

IN BOARD OF SELECTMEN
MONDAY, JULY 22, 2002

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

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

Opening Remarks

Chairman O'Brien welcomed Ms. Stacey Hart, new correspondent for the *Sudbury Town Crier*.

Chairman O'Brien reminded residents a Level I Water Ban is still in effect.

With regard to recent fires in Sudbury, Chairman O'Brien stated the Board wished to express thanks to the surrounding community Fire Departments who assisted the Sudbury Fire Department in controlling and extinguishing the fires. The Board commended Chief Dunne and the Fire Department on their efforts, and directed the Town Manager to send letters of thanks to the Fire Departments who assisted.

Citizen Petition – Ralph Tyler, One Deacon Lane

Mr. Ralph Tyler, One Deacon Lane, thanked the Board for posting all minutes of their proceedings on the Town website. He stated this is very helpful to anyone tracking the progress of particular projects and keeping in touch with Town government.

Mr. Tyler also submitted a report on traffic impact as it relates to economic development. He briefly reviewed it with the Board. The report contained existing traffic study data statistics, data from the Institute of Traffic Engineers, as well as economic indicators as they relate to Route 20 and area traffic.

The Board thanked Mr. Tyler for his presentation and suggested Mr. Tyler consider participating with the Economic Development Committee, which is developing a Master Plan for Route 20.

Site Plan #02-367 – Willow Hill School

Present: Thomas Peterman, McManus, Peterman Architects, Inc., Judith Vaillancourt, owner.

At 7:55 p.m. Chairman O'Brien reconvened a Public Hearing for the purpose of continued consideration of Site Plan application SP02-367 of Willow Hill School, 98 Haynes Road.

The Board and applicant reviewed a Draft Decision prepared by Town staff, going through the list of Conditions. There were no changes suggested by either applicant or Board.

Town Manager Valente complimented the applicant on the application, noting it was very complete and detailed upon initial presentation, making the Site Plan Review very smooth and relatively simple.

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 approve Site Plan Application No. 02-367 of Willow Hill School to demolish one of its three buildings and replace it with an addition connecting the remaining two buildings for classrooms, offices and a new gymnasium, construct a three-bay garage, build an athletic field, and modify entrance and exit, driveway and parking area, with associated landscaping, lighting, stormwater management, and septic system improvements, on property located at 98 Haynes Road, owned by Willow Hill School, as shown on plans entitled, "Willow Hill School Facility Improvements", containing 22 sheets (cover sheet; Sheets C-100 through C-110 dated April 19, 2002; Sheets L-1 and L-2 dated April 12, 2002; and Sheets A-101 through A-108 dated April 19, 2002), prepared by McManus/Peterman Architects, Inc., subject to compliance with all governmental laws and regulations including, but not limited to Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, zoning, building and health laws and regulations, and further subject to the following conditions insofar as they apply to the property:

1. Two phases of construction are approved: Phase One shall include construction of all buildings, wastewater disposal, stormwater management, landscaping, lighting and construction of an access behind the buildings from Haynes Road, but shall not include the construction of the athletic field. Phase Two shall complete the athletic field, subject to approval by the Conservation Commission. This phased approval permits construction of an athletic field no larger than 150 feet wide by 300 feet long, planted primarily of grass, and containing no permanent structures, with the exception of post and rail fencing at the edges of the field to avoid intrusion into the abutting wetlands. Any enlargement of the field, or proposals to construct athletic equipment or other structures on the field, shall be subject to a modification of this Decision.
2. Approval of the drainage system, including traps, catch basins, and periodic maintenance as required by the Town Engineer.
3. Placement of all new utilities underground.
4. No wells for drinking water supply to be installed on the site.
5. The grant of an earth removal permit by the Earth Removal Board, if applicable.
6. Approval of signs or advertising devices as required under the applicable provisions of the Zoning Bylaw.
7. 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.
8. Exterior lighting to be directed away from adjacent properties and have shields and shall be in conformance with Section 3427f of the Zoning Bylaw. There shall be no lighting of the athletic field.
9. No use of salt or chemical de-icers on the site.
10. Any disposal or removal of effluent and wastes generated on the site shall conform to the requirements of the Board of Health, Town Engineer and/or Conservation Commission, as appropriate.

