

IN BOARD OF SELECTMEN
MONDAY, APRIL 22, 1991

Present: Chairman David A. Wallace, John C. Drobinski and Judith A. Cope.

The statutory requirements as to notice having been met, the meeting was convened by Chairman Judith A. Cope at 7:05 p.m., at the Lincoln-Sudbury Regional High School, Conference Room 303.

Site Plan Special Permit Application 91-314 - 407 Boston Post Road

Present: William J. Cossart, Abbey Water Treatment, Inc.; Steve Greenberg, Dallamora Realtors; John B. Hepting, Building Inspector.

At 7:05 p.m., Chairman Cope convened a public hearing to consider Site Plan Special Permit Application 91-314 of William J. Cossart, Abbey Water Treatment, Inc., for a change in use for a residence with an environmental consulting and product sales business, at 407 Boston Post Road, owned by D and D Realty Trust, zoned Residential A-1.

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 April 22, 1991, recommending approval subject to the following conditions: (1) the permit not authorize use by the previous tenant, Dallamora Real Estate, concurrently with Abbey Water Treatment, Inc.; and (2) the sign be in conformance with the sign bylaw;
- from Health Director Robert C. Leupold dated April 19, 1991, recommending approval;
- from Town Engineer I. William Place dated April 10, 1991, recommending approval subject to the following conditions: (1) the applicant obtain the proper variances from the Board of Appeals; (2) the site conform to the Approved Site Plan No. 85-294; and (3) the parking spaces be repainted;
- copy of letter to William Cossart from Design Review Board Acting Chair dated April 10, 1991, advising that the DRB will be making a recommendation to the Building Inspector for approval of the sign application at its April 23, 1991 meeting;
- from the Traffic Management Committee dated April 16, 1991, recommending approval based upon applicant's statements;
- from Building Inspector John B. Hepting dated April 17, 1991, recommending approval with the condition that an as-built or record drawing be prepared to update the town records in accordance with the stipulation in the Selectmen's meeting notes of November 18, 1985, and further concurring with the Town Engineer's recommendation that the parking lines be painted indicating individual stalls.

The Executive Secretary further informed that the Fire Chief and the Conservation Commission have given verbal recommendations for approval.

In answer to inquiry, applicant William Cossart stated the following:

1. The use of water at that location will, in his opinion, be substantially reduced from what is being used at present;
2. He is aware of the discrepancies between the building and the plans on file with the Town; and
3. His lease with Dallamora is for three years, with options to renew/purchase incorporated therein, and is contingent upon the permitted use being granted in addition to the use of the property currently permitted by use variance.

Mr. Cossart requested and was provided with copies of all communications as outlined above.

It was on motion unanimously

VOTED: To approve Site Plan Application No. 91-314 of William J. Cossart, Abbey Water Treatment, Inc., for use of the property located at 407 Boston Post Road and owned by D & D Realty Trust, zoning district Residential A-1, which will add to the real estate office use a business office use with accessory product sales, said use to be concurrent with a use variance granted by the Board of Appeals for said property, and in accordance with Site Plan Special Permit 85-294 and 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:

1. the painting of all existing parking spaces to delineate each individual stall;
2. the approval of an as-built plan under Special Permit 85-294 conforming to existing site conditions;
3. the conditions set forth in letter from Planning Board dated April 22, 1991.

The Board requested Executive Secretary Thompson to direct Town Counsel to draft a Decision for execution by them incorporating the above vote.

Reorganization of the Board of Selectmen

It was on motion of Chairman Cope unanimously

VOTED: To elect David A. Wallace Chairman of the Board of Selectmen, effective immediately, until the next reorganization of the Board of Selectmen;

and further, on motion of Selectman Cope, it was unanimously

VOTED: To elect John C. Drobinski Vice Chairman of the Board of Selectmen, effective immediately, until the next reorganization of the Board of Selectmen;

and further, on motion of Selectman Drobinski, it was unanimously

VOTED: That Richard E. Thompson continue to serve as Clerk to the Board of Selectmen;

and further, on motion of Chairman Wallace, it was unanimously

VOTED: To set the time and place of the Selectmen's meetings to be every other Monday evening at 7:30 p.m., in the Fairbank Community Center, until further change.

