

IN BOARD OF SELECTMEN  
SPECIAL MEETING  
FRIDAY, FEBRUARY 19, 1999, 8:30 a.m.

Present: Chairman John C. Drobinski, Maryann K. Clark and Kirsten D. Roopenian, Selectmen; Town Manager Steven L. Ledoux, Mr. R. J. Halverson, resident and Mr. Clay Gollobin, reporter for the Sudbury Town Crier/TAB.

The statutory requirements for notice having been met, the meeting convened at 8:30 a.m. at the Loring Parsonage, 288 Old Sudbury Road.

**Ballot Questions**

In regard to the Ballot questions submitted to the Selectmen for review, the Selectmen and Town Manager Ledoux discussed capital items such as the purchase of a Quint truck for the Fire Department and the purchase of a Highway Street Sweeper.

Town Manager Ledoux explained that Sudbury's Fire Department does not have a Quint truck and said this type of truck is fairly modern, and it would be hard to purchase a used one. Selectman Clark asked if a collective purchase had been considered and wanted to know how high, or how many stories a Quint truck ladder could reach. Town Manager Ledoux responded that on occasion, the Sudbury Fire Department has needed to call in a Quint truck from the Town of Wayland, which already has one, and that the Quint truck the Town was going to purchase can reach two stories.

Town Manager Ledoux also explained that it would be more beneficial for the Town to purchase its own Street Sweeper as opposed to contracting the job with a yearly cost of \$40,000, which only includes one pass of the sweeper for each street. He felt the Town could have and maintain their own Street Sweeper, resulting in a savings for the Town, while having the option to make more than one pass of the sweeper on the Town's streets when needed.

In addition, Town Manager Ledoux stated the Flynn Building already has an elevator and that the building itself needs some painting and renovations.

A brief discussion took place regarding the Meachen ballot question and Selectman Clark suggested adding to the question, "...or take by Eminent Domain".

It was on motion unanimously

VOTED: To submit the Proposition 2 ½ ballot questions to the Town Clerk by 5:00 p.m. on February 22, 1999, for the March 29, 1999, Town Election as follows: Ballot Question No. 2 being submitted as written:

“Shall the Town of Sudbury be allowed to assess an additional \$782,500 in real estate and personal property taxes for the purposes of purchasing a Quint ladder truck (\$485,000) for the Fire Department, purchasing a roadside mower (\$57,500) and a street sweeper (\$100,000) for the Department of Public Works, and renovating and painting the Flynn Building at 278 Old Sudbury Road (\$140,000), for the fiscal year beginning July first 1999?”

and to submit Ballot Question No. 3 after amending to state, “...or take by Eminent Domain”, as follows:

“Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to purchase or take by Eminent Domain land known as the Second Meachen-Meggs Parcel, being the land shown as a portion of Parcel 600 on Town Property Map E08, other than that portion to be acquired by the Town pursuant to Massachusetts General Laws Chapter 61A, and located on the northerly side of Marlboro Road extending to Willis Road.”

### **Article 34 Review**

The Selectmen along with Town Manager Ledoux and input from Mr. R. J. Halverson, reviewed the revisions to Article 34 – Certain Open Space and Education Uses, by Building Inspector John B. Hepting and Town Counsel Paul L. Kenny. After discussion and review, the Selectmen also made a few revisions.

It was on motion unanimously

VOTED: to finalize Article 34, Zoning Amendment, Art. IX.I.F., Certain Open Space and Education Uses subject to review by Mark Bobrowski, Esq. as follows:

“To see if the Town will vote to amend Article IX, the Sudbury Zoning Bylaw, by adding to Section I.F a new paragraph numbered two, as follows:

‘2. The use of land and/or buildings for religious, non-profit educational, or child care facilities or other exempt uses provided for in M.G.L. c.40A, s.3, shall be reviewed by the Inspector of Buildings for compliance with reasonable bulk and height of structures, yard sizes, lot area, setbacks, open space, parking, and building coverage requirements and other requirements as permitted under state or federal law, in conjunction with the issuance of a Building Permit.’;

and to number the existing paragraph as number ‘1’, and to change the heading on this section to include the words ‘recreational, religious and child care’;

or act on anything relative thereto.”

### **Article 35 – Request to Reposition**

The Selectmen received a written request from the Planning Board dated February 17, 1999, to reposition Article 35 – Senior Residential Community Tract Size, moving it to an earlier spot on the warrant because of a particular site that is being considered for development into a Senior Residential Community.

After a short, agreeable discussion, it was on motion unanimously

VOTED: To move Article 35 – Senior Residential Community Tract Size to the Article 12 slot in the order for the 1999 Annual Town Meeting Warrant.

Mr. R. J. Halverson raised a question regarding Article 27 – Flood Plains, and suggested adding the words, “the most recent update on file at the Sudbury Town Engineer’s Office”, in reference to the current FEMA map date. The Selectmen took his suggestion under advisement.

Mr. R. J. Halverson also raised a question in connection with Article 47 – Amend Zoning Bylaw, Art. IX.I.F – Design Requirements Commercial Parking Facilities. Chairman Drobinski stated this article was submitted by the Planning Board and suggested that Mr. Halverson direct any of his questions to the Planning Board.

Mr. Halverson also revisited the Selectmen with issues regarding the LEAP School, specifically suggesting the Selectmen hire special counsel. He continues to believe that the Town could be better represented by someone who is more specialized in the issues at hand and someone who is better prepared to represent the Town in court.

Selectman Roopenian stated that the Selectmen have numerously addressed these issues and that they continue to remain firm with their choices. Selectman Clark stated the Town has to work within certain boundaries, and the Town cannot afford to expend additional funds for special counsel when our own Town Counsel can work with the issues at hand. Chairman Drobinski stated he was glad that Mr. Halverson had come in to discuss his frustrations and thought that this clearing and discussion was a step to the resolution of those frustrations regarding the LEAP School issues.

Chairman Drobinski and Selectman Clark also added that the Board of Selectmen is acknowledging the frustrations involved with the complex issues surrounding the LEAP School and stated they thought the Board was doing the best possible job within the context of the laws provided.

**AT&T Wireless Balloon Test**

The Selectmen received and reviewed a communication from Stephen D. Anderson, Esq. of Anderson & Krieger dated February 17, 1999, which stated the following:

1. AT&T Wireless Services has applied for various zoning relief from the Zoning Board of Appeals regarding a proposed wireless communications monopole on the Boston Edison Property found on Tax Maps K-10, Lot 14 and K-11, Lot 402;
2. AT&T Wireless Services will, in the near future, be filing an application for site plan approval with the Board of Selectmen regarding the proposed facility; and
3. AT&T Wireless Services would like the members of the Board to be aware of crane and/or balloon testing to be performed with respect to the proposed monopole;

along with a copy of a legal notice that was to be published in the Sudbury Town Crier/TAB with respect thereto.

**Executive Session**

At 10:30 a.m., on motion by Chairman Drobinski, by roll call vote, it was unanimously

VOTED: To enter into Executive Session for the purpose of discussing litigation matters: Tilliam Trust vs. Town of Sudbury Conservation Commission and the appeal of Robert F. Dionisi, Jr. (DEP File #401-636).

Chairman Drobinski announced that the Board would not return to open session upon conclusion of the Executive Session.

(Chairman Drobinski, aye; Selectman Clark, aye; Selectman Roopenian, aye.)

There being no further business to come before the Board, at the conclusion of the Executive Session the meeting was adjourned at 11:30 a.m.

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