11. If required by the Board of Health, Conservation Commission and/or Board of Selectmen, the applicant shall install one or more monitoring wells, or other protective device, on the site, including the Town's right of access for periodic testing and monitoring thereof.
12. The applicant has agreed to grant a Conservation Restriction from the centerline of the perennial stream to the eastern property boundary, in accordance with the Conservation Commission's Order of conditions dated May 20, 2002.
13. Walkway:
 - (a) Grant of a 20-foot wide walkway easement by the applicant along the entire frontage of the property to the Town of Sudbury.
 - (b) Construction of a five-foot wide bituminous concrete walkway by Willow Hill School along the frontage of the property, terminating mid-way between utility pole #20 and utility pole #19, where the access to the rear of the buildings meets Haynes Road, as offered by the applicant. Said walkway shall conform to the specifications of the Town Engineer/Director of Public Works, and shall exclude the frontage in front of the circular driveway, where adequate signage and/or striping shall encourage pedestrian passage along the interior of the driveway. Additionally, the applicant shall extend said walkway to the north to connect with the existing walkway on Haynes Road, subject to receipt of the necessary easements from abutters.
14. Removal of all vegetation along the eastern shoulder of the road ten feet back from the edge of the pavement and northerly approximately 170 feet from the proposed main entrance to improve sight distance, and in this area landscaping shall be kept trimmed to maintain the achieved sight distance. Plan Sheet L-1 (Site Improvements) shall be revised to permit only vegetation that does not grow above 3 feet high in these areas.
15. Crossing guards, if required by the Sudbury Police Department, shall be on duty when school is let out and other times deemed necessary by the Police Department.
16. The athletic field, when built, shall not be utilized for non-Willow Hill School functions.
17. The athletic field, when built, shall be partially fenced to prohibit intrusion on wetlands.
18. Addition of the following to the site plan:
 - a) plans shall be amended to show Phase One and Phase Two construction, including drainage system changes.
 - b) inclusion of a detail sheet of the infiltration system.
 - c) lighting shall be clarified more fully.
 - d) stopping sight distance at the proposed two entries to Willow Hill School.
 - e) signage for traffic circulation within the site as recommended by the Town Planner indicating one-way traffic and entrance and exit only.
 - f) existing and proposed impervious surface and building coverage calculations.
 - g) Sheet L-1 shall be revised to show as required in Condition #14 above.
 - h) signature blocks for Selectmen and Building Inspector/Town Engineer.
 - i) stamp of Registered Professional Engineer and Registered Land Surveyor.
19. As the permitting authority, the Board of Selectmen hereby approves a Public Way Access Permit for the proposed relocated entrance and exit, in accordance with the above referenced plans as conditioned above.

20. Applicant shall install regulation signage on Haynes Road warning southbound drivers of the school entrance and reduced sightlines. Sign specifications and location shall be under the review of the Director of Public Works and Police Safety Officer.
21. The access drive to the athletic field area shall continue to be of gravel and shall be limited in use to vehicles for maintenance of the septic system and fields, emergency purposes, and very occasional, minimal overflow parking for school events.
22. 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.
23. No Building Permit shall be issued until this Decision has been recorded in the Middlesex South Registry of Deeds, the plans are approved and signed, and certain items noted above [2, 13(a) and 18], as specified by the Board, are complied with.
24. No Occupancy Permit shall be issued until certain items noted above [3, 4, 5, 6, 7, 8, 10, 11, 12, 13(b), 14, 20, and 22], as specified by the Board, are complied with.
25. This approval shall lapse if construction and a substantial use thereof have not commenced except for good cause within two (2) years from the effective date of said approval.

Note: The plans were not ready for signature at this time.

Town Forum

At 8:12 p.m. Chairman O'Brien convened Town Forum, a monthly presentation by selected Town boards or commissions, designed to update the Board on their activities. Tonight's presentations were provided by the Historic Districts Commission, Sudbury Historical Commission and Sudbury Housing Authority.

Frank Riepe, **Historic Districts Commission**, briefly updated the Board on its activities, with major emphasis on the makeup of the Commission. He stated there are currently vacancies which makes it difficult to get a quorum at meetings in order to conduct business. He requested that the Town change the process for appointing new members to the Commission. Town Manager Valente stated the Commission's makeup was designated via Special Act, and the Conservation Commission only presented one name for consideration, instead of two, so the paperwork was returned to them. Mr. Riepe stated another difficulty is that the Acting Chairman has moved out of town, and is continuing to serve until the HDC's membership can be expanded. Discussion followed.

John Darcey and Jo-Ann Howe, **Sudbury Housing Authority**, reviewed recent activities including the Musketahquid Village 25th anniversary. Mr. Darcey opined that these units seemed to meet the needs of seniors, while the greater need is for family housing. The waiting list for two- and three-bedroom units in Town, currently closed, will be opened briefly in order to update the list. The wait to secure housing could be as long as ten years for a two-bedroom unit.

John Fraize, **Sudbury Historical Commission**, stated the Commission has been busy. He stated their recent focus has been on fire, safety and communications with regard to historic buildings, including a

direct tie-in from the Hosmer House to the Fire Dept. He stated the Hosmer House is in need of paint and repair, and suggests a budgetary line-item every five years, to provide adequate maintenance. There was brief discussion on the Dickson property and the Community Preservation Act.

Mr. Fraize stated the Commission has received a request from the family of Michael Hriniak, to purchase and place a commemorative plaque for a tree in Grinnell Park, previously donated by the family in Mr. Hriniak's honor, in view of his service to the town. After discussion, the Board asked the Commission to inform the family the Board is in agreement with such a remembrance; a plaque in the ground near the tree or perhaps a park bench with appropriate plaque were the Board's suggestions. It was agreed the family should contact the Selectmen's Office with a proposal, it being understood the project would be financed by the Hriniak family.

Reports concluded at 8:45 p.m. Refreshments were served.

Traffic Rules and Orders – Thompson Drive and Bishop Lane

Present: Safety Officer Tony Deldon; area residents.

At 9:00 p.m., Chairman O'Brien convened a public meeting for the purpose of considering amending the Town of Sudbury Traffic Rules and Order to prohibit on-street parking on Thompson Drive and Bishop Lane, in response to the problem of overflow parking from the Lincoln-Sudbury Regional High School.

Town Manager Valente stated the Board of Selectmen is the only governing body that can approve any changes to regulation and signage regarding parking. She noted that, due to the construction of the new high school, student parking areas will be affected. Ms. Valente stated the Safety Officer has suggested New Bridge Road be included in the list of streets considered for no parking. She clarified for the residents that all regulatory action approved by the Board of Selectmen must be printed in the newspaper according to policy before the action can be enforced.

Chairman O'Brien stated approximately 175 LS-student vehicles will be seeking off-site parking at the start of the 2002-2003 school year, estimated by the number of students turning 16 and most likely having cars for their personal use. He noted Superintendent Ritchie is planning to send a strong letter to parents in August detailing the seriousness of parking shortage and encouraging as many students as possible to use the busses provided by the school.

Officer Deldon stated many of the residential streets in this area are very narrow, and there is not enough room to allow emergency or fire equipment to get through. He also noted that there are no walkways on the school side of Concord Road, even if students should park on Thompson Drive. He asked if the crosswalk on Concord Road near Featherland Park could also be upgraded.

Town Manager Valente suggested the funds paid to the Town at the time the School Committee procured the Building Permit could be dedicated to safety upgrades. Funds for off site safety improvements were not included in the high school appropriation article because such costs are not reimbursable from the School Building Assistance.

Officer Deldon stated a parking ticket is initially \$15, and that cost increases the longer the ticket is not paid. At some point, license renewal will be prohibited due to unpaid tickets.

Chairman O'Brien opened the meeting for resident comments and asked speakers to briefly describe specific issues and to remember there are school events that take place at times other than during the school day.

Bob Stein, 7 Thompson Drive, stated the street is a parking lot in the evenings and weekends. People throw trash on the lawns, break sprinkler heads and block driveways. He opined this is due to people accessing the L-S recreational fields. He would like to see No Parking at any time. He suggested incentives be provided to encourage students to use the busses.

Chairman O'Brien pointed out there are adequate busses in all areas of Town, but that students are prone to driving cars once they have attained their licenses.

Chip Herzog, 42 Bishop Drive, asked if the school could enforce limited parking, perhaps seniors only. He expressed concern that nothing will be resolved before the start of the new school year. He acknowledged the school and Town are two different entities. He opined shuttling students from other parking areas in Town does nothing to discourage parking.

Selectman Roopenian responded by stating that the School Committee's priority was to address the educational issues first, and stated further the Board had raised the issue of parking several times.

Chairman O'Brien noted that the school is "sympathetic" but the general feeling is that it is cultural and the school's hands are tied.

