

IN BOARD OF SELECTMEN  
MONDAY, MARCH 7, 1983

Present: Acting Chairman John E. Murray and Anne W. Donald.

The statutory requirement as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. by Acting Chairman Murray.

Utility Petitions

Present: Joseph D. Bausk, New England Telephone and Telegraph Company.

In conformity with General Laws, Chapter 166, Sections 21 and 22, the Board considered Utility Petitions of New England Telephone and Telegraph Company for permission to lay and maintain, and a location for, such a line of conduits and service terminals with the necessary wires and cables therein, under the following public ways of the Town:

UP83-3 - Saxony Drive/Hudson Road

Present: John W. and Karen W. Mitchell, 5 Saxony Drive.

Saxony Drive - on the westerly side approximately 44 feet southerly from Hudson Road, one (1) proposed service terminal with conduit running northerly approximately 33 feet, then at this point branching off and running easterly across the roadway to the southerly side of Hudson Road.

Hudson Road - and continuing approximately 86 feet to existing pole #40, also on the southerly side conduit running westerly approximately 72 feet to existing pole #42.

Mr. John W. Mitchell of 5 Saxony Drive opposed the Utility Petition because of the proposed location of the service terminal abutting his property, esthetically speaking, and because he felt it was an inappropriate placement because of the school bus stop there. Mr. Mitchell stated he would be willing to give an easement to New England Telephone to install the service terminal on his property off Hudson Road at a point about thirty feet further in from the road than where it is presently suggested to go, where it would be screened by shrubs and trees, or on another part of his property.

Following a brief discussion, it was on motion by Selectman Murray unanimously

VOTED: To table Utility Petition #83-3, as described above, in order that Mr. Bausk of the New England Telephone and Telegraph Company can meet with the Mitchells and determine a mutually agreeable point where the proposed service terminal can be installed.

UP83-2 - Hudson Road

Present: Robert J. and Carole A. Flynn, 611 Dutton Road.

Hudson Road - on the northerly side approximately 28 feet easterly from Dutton Road, one (1) proposed service terminal with conduit crossing the roadway to existing pole #95 on the southerly side and branching off and running westerly across Dutton Road and continuing on for approximately 74 feet to existing pole #96, thence running westerly approximately 98 feet to existing pole #94.

Mr. Flynn stated that his concerns had been satisfied earlier by Mr. Bausk and that he had no objections to the utility petition.

It was on motion by Selectman Donald unanimously

VOTED: To approve Utility Petition #83-2, as described above, and as shown on a plan entitled, "Plan for Proposed Conduit and Service Terminal Location, To Accompany Petition of New England Telephone and Telegraph Company", dated February 9, 1983.

Executive Secretary Richard E. Thompson stated for the record that all appropriate abutters and Town officials had been notified and that a favorable report had been received from the Wiring and Building Inspectors for both petitions, dated February 28, 1983.

Discontinue Portion of Powder Mill Road

The Board acknowledged receipt of a communication dated March 2, 1983, from the Maynard Board of Selectmen requesting representation from Sudbury at its meeting of March 15 to discuss Sudbury's 83ATM Article 25, Discontinue Portion of Powder Mill Road.

Selectman Donald pointed out that that was Candidates Night in Sudbury; however, the Board agreed it was important to attend and directed the Executive Secretary to respond that the Board would be represented at the Maynard Selectmen's meeting.

Bolton's Assessment for Minuteman Regional Vocational School

The Board took under advisement, following a brief discussion, a communication dated February 22, 1983, from the Bolton Board of Selectmen to the Minuteman Regional Vocational School Committee requesting that the Fiscal Year 1984 budget be reduced so that the net assessment to Bolton will increase no more than 3%.

Our Lady of Fatima Parish Flea Market

It was on motion by Selectman Donald unanimously

VOTED: To approve a request dated February 17, 1983, from Reverend Hartigan of Our Lady of Fatima Parish to conduct a flea market at the East Field of the Wayside Inn on May 15, 1983, (rain date: May 22) from 8:00 a.m. to 4:00 p.m., subject to approvals as necessary from the Building Inspector, the Fire and Police Chiefs, the Board of Health and the Sign Review Board.

It was noted that no fee is required.

Antiques Show and Sale - Allman Promotions

It was on motion by Selectman Donald unanimously

VOTED: To amend the Board's vote of January 3, 1983, concerning approval of an antique show and sale permit for Stephen R. Allman Promotions by changing the date of August 13, to August 20, 1983.

Reserve Fund Transfer

It was on motion by Selectman Donald unanimously

VOTED: To approve Transfer Request No. 1077, dated March 7, 1983, from the Reserve Fund to Account 950-41, Print Town Report, in the amount of \$608.15, as explained in the numbered transfer.

Resolution - POW/MIA Awareness

In response to a communication/request dated February 7, 1983, from the State's Special Commission on the Concerns of the Vietnam Veterans, it was on motion by Selectman Murray unanimously

VOTED: To sign a Resolution supporting the Commission's Awareness Campaign on behalf of the POW/MIA, and to forward the same to President Reagan and the Vietnamese U.N. Mission Ambassador, with a copy to be forwarded to the Commission.

Sale of Alcoholic Beverages During Polling Hours

It was on motion by Selectman Donald unanimously

VOTED: To allow the sale of alcoholic beverages by common victualers and retail package stores during the polling hours of the Town Election on March 28, 1983, in accordance with G.L.c.138, s.33, as amended.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the Regular Session of February 28, 1983, as amended, subject to comment from Town Counsel relative to the section dealing with Coatings Engineering.

Site Plan #83-252 - John McGreenery. 345 Boston Post Road

Present: John and Ruth McGreenery; Bruce Ey, Engineer; Robert Dion, Architect; Building Inspector Joseph E. Scammon.

In accordance with Article IX, Section V, Paragraph A of the Sudbury Bylaws, the Board considered site plan 83-252 of John McGreenery, McGreenery Nominee Trust, for property located at 345 Boston Post Road, Business District #2, for building additions.

Executive Secretary Richard E. Thompson stated that all appropriate Town officials and abutters had been notified and noted receipt of the following communications:

- from the Planning Board, dated February 28 (received tonight), recommending approval conditioned on the following: 1) the five foot landscape requirement on the westerly side of the lot be waived and a three foot area be developed instead; and 2) that letters granting a drainage easement across lots to the south should be reviewed by Town Counsel;
- from the Conservation Commission dated February 23, 1983, stating that from maps and the site plan the Commission is not able to say definably if a Wetlands Protection Act Notice of Intent will be required and that the applicant should visit the Commission at a meeting or file a Determination of Applicability;
- from the Building Inspector dated February 24, 1983, recommending approval;
- from the Town Engineer, dated February 14, 1983, recommending approval subject to approval by the Board of Health with regard to the new septic system;
- from the Board of Health Director, dated February 18, 1983, recommending approval conditioned on the following: 1) that Town water be provided and that the water lines to each building be located; 2) the pump system shall be provided with a special vent in the distribution box; and 3) the septic system design shall be submitted for approval; and
- from the Sign Review Board, dated February 23, 1983, with no recommendation at this time and with the reminder to the applicant that all signs must be approved by the Sign Review Board before erection.

Engineer Bruce Ey of Schofield Bros., Inc., Framingham, explained the proposal as follows:

- The site is approximately 27,000 square feet and is bounded on the north by Route 20, easterly and southerly by Terrio Realty (Country Living), and westerly and southerly by New England Telephone building.

- The existing office building in the middle of the site contains 1,756 square feet on the first floor and 1,576 square feet of office space on the second; the existing barn, not being used now, contains 580 square feet. After development, there will be a total office space of 5,256 square feet of first floor area and 6,076 square feet of second floor office space. This includes the existing building which will be connected to the barn, which will be renovated, and connected over a carriage-type parking area to another, two-story, new office building on the southerly property line.
- The existing paved parking lot has one curb opening; permission is granted for two curb cuts (one exists, one new) in back for through traffic.
- The runoff drains across the lawn, across the back of the barn, and the edge of the paving, and also drains on the property line between Terrio and NET. The actual runoff on the site, given a one hundred-year storm, is about two and one-half cubic feet per second.
- The plan provides the thirty-six required parking spaces, with a new parking area to the west of the existing building, retaining the configuration of the existing parking lot, and with five parking spaces under the building connecting the barn to the new structure. The parking area will be raised about three feet to maintain the proper clearance for the septage leaching field and the water table and to improve the approach from Route 20.
- The landscaped area abutting the NET building is proposed to be three feet rather than five feet in order to accommodate maneuverability within the parking area on site, and the Planning Board has approved the waiver. The trees will be replaced there (along the NET building) with low evergreens. A large tree next to the existing building will be retained and the trees along the easterly property line. Two honey locust trees will be planted in a small island in the parking lot - there are enough trees to meet the bylaw requirement.
- There is one catch basin - that runoff goes out to a manhole; another catch basin will be put in, plus there is a twelve inch pipe which goes across the Terrio Realty property with outfall of that pipe on the Sudbury Motor Parts, Inc. property. Mr. Ey stated that they had not contacted the Conservation Commission because the outfall of that pipe is more than one hundred feet from the flood plain and wetland vegetation. All drainage is away from Route 20.
- They will not be altering any wetland vegetation or any drainage patterns. They will be adding some impervious area to the site - the increase in runoff would be one cubic foot per second.
- They have letters from Terrio Realty, Sudbury Motor Parts and Rankin Realty Trust, businesses in the area and abutting, which indicate they are agreeable to the proposed site plan.

- They plan to service these buildings with Town water.

The architect, Mr. Robert Dion, showed the architectural plans of the proposed site.

Responding to Selectman Murray, Mr. McGreenery stated that he would like to get started within the next couple of months, and responding to Selectman Donald, he stated there appears to be a need for small electronic-type businesses, with 9:00-5:00 employment, this minimum parking requirements and minimum increase of Route 20 traffic. He stated there will be no retail sales, only professional offices.

Responding to Selectman Murray, Mr. Ey stated that he would contact the Conservation Commission, in accordance with its request, on behalf of Mr. McGreenery.

At the conclusion of discussion, it was on motion by Selectman Donald unanimously

VOTED: To approve site plan 83-252 of John McGreenery, McGreenery Nominee Trust, for property located at 345 Boston Post Road, Business District #2, for building additions, subject to Planning Board, Conservation Commission, Board of Health and Sign Review Board conditions, as noted above.

#### Speed Humps - Longfellow Street

Present: Sharon DePeter, Longfellow Street.

The Board acknowledged receipt of a petition, signed by thirty-five people, requesting the installation of speed humps on Longfellow Street.

Mrs. Sharon DePeter stated that the residents of the area have been searching for a mechanism to slow traffic on Longfellow Street, since the street acts as a cut-through between the Bowker development and Route 117 and traffic has increased. She asked about the use of speed humps.

The Selectmen explained that they had authorized the installation of speed humps on Dudley Road, subject to approval of abutting residents, on an experimental basis, and until such time as good results could be seen from the use of the same, the Selectmen did not feel they could consider supporting or authorizing further installations. Selectman Murray pointed out that budgets have been submitted for the Annual Town Meeting and that it would take at least until next fall before any further money could be budgeted for speed humps.

The Selectmen further explained that possible maintenance and liability problems associated with the installation of speed humps will need to be assessed during the trial period.

The Selectmen agreed, however, to accept the petition. Selectman Murray stated he would forward the same to the Town Engineer for comment; and that he would also refer it to the Police Department and personally request patrol with radar on Longfellow Street during peak hours in the meantime.

Relative to a question by Mrs. DePeter regarding the use of stop signs as an alternative to speed humps, a costly budgetary expenditure, Selectman Murray stated that he would refer her request, on behalf of the area residents, to the Safety Officer, as well as to the Town Engineer, for study and comments.

Highway Surveyor Robert A. Noyes was present and stated that the Fire Chief had expressed to him some concern regarding the operation of the ambulance over a road with speed humps, and as already mentioned, he stated his concern regarding plowing.

Responding to Mrs. DePeter who indicated that one person formerly living on Longfellow Street moved because he had been turned down flatly regarding installation of stop signs, Mr. Thompson replied that it may have been because, at that time, the road was a private way - that part of the way is currently included in Article 7 of the 83ATM for acceptance as a public way of the Town, and, as such, there will be more concern by the Town because of liability in terms of general maintenance and public safety issues.

Selectman Donald pointed out that there is a difference between speed humps and bumps and indicated that, following the meeting, she would explain the difference to the press if they are unaware of this.

Responding to Mrs. DePeter, Mr. Thompson stated that she could follow up through the Selectmen's office and that it would take about two weeks to hear back from the Safety Officer relative to the use of stop signs.

#### Massachusetts Municipal Association Meeting

Selectman Donald stated that she had attended the Massachusetts Municipal Association Legislative Conference at the State House, Saturday, March 5, and she updated the Board on that meeting; she had given Mr. Thompson the handouts from that meeting including the Governor's FY84 budget summary. She specifically informed the Board of Commissioner Collins' (State Department of Revenue) comments relative to certain cities and towns which are undergoing reevaluation and would be receiving a letter allowing them a one-year's extension to complete the same - Sudbury being one of them.

After further discussion, the Board re-affirmed its position to request the Assessors not to set the tax rate until after the Special Town Meeting, in order that the 1982-83 tax levy may be increased to the "2½%" level.

#### Fort Devens

Executive Secretary Richard E. Thompson informed the Board that he had received a telephone call late this afternoon from Major Block of Fort Devens informing the office that, as part of the environmental impact study being done, the segment dealing with noise is being handled by a consultant firm from Maryland on the 23rd and 24th of March. During that twenty-four hour period, at certain intervals, there will be firing of weapons. Fort Devens intends to inform all local news media.

Lincoln - Sudbury Regional School District Committee (LSRSDC) Vote

Mr. Thompson referenced a copy of the LSRSDC's vote to take steps necessary to borrow by State House Notes, a principal amount of \$300,000 by July 1, 1983, for the purpose of roof repairs. Mr. Thompson recommended that the Regional Committee rescind that vote and re-vote it during the last week of March so that action within the required thirty days by Town Meeting could coincide with the Annual Town Meeting. The Board agreed. Mr. Thompson stated that Business Manager, John H. Wilson, said he would follow up on that.

Cancel Meeting

It was on motion unanimously

VOTED: To cancel the Selectmen's regularly-scheduled meeting of Monday, March 14, 1983, as there will be two meetings the following week, March 21 and 23.

"Town Crier" Article - Loring School Disposition

Selectman Murray expressed his opinion that an article in the Sudbury Town Crier (Thursday, March 3), relative to the Disposition of the Loring School, was written without an understanding of the facts and background surrounding its disposition, especially the Selectmen's efforts to dispose of the school in the most beneficial manner after many lengthy and time-consuming meetings and discussions on the subject.

Hosmer House Renovations

Present: Chairman John C. Powers, Emmalou Eaton, Royce C. Kahler, Winifred C. Fitzgerald, and Marilyn A. MacLean, Historical Commission.

Chairman John C. Powers of the Historical Commission stated that the Designer Selection Committee met with Assistant Town Counsel on February 25. He distributed to the Board a package of information - communications between Town Counsel's office, the Designer Selection Committee and the Historical Commission - and referenced the following communications which he had received:

- from Town Counsel's office, dated February 25, 1983, instructing the Historical Commission on how to proceed.
- from the Designer Selection Committee giving the rank of applicants - three considered, a 4th application arrived too late - for the Hosmer House renovation project.

Mr. Powers stated that the Sudbury Historical Commission met tonight and voted to award the contract to David McLaren Hart & Associates, on the recommendation of the Designer Selection Committee, based on the firm's extensive background in renovations of historic structures, and clearance under the section 11 provision of the Guidelines.



Following a brief discussion, it was on motion by Selectman Donald unanimously VOTED: To concur with the decision of the Sudbury Historical Commission to award a contract to David McLaren Hart & Associates for design of the Hosmer House renovation project.

There being no further business to come before the Board, the meeting was adjourned at 9:00 p.m.

Attest:

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Richard E. Thompson  
Executive Secretary-Clerk