The Selectmen expressed their hope that by scheduling their meetings every other Monday evening, it would free up time for them and for the Executive Secretary to attend meetings of other boards and committees.

The Selectmen concurred with the suggestion of Selectman Cope that Town Forum be scheduled independently from the Selectmen's regular meetings in order to afford the townspeople and board and committee members the opportunity to have a comprehensive and open exchange of ideas and reports.

State Aid Anticipation Notes

Present: Town Treasurer and Collector Chester Hamilton; Town Clerk Jean M. MacKenzie.

It was on motion unanimously

VOTED: To sign renewal of state aid anticipation notes for highway work in the amount of \$145,523.00, dated April 29, 1991, and due July 29, 1991, to BayBank Middlesex at the rate of 4.99%, as set forth in letter dated April 11, 1991, from Temporary Town Treasurer and Collector Chester Hamilton.

Handicapped Signs Violation

Present: Town Clerk Jean M. MacKenzie.

Town Clerk Jean A. MacKenzie brought to the Board's attention that the mandatory handicapped parking signs have once again been torn down in front of Post Road Apothecary.

At the request of the Selectmen, Executive Secretary Thompson will contact Building Inspector/Enforcement Agent John B. Hepting for action.

Unlicensed Dogs

Present: Town Clerk Jean M. MacKenzie.

The Board acknowledged receipt of communication dated April 18, 1991, from Town Clerk Jean M. MacKenzie, advising that the unlicensed dogs for 1991 and 1990 represent a loss to the Town of \$15,000.00 in revenue.

There was a brief discussion as to viable options that may be undertaken to collect from the delinquent dog owners, and at the request of Selectman Cope, she will be provided a list of offenders.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the meeting of April 10, 1991, as presented.

Council On Aging - Van Donations

It was on motion unanimously

VOTED: To accept \$108.50 in miscellaneous donations for deposit into the Council On Aging Van Donation Account; and to authorize the Council On Aging to expend the same for purposes of operating and maintaining the Council On Aging van.

Wood-Davison House Restoration Fund - Donations

It was on motion unanimously

VOTED: To accept \$142.78 in miscellaneous donations for the Wood-Davison House Restoration Fund.

Wood-Davison House Restoration Fund - Expenditure

It was on motion unanimously

VOTED: To authorize expenditure of \$1,577.50 from the Wood-Davison House Restoration Fund to pay architects TBA of Waltham.

Reserve Fund Transfer Request No. 91-18

It was on motion unanimously

VOTED: To approve Reserve Fund Transfer Request No. 91-18, dated April 17, 1991, for Account 503-256 Law Dept. Legal Expense, in the amount of \$15,000.00.

Selectman Cope expressed her desire that these expenses be better planned for under the budgets, and Executive Secretary Thompson advised that it is practically impossible to plan legal expenses due to the nature of the litigation system.

Selectman Cope stated that the Board is not desirous of transferring amounts on this magnitude to any department, but that they recognize the circumstances mandate such action in this situation.

Council On Aging - Staff Reorganization

Upon review of communication dated April 10, 1991, from the Council On Aging relative to staff reorganization, it was on motion unanimously

VOTED: To support the vote of the Council On Aging to change the Director's part-time position of twenty-five hours per week to a job-sharing part-time position with two people splitting that time.

Executive Secretary Thompson commented, and the Board concurred, that Director Marjorie Van Houten has done an outstanding job for the Town, and is pleased that the Council is willing and able to work with her so that she may continue to serve the Town while meeting her personal needs.

Transportation Improvement Program

The Board reviewed the Transportation Improvement Program 1991-1995 Draft, forwarded under cover letter dated April 12, 1991, from the Metropolitan Area Planning Council.

Selectman Cope reported that she spoke with Town Engineer I. William Place concerning this matter and he confirmed her belief that the three Sudbury projects described in the Draft (Rte. 117 at Haynes Road, Union Avenue at Concord Road, and Rte. 20 at Peakham Road) were not feasible for funding because of cost and necessary large land taking proceedings, while the proposed project for Rte. 20, Boston Post Road at Nobscot Road and Union Avenue is one that can and should go forward.

After further discussion, it was on motion unanimously

VOTED: To request the Executive Secretary to draft a letter to the Metropolitan Area Planning Council, advising that the Town wishes to withdraw its request for the intersection improvement projects described on page 52 of the Draft Transportation Improvement Program 1991-1995 (i.e., Rte. 117 at Haynes Road, Union Avenue at Concord Road, and Rte. 20 at Peakham Road), provided that the \$200,000.00 in funds allocated to these projects may be applied to the proposed project for Rte. 20, Boston Post Road at Nobscot Road and Union Avenue, as set forth on page 110 of said Draft.

Unisys

Upon review, it was on motion unanimously

VOTED: To approve draft letter dated April 22, 1991, prepared by Executive Secretary Thompson to Richard J. L'Ecuyer of Unisys Corporation, advising that the Town cannot accept the offer dated January 11, 1991, to purchase the Unisys property and requesting that the lines of communication be kept open.

At the request of Selectman Cope, Mr. Thompson will add the Finance Committee to those receiving copies of said letter.

Drainage Easement

It was on motion unanimously

VOTED: To sign acceptance of Drainage Maintenance Easement from Nyra D. (Colburn) Mosher, for a portion of Lot 14 on Land Court Plan number 27878, Jarman Road, Sudbury, as described in Certificate of Title No. 165635 recorded with the Middlesex Land Registration Office at Book 958 Page 85.

Earth Day Celebration at Longfellow Tennis Club

Selectman Judith A. Cope reported that she attended the Earth Day Celebration at the Longfellow Tennis Club on Sunday and it was well attended, despite the inclement weather.

Mrs. Cope commented, and the Board concurred, that organizer of the event and owner of the Club, Laurence Hammel, is a "hands-on" individual whose generosity and commitment to Earth Day should be acknowledged. A letter of appreciation was approved by the Board.

Town-Wide Cleanup Day

Selectman Cope reminded the public that this is Sudbury Earth Week, and Saturday, April 27, 1991, has been designated as Spring Cleanup Day.

Selectman Cope stated that as in past years, the Chiswick Trading Company is donating the cleanup bags, and the American Legion is providing hot dogs and soda to participants in the town-wide cleanup.

Sign-up for Spring Cleanup Day will be behind Town Hall on Saturday, commencing at 9:00 a.m.

D.A.R.E. Program - Rotary Club Donation

It was on motion unanimously

VOTED: To accept on behalf of the Town and the Sudbury Police Department the amount of \$500.00 from the Sudbury Rotary Club, to be used for the D.A.R.E. (Drug Abuse Resistance Education) Program; to deposit said donation into the account established for the D.A.R.E. Program; and to authorize expenditure of the same under the direction of the Police Chief.

At the request of the Selectmen, Executive Secretary Thompson will prepare a letter of thanks to the Sudbury Rotary Club for their support of this worthwhile program.

Unisys - Request For Release of Executive Session Minutes

Upon review, it was on motion unanimously

VOTED: To refer letter dated April 18, 1991 from Ralph S. Tyler requesting the minutes of all Executive Session meetings called for the purpose of discussing a Unisys Purchase be publicly released in their entirety, to Town Counsel's Office for review and recommendation.

Special Town Election - Preparation of Polls

The Board acknowledged receipt of memorandum dated April 12, 1991, from Town Clerk Jean M. MacKenzie concerning setting up of the polls for Special Town Election on May 13, 1991.

Executive Secretary Thompson informed that he is scheduled to meet with Mrs. MacKenzie relative to this matter on Tuesday, April 23, 1991, at 10:00 a.m., and he will report to the Board following same.

Police Chief and Fire Chief - Review of FY91 Salaries

The Board tabled consideration of the question of setting FY91 salaries for the Police Chief and Fire Chief pursuant to Town Meeting action.

There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk