

IN BOARD OF SELECTMEN
MONDAY, FEBRUARY 26, 2001

Present: Chairman Kirsten D. Roopenian, Lawrence W. O'Brien and John C. Drobinski, Selectmen.

The statutory requirement for notice having been met, the meeting convened at 7:30 p.m. at the Town Hall, 322 Concord Road.

Announcements

Chairman Roopenian reminded residents of the upcoming Annual Town Election on March 26, noting ballot questions regarding the Community Preservation Act and the proposed DPW garage in particular. She thanked the Town Manager and her staff for their efforts in putting the Warrant together. Selectman Drobinski pointed residents to the budget presentation contained within the Warrant as it offers an excellent overview of Town finances.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of February 12, 2001, as drafted.

Council on Aging

It was on motion unanimously

VOTED: To accept \$106.38 in miscellaneous donations, to be deposited into the Van Donation Account, and to authorize the Council on Aging to expend said funds for the purpose of operating and maintaining the Council on Aging vans.

Cheri-Anne Cavanaugh Trust Fund

It was on motion unanimously

VOTED: To accept on behalf of the Town a donation of \$1,350 from the Sudbury United Methodist Church to be deposited into the Cheri-Anne Cavanaugh Trust Fund, as expendable funds.

D.A.R.E. Donation

It was on motion unanimously

VOTED: To accept a donation of \$1,000 from the Sudbury Rotary Club, to be deposited into the D.A.R.E. program Account and expended under the direction of the Police Chief for the D.A.R.E. program.

Line Item Budget Proposals

The Board reviewed a memo, dated February 2, 2001, from the Town Manager, outlining several possible projects for recommendation to Representative Susan Pope and Senator Susan Fargo for state funding. Ideas included creation of green spaces (mini-parks) along Route 20, restrooms at Feeley Field, a restroom at Davis Field, and funds to repair and restore the Town Clock in the First Parish Church.

Discussion followed regarding small open spaces in town, in particular an open space near Dunkin' Donuts. Selectman Drobinski clarified a walkway paralleling Hop Brook was included in the site plan for Dunkin' Donuts. Selectman O'Brien suggested contacting library officials for their input as the space could be used for library events as well.

The Board briefly discussed restrooms at recreational areas.

Selectman O'Brien opined the repair and restoration of the First Parish Church clock would be the most unique idea of the four presented.

After discussion, it was on motion unanimously

VOTED: To forward ideas contained in the Town Manager's memo, dated February 2, 2001, to Representative Pope and Senator Fargo to pursue further.

Septage Committee and Finances

Town Manager Valente presented an update on the septage facility in a report, dated February 23, 2001. She deferred to Selectman O'Brien, Board liaison for this committee.

Selectman O'Brien stated he contacted Robert Gottberg who reported the Town of Wayland is up to date in payment of past due liens, with the exception of liens incurred in the past 12 months. Town Manager Valente reported the Finance Director is researching Sudbury's obligations, opining that old records may not still be available. Mr. O'Brien reported Mr. Gottberg's assertion that past due liens may be ten years old.

Mr. O'Brien stated a consultant has been hired to assess needs before an RFP is issued for third party management, leaving billing and collection with communities.

Facilities Study

Town Manager Valente stated three finalists for performing the facilities study will be interviewed this week for performing the facilities study. She submitted a memo, dated February 26, 2001, from Elaine Jones, Permanent Building Committee, suggesting a Designer Selection Committee be designated for this matter. Ms. Jones stated in her memo the Permanent Building Committee concurs with the suggested approach and has a designee on the Committee.

It was on motion unanimously

VOTED: To designate the Municipal Facilities Needs Committee as the Designer Selection Committee for the purposes of selecting the consultant for the Townwide Comprehensive Facility Study only.

Street Acceptances

The Board was in receipt of the following: (1) Memo, dated February 12, 2001, from the DPW Director advising Wyman Drive, Widow Rite's Lane, Michael Lane, Cudworth Lane and Briant Lane should be removed from the Street Acceptance List and excluded from the Warrant as these streets have not been constructed and/or approved by the DPW; (2) Memo, dated February 16, 2001, from the DPW Director, reporting on status of streets submitted for acceptance as public ways, specifically not recommending

Thornberry Lane for acceptance; (3) Memo, dated February 22, 2001, from the Conservation Coordinator, stating her recommendations for acceptance, and listing several streets with unresolved issues; and (4) Memo, dated February 13, 2001, from the Town Planner, commenting on various streets and issues.

Selectman Drobinski advised the Town not accept streets that still have unresolved issues. Town Manager Valente stated such streets should be withdrawn from consideration if there is little chance they will be ready in time, as acceptance requires much preparation and paperwork by Town staff.

After discussion, it was on motion unanimously

VOTED: To withdraw the following streets from the list of streets to be considered for acceptance by the 2001 Annual Town Meeting, as requested by the DPW Director and Conservation Coordinator: Wyman Drive, Widow Rite's Lane, Michael Lane, Cudworth Lane, Briant Lane, Thornberry Lane, Fieldstone Farm Road, Meachen Road, Hunter's Run, Hampshire St., and Plantation Circle.

Town Forum – 248th Session

At 8:00 p.m. Chairman Roopenian convened the 248th Session of the Town Forum. She announced tonight's session would feature reports from the following: Permanent Landscape Committee, Permanent Building Committee, Earth Removal Board, Board of Appeals, Council on Aging and Cable Television Committee.

June Allen, **Permanent Landscape Committee**, briefly described the Committee's duties, and asked for more authority in seeing projects to completion. She indicated the garden clubs willingly plant spaces, but do not tend nor maintain those spaces later. Deborah Kruskal asked that the Committee also be included as part of initial Site Plan approvals with regard to appropriate plantings as well as having more notice as to when their input is needed.

Bruce Ey presented the report from the **Permanent Building Committee**, stating the school projects are due to be completed in the spring and are all within budget. The Committee is beginning work on plans for a DPW garage.

Tom Phelps, **Board of Appeals**, stated the Board of Appeals has a full membership of ten, five full voting members and five alternates. Mr. Phelps briefly reported on their activities, including their participation in working on the proposed Zoning Bylaw. Full member Lauren O'Brien is the former chairperson of the **Earth Removal Board**.

Ruth Griesel and Arletta Cioffari presented the **Council on Aging** report. Topics included high taxes, tax deferral or relief program, senior outreach position and proposed circuitbreaker legislation. It was noted the proposed comprehensive facilities study should be helpful in assessing space needs for this demographic group. Ms. Griesel gave the Board copies of the Senior Center Newsletter and brochure.

There was no report from the Cable Television Committee.

Reports concluded at 9:25 p.m. Chairman Roopenian declared Town Forum closed. Refreshments were served.

Site Plan #01-358 --- Osco Drug

Present: David Wallace, Attorney, Whittemore and Wallace; Michael Radner, Geller Associates; George Bezkoroviandy, Traffic Engineer, Bruce Campbell & Associates, all representing Albertson's Inc.

At 9:35 p.m. Chairman Roopenian reconvened a Public Hearing for the purpose of further consideration of Application SP01-358 of Albertson's Inc., d/b/a Osco Drug, for a Site Plan Special Permit in accordance with Town of Sudbury Bylaws Art. IX.V.A, to construct a two-lane drive-through pharmacy window with 20' x 19'8" canopy and loading space for delivery trucks on the west side of the building, as well as interior renovations, modification to the existing façade, new signage, the addition of a handicapped ramp, crosswalk striping and landscaping on property located at 437 Boston Post Road, owned by Sudbury Crossing Associates Realty Trust, zoned Limited Business District #6. This matter was continued from February 12, 2001.

The Board was in receipt of the following new information:

- 1) Memo, dated February 23, 2001, from the DPW Director, commenting on the revised plans dated February 12, 2001, as follows: (a) the painted crosswalk as shown on sheet SP-2 in front of the proposed drive thru should be connected to the Sudbury Farms sidewalk; (b) I would suggest the planted island west and south of the drive thru be constructed using sloped granite curb. Sheet SP-3 calls for vertical granite curb; and (c) On February 20, the applicant's engineer agreed to prepare an alternate plan showing one drive thru with a proposed turning radius. This plan has not been received for review.
- 2) Memo, dated February 13, 2001, from the DPW Director to the Board of Appeals recommending: (1) the traffic signal at Union Avenue and Route 20 have a pedestrian actuated phase, estimated cost \$5,000; (2) repaint exit lane arrows (left turn only for left lane (westbound on Route 20) and through and right turn arrows for right lane); (3) a sidewalk should be constructed along the length of the entrance isle; (4) the driveway pavement to Sudbury Crossing should be repaired and resurfaced; (5) traffic circulation should be improved; (6) aisles should have defined lane and newly painted centerlines, stop lines and crosswalks repainted, and stop signs added; (7) trash containers blocking driveway isle east of Sudbury Crossing building should be relocated closer to building or removed; (8) employees be required to park in the unused spaces behind Sudbury Farms; (9) the walkway from the rear of TJ Maxx to Raymond Road should be constructed as required by former site plan for T.J. Maxx expansion; and (10) a stop sign be placed in the planted island and a 12" wide stop line and the word STOP be painted before the pedestrian crosswalk between Sudbury Farms and Osco Drug Store. He advised the cost of the pedestrian light and cost of pavement repairs and sidewalk construction should be the responsibility of the owner of Sudbury Crossing and not the tenants.
- 3) Amended Floor Plan A-1 and Exterior Elevations A-2, revised 2-26-01, drawn by Cubellis Associates.
- 4) Small sketch [submitted during meeting by Michael Radner] of a single drive-up lane and traffic flow.

Mr. David Wallace, Attorney, stated several people including the Board, the DPW Director, and himself walked the site in the previous week.

Mr. Michael Radner, Geller Associates, submitted revised Floor Plan A-1, dated February 26, 2001, depicting a relocated entrance to the store. He stated this entrance should provide safer passage for pedestrians. Selectman O'Brien asked if the plans still show a double lane drive-through. Mr. Radner responded they did.

Selectman O'Brien briefly shared his thoughts on the site visit, stating they were able to observe typical daytime traffic and delivery routines for the plazas. He noted some suggested changes may or may not be the responsibility of Osco Drug, but rather the property owners. He suggested a cobblestone paved walkway between the drug store and Sudbury Farms, which would improve the appearance as well as clearly indicate a safe walking area. The Board reviewed written comments submitted by Selectman O'Brien.

It was noted Mr. Wallace agreed to language in the Board's decision for traffic flow to be as applied for, and in the future, after resolution with both plazas, Osco would comply with changes made to traffic flow patterns. Mr. Wallace confirmed he had agreed to this. He reported his belief the owners of the two properties work well together and did not foresee serious problems with accomplishing the proposed changes to the parking and pedestrian areas.

Responding to a question from Selectman Drobinski, Mr. Radner stated the columns depicted on the revised drawing incorporated changes suggested by the Design Review Board. He stated the concept of a community bulletin board was abandoned, as it would not be appropriate for any one business to "own", and difficult to maintain. Mr. Wallace opined the bulletin board was suggested to break up a long monotonous look to the building exterior. Mr. Radner stated a bulletin board would be inappropriate within the vestibule or entrance as they would prefer to keep the glass areas clear for security purposes.

The Board and applicant briefly discussed the DPW Director's memo of February 23, 2001. Mr. Radner stated they have no objection to any of the suggestions and stated further some changes have already been incorporated into the revised plans submitted this evening. Elevation figures are now noted. Mr. Radner submitted a small sketch, should the Board wish to review a possible one-lane drive-up situation, though the applicant prefers two lanes.

With reference to the DPW Director's memo of February 13, 2001, Mr. Radner stated the applicant will be responsible for painting and "refreshing" any markings in the parking area. The Board noted there are outstanding issues connected with the TJ Maxx Site Plan mentioned in this memo.

There was brief discussion regarding temporary signage to indicate traffic flow at the drive-up, pending final decisions by the Board, the Board of Appeals and the outcome of negotiations with property owners. The Board conceded to the wishes of the applicant to retain the double drive-through lanes.

After discussion, it was on motion unanimously

VOTED: To continue the matter until March 12, 2001, at 9:45 p.m. and to direct the Town Manager to direct Town Counsel to prepare a Draft Decision on Site Plan Application #01-358 incorporating all comments agreed upon thus far.

Traffic Flow Task Force

Selectman O'Brien reminded the Board his memo mentioned the creation of a Task Force to assess traffic flow in the 1776 and Sudbury Crossing Plazas for the overall safety of pedestrians and vehicular traffic, to include the Fire Chief, Safety Officer, Town Engineer, Board of Selectmen, Town Counsel and

Town Manager. Mr. O'Brien stated he would like to add the Board of Appeals as many of these issues are directly related to areas under their jurisdiction. The Board agreed.

After discussion, it was on motion unanimously

VOTED: To create a Traffic Flow Task Force for the purpose of assessing the traffic flow in the 1776 and Sudbury Crossing Plazas, as discussed this evening.

DPW Facility – Blue Ribbon Committee

The Board reviewed a memo, dated February 16, 2001, from the Town Manager, in which she suggests forming two committees to handle information about the proposed DPW Facility. A smaller "action" committee would meet frequently, brainstorm ideas, and work intensively, while the larger "sponsoring" committee would carry out various tasks as assigned by the action group, in an effort to reach out to the community at large.

Town Manager Valente stated she would begin approaching people about serving on these committees, if the Board had no objection. She already has a meeting scheduled with Hans Lopater who offered his services. Ms. Valente stated the Town Meeting presentation would begin with a basic introduction of what the Department of Public Works does for the Town, followed by more details. Discussion followed.

2001 Annual Town Meeting Warrant

Town Manager Valente informed the Board they must make any changes tonight as the Warrant must go to the printer. The Board briefly discussed two points within the Zoning Bylaw, whether Site Plan Approval should be unanimous or a majority of the Board, and whether the Sign bylaw should remain unchanged. Selectman Drobinski opined unanimous approval by the Board is good as it forces the Board and applicant to work together to resolve issues. Selectman O'Brien opined the best work comes from requiring a unanimous approval. The Board agreed majority would work better if the Board consisted of five members, but with three it is difficult to declare a majority.

With regard to the sign bylaw question, Selectman O'Brien reported the Board of Appeals preference to move a chart to a different section where it would be more useful to them; however, the Design Review Board is against making such a change at this time. The Board expressed the opinion that such a change might be construed as "major" and lead to defeating the whole bylaw.

Town Manager Valente pointed out any changes or corrections must be made in the detailed codified section, the summary, and in the Planning Board article.

After discussion, it was on motion unanimously

VOTED: With regard to Site Plan Approval in the recodified Zoning Bylaw article and in the separate Site Plan Review Article, to change reference to Board of Selectman approval from "majority" to "unanimous" in all areas where it is mentioned.

It was further on motion unanimously

VOTED: To change the Sign provision back to its original state, reflecting no changes in the recodified Zoning Bylaw from the existing bylaw.

It was further on motion unanimously

VOTED: To approve and sign the 2001 Annual Town Meeting Warrant, with the aforementioned changes.

Executive Session

At 11:05 p.m. it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss matters of litigation. (Chairman Roopenian, aye, Selectman Drobinski, aye, Selectman O'Brien, aye).

Chairman Roopenian stated public session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 11:30 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk