

IN BOARD OF SELECTMEN  
THURSDAY, MAY 23, 1996

Present: Chairman Lawrence L. Blacker, Selectman Maryann K. Clark and John C. Drobinski.

The statutory requirements as to notice having been met, Chairman Blacker convened the meeting at 8:00 a.m. in the Town Hall.

Brunjes, Inc., d/b/a, The Hitchcock Store Site Plan Special Permit - Continuance of Hearing

Present: Walter W. Jabs, Jr., Attorney for the applicant; Bruce L. Ey, P.E., Schofield Brothers.

Chairman Blacker reopened a public hearing (continued from May 20, 1996) to consider the application, SP96-326, dated March 20, 1996, for a Site Plan Special Permit for renovation of the existing building at 348 Boston Post Road and an addition thereto.

Atty. Jabs commented on his May 21 letter to the Board of Selectmen containing input relative to the conditions of the proposed Decision, as follows:

- With regard to sidewalk renovation along the frontage, Atty. Jabs stated that Hitchcock has no problem with providing a sidewalk of concrete, or other material permitted in the Village Business District, but would like to use and reset the pre-existing granite curbing. He stated his awareness of the Massachusetts Highway Department plans to install sidewalks as part of the intersection improvements in that area and expressed his concern that the Hitchcock sidewalk constructed along the frontage would be impacted by the State improvements if there was a lack of coordination.
- Atty. Jabs affirmed that neither the site nor the drainage work was subject to the Wetlands Protection Act.
- With regard to the undergrounding of utilities, Atty. Jabs suggested the requirement be made subject to the grant of the applicable permission.
- With regard to lighting, Atty. Jabs suggested wording to accommodate the particular lighting design, to which the Board agreed, with modification.

Board members clarified that they were satisfied with both the architectural renderings and the planting plan as presented by Hitchcock in the hearing process providing for the elimination of plantings at the front of the building, as requested by the Historic Districts Commission. The Selectmen affirmed that no additional street trees would be required nor plantings along the rear of the building.

Based upon a determination that the foregoing evidence, together with the plans submitted, conformed to the intent and purpose of the Zoning Bylaw requirements, a motion was made and unanimously approved as follows:

VOTED: To grant a Site Plan Special Permit to Brunjes, Inc., d/b/a The Hitchcock Store, Norwell, MA in accordance with Application No. SP96-326 for renovation (including moving/squaring on lot) of the existing building at 348 Boston Post Road (known as the Wood-Davison House), owned by Prime Plus Two Realty Trust, as shown on plans entitled "Site Plan of Land in Sudbury, Mass. prepared for: Brunjes, Inc., dba The Hitchcock Store, 711 Main Street (Rt 123), Norwell, MA. 02061", Sheets 1-3, prepared by Schofield Brothers of New England, Inc., and renderings and floor plans entitled "The Hitchcock Store Sudbury Mass", dated March 15, 1996, prepared by Dion & Sokol Inc., Architects, subject to compliance

with all governmental laws and regulations including, but not limited to, zoning, building and health laws and regulations, and further subject to the following conditions:

1. Approval of the drainage system, including traps, catch basins, and periodic maintenance as required by the Town Engineer;
2. Placement of all utilities underground, subject to permissions being granted by the applicable utility;
3. Extension of Sudbury Water District lines to the site by the owner; no wells to be installed on the site;
4. The grant of an earth removal permit by the Earth Removal Board, if applicable;
5. The grant of a Certificate of Appropriateness by the Historic Districts Commission;
6. The grant of a Water Resources Protection Special Permit by the Planning Board;
7. Approval of signs or advertising devices as required under applicable provisions of the Zoning Bylaw;
8. No storage or use of chemicals on site except in conformity with guidelines and requirements of the Board of Health and the Fire Chief; the owner or operator of the site shall comply with the Massachusetts Oil and Hazardous Materials Release Prevention and Response Act, M.G.L. Chapter 21E, as amended, and all regulations issued thereunder;
9. Final approval by the Selectmen of an accurate architectural rendering of the proposed building or change, showing the front and side features as they will appear from the public way or private access;
10. Approval of the final landscaping plan by the Board of Selectmen in accordance with Historic Districts Commission Certificate of Appropriateness with regard to plantings.
11. Use of pole lanterns with height not to exceed eight (8) feet, exterior lantern lighting on building and exterior flood lighting onto building all as shown on plan. No other overhead lighting to be used.
12. No use of salt or chemical de-icers on site;
13. If applicable, the grant by the owner of the Town of a restrictive covenant to run with the land, governing, restricting or prohibiting the following which shall conform to requirements of the Board of Health, Town Engineer and/or Conservation Commission as appropriate:
  - (a) the disposal or removal of effluent and wastes generated on the site;
  - (b) the use of salt or chemical de-icers on the site;
  - (c) the installation by the owner of one or more monitor wells on the site, including the Town's right of access for periodic testing and monitoring thereof, or another protective device as may be required by the Board of Selectmen;

14. Submission of an "as built" site plan. Any change in the physical condition of the site, including changes in the location or design of structures or systems, following approval of the site plan, will require approval of the Board of Selectmen;
15. In addition to the above and pursuant to the recommendations of the various departments above, the following items are to be implemented:
  - a. Board of Appeals approval of the freestanding sign must be obtained.
  - b. Renovation of the current sidewalk, to be rebuilt by cement or brick or other similar material as set forth in Zoning Bylaw IX.V.A7.i.6. Applicant may use preexisting granite curbing to be reset.
  - c. Submission to the Board of Health of a septic system plan incorporating the revised site plan.
  - d. Permits for curb cut and drainage connection shall be obtained from the Massachusetts Highway Department.
  - e. Lot coverage to be added on the site plan.
  - f. A covenant governing the regular cleaning and maintenance of the stormwater drainage system, to be recommended by the Town Engineer, shall be executed by the owners of the property.
  - g. Placement of the dumpster with adequate screening to obscure from view and to prohibit blowing of debris in the one extra large parking space at the northeasterly corner of the parking lot, to be shown on the plan.
  - h. Three parking spaces in front of the recessed area on the northerly side of the parking lot are to be lined with hatch marks to indicate a "No Parking" zone to allow for an emergency vehicle and delivery truck turnaround. These three spaces are to be labeled as "reserved parking" on the plan. Pursuant to Zoning Bylaw Article IX.V.A.8, Reserve Parking Spaces, the Board of Selectmen has waived three (3) spaces of the required 27 parking spaces.
16. No building permit shall be issued until certain items noted above (1, 5, 6, 9, 10, 15c, 15d, 15e, 15g, 15h) as specified by the Board, are complied with.
17. No occupancy permit shall be issued until certain items noted above (2, 3, 4, 7, 11, 13, 14, 15a, 15f) as specified by the Board, are complied with.
18. This Special Permit shall lapse if construction and a substantial use therefore, have not commenced except for good cause within one (1) year from the effective date of said Permit.

The Board executed the prepared Decision and will await submission of the plans for signature.

In reference to the requirement of the Site Plan Special Permit for sidewalk construction and coordination with the Massachusetts Department of Public Works plan to reconstruct the intersection of

Concord Road and Boston Post Road, Atty. Jabs requested permission of the Board to postpone constructing the concrete sidewalk until the State either abandons its plans or completes the job and to construct a temporary bituminous sidewalk in the meantime. A letter of request from Bruce L. Ey, P.E., Senior Vice President of Schofield Brothers of New England, Inc., dated May 23, 1996, was presented to the Board.

Board members stated that they had no problem with this approach.

#### Echouafni Dog Order

Town Manager Steven Ledoux advised the Board on the status of compliance with the Selectmen's order to remove the Echouafni dogs from the Town of Sudbury. As previously noted, no appeal had been filed with the Court by the Echouafnis on Monday. On Tuesday afternoon, at approximately 2:00 p.m., the dogs were still noted as being on the property by the Dog Officer. Mr. Ledoux informed the Board that he had sent another letter to Ms. Echouafni stating that the dogs were to be removed by noon today, requesting information as to where the dogs would be relocated, and informing her a court order would be obtained if the dogs are not removed. However, Ms. Echouafni has reported that on Tuesday afternoon the dogs mysteriously disappeared and had possibly been taken elsewhere by her husband. Since there have been no reports of them being seen in the neighborhood, it appears that they may have indeed been removed from the Town. Mrs. Anderson has been kept informed of the situation.

#### Town Manager Reception

Mr. Ledoux informed the Board that it was his intention to be available for any townspeople who might wish to meet him on Thursday evening, June 13, at 7 p.m.

It was also noted that the Trustees of the Wayside Inn are planning a more formal reception to welcome him to the Town on Sunday, June 16, from 7:00 - 9:00 p.m., at the Inn.

#### Line Item Transfer Request

Mr. Ledoux informed the Board that, as previously discussed, he was arranging a facilitator for the Board's goal-setting session. For this reason he was submitting on the Board's behalf a request for a line item transfer (No. 96-20, dated May 21, 1996) in the amount of \$1,000 from the Selectmen's Clerical Salaries account to the Selectmen's Contracted Services account. The Board concurred.

There being no further business, the meeting was adjourned at 8:20 a.m.

Attest: \_\_\_\_\_  
Steven L. Ledoux, Town Manager-Clerk