

IN BOARD OF SELECTMEN  
MONDAY, FEBRUARY 26, 1973

Present: Acting Chairman William F. Toomey and John C. Powers

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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 Acting Chairman William F. Toomey.

Site Plan - First Federal Savings & Loan Association of Lowell

Present: Francis E. White, Zoning Enforcement Agent; Robert Aldrich, Agent, Robert Desmarais, Vice President, and John Carraghen, Attorney, all of First Federal Savings & Loan Association of Lowell; Eben Stevens, Chairman of the Planning Board

Francis E. White, Zoning Enforcement Agent, submitted the site plan for the First Federal Savings & Loan Association of Lowell, 450 Boston Post Road, and gave his report. All abutters had been notified.

A letter dated February 9, 1973, had been received from Mr. and Mrs. Reuben L. Seth, abutters, presently in Arizona, who indicated that they favored approval of the site plan. Letters had previously been received from the Department of Public Works dated January 11, 1973, issuing a curb-cut work permit; the Zoning Enforcement Agent dated February 13, 1973; and the Planning Board dated February 5, 1973, in which they recommended disapproval for several reasons. A letter dated February 19, 1973, was received from the Conservation Commission, stating that the Commission had determined that a Wetlands Protection Act hearing would be required before development of the rear portion of the site.

Mr. Ronald Adolph, Chairman of the Board of Appeals, stated that his board had verbally approved the variance for setbacks. Mr. Eben Stevens stated that after further review of the site plan, the Planning Board has removed their objections; with the exception of proposed signs for the building.

Following review of the plan, it was on motion unanimously

VOTED: To approve the site plan for the First Federal Savings & Loan Association of Lowell, property located at 450 Boston Post Road, as shown on the plan by Scott and Duncan Company, dated December 14, 1972, subject to the following conditions:

1. The approval does not in any way constitute approval of any signs shown on the plan which will be considered at a later date; and

2. Subject to the formal signing and filing of the decision of the Board of Appeals relative to the expansion of the non-conforming building.

Minutes

The Selectmen voted unanimously to approve the minutes of the regular meeting and the executive session of February 20, 1973, as amended.

Town Negotiating Committee - Memorandum of Agreement with Sudbury Police Association

A communication dated February 26, 1973, from the Town Negotiating Committee relative to the Memorandum of Agreement with the Sudbury Police Association was received by the Selectmen. On motion it was unanimously

VOTED: To refer the matter to Town Counsel.

Union Avenue Flooding Problem

The Executive Secretary reported that a communication dated February 9, 1973, from Matthew B. Connolly, Jr., Director of the Department of Natural Resources, had been received by the Board relative to an on-site inspection of the property owned by R.A.D.I.N., at which time it was noted that a flooding problem had been created in the area of Union Avenue and the railroad, due to the installation of a culvert on the westerly side of Union Avenue which appears to be either inadequately sized or blocked and has caused flooding in the upstream area with damage to trees. The Executive Secretary stated that this letter had been forwarded to the Conservation Commission and the Engineering Department for their report, but as their reports had only been received today, requested that any action on this item be deferred until next week in order that the Board have time for review.

Mrs. Gillespie of the Planning Board requested that copies of this correspondence be issued to her Board and to the Highway Commission for follow-up.

County Advisory Board

The Board received a communication dated February 21, 1973, from Representative Jon Rotenberg relative to the County Advisory Board bill and directed the Executive Secretary to respond.

Highway Commission - Master Drainage Plan - Article 14

Present: Edward Hughes, Chairman, Highway Commission; Edward Blaine, Highway Superintendent; Robert Homer and Robert Entwistle of Homer Associates; Arthur Harding, Town Surveyor

Mr. Hughes and Mr. Blaine met with the Highway Commission to discuss Article 14, Master Drainage Plan, proposed for the Annual

Town Meeting. Mr. Blaine quoted from the Master Plan Study completed in May 1962 by Charles E. Downe relative to the comments on drainage problems and their increase as the Town grows. Mr. Blaine also stated that of the total complaint calls received last year by the Highway Department, 76 $\frac{1}{2}$ % were concerned with drainage problems and that proper planning was the essential prerequisite to successful performance of any drainage construction program.

Mr. Homer of Homer Associates gave a presentation, pointing out that he and Mr. Entwistle were serving only as advisors; they had not been retained by the Town. Mr. Homer stated that they would like to present a scope of services which a town might normally expect if undertaking a master drainage plan. The primary purposes of the plan would be the designation of problem areas within the Town, the establishment of drainage criteria for areas not now developed, and use as a guide for a capital improvement program to be done on a yearly basis. Mr. Homer stated that plans would show new and revised drainage and would also serve as a guide for preventing encroachment upon water courses.

Mr. Homer commented that all of these items would appear on existing Town photogrammetric plans and stated that the study should also include an investigation as to what State or Federal funds might be available to assist in the program.

Mr. Blaine commented that these plans would also be useful to the Town in the study of any future sanitary sewerage system.

Mr. Toomey questioned the role of the Engineering Department in this survey. Mr. Homer replied that they would expect a cooperative effort with considerable support from the Engineering Department in the use of the aerial survey, maps and records, but that there would be no direct work by the department, using them rather in a liaison capacity.

The Executive Secretary asked, on behalf of Chairman Taft who was unable to attend tonight's meeting, whether there would be some direct tie-in with the Engineering Department mentioned in the final agreement with the consultant. Mr. Homer replied that usually the contract is worded such that the consultant is required to work very closely with all of the various Town agencies and Federal agencies.

Mr. Hughes stated that the Highway Commission feels that the Town should have a moratorium on any further major damage construction until a comprehensive study can be done to determine priorities. Mr. Blaine stated that if the master drainage plan is passed at Annual Town Meeting, we should have an adequate drainage construction program established for the construction season of 1974.

The Town Surveyor was asked for comments, and he stated that he had met with Mr. Blaine and Mr. Homer and had done some work with them. He further commented that a master drainage plan had been obtained in Wilmington, Massachusetts, with Federal 702 planning funds, and that it proved very beneficial to the Engineering Department in developing final plans after a determination was made by the master plan that certain types of improvement were necessary.

Selectman Powers asked whether there would be any delay in the program by the search for Federal money. Mr. Homer stated that the study need not be completed before being implemented. Mr. Harding suggested that a list of priorities be given to the consultant by the Town.

State Senator Chester Atkins

Present: State Senator Chester Atkins; Eben Stevens, Chairman, Paul McNally, Jane Gillespie, and Robert Cooper of the Planning Board

Senator Atkins met with the Selectmen at his request and stated that the size of his district made it difficult to have the type of communication he would like, and that he wished to establish an ongoing relationship with the Board so that he might have an understanding of problems at the Town level. He stated that he works in tandem with Representative Ann Gannett, and that he looks to Boards of Selectmen for guidance in a number of different areas such as the change in the fiscal cycle and problems of sanitary landfill. Senator Atkins specifically mentioned the report of the Mendonca Commission which deals with the total restructuring of labor and municipal employee bargaining rights, stating that when it was printed he would forward copies to the Board and would welcome the Board's criticisms and comments on that legislation.

Selectman Toomey spoke of Sudbury's concern with the MBTA assessment of approximately \$100,000, with no services, and Sudbury's interest in withdrawing from it. Senator Atkins stated that it was virtually impossible to withdraw from it at this time and reported that he was at present working with SILC and John Caswell on using the Bicentennial celebration as a reason for pursuing some type of mass transportation. He added that he would appreciate having the Board's input through SILC as he planned to be working with them for improvement of commuter rail and also some kind of mini-mass transit system with the SILC region.

The Gray Line Bus Company service transfer to Hughes Bros. Bus Company was discussed, and, as the transcript on the Department of Public Utilities hearing is still open, Senator Atkins requested any guidance or questions from the Board, in writing, so that he might pose them to the Department of Public Utilities.

In regard to Senate Bill #1460 relative to Veteran's reimbursement of \$10,000, Senator Atkins reported that the committee

hearing had taken place and requested that a copy of the Selectmen's letter to the Ways and Means Committee be sent to him.

Selectman Toomey reported to Senator Atkins the Selectmen's concern with the school equalization formula for Chapter 70 funds, and as one of the Towns which has been evaluated at 100% assessment, the inequity for funding with towns which are not yet assessed at 100%. The Executive Secretary pointed out that the figures involved amount to between \$100,000 - \$1,000,000, with the attendant increase in the tax rate. Mr. Toomey stated that the Board would request Senator Atkins to endorse any bill which enforced the law that all towns assess at full and fair value.

Teachers salaries in the 18-month budget and the option to include or not include money for 20 months (for the July and August period) was discussed. Senator Atkins reported that he viewed this bill as part of a package for corrective change, and that he had been in favor of it.

Senate Bill #270, County Advisory Board, submitted by Senator Atkins would set up an Advisory Board in Middlesex County, composed of local officials, with some measure of veto power over the Middlesex County budget. Senator Atkins stated that he would look for creative thinking on how to eventually phase out county government in favor of some type of regional government, whether State imposed or elected, and suggested that one thing the Board should be looking at is the formation of these regions and Sudbury's placement therein which would determine what services would be available.

Legislation for the precincting of all cities and towns was next discussed, and Selectman Powers asked whether there were some way of making the terminal date for smaller precincts sooner than 1980. Senator Atkins stated that this could be brought up at the time of consideration for House cuts and recommended that Sudbury request a hearing to work with Representative Keverian on this matter.

Selectman Powers commented that the Board tried to centralize current regional problems through the Regional Concerns Committee, for this Committee's recommendations, and upon his request, Senator Atkins agreed to establish some liaison with that group, as well as with the Board of Selectmen. In line with the foregoing, Senator Atkins requested that the Selectmen establish a policy by which all Town boards, commissions, committees and departments submit any proposed State legislation and inquiries to the Board of Selectmen through the Executive Secretary.

Site Plan - New England Telephone and Telegraph Company

Present: Francis E. White, Building Inspector; Carl Priestly, Architect; Louis A. Gurich and Ralph W. Goodwin of T. A. Maloney, Inc., Contractors

Francis E. White, Zoning Enforcement Agent, submitted the site plan for the New England Telephone & Telegraph Company and gave his report. All abutters had been notified and return receipts of notification had been received. Report of the Zoning Enforcement Agent dated January 23, 1973, and the communication from the Conservation Commission, dated January 23, 1973, concerning this subject had been received.

Following consideration of the plan, it was on motion unanimously VOTED: To approve the site plan of New England Telephone & Telegraph Company, located at 351 Boston Post Road, for the purpose of adding a septic system as shown on the plan dated December 11, 1969, and revised on January 8, 1973.

Warrants

The Selectmen signed a bills payable warrant in the amount of \$162,537.29.

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

VOTED: To adjourn at 11:05 p.m.

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