that will require site plan special permits for development proposals of 500 sq. ft. or more in the West Acton Village District rather than the 1200 sq. ft. threshold presently in effect. The article also proposes the addition of a special provision to regulate the development of a site in the WAV District to ensure retention of the village character and environment.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)
(P)

ARTICLE _____ TRACT OF LAND REQUIRED FOR CERTAIN DEVELOPMENTS
(2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw as follows:

- A. Add the following sub-sections to Section 4.2.3.1:
- a) The Planning Board may permit lots on directly opposite sides of a STREET to qualify as a single TRACT OF LAND. To permit such division of a TRACT OF LAND by a STREET, the Planning Board must find that this would further the purposes of Open Space Development and not result in any more DWELLING UNITS than would be possible in accordance with the provisions of this Bylaw if the lots on either side of the street were developed separately. If the Board permits a TRACT OF LAND thus divided by a STREET, the total number of permitted DWELLING UNITS may be constructed on either side of the STREET, including any AFFORDABLE DWELLING UNITS generated under the provisions of Section 4.4.3 whether or not the location of the DWELLINGS UNITS is within the Affordable Housing Overlay District. The DWELLING UNITS shall be constructed in accordance with the applicable requirements in Open Space Developments, and the required Common Land may consist of land located on either side or both sides of the STREET.
 - b) Where a TRACT OF LAND is divided by a zoning district boundary between any of the R-2, R-4, R-8/4, R-10 or R-10/8 districts and the TRACT OF LAND meets the largest of the size requirements for any of the involved districts, the total number of permitted DWELLING UNITS may be constructed in either zoning district, including any AFFORDABLE DWELLING UNITS generated in the development under the provisions of Section 4.4.3 whether or not the location of the DWELLINGS UNITS is within the Affordable Housing Overlay District. The DWELLING UNITS shall be constructed in accordance with the dimensional requirements for LOTS and BUILDINGS in Open Space Developments for the district in which the DWELLINGS UNITS are located. In this situation the required Common Land shall be large enough to meet the largest of the requirements of the involved zoning districts.
- B. Add the following sub-sections to Section 9.6.2.1:
- a) The Planning Board may permit lots on directly opposite sides of a STREET to qualify as a single TRACT OF LAND. To permit such division of a TRACT OF LAND by a STREET, the Planning Board must find that this would further the purposes of PCRC and not result in any more DWELLING UNITS than would be possible in accordance with the provisions of this Bylaw if the lots on either side of the street were developed separately. If the Board permits a TRACT OF LAND thus divided by a STREET, the total number of permitted DWELLING UNITS may be constructed on either side of the STREET, including any AFFORDABLE DWELLING UNITS generated in the development under the provisions of Section 4.4.3 whether or not the location of the DWELLINGS UNITS is within the Affordable Housing Overlay District. The DWELLING UNITS shall be constructed in accordance with the applicable PCRC requirements, and the required Common Land may consist of land located on either side or both sides of the STREET.

- b) Where a TRACT OF LAND is divided by a zoning district boundary between any of the R-2, R-4, R-8/4, R-10 or R-10/8 districts and the TRACT OF LAND meets the largest of the size requirements for any of the involved districts, the total number of permitted DWELLING UNITS may be constructed in either zoning district, including any AFFORDABLE DWELLING UNITS generated under the provisions of Section 4.4.3 whether or not the location of the DWELLINGS UNITS is within the Affordable Housing Overlay District. The DWELLING UNITS shall be constructed in accordance with PCRC requirements.

or take any other action relative thereto.

SUMMARY

This article, if adopted, will allow the Planning Board to consider land divided by a street as a single tract of land under the provisions for Open Space Developments (OSD) and Planned Conservation Residential Communities (PCRC). It will also allow some greater flexibility on locating dwelling sites within OSDs and PCRCs if the tract of land happens to be divided by a street or a zoning district boundary.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)
(P)

ARTICLE _____ ESTABLISH MAXIMUM CEILING FOR RESIDENTIAL
COMPONENT IN PLANNED UNIT DEVELOPMENTS (2/3 Vote
Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw by amending Section 9A.7.2.5 to establish a maximum percent of residential use within a PUD. (Exact language not available at this time)

or take any other action relative thereto.

SUMMARY

This article, if adopted will establish a maximum percentage for the residential component of a Planned Unit Development (PUD). Current regulations set a maximum percentage for non-residential components of a PUD, but fail to do so for the residential component. As result, PUDs which are permitted in business and industrial districts and are intended to be mixed use developments, could become exclusively residential.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

- (S)
- (F)
- (P)

ARTICLE _____ CORRECTIONS, CLARIFICATIONS AND MINOR ADJUSTMENTS TO
THE ZONING BYLAW (2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw as follows:

- A. In section 5.3.6 replace the words "bordering freshwater wetlands" with the new words
"Freshwater Wetlands".
- B. Insert at the end of the beginning paragraph of Section 4.3.3 the following:
"The terms defined below are capitalized in this Section 4.3 in addition to the terms defined in Section 1."
- C. In Section 4.3.6.3, replace the words "All water runoff from impervious covers shall, at a minimum, be funneled into gas trap catch basins. The first (1st) inch of every storm" with the new words
"All water runoff from IMPERVIOUS COVERS shall be funneled into gas trap catch basins. In addition, the first (1st) inch of every storm".
- D. In Table 4.3.7.2 - part 18, delete text in first column and replace with:
18. Subsurface disposal of wastewater effluent on a parcel of land which is not a buildable LOT as defined in footnote (**).
- E. In Table 4.3.7.2 - footnote (**), add the following to the end of the existing text:
"and Common Land as provided for in Sections 4.2, 4.4 and 9 of this Bylaw."
- F. In Section 5.2.7.2, delete the part of the section beginning with "In all districts appurtenant STRUCTURES" to the end.
- G. Delete Section 5.3.5 and replace with new section 5.3.5 as follows:
5.3.5 Height of BUILDINGS
5.3.5.1 In all districts appurtenant STRUCTURES located upon the roof of a BUILDING may extend above the height limit but in no case shall they exceed 45 feet in height when combined with the height of the BUILDING nor in the aggregate occupy more than 20% of the roof plan area unless authorized by special permit from the Board of Appeals or unless in compliance with Section 5.3.5.2 of this Bylaw.
5.3.5.2 In the General Industrial and Industrial Park Districts the height of BUILDINGS may be increased by right above 40 feet provided that 1)

the minimum OPEN SPACE provided on the LOT is 45% or more in the General Industrial District and 60% or more in the Industrial Park District, 2) the maximum BUILDING coverage on the LOT is 25% or less, and 3) the maximum height of the BUILDING is 50 feet or less. The Board of Appeals may authorize by special permit that appurtenant STRUCTURES located upon the roof of any BUILDING in compliance with the above may extend above the height limit but in no case shall they exceed 55 feet in height when combined with the height of the BUILDING nor in the aggregate occupy more than 20% of the roof plan area.

H. In Section 5, relocate the TABLE OF STANDARD DIMENSIONAL REGULATIONS to the end of Section 5.2 (check with Mike if this requires a zoning change) and amend the TABLE OF STANDARD DIMENSIONAL REGULATIONS as follows:

1. Delete the first and second line below the title and replace with:

"See also Special Provisions and Exceptions to Dimensional Regulations (Section 5.3), Transfer of Development Rights for special dimensional regulations affecting the LB, NAV and EAV Districts and certain land in the R-2, R-8 and R-10/8 Districts along and near Great Road (Section 5.4), Special Provisions for Village Districts (Section 5.5), Special Dimensional Requirements in the Groundwater Protection District (Section 4.3), and Special Dimensional Regulations for Open Space Developments (OSD - Section 4.2), Planned Conservation Residential Communities ((PCRC - Section 9) and Planned Unit Developments (PUD - Section 9A)."

2. Delete the last line of the Table which begins with the Zoning District designation PCRC.

I. In Section 9.6.2.4 insert at the end of the first sentence the following additional words:

"containing more than one DWELLING UNIT."

J. In Section 9A.2, insert as a lead paragraph under the section title the following:

"For the purpose of this Section, the following terms shall have the following meaning. The terms defined below are capitalized in this Section 9A in addition to the terms defined in Section 1."

or take any other action relative thereto.

SUMMARY

In interpreting and enforcing the Zoning Bylaw, Town boards and staff collect notes of errors and inconsistencies in the Zoning Bylaw so that corrections can be made periodically. This article, if adopted, will make a series of such corrections without changing the contents or substance of the Zoning Bylaw. Only part I is a minor substantive change, which would permit garages with more than 2 car spaces for single

family homes in a Planned Conservation Residential Community.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

- (S)
- (F)
- (P)

ARTICLE _____ ACCOMMODATION OF HANDICAPPED AND VAN ACCESSIBLE
PARKING
(2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw by deleting Section 6.3.2 and replacing it with a new Section 6.3.2 as follows:

6.3.2 Parking for Persons with Disabilities - Parking spaces for persons with disabilities as required by the Massachusetts Architectural Access Board shall be provided as part of the spaces required under Section 6.3.1.

or take any other action relative thereto.

SUMMARY

The Americans with Disabilities Act requires new and increased standards for parking spaces for persons with disabilities. This Article, if adopted, will facilitate the provisions for parking in accordance with this federal law by allowing parking spaces for persons with disabilities to be part of, rather than in addition to, the overall number of required parking spaces.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)
(P)

ARTICLE _____ CHANGE SPECIAL PERMIT REQUIREMENT FOR COMMON
DRIVES
(2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw by deleting Section 3.8.1.5 and replacing it with a new Section 3.8.1.5 as follows:

3.8.1.5 Common Drives for vehicular and non-vehicular ACCESS by way of rights-of-way or easements serving more than one LOT. Common Drives are not STREETS and do not provide FRONTAGE for LOTS. Common Drives serving more than 2 LOTS shall comply with the following requirements:

- a) b) c) etc. (Insert requirements more or less as set forth in the Planning Board's Regulations for Common Drive Special Permits, Section 4 concerning such items as depth of gravel and pavement, angle of approach to street, width, grading, drainage, shoulders, sight distances, emergency turn-arounds, maintenance agreements, sidewalk along frontage etc.)
- x) Common Drives serving more than five (5) lots shall require a special permit by the Planning Board.

or take any other action relative thereto.

SUMMARY

This article, if adopted, will increase the number of residential lots which can be served by a common drive without special permit approval to 5 from currently 2. Design standards for width, grades and other aspects will replace the special permit review. Over the years, the Planning Board has dealt with common drives quite frequently and feels that clear design standards as set forth in this article will adequately address public safety and welfare concerns while reducing administrative burdens on Town staff and boards at a time of shrinking resources. Common Drives serving 6 or more lots will still require a special permit.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)
(P)

ARTICLE _____ ELIMINATE SPECIAL PERMIT REQUIREMENTS FOR CERTAIN
ACCESSORY USES (2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw as follows:

A. Delete Section 3.8.2.3 and replace it with a new Section 3.8.2.3 as follows:

3.8.2.3 Drive-up facilities in a bank.

B. Delete Section 3.8.4.4 and replace it with a new Section 3.8.4.4 as follows:

3.8.4.4 Where not otherwise permitted, a greenhouse where the PRINCIPAL USE
of the LOT or property is agriculture.

or take any other action relative thereto.

SUMMARY

This article, if adopted, will eliminate the requirement for a special permit for bank drive-up windows, and for greenhouses associated with agricultural uses. Consistent with the previous article, this article seeks to reduce non-essential administrative requirements at a time of shrinking municipal resources.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)
(P)

ARTICLE _____ ELIMINATE PROHIBITION AGAINST AND SPECIAL PERMIT REQUIREMENT FOR TERTIARY WASTEWATER TREATMENT FACILITIES (2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw by deleting parts 23. and 24. of Table 4.3.7.2 and footnote (***) of Table 4.3.7.2., and by inserting a new part 23. as follows:

Table 4.3.7.2

	ZONE 1	ZONE 2	ZONE 3
23. Subsurface disposal of tertiary treated wastewater effluent.	Y	Y	Y

or take any other action relative thereto.

SUMMARY

This article, if adopted, will permit as of right tertiary wastewater treatment plants in all zones of the Groundwater Protection District. They are currently either prohibited or require a special permit depending on their size and location relative to the various Zones of the Groundwater Protection District. Reliably and consistently, these plants release purer and cleaner effluent than any septic system. Therefore, these plants provide a preferred alternative to septic systems when it comes to groundwater protection irregardless of density or use on the land. Tertiary treatment plants are regulated, monitored and inspected by the Massachusetts Department of Environmental Protection and the Acton Board of Health. This article, too, seeks to reduce non-essential administrative requirements at a time of shrinking municipal resources.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
 Selectman Assigned:

- (S)
- (F)
- (P)

ARTICLE _____ ELIMINATION OF SPECIAL PERMIT REQUIREMENTS FOR
CERTAIN DIMENSIONAL PROVISIONS (2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw as follows:

- A. In Section 5.2.7.2 (now Section 5.3.5.1 if part G. of ARTICLE _____ CORRECTIONS, CLARIFICATIONS AND MINOR ADJUSTMENTS TO THE ZONING BYLAW is adopted), delete the phrase towards the end of the section which reads "unless authorized by special permit from the Board of Appeals or".
- B. In Section 5.3.5 (now Section 5.3.5.2 if part G. of ARTICLE _____ CORRECTIONS, CLARIFICATIONS AND MINOR ADJUSTMENTS TO THE ZONING BYLAW is adopted), delete the last sentence which begins with the words "The Board of Appeals may authorize by special permit ...".
- C. In Section 5.3.2.1 delete in the second sentence the phrase which reads "by Special Permit from the Board of Selectmen".

or take any other action relative thereto.

SUMMARY

This article, as several previous zoning articles, seeks to reduce non-essential administrative requirements at a time of shrinking municipal resources. Part A eliminates a special permit for unlimited increase in the height of buildings. Part B eliminates a special permit to allow an increase in building height by a mere 5 feet, and part C eliminates a special permit where already promulgated dimensional standards are sufficient to ensure public safety and welfare.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)
(P)

ARTICLE _____ ASSOCIATE MEMBERS FOR PLANNING BOARD WHEN ACTING AS
SPECIAL PERMIT GRANTING AUTHORITY. (2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw by inserting a new Section 10.3.9 as follows:

10.3.9 Planning Board Associate Members - When the Planning Board is acting as a Special Permit Granting Authority under this Bylaw, the Chairman of the Planning Board may designate an associate member, duly appointed by the Board of Selectmen, to sit on the Board for the purposes of acting on a special permit application in the case of absence, inability to act, or conflict of interest on the part of any regular member of the Planning Board or in the event of a vacancy on the Planning Board.

or take any other action relative thereto.

SUMMARY

Pursuant to the provisions of MGL. Chapter 40A, Section 9 this article, if adopted, will provide for a Planning Board associate member. Currently the Planning Board has associate members, but they only have advisory function. This article would allow them to act a voting members as substitute for regular members if the Board acts as a Special Permit Granting Authority under zoning, and in the event of absence, inability to act, or conflict of interest on the part of a regular member. This change requires a Charter change, see next article.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)
(P)

ARTICLE _____ ASSOCIATE MEMBERS FOR PLANNING BOARD WHEN ACTING AS
SPECIAL PERMIT GRANTING AUTHORITY - CHARTER CHANGE

To see if the Town of Acton will vote to amend its Charter to provide that the Planning Board may have two associate members in addition to its 7 regular members.

or take any other action relative thereto.

SUMMARY

This Article will approve a change in the Acton Charter to provide for two Planning Board associate members. See also summary of previous article. If this article is adopted, the Charter change must be reaffirmed by a subsequent vote in general elections.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)
(P)

ARTICLE _____ ACCEPTANCE OF LAND AND RELATED EASEMENTS -
HEARTHSTONE FARM SUBDIVISION

To see if the Town of Acton will vote to accept from Ronald B. Peabody, Trustee of Bowen Estate I Realty Trust a gift of vacant land for conservation purposes under MGL. Chapter 184, Section 31, along with related access, conservation, parking lot, trail and sidewalk easements. The land contains 31.7 acres, more or less, and is shown as Parcel A in the Harthstone Farm Subdivision and is a portion of Parcel 16-2 on Map Sheet E-5 of the 1993 edition of the Town Atlas. The easements are located on said parcel E-5/16-2 and on other nearby parcels of land (E-5/16-3, F-5/51) along Strawberry Hill Road and Pope Road.

or take any other action relative thereto.

SUMMARY

(To be inserted. Don: See draft deed of land and easements attached)

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)
(P)

cc: Planning Board

[RHB.ZONE.94*3]

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

DATE: 1/13/94

TO: Don P. Johnson, Town Manager

FROM: Donna Jacobs, Assistant Planner



SUBJECT: Annual Town Meeting Warrant
Additional Article

We have become aware of an additional article that may need to be placed on the Warrant for the Annual Town Meeting. The article is for a possible re-zoning or change in permitted uses for the Digital facility at Piper Road.

There is also the potential for a second article, although we are uncertain at this time. A citizen's petition has been submitted to the Town Clerk for an article which proposes re-zoning a parcel near the East Acton Village on Great Road.

If possible, please reserve space on the Warrant for these two items. Thank you for your attention to this matter.

dw11.160

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION **FILE COPY**
TOWN MANAGER'S OFFICE

DATE: Jan. 11, 1994

TO: Bill Ryan
FROM: Don P. Johnson, Town Manager
SUBJECT: School Warrant Articles

We received your memo dated 1/7 by Fax last Friday at approximately 3:00 PM. I was unable to respond on Friday because of the snow storm and yesterday I was out of the office all day at the Labor Relations Commission.

My reaction to your memo on Friday, and again when I read it today, is that it was broader than what Isa and I discussed Friday morning and it must have been prepared and forwarded before we spoke. Isa asked me whether the Schools were held to the Warrant closing date (1/7) or whether you could submit something later. I told her that the Selectmen were fairly firm and definitely needed to know about such things as the Technology Article. Isa informed me that the Schools had decided not to proceed with that article and then explained that the question was really that you had not completed your budget preparation and you wanted to complete that process to accurately determine any potential articles.

In response to Isa's explanation I asked her to drop me a note to that effect for the Selectmen's consideration. I guess I do not believe that my indication to Isa was quite so broad as the characterization contained in your first sentence.



cc: Isa Zimmerman
Board of Selectmen

**ACTON PUBLIC SCHOOLS
ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT
16 Charter Road
Acton, MA 01720
(508) 264-4700 X 204 - Fax (508) 263-8409**

DATE: January 7, 1994

TO: Don Johnson

FROM: Bill Ryan

RE: School Warrant Articles

Don - It is my understanding that the local and regional schools have until mid February, 1994 to propose any warrant articles that the school committees may approve for the annual town meeting. At the present time the only special warrant article that the schools (APS) have requested is for the Blanchard chimney replacement.

Thanks,

Bill

cc: I. Zimmerman

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: Nov. 12, 1993

TO: Board of Selectmen
FROM: Don P. Johnson, Town Manager
SUBJECT: Blanchard Auditorium Chimney Repair

We are in receipt of the attached request for a warrant article for the January 1994 Special Town Meeting. I am not sure whether this signals a significant breakdown in communications or whether the schools simply do not understand that we, on this side at least, do not have the funding for repairs that are other than critical. Even then we have to "take a number" and take it out of our share of the available funds.

Garry Rhodes informs me that the situation is serious; however, we expect Ed Reform to require the use of all of our Free Cash at the January meeting ... unless the schools have another solution. This work apparently needs to be done but a funding source is also needed. We need to discuss the article at the Municipal Forum!!!

cc: Bill Ryan
Isa Zimmerman





ACTON PUBLIC SCHOOLS • ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT

16 Charter Road • Acton, MA 01720-2995 • (508) 264-4700 • FAX (508) 263-8409

OFFICE OF THE SUPERINTENDENT
William L. Ryan
Director of Business and Community Education

November 9, 1993

Mr. Donald Johnson
Town Manager
Acton Town Hall
Acton, MA 01720

NOV 10 1993

Dear Don:

Enclosed is a proposed warrant article and summary statement that we would like to have included on the Warrant for the Acton Special (January, 1994) Town Meeting. I will contact you with the specific dollar amount for the warrant article as soon as we have this information from our engineer.

1) ARTICLE: Blanchard Auditorium Chimney Repair

To see if the Town will raise and appropriate or appropriate from available funds the sum of \$_____, or any other sum, for the repair of the chimney at the Blanchard Auditorium, including any engineering fees and other costs incidental thereto and determine whether such appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto.

SUMMARY: This article requests funds for the repair of the Blanchard Auditorium chimney.

Sincerely,

William L. Ryan,
Director of Business and
Community Education

WLR/baw

cc: Isa Zimmerman
Steve Desy

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

RECEIVED
DEC 27, 1993
ACTON BUILDING INSPECTOR

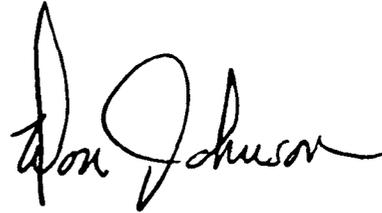
DATE: Dec. 17, 1993

TO: Acton School Committee
Acton-Boxborough Regional School Committee
Finance Committee
Isa Zimmerman, Superintendent of Schools
All Boards, Committees and Departments

FROM: Don P. Johnson, Town Manager

SUBJECT: Annual Town Meeting Warrant Closing

During their meeting of December 14, the Board of Selectmen decided to close the Annual Town Meeting Warrant at 5:00 PM on Friday, January 7, 1994.



cc: Board of Selectmen

Don

Please be advised that I will need additional funding in my FY 94 self-funding program and I need an article for FY 95



12/27/93

ARTICLE _____ Charter Road Sidewalk Easement - Richards
(Majority Vote Required)

To see if the Town will vote to accept as a gift from Gordon D. Richards of 60 Charter Road an easement along a portion of his frontage on Charter Road for sidewalk purposes,

or take any action relative thereto.

Summary

The donation of this easement is for the sidewalk recently constructed on Charter Road at this location.

Direct Inquiries to:

David F. Abbt, Engineering Administrator, 264-9628

Selectman assigned:

(S)

(F)

ARTICLE _____ Charter Road Sidewalk Easement - Sackman
(Majority Vote Required)

To see if the Town will vote to accept as a gift from Geoffrey D. and Joan S. Sackman of 64 Charter Road an easement 5 feet wide along their frontage on Charter Road for sidewalk purposes,

or take any action relative thereto.

Summary

The donation of this easement is for the sidewalk recently constructed on Charter Road at this location.

Direct Inquiries to:

David F. Abbt, Engineering Administrator, 264-9628

Selectman assigned:

(S)

(F)

ARTICLE _____ Charter Road Sidewalk Easement - Smith
(Majority Vote Required)

To see if the Town will vote to accept as a gift from Ira D. and Barbara K. Smith of 68 Charter Road an easement along their frontage on Charter Road for sidewalk purposes,

or take any action relative thereto.

Summary

The donation of this easement is for the sidewalk recently constructed on Charter Road at this location.

Direct Inquiries to:

David F. Abbt, Engineering Administrator, 264-9628

Selectman assigned:

(S)

(F)

ARTICLE _____ Main Street Easement
(Majority Vote Required)

To see if the Town will vote to accept as a gift from Sun Company, Inc. (formerly Sun Refining & Marketing Co.) an easement on their property at 421 Massachusetts Avenue 10 feet wide running parallel and adjacent to the sideline of Main Street for all purposes that streets and ways are commonly used in the Town of Acton, being further described in a Quitclaim Deed to the Town of Acton dated October 5, 1993,

or take any other action relative thereto.

Summary

This easement is being donated to the Town in anticipation of the possibility of a future widening of Main Street (Route 27) at Kelley's Corner. The future widening would resemble, at least in concept, the recent widening of Main Street at Great Road (Route 2A).

Direct inquiries to:

David F. Abbt, Engineering Administrator, 264-9628

Selectman assigned:

(S)

(F)

ARTICLE _____ Street Acceptance
(Majority Vote Required)

To see if the Town will accept as a public way the following street or portion thereof, as laid out by the Board of Selectmen according to a plan on file with the Town Clerk and authorize the Board of Selectmen to take the fee or easement in said street by eminent domain or otherwise, including easements for drainage, utility, or other purposes where shown on said plans or described in the Order of Layout:

In the Kennedy Estates Subdivision

Kennedy Lane - From the southerly sideline of Arlington Street a distance of 467 feet, more or less, in a southeasterly direction to the easterly sideline of a 77.00 foot radius cul-de-sac (including the cul-de-sac), this being the entire road.

SUMMARY

This is an Annual Article to accept roads as Town ways which have been built to Planning Board standards. In order to create a new road a potential land developer must first obtain approval of a definitive subdivision plan from the Planning Board. The land developer's contractor then constructs the road according to this plan and the rules and regulations of the Planning Board. Inspections are made by the Engineering Department during construction to insure compliance with these standards. Upon completion of the road, the developer petitions the Board of Selectmen to start the legal process that will lead to acceptance of the road as a town way. Prior to Town Meeting the Selectmen hold a Public Hearing and adopt an "Order of Layout" containing a legal description of the road. Following Town Meeting the Selectmen obtain title to the road by deed or eminent domain. Such roads are built and donated to the Town at no cost, however, the Town will assume future maintenance costs as with any Town road. The subdivision process is contained in Massachusetts General Law Chapter 41, and the layout of Town ways is Chapter 82. Kennedy Lane has followed this process and is now ready for acceptance.

Direct inquiries to: David Abbt, Engineering Administrator, 264-9628.

Selectmen Assigned:

(S)

(F)

MEMORANDUM

5 January 1994

From: F. Doré Hunter
To: Board of Selectmen
Subject: Proposed Warrant Article to Amend Local Historic District
By-Law - Amended Version

1. It was pointed out at the 1/4/94 BOS meeting that I had omitted from my 14 December 1993 memo the provision concerning septic systems discussed in my 19 October 1993 memo, that was an error on my part. My revised recommendation is that essentially the following Warrant Article be inserted in the Annual Town Meeting Warrant:

To see if the Meeting will vote to approve amendments to the Town of Acton Bylaws, Chapter P - Local Historic District Bylaw, as follows:

Amend Section 2., Definitions by adding the underlined words to the definition of a STRUCTURE and deleting the words shown struck out:

2. DEFINITIONS

.....
STRUCTURE: A combination of materials other than a BUILDING, including but not limited to a SIGN, fence, wall, ~~terrace walk or driveway~~ or paved parking lots.

Amend Section 7., Procedures for Review of Applications by the addition of the following new paragraph:

7.14 Nothing contained in this By-Law shall be deemed to preclude any person contemplating construction or alteration of a BUILDING or STRUCTURE within a DISTRICT from consulting informally with the COMMISSION before submitting any application referred to in this By-Law on any matter which might possibly be within the scope of the By-Law. Nothing contained in this By-Law shall be deemed to preclude the COMMISSION from offering informal advice to a potential applicant prior to receiving an application. However, any such preliminary advice offered by the COMMISSION shall not be deemed to set a precedent nor in any way limit the COMMISSION in the exercise of its functions under this By-Law.

Amend Section 8, by the addition of the following language at the end of existing Section 8.2:

The COMMISSION may in appropriate cases impose reasonable requirements for the general design, location and material of portions of septic systems placed substantially above the pre-existing or new septic system grade level, however, such requirements shall not conflict with the requirements of the Acton Board of Health nor make such septic system inefficient.

Amend Section 9., Exclusions by the addition of the following new underlined language and delete the strikeout text as follows:

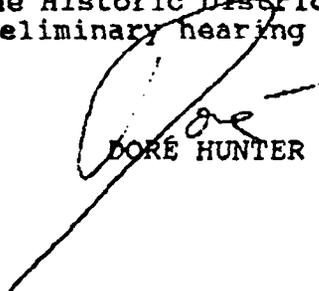
9. EXCLUSIONS

9.1.2

Terraces, walks, driveways, sidewalks, and similar ~~STRUCTURES~~, provided that any such ~~STRUCTURE~~ is substantially at grade level public ways and other similar features, provided only that such feature is substantially at the existing grade level.

2. See my Memorandum to the Board dated 19 October 1993 for the rationale.

3. I understand that this item has been placed on the Draft Warrant. I understand that the Historic District Commission would like to hold the necessary preliminary hearing on this subject.


DORE HUNTER

Copy to: Town Manager
Ann Forbes

FLANAGAN & HUNTER, P.C.
ATTORNEYS AT LAW
AND
PROCTORS IN ADMIRALTY
211 CONGRESS STREET
BOSTON, MASSACHUSETTS 02110-2434

TELEPHONE: (617) 482-3366

FAX: (617) 482-3467

FAX COVER SHEET

DELIVER TO:

CHRISTINE

AT:

Acton Town Hall

FAX NUMBER:

508-264-9630

FROM:

F. DORÉ HUNTER

Number of Pages, Including this Cover Sheet: 3

COMMENTS:

Please put the enclosed revised memo in the BOS mail and also put a copy in the Historic District Commission mailbox.

DATE: January 5, 1994

FILE NO. None

Attention - Important Notice: This FAX is intended only for the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient of this FAX please take note that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone and return the documents by mail.

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

January 7, 1994

TO: Don P. Johnson, Town Manager
FROM: Dean A. Charter, Municipal Properties Director 1520
SUBJECT: Historic District Bylaw Municipal Exemption

ARTICLE – HISTORIC DISTRICT BYLAW MUNICIPAL EXEMPTION

(2/3 Vote Required)

To see if the Town of Acton will vote to amend the Bylaws of the Town of Acton as follows:

Chapter P, Local Historic District Bylaw, add to section P9, Exclusions.:

Section 9.1.8 Any work performed on any property or facility owned by the Town of Acton.

or take any other action relative thereto.

SUMMARY

The Town is in a unique situation in that it owns a large number of facilities and properties that lie within the boundaries of the Historic Districts:

WEST ACTON:
Citizen's Library, Windsor Building, West Acton Fire Station, Gardner Field, Edwards Square

SOUTH ACTON:
Civil Defense Building, South Acton Fire Station, Quimby Square, the old train station lot

ACTON CENTER:
Town Hall, Memorial Library, Center Fire Station, Issac Davis Monument, Town Common, Meeting House Hill, a portion of Goward Field

All projects and maintenance of these facilities are reviewed by the Municipal Properties Director and the Town Manager, at the very least. Larger projects, which require appropriations, are approved by the Board of Selectmen and Town Meeting, as was the case with the Town Hall renovations. Submitting permit requests for such a large number of facilities for even the most minor projects is both time consuming and costly, and is really unnecessary for projects that are reviewed by other Town authorities already.

Direct inquiries to:
Dean A. Charter, Municipal Properties Director - 264-9629

Selectman assigned:

DAC/394

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

December 30, 1993

TO: Don P. Johnson, Town Manager
FROM: Dean A. Charter, Municipal Properties Director *DAC*
SUBJECT: Land Acceptance Warrant Article

ARTICLE – ACCEPTANCE OF GIFT OF LAND

To see if the Town will vote to accept as a gift a parcel of vacant land:

From Bowen Estate I Realty Trust, a parcel of land consisting of 31.7 acres, more or less, as shown on a plan of land entitled "Hearthstone Farm, Definitive Subdivision Planned Conservation Residential Community, Record Plan of Land in Acton, Massachusetts" said land is to remain in its current natural, scenic and open condition and in its current agricultural, farming and forest use.

or take any other action relative thereto.

SUMMARY

This parcel of land is located off Strawberry Hill Road, and abuts the Spring Hill Conservation Area. A spur trail from the Spring Hill trail system has been developed, and after the land has been accepted the trail will be extended to the top of Hearthstone Hill and the end of Jay Lane. Due to both physical and legal constraints, this area will be used for conservation and passive recreation, including hiking and ski trails, wildlife, and forest production.

Direct inquiries to:

Dean A. Charter, Municipal Properties Director-264-9629

Selectman assigned:

DAC/383

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

December 23, 1993

TO: Don P. Johnson, Town Manager
FROM: Dean A. Charter, Municipal Properties Director 
SUBJECT: Cemetery Expansion Warrant Article

ARTICLE — TRANSFER OF FUNDS, CEMETERY LAND FUND

To see if the Town will raise and appropriate or transfer from the Cemetery Land Fund the sum of \$10,000, or any other sum, to be expended by the Town Manager for the design, development, landscaping, roadways, and drainage of new section of Woodlawn Cemetery and Mount Hope Cemetery, or take any other action relative thereto.

SUMMARY

The 1993 Annual Town Meeting approved an initial transfer of \$33,500 for the first phases of development of the new sections of the two active cemeteries. The article this year will provide the final portion of funds required, as was envisioned in the original article. The new sections will provide over 1000 additional grave spaces, which will be sufficient for approximately ten years.

The funds in the Cemetery Land Fund are accumulated from a portion of the purchase price of grave spaces, and are dedicated for the expansion of the cemeteries.

Direct inquiries to:
Dean A. Charter, Municipal Properties Director-264-9629

Selectman Assigned:

DAC/383

TOWN OF ACTON

Inter-Departmental Communication

Date: December 22, 1993

TO: Donald P. Johnson, Town Manager

FROM: Cemetery Commissioners

SUBJECT: Appropriation to Repurchase a Cemetery Lot

We would like to have the following Article placed on the Town Warrant for the 1994 Town Meeting:

Motion: To see if the Town will authorize the Cemetery Commissioners to purchase single-grave space no. 84, section 7, Woodlawn Cemetery, said lot having been purchased by Mr. Robert L. Brett on November 30, 1968, and to see if the Town will authorize the appropriation of the purchase price of \$25.00 from the Cemetery Land Fund and \$50.00 from the Old Perpetual Care Fund for this purpose, or take any other action relative thereto.

SUMMARY

Mr. Brett is deceased and has been interred out-of-town, and the family has no further need for this grave space.

cc: D. Charter

(Handwritten initials)

DAVID ABST
ROY WETHERBY

YOUR COMMENTS
AND RECOMMENDATIONS,

RM

Sirs:

10/28

I am writing about the plot of land adjacent to the West Gate Cemetery. It is 5.92 ac in extent.

Not too long ago it was assessed for \$4,000. More recently the assessment has been reduced by a goodly amount.

The Town of Gorton owns the lot beside the lower cemetery gate on Central St; so, the land is pretty well hemmed in.

It was deeded to me by my Uncle, William E. Faltus about forty years ago.

I believe that I have discharged all taxes and assessments during

That period of time in a good
manner.

Now then, to get to the
point.

To see if the Town of Acton
will purchase the tract from
me in 1974. They are the
feasible party to obtain the
ownership.

I could use the \$\$\$\$
for ongoing medical expenses.

Yours Truly

Homer C. Feltus

**FAXed To: 264-9630 Acton Town Hall : Attn. Don Johnson
From: Acton Commission on Disability / Walter Kiver
Subject: Bylaw amendment**

Proposed Bylaw Regarding Licensing - Specifically to notify the local Commission on Disability when renewal of licences or applications for new licences are received and that the site be surveyed by a qualified community access monitor to check for access in compliance with the American's with Disabilities Act. If readily achievable modifications are needed, the licence will not be granted until work is completed and checked by a qualified community access monitor.

INTERDEPARTMENTAL COMMUNICATION

TO: Don Johnson, Town Manager

DATE: 1/6/94

FROM: Wanda Null, Library Director

SUBJECT: Article for 1994 Annual Town Meeting Warrant

Attached is the text of the holding article the Trustees want placed on the 1994 Annual Town Meeting Warrant. Their ultimate goal is to restore the Memorial Library's budget to FY90 level contingent on override monies. They realize that, based on the outcome of next week's retreat to work on the budget, it will probably be necessary to revise the numbers. Two plans are indicated, the Trustees will adopt one and revise the numbers when the budget process defines the proposed Memorial Library budget for FY95.

Contingency Warrant Articles for the Acton Memorial Library

Plan I

If the Town departments are level funded, except for the addition of COLAS, then the Library will ask the Town Meeting to vote the following in order of the Trustees' priority to be funded through a general override:

1. Restore the \$29,000 to the personnel budget that was cut last year. This will allow the Library to return to the FY 93 service hours.
2. Restore the \$18,000 cut in the materials budget which would raise this account to the FY 93 level.
(Depending upon the numbers that come out of the budget sessions planned for next week, we would include the following)
3. Funding to restore hours to the FY 90 level which will mean an increase in the Library staffing of two FTE at an approximate cost of \$49,365.

Plan II

If the Town departments are not level funded, and depending upon the budget amount allocated to the Library, the Trustees will ask the Town Meeting to:

1. Provide the additional monies needed to level fund (and hope that we can get a waiver from the State for Certification) and
2. Restore \$16,000 to the book budget.

The Trustees will work with the Selectmen to insure that the funding for the Library is sufficient to pass through all the hoops for state Certification. This of course means a 2.5 increase in our MAR, keeping the Library open for the very minimum of 50 hours per week and using 15% of our overall budget on books.

The Trustees (most of us) are ready to fight (which means public support for the override) for the budget monies needed to maintain this very minimal level of Library service.

ACTON COMMUNITY HOUSING CORPORATION
P.O. BOX 681
ACTON, MASSACHUSETTS, 01720
(508)263-4776

January 7, 1994

Mr. Dore' Hunter
Chairman, Acton Selectmen
Acton Town Hall
Main Street
Acton, Ma. 01720

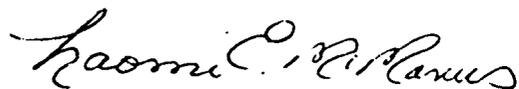
Ref: Spring Town Meeting Holding Article

Dear Dore':

The Acton Community Housing Corporation is in the process of finalizing a proposal which will provide up to ten (10) affordable single family homes for First Time Homebuyers who are Town employees, adult children of residents and people who currently work or reside in apartments in Acton. The proposed project will be located on a parcel of Town owned land on Adams Street. As the final plans are not complete, we hesitate to provide an outline or additional information until we meet with the Selectmen, February 15, 1994.

We therefore request that the Selectmen hold an opening for a Warrant Article at the Annual April Town Meeting for this project.

Sincerely,



Naomi E. McManus, Clerk

Citizens' Petition

TOWN OF ACTON

to

Place a Warrant Article on the 1994 Acton Town Meeting Agenda JAN -7 AM 10: 21

MOVED:

To appoint a committee to pursue a formal study of the feasibility and process of formation of a municipal power organization, either independently operated within the town or as a jointly operated organization with one of Acton's neighboring towns. This committee shall not have fewer than 5 nor greater than 11 members who shall all be registered voters in the Town of Acton. The members of this study committee shall be appointed by the Town Moderator to represent a cross section of residents and business owners, and shall perform their work without financial remuneration or subsidy from either the Town of Acton or any individual or business. This committee shall provide a report of their deliberations and investigations at the 1995 Annual Town Meeting including either (1) the preparation and presentation of an outline of a proposed conversion plan, or (2) a recommendation to abandon the conversion process.

SUMMARY:

The electric power service provided by Boston Edison to the residents and businesses of the Town of Acton, Massachusetts has been marked by a history of poor customer service, unavailability of industrial power capacity, and extensive outage problems, in particular in the extremities of Boston Edison's service area in West Acton and Nagog Woods. Recently, an ad hoc committee was formed to review the problems with the result of marginal reduction of service outages. During this time local electric power rates have risen to among the highest in the country. This warrant article authorizes appointment of a formal committee to investigate the options available for formation of a municipal power form of electric energy provider in Acton.

The undersigned is a registered voter in the Town of Acton, Massachusetts:

Printed Name	Signature	Address	Date
✓ LEONARD M SCHWAB	<i>Leonard M Schwab</i>	3 CLOE LANTERN RD	1/2/94
✓ SUSAN H. B SCHWAB	<i>Susan H B Schwab</i>	3 Cloe Lantern Rd	1-6-94
✓ ARTHUR W CONNOR	<i>Arthur W Connor</i>	4 Willetts Holden	1-6-94
✓ DEBORAH DA JUNG	<i>Deborah Jung</i>	4 Side Lantern Rd	1-6-94
✓ MARGARET GIBBS	<i>Margaret Gibbs</i>	16 Duggan Rd	1-6-94
✓ TOM WATKINS	<i>Tom Watkins</i>	22 Sarge St	1-6-94
✓ WILLIAM S. SOULE	<i>William S Soule</i>	20 Smart Rd	6 Jan 94
✓ DENISE LUCIER	<i>Denise Lucier</i>	15 Smart Rd	1/6/94
✓ BERTHA C. CLARKE	<i>Bertha Clarke</i>	3 Townsend Rd	1/6/94
✓ CATHY F. MCKEE	<i>Cathy F McKee</i>	6 Duggan Rd	1/6/94
✓ LINDA PERUZZO	<i>Linda Peruzzo</i>	11 Lincoln Rd	1-6-94
✓ FLORENCE M WARD	<i>Florence M Ward</i>	7 Emerald Rd	1-6-94

Citizens' Petition
to
Place a Warrant Article on the 1994 Acton Town Meeting Agenda

MOVED:

To appoint a committee to pursue a formal study of the feasibility and process of formation of a municipal power organization, either independently operated within the town or as a jointly operated organization with one of Acton's neighboring towns. This committee shall not have fewer than 5 nor greater than 11 members who shall all be registered voters in the Town of Acton. The members of this study committee shall be appointed by the Town Moderator to represent a cross section of residents and business owners, and shall perform their work without financial remuneration or subsidy from either the Town of Acton or any individual or business. This committee shall provide a report of their deliberations and investigations at the 1995 Annual Town Meeting including either (1) the preparation and presentation of an outline of a proposed conversion plan, or (2) a recommendation to abandon the conversion process.

SUMMARY:

The electric power service provided by Boston Edison to the residents and businesses of the Town of Acton, Massachusetts has been marked by a history of poor customer service, unavailability of industrial power capacity, and extensive outage problems, in particular in the extremities of Boston Edison's service area in West Acton and Nagog Woods. Recently, an ad hoc committee was formed to review the problems with the result of marginal reduction of service outages. During this time local electric power rates have risen to among the highest in the country. This warrant article authorizes appointment of a formal committee to investigate the options available for formation of a municipal power form of electric energy provider in Acton.

The undersigned is a registered voter in the Town of Acton, Massachusetts:

Printed Name	Signature	Address	Date
✓ GILBERT S. OSBORN	<i>Gilbert S. Osborn</i>	2 WINTER ST.	1/2/94
✓ LYNNE J. COBURN	<i>Lynne J. Coburn</i>	2 WINTER ST.	1/2/94
✓ KERRY G. SHAY	<i>Kerry G. Shay</i>	4 SMART RD	1/6/94
✓ JOHN W. SHAY	<i>JOHN W. SHAY</i>	4 SMART RD	1/6/94
✓ Stanley Whit	<i>Stanley Whit</i>	Smart Rd.	1/6/94
✓ Phyllis Searat	<i>Phyllis Searat</i>	6 Smart Rd	1/6/94
✓ Betty Sharp	<i>Betty Sharp</i>	9 Smart Rd	1/6/94
✓ Alice Sharp	<i>Alice Sharp</i>	9 Smart Rd.	1/6/94

We certify that twenty (20) signatures have been check thus are names of qualified voters of this town.

Acton, Mass.

[Signature]
REGISTRARS OF VOTERS

SEP 27 1993

I N T E R D E P A R T M E N T A L M E M O

DATE: 9/27/93

TO: BOARD OF SELECTMEN
FROM: CATHY BELBIN - TOWN CLERK *CB*
SUBJECT: PETITION FROM NASHOBA VALLEY TRAILERS

Nashoba Valley Trailers submitted the attached petition to change zoning on land in Acton. This was received by our office on September 17, 1993. They would like to have this article on the Annual Town Meeting April 4, 1994.

We have certified fifteen signatures.

TOWN OF ACTON

93 SEP 27 AM 10: 29

PETITION TO CHANGE ZONING ON LAND IN ACTON

DESCRIPTION OF PROPERTY:

The land and building presently is zoned East Acton Village.
 It consists of approximately 1/2 acre.
 Location is on the North side of rt. 2a
 On the easterly side is the old Victorian that is slowly decaying.
 On the westerly side are 2 acres now zoned commercial and is presently undeveloped.

Presently it is being used for a chiropractic office

REASON TO CHANGE:

Nashoba Valley Trailers (a long time standing business) would like to move to this 2a location to conduct business. The location on rt. 27 has grown to a point where it would like to consolidate its operation in one building rather than three. At the present site and with the acreage and setbacks at present building on the 27 site would be impossible

In addition the site on 2a is in a commercial district in appearance, with the shopping center and cinema to the East and general commercial activity to the West

NAME	ADDRESS
William Cate NR	3 Silver Hill Rd
✓ Gary Ross	93 Harris St.
✓ Judith J. Bon	93 Harris St.
✓ Frank P. Bonds	788 Main St.
✓ Barbara Thorne	788 Main St.
✓ [unclear]	784 MAIN ST. Todd - Brown
✓ George W. Dupon	741 Main St.
NR [unclear]	750 Main Street
✓ [unclear]	79 Harris St.
✓ Gordon W. Priest	10 Quarry Road
✓ Helen S. Uelman	713 main st.
✓ Denise J. Bailey	725 Main St.
✓ Faith A. [unclear]	10 Quarry Road
✓ Sharon [unclear]	10 Quarry Rd

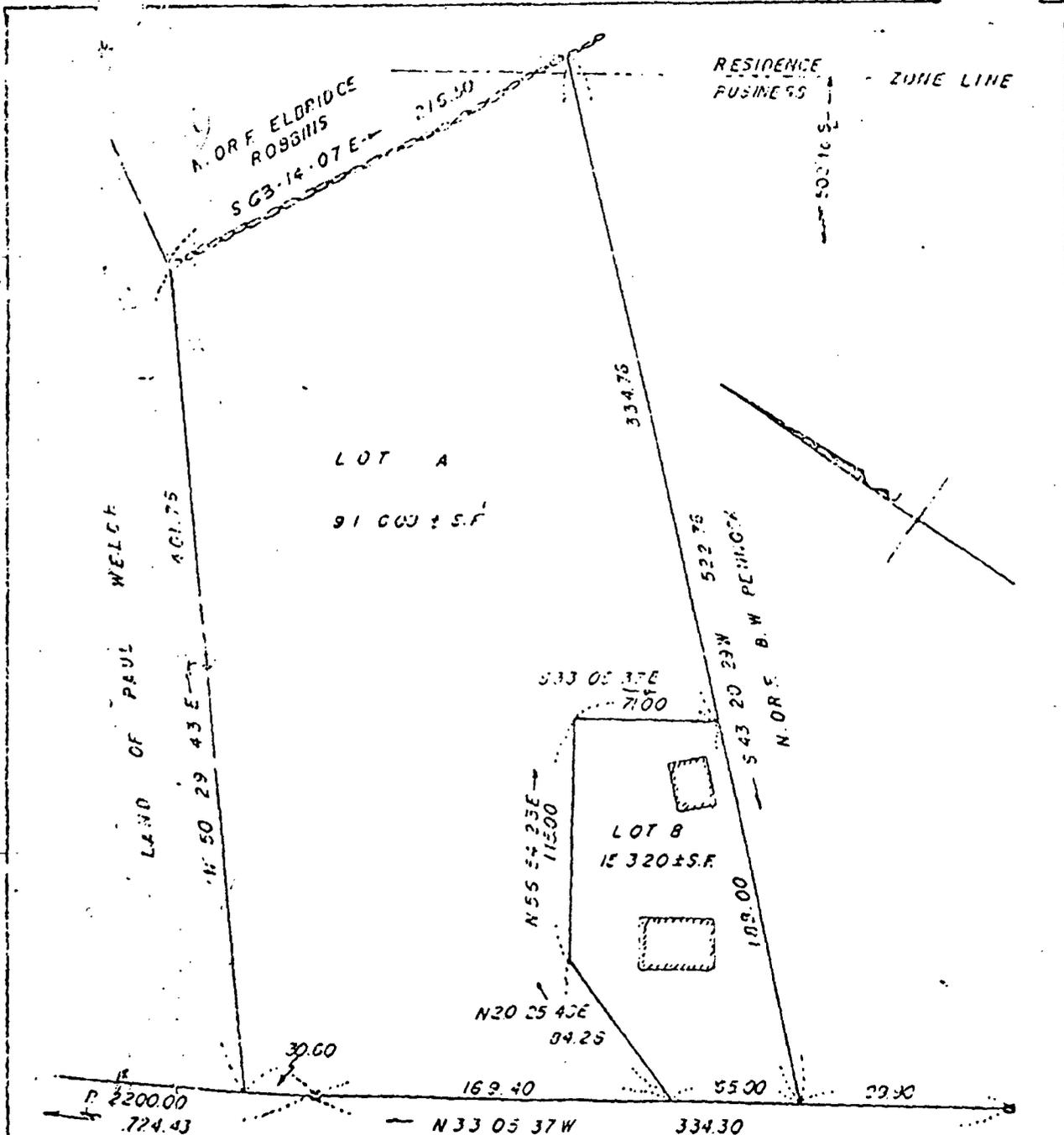
✓ Julie Brown 784 Main St Acton
✓ Gina Davidson 2 Ashley Circle Acton
✓ ~~Cecilia~~ 5 Fair Drive Acton

CERTIFICATION OF SIGNATURES

We certify that the fifteen (15) signatures above were checked
and they are the names of qualified voter of the Town of Acton.

Frederick H. Rubin
Evelyn Chichewski
Marianne R. Pasick
Catherine Belbin

264 4831 Judy Werrington



GREAT ROAD RTE 2A STATE HIGHWAY LAYOUT

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED.

DATE: ACTION PLANNING BOARD

SEPT 27, 1969 [Signature]



PLAN OF LAND IN
ACTON MASS





Brigitte Senkler & Assoc. Incorporated Realtors

Brigitte I. Senkler
Tel. 508-369-3600 Tel. 508-371-1600
Fax: 508-371-1827 Fax: 508-369-9465

MLS #	:	List#	:	0168
Age	:	Town	:	Acton
Yr. Bought	:		:	
Color	:	Style	:	
Ext. Walls	:	Rooms	:	9
Foundation	:	Brs.	:	
Found. Size	:	Baths	:	1
Roof	:	Garage	:	No
Driveway	:	Appear	:	Very Good
Addl. Bldgs	:	Occ.	:	POP
Int. Walls	:	Sign	:	Yes
Floors	:		:	
Keys	:		:	See Below

Building has been completely updated and is currently being used as a doctor's office: 4 examing rooms, reception area and on the 2nd floor a udio apartment. The property consists of 2 parcels: 91,000 sq. ft. lot, ned commercial and the lot with the building is zoned East Acton Village. See attached for permitted uses. Reception Area: 12.4 x 7, Rm 12 x 9, Rm. 12 x 9, Rm. 14 x 7.6, Gen. Utility Rm. with sink 11.8 x 9., Rm. 11 x 9.9 Apartment: LR, DR, Kit. 23.4 x 16.8, Br. 12.5 x 9, Br. 21.5 x 7 Showings: 12-2 during the business week, anytime during the weekends. Make appointments through AB/BS,

CONST. & EQUIP: Heat FHW Zones 2 Fuel Gas Cost: Fireplace
Storm W. Dom.H.W. Off Furn. E.Serv. 200 DishW. N Disp Stove

FLOOR PLAN: Bemt Full	Sump Y Rec Room	Laundry Basement
Lr	Kit	Bath1
Dr	Fam Rm	Bath2
		Porch

Assessments: [REDACTED] 0

FINANCIAL ASSMT: Blds	Land	Total \$0	Tax
Mtgee:	Betterments		Year

LAND IMPROVEMENTS & UTIL: Zoning Above	Frontage	Lot Size Above
Flood Zone: Sewage Private Street Town	Easements	
Grammar School Choice of 4	School Bus Y Gas Y Water Town	

CONFIDENTIAL: Registry Middlesex South Book 18800 Page 639
Listing Office: Brigitte Senkler & Associates, Inc. Bus Phone 369-3600
Fee to Selling Office 2.5 Lister Brigitte I. Senkler Res Phone 369-1722
Insp. Date Date Expires Map Loc.

Owner: Williams, David

WEST ACTON CITIZENS LIBRARY APPROPRIATION

Registered Acton Voter Petition

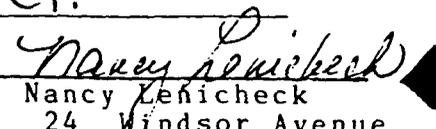
TOWN OF ACTON

94 JAN -7 AM 10:42

We do hereby petition the Town of Acton, Massachusetts to place the following motion on the agenda for the town meeting to be held in the Spring of 1994.

MOTION: Move that the Town raise and appropriate the sum of \$24,528.00, for salaries and operating expenses for the maintenance and staffing of the West Acton Citizens Library and that to raise such amount \$24,528.00 be transferred from Free Cash.

NAME	ADDRESS
✓ Trudi Carson	3 Seneca Court
✓ Kam Ford	2 Cedar Terrace
✓ [Signature]	2 Cedar Terrace
✓ [Signature]	3 SENECA COURT
✓ Blanche B. Stockbridge	22 Cherokee Rd.
✓ Edward O. Stockbridge	22 Cherokee Rd.
✓ [Signature]	59 NASHOBA RD
✓ Dorothy Foreng	59 Nashoba Rd.
✓ [Signature]	59 Nashoba rd
✓ Kent Thomas	23 Blackhorse Dr
✓ Edmund P. Thross	23 Blackhorse Dr
✓ Emma J. Rotolante	4 Seneca Ct
✓ [Signature]	4 Seneca Ct
✓ [Signature]	3 Seneca Ct.

PETITION SUBMITTED BY:  and 
 Michael Maloney and Nancy Kenicheck
 608 Massachusetts Ave. 24 Windsor Avenue
 Acton, MA 01720 Acton, MA 01720

INTERDEPARTMENTAL COMMUNICATION

TOWN MANAGER'S OFFICE

DATE: 12/93

TO: FILE

FROM: TOWN MANAGER'S OFFICE

SUBJECT: HOLDING ARTICLES FOR 1994

1. Remove Police Chief from Civil Service
2. Lake Nagog - Concord Water District



(508) 897-1029

TOWN OF MAYNARD
PLANNING BOARD

TOWN BUILDING
MAYNARD, MASSACHUSETTS 01754

File

January 17, 1994

Board of Selectmen
Town of Acton
472 Main Street
Acton, Massachusetts 01720

Gentlemen:

This letter is to advise you of the intent of the Planning Board of the Town of Maynard to vote to approve the Revised Site Plan submitted by Wendy's International for the proposed restaurant at the site of the current Maynard Motel on Powdermill Road at the Maynard/Acton town line.

This vote to approve will be contingent upon the following factors:

1. The Revised Site Plan shows the driveway moved a safe distance (70 feet) from the Digital Equipment Corporation entrance also located on Powdermill Road.
2. The sign agreed upon between Wendy's International and the Planning Board of the Town of Maynard is Wendy's WP40 in a concrete and brick pier.
3. The number of parking spaces has been reduced to 50 in the Revised Site Plan.
4. No problems or issues are raised by the other Maynard Town Boards as of the January 25 meeting date. These Boards were to have been issued copies of the Revised Site Plan by Wendy's International following submission of the Revised Site Plan to the Planning Board on January 11, 1994.

Sincerely,

Paul LeSage, Chairman
Town of Maynard Planning Board

Extra Info



Ft. Devens Reuse Center

AYER • HARVARD • LANCASTER • SHIRLEY

Bldg. P-12, Buena Vista St., P.O. Box 2180
Fort Devens, MA 01433
(508) 772-6340 Fax (508) 772-7577

Working Together for Ft. Devens' Future

IMPORTANT

MEMORANDUM

To: Town Halls and Selectmen's Offices

From: Ft. Devens Reuse Center

Date: January 18, 1994

Ref: Change of Location-Reuse Presentation

Due to weather considerations, the Presentation of the Conceptual Ft Devens Reuse Plan has change location to the Officers/NCO Club, Ft. Devens . The date is unchanged, Jan. 20th the time is 7:30 PM. Any questions should be directed to the Reuse Center.



Fort Devens Reuse Center

Invites You to a

Presentation of the Conceptual

FORT DEVENS REUSE PLAN

**Jobs! Environmental Protection!
Recreation! Housing!
Innovative Technology!**

This is the culmination of the six month community workshop series.

**Please come to see and hear what your neighbors
are planning for Fort Devens' future!**

Thursday, January 20, 1994

7:30 to 9:00 PM

***Fort Devens Officers/NCO Club**

***Please Note Change of Location!**

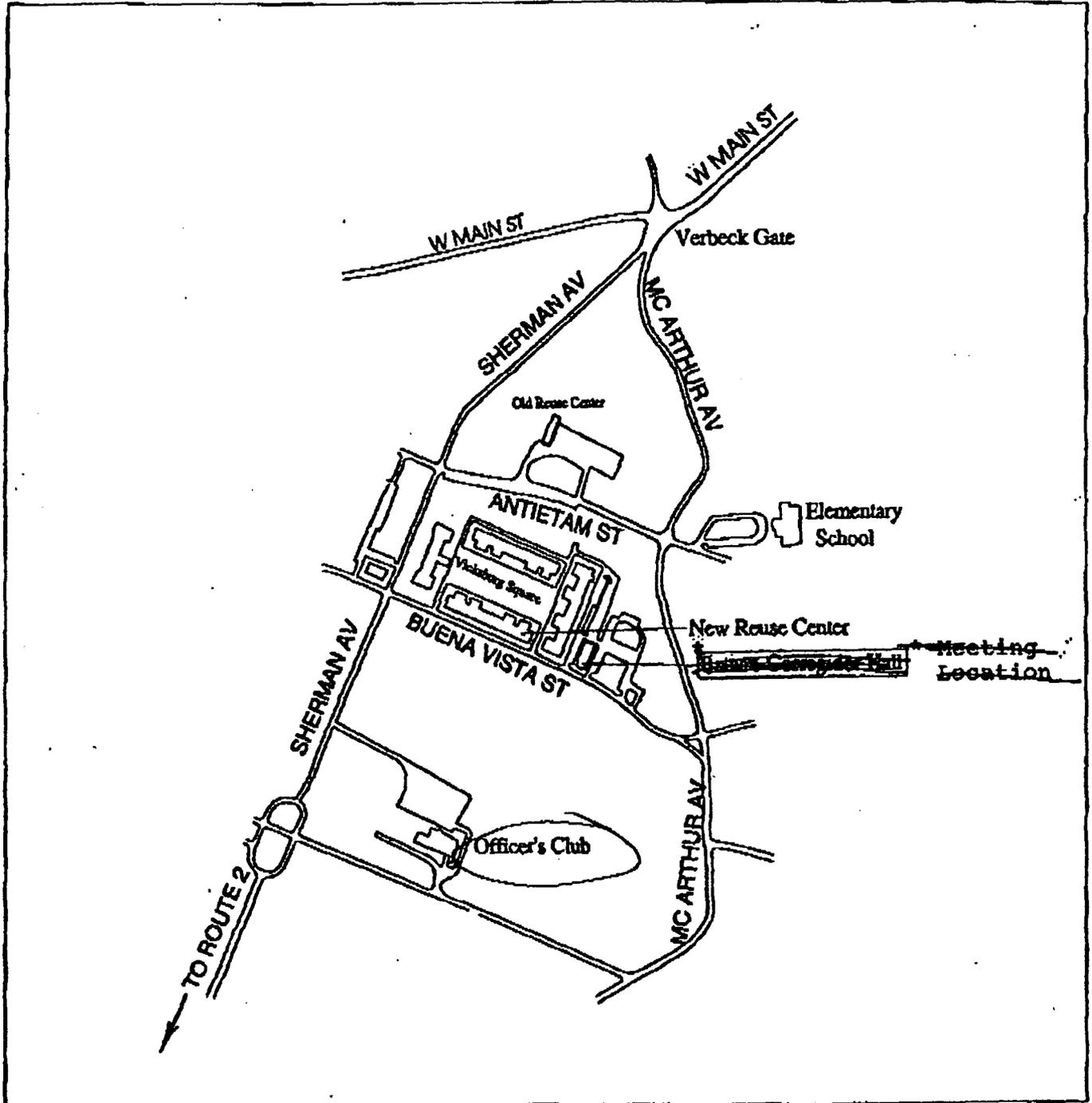
Sherman Ave, Fort Devens, MA

Sponsored By:

**Ft. Devens Host Communities
*Ayer Harvard Lancaster Shirley***

Massachusetts Government Land Bank

Call (508)772-6340 for information





First National
Supermarkets, Inc.

Extra Inigo

January 14, 1994

**Mr. Donald Johnson
Town Manager
Acton Town Hall
472 Main Street
Acton, MA 01720**

Dear Mr. Johnson:

This notice is being sent by First National Supermarkets, Inc. in accordance with the Worker Adjustment and Retraining Notification ("WARN") to notify you of the permanent closure of its entire store located at 381 Massachusetts Avenue, Acton, Massachusetts, 01720. As a result of this closure, the following employees whose names appear on the attached list will be permanently laid off on March 19, 1994 or within fourteen (14) days thereafter. These employees do not have bumping rights in other supermarkets owned and operated by the Company.

With the exception of the two (2) Managers, listed separately, employees are represented by the United Food and Commercial Workers, Local 1445, John Phinney, President, 725 South Street, Boston, Massachusetts 02131.

If you have any questions concerning the closure and layoffs, please contact John Bussenger at (203) 627-4068.

Very truly yours,



**John W. Bussenger
Vice President, Associate Relations**

/mjf

NON UNION ASSOCIATES

NAME	JOB CLASS
Robert Shrigley	Store Manager
Jeffrey Martell	Non Perishable Manager

FULL TIME UNION ASSOCIATES

NAME	JOB CLASS
J. Quinn	Produce Clerk
L. Stewart	Grocery Clerk
Edward Corrigan	Journeyman Cutter
Carol Fair	Bookkeeper
J. Mello	Grocery Clerk
W. Peterson	Grocery Clerk
Stephen Elliott	Produce Manager
G. Sylvia	Grocery Clerk
C. Lemieux	Meat Clerk
Helga Smoske	Produce Clerk
Edward Stanford	Grocery Clerk
Tana Lowry	Cashier
Virginia Landry	Deli Manager
Christopher McAdam	Grocery Clerk
Eve Kucharski	Deli Clerk
Michael Hoey	Deli Clerk
Edward Corrigan, Jr.	Service Manager
Leonard Zalauskas	Meat Cutter

PART TIME UNION ASSOCIATES

NAME	JOB CLASS
P. Smith	Cashier
G Lapierre	Produce Clerk
Paula Bolognese	Cashier
Donna Ray	Service Clerk
Lori Thomas	Cashier
Dawn Plante	Cashier
Stacy Johnson	Meat Clerk
Susan Zakszewski	Cashier
Robert Thomas	Cashier
Jane Conneely	Produce Clerk

PART TIME UNION ASSOCIATES (continued)

NAME	JOB CLASS
Jesus Ramos	Produce Clerk
Linda Sevene	Cashier
Nicholas Zampielo	Grocery Clerk
Sarah Day	Deli Clerk
Percy Heinz	Grocery Clerk
Robert Soucy	Grocery Clerk
Ellen O'Doherty	Cashier
Ronalee Nichols	Cashier
Nelly Ramos	Cashier
Amy Smith	Cashier
Scott Smith	Cashier
Joseph Chiasson	Grocery Clerk
Rhea Reed	Cashier
Charles Kimball	Journeyman Cutter
Paul Martineau	Deli Clerk
Frances Campbell	Cashier
Brian Griffen	Cashier
Joshua Reed	Grocery Clerk
Richard Anderson	Grocery Clerk
Catherine Denaro	Cashier
Daniel Beaudoin	Cashier
Alison Guilmette	Cashier
Paul Halvax	Produce Clerk
Nathan Kinnon, Jr.	Cashier
James Lavery	Cashier
Elizabeth Kuzmicz	Deli Clerk
Diane Saye	Cashier
Dianne King	Cashier
Carolyn Weigand	Cashier
James Parton	Cashier
Lance Nichols, Jr.	Cashier
Janice Bitteker	Deli Clerk
Emma Wade	Cashier
Steven Mason	Grocery Clerk

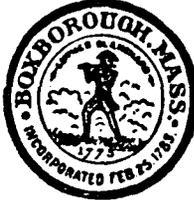
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ADDITIONAL AGENDA ITEMS FOR 1/7/94 MUNICIPAL FORUM

1. Discussion of Town's January 5, 1994 request to Acton and Acton-Boxborough Regional Schools for share of discretionary "School Choice" revenues to fund municipal "B Minus" Budget.
2. FDH factual response to criticism leveled at Board of Selectmen by Mrs. Harting-Barrat and Mr. Aronson during 1/6/94 Regional School Committee public meeting.
3. Report on Board of Selectmen's vote re Municipal Forum participation.
4. FDH request that municipal representative be permitted to attend and address school forums, where school budget and anticipated override requests are presented, to present municipal budget and potential override requests.

TOWN OF BOXBOROUGH
MASSACHUSETTS

cc: BOS



29 MIDDLE ROAD
BOXBOROUGH, MASSACHUSETTS 01719
508 - 263-1116

January 5, 1994

Acton Boxborough Regional School Committee
Charter Road
Acton, MA 01720

Dear Members:

The Boxborough Board of Selectmen would strongly urge you to reconsider your vote on activity fees. As you are aware, the Towns of Acton and Boxborough would be granted waivers under Ed Reform if the School Committee were to reconsider the activity fees policy. This would result in a savings of approximately \$27,000 for each community.

We feel that to reconsider would be in the best interest of the fiscal health of both Towns for the following reasons.

1. The Towns passed, and the School Committee was committed to an appropriation on July first that did not include the additional Ed Reform money or the activities for sports.
2. The taxpayers and the selective student parents will have to collectively appropriate an additional \$100,000 after the Town of Acton twice voted no more money.
3. Many of the services provided by the activity fees were already being funded by the parents through the booster organizations and would have continued to be funded that way.
4. There is only so much money that the taxpayers are willing and able to spend. The schools do not operate in a vacuum and therefore, the School Committee can not ignore the needs of the other town services on which the schools also depend.

A/B Regional School Committee
January 5, 1994
Page 2

5. Legally you can sit back and do nothing, but morally and ethically we feel you have a responsibility to reconsider the fee implementation to ensure the fiscal well-being of both towns. The Selectmen and the voters can only do so much under Ed Reform. The real leadership and restraint must come from the School Committee.

We urge you to reconsider and we will await you reply.

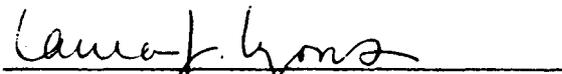
Sincerely,



Jeanne Garrison, Chairman



Susan Elenbaas, Clerk



Laura Lyons, Member

cc: BOS

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9612
Fax (508) 264-9630

F. Dore' Hunter
Chairman, Board of Selectmen

January 5, 1994

Ms. Pamela Harding-Barrett, Chair
Acton-Boxborough Regional School Committee
16 Charter Road
Acton, MA 01720

Ms. Lees Stuntz, Chair
Acton School Committee
16 Charter Road
Acton, MA 01720

Dear Pam and Lees:

The Board of Selectmen and the Town Manager are attempting to anticipate the available resources for funding an FY95 Municipal B-Budget. One important element of the overall revenue picture has been the portion of School Choice monies that the School Committees have contributed to the equation.

Our preliminary estimates of the impact of Ed Reform suggest that the School Committees will be guaranteed a 3.64% B-Budget increase in FY95, leaving a 0.53% (\$57,000) increase available for Municipal purposes. These estimates have been formulated on the assumption that the School Committees will continue to share Choice monies with the Town in FY95 as in the past. It is imperative that we know whether or not we can count on this assumption. It is also imperative that we know whether we can count on any increase in these monies in FY95. (The swing for the Municipal Budget could move from a modest increase to as much as a \$250,000 reduction from the FY94 funding level, further staff reductions, therefore, might be necessary.)

The Board of Selectmen respectfully requests that you indicate your intentions with regard to these monies and would ask that you increase the level of contribution from FY94 to FY95 in recognition of the disparity imposed on the Town by Ed Reform. We would appreciate your response as soon as possible in order that we might proceed with preparation of the Municipal Budget with a reasonable level of confidence in this particular revenue.

Very truly yours,

F. Dore' Hunter
Chairman

cc: BOS

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9612
Fax (508) 264-9630

F. Dore' Hunter
Chairman, Board of Selectmen

January 5, 1994

Ms. Pamela Harding-Barrett, Chair
Acton-Boxborough Regional School Committee
16 Charter Road
Acton, MA 01720

Dear Pam:

The Commissioner of Education has approved a waiver from the Town of Acton's FY94 minimum required spending level for the Acton-Boxborough Regional School District. This waiver credits the Region with \$65,000 in activities fees and contains three conditions. The conditions are as follows:

1. Any activities fees already collected in FY94 shall be refunded.
2. No additional fees shall be imposed in the current year.
3. No activities fees shall be imposed in future school years.

After considerable deliberation the Board of Selectmen voted to formally request that the Regional School Committee comply with the stated conditions, including the refund of those fees already collected, in order that the Town of Acton might qualify for the approved waiver. The Selectmen believe that such action on the part of the School Committee would best provide for the delivery of the entire package of services required for our citizens and would be in the best interests of the taxpayers of Acton.

Very truly yours,

F. Dore' Hunter
Chairman

cc: Boxborough Board of Selectmen



MASSACHUSETTS

BOARD OF APPEALS

#94-1

NOTICE OF PUBLIC HEARING

The Board of Appeals will hold a Public Hearing on Monday,

January 10, 19 94, at 7:30 P.M. in the TOWN HALL, Room 126

on the following petition:

by Charles Stifter, 99 Chauncy Street, Boston, for Joseph Stewart, 95 Main Street, Maynard, for a SPECIAL PERMIT from the requirements of the Zoning Bylaw, Section 8.3.3, to allow a building to be extended within the dimension of its existing non-conformity at 315 Main Street, Map F3/Parcel 81. The proposed addition does not create any new violation of any other dimensional requirement of the Zoning Bylaw.

Petitioner must be present, or send authorized representative

BOARD OF APPEALS

By

Duncan Wood

Clerk

Selectmen

CCIBOS - COVER LTR/NOTICE
FULL PKG. IN RF

cc: BOS

6-January-1994
5 Maillet Drive
Acton, MA 01720

Mr. Don Johnson, Town Manager
472 Main Street
Acton, MA 01720

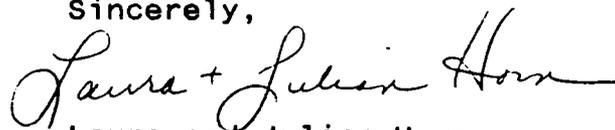
Dear Don:

During the winter everyone seems to become preoccupied with either enjoying or surviving the season so we sometimes forget to notice or acknowledge the efforts of others. My husband and I are fairly new residents to Acton and wanted to take a moment to highly compliment the Acton Highway Department. During each snowstorm (last season and this season) the Acton Highway Department has been quick to react with sanding and/or plowing. This quick action has enabled us to travel to and from our homes safely and more easily.

We would also like to commend the contractor for the Acton Highway Department (Fred's Aluminum) who plows the Maillet Drive cul-de-sac. This contractor not only clears the roadway and cul-de-sac areas in a timely manner, but is extremely conscientious with placement of the snow so our mailboxes and driveways are not obstructed and no property is damaged. We consider this to be a high quality deluxe service which is greatly appreciated!

Having lived in other towns, we recognize that the level of service being provided by the Acton Highway Department is superior and should be applauded.

Sincerely,


Laura and Julian Horn

cc: Mr. Richard Howe, Superintendent of Streets

cc: BOS



Acton - Boxborough Youth Soccer

JAN - 4 1994

December 30, 1993

Mr. Doré Hunter
Chairman, Board of Selectmen
Acton Town Hall
472 Main Street
Acton, MA 01720

Dear Mr. Hunter,

I am presently serving as Field Director for the Acton-Boxborough Youth Soccer League (ABYS). I'm sure you're aware ABYS is entirely a volunteer organization which has been providing recreational activity in our community for many, many years. The league sponsors soccer games in both the Spring and Fall Seasons. There are approximately 1300 Youths who participate in these games and do so beginning at age 5 up until the time they attend college. There is no activity in our community that compares with this extent of participation. It is in the minds of most of us, the activity which binds this community together and helps define us.

As in all ventures, growth brings with it problems and we have been facing severe problems providing adequate fields upon which the children can play. The fields that we do play upon have suffered from overuse and inadequate irrigation. Some of the fields provided have severe limitations. The Jones Field for example, is unusable in the springtime due to the fact that it is under water from the nearby swollen stream. The newly developed field on the corner of Routes 2A and Route 27 is so rocky as to pose a physical danger to the children and had to be removed from the field roster as "unusable". The Board of Directors over the past 2 years has been exploring every avenue to find additional fields. We have sought assistance from the local industry without success. We lack financial resources to purchase land outright.

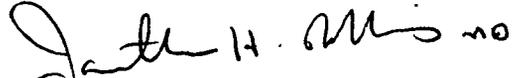
The Board of ABYS wants you and the Board of Selectmen to be aware of our collaboration with Mr. Dean Charter in terms of assisting the town in the maintenance of the existing fields. For the past 2 years, we have made sizeable monetary donations to the town for the purpose of assisting in the seeding, fertilizing and mowing of the fields. It is our intent to continue this relationship into the future.

Page 2

Recently, we have been made aware of the proposal for a housing development known as Lawsbrook Village and that as part of the proposal, the donation of a potential playing field that would be suitable for soccer. This potential field is desperately needed and we implore the Board of Selectmen to accept this parcel so that it may become town recreational property. I have been authorized to inform you that ABYS will provide resources annually for the maintenance of this field including seeding, fertilizing and mowing.

If it would be helpful, I would be happy to appear before the Board to promote this cause should you so desire. I would also appreciate it if you would share this note with the other selectmen.

Respectfully Submitted,



JONATHAN H. ROBBINS, M.D.
FIELD DIRECTOR,
ACTON-BOXBOROUGH YOUTH SOCCER LEAGUE

JHR/pap

cc: Joe Will, President



JOHN M. URBAN
Commissioner

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION
COMMUNITY ANTENNA TELEVISION COMMISSION
LEVERETT SALTONSTALL BUILDING
100 CAMBRIDGE STREET, BOSTON 02202

cc: BOS
CABLE ADVISORY BOARD

JAN - 4 1994

(617) 727-6925

December 30, 1993

Chairman, F. Dore' Hunter
Board of Selectman
Town of Acton, Town Hall
472 Main Street
Acton, MA 01720

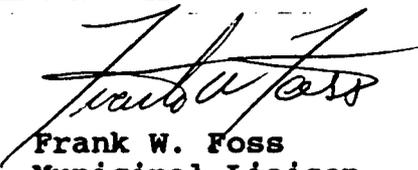
RE: Complaint:

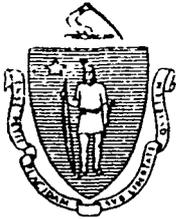
Dear Chairman Hunter:

The Massachusetts Cable Television Commission (the "Commission") is in receipt of a complaint that was also copied to your board. Enclosed are copies of the follow-up and resolution of the complaint for your records.

If you have any questions please feel free to contact me at the Commission.

Sincerely,


Frank W. Foss
Municipal Liaison



JOHN M. URBAN
Commissioner

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION
COMMUNITY ANTENNA TELEVISION COMMISSION
LEVERETT SALTONSTALL BUILDING
100 CAMBRIDGE STREET, BOSTON 02202

(617) 727-6925

December 23, 1993

Mr. Jack Bickel
83 Concord Road
Acton, Ma. 01720

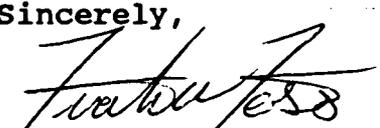
Dear Mr. Bickel:

The Massachusetts Cable Television Commission (the Commission) has received your cable complaint on December 22, 1993.

The Commission will investigate your complaint and in the near future either our office or your cable operator will contact you regarding a resolution of this matter.

Thank you for bringing this matter to our attention. If our office may be of further assistance to you, please feel free to contact us. In the event you do not receive a timely response from your cable operator regarding this complaint, or if you are not satisfied with your cable operator's response, please call the Commission.

Sincerely,


Frank W. Foss
Municipal Liaison

cc: Chairman of the Board of Selectman
Town of Acton, Town Hall
Acton, MA 01720

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS CABLE TELEVISION COMMISSION

100 CAMBRIDGE STREET
BOSTON, MA 02202
(617) 727-6925

FAX COMPLAINT DATA FORM

TO: Mr. Jay Sommers Cablevision Systems - Hudson
of _____

FROM: Frank Foss
Massachusetts Cable TV Commission FAX # (617) 727-7887

DATE: December 23, 1993

The following _____ pages contain an unresolved complaint from

Mr. Jack Bickel 83 Concord Road
of _____ in
Acton, Ma. 01720

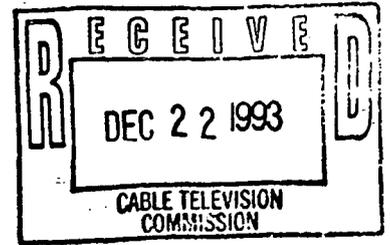
_____. Please respond in detail on the action taken to resolve the complaint in the space provided below. Include any written documentation pertinent to this complaint and return all material to the Commission either by mail or fax. If you have any questions, please feel free to contact me at the Commission. Thank you in advance for your immediate attention to this matter.

COMPLAINT RESOLVED:
() Yes () No

ACTION TAKEN
(Be Specific):

Name: _____
Date: _____

FX
cc: Tewksbury
(a)



Jack Bickel
83 Concord Road
Acton, MA 01720

Mass CATV Commission
Saltonstall Building
100 Cambridge Street
Boston, MA 02202

DEC community ID # MA 0196

December 18, 1993

Dear Commissioner:

We have had unsatisfactory service from Cablevision, 577 Main Street, Hudson, Ma, 01749. Despite numerous calls to Cablevisions service center, our reception continues to be poor on ch 2-4. This has gone on for several years.

Last Saturday, I spoke again with a very nice service rep who promised to have the technical manager call me at work on Monday to discuss how to correct the problem. I told the rep that despite other calls to her service center, the problem has not been corrected, and that other promises for the technical manager to call have not been kept. I mentioned that I would be writing to the appropriate regulatory body if we were not contacted on Monday. She assured me that Cablevision cared, and that the Manager would contact me. Since no one contacted me this week, I conclude Cablevision is not concerned with correcting this service problem.

Previous visits over the years by a lineman have resulted in a little better reception, but never correction of the problem. The lineman explained some time ago that we are the last house on the line (although we live in the center of Acton) and that the line required attention to boost the signal to get decent reception. Each time linemen visit, they have found the problem on the line, not in the house.

I would change suppliers for cable service if there were a choice. Cablevision should be required to provide good service if you continue to grant them exclusive rights to provide service to Acton. Your attention to assist us would be greatly appreciated.

Sincerely,

Jack Bickel
Jack Bickel

Work: 617-271-5110 x160
Home: 508-243-7408

cc: CATV Regulatory
Town Hall
477 Main St
Acton, MA 01720

EXECUTIVE
OFFICE OF
COMMUNITIES &
DEVELOPMENT

cc: BOS - FYI



William F. Weld, Governor
Argeo Paul Cellucci, Lt. Governor
Mary L. Padula, Cabinet Secretary

December 29, 1993

Mr. John A. Noun
14 Strawberry Hill Road
Acton, MA 01720

Dear Mr. Noun:

I take pleasure in appointing you as the state member to the Acton Housing Authority's Board for the term of office which will expire on August 10, 1998. A Certificate of Appointment is enclosed for your records, but to make your appointment official, you must take your Certificate to the office of the town clerk and take your oath of office before him/her within three months. Please ask the clerk to verify the administration of your oath by forwarding a signed statement to the following:

Ms. Erin O'Brien
Executive Office of Communities and Development
100 Cambridge Street, 18th floor
Boston, MA 02202

Ms. Sue Sclafani
Supervisor, Commissions
Secretary of State's Office
Division of Public Records
One Ashburton Place, 17th floor
Boston, MA 02108

Please note, if you do not "...within three months after the date of such appointment, take and subscribe the oaths of office [your] appointment will be void..." (See M.G.L. c.30 §12.) A copy of your Certificate has already been sent to the Governor's Office and to the Secretary of State.

As a Board member you are responsible for establishing and monitoring the achievement of goals for the authority as well as establishing policy. Furthermore, you are responsible for ensuring the integrity of the authority, maintaining good community relations, advocating for public housing, and supporting tenant participation in the administration of public housing. I

December 29, 1993

Page 2

encourage you to attend all authority board meetings, and to attend the housing conferences and training sessions which are offered on a regular basis.

You have taken on a position of great importance to the state. The Commonwealth has chosen to implement its housing policy through local authorities in the conviction that this is the best way to assure positive local participation. You are an agent of the state and that may place you in the vanguard of local opinion at times. I appreciate your willingness to take on this responsibility, and assure you that this office will help in any way it can to make it possible to achieve a balanced housing program which will assure the maximum range of housing development across the Commonwealth.

Please contact Janina Dwyer, EOCD's management representative for the Acton Housing Authority, at (617) 727-3240 to discuss your responsibilities as a Board member. I hope that you will remain in close communication with EOCD regarding any problems or questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Grabauskas', with a long horizontal line extending to the right.

Daniel A. Grabauskas
Acting Secretary

Enclosure

EXECUTIVE OFFICE OF COMMUNITIES & DEVELOPMENT



William F. Weld, Governor
Argeo Paul Cellucci, Lt. Governor
Mary L. Padula, Cabinet Secretary

December 29, 1993

CERTIFICATE OF APPOINTMENT

Pursuant to the powers vested in me as
Secretary, Executive Office of Communities and Development

Mr. John A. Noun
14 Strawberry Hill Road
Acton, MA 01720

is hereby appointed the State Member of the

Acton Housing Authority

for a term which will expire on

August 10, 1998

Daniel A. Grabauskas
Acting Secretary

M.G.L. c.30 §12. Oaths of office; failure to take and subscribe

A person appointed to an office by the governor with or without the advice and consent of the council shall be notified of his appointment by the state secretary and his commission delivered to him upon qualification, and if he does not, within three months after the date of such appointment, take and subscribe the oaths of office, his appointment shall be void, and the secretary shall forthwith notify him thereof, and shall also certify said facts to the governor. This section shall be printed on every such commission. Amended by St.1985, c.332.

COPY

CC: BOS - FYI

REC'D
12/5/93

**TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9615
Fax (508) 264-9630**

Catherine Belbin
Town Clerk

TO: John J. Lorenz
FROM: Catherine Belbin, Town Clerk
SUBJECT: Business Certificate Renewals / Discontinuances

Our records indicate that you filed a Business Certificate with our office on November 13, 1989 in the name of "John J. Lorenz". This is a reminder that business certificates are only valid for four (4) years, after which you must renew your certificate with this office (Fee; \$20.00 plus \$2.00 if you request a certified copy of your renewal certificate). If this business is no longer in operation, Massachusetts Law stipulates that you must file a statement with this office indicating your discontinuance, retirement or withdrawal from such business (Fee; \$10.00).

Each person whose name appears on the certificate, must sign *in the presence of the Town Clerk or a designee*. If it is too difficult for you to come to the Town Hall, you may request a business certificate form from this office, *have it notarized* and return the form and a check for \$22.00 (payable to "The Town of Acton"). A certified copy of your certificate will be mailed to you promptly.

The Town Clerk's office is open from 8:00 - 5:00 daily. We will be happy to answer any questions you may have at 264-9615.

We look forward to seeing you.

*SEE LETTER
ENCL.
WACK*

59 Nashoba Road
Acton, MA 01720

December 8, 1993

Catherine Belbin
Town Clerk
Acton, MA 01720

Regarding: Business certificate renewals/discontinuances

Dear Ms. Belbin,

Thank you for your letter of December 4, 1993 regarding my business certificate. I have referred this matter to my attorney, Mr. Sylvester Foodchuck, who is currently practicing from a padded suite at the Massachusetts Home for the Bewildered. Sylvester, in his infinite wisdom, agrees with my calculations that the cost of discontinuing business is equal to one half the cost of staying in business. Sylvester also advises me that if I do not stay in business I can save \$20.00 and if I also do not go out of business, I can save yet another \$10.00, for a total savings of \$30.00. Since I am a generous person and also since I always make the town's financial health one of my top priorities, I will only save \$15.00 and allow the town to save the remaining \$15.00. Enjoy!

On another note, Sylvester has informed me that his associate, Ms. Lois Lipshitz had passed away while attempting to perform her own frontal lobotomy. For the past 10 years Lois Assisted Sylvester in cases involving extreme bureaucratic idiocy and he has asked me to see if you would be interested in taking her place.

Thank you,

Jack Lorenz





JAN 3

Acton Memorial Library

Decemberr 30, 1993

F. Dore Hunter, Chairman
Board of Selectmen
Acton, MA

Dear Dore:

The Acton Memorial Library Foundation has presented a check to the Board of Trustees to cover personnel costs for Sundays from January 2 through March 30, 1994. The check, in the amount of \$ 4,041. has been deposited with the Town Treasurer and credited to the library's Gift Account for Sunday hours. A third check covering personnel costs until Sunday hours end on April 24th will be given to the Town Treasurer in mid-March, 1994.

The Foundation's successful fund raising permits the library to be open on Sunday afternoons. Without their efforts, many people would be denied access to the library and the workload on the regular staff would be greater than it is. The library deeply appreciates the support of the Foundation.

Sincerely yours,

Wanda Null
Library Director

cc: Sharon Summers

MEMORANDUM

5 January 1994

From: F. Doré Hunter
To: Board of Selectmen
Subject: Proposed Warrant Article to Amend Local Historic District By-Law - Amended Version

1. It was pointed out at the 1/4/94 BOS meeting that I had omitted from my 14 December 1993 memo the provision concerning septic systems discussed in my 19 October 1993 memo, that was an error on my part. My revised recommendation is that essentially the following Warrant Article be inserted in the Annual Town Meeting Warrant:

To see if the Meeting will vote to approve amendments to the Town of Acton Bylaws, Chapter P - Local Historic District Bylaw, as follows:

Amend Section 2., Definitions by adding the underlined words to the definition of a STRUCTURE and deleting the words shown struck out:

2. DEFINITIONS

.....
STRUCTURE: A combination of materials other than a BUILDING, including but not limited to a SIGN, fence, wall, ~~terrace walk or driveway~~ or paved parking lots.

Amend Section 7., Procedures for Review of Applications by the addition of the following new paragraph:

7.14 Nothing contained in this By-Law shall be deemed to preclude any person contemplating construction or alteration of a BUILDING or STRUCTURE within a DISTRICT from consulting informally with the COMMISSION before submitting any application referred to in this By-Law on any matter which might possibly be within the scope of the By-Law. Nothing contained in this By-Law shall be deemed to preclude the COMMISSION from offering informal advice to a potential applicant prior to receiving an application. However, any such preliminary advice offered by the COMMISSION shall not be deemed to set a precedent nor in any way limit the COMMISSION in the exercise of its functions under this By-Law.

Amend Section 8, by the addition of the following language at the end of existing Section 8.2:

The COMMISSION may in appropriate cases impose reasonable requirements for the general design, location and material of portions of septic systems placed substantially above the pre-existing or new septic system grade level, however, such requirements shall not conflict with the requirements of the Acton Board of Health nor make such septic system inefficient.

Amend Section 9., Exclusions by the addition of the following new underlined language and delete the strikeout text as follows:

9. EXCLUSIONS

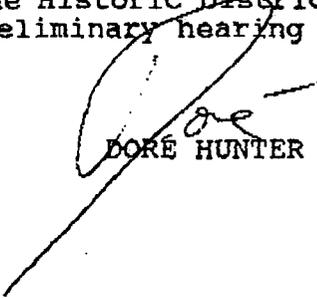
...

9.1.2

Terraces, walks, driveways, sidewalks, and similar ~~STRUCTURES~~, provided that any such ~~STRUCTURE~~ is substantially at grade level public ways and other similar features, provided only that such feature is substantially at the existing grade level.

2. See my Memorandum to the Board dated 19 October 1993 for the rationale.

3. I understand that this item has been placed on the Draft Warrant. I understand that the Historic District Commission would like to hold the necessary preliminary hearing on this subject.


DORE HUNTER

Copy to: Town Manager
Ann Forbes

FLANAGAN & HUNTER, P.C.
ATTORNEYS AT LAW
AND
PROCTORS IN ADMIRALTY
211 CONGRESS STREET
BOSTON, MASSACHUSETTS 02110-2434

TELEPHONE: (617) 482-3366

FAX: (617) 482-3467

FAX COVER SHEET

DELIVER TO: **CHRISTINE**

AT: **Acton Town Hall**

FAX NUMBER: **508-264-9630**

FROM: **F. DORÉ HUNTER**

Number of Pages, Including this Cover Sheet: 3

COMMENTS: **Please put the enclosed revised memo in the BOS mail and also put a copy in the Historic District Commission mailbox.**

DATE: **January 5, 1994**

FILE NO. None

Attention - Important Notice: This FAX is intended only for the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient of this FAX please take note that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone and return the documents by mail.

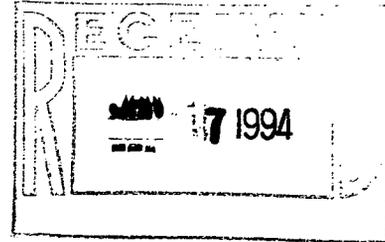


The Commonwealth of Massachusetts Department of Education

350 Main Street, Malden, Massachusetts 02148-5023

Telephone: (617) 388-3300
TTY: N.E.T. Relay 1-800-439-2370

December 30, 1993



TO: Chief Municipal Officers
FROM: Robert V. Antonucci *RAV*
SUBJECT: FY 94 NET SCHOOL SPENDING UNDER EDUCATIONAL REFORM

The attached FY1994 Net School Spending computer printout reflects projected expenditure data from Schedule 19 and actual revenue data from Schedule 1 as reported by your district in your FY92-93 End of the Year Pupil and Financial Report. This data simulates the net spending and offset revenue items under the educational reform formula.

Each school district is required to meet the net spending level mandated by Educational Reform. The attached printout may be used to compare FY94 projected spending against this mandate. If the attached information is in error or does not meet the required spending, please notify the Office of Information and Outreach at 617-388-3300 ext. 553 by January 15, 1994. If your local appropriating body has agreed to raise additional amounts at a future date in FY94, you should include these anticipated appropriations in Schedule 19.

Complete and accurate information is needed from each district in order to compute the minimum spending level and state aid projections for FY1995. All amendments to Schedule 19 (FY94 budget) of the Fiscal Year 1992/1993 End of the Year Pupil and Financial Report must be received by January 15, 1994.

Thank you for your assistance in this matter.

Please see pg 2

cc: Superintendent of Schools
Thomas Collins
Department of Revenue

Attachment

MASSACHUSETTS DEPARTMENT OF EDUCATION
INFORMATION AND OUTREACH SERVICES

FY 1994 NET SCHOOL SPENDING

94F82MHG
12/27/93

PAGE 002

1-7-94
@ 14:47 hours

002 ACTON	SCHOOL COMMITTEE	CITY OR TOWN	P.L. 874	TOTAL
	(A)	(B)	(C)	(D)
1. ADMINISTRATION (1000)	328,584	154,558		483,142
2. INSTRUCTION (2000)	6,228,781			6,228,781
3. ATTENDANCE-HEALTH (3100 3200)	72,184			72,184
4. FOOD SERVICES (3400)				
5. STUDENT BODY ACTIVITIES (3510 3520)	1,493			1,493
6. MAINTENANCE (4000)	694,440	6,835		701,275
7. EMPLOYEE BENEFITS (5100)	859,753	198,454		1,058,207
8. INSURANCE (5200)	2,900	145,419		148,319
9. RENTAL & OTH FIXED CHG (53 54 5500)				
10. TUITION (9000)	452,421			452,421
11. TOTAL SCHOOL SPENDING	8,640,556	505,266		9,145,822
12. REVENUES				
13. NET SCHOOL SPENDING	8,640,556	505,266		9,145,822
14. OTHER SCHOOL SPENDING	519,478	8,492,099		9,011,577
15. TOTAL SCHOOL SPENDING	9,160,034	8,997,365		18,157,399

while I have not had an opportunity for a complete review, the net school spending #, is \$48,563 less than Bill & I had expected. Therefore, by this printout, the Town has contributed \$14,153 above the amount required by CD Reform for the local schools.

Jahn

MAGIC



Acton
Boxborough
Carlisle
Concord
Hudson

Littleton
Marlborough
Maynard
Stow
Sudbury

CGIBOS

Minuteman Advisory Group on Interlocal Coordination

c/o MAPC, 60 Temple Place, Boston, MA 02111 617 / 451-2770

MINUTEMAN ADVISORY GROUP
ON INTERLOCAL COORDINATION

A Subregion of Metropolitan Area Planning Council

MEETING NOTICE

January 13, 1993

Littleton Operations Center
39 Ayer Rd. (Rt. 110)
Littleton

JAN - 4

7:00 p.m. DRI Subcommittee Review: Stratus/Rail Right-of-Way, Marlborough

A Draft Environmental Impact Report (DEIR) has been filed for the disposition by the MBTA to the City of Marlborough of about 25 acres of abandoned railroad right of way. The project relates to the phased development of 500,000 S.F. of office and engineering space by Stratus Computer, Inc. on Addition Hill in Marlborough. Reps from Hudson, Marlborough, Sudbury, and other interested towns should attend.

7:30 p.m. FULL MAGIC MEETING

DRI Report of Stratus/Rail Right-of-Way, Marlborough

7:50 p.m. Updates and Briefings

Subregional Evaluation Process
Local Contributions to MAGIC
Transportation Project Proposals for UPWP funding*
Other

8:10 p.m. State of the Region

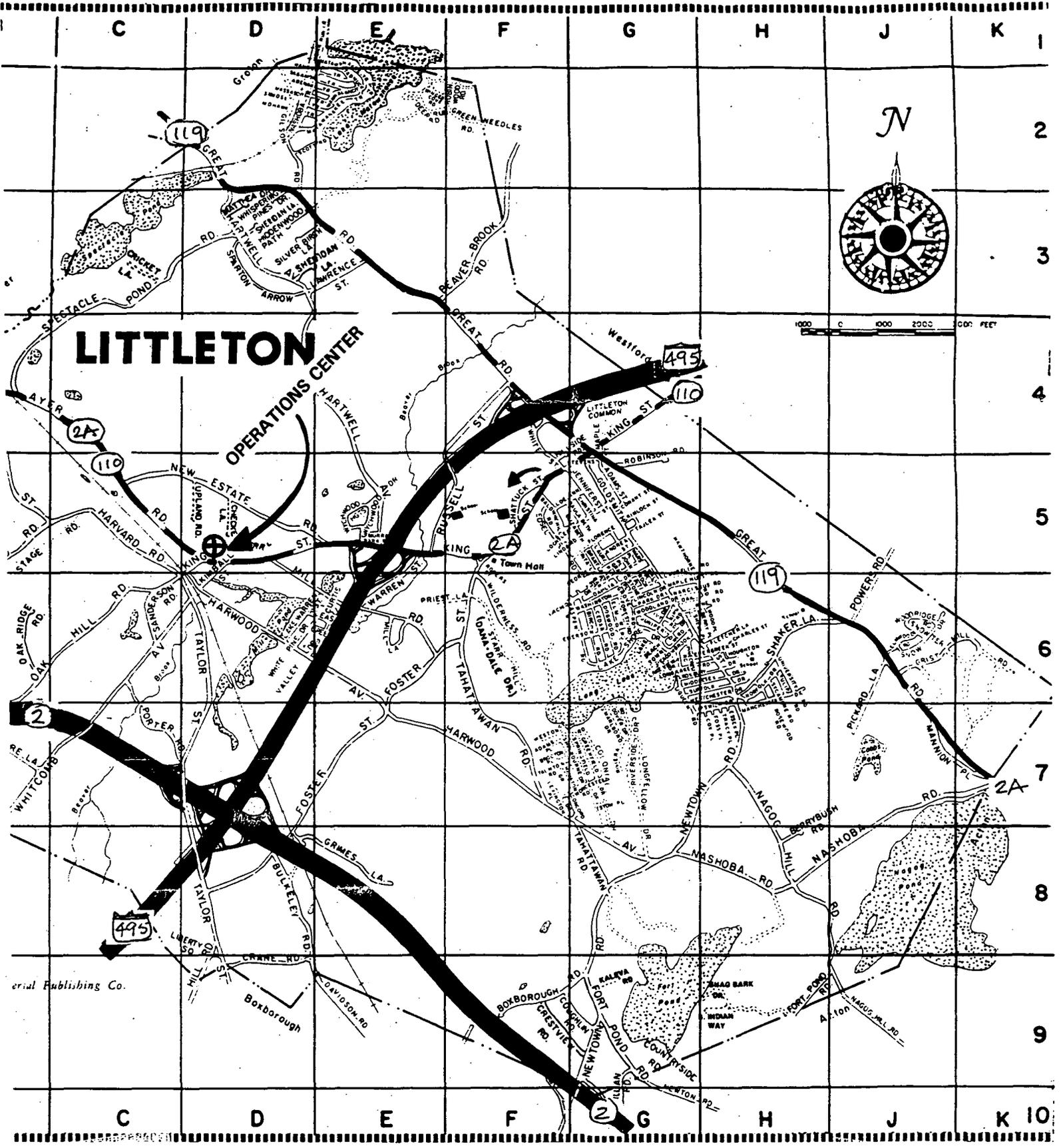
8:15 p.m. Economic Development Planning

Steven Landau, MAPC's Chief Economic Development Planner, will lead a discussion of economic development planning in the region and the subregion, with emphasis on the Overall Economic Development Program (OEDP) and the MetroPlan 2000 Economic Development Element currently being drafted. In a related matter, MAGIC will continue to discuss drafting an agreement with the Mass. Alliance for Economic Development (MAED) regarding referrals of development opportunities.

9:00 p.m. Massachusetts Planning & Development Act: "1000 Friends Legislation"

1000 Friends of Massachusetts, a non-profit group which fosters the principles of planning and development, has filed legislation* proposing major changes in state, regional, and local planning. MAGIC will review the bill's provisions and potential impacts.

** Informational materials are enclosed in mailings to MAGIC members. Please review in advance.*



LITTLETON'S OPERATIONS CENTER is at 39 Ayer Rd./Route 110. It's on the right when travelling west (toward Ayer) and is between the two ends of New Estate Rd. Come in the Light Department side to the Conference Center.

cc: BOS

Selectmen



RECEIVED & FILED

DATE *January 4, 1994*

Barbara Brown
for TOWN CLERK, ACTON

MASSACHUSETTS

BOARD OF APPEALS

JAN - 4

DECISION NO. 93-17

DECISION ON THE HEARING ON THE PETITION
BY O.T. KALLIO, 29 CONANT STREET

A public hearing of the Board of Appeals was held in the Town Hall on Monday, December 6, 1993 at 7:30 p.m., Room 126, Acton, MA on the petition by O.T. Kallio, 29 Conant Street, for a SPECIAL PERMIT from the Zoning Bylaw, Section 8.3.3, to allow a 124" by 55 1/2" extension of a portion of the present roof to cover an existing stoop at the front entrance to prevent ice build-up that has been causing an unsafe condition at 29 Conant Street, map I2/parcel 28.

Present at the meeting were Board Members Malcolm Burdine, Chairman; Stephen Crockett, Acting Clerk; Janet Clark, Alternate Member; and Valerie Sipprelle, Board of Appeals Secretary. Also present were Nicholas Miller, Alternate Member; Peter Berry, Associate Member; Garry Rhodes, Building Commissioner; O.T. Kallio, Petitioner; and J.W. McGinty, neighbor.

Mr. Burdine opened the hearing, introduced the Board members, explained the hearing procedure, read the petition, and noted the file contents, which included a telephone call from neighbors, Margaret and Joseph McGinty, 28 Conant Street, who called to support this request. Mr. Burdine then asked the Petitioner to make his presentation.

The Board of Appeals, after considering the materials submitted with the petition, together with the information developed at the public hearing, finds as follows:

1. The Petitioner desires to build a roof extension over his front stoop to help cure a safety hazard: ice buildup.
2. The request is consistent with the Town of Acton Master Plan.
3. The front stoop is a nonconforming structure. The roof to be built will not change the "foot print" of the house.

4. The slight overhang of two feet into the set back is permitted under the By-Law and a Variance is not needed.

Based upon the above findings, the Board of Appeals concludes that:

1. The requested Special Permit is consistent with the Master Plan.

2. The requested Special Permit is in harmony with the purpose and intent of the By-Law.

3. The requested Special Permit will not be detrimental or injurious to the neighborhood in which it is to take place.

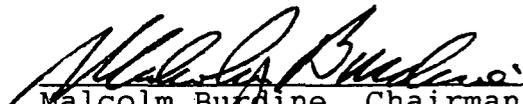
4. The requested Special Permit is appropriate for the site in question.

5. The requested Special Permit complies with all applicable requirements of this By-Law.

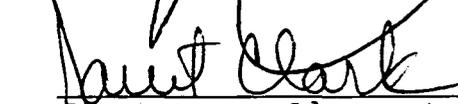
Based upon the above conclusions, the Board of Appeals voted unanimously TO GRANT the requested Special Permit.

Any person aggrieved by this decision may appeal pursuant to Massachusetts General Laws Chapter 40A, Section 17 within twenty (20) days after this decision is filed with the Acton Town Clerk.

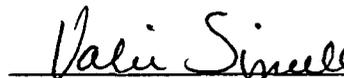
TOWN OF ACTON BOARD OF APPEALS


Malcolm Burdine, Chairman


Steven Crockett, Acting Clerk


Janet Clark, Alternate Member

I certify that copies of this decision have been filed with the Acton Town Clerk and Planning Board on January 4, 1994.


Valerie Sippelle, Secretary
Board of Appeals

MEMORANDUM

7 January 1994

From: Chairman, Board of Selectmen

To: Board of Selectmen Members

Subject: Regional School Committee receipt of Town requests for withdrawal of school fees and contribution of School Choice monies

1. As promised on 6 January 1994 I appeared at the Acton-Boxborough Regional School Committee meeting to present our two request letters, advance copies of which had been faxed to the Superintendent that morning. Norm Lake appeared with me. The School Committee meeting began about 1950 hours, after an executive session held in another room. Shortly after opening the meeting Chairperson Pam Harting-Barrat read a prepared statement implicitly critical of the Selectmen for having promulgated the FY94 million dollar Education Reform contribution number, took us to task for being critical of the School Committee - which had not enacted Education Reform, and stating a desire to preserve Town services without offering any specifics. It was essentially the same thing she said during the "examine our navel" session of the Municipal Forum last Monday evening. I did not have an appropriate opportunity to respond.

NOT TO BOS -
THE "GUIDE" DID NOT
FAX CLEARLY. WE
WILL FORWARDED COPIES
NEXT WEEK.
DON

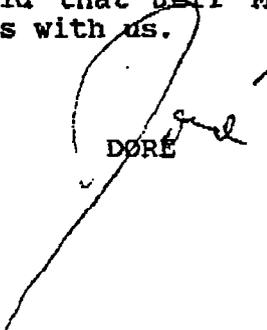
I rose to speak during the "Public Participation" portion of their meeting [see new school "guide" handed out in that regard attached]. I presented both requests, pointing out that we did not have all the answers re the waiver qualification request but were nevertheless standing together with Boxborough in making the request. In regard to the "School Choice" request I essentially reiterated a short version of my last newspaper article and the contents of the request letter. No direct response was made to either request. But almost immediately thereafter the Regional School Committee proceeded to take up their agenda item in regard to the waiver and spoke about it at length. During this period Steven Aronson advanced some half thought through idea about the Town collecting fees through taxes in the future, criticized the two Selectmen who questioned the continuation of the Municipal Forum and seemed to consider what we have said about Education Reform as an attack on the School Committee. He also said that these sorts of requests should have been discussed in the Municipal Forum but I am not sure that comment was directed at us.

3. The School Committee's discussion of the waiver could not be described as a debate because everyone said essentially the same thing. The \$65,000 in fees that the Region has collected have

already been spent, the Region could not afford to raise the money to refund the fees, it would reduce the school basis for future years Education Reform numbers and the \$21,000 benefit to the Town of Acton (and somewhat larger figure for Boxborough) were more than offset by those numbers. Eventually they voted, with one abstention, to continue to collect fees. As nothing was being said about the "School Choice" request I broke in, as they were moving on, and said that it was imperative that we receive an answer in the near future. The only response came from the Superintendent, who from her position in the center of the table, at the Chairperson's elbow, stressed how "School Choice" funds were expected to decline.

4. Thereafter the School Committee had its "first reading" of the Superintendent's recommendation to extend fees to cover all extra-curricular activities. Many questions were raised but it seemed clear that the Committee will approved the Superintendent's recommendation with no significant change.

5. Norm had to leave, and I had another commitment and had to leave, before the Regional School Committee reached their agenda item on the Municipal Forum. A spectator who remained and with whom I spoke today told me that they once again indicated their desire for the Municipal Forum discussions not to extend beyond "philosophical" points. I am told that Jeff Mchary urged the School Committee to discuss numbers with us.



DORE

Copy to: Town Manager



Metropolitan Area Planning Council

60 Temple Place, Boston, Mass. 02111 617/451-2770 Fax 617/482-7185

Serving 101 cities and towns in metropolitan Boston

cc: BOS

December 29, 1993

TO: MAPC Representatives and Chief Elected Officials
FR: David C. Soule, Executive Director *DCS*
RE: MAPC's 1994 Calendar

Enclosed please find a copy of MAPC's calendar of meetings and events for 1994. Due to the fact that this calendar is for the entire year and meetings could be changed or canceled, please call ahead to confirm meeting, location and time.

Enclosure

cc: City and Town Clerks

December 1993

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January 1994 General Calendar

February 1994

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2	3 12P Officers Meeting	4	5 9A MetroPlan Committee 10 Legislative Committee	6	7 10A MPO Liaison Committee	8
9	10	11 8:30A Subregional Chairs @ 12P Finance Committee Mtg. 2 Managers' Meeting	12 10A Inner Core Meeting 13:30P Full JRTC Meeting @ Transportation @ Ashland 7:30 MetroWest @ Ashland	13 8:30A NSTF Meeting 7:30P MAGIC Mtg.	14	15
16	17 HOLIDAY	18	19 9A Executive Committee	20 3P SWAP Meeting 7:30 South Shore Coalition Mtg.	21	22
23	24	25 9:30A Staff Meeting	26 3:30P JRTC Steering Committee @ Transp. Bldg., 4 TRIC Meeting	27 12P Economic Dev. Policy Committee	28 8:30A NSPC, Legislative Meeting	29
30	31					

9:18AM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

January 1994

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February 1994 General Calendar

March 1994

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Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 9A MetroPlan Committee	2 10A Inner Core Meeting 12P Legislative Committee	3	4 10A MPO Liaison Committee	5 1994 Washington Policy Conference (NARC)
6 1994 Washington Policy Conference (NARC)	7 1994 Washington Policy Conference (NARC)	8 1994 Washington Policy 12P Finance Committee Mtg. (Tentative) 2 Managers' Meeting	9 8:30A NSPC 3:30P Full JRTC Meeting @ Transportation 7:30 MetroWest @ Marlborough	10 8:30A NSTF Meeting 7:30P MAGIC Mtg.	11	12
13	14 12P Officers' Meeting (Tentative)	15 3P Subregional Retreat (Tentative)	16 9A Executive Committee	17 3P SWAP Meeting 7:30 South Shore Coalition Mtg.	18	19
20	21 HOLIDAY	22 9:30A Staff Meeting	23 3:30P Winter Council Mtg., Sonesta Hotel, Cambridge 3:30 JRTC Steering Committee @ Transp. Bldg., CTPS Rm 2150	24 12P Economic Dev. Policy Committee	25	26
27	28					

9:18AM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

February 1994

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March 1994 General Calendar

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		1 9A MetroPlan Committee	2 10A Inner Core Meeting 12P Legislative Committee	3	4 10A MPO Liaison Committee	5
6	7 12P Officers Meeting	8 8:30A Subregion al Chairs Meeting 12P Finance Committee Mtg. 2 Managers' Meeting	9 8:30A NSPC Meeting 3:30P Full JRTC Meeting @ Transportation 7:30 MetroWest Mtg. @ Southborough	10 8:30A NSTF Meeting 7:30P MAGIC Mtg.	11	12
13	14	15	16 9A Executive Committee 4P TRIC Meeting	17 HOLIDAY	18	19
20	21	22 9:30A Staff Meeting	23 3:30P JRTC Steering Committee @ Transp. Bldg., ICTPS Rm 2150	24 3P SWAP Meeting 7:30 South Shore Coalition Mtg.	25	26
27	28	29	30	31 12P Economic Dev. Policy Committee		

9:19AM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

March 1994

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April 1994 General Calendar

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10	11	12 8:30A Subregion al Chairs Meeting 12P Finance Committee Mtg. 2 Managers' Meeting	13 8:30A NSPC Meeting 3:30P Full JRTC Meeting @ Transportation 7:30 MetroWest Mtg. @ Sudbury	14 8:30A NSTF Meeting 7:30P MAGIC Mtg.	15	16
17	18 HOLIDAY	19	20 9A Executive Committee 14P TRIC Meeting	21 3P SWAP Meeting 7:30 South Shore Coalition Mtg.	22	23
24	25	26 9:30A Staff Meeting	27 3:30P JRTC Steering Committee @ Transp. Bldg., CTPS Rm 2150	28 12P Economic Dev. Policy Committee	29	30

9:19AM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

April 1994

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May 1994 General Calendar

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1	2 12P Officers Meeting	3 9A MetroPlan Committee	4 10A Inner Core Meeting 12P Legislative Committee	5	6 10A MPO Liaison Committee	7
8	9	10 8:30A Subregional Chairs Meeting 12P Finance Committee Mtg. 2 Managers' Meeting	11 3:30P Full JRTC Meeting @ Transportation Bldg., 2nd fl. Conf. Rm. 7:30 MetroWest Mtg. @ Wayland	12 8:30A NSTF Meeting 7:30P MAGIC Mtg.	13	14
15	16	17	18 9A Executive Committee 4P TRIC Meeting	19 3P SWAP Meeting 7:30 South Shore Coalition Mtg.	20	21
22	23	24 9:30A Staff Meeting	25 3:30P Annual Council Meeting 3:30 JRTC Steering Committee @ Transp. Bldg., CTPS Rm 2150	26 12P Economic Dev. Policy Committee	27	28 NARC Conference & Trade Show, Park Plaza Hotel
29 NARC Conference & Trade Show, Park Plaza	30 NARC Conference & Trade Show, Park Plaza HOLIDAY	31 NARC Conference & Trade Show, Park Plaza				

9:50AM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

May 1994

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June 1994 General Calendar

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			1 10A Inner Core Meeting 12P Legislative Committee	2	3 10A MPO Liaison Committee	4
5	6 12P Officers Meeting	7 9A MetroPlan Committee	8 8:30A NSPC Meeting 3:30P Full JRTC Meeting @ Transportation 7:30 MetroWest Mtg.	9 8:30A NSTF Meeting 7:30P MAGIC Mtg.	10	11
12	13	14 8:30A Subregional Chairs Meeting 12P Finance Committee Mtg. 2 Managers' Meeting	15 9A Executive Committee 4P TRIC Meeting	16 3P SWAP Meeting 7:30 South Shore Coalition Mtg.	17 HOLIDAY	18
19	20	21	22 3:30P JRTC Steering Committee @ Transp. Bldg., CTPS Rm 2150	23	24	25
26	27	28 9:30A Staff Meeting	29	30 12P Economic Dev. Policy Committee		

9:19AM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

June 1994

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July 1994 General Calendar

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10	11 12P Officers Mtg.	12 8:30A Subregional Chairs Meeting 12P Finance Committee Mtg. 2 Managers' Meeting	13 8:30A NSPC Meeting 3:30P Full JRTC Meeting @ Transportation Bldg., 2nd flr.	14 8:30A NSTF Meeting 7:30P MAGIC Mtg.	15	16
17	18	19	20 9A Executive Committee 4P TRIC Meeting	21 3P SWAP Meeting 7:30 South Shore Coalition Mtg.	22	23
24	25	26 9:30A Staff Meeting	27 3:30P JRTC Steering Committee @ Transp. Bldg., CTPS Rm 2150	28 12P Economic Dev. Policy Committee	29	30
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9:20AM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

July 1994

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August 1994 General Calendar

September 1994

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7	8	9 8:30A Subregional Chairs Meeting 12P Finance Committee Mtg. 2 Managers' Meeting	10 8:30A NSPC Meeting	11 8:30A NSTF Meeting	12	13
14	15	16	17 9A Executive Committee (Tentative)	18 7:30P South Shore Coalition Mtg.	19	20
21	22	23 9:30A Staff Meeting	24	25 12P Economic Dev. Policy Committee	26	27
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2:33PM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

August 1994

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September 1994 General Calendar

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11	12 12P Officers Mtg.	13 8:30A Subregion al Chairs Meeting 12P Finance Committee Mtg. 2 Managers' Meeting	14 8:30A NSPC Meeting 3:30P Full JRTC Meeting @ Transportation Bldg., 2nd flr. Conf. Rm.	15 3P SWAP Meeting 7:30 South Shore Coalition Mtg.	16	17
18	19	20	21 9A Executive Committee 4P TRIC Meeting	22	23	24
25	26	27 9:30A Staff Meeting	28 3:30P JRTC Steering Committee @ Transp. Bldg., CTPS Rm 2150	29 12P Economic Dev. Policy Committee	30	

9:20AM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

September 1994

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October 1994 General Calendar

November 1994

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9	10 HOLIDAY	11 8:30A Subregional Chairs Meeting 12P Finance Committee Mtg. 2 Managers' Meeting	12 8:30A NSPC Meeting 3:30P Full JRTC Meeting @ Transportation Bldg., 2nd fl.	13 8:30A NSTF Meeting 7:30P MAGIC Mtg.	14	15
16	17	18	19 9A Executive Committee 4P TRIC Meeting	20 3P SWAP Meeting 7:30 South Shore Coalition Mtg.	21	22
23	24	25 9:30A Staff Meeting	26 3:30P Fall Council Meeting 3:30 JRTC Steering Committee @ Transp. Bldg.,	27 12P Economic Dev. Policy Committee	28	29
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9:20AM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

October 1994

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November 1994 General Calendar

December 1994

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		1 9A MetroPlan Committee	2 10A Inner Core Meeting 12P Legislative Committee	3	4 10A MPO Liaison Committee	5
6	7 12P Officers Meeting	8 8:30A Subregional Chairs Meeting 12P Finance Committee Mtg. 2 Managers' Meeting	9 8:30A NSPC Meeting 3:30P Full JRTC Meeting @ Transportation Bldg., 2nd fl. Conf. Rm.	10 8:30A NSTF Meeting 7:30P MAGIC Mtg.	11 HOLIDAY	12
13	14	15	16 9A Executive Committee 4P TRIC Meeting	17 3P SWAP Meeting 7:30 South Shore Coalition Mtg.	18	19
20	21	22 9:30A Staff Meeting	23 3:30P JRTC Steering Committee @ Transp. Bldg., CTPS Rm 2150	24 HOLIDAY	25	26
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9:21AM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

November 1994

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December 1994 General Calendar

January 1995

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Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2 10A MPO Liaison Committee	3
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11	12	13 8:30A Subregional Chairs Meeting 12P Finance Committee Mtg. 2 Managers' Meeting	14 8:30A NSPC Meeting 3:30P Full JRTC Meeting @ Transportation Bldg., 2nd fl. Conf. Rm.	15 3P SWAP Meeting 7:30 South Shore Coalition Mtg.	16	17
18	19	20	21 9A Executive Committee 4P TRIC Meeting	22	23	24
25	26 HOLIDAY	27 9:30A Staff Meeting	28 3:30P JRTC Steering Committee @ Transp. Bldg., CTPS Rm 2150	29	30	31

9:21 AM Wednesday, December 29, 1993

PLEASE CALL AHEAD TO CONFIRM MEETINGS.

cc: BOS

January 3, 1994

Acton Board of Selectmen
Mr. Dore Hunter, Chairman
472 Main Street
Acton, MA 01720

Dear Mr. Hunter,

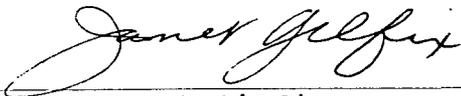
Today I had occasion to take a boxed package to the Mail Boxes, Inc, store at 100 Powdermill Road in Acton. I presented my box to the clerk and she told me that the charge for sending it to Florida would be \$17.08. As I thought that was an exorbitant cost, I asked what the Mail Boxes charged for their service and the clerk said it depended on the package. I asked what the charge was on mine and she said she couldn't say except that the full charge was \$17.08. I left the store after observing two people in front of me who were trying to trace their lost packages.

I drove about a mile and then returned and asked for my package back. They were annoyed. I then drove to Chelmsford UPS where they charged me \$4.13 for shipping my box.

Mail Boxes, Inc, is entitled to charge whatever they desire for their service, but to me it is unethical in the least, for them not to be able to give the amount that they charge for their service.

Hopefully, you being the watchdogs of your community, would readily agree that this type of business operation should not be allowed to continue on this basis.

Sincerely,



Janet Gilfix

17 Jacob Gates Road
Harvard, MA 01451

CUSTOMER COUNTER

SHIPPING RECORD

RECEIVED FROM (PLEASE PRINT)		
NAME	JANET GILFIX	DATE 1/3/94
STREET	17 JACOB GATES RD	
CITY	HARVARD, MA	STATE ZIP 01451



United Parcel Service

SHIPPER RECEIPT - WHITE
UPS COPY - CANARY

SHIPPER COMPLETE ALL INFORMATION SHOWN BELOW A DUPLICATE ADDRESS LABEL SHOULD BE ENCLOSED IN EACH PACKAGE						FOR UPS USE ONLY
PACKAGE	SEND TO ADDRESS-LIST EACH PACKAGE SEPARATELY	COO AMOUNT	DECLARED VALUE *	UPS ZONE	TYPE CHARGE	Shipper No. - Package ID # - Charges
1	NAME	\$			C.O.D.	PKG #067 5.42LB 4.13
	STREET		\$		EXCESS VALUATION	
	CITY STATE ZIP				PACKAGE	
	PACKAGE CONTENTS	PICTURES - NO GLASS				
2	NAME	\$			C.O.D.	** TOTAL ** CA 4.13 010X27 01/03/94 TRANS #6150 REG #1
	STREET		\$		EXCESS VALUATION	
	CITY STATE ZIP				PACKAGE	
	PACKAGE CONTENTS					
3	NAME	\$			C.O.D.	
	STREET		\$		EXCESS VALUATION	
	CITY STATE ZIP				PACKAGE	
	PACKAGE CONTENTS					
4	NAME	\$			C.O.D.	
	STREET		\$		EXCESS VALUATION	
	CITY STATE ZIP				PACKAGE	
	PACKAGE CONTENTS					

*Unless a greater value is declared in writing on this receipt, the shipper hereby declares and agrees that the released value of each package or article not enclosed in a package covered by this receipt is \$100, which is a reasonable value under the circumstances surrounding the transportation. The rules relating to liability established by the Warsaw Convention and any amendments thereto shall apply to the international carriage of any shipment hereunder insular as the same is governed thereby. The entry of a C.O.D. amount is not a declaration of value. In addition, the maximum value, or declared value, for a Next Day Air, 2nd Day Air or 3 Day Select package is \$50,000 and the maximum liability per package is \$50,000. Claims not made to carrier within 9 months of the scheduled delivery date are waived. All checks in payment of C.O.D.s accepted at shipper's risk.

01122702 9-86 (5MM 8-93)

Thank You For Using
United Parcel Service

PALMER & DODGE

One Beacon Street
Boston, Massachusetts 02108

DEC 28 1993

Acheson H. Callaghan, Esq.
(617) 573-0178

Telephone: (617) 573-0100
Facsimile: (617) 227-4420

December 22, 1993

Mr. Don Johnson
Town Manager
P.O. Box 236
Acton, MA 01720

Dear Don:

I enclose our bill for services through November.

If you have any questions, please let me know.

Very truly yours,

Acheson

Acheson H. Callaghan

AHC/dcb

Enclosure

cc: BOS
 PLANNING DEPT.
 BUILDING DEPT.
 FINANCE DIRECTOR

} COVER AND
 2 PAGE SUMMARY.

V1/5

CHRIS - PLS. PREPARE FOR PAYMENT.

Tom

December 22, 1993

Town of Acton
P.O. Box 236
Acton, MA 01720

PALMER & DODGE

One Beacon Street
Boston, Massachusetts 02108-3190
Telephone: (617) 573-0100

FEDERAL I.D. NUMBER 04-2170788

PLEASE RETURN THIS COPY WITH YOUR
PAYMENT TO ENSURE PROPER CREDIT

For professional services through November, 1993, as follows:

General Town Matters

Review and advice regarding zoning amendments for Town Meeting; advice regarding date of Town Meeting;	\$ 900.00
Review and opinion regarding applicability of zoning to Concord water treatment facilities in Acton;	550.00
Advice regarding Senior Center lease; Historical Commission jurisdiction; response to trial subpoena; public records request; and review and revision of right of entry agreement;	650.00
Review and correspondence regarding reimbursement for damage to Town tree;	325.00
Advice regarding effect of Grace settlement on potential claims of Officer Crowley and related matters;	600.00

Litigation and Related Matters

Services in connection with tax abatement matters;	150.00
Services in collective bargaining and personnel matters, as set forth in the attached summary;	4,500.00
Review of complaint and preparation of answer in <i>Nagog Development v. Board of Appeals</i> ;	200.00

EXPENSES INCURRED BUT NOT POSTED PRIOR
TO THE BILLING DATE WILL APPEAR ON A
SUBSEQUENT STATEMENT.

DUE AND PAYABLE WITHIN THIRTY DAYS

Services in connection with appeal in DiDuca zoning case; including entry of appeal; preparation of record and negotiations with plaintiffs' counsel; research and drafting of brief; conferences with Roland Bartl regarding coordination of amicus brief; and miscellaneous other services as set forth in the attached summary;	6,100.00
Drafting of trial brief; preparation for and attendance at trial in <i>Wagner v. Board of Appeals</i> ; and	3,300.00
Review of complaint and investigation of facts, and preparation of answer in <i>James v. Acton</i> .	<u>1,350.00</u>
TOTAL SERVICES	\$ 18,625.00

Disbursements

Computer Research	\$ 27.69	
Duplication	138.60	
Excess Postage	2.08	
Express Delivery	24.20	
Food Services	5.00	
Official Fees	300.00	
Stenographic Services	150.00	
Telecopier	66.00	
Telephone	29.05	
Travel & Related Expenses	33.00	
Velobind	<u>2.00</u>	
TOTAL DISBURSEMENTS		<u>777.62</u>
AMOUNT DUE		<u><u>\$ 19,402.62</u></u>

POST

MINUTEMAN TECH



MINUTEMAN TECH SCHOOL COMMITTEE

AGENDA FOR JANUARY 11, 1994

meeting to be held at Minuteman Tech, 758 Marrett Road, Lexington, MA 02173

ITEM NO.	TIME FROM TO (P.M.)	DESCRIPTION and PRESENTER	NOTES	DATE FOR FOLLOW-UP REPORT (if any)
1	7:30 - 7:45	CALL TO ORDER & APPROVAL OF MINUTES Chairman and Recorder	See minutes.	
2	7:45 - 7:50	BUSINESS MANAGER VOTES See memo from last meeting.		
3	7:50 - 9:30	CONTINUED 1994-95 BUDGET REVIEW a. Fiscal Mgmt. Plan and special reports from superintendent b. Comments from interested parties (advisory committees, fincoms, etc.) c. Version 3.0 alternatives d. Adoption of public hearing budget and presentation plan	See fiscal mgmt. plan.	
4	9:30 - 9:40	ADOPTION OF 2-BUDGET PLAN See fiscal mgmt. plan.	Subject to state rx.	
5	9:40 - 10:00	GENERAL ITEMS & DISCUSSION a. Communications b. Other	XXX	
X	XXX	Date for next school Committee meeting - ANNUAL PUBLIC HEARING ON 1-18-94 - 8pm.	XXX	XXX

NOTE

TO: 1. Chairpersons, Board of Selectmen
2. Chairpersons, Fincoms
3. Town Executive OFFICERS
4. Special Fincom Representatives
5. Advisory Committee Members

IMPORTANT: Notify Chairperson in advance if you cannot attend this meeting.

SPECIAL NOTES:

Hearing will be on version 2.0 budget and plan unless you are notified otherwise.

**PROPOSED
FISCAL MANAGEMENT PLAN, FY'95**

1. Minuteman has developed a special modified 2-budget reporting system on state forms which we hope (?) will allow us to use revenues to reduce assessments. We ask each local fincom to review this system with us.
2. Without explaining that system in detail here, this is a simple summary of our proposed fiscal plan subject to state directives:

	1993-94	1994-95	CHANGE
a. BUDGET	10,389,131	11,198,514	+7.79%
b. REVENUE USE (if allowed)	4,119,152	4,859,348	+17.97% from tuition etc.
c. ASSESSMENT = a - b	6,269,979	6,339,166	+1.1%
*Based on an 8.6% increase in regular day enrollment.			

3. Individual member town assessments are influenced dramatically by changes in the towns % share of total member town enrollment.
4. While we cannot compute final proposed assessments until exact state directives are received, representatives of a town can estimate an approximate assessment (assuming state approval or setting of "lower" figures that we are trying to arrange) as follows:

$$\$6,339,166 \quad X \quad \frac{S}{100} \quad = \quad \$ \underline{\hspace{2cm}}$$

where "S" = the "1994-95 STANDARD % BUDGET SHARE" from page c of the 1994-95 version 2.0 budget proposal. The figure computed in that manner could then change slightly based on charges for special programs or dramatically if state officials remain intransigent.

Minuteman Tech
Tentative Fiscal Management Plan
For 1994-95

A. INTRODUCTION

1. Obviously our growth in enrollment and special population more than justifies the version 2 budget proposal although alternatives are available for School Committee review.
2. The basic problem is that some state officials are refusing to recognize significant revenue from out-of-district students and other sources. Such stubborn and illogical action would push unjustified cost against member towns.
3. My recommendations are that:
 - a. Each town form a study-action committee to push aggressively for positive state action on - -
 - (1) Our right to use alternate revenue
 - (2) Fair state tuition/aid practices
 - (3) Sensible use of test results.

I would be pleased to provide a joint orientation meeting for representatives from each town that could coordinate 16-town activity.

- b. Our Minuteman School Committee vote to approve a somewhat controversial "2-budget" reporting program that should lower the amount that the state will claim our towns should be assessed. NOTE: Interested parties should review sheets O/N-1 and O/N-2 on this topic. I'll review this system at our January 11th School Committee meeting. We hope that the state will allow it. However, it might not totally solve the problem.

B. A FISCAL MANAGEMENT PLAN FOR FY95. Version 2.0

1.	Version 2.0 of Full budget =	11,198,514
2.	Version 2.0 of Full revenue =	4,859,348
3.	#1 above - #2 above =	6,339,166

= 1994-95 proposed assessment to member towns
compared to \$6,269,979 in 1993-94.

The revenue for #2 above is planned as follows in the version 2.0 plan:

•	From 93-94 tuition =	962,483
•	From 94-95 CHOICE =	351,000 * (one-half)
•	From 93-94 CHOICE =	448,699
•	Community Ed. transfer =	75,000 **
•	Enterprise (estimate) =	75,000
•	Interest for 93-94 =	70,000
•	Use of remaining E&D =	66,515
•	Attempted 93-94 budget savings =	308,000 ***
•	Chapter 70 and Reg. Aid =	2,102,651 est. ****
•	Transportation Aid =	400,000 est.
	TOTAL =	4,859,348

- OVER -

Special notes associated with this revenue plan are:

- * This proposes using half of as yet uncollected CHOICE funds in the year that they will be collected, a major policy decision.
 - ** Normally, community education can contribute only \$50,000 to the budget.
 - *** We are attempting a 3% savings by micro-managing purchase orders, etc., if the state does not destroy the incentive for such saving.
 - **** This assumes no aid "penalty" for refusing to raise assessments or for micro-managing expenditures.
4. In simple terms, this will mean a total assessment rise of \$69,187 for member towns; this is only a 1.1% rise because of use of current AND future revenue from tuition and CHOICE students.
 5. While some towns might prefer a drop in assessment given the drop in member town enrollment, that would be totally unrealistic given the SPED use by member towns and the pressure from the state to assign higher assessments. See section C of this plan for more discussion on these factors.
 6. Of course, the actual assessment of an individual town will depend upon its percentage share of member town enrollment. This will be a figure much higher or lower than the total 1.1% assessment change. Also, unless our special plan to cause the state to lower required assessments works, we could be forced into a higher total and individual town assessments.
 7. A Sheet X showing individual town assessments predicted **UNLESS THE STATE FORCES HIGHER FIGURES** will be made available at the January 11, 1994, meeting of the Minuteman School Committee. Meanwhile representatives of any town can calculate a general planning figure by multiplying \$6,339,166 by its percentage share of member town enrollment from Page "c" of the proposed budget.

C. ACTION REQUESTED FROM LOCAL BOARDS AND COMMITTEES

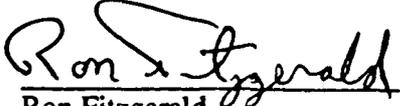
1. IF the state accepts our "2-budget" plan, we need understanding and support of this system from local boards. Essentially it is an accounting procedure intended to lower the state's calculation of assessments it will require from each town.

2. If the state does not accept our 2-budget system or still calculates excessive assessments because of stubborn refusal to recognize our alternative ways of raising revenue, we'll need strong and unified lobbying help to get the Legislature and Governor to correct that.

3. If our 2-budget system leads to a state assessment calculation lower than needed to support the budget, we'll need local understanding and support for the proper assessments rather than state "minimum".

4. On a long term basis, we are assigning tuition revenue against budgets faster than we are ensuring such revenue simply because CHOICE/tuition has been set too low by the state. My assumption is that towns and fair legislators will help us to get this situation changed before it catches-up with us in 1995-96 and 1996-97.

5. Finally, our staff is developing version 3.0 budget alternatives which will allow final decisions by the School Committee on January 11th and January 18th OR, probably more prudently, later reallocations to address achievement level and test issues created by practices in local member town school systems.


Ron Fitzgerald
Superintendent

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9612
Fax (508) 264-9630

F. Dore' Hunter
Chairman, Board of Selectmen

1/21/94

January 21, 1994

Editor
The Beacon, Acton Edition
20 Main Street
Acton, MA 01720

To the Editor:

On Tuesday, February 1 at 7:45 p.m., Acton Town Manager Don Johnson will present his recommended FY 1995 Municipal Budget to the Board of Selectmen. We are inviting Acton taxpayers to attend our meeting to hear the budget presentation and to offer comments following it. If you are unable to attend the meeting, it will be televised live on Channel 61 and we would welcome your comments at a later date.

This will not be a formal budget hearing, which will be held when the Selectmen have agreed to a budget prior to the printing of the Warrant for April's Town Meeting. The presentation on February 1 will begin our process of budget deliberations. We will find it helpful to hear public comments at this early stage in the budget process so that we can take them into consideration while making our budget decisions and recommendations for the coming year.

Sincerely,

F. Dore' Hunter
Anne Fanton
Bill Mullin
Norm Lake
Nancy Tavernier

BOS: I will need to submit this before Monday at 9 a.m. for Thursday's Beacon. I will be away until late Sunday afternoon or early evening, but if you would like any changes, leave a message on my machine (263-4989).

Anne


BOSTON EDISON
Executive Offices
800 Boylston Street
Boston, Massachusetts 02199

JAN 18

Wayne R. Frigard
Assistant General Counsel

CC: BOS
D. CHARTER

(617) 424-2056

January 13, 1994

Mary L. Cottrell, Secretary
Department of Public Utilities
100 Cambridge Street - 12th Flr.
Boston, MA 02202

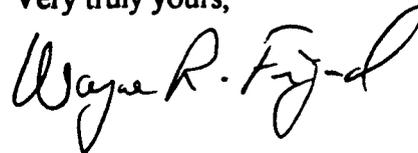
Re: DPU 87-136

Dear Secretary Cottrell:

Enclosed for filing are the Company's responses to information requests DPU 3-1 through 3-18.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



cc: JoAnne Aylward Pierce, Hearing Officer
Wiley Mitchell
Board of Selectmen, Town of Acton

Enclosures

WRF/cmc

Q. Please indicate each year since 1986 in which the Company has trimmed trees in Acton, the amount spent on tree trimming in each such year, and when the Company next plans to trim trees in Acton.

A. In accordance with the Company's policy of trimming in a community every three years (see response to information request DPU 2-1), the Company has spent the following amounts on tree trimming in Acton for the years indicated:

1989	\$151,000
1992	\$180,500

During the years between major trimmings, the Company has spent on average approximately \$20,000 for tree trimming in Acton. These moneys are spent on trimming required by customer requests, storm damage and applications for new services by customers.

The next scheduled trimming for Acton is 1995.

Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-2
Date: January 12, 1994

- Q. Please describe any changes the Company has made to its tree trimming policy since the Company's response to DPU 2-1 of August 30, 1988.
- A. The Company has found that its policy of "Program Trims" on a three year cycle has been successful so there has been no significant change in the Company's tree trimming policy since the Company's response in August 1988.

Q. How many service interruptions occurred in Acton from June 1988 to September 1993? Please list the causes, if known.

A. In evaluating service reliability the Company has adopted a policy of monitoring the number, size and duration of primary outages, as a measure of circuit performance. Consequently statistics on individual outages are not maintained and would require a considerable amount of manual labor to obtain.

The following is a list of service interruptions resulting from primary circuit outages within the town of Acton from June 1988 to September 1993.

<u>Year</u>	<u>Overhead</u>	<u>Underground</u>	<u>Total</u>
1988	59	2	61
1989	76	4	80
1990	62	1	63
1991	54	7	61
1992	52	10	62
1993	48	3	51

Q. What was the cumulative outage duration in minutes for the Company's Acton customers in 1988, 1989, 1990, 1991, 1992, and 1993 respectively?

A. The following is a summary of the annual interruption duration in minutes for customer in the town of Acton from January 1988 to December 1993.

<u>Year</u>	<u>Said in Minutes</u>
1988	186
1989	154
1990	116
1991	62
1992	66
1993	152*

* The 152 SAID minutes for 1993 represents 210,026 Kvahrs of outage. Forty nine percent (102,912 Kvahrs), were caused by a four hour outage on circuit 307-1351-H1 during a Lightning storm on July 8, 1993.

Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-5
Date: January 12, 1994

Q. Please list any radio controlled switches installed in addition to those mentioned in the November 13, 1987 Report and the Company's response to DPU 2-5.

A. The following is a list of automatic and radio operated equipment installed on distribution circuits which have supplied the town of Acton since June of 1988.

Original Location as of June 1988

416-H1 -	31/43 Main Street Line Switch
416-H2	24/0 High Street Line Switch
416-H4 -	31/56 Main Street Tie Switch
307-1351-H1	13/7 Coughlin Tie Switch

Five Additional Locations proposed in June of 1990

416-H1	20/144 Great Road Line Switch
416-H2	20/136 Great Road Line Switch
307-1351-H1	22/2 Harris Street Tie Switch
307-1352-H1	22/4 Harris Street Tie Switch
512-1399-H1	31/269 Main Street Tie Switch

List of Additional switches installed since 1988

Forest Street	Pole 18/2
Arlington Street	Pole 2/8S
Great Road	Pole 20/74
Haywood Street	Pole 23/3
Lawsbrook Road	Pole 29/14
Lawsbrook Road	Pole 29/16
Main Street	Pole 31/273
Main Street	Pole 31/56

Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-6
Date: January 12, 1994

Q. What is the status of the rerouting of circuit 416 H4 scheduled for completion in 1991?

A. The proposed change to 416-H4 circuit involved the reconductoring and rerouting of primaries in the Indian Village Area. In 1987 the area was tree trimmed and engineering details prepared for reconductoring and rerouting of the primaries on Central Ave., Nashoba Road, Oenida Road, Mohawk Road and Senica Road. Work was completed in November 1990.

**Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-7
Date: January 12, 1994**

- Q. What is the status of the replacement of 4,000 feet of main trunk and side taps of circuit 416 H2 on Main Street between Massachusetts Avenue and Coughlin Street scheduled for completion in late 1988?**
- A. The installation of 4000 feet of new main trunk was part of a project to provide additional circuit capacity and improve reliability in the northwest area of Acton. This project was completed on schedule in 1988.**

Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-8
Date: January 12, 1994

Q. Please list the number of incidents of outages for each circuit in the Acton area for 1988, 1989, 1990, 1991, 1992, and 1993 respectively.

A. The following is a list of incidents of outage which have occurred on the circuits which have supplied the town of Acton since 1988. The variation in total outages from those stated in DPU 3-3 is due to the fact that during certain periods small portions of the town were supplied by other circuits.

Circuit	1988	1989	1990	1991	1992	1993
307-1351-H1	28	19	12	9	10	17
307-1352-H1	0	1	0	0	0	0
416-H1	11	26	10	17	17	10
416-H2	17	19	26	18	18	8
416-H4	19	10	5	73	7	13

Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-9
Date: January 12, 1994

Q. Please state the dates of meetings between the Company and the Board of Selectmen of the Town of Acton which were held subsequent to June 1988.

A. Since June 1988 there have been no meetings specifically related to service reliability between the Company and held Town officials. Meetings generally have been held at the request of the Town or Company in response to specific questions or requests.

One important change made by the Company to improve service has been its relocation of the Northern Area Major Emergency Operation Area Headquarters to the Acton DPW Building in 1992. This change should result in more rapid response and restoration during major emergencies.

**Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-10
Date: January 12, 1994**

- Q. Please provide the status of the extension of circuit 307-1352H into northern Acton scheduled for completion in 1989.**
- A. This project involved the providing of additional circuit relief and transfer capacity by extending circuit 307-1352-H1 into North Acton by installing approximately 25,000 ft. of Spacer cable. The project was completed on schedule in 1991.**

Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-11
Date: January 12, 1994

Q. How many complaints has the Company received either by letter or by phone regarding power surges or noticeable voltage reductions from the residents of the Town of Acton since August 30, 1988?

A. No records are available for the years 1988 and 1989. The following is a list of the number of customer complaints (related to all matters not just tree-related complaints) received from 1990 through December, 1993:

Year	Number
1990	3
1991	10
1992	10
1993	3

Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-12
Date: January 12, 1994

- Q. Please describe the outage frequency reduction the Company has experienced due to tree trimming and other activities mentioned on page 5 of the November 13, 1987 Report.
- A. The following is a list of the tree related interruptions which have occurred in the Town of Acton from 1988 to December of 1993.

Year	Number	Kva Hrs
1988	6	12,692
1989	7	10,049
1990	8	4,299
1991	11	9,616
1992	11	14,839
1993	10	10,444

Q. Please provide the status of the new station planned for the north end of Acton mentioned on page 7 of the November 13, 1987 Report.

A. A new 115/14 kV station was planned for installation by June 1, 1993. A parcel of land was purchased for that purpose at Technology Drive, Acton (situated approximately in the center of Acton, off Main Street).

However, by the end of 1989, general economic activity slowed down, including in the area of northern Acton.

Several interim projects were in progress for improving distribution reliability, such as the extension of two additional circuits into the northern part of Acton and increasing of capacity at Station 416 in Maynard. The firm capacity of Station 416 was increased to 75 MVA by replacing the transformer secondary breakers which limited the station's firm capacity to 50 MVA.

As listed in DPU 3-5, 17 radio controlled switching devices have been installed. These switching devices make long distribution circuits easier to manage and service restoration to the unfaulted portions of the circuits can be accomplished in minutes.

In addition to the above improvement projects, Concord Municipal Power Plant entered into negotiations with Boston Edison Company for a 115 kV supply to Concord's new 115/14 kV station which will supply all of Concord's electric load. When Concord's station becomes operational in October, 1994, approximately 10 MVA of load will be reconnected from Station 416 to the Concord station, thereby relieving Station 416.

Due to the above improvements and load relief projects, expected demand side management impacts, and lower forecasted load growth, the Acton Station has been deferred from 1993 to 2006.

**Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-14
Date: January 12, 1994**

- Q. Has the Company installed the 115 kV device mentioned on page 21 of the November 13, 1987 Report to enable switching transformers between the two lines that service station 416? If so, when? If not, what is the target date for installation?**
- A. The 115 kV circuit switcher was installed in 1989.**

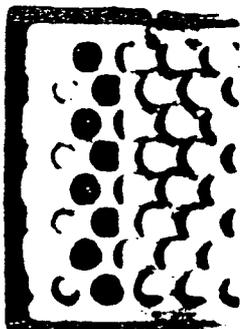
**Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-15
Date: January 12, 1994**

Q. Has the Company developed a consumer awareness program to provide residential customers with information on transients and momentary outages and advice on making informed purchases of consumer electronics as described on page 14 of the November 13, 1987 Report? If so, please describe the program. If not, please explain.

A. Yes, the Company has developed such a program. In January 1990 we included in our Dialog newsletter, which is included in all customer bills, the attached information. The program offered an explanation of momentary outage and the various causes (voltage fluctuations - spikes, surges, and dips). It also included recommendations on new appliance features, proper grounding for home electrical wiring and surge protection tips and devices.

DIALOG

Momentary power interruptions



Have you ever noticed that your digital clock or the timer on your VCR or microwave oven has stopped or is blinking? This is caused by a momentary electric power interruption. It's not anything new, but it may be more noticeable because our households now have modern electronic devices.

Usually, the interruption causes no more than an inconvenience. This interruption can happen anywhere along the path the electricity travels — from the power plant to the wiring in your home to the circuitry in an electric appliance.

Even when the power hasn't been interrupted, slight increases or decreases in voltage, lasting just a fraction of a second, can effect your electrical equipment. These momentary

power changes can be caused by any number of things — turning on or off a large appliance (as the refrigerator or an air conditioner), lightning, leaves or tree limbs brushing against power lines, a vehicle striking a utility pole or even a small animal gnawing on power equipment insulation.

All electric systems have occasional voltage fluctuations. These are not power failures. Fluctuations in voltage may be caused by sharp increases in power requirements by someone else in your neighborhood or by modern utility equipment rerouting electric current.

While these slight decreases, or dips, in voltage are often more an annoyance than an actual threat to electrical equipment, sudden

continued on back page

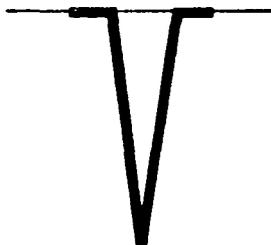
Voltage

A volt is a unit of measurement of the force that causes electric current to flow in a circuit. Electrical voltage in a circuit can be compared to water pressure in a garden hose.



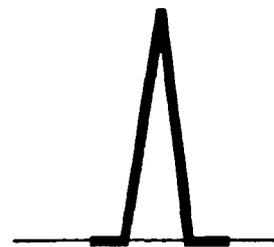
Dip

A dip is a drop in voltage lasting a fraction of a second. Typical household appliances will continue operating, but lights may flicker and television pictures may shrink. Sensitive electronic equipment (which use components that are designed to operate within a set and narrow voltage range) may be more noticeably affected. Digital clocks may reset and begin blinking and computers may lose data. The cause of a dip may include starting a major appliance, a short circuit or the operation of utility equipment to redirect power.



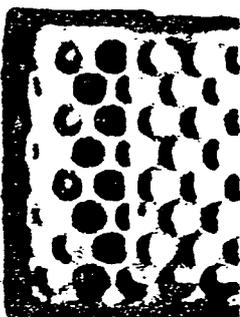
Spike

A spike is an increase in voltage lasting thousandths of a second. Spikes may adversely affect sensitive programmable equipment, such as computers, VCRs or microwave ovens. Two common causes of spikes are lightning and the operation of utility switching devices.



Surge

A surge is an increase in voltage, not as high as a spike, but lasting for a longer time. Surges are more likely than spikes to damage sensitive electronic equipment. Causes might include a vehicle striking a utility pole or crossed wires due to tree damage during a storm.



power increases — surges and spikes — may have a damaging effect on sensitive TVs, VCRs, computers or any equipment driven by a micro-processor.

Here's what you can do

Having to reset your clocks and timers may be a nuisance, but there is something you can do. Some models of programmable appliances have back-up batteries or other devices to override brief voltage fluctuations. If you are shopping for a new appliance, you might ask about this feature.

Also, make sure your electrical wiring is properly grounded. Improper grounding can itself cause voltage to fluctuate or increase the effect of voltage fluctuations. Many older homes were not wired to withstand the electrical load required by modern household appliances.

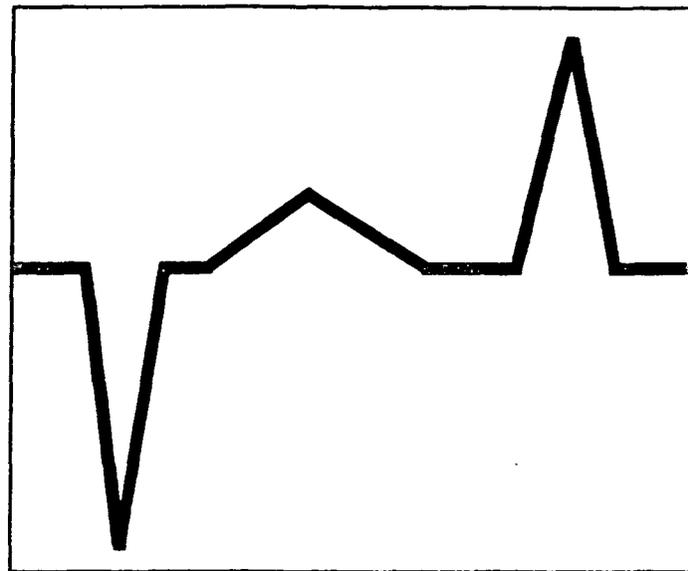
If you plan to remodel your home or implement energy conservation measures, that's a good time to consider both rewiring and increasing the power supply to your house. Begin by talking to your electrician about your total electrical requirements. All electrical work should be done by a licensed electrician and checked by the local wiring inspector. And, please remember to notify Boston Edison, if you remodel or add a major appliance, since we want to be sure the power is there, when you and your neighbors need it.

Protecting sensitive equipment

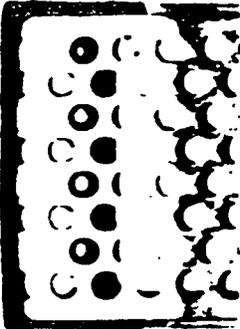
Surge protectors are an inexpensive way to protect your sensitive electronic equipment from power increases. These devices regulate the flow of power and instantly dissipate harmful surges so that only the proper amount of current enters your equipment.

A surge protector should be used with personal computers, TVs, VCRs and microwave ovens. You plug the equipment into the surge protector, then plug the surge protector into the outlet. This device is designed to minimize the effects of voltage fluctuation caused by lightning or appliances starting. Surge protectors are sold at most computer stores. The cost is reasonable considering the investment you've already made.

Other, more powerful devices, used mostly by businesses, can eliminate or reduce power disturbances and may also provide an uninterruptible power supply. If preventing the effect of voltage fluctuations is very important to you, an electrical contractor should be able to provide you with information on what is called "buffering" equipment.



It's best to operate a computer or sensitive electronic equipment on an electric circuit which does not also serve a motor-driven appliance. Also it's a good idea to store information in a permanent memory at regular intervals, so that it won't be erased by a momentary outage or voltage fluctuation. When you leave home for an extended period, as a vacation, unplug the equipment.




**WATT
BUSTERS**

With WattBusters you save!

If you have an electric water heater, here's a convenient way to make your home more efficient and help you better manage your energy use — free!

Producing hot water is one of the largest energy users in the home. As much as 40% of the electricity consumed by the average household is used to produce hot water. To help you control electric costs, Boston Edison is offering a package of energy saving measures which will help you save energy dollars.

At your request, we will send a trained energy specialist to your home to install a water heater tank wrap, hot water piping insulation, energy efficient shower heads, energy efficient light bulbs, bathroom and kitchen faucet aerators, thermostat temperature setback (if needed) and appliance efficiency and energy management recommendations. These energy savings measures, a \$65 value, could reduce your electric bills up to \$90 a year. Best of all, this service is free. Now that's saving!

For more information on WattBusters, and to schedule an appointment, call 1-800-445-WRAP.

 **BOSTON EDISON**
800 Boylston St. Boston, MA 02199-2599

Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-16
Date: January 12, 1994

- Q. What conservation programs are now available to the Company's residential customers?
- A. The following programs are available to residential customers: Residential Efficient Lighting (direct installation at no cost of lamps as part of home energy audits and rebates for purchase of efficient lamps and/or fixtures); Energy Fitness (direct installation of lighting, electric domestic hot water heating and appliance efficiency measures, primarily in low income areas); Multifamily Electric Efficiency (direct installation of a wide range of energy saving measures in buildings of 5 or more units, building owner contribution required); Public Housing Authority/Boston Housing Authority (direct installation of a wide range of energy saving measures in buildings controlled by housing authorities); Residential New Construction (prescriptive rebates to cover incremental cost of higher efficiency measures/appliances in new construction); and Electric Heat/High Use Efficiency (direct installation of a wide range of energy saving measures in 1-4 unit buildings). Please see the Company's filings in DPU 91-335 and 91-233 for more detailed information on the Company's DSM programs.

Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-17
Date: January 12, 1994

- Q.** Has the Company targeted electric heat customers in Acton through its conservation programs? If so, please describe these efforts.
- A.** The Energy Fitness Program treated approximately 1100 units in 1990 and 1991. No other programs have been specifically targeted to Acton.

**Boston Edison Company
Docket No. DPU 87-136
Information Request No. DPU 3-18
Date: January 12, 1994**

- Q. Are all of the Company's residential electric heat customers in the Town of Acton now being billed under the R-3 Rate pursuant D.P.U. 92-92 (1992) and M.D.P.U. 827? If not, please explain.**
- A. The Company's residential electric heat customers in Acton are being billed under Rate R-3.**

Water Supply District of Acton

693 MASSACHUSETTS AVENUE
P.O. BOX 953
ACTON, MASSACHUSETTS 01720

cc: BOS

TELEPHONE (508) 263-9107

FAX (508) 264-0148

WATER SUPPLY DISTRICT OF ACTON
HARLAN TUTTLE BUILDING
693 MASSACHUSETTS AVENUE
ACTON, MA 01720

JANUARY 24, 1994

AGENDA:

7:30 P.M. CALL TO ORDER
7:31 P.M. COMMENTS FROM CITIZENS AND OPEN DISCUSSION
ACCEPT MINUTES OF MEETING JANUARY 10, 1994

NEW BUSINESS

WARRANTS & COMMUNICATIONS
WATER WORDS
WARRANT ARTICLES
BUDGET
CARRELL GROUP (GREGORY CARRELL) NEW OFFICE

OLD BUSINESS

EASEMENT ACORN PARK
HUNTING BY-LAW OR REGULATION

cc: BOS
FINCOM
LIBRARY/A. CHANG

MUNICIPAL FORUM

AGENDA

Monday, January 24, 1994
7:15 a.m., Room #114, Junior High School

- 1) Review of Minutes
- 2) Communication Needs of the Towns about Budget
- 3) Further Discussion of Town's Request for a FY'95 Share of School Choice Monies
- 4) Discussion of Outcome of Acton BOS Meeting with Maynard BOS re: Potential South Acton Sewering
- 5) Request for FinCom Position on West Acton Library Budget/Citizen's Petition Article Seeking to Obtain Undiminished Funding from Free Cash
- 6) Minuteman Voc. Tech. Budget Report
- 7) Clarify Warrant Article Deadline
- 8) Observer's Comments

Att: Roster of MF

JAN 20 1994

FLANAGAN & HUNTER, P.C.
ATTORNEYS AT LAW
AND
PROCTORS IN ADMIRALTY
211 CONGRESS STREET
BOSTON, MASSACHUSETTS 02110-2434

TELEPHONE: (617) 482-3366

FAX: (617) 482-3467

FAX COVER SHEET

DELIVER TO:

- 1) Jacob Diemert
- 2) Isa Zimmerman
- 3) Don Johnson

- AT:**
- 1) Sherburne, Powers
 - 2) Central Office RJGJHS
 - 3) Town Hall

- FAX NUMBERS:**
- 1) 523-6850
 - 2) 508-263-8409
 - 3) 508-264-9630

FROM:

F. Doré Hunter

Number of Pages, Including this Cover Sheet: 1

COMMENTS:

ADDITIONAL SUGGESTED AGENDA ITEM FOR 1/24/94 MUNICIPAL FORUM SESSION:

D) ADVICE BY SCHOOL PERSONNEL CONCERNING GENERAL NATURE AND CONTENT OF ANY SCHOOL NON-BUDGET WARRANT ARTICLES WHICH THE SELECTMEN MAY BE REQUESTED TO ADD LATE TO THE ANNUAL TOWN MEETING WARRANT.

DATE: January 19, 1994

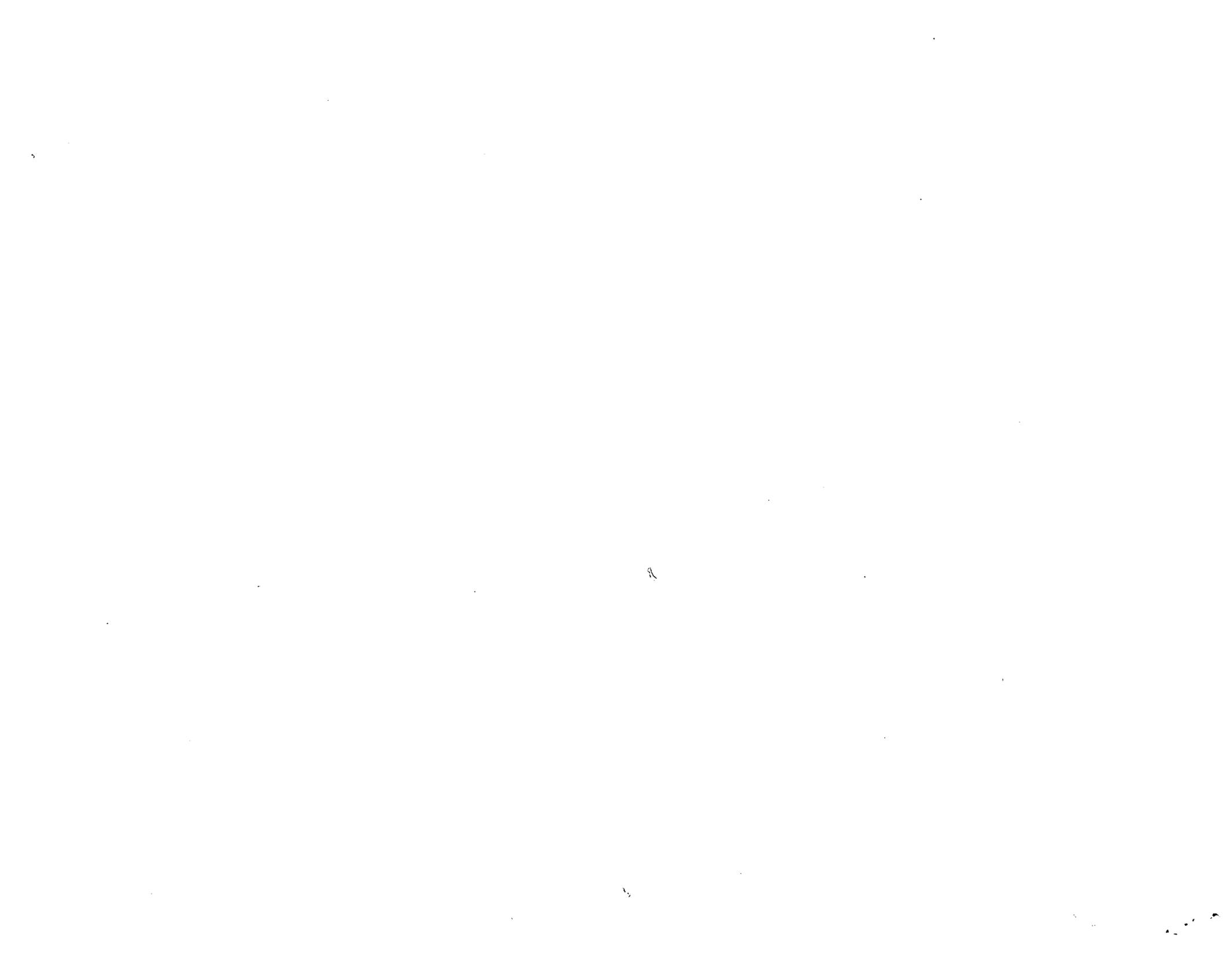
FILE NO. None



Superintendent's Office
Acton Public Schools
Acton-Boxborough Regional Schools
264-4700, x 211

TO: Jake Diemert
FROM: Isa K. Zimmerman *IKZ*
ON: January 13, 1994
RE: MEMBERSHIP of MUNICIPAL FORUM, 1993-94

Pam Harting-Barrat	Chrp., AB Sch. Comm.	537-0956 (w) 263-0741 (h) 263-1422 (F)
Mary Donald	Fin. Comm.	263-4747 (h)
Dore Hunter	Chrp., Bd. of Selectmen	(617)482-3366 (w) (617)482-3467(F)
Don Johnson	Town Manager	264-9612 (w) 264-9630 (FAX)
Paul Kohout	Fin. Comm.	264-4284 (h)
John Murray	Ass't Town Manager	264-9612 (w)
Bill Ryan	Director of Business (Schools)	264-4700 (w) 263-8409 (F)
Lees Stuntz	Chrp., Acton Sch. Comm.	287-0070 (w) 287-0080 (F) 263-4529 (h)
Nancy Tavernier	Selectman	263-9611 (h)
Mary Anne Vogel	Boxborough Sch. Comm.	263-8957 (h) (617)455-3830 (w) (617)455-5885 (F)
Bob Wiltsie	Minuteman Voc. Tech.	263-6738 (h)
Isa Zimmerman	Supt. of Schools	264-4700 (w) 263-8409 (F)



EXECUTIVE OFFICE OF COMMUNITIES & DEVELOPMENT

cc: BOS
PLANNING



William F. Weld, Governor
Argeo Paul Cellucci, Lt. Governor
Mary L. Padula, Cabinet Secretary

MEMORANDUM

TO: Municipalities of under 50,000 in Population, Non-Entitlement Communities and Interested Parties

FROM: Toni Coyne Hall, Director, Bureau of Small Cities *mi Coyne Hall*
Paul Regan, Director, Bureau of Local & Economic Development *Paul Regan*

SUBJECT: Public Hearing Notice: Massachusetts Small Cities Community Development Block Grant Program

DATE: January 19, 1994

The Executive Office of Communities and Development will be holding a Public Hearing on the Proposed FY 1994 Program Statement for the Commonwealth's Small Cities Community Development Block Grant funds. The Public Hearing will be held on Thursday, January 27, 1994 at the following locations:

Executive Office of Communities & Development 100 Cambridge St., 17th Fl., Conference Rm. A - Boston, MA 1:00 p.m.	Mt. Wachusett Community College 444 Green Street Board Room Gardner, MA 10:00 a.m.	Town of Lee Memorial Hall District Court Rm. Lee, MA 1:00 p.m.
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Interested parties will be afforded an opportunity to present data, views or arguments relative to the proposed Program Statement. Copies of Program Highlights and the complete proposed Statement will available from EOCD. Please call (617) 727-7001 ext. 449 or ext. 448.

S:\WP\94\PubHRGNO.94

CONSERVATION COMMISSION
AGENDA
OCTOBER 6, 1993

cc: BOS

ROOM 204

JAN 20

7:30 CITIZENS' CONCERNS

BUSINESS

Washington Drive Extension - LandTech Consultants - John Judd

Mr. Judd will be in to discuss a proposed subdivision to connect Washington Drive to Newtown Road.

Rotary Club - Mark Ryan

Mr. Regan will be in to discuss a proposed stream clean-up day to be sponsored by the Rotary Club. See attached.

WETLANDS PROTECTION

8:00 NOTICE OF INTENT - Acorn Park

Construction of subdivision roads to join with existing roadways at Acorn Park.

8:15 NOTICE OF INTENT - Lot 13 Prescott Drive - Meadowview

Construction of a septic system and reserve area for a single family house. Meets the 40' setback.

8:30 Request for Determination - Prescott Dam - CANCELLED

Tom Tarpey representing Essex Hydro, Inc. cannot attend this meeting, and has asked the Commission to continue the meeting to November 3, 1993 at 9:30 P.M.

8:45 REQUEST FOR DETERMINATION - 4 Powdermill Road

Drilling of five test borings and remediation of two dry wells and gas traps. Work is proposed for the buffer zone of the Assabet River.

9:00 ABBREVIATED NOTICE OF INTENT - Parker Street (near River Street)

New England Telephone Company will be installing underground conduit within the road layout of Parker Street for approximately 300'.

9:15 REQUEST FOR DETERMINATION - 216 Parker Street

Addition to existing house within 100' of a wetland.

Correspondence - DEP - Site Meeting at Lot 8 Carlisle Road
Ambrose/Davis Request for Superseding Order

MINUTES

June 2 & 16

July 7 & 21

August 4 & 18
September 1 & 15 Submitted within

**CONSERVATION COMMISSION
MINUTES FOR
OCTOBER 6, 1993**

MEMBERS PRESENT: William M. Hill, Morene Bodner, Peter Shanahan, John Chalmers, Andrew Sheehan, Ann Shubert, Linda McElroy

CONSERVATION ADMINISTRATOR: Tom Tidman

RECORDING SECRETARY: Andrea MacKenzie

VISITORS: Leonard and Mary Godfrey, John Judd, Robert Young, Robert Darlington, Peter Kavanagh, Mark White, Matthew S. Herley, John Kastrinos, Richard Cowley, Bill Cowley, Kirk Ware

7:42 Mr. Hill called the meeting to order

Citizens' Concerns - there were none stated.

Business

Washington Drive Extension - John Judd, LandTech Consultants

Mr. Judd presented preliminary plans to the Commission for the extension of Washington Drive adding three house lots connected by a gravel emergency access way to several house lots that will be accessed from Newtown Road. The emergency gravel access way is required by the Planning Board based on recommendations by the Fire Department. The access way will require 700 s.f. of wetlands filling, and wetlands replication is not provided for at this time.

The Administrator stated that no wetlands crossing would be preferred, and asked Mr. White if he felt that this crossing was necessary.

Mr. White stated that the Fire Department has recommended this emergency access, and the school students may still be able to use the trail that presently runs through the site to Newtown Road.

Rotary Club - Mark Ryan

Mr. Ryan, Rotary Club Representative, reported that they will be sponsoring a waterways cleanup, and the intent for this annual event was to clean up Fort Pond Brook at the Erikson Dam in South Acton. Upon inspection, Mr. Ryan found the area to be clean, and would like any suggestions the Commission may have on an area in Acton that needs cleaning.

Ms. Bodner suggested the Assabet River behind Ciro's Pizza on Powdermill Road in Maynard. Although this is not in Acton the area definitely needs cleaning.

The Administrator stated that he could meet with Mr. Ryan on a later date to find an area in Acton for the Rotary Club to clean.

8:00 NOTICE OF INTENT - Acorn Park

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of subdivision roads to join with existing roadways at Acorn Park.

The Administrator reported that the old Order of Conditions DEP 85-238 for the office park has expired, therefore there will be no extended or amended order of conditions.

Bruce Stamski, representing the applicant, presented plans for the proposed residential subdivision Acorn Park. The entire parcel is 69 acres and the impervious surface has been reduced from 28 to 17 acres. Plans presented show the network of roads that will comprise the residential subdivision. Mr. Stamski stated that no additional wetlands crossings other than those previously approved will be required. Any new subdivision road shown on the plan meets the 40' no-build setback required by the Town of Acton. In several locations roads previously approved under DEP File No. 85-238 but not yet constructed do not meet the 40' no-build setback.

The Administrator reported that the Commission could issue a partial Certificate of Compliance for work already complete, to possibly simplify future administrative work associated with individual lot releases. He then read a list of activities that would be included as complete at this time. Proposed draft language for the certificate would read as:

1. Acorn Park Drive, Wetlands Crossing Number 1 (see attached), headwalls, culvert installation, slope stabilization, rough grading road surface, and binder course have been satisfactorily completed.

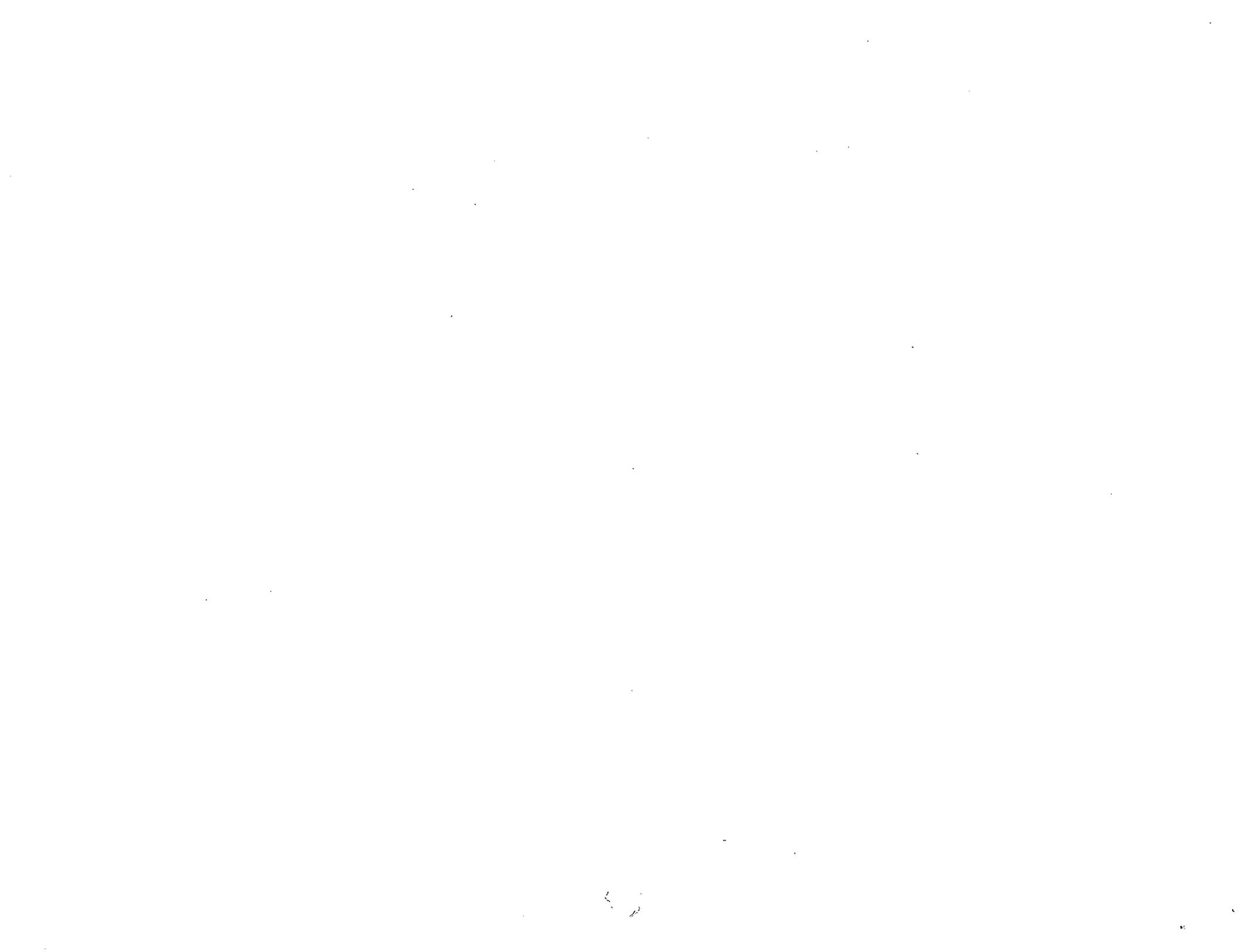
Wetlands replication required as a result of wetlands filled for Wetlands Crossing Number 1, are not included as satisfactorily complete, and thus are not included in this Partial Certificate of Compliance.

2. Acorn Park Drive, Wetlands Crossing Number 2 (see attached), headwalls, culvert installation, rough grading, and replication area, have been satisfactorily completed and are included in this Partial Certificate of Compliance.
3. Wetlands Crossing Number 3 (see attached), headwalls, culverts, rough grading have been satisfactorily completed and are included in this Partial Certificate of Compliance.

All other work associated with the construction of Acorn Park Drive not included as satisfactorily complete and referenced above as inclusive in this Partial Certificate of Compliance will be included in the Order of Conditions 85- (to be issued by D.E.P.).

Mr. Sheehan voiced some concerns about releasing any work completed to date, feeling that it was in the Commission's best interest to continue monitoring work under the jurisdiction of both the old Order of Conditions and a future Order of Conditions.

The Commission questioned whether or not the sewage treatment facility and proposed leaching area, should be included in this Notice of Intent filing. The question was raised; "Is the sewage treatment facility described or referenced in the Notice of Intent?" The Administrator replied that it is shown on the plans but not directly referenced in the Notice of Intent filing.



The general consensus of the Commission was that many questions were yet unanswered and a site walk would be required. The applicant was asked to continue the hearing until October 20, 1993. The Commission agreed to meet on-site for a walk on Wednesday, October 13th at 11:00 A.M.

Mr. Hill asked the applicant to continue the current hearing after the scheduled hearing for Lot 13 Prescott Drive.

The applicant agreed.

8:33 NOTICE OF INTENT - Lot 13 Prescott Drive

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of a septic system and reserve area for a single family house within 100' of a wetlands.

John Judd, from LandTech Consultants, presented plans showing the proposed leaching field to be 78' from the edge of wetlands at its closest point, and associated grading will be within 25 feet from the edge of wetlands.

8:36 Hearing no questions, Mr. Hill closed the hearing.

NOI - Continued - Acorn Park

Mr. Stamski continued stating that the sewer lines are proposed within the roadway, along with other utilities. The applicant would like the Commission to consider the sewage treatment plant building under this Notice of Intent filing.

Ms. Bodner stated that the Commission should have a site walk prior to making a decision.

Upon query from the Commission, Mr. Ware stated that this plan is the extent of the residential lots at present, and there are only two business lots on the site. There is potential for Lot B (commercial lot) to be developed into 17 house lots.

Upon agreement with the applicant, this hearing was be continued to October 20, 1993 at 8:30 P.M.

8:59 REQUEST FOR DETERMINATION - 4 Powdermill Road

Mr. Hill opened the meeting under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the purpose of placing test borings and completing a hazardous waste site remediation at 4 Powdermill Road.

John Kastrinos, of Haley and Aldrich representing RHI Holdings presented plans for the drilling of five test borings and remediation of two dry wells and gas traps within the Assabet River 100' buffer zone. D.E.P. has classified the site as "non-priority" which means that the owner is required to clean-up the site, but there is no set schedule for the proposed remediation activities. It is anticipated that the remediation activities will occur within approximately one week period. They propose to decommission the dry-wells on the site by excavating any contaminated soils, sediments and water. Then they will fill the

excavated wells with clean fill which will be capped with wire-mesh-reinforced concrete to the ground surface. Any pipes which could discharge to or from either dry well will be plugged at both ends. Test borings will be drilled through the pavement with a truck-mounted rig to obtain subsurface soil samples from the vicinity of the two former dry wells, the former leaching field, and near an existing monitoring well that was installed in 1988. The test borings will show if any chlorinated solvents are migrating through the soils. To minimize potential impact to the Assabet River, absorbent materials will be placed as needed between the borings and the river and/or catchbasins for drainage control. Proposed decontamination of the gas trap includes removal of water and sediment with the trap prior to steam cleaning, if necessary, and cleaning out the drain which connects to the garage of this structure. Water in the leaching pit will be removed prior to removal of 6 to 12 inches of soil which will be replaced with crushed stone. All contaminants will be disposed of according to law.

9:09 Hearing no comments or questions, Mr. Hill closed the hearing.

9:10 NOTICE OF INTENT - Parker Street - N.E.T.

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the installation of underground conduit within the roadway layout of Parker Street.

Matthew Hurley, New England Telephone Representative, presented plans for the placement of underground conduit along Parker Street. New England Telephone proposes to excavate and place approximately 290' of 4" PVC conduit. This will involve excavation of a trench placement of the conduit and then the backfilling, tamping and resurfacing the the trench. Approximately 250' of trench work will be on the east side of Parker Street, then the trench will cross to the west side of Parker Street to Pole 57 where the activity ends. Work ending at Pole 57 is approximately 15' from Fort Pond Brook.

Upon query by the Commission Mr. Hurley stated that although silt prevention is not noted on the plans, silt fence or haybales are to be placed between the excavated area and the brook. The trench will be immediately backfilled, tamped, and stabilized. Excavated materials will not be stockpiled. They propose to excavate the trench and backfill it daily, so there will be no open trench at the end of each work day.

9:18 Hearing no further questions, Mr. Hill closed the hearing.

REQUEST FOR DETERMINATION - 216 Parker Street

Mr. Hill opened the meeting under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of an addition to an existing house, and the replacement of the septic system.

Richard Cowley, owner, presented plans showing a brook to the west side of the house looping around the back of the property to the wetlands on the site to the southeast of the existing house. The proposed house addition, with foundation, will be approximately 63' from the edge of wetlands on the northeast side of the existing house. The existing leaching field to be replaced is presently 55' and 20' from the edge of wetlands and the brook respectively. The new proposed leaching field will be 65' from the edge of wetlands and the brook. Haybales are proposed as silt prevention between the proposed leaching field and the wetlands



approximately six (6) feet from the edge of wetlands. The septic replacement plans are approved by the Acton Board of Health.

9:25 Hearing no further comments or questions, Mr. Hill closed the hearing.

Ms. Bodner moved that the Commission finds the work as presented to be within their jurisdiction, but will not impact the wetlands. Ms. Shubert seconded the motion. The motion passed unanimously.

DECISION - NOI - Lot 13 Prescott Drive

Mr. Shanahan moved to issue a standard Order of Conditions for the plans as presented for Lot 13 Prescott Drive. Mr. Chalmers seconded the motion. The motion passed unanimously.

DETERMINATION OF APPLICABILITY - 4 Powdermill Road

Mr. Chalmers moved that the Commission finds the work as proposed to be within their jurisdiction, but will not impact the wetlands with the following special conditions to be complied with:

1. Silt prevention devices shall be installed around all catchbasins, on the parking lot or other appropriate locations to prevent the migration of silt during the drilling operation.
2. The Acton Conservation Commission will be sent a copy of the test results performed on the samples removed from the proposed monitoring wells.

Mr. Sheehan seconded the motion. The motion passed unanimously.

DECISION - NOI - Parker Street - N.E.T.

Ms. Bodner moved to issue an Order of Conditions for the plans as presented with the following special condition:

1. Silt prevention devices shall be installed along the shoulder of Parker Street, where appropriate, to stop the migration of silt from the trench site.

Mr. Chalmers seconded the motion. The motion passed unanimously.

MINUTES

Ms. Bodner recommended that upon Commissioner's receipt of 'draft' minutes in their meeting packets, that they review and comment, if necessary, and resubmit them to staff at the next meeting. At that time staff will amend the minutes as indicated, and send them out in the next meeting packet, at which time they can be approved and signed by the Chairman. If this schedule is kept the turn-around time for approved minutes will be approximately one month. This will ensure that the Board of Selectmen, and other interested parties, are informed of the Commission's proceedings on a more timely basis.

Mr. Shanahan moved that the Commission follow the schedule suggested by Ms. Bodner for the approval of minutes. Ms. Shubert seconded the motion. The motion passed unanimously.

Certificate of Compliance - Water District - Robbins Street - 85-374

The Administrator reported that upon request by the Water District, he conducted an inspection of the Robbins Street water line, and finds it to be complete and stable.

Mr. Chalmers moved that the Commission issue a Certificate of Compliance to the Acton Water Supply District as recommended by the Administrator for D.E.P. File No. 85-374. Ms. Bodner seconded the motion. The motion passed unanimously.

Discussion - Acorn Park Site Walk

The Commission agreed to schedule the Acorn Park site walk for October 13th, at 11:00 A.M.

Discussion - Lot 8 Carlisle Road

The Commission stated that a letter of rebuttal needs to be composed for D.E.P. in response to the statements and accusations made by William Ambrose and Amy Davis in their letter appealing the Commission's decision on Lot 8 Carlisle Road. The Administrator agreed to prepare a letter.

BYLAW AMENDMENTS

All Commissioners should have suggestions for amending the Wetlands Bylaw and Rules & Regulations ready for discussion at the October 20th Commission meeting.

10:07 Mr. Sheehan moved to adjourn. Mr. Chalmers seconded the motion. The motion passed unanimously.



William M. Hill, Chairman

cc: BOS

CONSERVATION COMMISSION
REVISED AGENDA
OCTOBER 20, 1993

JAN 20

7:30 CITIZENS' CONCERNS

WETLANDS PROTECTION

NAGOG BROOK CULVERT - Route 2A & 27 Intersection

This culvert requires emergency replacement. Dennis Ring from the Engineering Department will present plans for the replacement. A Notice of Intent will be forthcoming, work not being done prior to this meeting.

8:00 NOTICE OF INTENT - Lot 2 Huckleberry Lane - Frank Melon

Single family home, meets 40' setback.

8:15 NOTICE OF INTENT - 119 Quarry Road - Norton Family Trust

Single family home, meets 40' setback.

8:30 NOTICE OF INTENT - 204 Pope Road - Peterson

Driveway and septic system within 100' of a wetlands.

8:45 CONTINUATION - NOI - Acorn Park

MINUTES - Everything outstanding is enclosed within this packet.

- June 2 & 16 Signature
- July 7 & 21 " "
- August 4 & 18
- September 1 & 15 (submitted @ 10/6 meeting - comments rec'd from Andy)
- October 6 Submitted within

BUSINESS

- * Begin to think about our bylaw update. Enclosed find a copy of bylaws and rules and regulations from Westford and Lexington.
- * Wetlands Report - Fall 93 (Enclosed)
- * Massachusetts Sportsmen's Council, Inc. Letter dated 9/27/93
An attempt to allow hunting on conservation land under the disguise of land wildlife management (enclosed)
- * Middlesex Conservation Education Society - Butterfly Place
- * Lot 8 Carlisle Road - Site meeting with DEP, Tuesday, October 19th @ 10:00 A.M. Commissioners free that day, PLEASE TRY TO ATTEND.

**CONSERVATION COMMISSION
MINUTES FOR
OCTOBER 20, 1993**

MEMBERS PRESENT: Morene Bodner, Peter Shanahan, Andrew Sheehan, John Chalmers, Ann Shubert, William Hill

ASSOCIATE MEMBER: Bob Darlington, Andrew Durham

CONSERVATION ADMINISTRATOR: Tom Tidman

RECORDING SECRETARY: Andrea MacKenzie

VISITORS: Russ Wilson, James Norton, Jamie Norton, Frank Mellon, Eric Johnson, Michael Speciner, Terry Hammer, Judy Bell, Harry Donahue, Ian MacPherson, Lynne Bernstein, Bob and Carol Petersen

7:42 Ms. Bodner called the meeting to order.

Emergency Repair - Nagog Brook Culvert - Main Street

The Administrator reported to the Commission that the culvert at Main Street and Nagog Brook is in need of repair. A sink hole has undermined the downstream side of the box culvert's vertical walls. The Town of Acton intends on replacing the culvert in kind and will not change the flow capacity. There is one exception in that the east side of the culvert will extend three feet further in length to allow for a future sidewalk along Main Street.

The Acton Engineering Department is requesting approval of an emergency certification to do the work immediately.

Lot 8 Carlisle Road - DEP Request for Superceding Order

The Administrator reported to the Commission that Mariel Stone from DEP inspected the Lot 8 Carlisle Road site on October 19, 1993 at 10:00 A.M.. This site inspection was in response to a request for a superceding order of conditions by William Ambrose and Amy Davis, who appealed the Commission's decision granting an order of conditions for this site.

At the site meeting, Ms. Stone started by stressing that the septic system for this lot is outside of the 100' buffer zone. The septic systems proposed for this lot, and the adjacent proposed lots, are larger than an average septic system due to the requirements within aquifer protection zones, which this lot falls within. The Administrator stated that Ms. Stone approved of the planting requirement that the Commission imposed within 25' of the existing wetlands. Ms. Stone also verified the wetlands delineation, and the consensus was that 50% of the plant species wasn't dominated by wetlands species, except for a slight change equalling approximately a 120 s.f. area. This change does not affect any of the proposed plans filed within the notice of intent. A superceding order of conditions will be forthcoming from DEP, and the order issued under the Town Bylaw will stand as is.

8:04 NOTICE OF INTENT - Lot 2 Huckleberry Lane

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act and the Town of Acton Bylaws for the grading associated with the construction of a septic system within 100' of a wetlands for a single family home.

Upon query by the Chairman, Mr. Wilson stated that he didn't have the certified receipt stubs proving notification to abutters in his possession, but he could bring them to the Conservation Office at the start of business hours on 10/21/93. Noting that many abutters to this property were present, Mr. Hill allowed the hearing to commence.

Mr. Russ Wilson, representing the applicant, presented plans showing a subdivided lot (Lot 2) from #6 Huckleberry Lane. Fill and grading associated with the septic system is within 40' of the wetlands at the closest point. The wetlands on this site is Partridge Pond. The house and septic system will be constructed outside of the 100' buffer zone. Haybales are shown placed at the limit of fill and grading.

There is a drainage ditch running along the east side of the lot that has a proposed pipe culvert extension to be built according to Acton Planning Board regulations. The actual location of the ditch is on #6 Huckleberry Lane. The ditch originates at a headwall at the front of the lot (south) and runs in a northerly direction towards Partridge Pond. Staked haybales are proposed at the edge of wetlands within the ditch. The 12" corrugated metal pipe (CMP) culvert extension will be placed starting approximately 55' from the edge of wetlands running towards Partridge Pond (north) ending approximately 25' from the edge of wetlands where the existing ditch will continue to the pond.

Mr. Wilson stated that the plans have not yet been approved by the Board of Health, due to requested amendments by the Health Director. The amendments have been submitted and are being reviewed by the Health Director at present.

The Commission asked Mr. Wilson to indicate where the 25' and 40' setback lines are, as they are not depicted on the plans. The Commission expressed concern regarding the septic approval by the Health Director, since amendments were requested by that Department.

Abutters stated concern regarding the allegedly failed septic system on #6 Huckleberry Lane, which is causing breakout into the existing ditch feeding into the pond. A letter has been sent by the Health Department asking the owner of #6 Huckleberry (also present owner of Lot 2) to repair or replace that house's leaching field.

The Commission stated that questions from abutters should be focused towards the filing submitted for Lot 2. They also expressed concern about being previously unaware of the septic system situation at #6 Huckleberry Lane, and particularly since the proposed culvert extension shown on the plans is actually on #6 Huckleberry Lane, not on Lot 2. Both lots are presently owned by the same person; since the septic system at #6 Huckleberry Lane appears to be failing the Commission is reluctant to issue an order of conditions on the abutting lot until the system on #6 Huckleberry is repaired.

Therefore, the Commission asked the applicant to continue the hearing in order to gather more information from the Acton Board of Health. At the hearing continuation the Commission also will require the plans to be amended to show the 25' and 40' setbacks, and the applicant can provide the certified mail receipts. The applicant agreed to continue the hearing.

The hearing will be continued to November 3, 1993 at 8:15 P.M.

8:41 NOTICE OF INTENT - 119 Quarry Road - Norton

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of a single family home within 100' of a wetlands.

Mr. James Norton presented plans for the construction of a single family house. Grading associated with the house foundation will be approximately 55' from the edge of wetlands, the house foundation will be approximately 65' from the edge of wetlands. Siltation prevention devices will be placed approximately 40' from the edge of wetlands. The septic system is completely outside of the 100' buffer zone.

8:50 Hearing no comments or questions, Mr. Hill closed the hearing.

NOTICE OF INTENT - 204 Pope Road - Peterson

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act and the Town of Acton Bylaws for the construction of a septic system and driveway within 100' of a wetlands.

Mr. Harry Donahue, of Acton Survey & Engineering, presented plans showing a proposed driveway for 204 Pope Road serviced from the existing driveway for 200 Pope Road. The proposed driveway shoulders are within 55' from the edge of wetlands, siltation prevention devices are proposed at 45' from the edge of wetlands at the closest point. Associated fill and grading for the leaching field is proposed within 45' of the wetlands at the closest point.

The Commission questioned why the proposed driveway does not follow the existing utility easement shown on the plans, which would be farther from the edge of wetlands. Mr. Donahue replied stating the applicant desired to maintain privacy on the site. Mr. Donahue also stressed that the proposed driveway does not involve any filling of wetlands, and the plan meets all state and local requirements.

9:04 Hearing no further comments or questions, Mr. Hill closed the hearing.

CONTINUATION - NOI - Acorn Park

Mr. Hill continued the hearing for Acorn Park under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws. This hearing was continued in order for Commissioners to inspect the site.

Mr. Bruce Stamski, of Stamski & McNary, presented plans showing the elimination of "Butternut Street" and the relocation of Exclusive Use Area (EUA) #40. There will however be a common drive, where Butternut Street was

originally proposed, servicing EUA 44, 45 and 57 that will end at EUA 57. Butternut Street would have bisected the wetlands area and come within 10' of the wetlands. The elimination of Butternut leaves the center wetland (open space) more contiguous. The applicant considers the sewage treatment plant as a utility and it is included under the current Notice of Intent (NOI) filing. As shown on the plans, a corner of the sewage treatment plant building and some grading for the leaching field is within 100' of the wetland.

The Administrator reported that Mariel Stone, from DEP, agreed that the sewage treatment plant should be considered under the NOI filing. Mr. Tidman also asked the applicant why EUA 44, 45 and 57 could not also be relocated which would further protect the sensitive breeding habitat for the species that spend much of their lives in the uplands surrounding area. Upon his numerous inspections of the site he feels that the series of old quarry basins left from granite mining operations exhibit vernal pool characteristics.

Based on the site inspection performed by the Commission on October 13, 1993, it was agreed that Exclusive Use Areas 44, 45 and 57 and Butternut Street would severely impact the sensitive wetlands corridor.

Mr. Stamski stated that the applicant will be going before the Planning Board on October 25, 1993, and if the Commission approves the plans eliminating Butternut Street, the plans will have to be amended before the Planning Board meeting.

The Commission informed the applicant that they will require: 1.) the submittal of an amended first page of the Notice of Intent indicating the sewage treatment plant as part of the utilities; 2.) amended plans showing the elimination of Butternut Street and EUA 40 as agreed to at this hearing.

The Administrator strongly urged the applicant to find alternative locations for EUA's 44, 45 and 57.

9:42 Hearing no further questions or comments, Mr. Hill closed the hearing.

The Commission discussed the filing for Acorn Park and their findings on the site inspection.

9:45 Mr. Bruce Stamski and Kirk Ware came back before the Commission to request the Commission to re-open the hearing for Acorn Park to hear new information.

Mr. Chalmers moved to reopen the hearing for the purpose of receiving new information on the Notice of Intent filing for Acorn Park. Mr. Sheehan seconded the motion. The motion passed unanimously.

Mr. Stamski informed the Commission that the applicant, Mr. Kirk Ware, would agree to relocate Exclusive Use Areas 44, 45 and 57, thus eliminating the common drive that would service these three lots, creating less impact on the wetlands.

9:47 Hearing no further information, Mr. Hill closed the hearing.

Discussion - NOI - Lot 2 Huckleberry Lane

The Commission expressed concern regarding the septic system issue at #6 Huckleberry Lane and the work presented for Lot 2 being partially within #6 property lines. Mr. Shanahan agreed to compose a memo to the Board of Health regarding the leaching field breakout issue.

DECISION - NOI - 119 Quarry Road

Ms. Bodner moved to issue a standard Order of Conditions for the Notice of Intent filed for 119 Quarry Road. Mr. Chalmers seconded the motion. The motion passed unanimously.

DECISION - NOI - 204 Pope Road

Mr. Sheehan moved to issue an Order of Conditions for the Notice of Intent filed for 204 Pope Road with the following special conditions.

1. The area between the proposed driveway and wetlands shall remain natural.
2. Plans shall be amended and submitted to the Conservation Administrator showing haybales around the edge of disturbance caused by the construction of the septic system.

Mr. Chalmers seconded the motion. The motion passed unanimously.

DECISION - NOI - Acorn Park

Mr. Shanahan moved to issue an order of condition for the Notice of Intent filed for Acorn Park Drive with the following special conditions.

1. The open space as shown on Acorn Park Plans, prepared by Stamski & McNary dated July 28, 1993, and amended at the October 20, 1993 hearing continuation, shall remain as open space, and become a 'special condition' of this order of conditions.
2. Revised plans showing 'Exclusive Use Areas' (E.U.A.) 40, 44 and 57 shall be relocated to locations away from the central wetlands/open space. The loop road called 'Butternut Street', shown on the July 28, 1993, Lot Layout Plan, (detail on Page 9 of 26) shall be eliminated at E.U.A. 45 to the east, and at Acorn Park Drive to the west. Removal of this loop road will create a direct connection between usable open space 'Parcel B & C'.
3. Modified plans illustrating the above noted changes shall be submitted to the Acton Conservation Commission in a timely manner.
4. While shown on the plans and in compliance with both State and Local requirements, the sewage treatment plant was not mentioned in the Notice of Intent filing. The Notice of Intent (NOI) filing should therefore be modified and amended to include a reference to the sewage treatment plant. Such an amended NOI shall be sent to both the D.E.P. and the Acton Conservation Commission.

A written decision will also be issued with this Order of Conditions.

Ms. Bodner seconded the motion. The motion passed unanimously.

Emergency Culvert Repair - Main Street @ Nagog Brook

After discussion and review the Commission found that the Act does provide for an Emergency Certification allowing this type of project to go forward prior to any formal filing with the Commission.

Ms. Bodner moved that the Commission issue an Emergency Certification allowing the replacement of the culvert at Main Street and Nagog Brook. Mr. Chalmers seconded the motion. The motion passed unanimously.

MINUTES

Mr. Sheehan moved that the Commission approve the minutes for June 2, June 16, July 7, July 21, August 4 and August 18, 1993. Mr. Chalmers seconded the motion. The motion passed unanimously.

10:22 Ms. Bodner moved to adjourn the meeting. Mr. Sheehan seconded the motion. The motion passed unanimously.



William M. Hill, Chairman

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CONSERVATION COMMISSION
AGENDA
SEPTEMBER 1, 1993

cc: BOS

JAN 20

7:30 CITIZENS' CONCERNS

BUSINESS - ACORN PARK - Subdivision

Bruce Stamski will ask the Commission to consider amending the Order of Conditions (D.E.P. 85-238), to include several additional subdivision roadways. Each of the proposed roadways meets the 40' wetlands setback requirement. By amending the Order of Conditions to include the residential streets one order of conditions will cover all Acorn Subdivision roadway construction, (see attached).

7:45 CONTINUATION - NOI - Lot 8 Carlisle Road

The area of concern (right rear corner field) was reviewed for a second time with biologist Dave Crossman of B & C Associates, and while wetlands plant species were present, 50% of the plant community was not wetland species.

8:00 NOTICE OF INTENT - 163 Pope Road

Construction of a single family house within 100' of a wetland. The proposed house location meets our setback requirements.

8:15 NOTICE OF INTENT - Maple Creek Farm - Summer Street

Subdivision road/crossing wetlands, 530 s.f. of wetlands filling; replication and associated drainage structures.

8:45 NOTICE OF INTENT - 9-11 Horseshoe Drive

Construction of a single family dwelling within 100' of a wetlands, meets the 40' setback.

9:00 REQUEST FOR DETERMINATION - 5 Horseshoe Drive

Construction of a 12' X 16' deck to an existing dwelling within 100' of a wetland, meets the 40' setback.

MINUTES

June 2 & 16
July 7 & 21
August 4
August 18 Submitted within

UPCOMING SEMINAR

Forest Stewardship & Wetlands September 11, 1993
9:30 A.M. to 4:00 P.M. (See attached)

**CONSERVATION COMMISSION
MINUTES FOR
SEPTEMBER 1, 1993**

MEMBERS PRESENT: William M. Hill, Peter Shanahan, Andrew Sheehan, Morene Bodner, John Chalmers

CONSERVATION ADMINISTRATOR: Tom Tidman

RECORDING SECRETARY: Andrea MacKenzie

VISITORS: Chris and Lisa Foss, Howard Canning, Susan Whitcomb, Jean Husbands, David Brown, Pat Sawyer, Rich and Ann Burrows, Jeremy Winick, Judy Schmitz, Bruce Stamski, William Ambrose

7:35 Mr. Hill called the meeting to order.

ACORN PARK - Great Road

Bruce Stamski, from Stamski & McNary, reported to the Commission that there is an existing Order of Conditions (D.E.P. File No. 85-238) for this site issued in November, 1987, with extensions granted to date. This Order of Conditions is valid for three wetlands crossings for the roadway, associated drainage, and wetlands replications. At this time, 75% of the roadway is roughed in. This site was originally intended to be an office park with research and development buildings. The owner of the property now wishes to develop the site with three business use lots with the remainder as residential lots. This change would still keep the roughed in roadway with some additional roadways added to the network. Each residential and commercial lot will have a separate Notice of Intent filed where necessary. There will be no individual septic systems for each lot as a sewage treatment plant is proposed. On September 27, 1993 this site will come before the Planning Board for the change of use. The Applicant is requesting that the Commission hold a public hearing for an amendment to the old Order of Conditions for the additional proposed changes to the plans, as opposed to having a new additional Order of Conditions along with the old on the same site.

The Commission stated that they would discuss this issue further, and tabled the discussion until later so that they may continue with business on the agenda.

7:58 **CONTINUATION - NOI** - Lot 8 Carlisle Road

Mr. Hill continued the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of a single family house within 100' of a wetlands. This hearing was continued due to a possible discrepancy in the wetlands identification on this lot.

Mr. Stamski, of Stamski & McNary representing the Mary Marshall Trust, reported that at the Commission's request he had the wetlands re-delineated in the presence of the Conservation Administrator. David Crossman, of B & D Associates, delineated the edge of wetlands with the Administrator and found that the proposed house will be 64' from the edge of wetland, and there will be no work within the 25' buffer. There was no change in wetland flag locations.

The Administrator reported that he and Mr. Crossman actually counted wetland species in the area in question, and found that wetland species did not make up 50% of the vegetation present, hence this area is not a wetland. The Administrator added that the area was farmed up to recent times and historically probably was a wetland, and if left undisturbed for several years would probably revert back to a vegetated wetland.

The Commission noted that the water well location is within the 40' wetland setback, but did not consider a water well as a permanent structure such as a house, driveway or shed.

Mr. William Ambrose, 42 Carlisle Road inquired about the Commission's definition of a structure .

After some discussion the Commission confirmed that a water well was not considered a structure under the Bylaw or the Rules and Regulations nor was it ever intended to be considered as such. Therefore the Commission had no problem with a water well being within 40' of the wetland as long the proposed silt prevention measures are adequate. The Commission also noted that wetland indigenous shrubs should be introduced along the 25' natural vegetative buffer to discourage future encroachment toward the wetlands.

8:11 Hearing no further comments or questions, Mr. Hill closed the hearing.

NOTICE OF INTENT - 163 Pope Road

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of a single family house within 100' of a wetland.

It was noted that this site does have an existing valid Order of Conditions (D.E.P. File No. 85-322) for the roadway, wetlands crossing and wetlands replacement area. A building footprint was also approved under the noted Order, but due to the change in size and placement, a separate Notice of Intent filing was warranted for just the house construction.

Mr. Ian Rubin, of Lancewood Engineering, presented plans for a slightly larger house and an additional access to the house from the approved driveway. The additional access to the front of the house will just be a spur from the approved driveway. A crushed stone infiltration trench (6" deep and 12" wide) along the edge of the driveway closest to the wetland area is provided for driveway runoff. This will prevent runoff from going directly into the wetlands. The leaching field expansion area is approximately 70' from the edge of wetlands.

The Commission inquired on the status of the driveway and vernal pool completion. Mr. Rubin stated that it is not yet completed but some work has been done. The Commission expressed concern regarding the status of the driveway since this will be the access for the contractor building the house.

Mr. Christopher Foss, potential owner of this lot, stated that he too would like to see the driveway completed as soon as possible for the same reasons as the Commission. Mr. Foss wants to have the driveway completed before he purchases the lot.

The Commission stated that there are unusual circumstances involved with this lot and asked the applicant if he would agree to continue the hearing in order to get more information on the status of the driveway and replication area. Mr. Foss agreed.

Mr. Hill continued the hearing to September 15, 1993 at 9:00 P.M., at the Acton Town Hall.

8:30 NOTICE OF INTENT - Maple Creek Farm - 122 Summer Street

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of a subdivision road and associated drainage involving 530 s.f. of wetlands filling and wetlands replication.

Mr. Ian Rubin presented plans for Maple Creek Farm which includes Woodfield Road and Shady Lane. Shady Lane is not within the 100' wetland buffer but does have some individual house lots that will have Notices of Intent filed where necessary. The construction of Woodfield Road involves one wetland (intermittent brook) crossing requiring 520 s.f. of fill as proposed. A wetlands replication of 745 s.f. is also provided. The crossing will have a 24" culvert 63' long with flared outlets. The outlets will be flared with rip-rap at a 1:1 slope. There are five retention basins in total on the site, which will catch the first inch of storm runoff, and three detention basins. Any rainfall exceeding one inch of runoff will overflow to an adjacent detention pond.

Excluding wetlands on the site, 62% of the land is undevelopable and will be common land within a cluster subdivision. The entire site will not be clear cut, only clearing for house locations and the roadway will occur.

A wetlands replication planting plan has been submitted and is on file with the Notice of Intent.

9:14 Hearing no further comments or questions, Mr. Hill closed the hearing.

9:15 Mr. Sheehan had to dismiss himself from the meeting. Before leaving he informed the Commission that his vote is in favor of approving Lot 8 Carlisle Road.

9:15 NOTICE OF INTENT - 9-11 Horseshoe Drive

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of single family house within 100' of a wetland.

Mr. David Perley presented plans for a four bedroom house located 45' from the edge of wetland. The septic system has been approved by the Board of Health. The leaching field is located 95' from the edge of wetlands, the closest grading for the breakout area is 41' from the edge of wetland. Haybales for siltation prevention are 27' from the edge of wetland at their closest point.

Upon query from Patricia Sawyer, 127 Concord Road, Mr. Perley stated that the driveway will be a paved driveway, and the siltation prevention provided should prevent any siltation from entering the holding ponds on her property down the street.

9:28 Hearing no further comments or question, Mr. Hill closed the hearing.

9:31 REQUEST FOR DETERMINATION - 5 Horseshoe Drive

Mr. Hill opened the meeting under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of a deck on an existing house.

The Administrator reported that the homeowner wishes to construct a 12' X 16' deck on their existing house. The deck will be constructed on sono tubes, and will be approximately 85' from the edge of wetlands. The site is flat, and should have no impact on the wetlands.

Hearing no further comments or questions, Mr. Hill closed the hearing.

DECISION - NOI - Lot 8 Carlisle Road

Mr. Shanahan moved that the Commission issue a standard Order of Conditions, with the following special conditions:

1. Haybales encircling the proposed well site shall connect with the haybales running behind the house. Haybale installation shall be approved by the Conservation Administrator prior to the commencement of construction.
2. Any material accumulated during well drilling will be removed from the well location and disposed of outside the 100' buffer.
3. A line shall be established 25' from the edge of wetlands, the field confined within this area shall be allowed to naturalize. In addition, wetlands shrub species will be planted within the 25' natural buffer, a list and location of which shall be approved by the Conservation Administrator prior to construction.

Mr. Chalmers seconded the motion. The motion passed unanimously including Mr. Sheehan's vote submitted prior to his early departure.

DECISION - NOI - Maple Creek Farm - 122 Summer Street

Mr. Shanahan moved to issue a standard Order of Conditions with the following special conditions:

1. A biologist acceptable to both the applicant and the Conservation Commission shall be retained by the applicant and approved by the Commission prior to the commencement of any construction.
2. The biologist will meet with the applicant and the applicant's road construction contractor prior to road construction, to review the sequence of events associated with replication area construction.
3. The biologist will be present on-site during the excavation and stock-piling of soils from the wetlands crossing, indicating wetlands plant species to be saved from the wetlands fill area.
4. The biologist will be present on-site during both the development and construction phases of the replication area.

5. Photographs of the replication area shall be taken by the applicant through all phases of construction.
 6. Upon completion of the replication area, a report shall be submitted to the Conservation Commission by the applicant outlining the development of the replication area including a plantings list and photographs taken during construction.
- Mr. Chalmers seconded the motion. The motion passed unanimously.

DECISION - NOI - 9-11 Horseshoe Drive

Mr. Shanahan moved to issue a standard Order of Conditions with the following special condition:

1. The haybale line at the rear of the lot shall run parallel, and as close as possible, to the fill associated with the expansion area and the primary leaching field.

Mr. Chalmers seconded the motion. The motion passed unanimously.

DETERMINATION OF APPLICABILITY - 5 Horseshoe Drive

Ms. Bodner moved that the Commission finds the work as presented to be within the Commission's jurisdiction, but will not impact the wetland.

Mr. Chalmers seconded the motion. The motion passed unanimously.

9:45 Mr. Shanahan moved to adjourn the meeting. Mr. Chalmers seconded the motion. The motion passed unanimously.

9:46 Meeting adjourned.



William M. Hill, Chairman

CONSERVATION COMMISSION
AGENDA
SEPTEMBER 15, 1993

cc: BOS

JAN 20 1994

7:30 CITIZENS' CONCERNS

EAGLE SCOUT PRESENTATION

Joe Michalowicz landscaped, loamed and seeded around the parking lot at the North Acton Community Gardens. He also built a picnic table for use by the gardeners.

8:00 REQUEST FOR DETERMINATION - Prescott Dam (Rt. 62 & Old High Street)

Essex Hydro Associates, for routine maintenance to repair bridge abutments, involving grouting and cementing.

8:15 NOTICE OF INTENT - 39 Martin Street - Neil & Lisa Kruskowski

Construction of a single family home, septic system and driveway within 100' of a wetlands. Work meets our 40' setback.

8:30 NOTICE OF INTENT - 55 Central Street - David Hale

Excavation of a 14,325 s.f. wildlife impoundment (pond). The excavation will occur within an existing bordering vegetated wetland.

8:45 NOTICE OF INTENT - (Lot 2B) 101 Central Street - Property Concepts

Upgrading an abandoned railroad bed to construct a private driveway to access a house lot.

9:00 CONTINUATION - NOI - (Lot 4B) 163 Pope Road

Commission continued the hearing awaiting some noticeable progress in the development of the driveway, including culvert installation and development of the wetlands replication area (vernal pool).

9:15 NOTICE OF INTENT - Lot 7 Bowen Property, 138-188 Pope Road

Construction of a single family house within 100' of a wetlands. This is the first property being developed on Pope Road across from Stoneymeade lots.

MINUTES

June 2 & 16
July 7 & 21
August 4 & 18
September 1 To be submitted

BUSINESS - BOS Chairman's "Welcome Back" Statement

315

**CONSERVATION COMMISSION
MINUTES FOR
SEPTEMBER 15, 1993**

MEMBERS PRESENT: William M. Hill, Peter Shanahan, Andrew Sheehan, John Chalmers

ASSOCIATE MEMBER: Linda McElroy, Andrew Durham

CONSERVATION ADMINISTRATOR: Tom Tidman

RECORDING SECRETARY: Andrea MacKenzie

VISITORS: George King, Lisa & Neil Kruszkowski, Alfred Murray, Harold Storrs, Moe Caron, Mark White, John Judd, John Horne, Edward & Deborah Fitzgerald, Kathleen Dunlap, Russ Wilson, Nancy & Bill Kingman, Joe and John Michalowicz

7:45 Mr. Hill called the meeting to order.

CITIZENS' CONCERNS - There were no concerns stated.

EAGLE SCOUT PRESENTATION - Joe Michalowicz

Joe Michalowicz presented to the Commission his completed Eagle Scout Project which was the creation of a picnic area at the Community Gardens in North Acton. Joe landscaped, loamed and seeded around the parking lot, and built a picnic table for use by the gardeners. His project took a total of 84 man hours, including the fund raising of \$83 for the cost of supplies. He also cleared the area around the blueberry bushes adjacent to the parking area. The picnic table was placed adjacent to the parking area under a tree and woodchips were placed around the picnic table and blueberry bushes.

The Commission thanked Joe for his time and effort on a job well done, knowing that the community gardeners will truly appreciate a place to rest in the shade.

Concord Water District - Nagog Pond

Moe Caron and Harold Storr, representatives of the Concord Water District presented preliminary plans for the construction of a water treatment facility at Nagog Pond. They will be filing for the creation of an access across Nagog Brook to a future Ozone Treatment Facility to treat water leaving Nagog Pond and piped to Concord.

Preliminary Review - McGovern Land - Kavanagh Homes

Mr. John Judd, of LandTech Consultants, stated that he will be representing Kavanagh Homes for the development of the McGovern Land. This parcel is adjacent to the Meadowview Subdivision. Prescott Drive within Meadowview would provide the access to the McGovern parcel. At this time seven lots are proposed for this development. One of the seven lots will be filed as a limited project.

The Commission stated that they are very concerned regarding the development of this parcel. The wetlands on this site are highly sensitive, and has at least one endangered species inhabiting the area. There is potential for more than just one endangered species inhabiting this area due to the nature of the wetland resource and apparent vernal pool, based on preliminary inspections by the Administrator. The Commission will schedule a site inspection with the Administrator, and contact Mr. Judd at that time.

8:05 REQUEST FOR DETERMINATION - Prescott Dam - High Street

Mr. Hill opened the meeting under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the routine maintenance to repair bridge abutments, involving grouting and cementing.

Mr. George King from A & D Hydro reported that on September 5, 1993 the sluice way was opened at the Prescott Dam to lower the water level in the Assabet River in order to repair the bridge abutments on the dam. Mr. King reported that there were leaks at both ends of the dam and a sink hole was created at one of these ends of the dam.

Between the bridge and dam is open stone wall; originally the dam was supposed to be constructed of stone walls with a layer of cement binding it all together, and was not. During the water draw down and dam repair an eight inch, varying to fifteen inch, thick layer of cement was placed over the stone walls. A total of 13 cubic yards of cement was used. This will prevent any further leaks and sink holes from forming.

After the draw down, A & D Hydro had a couple of individuals netting trapped fish out of the puddled areas just before and within the dam structure which were released downstream. He admitted that he was not present during any of this activity, and there was a report of some fish kills. Mr. King stated that a representative from A & D Hydro had spoken to the Conservation Administrator after contacting the Department of Environmental Management (D.E.M.) regarding the project. The D.E.M. recommended that the water level be allowed to drop only during the dry time of the summer. Mr. King stated that a representative had spoken to the Conservation Administrator, and based on the D.E.M.'s recommendation, the Administrator agreed that the driest time of the summer would cause the least impact on the waterway and wetland resource.

The Conservation Administrator reported that he did speak with Thomas Tarpey, from A & D Hydro, who was told that he would be required to file with the Commission. The Administrator stated that he did agree that the driest time of the year would cause the least impact on the wetland resource and wildlife habitat, and would be considered an emergency project. The Administrator inquired of Mr. Tarpey as to whether the D.E.M. Dam Safety Division had been notified of this project. Mr. Tarpey replied that they had been notified and agreed that the project should be done this summer, during low water. The Administrator agreed with the D.E.M.'s decision allowing the emergency repairs to be enacted prior to filing with the Commission. Mr. Tarpey did not indicate any time frame, nor did he or any other representative of A & D Hydro contact the Administrator prior to the actual opening of the dam.

In reviewing the paper work filed for this project, the Commission asked if any chemicals were used for the pressure washing of the stone walls. Mr. King stated that they only splashed water by hand to wash the stone walls and bridge abutments, and that a pressure washer was never used. The Commission expressed great concern regarding the notification process for the work done on the dam, and the date chosen to do this

work seems questionable, although it was a dry time of year. A more informed individual who was present during the activity and knew exactly what was done and how should have been sent to present the project to the Commission.

The Commission asked Mr. King if he would be willing to continue the meeting until October 6, 1993 at 8:30 P.M. for the purpose of getting more information from a more informed representative of A & D Hydro. Mr. King agreed to the Commission's request.

NOTICE OF INTENT - 39 Martin Street

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetland Protection Act, and the Town of Acton Wetlands Protection Bylaw for the construction of a single family home, septic system and driveway within 100' of a wetlands.

Mark Donahoe, representing the applicant, presented plans for construction of a single family home that will be accessed from an existing gravel driveway, thus becoming a common drive. The proposed driveway to this house will be a short branch from the existing gravel driveway accessing the existing house at 31 Martin Street. This branch extends approximately 30' in length off of the existing drive, and is approximately 23' from the edge of wetland at its closest point. This new proposed house will be built approximately 52' from the edge of wetland. The leaching field is proposed at approximately 90' from the edge of wetlands, and the expansion area is approximately 75' from the edge of wetlands.

The Commission inquired about the possibility of a deck being added onto the proposed house. The applicant stated that if a deck was added on later it would be on the farthest side of the house from the edge of wetland and he would file with the Commission at that time.

8:30 Hearing no further questions, Mr. Hill closed the hearing.

NOTICE OF INTENT - 55 Central Street

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the excavation of a 14,325 s.f. wildlife impoundment (pond) within an existing bordering vegetated wetland.

Mr. David Hale, resident/owner of 55 Central Street, presented plans for a wildlife impoundment area. The proposed pond area exists as a bordering vegetated wetland. There are two connector channels existing on the site, one inflow and one outflow, which are connected to a drainage channel that eventually joins with Fort Pond Brook. These were probably used historically to control water when the land was farmed, and will tie into the proposed pond. The outflow connector channel will have staked haybales closing it off to prevent possible siltation into the drainage channel during excavation. Soil testing in the overall area revealed a top layer of peat, humus and black organic soils, ranging from three to ten feet in depth, overlying a layer of clay. The actual depth of the center of the proposed pond is unknown. Staked siltation fabric fence and haybales will be placed, prior to excavation, along the access haul route and between the proposed pond and stockpile/dryout area. The stockpile/dryout area will not exceed 2500 c.y. or 15' in height. Mr. Hale hopes to dry out the excavated peat material and market it to recoup some of the excavation costs. Wooden planks and/or steel decking will be placed on grade at the base of the haul route to keep the dump trucks from sinking in during repeated trips in and out of the proposed

pond area. An excavator will be used to dig the pond, and will start excavating from the haul route out towards the farthest bank (excavate their way in). During excavation he will have to dewater the area by pumping any groundwater to the outflow connector channel.

The Administrator expressed concern regarding the applicants proposal of excavating his way in; the applicant may find that excavating from the farthest proposed bank out of the proposed pond may be more efficient, and prevent the excavator from getting stuck. The Administrator also added an interesting fact that the remains of an old beaver dam were found in this area, which indicates that this area did have a pond on it historically.

8:47 Hearing no further comments or questions, Mr. Hill closed the hearing.

NOTICE OF INTENT - Lot 2B Central Street (Plate G-2, Parcel 137-3)

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the upgrading of an abandoned railroad bed to construct a private driveway to access a house lot.

Mr. Russ Wilson, representing Property Concepts, presented plans for Lot 2B Central Street. Work within the 100' wetlands buffer zone involves the proposed gravel driveway. The driveway for Lot 2B will extend as a fork from the existing dirt driveway for 101 Central Street. There is an existing abandoned 100+ year old railroad bed on this site which the proposed gravel drive will be placed on. A portion of this existing railroad bed is within the 40' no-build setback regulated by the Town. The applicant is asking for a waiver on that setback, as placing the gravel drive on the old railroad bed would create the least impact to the wetlands, and prevent removal of additional trees. There is also a pile of loam at the beginning of the gravel railroad bed within the buffer zone, which will be moved from the 100' buffer zone. Some scrub brush that has started to grow on the railroad bed will be removed. Haybales are shown to be placed along the length of the drive 50' beyond the wetlands on the site.

Upon query from the Commission, the Administrator reported that based on his inspection of the site, the use of the abandoned railroad bed as the driveway seems to be the most sensible access with the least impact to the wetlands.

9:00 Hearing no further questions or comments, Mr. Hill closed the hearing.

9:01 NOI - Continuation from September 1, 1993 - 163 Pope Road

Mr. Hill continued the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for a status report on the wetlands issues regarding the wetlands fill and replacement for the driveway.

The Administrator reported that he inspected the site on this date. He observed activity at the culvert crossing, top boards were being installed and bottom layer of organic material was being placed inside the culvert.

The vernal pool has been excavated and the organic material to line the bottom has been placed. At the present rate of activity the Administrator stated that there should be no problems with access to the rear of the lot for construction of the house.

Hearing no further information, Mr. Hill closed the hearing.

Mr. Sheehan moved to issue a standard Order of Conditions for the construction of a single family house at 163 Pope Road. Mr. Shanahan seconded the motion. The motion passed unanimously.

DECISION - NOI - 39 Martin Street

Mr. Shanahan moved to issue an Order of Conditions with the special additional condition that the location of the proposed driveway be moved to meet the 40' no-build setback from the edge of wetlands. Mr. Chalmers seconded the motion. The motion passed unanimously.

DECISION - NOI - Lot 2B Central Street

Mr. Sheehan moved to issue an Order of Conditions with the special additional condition as follows:

Under the Town of Acton Wetlands Protection Bylaw, Chapter F, Order of Conditions, General Condition #31 is waived for the purposes of the driveway construction. A Decision from the Acton Conservation Commission will be issued with the Order of Conditions on file in the Conservation Office.

Mr. Shanahan seconded the motion. The motion passed 3:1, (three aye and one nay).

9:15 NOTICE OF INTENT - Lot 7 Pope Road (Bowen Property, 138-188 Pope Road)

Mr. Hill opened the hearing under MGL Chapter 131, §40 of the Wetlands Protection Act, and the Town of Acton Bylaws for the construction of a single family house within 100' of a wetlands.

Ian Rubin, from Lancewood Engineering, presented plans for the construction of a driveway approximately 35 feet at its closest point from the edge of wetland. Wetlands exist along almost the entire length of the frontage for this lot, except for the northeast corner where there is a point of access for the driveway that will not require wetlands filling. The proposed paved driveway will be constructed up against the northeast lot line but this will encroach on the 40' no-build setback. At the house location, the driveway is proposed with a circle turnaround within the 100' buffer zone. The water well location is approximately 90' from the edge of wetland. The house and septic system is outside of the 100' buffer zone. Haybales will be placed approximately 26' at their closest point from the edge of wetlands. The limit of clearing is proposed at the edge of the haybales.

Mr. Shanahan pointed out a notation on the plans that state a 4" perforated PVC pipe will be used as a subdrain outlet. Mr. Rubin stated that this is an error on the plans and this should be a solid pipe.

Mr. Shanahan stated that he would like to see the limits of clearing reduced in order to save more trees within the 100' buffer zone.

Upon query by Ms. Kingman, the Commission asked if the driveway circle turnaround could be moved outside of the 100' buffer zone seeing that there seems to be enough room on the lot.

Mr. Bill Watt, the contractor, stated that the request seemed reasonable and he did not have a problem with the request.

9:39 Hearing no further comments or questions, Mr. Hill closed the hearing.

DECISION - NOI - 55 Central Street

Mr. Shanahan moved to issue an Order of Conditions with the following additional conditions:

1. Before commencement of any work on site, the Conservation Administrator will be notified by the applicant. The applicant, contractor, and Conservation Administrator will have an onsite meeting before excavation begins, to discuss the sequence of construction.
2. Pads must be used to access the proposed pond area; no temporary gravel access road will be permitted within the 100' buffer zone.

Mr. Chalmers seconded the motion. The motion passed 3:1, (three aye and one nay).

DECISION - NOI - Lot 7 Pope Road (Bowen Parcel)

Mr. Sheehan moved to issue a an Order of Conditions with the following additional special conditions:

1. The proposed house location and driveway turn around shall be constructed outside the 100' wetlands buffer, as shown on revised plans dated September 20, 1993.
2. Limits of clearing will follow the 100' buffer line from the septic system break-out area in an easterly direction to approximately the well location, from that point limits of clearing will remain outside the 25' natural buffer.
3. The applicant and the applicant's tree removal crew will meet on site with the Conservation Administrator to review the limits of clearing prior to the removal of trees.

Mr. Chalmers seconded the motion. The motion passed unanimously.

BUSINESS

The Administrator stated that he will set a date for the McGovern Land site walk and get in touch with commissioners.

Mr. Sheehan stated that commissioners should start assembling their thoughts regarding amendments to the bylaw.

10:09 Mr. Shanahan moved to adjourn. Mr. Chalmers seconded the motion. The motion passed unanimously.



William M. Hill, Chairman

CC: BOS



Commissioner
Mitchell Adams
Deputy Commissioner
Leslie A. Kirwan

Massachusetts Department of Revenue
Division of Local Services

BULLETIN

JAN 20

January 18, 1994

TO: Regional School Superintendents, Boards of
Selectmen/Mayors and Finance Committees/City Councils of
member communities

FROM: Leslie A. Kirwan, Deputy Commissioner
Division of Local Services *Leslie A. Kirwan*

SUBJECT: Education Reform - Extension of Waivers of Net School
Spending Requirements to Certain Regional School Districts

An FY94 supplemental state budget, signed by the Governor on January 14, 1994, includes a provision that extends to certain regional school districts the opportunity to seek a waiver of its FY94 net school spending requirement under the Education Reform Act, Chapter 71 of the Acts of 1993.

Specifically, any regional school district that is not meeting its net school spending requirement in FY94, as certified by the Department of Education, is eligible to apply to the Department of Revenue for a waiver of its spending requirement. If a waiver is granted, a district's net school spending requirement and the associated minimum required contributions of the district's member communities will be reduced.

Waivers will be granted to a district that demonstrates that it used "qualifying revenue amounts" in FY93 to support its budget that "are not reasonably projected to be available for use" in FY94. Qualifying revenue amounts shall include but not be limited to "extraordinary amounts of excess and deficiency funds, surplus and uncommitted reserves".

The granting of a waiver to a regional school district will not affect the amount of Chapter 70 aid the district will receive in FY94.

The Division of Local Services is responsible for oversight of and assistance to cities and towns in achieving equitable property taxation and efficient fiscal management.

The Division regularly publishes IGRs (Informational Guideline Releases detailing legal and administrative procedures) and the Bulletin (announcements and useful information) for local officials and others interested in municipal finance.

Division of Local Services, PO Box 9655, Boston, MA 02114 - 9655 (617) 727-2300

Regional school districts seeking a waiver must apply, in writing, to the Department of Revenue, Division of Local Services. Letters of application must be postmarked by January 29, 1994, and should be addressed to Leslie A. Kirwan, Deputy Commissioner.

Applications should include:

1. A statement of why the district should be granted a waiver.
2. A copy of the Schedule 19 from the FY93 End-of-Year Pupil and Financial Report.
3. Copies of votes taken by the regional school committee showing appropriations of qualifying revenue amounts used to support the FY93 budget and the FY94 budget.
4. A copy of the calculation(s) used to determine the FY93 assessments of member communities.
5. A copy of the district balance sheet as of June 30, 1992 and June 30, 1993.

Any questions about this Bulletin should be directed to Rick Kingsley or Judy Luca at (617) 727-2300.



LEAGUE OF WOMEN VOTERS of ACTON-STOW

P.O. Box 817, Acton, MA 01720

January 13, 1994

CC: BOS

JAN 18 1994

F. Dore Hunter, Chairman
Board of Selectmen
Town Hall
Acton, MA 01720

Dear Mr. Hunter:

The League of Women Voters of Acton-Stow invites you and all the members of the Board of Selectmen to join us at the Town Hall on Wednesday, February 9, 1994 at 7:30 P.M. for a forum on school and town budgets. This forum is the second and final part of the League's series on town financing. Its purpose is to educate interested citizens and League members about how the budget process works.

The evenings panelists are: Geoffrey Beckwith, Director of the Massachusetts Municipal Association, Isa Zimmerman, Superintendent of Acton Schools, Don Johnson, Acton Town Manager, and Charles Olmstead, Chairman of the Acton Finance Committee. The panelists will be asked questions about the budget process which will initiate dialogue and provide a clear explanation of the budget process. Later in the evening, questions will be welcomed from the audience.

Your presence at the forum will give residents and league members a positive message: that the town officials want residents involved and knowledgeable. Educating citizens about issues in government and public policy is one of the League's primary goals.

Thank you for your anticipated support.

Very truly yours,

Pamela Wade Collins

Pamela Wade Collins
Co-President

cc: BOS

T. M

**HISTORIC DISTRICT COMMISSION MINUTES
DECEMBER 6, 1993**

JAN 18 1994

Members present: Chris Dallmus, Anne Forbes, Joan Gates, Whit Mowry, Sandy Schmidt, Alternate Mike Lynch.

ANNOUNCEMENTS: Meeting schedule for 1994 was handed out.

On Appl. # 9307- Phillips Coffee, Sandy will check to make sure everything complies with the certificate.

On Appl. # 9318- Acton Model Railroads-- Anne reports that Garry Rhodes says everything is in compliance; the waiting period is over on Dec. 7, and Anne will issue the certificate.

It was agreed that Joan would send quick letters of support to Senator Birmingham and Rep. Finneran for the Preservation Projects Fund bill now pending.

Anne will send into Historic Massachusetts, Inc. the suggestion of the Exchange Hall and the Wetherbee House on Great Road as two of the most endangered buildings in town.

An account of 1993 Receipts and Expenses was handed out. Receipts were \$195, and expenses, \$154.56. Balance turned in to the town.

OLD BUSINESS: There was a general discussion of compliance or lack of it in terms of signs, and particularly the hours in which they are lighted, as well as signs which might appear to be temporary, but are regularly in evidence. Temporary is defined as "8 days", under the zoning bylaw. Members agreed to make lists for the next meeting of possible violations.

NEW BUSINESS: Appl. #9317- 20 Concord Road: Anne noted that the parking lot was paved Friday, but the peninsula planting bed shown on the plan was paved over. It was agreed that that peninsular bed was important to screening the parking lot from the street. Anne will send a letter from the HDC to Peter Bollier, Head Trustee of the Acton Congregational Church noting this and requesting that it be fixed to conform to the plan approved.

SOUTH ACTON BRIDGE--built in 1906, is a truss bridge, according to Town Engineer David Abbt. Mass. Historical told Anne there is another on Hammond Street in Newton, between Newton Corner and Rte. 9.

PROPOSED BYLAW CHANGES--Anne will invite Dore' Hunter to come to either our Jan. 18 or Jan. 31 meeting, so we can discuss with him his proposed changes to the bylaw.

SIGN POLICY DISCUSSION: Mentioned were making guidelines for what we would like to see in signs in the districts; discrepancies in cost inside and outside the districts, i.e. \$25 vs. \$250 ; Village Districts; and whether we should require a memo of approval from Garry Rhodes indicating that no special approval is required; and drafting an application just for signs. Anne will do a draft.

In preparation for the 1/3/94 hearing on Application # 9316--West Acton Mobil sign, members agreed to check out the present sign and location , and the proposed sign and location, particularly in reference to safety. Also size, scale and materials, noticing other gas station signs.

Anne and Joan agreed to take review authority for next two weeks.
The meeting adjourned at 9:25 p.m.
Next meeting Jan. 3, 1994 in Room 204.

Joan Gates, Secretary

cc: BOS

T.M

HISTORIC DISTRICT COMMISSION MINUTES
November 1, 1993

JAN 1 8 1993

Members Present: Chris Dallmus, Anne Forbes, Joan Gates, Michaela Moran,
Whit Mowry, Sandy Schmidt and Alternate Mike Lynch

The meeting came to order at 7:40 p.m. in Room 121. Minutes of October 4, 1993 were approved as amended. Minutes of October 18, 1993(two sections) were approved as amended. Minutes of October 21, 1993 were approved as amended.

ANNOUNCEMENTS: Public hearing on Application #9317 is scheduled for November 9 at 9 p.m.; a brief meeting of the HDC may be scheduled for 8 or 8:30 p.m. if needed. Due to a shortage of meeting rooms, the HDC agreed to hold its February 7, 1993 meeting at the Jenks Library, 300 Main Street.

B.U. reports are at the Town Clerk's office; distribution discussion was postponed.

APPLICATION # 9313--ACTON MEMORIAL LIBRARY--A Certificate of Appropriateness was issued on 10/20/93. However there was problem with the bid process, and Dean Charter has sent it out to bid again.

APPLICATION # 9312--55 School Street--Michaela says the shutters appear to be properly attached.

APPLICATION # 9315--A Certificate of Non-Applicability was issued on October 26.

ACTON MODEL RAILROAD--There has been no application received. Anne Forbes will contact.

APPLICATION # 9314--West Acton Baptist Church for front stairs and landscape changes. Chris Dallmus reported that he had met with them, suggested that they look for photographs of how the church once looked, and then look at other churches in the area, before proceeding. It was unanimously voted that we consider the application incomplete without a design, and we will need to schedule a public hearing on the application when it is complete. Anne Forbes will send a letter noting this.

APPLICATION # 9316--West Acton Mobil: sign. Charles Piccarello, franchise owner of W. Acton Mobil met with the HDC on this application. The Commission did not consider this application complete; needed were:

- Information of level of illumination (foot candle), the kind of fixtures and their location
- Specs on both sets of lights
- Tabulation of sign area
- Thickness of sign and pedestal
- Polaroids
- \$15 Fee

It was voted unanimously that this application will require a public

hearing, and it will be scheduled when the application is complete. It was agreed that Anne Forbes would send a letter noting the needs, and referencing the HDC letter of June 9, 1993.

The meeting was moved to Room 204 at 9 p.m. Chris Dallmus and Joan Gates left the board, moved to the audience and announced that they were there as private citizens and abutters.

Respectfully submitted,

Joan Gates



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
150 Tremont Street
Boston, 02111

JAN 18 1994

William F. Weld
 Governor
 Charles D. Baker
 Secretary
 David H. Mulligan
 Commissioner

TO: Town and City Managers
FROM: The Women and Substance Abuse Task Force of the Governor's Advisory Council on Alcohol and Drugs
RE: Women's Alcohol and Drug Awareness Week
DATE: December 22, 1994

CC: BOS - ANY INTEREST?

The Women and Substance Abuse Task Force of the Governor's Advisory Council on Alcohol and Drugs is happy to announce the dates of the 8th Women's and Alcohol and Drug Awareness Week:

March 6 - March 12, 1994

This week has been set, as it has in the past, to coincide with National Women's Month in March and International Women's Day which is March 8th. Educational and community events will be planned statewide for this week. The Task Force would like to encourage your community to address the particular issues of women's alcohol and drug use in your community by organizing an event for the Women's Alcohol and Drug Awareness Week and organizing an event. We are enclosing a list of the 10 Prevention Centers to help you plan by providing materials and technical assistance. Contact the Prevention Center in your area for help planning and putting on an event.

The focus of this year's events will be "Embracing Visions of Women's Health: Dreams, Themes and Imperatives." Activities will focus on issues ranging from women and substance abuse in the context of health care reform the impact on substance abuse services, discussions of holistic health practices for women, linkages between primary care and substance abuse services, healthy leisure activities that support recovery or identifying risk factors and protective factors for women, etc.

The Task Force is interested in hearing whether your town will be organizing an event for your community for the Women's Alcohol and Drug Awareness Week and the nature of the event you are planning.

Please fill out and return the enclosed information sheet by mail or by fax to the attention of Donna Woods: Women's Alcohol and Drug Awareness Week, 20 Church St. Boston, MA 02116, fax # (617)426-8686.

Thank you for your consideration.

WOMEN'S ALCOHOL AND DRUG AWARENESS WEEK
MARCH 6 - 12, 1994
Information Sheet

City/Town _____

Department _____

Contact Person _____

Address _____

Phone # _____

Please Check the Following:

_____ We are interested in commemorating the Women's Alcohol and Drug Awareness Week and would be interested in sponsoring an event.

_____ We are interested in supporting this initiative by co-sponsoring an event with other communities or community health and/or substance abuse programs.

_____ We are interested in supporting this initiative but are unable to sponsor an event.

Successful events in the past have included: Presentations on a related topic, film and discussion presentations, dramatic presentations in schools or in the community, seminars, media presentations (print, cable, news) visual art of youth and/or women in recovery, brown bag lunches with a speaker, legislative breakfasts, etc.

_____ We are interested in more information on other possible events and fact sheets on Women and Alcohol and Drugs.

Preliminary plans at this time: _____

Please return this form mail or by fax by February 1, 1994.

Address: Women's Alcohol and Drug Awareness Week
20 Church St. Boston, MA 02116

Fax: (617)422-0048 Phone: (617)426-8686

Prevention Center Directors

Ruth Davis, Director
Youth Support Services
226 Highland Avenue
Somerville, MA 02143
(617) 623-2080

Ralph Fuccillo, Director
Prevention Support Services
95 Berkely Street
Boston, MA 02116

Kristen Nicholas, Director
Massachusetts Prevention Center - PC 4
100 Grove Street
Worcester, MA 01605
(508) 752-8083

Edward Kleifgen, Director
Massachusetts Prevention Center - PC 10
109 Rhode Island Road
Lakeville, MA 02347
(508) 946-3444

Marsha Lazar, Director
Massachusetts Prevention Center - PC 8
24 Crescent Street, Suite 301
Waltham, MA 02154
(617) 893-0111

Millie Rivas, Acting Director
Massachusetts Prevention Center - PC 1
2155 Main Street
Springfield, MA 01104
(413) 736-0395

Zoraida Lebron, Director
Massachusetts Prevention Center - PC 5
488 Essex Street
Lawrence, MA 01840
(508) 688-2323

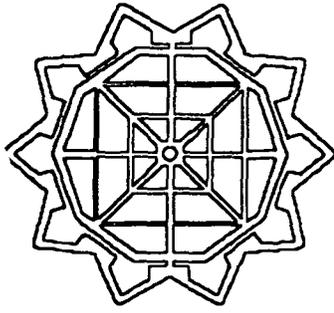
Susan Downey, Director
Massachusetts Prevention Center - PC 3
68 Henry Street
Framingham, MA 01701
(508) 879-6874

Myra Rodriguez-Howard, Director
Massachusetts Prevention Center - PC 6
27 Congress Street
Salem, MA 01970
(508) 745-8890

Arllyn Richards
Massachusetts Prevention Center - PC 2
76 Pleasant Street
Northampton, MA 01066
(413) 584-3880

Margie Henderson, Director
Massachusetts Prevention Center - PC 7
95 Berkeley Street
Boston, MA 02116
(617) 451-0049

Melanie Snook, Acting Director
Massachusetts Prevention Centers - PC 9
15 Cottage Avenue
Quincy, MA 02169
(617) 471-8400



Massachusetts Municipal Association LEGISLATIVE BULLETIN

COIBAS

JAN 18 1994

January 14, 1994

Last Minute Victory On Public Duty Rule

In the last moments of the 1993 legislative session, the House and Senate both approved a supplemental appropriations bill, H. 5729, that contained the language on the public duty rule local officials have fought for over the past eight months. The governor is expected to sign the bill, thus saving cities and towns literally millions of dollars in increased insurance and legal costs.

Despite the determined opposition of the Massachusetts Bar Association and the Massachusetts Academy of Trial Lawyers, the MMA was able to convince the Legislature to put into statute the protections from lawsuits that cities and towns had been afforded under the SJC judicial precedent of the public duty rule.

Without legislative action, the SJC had indicated that at its first opportunity in 1994 it would repeal the public duty rule, and set off a virtual avalanche of lawsuits against cities and towns. Fortunately, the Legislature did act and now cities and towns have greater statutory protection from lawsuits in four areas: police protection, fire protection, licensing and permitting.

The MMA wants to extend particular appreciation to Rep. Ed Teague (R-Yarmouth) and Sen. Cheryl Jacques (D-Needham) for their exemplary leadership on our behalf on this issue. We are also grateful for the help of Rep. Thomas Finneran (D-Mattapan) and Sen. Thomas Birmingham (D-Chelsea).

In addition, the supplemental budget contains a provision that would amend the education reform law by allowing the chief executive officer of a municipality to appoint a designee to participate and vote in school collective bargaining. The

education reform law did not specify that the municipal CEO could name a designee to act in his or her place to participate and vote as a member of the city or town school committee during the collective bargaining process.

Section 129 of the supplemental budget allows cities and towns using the quarterly property tax billing system to send out preliminary third quarter bills for fiscal 1994, instead of third quarter bills based on a certified tax rate. Use of this provision requires approval by the commissioner of revenue.

Labor Legislation

The following legislation was enacted into law:

The House and Senate overrode the governor's veto of Section 138 of Chapter 151 of the Acts of 1993, the fiscal 1993 deficiency budget, which approves any collective bargaining agreement entered into by a recognized collective bargaining unit and any county that receives funds from the commonwealth. This provision removes the county advisory board and the county government finance review board's role in approving the funding of any collective bargaining agreements that the county commissioners enter into.

H. 2680, a bill relative to disability retirement benefits for firefighters who contract lung cancer, adds lung or respiratory tract cancers to types of cancers covered under the cancer presumption provision. It was signed by the governor as Chapter 312 of the Acts of 1993.

The following bills died:

S.770, a bill relative to the exposure of public safety officials to the AIDS virus, would have allowed a police officer or other public safety official who has been exposed to the transfer of blood or bodily fluid from a person who is the subject of a criminal complaint or indictment, to petition for an order compelling the subject to be tested for the AIDS virus.

H. 1907, a bill further regulating the rights of certain laid off firefighters and police officers, would have allowed police and firefighters who were laid off, and later reinstated, to buy the time in which they were not employees for use as creditable service toward retirement. Use of this service when calculating benefits to participate in any early retirement program would not have been allowed.

H. 5446, a bill relative to the confidentiality of collective bargaining records in the public sector, would have prohibited the minutes and related materials or data prepared for, or in connection with, collective bargaining to be public records. The final bargaining agreement would have remained a public record. The bill was enacted in the House and Senate and vetoed by the governor.

H. 1523, a bill providing for the continuation of the terms and conditions of a collective bargaining agreement during the period of its renegotiation, would have required that during the period of the renegotiation of a successor collective bargaining agreement, the terms and conditions of the expired agreement would remain in effect until a successor agreement had been agreed to.

MMA Thwarts Legislation Aimed at Limiting Local Power

Senate Bill 458, filed by Sen. Lucille Hicks (R-Wayland) was written to address the health threat that second-hand smoke poses to the general public. The bill would have required restaurants seating 25 people or more to accommodate both smokers and non-smokers. Sen. Robert Travaglini (D-East Boston) had prepared an amendment to the bill designed to circumvent the power of self-determination to cities and towns. The amendment to S. 458, if adopted, would have reversed the original proposal, wiping out the powers that communities currently hold to act on their own public health concerns. MMA members contacted their state legislators to protest the amendment, and action on the bill was postponed until Jan. 4—the last day of the session—and was never addressed.

House Bill 1632, An Act to Provide Uniformity of School Budgets in Cities, was released by the Senate Committee on Steering and Policy and was before the Senate for consideration. This measure would have granted city councils the power to increase the bottom line school appropriation over the mayor's original recommendations. A provision in the bill would have set a precedent by repealing a local option statute. In 1987, a statute was passed that allowed cities, at local option (mayoral and council approval required), to increase the mayoral appropriation for schools by a two-thirds vote of the city council. After mayors around the state protested the provision, the bill died in the Senate Committee on Bills in Third Reading.

State Tax Collections Increase 7.9 %

Gov. William Weld and state lawmakers started the 1994 legislative session and the fiscal 1995 budget cycle with good news on the tax collection front. Collections for the first six months of fiscal 1994 totaled \$4.910 billion, up \$361.1 million, or 7.9 percent, over collections for the same period last year. More importantly, collections were \$134.3 million over the mid-year benchmark amount set by the department of revenue for reaching the year-end projection of \$10.56 billion.

This is the estimate on which the state's fiscal 1995 budget is based. Total state spending this year is expected to hit \$15.5 billion. Year-to-date tax collections through December 1993 showed each of the state's main taxes coming in above benchmark amounts, with personal income tax collections up 5.8 percent over last year's level; sales and use tax collections up 8.4 percent and corporate excise collections up 25 percent.

Policy Changes, Resolutions To Be Considered at Annual Meeting

The MMA membership will consider policy changes and proposed resolutions at the MMA Annual Business Meeting, Saturday, Jan. 29. The MMA Health Care Committee has recommended that MMA's health care policy be amended to address federal health care reform and will propose principles to be included in any reform. (See page 6 of the January *Beacon* for the proposed changes.)

The MMA's Municipal Regional Policy Committee has recommended changes to MMA policy concerning human services, insurance and reinventing government. (See pp. 16, 17 and 19 of the January *Beacon* for the proposed changes.)

The membership will also consider for adoption three resolutions on health care, revenue sharing and education reform. The proposed resolutions will be mailed to Annual Meeting registrants and to municipal chief executive officers during the week of Jan. 17.



Action
Borborough
Carlisle
Concord
Hudson



Littleton
Marlborough
Maynard
Stow
Sudbury

**MINUTEMAN ADVISORY GROUP
ON INTERLOCAL COORDINATION**

A Subregion of Metropolitan Area Planning Council

Minuteman Advisory Group on Interlocal Coordination

c/o MAPC, 60 Temple Place, Boston, MA 02111 617 / 451-2770

cc. BOS

MEETING NOTES

(For list of participants, see attached.)

December 9, 1993

DRI Subcommittee: R. K. Center, Marlborough

The DRI Subcommittee (Donna Jacobs and Rosemary Marini) reviewed R.K. Center, a commercial development in Marlborough currently before MEPA as an ENF. Donna Jacobs has spoken with Kathy Bartolini of MetroWest. Traffic is the main concern, and mitigation should be integrated with improvements underway to accommodate a new Wendy's at the same intersection. Marlborough is also planning a larger mall, nearer to Hudson, and should submit information to both MetroWest and MAGIC. R.K. Center findings and recommendations are detailed in the DRI Report incorporated here by reference.

MAGIC MEETING

Donna Jacobs opened the meeting with introductions, followed by discussion of the R.K. Center DRI. On motion, it was

VOTED to submit comments to MEPA regarding traffic issues and ask Marlborough to submit information to subregions on the proposed mall.

Updates and Briefings

Judy Alland reported on each community's status regarding the Pavement Management Program. These programs are now optional but will become mandatory for certain roads under the Intermodal Surface Transportation Efficiency Act (ISTEA).

Donna described the progress of the subregional evaluation process. She and Jean Christensen have reviewed the surveys. MAGIC did the best job. Given the diversity of the region's communities, there was surprising commonality among the responses. MAPC's officers have approved a retreat in late January or early February to brainstorm about key issues. Each subregion will send its chair and two other members.

Jean reported on the state of the region. MAPC is upgrading its legislative efforts. There is a lot of interest in the 1000 Friends bill on state and regional planning, and Doug Petersen will release a "white paper" on regionalism soon. The betterments bill, a companion to Title 5, is controversial.

Judy updated the group on housing activities. The state's draft CHAS is available, and comments are due by December 18. EOCD made a presentation to MAPC's MetroPlan Committee, and a productive dialogue followed. The state senate passed the housing bond bill and will send it to conference soon. Supporters should contact their legislators and the governor.

Phyllis Hughes asked about affordable housing options for Carlisle. Donna suggested initiatives other communities have used: duplexes, accessory apartments, density bonuses, and tax title land. Phyllis will try to get representation from Carlisle on MAGIC's Housing Task Force.

Economic Development Agreement

Donna described the agreement signed by the Massachusetts Alliance for Economic Development (MAED) and MAPC, on behalf of the Inner Core communities. The pact sets up a referral network for businesses trying to locate or expand in the Boston area. MAPC is asking each subregion to consider entering into a similar agreement, tailored to their own needs and interests, designed to promote economic development. Dick Downey commented on Maynard's progress in marketing the mill site being phased out by Digital.

Transportation Project Ideas

Donna explained the types of projects eligible for funding under the Unified Planning Work Program (UPWP) and asked for ideas. She outlined three ideas proposed by Anne Fantone ~~and others~~: (not present)

Follow
Expand the Rt. 2 Corridor Study ~~to cover~~ environmental impacts ~~in addition to feasibility,~~ *with a study of improvements*
in considering ~~limited~~ access and ~~major expansion options,~~ *traffic flow* Clean Air Act compliance, and transportation demand management options.

Plan for commuter parking at or near the junction of I-495 and Rt. 2. The study would analyze demand (origins and destinations of commuters), identify and evaluate potential sites and access routes, and consider alternatives such as buses and HOV lanes. The study would also consider double tracking to the parking lot to increase service.

Transportation demand management strategies such as buses from MAGIC communities to commuter rail stops.

Participants thought the commuter parking study was highest priority and added the following ideas: a corridor study of Brigham St. in Hudson; bike paths; an assessment of traffic impacts from New Hampshire; and design of an economic development strategy for the region, including a referral network such as that in the MAED agreement.

how regional? Ft. Devens, Hanscom, and Other Transportation Issues

Paul Smith reported on the intermodal facility (see attached "Progress Report"). Donna related some concerns about current and projected increases in train use and suggested that the \$200 million proposed expenditure might warrant reconsideration by MEPA. Land Bank will release the draft land use plan shortly. Sponsors have filed a bill for the Devens Enterprise Commission and expect swift action.

Lee Wood announced that HATS is trying to negotiate a binding agreement from Celucci that no action will occur regarding Hanscom as a major or reliever airport.

Donna will draft a letter to EOECA Secretary Coxe asking for the formation of a Ft. Devens Annex CAC.

Next Meeting

The next meeting will take place January 13, tentatively in Littleton.

From: Paul E. Smith, Jr.

To: MAGIC
Copy: Littleton Board of Selectmen

Date: Dec. 9, 1993

Subject: Progress Report, Intermodal Rail/Truck Facility at Fort Devens (IMF)

Source: Jeffry Wade, Springfield Terminal Corp (STC), Iron Horse Park, Billerica. Tel: 508-663-1073

Business at the IMF is continuing to grow. Figures for the latest month are 480 boxes. By box is meant a container, whether ocean going or truck transported. The business at the IMF is currently predominately conventional piggy back trailer. All of the trains to and from the West (Chicago) use the Fitchburg line (from New York state in the vicinity of Troy) via the Hoosac tunnel.

[PES:--Since the number of trailers at the IMF is more or less constant, at about 100 units, the incoming trains are carrying, on the average, the same number of trailers as the out going trains. From which the monthly average number of incoming boxes is about 250, the outgoing number is the same. There is more material coming in than going out, therefore some of the westbound boxes are empty. Each incoming box represents one truck trip from the facility, as does each outgoing box. On the basis of twenty work days per month there are about 12 or 13 trucks leaving the facility each day, and, on the average, the same number entering. Since two boxes fit on one train car this means about one six car train eastbound and one six car train westbound per day. These numbers are substantially below the values which will trigger a reconsideration of the initial acceptance of the EIR for the facility.--PES].

* NYS State
to IMF

The business for the past four months, including the latest, has been, in terms of total boxes handled: 150, 280, 390, and 480. (Mentioned above). The business is growing at a rate of about 20% per month.

Moves, via the MBTA line (Fitchburg branch) from Moran terminal to Ayer are running on a very low level, one or two per month. This is still in an experimental mode. STC is working with several shipping lines, such as Lykes, Med Lines, Evergreen. [PES: I have seen a few (less than 10) ocean going boxes (Hapag-Lloyd) at the IMF a couple of weeks ago.]

] * our
line

[PES: Nationally, intermodal (truck/train) business is very important and many references appear in the railroad fan press about the subject. Competition is keen between Conrail and the various private carriers.]

The Governor's "double stack project" funding is included in the transportation bond bill, #5571. STC will welcome support of the proposed funding. Providence and Worcester RR is opposed to the project. They are putting their effort behind federal funding for the Port of Providence. This opposition in Mass. legislature is despite the fact that P & W is included in the double stacking plans, as outlined in the material passed out at the IMF lease signing ceremony last spring.

[We did not discuss the attitude of Conrail which was also included in the double stack proposal.]

MAGIC ATTENDANCE

DATE: December 9, 1993

NAME	ADDRESS (Please print legibly)	AFFILIATION & PHONE
Paul E. Smith	189 Whitcomb Avenue Littleton, MA 01460	Delegate of B of S (508) 486-4592
Lee Wood	70 Potter Street Concord, MA 01742	Selectman (508) 369-4183 (h) (617) 735-4400 (w)
Donna Jacobs	456 Gleasondale Road Stow, MA 01775	(508) 562-6725 (home) (508) 264-9636 (work)
Dick Downey	21 Howard Road Maynard, MA 01754	Selectman (508) 897-8871 (h) (508) 568-0451 (w)
Judith Alland	MAPC	MAGIC STAFF 451-2770
Jean Christensen	MAPC	451-2770
Rosemary Marini	42 Church St. Hudson, MA 01749	Planning Bd. (508) 562-2507
Donna Beusch (Rep. Walrath's Off.)	Room 275-State House	(617) 722-2676
Paul Glavey(Sen. Durand's)	195 Tahahawa Rd. Littleton, MA 01460	Selectmen (508) 486-3227
Phyllis Hughes	250 Acton St. Carlisle, MA 01741	Planning Board (508) 369-6625

cc: BOS



Minuteman Tech

Office Memo

Action Item	
Please Approve	
Note and Return	
For Your Info	✓
Please See Me	
Please Advise	

From: Ron Fitzgerald
 Superintendent (x301)
 Route thru: _____

~~JAN 20 1994~~

To: Mr. Don Johnson
Acton Town
Manager

Date: 1-20-94
 Subject: Assessment
(TENTATIVE)

Don,
 Note the correction
 memo, up by 11,106.
BUT, we are still
 waiting for state
 figures.

Acton's drop is the
 result of:

1. Fewer Freshmen 2nd
2. A new admin. procedure of not
 charging for any PGM who
 drop-out so late as 1st week
 - OVER -

in Dec. We are doing this because too many unemployed adults cannot cope with staying in the program and surviving financially. Watching this, we've decided to have enrollment be "probationary" and to drop them if they stop attending even after our official count time, at least up until a budget plan has to become "fixed".

Sorry about our error.
Call w/any?

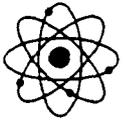
Ron S



Minuteman Tech

Minuteman Regional Vocational
Technical School District
758 Marrett Road
Lexington, MA 02173-7398
Telephone 617-861-6500

Science-Technology High School
and Adult Career Center



Fax 617-863-1747

January 20, 1994

Subject: **School Committee Adoption
of Minuteman Budget
for 1994-95**

- To:
1. Boards of Selectmen
c/o Chairpersons
 2. Fincoms
c/o Chairpersons
and/or Representative to MM
 3. Town Executive Officers
 4. Other Interested Parties

POST-HEARING REPORT #1

- A. **BUDGET PROPOSAL** - - After its public hearing on January 18, 1994, the School Committee adopted a **\$11,198,514** budget for 1994-95. See the "A" sheets.
- B. **FISCAL PLAN AND ASSESSMENT** - - The Committee cannot adopt a final fiscal plan and assessments until state figures on **MINIMUM LOCAL CONTRIBUTIONS** are received within the next few days. These are the current facts in this area:
1. See the "B" sheet for the Committee's plan to use revenue, again if state directives so allow.
 2. See a **REVISED** (compared to previous distribution) **TENTATIVE** assessment plan on sheet "C". This is what assessments would be **if** the state does not require higher assessments.
 - a. The figures have changed because we discovered on January 20th while doing research requested by Carlisle that guidance and community education did not coordinate properly with each other and double-counted 12 students from one program. We have subtracted figures as follows - -

Arlington = -1 student
 Carlisle = -2 students
 Concord = -2 students
 Dover = -1 student
 Lexington = -5 students
 Lincoln = -1 student

Acton
Arlington

Belmont
Bolton

Boxborough
Carlisle

Concord
Dover

Lancaster
Lexington

Lincoln
Needham

Stow
Sudbury

Wayland
Weston

This then changes all assessment calculations accordingly although the total 1.1% increase remains the same. I apologize for my not monitoring adequately to prevent this error and express my appreciation to John Ballantine, Chairman of the Carlisle Fincom, for asking the question that helped us to find our mistake.

b. **Unfortunately WE CANNOT YET PROPOSE THESE AS FINAL FIGURES.** We must wait for the state computation. In this regard, we have filed a revised schedule 19 state report designed to lower state calculations as much as possible. Our hope is to cause state calculations lower than what our actual assessments would then be as we fight for the right to use revenue other than assessments in meeting state expenditure standards.

3. After state figures are received, I'll send you a **REPORT #2**.
4. Then, on February 15th, our School Committee will meet to adopt its assessment plan.

C. **OTHER INFORMATION - -** We realize that there are some large assessment increases in towns with a significant percentage increase in relative (to member town) enrollment, for example in Lancaster. However, such increases are not always as large as they seem in absolute terms. For example, if a Lancaster student attends Minuteman, the impact of the Minuteman assessment increase is partially offset by a concurrent smaller decrease in potential assessment from the Nashoba Region. Also, many towns receive significant middle school service not reflected in the enrollment column on your assessment sheet.

If our revised reporting does not work and the state orders us to raise assessments for 1994-95, we might seek the help of all member towns with our refiled legislation. Our bill giving us the right to use "other revenue" to meet state contribution requirements passed the House and, although not opposed, died in the last-minute confusion in the Senate during the last session. Although there is a useful provision for FY'94 in an "outside section" in an adopted supplementary budget, that will not help us in FY'95.

This is a hectic time of year for Minuteman. We have evening parent meetings in most towns along with many financial meetings across the 16 towns. However, your Minuteman School Committee representative and/or myself or another school staff member would be pleased to attend a meeting with Selectmen or Fincom members on mutually convenient dates wherever that would be helpful to provide information explaining our efforts to be fair and sensitive to 16-member towns.

Sincerely,



Ron Fitzgerald
Superintendent

c.c. Minuteman School
Committee Members

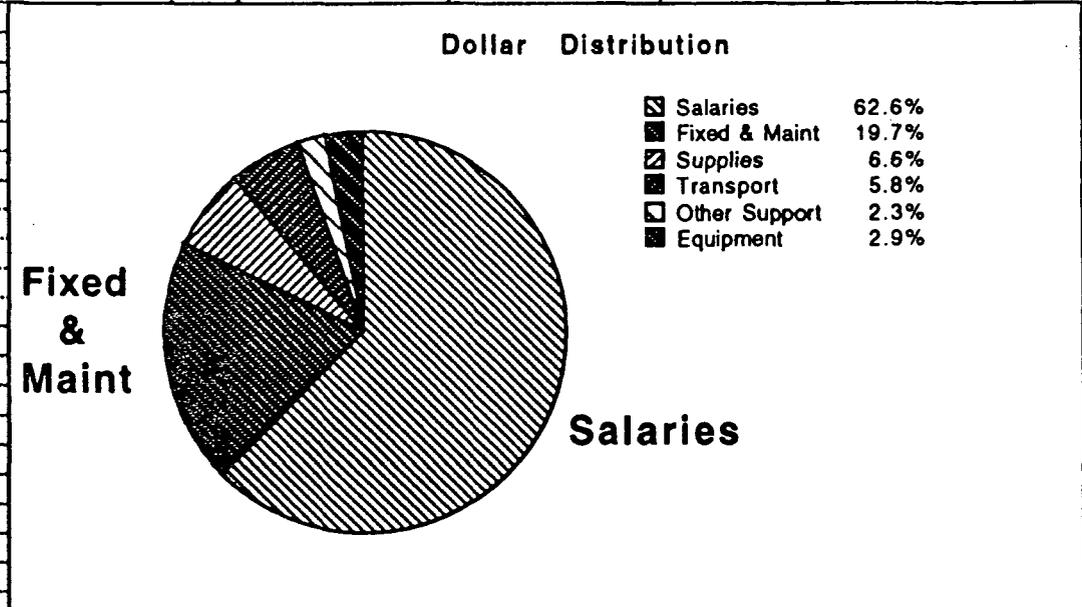
A-1

1-20-94 RJF Version 2.0		MINUTEMAN TECH FOR	BUDGET 1994-95	PROPOSAL Revised	
PROGRAM AREA	PAGE	1993-94 AMT.	PROPOSED 94-95	DIFFERENCE	COMMENT (if any)
Introduction	A				
CONSTRUCTION	A	See yellow page.			
Carpentry	1	18450	21380	2930	More construction costs
Electrical	2	11900	13400	1500	Same as above
Plumbing	3	15600	18150	2550	More freshmen
Horticulture	4	19315	17850	-1465	
Heat/air cond	5	17700	21350	3650	More repair, refrigerants up
Sub-totals A		82965	92130	9165	
COMMERCIAL	B				
Culinary/hotel	6	6475	6550	75	
Cosmetology	7	6940	7360	420	
Retail (DE)	8	3495	3595	100	
Printing	9	15885	24385	8500	More students, supplies
Commercial art	10	7850	8050	200	
Health+ New Dental	11	22800	33950	11150	New dental tech program
Child care	13	2725	7525	4800	More pupils+OSHA inoculate
Duplicating svc.	14	64242	64242	0	
Photography (acad)	15	1200	1600	400	
Afternoon Program	16	13870	13870	0	
Reg. Occup. Prog.	17	9930	9930	0	
Sub-totals B		155412	181057	25645	
TECHNOLOGY	C				
Electronics	18	8306	13185	4879	Supports new tech programs
Computers	19	15165	15350	185	
Electromechanical	20	21405	25505	4100	More students served
Drafting+Aeron.	21	9210	8830	-380	
Biotechnology	23	24100	25160	1060	Many more pupils
Environ. Tech=new	24	0	24650	24650	Start-up costs -grant
L'drship/safety	25	3000	3850	850	
Business tech (rel.)	26	4550	4830	280	
Sub-totals C		85736	121360	35624	
AUTO/METALS	D				
Welding	27	10639	9962	-677	
Auto body	28	20443	15910	-4533	
Machine shop	29	7905	6650	-1255	
Auto mech/ASEP	30	18275	16575	-1700	
Sub-totals D		57262	49097	-8165	
ACADEMIC	E				
Commo (English)	31	12550	13950	1400	
Human rel. (Soc S.)	31	6490	8240	1750	More students, new texts
Mathematics	32	16760	25060	8300	Software additions
Science w/labs	33	24520	28835	4315	Now 3-years required
Physical educ.	34	9265	9400	135	
Foreign language	35	1300	4250	2950	New texts & software
Art/jewelry	35	9150	9150	0	
Music (indep study)	35	0	500	500	Electronic supplies
Athletics	36	82950	86497	3547	Higher costs=officials/pupils
Driver educ.	37	0	0	0	
Mid School Service	38	16600	24350	7750	Local shift in service
Sub-totals E		179585	210232	30647	
SUPPORT	F				
Library	39	22600	25100	2500	CD ROMS
Audio-visual	40	6625	6625	0	
Television	40	400	400	0	
Microcomputer svc.	41	26650	29950	3300	Repairs, supplies up
Special educ.	42	10200	10200	0	
Psychological svc.	42	4300	4300	0	
Guidance svc.	43	9625	12325	2700	Major increase in testing
Health service	44	11368	12169	801	More pupils
Principal's office	45	77500	84200	6700	Postage up -Continued

"A" - 2

		Page 2	MM Tech 94-95 Budget Proposal		
PROGRAM AREA	PAGE	1993-94 AMT.	PROPOSED 94-95	DIFFERENCE	COMMENT (if any)
Transportation	46	635040	651924	16884	Some increased routes
Voc coordination	48	7650	7650	0	
Computer svc. mini	48	37806	38251	445	
Dean's office	49	3015	3900	885	Higher leasing cost
District programs	50	49900	53020	3120	Rise in audit fees
Supl's office	51	4650	4650	0	
Planning office	51	51260	51260	0	
Business office	52	15950	14650	-1300	
risk insurance	52	121500	130850	9350	Some premium increase
employee benefits	52	1134477	1200683	66206	Health ins. costs up "
medicare	52	35000	47000	12000	Based on payroll
Bus'ns Sub-totals	52	1306927	1393183	86256	
Maintenance	53	796400	808180	11780	
Debt mgmt.	55	0	0	0	
Equipment/capital	56	281240	328953	47713	Cannot delay all any longer
Food service	58	1100	5000	3900	Major repairs needed
Sub-totals F		3344256	3531240	186984	
Salaries	59	6483915	7013398	529483	includes new positions
FULL TOTAL		10,389,131	11,198,514	809,383	= + 7.79%
			ADOPTED ON	Compared to an 7.0% increase in	
			1-18-94	regular day enrollment (as corrected).	
See SPECIAL NOTE: This v2.0 budget will be affected by decisions on programs & CHOICE funding.					
It cannot be used as a direct indication of a final budget or assessment change yet.					

Where the dollars go - -		
Salaries		7013398
Fixed & Maint		2201363
Supplies		742776
Transport		651924
Other Support		260100
Equipment		328953



Budget	11,198,514	
Revenue (est) -	4,859,348	IF ALLOWED BY STATE
Assessment =	6,339,166	IF AT OR ABOVE STATE CALCULATION

B

**PROPOSED
FISCAL MANAGEMENT PLAN, FY'95**

1. Minuteman has developed a special modified 2-budget reporting system on state forms which we hope (?) will allow us to use revenues to approve our version 3.0 of assessments.
2. Without explaining that system in detail here, this is a simple summary of our proposed fiscal plan subject to state directives:

	1993-94	1994-95	CHANGE
a. BUDGET	10,389,131	11,198,514	+7.79%
b. REVENUE USE (if allowed)	4,119,152	4,859,348	+17.97% from tuition etc.
c. ASSESSMENT = a - b	6,269,979	6,339,166	+1.1%
*Based on an 7.0% increase in regular day enrollment.			

3. Individual member town assessments are influenced dramatically by changes in the towns % share of total member town enrollment.


 Ron Fitzgerald
 Superintendent

1994-95

Minuteman Tech

AFTERNOON=		60870		FLEX=		43528		VERSION 3.0		1-20-94		R.J.F.		Revised					
PROPOSED		MM TECH		OPERATE DAY=		6,234,768													
1994-95		ASSESSMENTS		REVISED															
A	B	C	D	E	F	G	H	I	J	K	L								
PUPILS 10-93		CAPITAL (\$)		SHARE		OPERATING \$ FLEX		FLEX \$		AFTERNOON		AFTERNOON \$		NEW ASSESS \$		PAST INITIAL		ASSESS CHANGE	
TOWN	Inc. PT.FTE	PUPILS X 400	PUPILS/TOTAL	SHARE X DAY	PUPILS	SHARE	PUPILS	SHARE	PUPILS	SHARE	F+G+I	ASSESSMENT	J-K						
BOLTON	8.38	\$0	0.017439	108,729	0	0	9	1,570	110,298	107,155	3,143								
DOVER	2.13	\$0	0.004433	27,636	0	0	1	174	27,811	35,015	-7,204								
LANCASTER	20.25	\$0	0.042141	262,739	0	0	23	4,011	266,751	172,227	94,524								
NEEDHAM	38.5	\$0	0.080120	499,529	1	1,674	28	4,884	506,086	481,588	24,498								
ACTON	35.13	\$0	0.073107	455,804	2	3,348	23	4,011	463,164	648,321	-185,157								
ARLINGTON	169.13	\$0	0.351966	2,194,423	9	15,067	113	19,709	2,229,199	2,210,682	18,517								
BELMONT	34.5	\$0	0.071796	447,630	3	5,022	23	4,011	456,664	455,171	1,493								
BOXBORO	14.25	\$0	0.029655	184,891	0	0	3	523	185,414	179,916	5,498								
CARLISLE	9	\$0	0.018729	116,773	1	1,674	9	1,570	120,017	72,596	47,421								
CONCORD	26.63	\$0	0.055418	345,518	2	3,348	24	4,186	353,052	257,358	95,694								
LEXINGTON	46.75	\$0	0.097288	606,571	5	8,371	29	5,058	619,999	681,657	-61,658								
LINCOLN	7.25	\$0	0.015088	94,067	0	0	26	4,535	98,602	81,230	17,372								
STOW	23.38	\$0	0.048655	303,350	2	3,348	19	3,314	310,012	315,701	-5,689								
SUDBURY	24	\$0	0.049945	311,395	0	0	12	2,093	313,488	300,448	13,040								
WAYLAND	18.25	\$0	0.037979	236,790	0	0	5	872	237,662	222,712	14,950								
WESTON	3	\$0	0.006243	38,924	1	1,674	2	349	40,947	48,204	-7,257								
TOTAL	480.53	\$0	1.000000	6,234,768	26	43,528	349	60,870	6,339,166	6,269,979	69,187								
+ NON-MEMBER and MID SCHOOL												↑ ↑		W/ ROUNDING		Up 1.1%			
and SELF-FUNDED																			

Note revisions. See memo of 1-20-94.

These are NOT final proposed assessments. We are still waiting for state figures and, when they are received, will issue version 4.0.

Ron Fitzgerald

January 14, 1994

Board of Selectmen
Town of Acton
472 Main Street
Acton, MA 01720

DAVID ABBT
DICK HOWE
GEORGE ROBINSON

JAN 21
PLEASE NOTE
AND TAKE ACTION
AS APPROPRIATE.

Don

SUBJECT: NATIONAL BRIDGE INSPECTION STANDARDS (NBIS)
BRIDGE RATING AND POSTING

REFERENCE: BRIDGE NO. A-2-11
BRIDGE KEY NO. TWN-401-011-100
ACTON - WETHERBEE STREET / NASHOBA BROOK

Gentlemen:

The Massachusetts Highway Department (MHD) has undertaken the inventory, inspection, and rating of municipal bridges to assist the cities and towns in complying with state and federal laws and regulations.

In accordance with the provisions of M. G. L. c. 85, § 35, the MHD has determined the maximum load which the subject bridge may safely carry.

In conformance with that determination by MHD, the subject bridge (noted above) is to be posted for maximum vehicle weight of 3 Tons.

In reference to posting of the subject bridge, please comply with the following:

1. For the sake of uniformity, the MHD will supply the necessary initial signs and, if funds are available, the posts. You may obtain them at the MHD District #3 Office, located at 403 Belmont Street, Worcester.
2. Promptly post the bridge in accordance with M.G.L. c. 85 § 34.

(Continued)

Page 2
NBIS
Bridge Rating

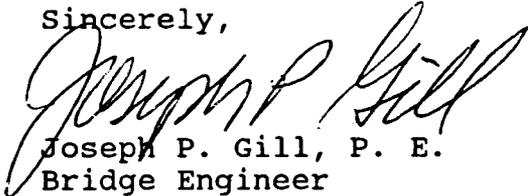
3. For our NBIS records, notify this office of your date of posting and the posting enforcement official's Name, Title, and office telephone number.
4. If you have not posted the bridge within forty-five (45) days of the date of this letter, please note that under M.G.L. c. 85 § 35, the MHD is authorized to post the bridge on its own initiative.

I draw to your attention that in the past, the Federal Government has suspended Federal Aid to cities and towns that were, in its opinion, not fully implementing the National Bridge Inspection Standards. Failure to properly post and enforce weight load limits is undisputedly a violation and will result in the automatic suspension of funding.

A copy of the Rating Report is filed in the District Highway Office. The District Highway Director is available to recommend procedures to upgrade the subject bridge.

The Department is pleased to assist you in this matter of bridge safety.

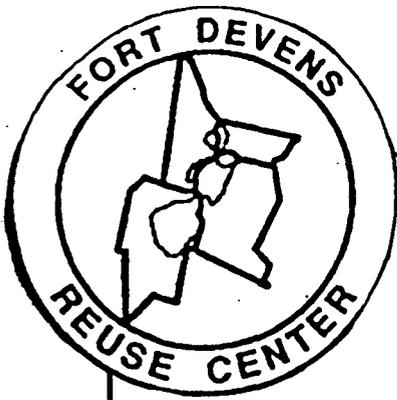
Sincerely,



Joseph P. Gill, P. E.
Bridge Engineer

FR/kh
cc: P. Donohue, DHD
L. Gauthier, DBIE
STATE POLICE

(BLIND 5 COPIES)



cc: BOS
FT. DEVENS TASK FORCE

Fort Devens Reuse Center

Invites You to a

JAN 18 1994

Presentation of the Conceptual

FORT DEVENS REUSE PLAN

Jobs! Environmental Protection!
Recreation! Housing!
Innovative Technology!

This is the culmination of the six month community workshop series.

**Please come to see and hear what your neighbors
are planning for Fort Devens' future!**

Thursday, January 20, 1994

7:30 to 9:00 PM

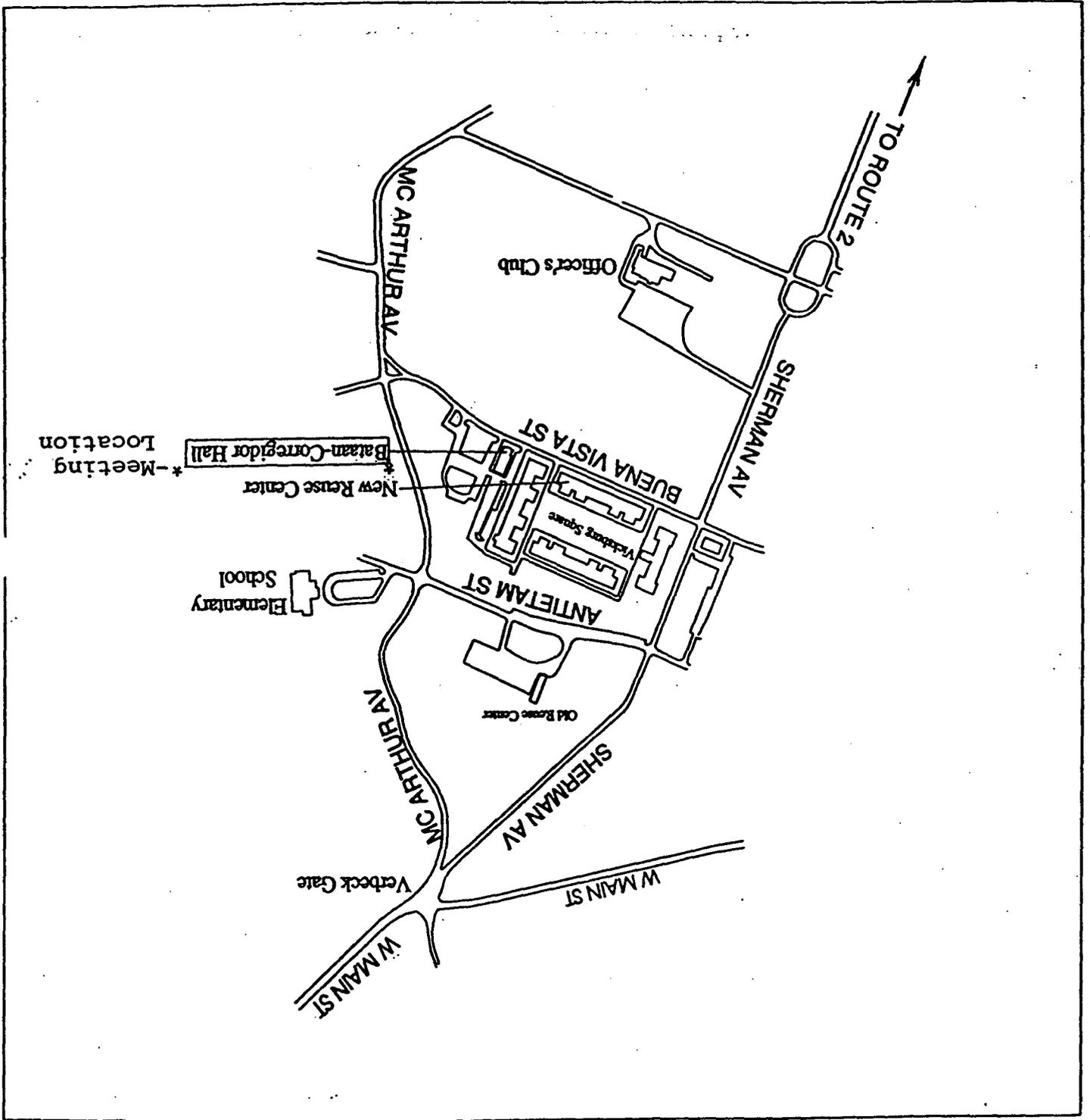
**Bataan-Corregidor Memorial Hall
Buena Vista Street, Fort Devens, MA**

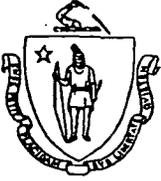
Sponsored By:

**Ft. Devens Host Communities
*Ayer Harvard Lancaster Shirley***

Massachusetts Government Land Bank

Call (508)772-6340 for Information





The Commonwealth of Massachusetts Department of Education

350 Main Street, Malden, Massachusetts 02148-5023

Telephone: (617) 388-3300
TTY: N.E.T. Relay 1-800-439-2370

cc: BOS

January 18, 1994

Ronald Fitzgerald
Superintendent
Minuteman Regional School District
758 Marrett Road
Lexington, MA 02173

Dear Superintendent Fitzgerald:

At your request, we have re-figured the minimum local contribution necessary to maintain your district's fiscal effort under the terms of Chapter 70 as amended by Chapter 71 of the Acts of 1993, the Education Reform Act.

The new requirement takes account of the revised estimate of the school committee's expenditures for instruction in FY93.

For more information, please contact:

Massachusetts Department of Education
Information and Outreach
350 Main Street
Malden, MA 02148
(617) 388-3300, extension 553

Thank you.

Sincerely,

Robert V. Antonucci
Commissioner of Education

cc: Board of Selectmen, Town of Acton
Board of Selectmen, Town of Arlington
Board of Selectmen, Town of Belmont
Board of Selectmen, Town of Bolton
Board of Selectmen, Town of Boxborough
Board of Selectmen, Town of Carlisle
Board of Selectmen, Town of Concord
Board of Selectmen, Town of Dover
Board of Selectmen, Town of Lancaster
Board of Selectmen, Town of Lexington
Board of Selectmen, Town of Lincoln
Board of Selectmen, Town of Needham

Superintendent Fitzgerald
January 18, 1994
page 2

Board of Selectmen, Town of Stow
Board of Selectmen, Town of Sudbury
Board of Selectmen, Town of Wayland
Board of Selectmen, Town of Weston
Superintendent, Acton Public Schools
Superintendent, Arlington Public Schools
Superintendent, Belmont Public Schools
Superintendent, Bolton Public Schools
Superintendent, Boxborough Public Schools
Superintendent, Carlisle Public Schools
Superintendent, Concord Public Schools
Superintendent, Dover Public Schools
Superintendent, Lancaster Public Schools
Superintendent, Lexington Public Schools
Superintendent, Lincoln Public Schools
Superintendent, Needham Public Schools
Superintendent, Stow Public Schools
Superintendent, Sudbury Public Schools
Superintendent, Wayland Public Schools
Superintendent, Weston Public Schools
Department of Revenue

08-Jan-94

Massachusetts Department of Education Information and Outreach Services FY 94 Minimum Contribution and Net School Spending	Original FY 94 Minimum Contribution	Revised FY 94 Minimum Contribution	Original FY 94 Net School Spending	Revised FY 94 Net School Spending
002 Acton	669,995	570,955	879,856	780,816
010 Arlington	2,436,118	2,076,005	3,205,596	2,845,483
026 Belmont	472,294	402,478	620,430	550,614
034 Bolton	116,960	99,671	154,048	136,759
037 Boxborough	203,013	173,003	265,339	235,329
051 Carlisle	78,149	66,598	102,835	91,284
067 Concord	272,932	232,587	359,343	318,998
078 Dover	39,645	33,785	51,991	46,131
147 Lancaster	184,099	156,885	242,902	215,688
155 Lexington	616,306	525,202	809,704	718,600
157 Lincoln	64,799	55,220	85,374	75,795
199 Needham	508,316	433,176	668,798	593,658
286 Stow	354,324	301,947	465,428	413,051
288 Sudbury	342,031	291,471	449,017	398,457
315 Wayland	235,964	201,083	310,029	275,148
330 Weston	52,166	44,455	68,624	60,913
830 Total	6,647,111	5,664,521	8,739,314	7,756,724



The Commonwealth of Massachusetts Department of Education

350 Main Street, Malden, Massachusetts 02148-5023

Telephone: (617) 388-3300
TTY: N.E.T. Relay 1-800-439-2370

cc: BOS

January 18, 1994

Isa Kaftal Zimmerman
Superintendent
Acton Public Schools
16 Charter Road
Acton, MA 01720-2995

Dear Superintendent Zimmerman:

At your request, we have re-figured the minimum local contribution necessary to maintain your community's fiscal effort under the terms of Chapter 70 as amended by Chapter 71 of the Acts of 1993, the Education Reform Act.

The new requirement takes account of the revised estimate of the town's expenditures for administration, operations and maintenance, employee benefits, and insurance in FY93.

For more information, please contact:

Massachusetts Department of Education
Information and Outreach
350 Main Street
Malden, MA 02148
(617) 388-3300, extension 553

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Robert V. Antonucci".

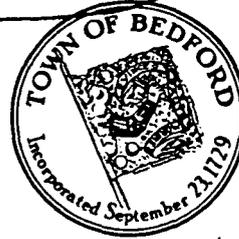
Robert V. Antonucci
Commissioner of Education

cc: ~~Board of Selectmen, Town of Acton~~
Department of Revenue

05-Jan-94

Massachusetts Department of Education Information and Outreach Services FY 94 Minimum Contribution and Net School Spending		Original FY 94 Minimum Contribution	Revised FY 94 Minimum Contribution	Original FY 94 Net School Spending	Revised FY 94 Net School Spending
	Acton				
002	Acton	8,931,463	8,444,897	9,680,950	9,194,384
600	Acton Boxborough	7,953,253	7,647,368	9,451,034	9,145,149
830	Minuteman	669,995	669,995	879,856	879,856
002	Total	17,554,711	16,762,260	20,011,840	19,219,389

TOWN OF BEDFORD
BEDFORD, MASSACHUSETTS 01730



John McCulloch, *Chairman*
Betsey J. Anderson William L. King
Val V. Asbedian Joseph R. Piantedosi

January 18, 1994

The Honorable Lucile P. Hicks
Room 413G
State House
Boston, Massachusetts 02133

Dear Senator Hicks:

You recently responded to a letter from Mr. Eric Plugis, a member of our Hanscom Task Force, and graciously offered to continue to support efforts that ensure the towns surrounding Hanscom have meaningful input concerning any Hanscom issues. On behalf of our community, we, the Board of Selectmen of the Town of Bedford, are appreciative of and heartened by this commitment.

In Bedford's response to the Strategic Assessment Report (SAR), our letter of November 1, 1993 to Mr. Robert Jenney of the Massachusetts Aeronautics Commission (MAC), we urged that the Commission continue planning for the changes which are required to assure the continued viability of our Town and our Commonwealth, and asked that we be allowed to participate actively in that endeavor. At the November 16, 1993 presentation to the SAR, however, it was stated that MAC intended only to pass the report to the "policy and decision makers" and to do nothing further about the issues raised in the SAR. After a direct question from another member of Bedford's Task Force, neither the MAC spokesperson nor anyone else, for that matter, was able to identify who those "policy and decision makers" are. We find this to be most disconcerting, given the importance that this planning effort is to the future of the Town of Bedford.

We want to believe that there is active, purposeful and responsible planning going on regarding our future as a metropolitan area, a Commonwealth and a multi-state region and that such planning is addressing the issues which prompted the commissioning of the SAR. We would like to know who the agencies and individuals are who have responsibility and decision making authority for this task. Both at the November 16 public hearing and at a November 4 League of Women Voters Forum held here in Bedford, the frightening picture which was painted was that no one knows!

To: Senator Lucile P. Hicks

Page 2

Your identifying and introducing us to the responsible persons would be a big help. It would go a long way towards assuring us, as citizens of Bedford, that the timely planning effort needed to ensure and enhance our future well-being is, in fact, taking place and that any plans which might impinge upon our well-being are being fairly crafted and openly discussed.

We look forward to a response and appreciate your continued interest in this significant issue.

Sincerely,

Bedford Selectmen

John McCulloch

Val A. Sheldon

Betsy J. Anderson

William L. King

Joseph R. Piantedosi

cc: Distribution List Attached

Mailing List
Letter to Hicks, Brenton & Havern
dated January 18, 1994

Bedford Selectmen
Concord Selectmen
Lexington Selectmen

Senator Edward M. Kennedy
Senator John Kerry
Rep. Peter Torkildson
Rep. Martin Meehan
Rep. Edward Markey

Rep. Pamela Resor
Rep Stephen Doran

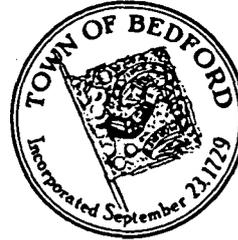
Gov. William Weld

Massport (Stephen Tocco, Executive Director)

Town of Acton
Town of Ayer
Town of Billerica
Town of Burlington
Town of Carlisle
Town of Harvard
Town of Sudbury
Town of Wayland

The Lowell Sun
The Boston Globe
The Boston Herald
The Bedford Minuteman
Worcester Telegram

TOWN OF BEDFORD
BEDFORD, MASSACHUSETTS 01730



John McCulloch, *Chairman*
Betsey J. Anderson William L. King
Val V. Asbedian Joseph R. Piantedosi

cc: BOS

January 18, 1994

Senator Robert A. Havern
Room 512
State House
Boston, MA 02133

Dear Senator Havern:

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Senator Robert Havern

Page 2

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cc: Distribution List Attached

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Letter to Hicks, Brenton & Havern
dated January 18, 1994

Bedford Selectmen
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Senator Edward M. Kennedy
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Town of Acton
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Town of Billerica
Town of Burlington
Town of Carlisle
Town of Harvard
Town of Sudbury
Town of Wayland

The Lowell Sun
The Boston Globe
The Boston Herald
The Bedford Minuteman
Worcester Telegram

TOWN OF BEDFORD
BEDFORD, MASSACHUSETTS 01730



John McCulloch, *Chairman*
Betsey J. Anderson William L. King
Val V. Asbedian Joseph R. Piantedosi

January 18, 1994

Rep. Marianne Brenton
Room 443
State House
Boston, MA 02133

Dear Representative Brenton:

In Bedford's response to the Strategic Assessment Report (SAR), our letter of November 1, 1993 to Mr. Robert Jenney of the Massachusetts Aeronautics Commission (MAC), we urged that the Commission continue planning for the changes which are required to assure the continued viability of our Town and our Commonwealth, and asked that we be allowed to participate actively in that endeavor. At the November 16, 1993 presentation to the SAR, however, it was stated that MAC intended only to pass the report to the "policy and decision makers" and to do nothing further about the issues raised in the SAR. After a direct question from another member of Bedford's Task Force, neither the MAC spokesperson nor anyone else, for that matter, was able to identify who those "policy and decision makers" are. We find this to be most disconcerting, given the importance that this planning effort is to the future of the Town of Bedford.

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(ETC . . .)

PALMER & DODGE

One Beacon Street
Boston, Massachusetts 02108

CC: BOS - COVER LTR.
ONLY.
BRIEF IN RF/RETAIN

Acheson H. Callaghan, Esq.
(617) 573-0178

Telephone: (617) 573-0100
Facsimile: (617) 227-4420

January 19, 1994

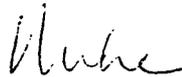
Mr. Roland Bartl
Town Planner
472 Main Street
Acton, MA 01720

Dear Roland:

I enclose copies of the briefs in the zoning and subdivision case which we filed. I want to thank you for all the help you gave us, as well as for your efforts in connection with the Amicus brief.

I should warn you that very little will happen for quite a while after we get the plaintiffs' briefs. The Appeals Court is running a delay of more than a year between submission of briefs and oral argument, and four to six months after that until decision.

Very truly yours,



Acheson H. Callaghan

AHC/dcb
Enclosure



THE COMMONWEALTH OF MASSACHUSETTS

LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT BOARD

100 CAMBRIDGE STREET ROOM 903

BOSTON, MASSACHUSETTS 02202

TELEPHONE: (617) 727-6018 FAX: (617) 727-6084

WILLIAM F. WELD
GOVERNOR

CHARLES B. KILLIAN
CHAIRMAN

CAROL C. AMICK
EXECUTIVE DIRECTOR

December, 1993

CC: BOS -
COVER LTR. ONLY.
REPORT IN RF

Dear Interested Individual:

I am happy to provide you with a copy of the Low-Level Radioactive Waste Management Board's recently published 1992 *Massachusetts Low-Level Radioactive Waste Survey Report*, which profiles and categorizes this waste, especially the portion that was shipped to out-of-state disposal facilities last year. The report is also available on computer disk.

As you may already know, the Management Board plans to vote in February on the important question of whether or not to site a low-level radioactive waste disposal or storage facility in Massachusetts. My staff and I would be happy to answer any questions you may have on this issue.

Sincerely,

A handwritten signature in cursive script that reads "Carol C. Amick".

Carol C. Amick
Executive Director

cc: BOS

ACTON SCHOOL COMMITTEE
MINUTES

Dec 8 1994

Library
McCarthy-Towne School

December 9, 1993

Members Present: Lees Stuntz, Steve Aronson, Pamela Harting-Barrat, Rick Sawyer,
Micki Williams

Also Present: Isa Zimmerman, Mac Reid, Bill Ryan, Dan Leclerc, citizens

The meeting was called to order at 7:45 p.m. by Lees Stuntz, Chairperson.

The minutes of November 18, 1993, were approved as presented.

Warrant #94-008 in the amount of \$81,880.51 and warrant #93-108 in the amount of \$11,570.64 were signed by the Chairperson and circulated to other members of the Committee.

The chairperson highlighted the agenda items to be discussed.

PUBLIC PARTICIPATION: None

OLD BUSINESS

1. Regional Action requiring Acton approval.

a) Updated Net School Spending - Bill Ryan said that, according to our figures, the local schools will be able to spend an additional \$34,410. However, these numbers have not yet been verified by the state. The superintendent hoped we would have final numbers by the January meeting, and a proposal as to how to distribute any additional monies would then be made.

b) Acceptance of Gift from Dr. Steven Schenker

It was moved, seconded and unanimously

VOTED: To accept the gift of fencing materials from Dr. Schenker.

2. Proposed PTO Fundraising Guidelines

Dr. Zimmerman presented some proposed guidelines for discussion. She has met with the principals and several parent groups to develop these guidelines, which are as follows.

1) The district will set a maximum which each school can use from non-appropriated budget sources for support personnel. Certified personnel and grants are excluded.

2) The rate of pay would be consistent with that paid for similar work in the school system, and no individual would work more that 19.5 hours per week.

3) The maximum raised for the above purpose would be \$10,000 per school for 1994-95.

4) Beyond that, if PTOs/parents wish to provide additional support, suggestion are for enrichment programs, professional development programs, support for a particular program, mini-grant opportunities for staff, purchase/maintain particular equipment.

5) Principals/superintendent or designee will form an advisory review council for any expenditure in a school from non-appropriated budget money above \$1500. The purpose of this is to communicate new ideas and pilots to each other and to maintain equality among the schools. Another thought was to create an LEF (Local Education Foundation) or umbrella for fundraising, headed by a steering committee under whose guidance sub-committees would be formed for specific projects/targets.

Discussion: Micki Williams asked the principals present if they felt \$10,000 was a reasonable amount for each school to raise, and they agreed that it was. Micki commented that the proposal was well thought out. Dr. Zimmerman said that the goal was to establish guidelines which were not too constricting. The school committees would be apprised of all gifts over \$1500. Parker Damon, principal of McCarthy-Towne, voiced several parent concerns:

- 1) schools of different sizes should have different caps;
- 2) parents who don't want to be forced to send their children to private school would like to be able to make up the difference;
- 3) a parent may want to contribute a significant amount at the end of the December to McCarthy-Towne.

Dr. Zimmerman commented that we will need to do more thinking in order not to strain the equity objective. Lees said she was grateful for such generous parent support and that we hope to encourage lots of ways to use it. Bill reminded the Committee that it has the right to accept or reject gifts, and therefore does have a regulatory role.

The Committee will discuss the proposed guidelines further at the January meeting, and vote at the February meeting. Mary Anne Vogel asked if any other school districts have such guidelines. Rick Sawyer thought the Brockton Schools did. The administration will check to see what they are.

NEW BUSINESS: None

FOR YOUR INFORMATION:

Dr. Zimmerman referred to:

- the minutes of School Council meetings
- the booklet listing early childhood programs
- the appointment of Susan Carlson, special educator (part-time) at Merriam
- the failure of brakes in a school bus, during which no one was hurt, and all buses were subsequently checked out.

WARRANT DISCUSSION: No questions.

CONCERNS OF THE COMMITTEE:

- Dr. Zimmerman suggested that mailings may be sent to School Committee members in between monthly meetings, as there is a great deal of timely material. These interim packets will be delivered/picked up as are the monthly packets, to save postage.
- Steve Aronson congratulated Bill Ryan on the significant savings (\$33,778) achieved with the Boston Gas Energy Savings Plan in the Conant, Gates, McCarthy-Towne schools and Blanchard auditorium. (Merriam and Douglas schools did not meet Boston Gas criteria of a medium size facility, and were not included.) Bill Ryan gave credit to Bill Cady, who started us down the path of co-generation, which interested Boston Edison and Gas in our program. The next phase will include the junior and senior high schools.
- Dr. Zimmerman referred to Doré Hunter's two letters regarding the budget process. It was understood that, at the Municipal Forum meeting, the Acton Town Meeting would be held in May instead of April. However, the selectmen decided to keep it in April. Dr. Zimmerman said that the schools' budget schedule had been determined based on the general municipal forum consensus to move to a later town meeting date. Our process will have to be accelerated, and she was concerned that the deliberateness needed for thorough budget preparation would not be available to us. If there is a need for an override it will be voted on after the Town Meeting. The town has asked for individual employment contracts of our staff, and they will be provided.

??
..

- The letter from the Department of Environmental Protection (DEP) confirmed our understanding that they will call the appropriate parties together to discuss a regional solution to the wastewater situation in Acton.
- The letter from the Acton Board of Health indicated we need to look at hazardous substance disposal. Bill said it is probably coming from a lab and will be taken care of.

At 8:35 p.m., it was moved, seconded and unanimously

VOTED: To go into executive session to discuss strategies relative to collective bargaining under chapter 39, section 23B, paragraph 3. Each member was polled individually and each voted in the affirmative to go into executive session for the stated purpose.

The Committee returned to open session at 9:10 p.m.

Dr. Zimmerman and Steve Aronson reported on the first meeting of a citizens' technology committee, newly formed to advise the schools. Steve was impressed by the caliber of those present and the quality of brainstorming regarding curriculum, telecommunications, etc. Lees asked to have a list of those attending and minutes of the session.

NEXT MEETING: January 13, Douglas School Library
7:00 p.m., Executive Session
7:45 p.m., Regular Session

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Sarah T. Lawton
Secretary pro tempore

CC: BOS

CABLE ADVISORY COMM.

CABLEVISIONSM

(NOTE: I BELIEVE YOU MAY HAVE
REC'D THIS INFO. EARLIER.)

DON

January 11, 1994

JAN 18 1994

Ms. Doree Hunter, Chairperson
Board of Selectmen
472 Main Street
Acton, MA 01720

Dear Ms. Hunter,

Enclosed is A-R Cable Services reponses regarding Rate Filing Notice Request for Additional Information in connection with FCC Form 393 filing in your community, as requested by the Commonwealth of Massachusetts Community Antenna Television Commission.

Sincerely,

Jay Somers (cac)
Jay Somers
Assistant General Manager

COMMONWEALTH OF MASSACHUSETTS
COMMUNITY ANTENNA TELEVISION COMMISSION
100 Cambridge Street, Suite 2003
Boston, Massachusetts 02202
(617) 727-6925

RATE FILING NOTICE

Date: December 22, 1993

Community: Acton

Operator: Cablevision/A-R

CUI#: MA 0196

A preliminary review of your company's FCC Form 393 submission reveals that you did not enclose the information indicated with a check mark below. In order for the Commission to analyze your FCC 393 filing, you must forward this information to us within 15 days from the date of this notice. You are also required to forward a copy of your response to this notice to your relevant issuing authority.

A. _____ CHANNEL/SUBSCRIBER INFORMATION. Provide the total number of satellite channels and the total number of regulated channels you used to derive current and September 1992 benchmark rates. Indicate if you used the FCC benchmark formula or benchmark tables to calculate these benchmark rates. If you used the tables to derive your benchmark, indicate the table you used. If you used the FCC's benchmark formula, provide the exact number of system subscribers used for your calculation.

B. _____ RESUBMIT FCC FORM 393. (1) _____ Rates used in Worksheet 1 are incorrect. The rates to be used should be those in effect at the initial date of regulation.
(2) _____ See _____ below.

C. _____ COST-OF-SERVICE FILING. Your current rate for the basic service tier exceeds the maximum permitted rate for that tier as indicated on Worksheet 1. Per FCC instructions, you must submit a cost-of-service showing for your basic tier or your basic service rate will be reduced. -

* * * * *

D. The following elements of the above-referenced filing were missing or not fully completed.

1. _____ FCC Form 393, Part I

Comment(s) _____

2. _____ FCC Form 393, Part II

Worksheet(s) 1 2 3 4 5

(over)

Comment(s) _____

3. _____ FCC Form 393, Part III

Step(s) A B C D E F G

Schedule(s) A B C D

Comment(s) _____

4. XX EXPLANATIONS. Per FCC instructions, please attach explanations of how you arrived at the figures indicated below.

Step A, Line 2 Step A, Line 4 Step C, Line 9
Step D, Line 16 Step E, Line 23 Step G, Line 33

Comment(s) _____

5. _____ Commission Attachment A (included with your regulation notification letter).

Item(s) 1 2 3 4 5 6

Comment(s) _____

6. XX Other: In step C, D, and E, FCC Form 393 directs operators on Lines 9, 16, and 23 to include total hours spent repairing and servicing each type of equipment. Your facsimile of the form changed the wording from "maintenance/service hours" to "maintenance/installation hours". Please explain why you made this change.

We will contact you in the future should we require further information.

Rate Regulation Unit
Massachusetts Cable Television Commission

cc: Issuing Authority

A-R CABLE SERVICES, INC.
COMMUNITY: ACTON
CUID #0196

QUESTION #4

STEP A - LINE 2

Since the Company is able to track individual job costs, and Schedules A & B reflect those costs, the costs reflected on Line 1 are for the maintenance and installation costs of customer equipment. The allocation percentage on Line 2 is therefore 100%.

STEP A - LINE 4

All customer related calls are tracked on the billing and scheduling system (CableData). Calls relating to customer equipment, new connections and reconnections are tracked separately from other types of calls. The number of calls for the twelve months ended August 31, 1993 was obtained. Any calls relating to addressable equipment where technician intervention was not required ("no-trucks") were removed from the total calls reported. Time statistics were obtained from the scheduling system (these statistics were confirmed by detailed time studies during the month of August) and the quantity of calls by type of call was weighed by the associated hourly value to arrive at the total hours, by type of call, for the twelve month period ending August 31, 1993. The hourly result (# of calls times average hourly value) was combined for all calls relating to the maintenance and installation costs of customer equipment and the result was input into Line 4.

STEP C - LINE 9, STEP D - LINE 16, STEP E

Detailed time studies were done during the month of August, 1993. Each technician tracked every minute of time for every day during the test period. Separate statistics were maintained for the time spent at the subscriber's home, the travel time to and from the home and the time spent obtaining equipment from the warehouse, completing paperwork, etc. Equipment calls were tracked by type of equipment (addressable, non-addressable, and remote). These statistics were summarized by each technician for the month as well as for all technicians. The ratio of time spent for each type of equipment was obtained and this ratio was used to allocate the total equipment service call hours between the various types of equipment.

A-R CABLE SERVICES, INC.
COMMUNITY: ACTON
CUID #0196

QUESTION #6

The original forms issued by the FCC had "maintenance/installation" indicated at the points you reference. Although the Company has changed the method of calculation so that only maintenance and service hours have been included in the calculation on those lines, no change was made to the cosmetics of the form.

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: Jan. 21, 1994

TO: Board of Selectmen
FROM: Don P. Johnson, Town Manager
SUBJECT: DEP Meeting re Maynard Sewers

YOU DO NOT NEED TO HOLD JANUARY 27 FOR A MEETING WITH DEP.

The meeting with DEP and Maynard has been rescheduled and the composition has changed dramatically. The new date is Feb. 3. The new composition is Mike Gianotis and 1-2 staff members from Maynard, DEP, Doug Halley and me. This represents a significant de-escalation of the meeting that was beginning to take shape. Both Mike and I agree that this is a much more appropriate assemblage. Bob Kimball (DEP) is agreeable and indicates that DEP simply wants to do whatever they can to assist the communities. (His real goal is to move toward an acceptable time frame for resolution of the School's situation.)

Mike and I have briefly discussed our individual goals for the meeting and I believe we will be going in with mutual objectives vis-a-vis DEP.



