

IN BOARD OF SELECTMEN
AUGUST 20, 1973

Present: Chairman William F. Toomey, John C. Powers, and John E. Taft

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The statutory requirements as to notice having been complied with, the regular meeting was called to order at 7:30 p.m. by Chairman William F. Toomey.

Chairman Toomey announced that Richard E. Thompson, the Executive Secretary, had been designated by the Board to attend the Sudbury School Committee meeting held this evening between 7:30-8:30 p.m., relative to construction of the Peter Noyes field, and that during this period Phyllis Sampson would be Acting Executive Secretary.

Site Plan Application #73-117, Sylvia Silverman, 717 Boston Post Road

Present: Sylvia Silverman, applicant; Harold Weissman, attorney for the applicant; Francis E. White, Zoning Enforcement Agent, Janet Brennan, abutter

Francis E. White, Zoning Enforcement Agent, submitted the site plan for the Studio of Ballet Arts, 717 Boston Post Road. Mr. White stated that the owner of the property and all abutters had been notified of the hearing. Mr. White read his report, dated July 31, 1973, which stated that his review of the site plan indicated that, with the exception of the four-stall garage to the east side of the property, it does conform with the Zoning Bylaws. Mr. White stated that the Bay State Corvette Club, who occupy this garage, had been notified by him, in a communication dated July 31, 1973, that they must obtain a permit from the Board of Appeals or cease and desist the operation of their club.

Mr. White stated that he had received a reply, dated August 15, 1973, from Mr. Cummings and Mr. Gabler, members of the Bay State Corvette Club. The Board was concerned with the interpretation of this letter and an earlier communication, dated May 16, 1973, from Mr. Cummings relative to the activities of a club at this location as opposed to two individuals repairing cars.

The Board also received a communication, dated August 16, 1973, from the Planning Board, which made recommendations for site plan corrections.

Following further discussion, it was on motion, unanimously

VOTED: To approve the site plan for the Studio of Ballet Arts, dated July 28, 1973, with the following provisions:

1. that the garage is not to be occupied without a variance or special permit from the Board of Appeals;
2. that the only exterior lighting for the barn/studio be a floodlight directed downward to light the stairway, leading up to the westerly side of the barn/studio, and not toward the Boston Post Road; and

3. that the sign reading "studio parking" on the building marked "garage" be removed.

Minutes

The Board voted unanimously to accept the minutes of the regular meeting of August 6, 1973, as amended.

Application for Incorporation

Following a review by the Board of the below-named application for incorporation, it was on motion unanimously

VOTED: To send a favorable report to the Secretary of the Commonwealth on the application of Gail Barlow, 35 Robbins Road, and Rosalind Kaplan, 14 Bent Brook Road, for incorporation of the Wayside Figure Skating Club, Inc., to be located in the Town of Sudbury.

Park and Recreation Commission - Sale of 1965 Ford Pick-Up Truck

The Board received a communication, dated August 6, 1973, from the Park and Recreation Commission which requested the Board's approval to sell an inoperable 1965 Ford pick-up truck, in accordance with Article III, Section 1, of the Town Bylaws.

Following discussion, it was on motion unanimously

VOTED: To approve the disposition by the Park and Recreation Commission of their 1965 Ford pick-up truck as described in their above-mentioned communication,

and it was further

VOTED: To direct the Executive Secretary to advise the Park and Recreation Commission as to the procedure involved in such a disposition.

Tay-Sachs Day - Star Market

The Board received a communication, dated August 6, 1973, from the Bay State Chapter, No. 1084, B'nai B'rith Women of Framingham, relative to Tay-Sachs Day at Star Market on September 7, 1973.

It was on motion unanimously

VOTED: To approve the above-mentioned request, subject to the Police Chief's approval of this collection activity at this site.

Hearing - Application for Underground Storage of Inflammables - Coatings Engineering Corporation, 33 Union Avenue

Present: Zoning Enforcement Agent, Francis E. White; Fire Chief, Albert St. Germain, James M. Knott, President, and Albert J. Zaccor, Technical Director, of Coatings Engineering Corporation; Er Johnson, Superintendent of the Sudbury Water District

At 8:00 p.m., Chairman Toomey opened a hearing, under the provisions of Chapter 148, Section 3 of the General Laws, on the application of James M. Knott, President, Coatings Engineering Corporation, for a license to store, underground, 30,000 gallons of chemical as listed on his application, on property located at 33 Union Avenue.

Notice of the hearing was published in the "Sudbury Citizen" on August 9, 1973. Abutters were notified by certified mail and return receipts were received.

The Fire Chief stated that he had approved the application for storage.

Eric Johnson, Superintendent of the Sudbury Water District, asked Mr. Knott if any method had been arranged for inspection of the tanks, once underground, relating to the tank's life expectancy, to ensure that the tanks were safely containing the chemicals and that the chemicals were not seeping into the water table.

Mr. Knott stated that the chemicals were innocuous, non-toxic, and only mildly flammable. Mr. Knott further stated that the chemicals were petroleum products, for use as plasticizers, which would not be corrosive to the steel holding tanks, and, in any event, would rise to the surface.

Following further discussion, it was on motion unanimously

VOTED: To grant a license to James M. Knott, President, Coatings Engineering Corporation, 33 Union Avenue, for the underground storage of inflammables as follows:

2,500 gallons Class A - Methyl Isobutyl Ketone and Toluene
7,500 gallons Class B - Isopar M
Sol 150
20,000 gallons Class C - Dioctyl Phthalate
Diisodecyl Phthalate
Dicapryl Phthalate
Butyl Octyl Phthalate
Escoflex 150

30,000 gallons Total Storage,
subject to the Board of Health's concurrence with the above statements made by Mr. Knott concerning the characteristics of the chemicals.

Military Reservation Land

The Executive Secretary displayed to the Board a map showing the portion of land to be retained by the government at the military reservation and the acreage recently exceded which lies in Sudbury. The Executive Secretary requested that he be authorized to send letters and copies of this map to Sudbury's congressional representatives, the Director of the General Services Administration, and the Property Review Board to officially go on record again that the Town is very interested in having first option on this land.

Following discussion, it was on motion unanimously

VOTED: To grant to the Executive Secretary the above-mentioned authorization requested.

Lincoln Town Cab

The Board received a communication from Lincoln Town Cab, Richard E. Samson, President, relative to an application for a taxi license.

On the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To schedule on a future agenda a public hearing concerning the above-mentioned application.

The Board further suggested that the Executive Secretary invite a representative of the taxi company presently serving the Town to attend such a hearing.

Department of Community Affairs - 701 Comprehensive Planning and Assistance Program

Present: Dr. Thomas Angotti, Chief Planning Officer, and Michael Schwartz, Management Specialist, from the Office of Municipal Planning and Management, Department of Community Affairs; Eben Stevens, Paul McNally, Jane Gillespie, Edward Connors, and Robert Cooper of the Planning Board

Dr. Angotti and Mr. Schwartz, from the Office of Municipal Planning and Management, Department of Community Affairs, met with the Board and the members of the Planning Board to inform them that the Department, as of July 1, 1972, had initiated, through its Federally-assisted 701 Comprehensive Planning and Management Assistance Program, a new approach in providing planning and management services to cities and towns with a population under 50,000.

Dr. Angotti stated that the previous "701" program was administered by the Department of Community Affairs but executed by private consultants. He further stated that under the new program, the Office of Municipal Planning and Management now retains a staff of ten professional planners and five professional managers with education and experience in planning, public administration and municipal government, who would work directly with the local officials of communities who contract with its Office, toward the preparation and implementation of comprehensive plans and the establishment of strong executive planning and management capability within municipal governments.

Dr. Angotti stated that, although the cost of programs would vary depending upon the individual contract negotiated with each community, all funds would be provided on a 1/3 community - 2/3 Federal basis. He stated that his Office is currently under contract with ten eastern Massachusetts communities.

In response to a question concerning criteria for funding qualifications, Dr. Angotti stated that priorities of interest to his Office might include:

1. working with towns that need assistance; specifically, those who have had very little experience in professional planning and those who have expressed the need for revising zoning bylaws and planning practices;
2. is the community at a crucial point in development; and
3. willingness within the Town for people to accept change.

Dr. Angotti further stated that the priorities are set at the local communities, but that his Office would recommend certain programs and proposals. In answer to a question, he stated that the Office would work very closely with the regional agencies, using their reports and data.

Chairman Toomey suggested that Dr. Angotti and Mr. Schwartz adjourn with the members of the Planning Board to continue the discussion and to answer any additional individual questions of the Planning Board.

Application for Incorporation

Following a review by the Board of the below-named application for incorporation, it was on motion unanimously

VOTED: To table consideration of the application of Bruce T. Quirk and Robert D. Quirk for incorporation of Clearwater Recreation Association, Inc., to be located in the Town of Sudbury, until the receipt of additional information.

Town Counsel

Beckett Building - Town Counsel reported that the multi-unit dwelling located at 553 Dutton Road, formerly owned by Walter Beckett, and presently owned by William L. and Janet M. Smith, is being used in excess of the conditions of the building permit issued in 1960 and that its present use as a multi-unit dwelling is in violation of the zoning bylaw.

The Zoning Enforcement Agent stated that the building contains eight units, which are currently occupied by six lessees.

Town Counsel requested authorization from the Board to contact the present owner, and if, following discussion, he will not comply with the zoning bylaw, to proceed, in equity, to enforce the bylaws under Chapter 40A, Section 22 of the General Laws.

Selectman Powers stated that at one time Mr. Smith contacted the Town relative to the transfer to the Town of flowage rights from Stearns Mill Pond to Hop Brook. Selectman Powers recommended that Town Counsel suggest to Mr. Smith that he appear before the Board of Appeals to correct the violations and to delay legal action until the case has been heard by the Board of Appeals.

Following further discussion, it was on motion

VOTED: That the Town Counsel, with the assistance of the Zoning Enforcement Agent, attempt to negotiate with Mr. Smith to remove the multi-unit dwelling violations,

and it was further

VOTED: That failing attempts to negotiate, Town Counsel be authorized to proceed with court action.

(Selectman Toomey and Taft in favor, Selectman Powers opposed, as to procedure only.)

Buddy Dog Humane Society - Town Counsel reported that he had met with Mr. Halper and the attorney representing him in his appeal relating to Board of Appeals denial of a request for extension of a permit for Buddy Dog Humane Society's operation on Dakin Road.

Town Counsel further reported that the case is presently in District Court and will be heard in early October and that Mr. Halper and his attorney would like to come in to review the situation with the Board.

Chairman Toomey suggested that Mr. Halper, his attorney, and Mr. Edward Kreitsek be invited to a meeting to discuss the overall future of the Buddy Dog Humane Society, rather than to only consider the continuation of the Dakin Road site or a new site on Boston Post Road.

The Executive Secretary requested that Town Counsel arrange for such a meeting through his office.

Town Hall Renovations

Present: Craig Parkhill of the Permanent Building Committee

The Selectmen reviewed a report, dated August 10, 1973, from the Executive Secretary, which he had submitted in an attempt to expedite the Board's consensus relative to the renovation of the Sudbury Town Hall and questions raised by the Selectmen at their meeting with the architects on June 25th.

The Executive Secretary stated that his recommendations relating to the exterior aspects of renovation were as follows:

1. It is not economically feasible to consider major building additions to the Town Hall at this time.
2. It is desirable to have a new public entryway with through circulation to the Town Hall, with public parking to the rear of the building only.
3. The area in front of the present fire headquarters would, aesthetically, be better left to landscaping; however, some section of this area might need to be left in pavement for limited parking or a loading zone depending upon estimated cost to accomplish the same.
4. To eliminate, some time in the future if possible, the present driveway (adjacent to Town Hall) to the parking area at the rear of Town Hall, and in the meantime, to allow no parking along the driveway and to make it one-way circulation for motor vehicles.
5. It is not necessary at present to incorporate a loading zone for Town Hall in a design scheme.

Members of the Board expressed general agreement with the recommendations of the Executive Secretary, but offered the following individual recommendations:

Selectman Powers -

1. Public parking should be to the rear of the building, but some provision for live parking at the front of Town Hall should be included.
2. Area in front of the present fire headquarters should be left in pavement for parking and possibly a loading zone.
3. Design for future driveway to rear parking area should be coordinated with the school plan and the school bus question.
4. Give further consideration to possible incorporation of a loading zone in a design scheme for delivery of heavy equipment.
5. Adequate record storage space should be made available and coordinated with the present Record Storage Management Program to be under way shortly.

Selectman Taft -

1. Possibility of raising the roof on the rear of the Town Hall to accommodate a second floor in that area, or replacement of the present roof which is badly in need of repair.
2. Presently paved area in front of the fire headquarters should be landscaped to improve the visage of the Town Hall from Old Sudbury Road.

Chairman Toomey -

1. Possibility that some deliveries could be made in the paved area in front of the present fire headquarters.

2. The present driveway leading to the rear parking lot should not be closed until an alternate driveway is found.

On the subject of the Executive Secretary's recommendations relative to the selection of a schematic alternate as proposed by A. & H. Browning Architects, it was the recommendation of the Executive Secretary that "Scheme C2" appears to be the most feasible schematic alternate with which to direct the architects to proceed, with the following exceptions or revisions:

1. Eliminate all exterior additions and the new top floor.
2. Eliminate the proposed elevator.
3. Reverse Town Clerk and Assessors space placement on the Main Plan.
4. Provide for Receptionist at front entrance of Town Hall.
5. Eliminate Veterans space on Upper Plan.
6. Provide for separate employees lounge space.
7. Reverse Selectmen and Building Department space placement as shown on Lower and Upper Plan.

Selectman Taft again requested that the architects consider raising the roof on the rear of the Town Hall to accommodate a second floor, or the repair of the existing roof.

The Board also questioned the inclusion of an employees lounge and requested further information as to its usefulness and desirability.

It was on motion unanimously

VOTED: To accept the recommendations of the Executive Secretary as stated above, incorporating the above-mentioned Board amendments to the Executive Secretary's recommendations, and to forward the same to the Permanent Building Committee and to the architects to enable them to proceed with final schematic plans, with the exception of actual departmental space (square footage) allocations or layouts.

Annual Town Report - Award Bid

The Executive Secretary reported that bids for the printing of the 1973 Annual Town Report had been received up until 4:30 p.m. on August 16, 1973, at which time they were opened. Mr. Thompson reported that Lorell Press, Avon, had submitted the lowest responsible bid.

Following further discussion, on the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To award the printing of the 1973 Annual Town Report to the Lorell Press, as set forth in the Executive Secretary's memorandum of August 16, 1973.

Executive Session

It was on motion unanimously

VOTED: To enter into executive session for the purpose of discussing, deliberating or voting on matters, which if made public, might adversely affect the financial interest of the Town and the reputation of any person.

There being no further business to come before the Board, it was on motion unanimously

VOTED: To adjourn the meeting at 11:35 p.m.

Attest: Richard E. Thompson
Richard E. Thompson
Executive Secretary-Clerk