Chip Ryan, 45 Thompson Drive, expressed concern for emergency vehicles getting through narrow streets, and opined the situation to be very difficult should there be snowdrifts along the sides of the road. He stated it is difficult to even enter the street on football game evenings as cars are parked right up to Concord Road. He stated he has almost been rear ended several times as he has to almost stop to get into the street. He also expressed concern for school busses turning around at the intersection of Thompson and Bishop.

Allan Wallack, 67 Thompson Drive, wondered about exceptions to any parking ban. He listed tradespeople, overnight visitors, dinner parties, and similar events that would need to be permitted. He stated he prefers the tradespeople park on the street as his grandchildren often play in his drive. He suggested entering into a towing contract with a local garage, which would impact the parents, not the students. This would force the parent to "release" the car from captivity by paying the towing fee, which would be far more than the parking ticket.

Ralph Tyler, One Deacon Lane, expressed concern that a parking ban in one area will simply push the cars to another area. He suggested limiting the parking to one side of the street, lessening the impact of any parking shift. He stated a parking ban should be for everyone, including the people who live on these streets, and the people who park there to walk their dogs on the school grounds or utilize recreational facilities on the weekends.

Tom Spencer, 16 Bishop Lane, was disappointed to see the signs go up as it spoils the appearance of the street. He opined the problem to be at the entrance to Thompson, as he seldom sees parked cars on Bishop Lane. Safety should be the main concern, and parking on one side of the street would allow both parking and emergency vehicles to enter. He opined the parking problem to be a two-year problem, primarily during the school construction.

Eileen Glovsky, 53 Thompson Drive, stated Thompson Drive is difficult to travel when there is snow. She expressed concern for the many small children on the street, who are getting off their school busses when the high school students may be returning to their cars, and expressed concern the older students are strangers to the young ones.

Officer Deldon stated the school busses are not supposed to back up, but turn around in one forward motion. The bus driver may declare the street unnavigable and change the bus stop. A resident stated the bus backs up now to turn around.

Sandy Grace, 10 Kendall Road, stated one-side parking would be reasonable. He noted that other streets in town are just as crowded, especially with tradespeople or construction vehicles, and those streets have no signs posted defining the parking. He opined this proposed action is somewhat vindictive against the students. He noted he has parked on Thompson Drive when attending evening meetings at the school.

Selectman Roopenian stated several streets are designated as No Parking in the Traffic Regulations, even though the streets have no signs.

Charles Glovsky, 53 Thompson Drive, expressed concern for students walking along Concord Road, stating motorists are going very fast and the walkway is not good.

Ken Holbert, 40 Thompson Drive, stated he supports the No Parking, and noted that during football games, the roads are particularly crowded. He noted he would like "exceptions" to be considered.

With regard to Sawmill, the parking is limited to one hour between 8 a.m. and 6 p.m. The signs do not reflect that restriction, Officer Deldon stated.

Town Manager Valente stated she would check with Town Counsel for clarification, but opined that a parking ban would apply to the residents as well as other people.

Officer Deldon expressed concern for people wanting to use the track at the high school, and the most available parking is on Thompson Drive. Eileen Glovsky stated the track will be accessible via an access road, as emergency vehicles must get through to the practices. Not all school property is impacted by construction at the same time. Ms. Valente stated one of the requirements of the Site Plan was to have access for emergency vehicles, if the field is open.

A resident asked if the ban could be put into place but have no signs put up. Town Manager Valente replied that rules and regulations must be followed; in order for the Police Dept to be able to enforce the regulation and have their enforcement stand up in a court case the signs would be necessary.

To allow exceptions to the parking ban, Selectman Roopenian suggested following Section 4 of the bylaw, which allows one hour parking between 8 a.m. and 6 p.m. She stated there will be no football games held at the school while it is under construction.

Officer Deldon stated there is no set distance required between signs. He opined, for example, only one sign may be all that is needed on Thompson Drive.

A resident noted that there were cars parked on Bishop when he came home early from work one day. It was also noted that when the signs went up on Thompson, the cars did shift to other streets.

It was suggested to check with Town Council about level of enforcement, when to enforce and when to use discretion when parking is not a problem, and the amount of signage required to make the parking ban legally enforceable. Selectman Drobinski suggested increased police presence during the first few weeks of school to educate the students as they attempt to park in the restricted areas.

After discussion, it was on motion unanimously

VOTED: That the Traffic Rules and Orders of the Town of Sudbury, adopted by the Board of Selectmen on September 12, 1941, and subsequent amendments thereto, be and are hereby amended as follows: By adding to Article V, PARKING, at the end of Section 4, TIME LIMITED IN DESIGNATED PLACES. No person shall park a vehicle for a period of time longer than one (1) hour between the hours of 8AM and 6PM of any day on the following described streets or parts thereof:

Thompson Drive – both sides from Concord Road to the end
Bishop Lane – both sides from Thompson Drive to the end
New Bridge Road – both sides from Concord Road to Clark Lane

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular meeting of July 8, 2002, as amended.

Council on Aging Donations

It was on motion unanimously

VOTED: To accept \$83.00 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.

Appointments

It was on motion unanimously

VOTED: To correct the appointment made on June 24, 2002, of Stephen M. Richmond to the Board of Appeals and Earth Removal Board Alternates to expire April 30, 2007, instead of April 30, 2005.

It was on motion unanimously

VOTED: To approve reappointments by the Town Manager of David Molzan, Charles Zucker and Mark Engen to the Conservation Commission for terms to expire April 30, 2005.

It was on motion unanimously

VOTED: To reappoint Cheryl Anderson to the Board of Registrars for a term to expire April 30, 2005, in accordance with recommendation of the Republican Town Committee.

It was on motion unanimously

VOTED: To appoint Election Officers for a one-year period commencing August 15, 2002, as recommended by the Democratic and Republican Town Committee Chairmen and the Town Clerk.

It was on motion unanimously

VOTED: To establish April 30th as the termination date for all appointments to the Community Preservation Committee; thus, for the first appointments the one-year appointment shall expire April 30, 2003, the two-year appointment shall expire April 30, 2004, etc.

Chapter 81 Certification

It was on motion unanimously

VOTED: To sign a Chapter 81 Certification for FY2003, prepared by the Town Accountant, to be forwarded to the Mass. Highway Department.

Lotus Blossom Restaurant – Minor Site Plan Process

It was on motion unanimously

VOTED: To approve a Minor Site Plan process for the site plan application of Lotus Blossom Restaurant with the following recommendations: (1) One advertisement of the hearing in the *Town Crier* 13 days prior to the meeting, instead of the usual two publications, the first at least 14 days before the meeting; (2) Notice to abutters as usual (within 300 feet); (3) Elimination of notice to area Planning Boards; (4) Request reports from Town boards as usual (less time will be available for response, but they will have nearly 3 weeks); and (5) The Board would like to have a Landscape Plan submitted as part of the application.

Order of Taking – South Meadow Drive

The Board was in receipt of a letter dated July 15, 2002, from the Sudbury Water District stating they were still interested in receiving deed to a parcel of land within the Marrone Meadows subdivision and were working toward this goal, with Conservation Commission support.

It was on motion unanimously

VOTED: To not accept South Meadow Drive as a Public Way at this time, and to direct the Town Manager to advise the Conservation Commission and Water District the Board will review the matter again in one year's time.

House Bill 4717

It was on motion unanimously

VOTED: To send a letter of support for House Bill 4717 regarding regulation of products containing mercury, after receipt of a report from the DPW Director that the current DPW operation would not be affected by such action.

**Bid Award – Generator for
Fairbank Emergency Shelter**

It was on motion unanimously

VOTED: To authorize the Town Manager to enter into a contract for the purchase and installation of an emergency generator at the Fairbank Community Center pursuant to the Town's Invitation to Bid. Bids will be opened August 2.

Agricultural Preservation Restriction – Northland Residential Corporation

It was on motion unanimously

VOTED: To accept the Agricultural Preservation Restriction granted by Goodnow Farm, LLC, c/o Northland Residential Corporation, to the Town of Sudbury, through its Conservation Commission, consisting of approximately 3.6 acres of the 24 acre Goodnow Farm Subdivision located off Goodnow Road and Camperdown Lane and shown as "Agricultural Preservation Restriction Area" on Lot 9 on a plan prepared by MetroWest Engineering, for agricultural and conservation purposes as approved by the Massachusetts Commissioner of Food and Agriculture and the Sudbury Conservation Commission.

Executive Session

At 11:17 p.m. it was by roll call unanimously

VOTED: To go into Executive Session to discuss expenditures from the Discretionary Fund. (Chairman O'Brien, aye, Selectman Roopenian, aye, Selectman Drobinski, aye).

Chairman O'Brien announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 11:23 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk