

IN BOARD OF SELECTMEN
JUNE 25, 1973

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

The statutory requirements as to notice having been complied with, the regular meeting was called to order at 7:00 p.m. by Chairman William F. Toomey.

Town Hall Renovations

Present: Andrea and Hugh Browning, Architects; Craig Parkhill and James Rubin of the Permanent Building Committee

Andrea and Hugh Browning, the architects retained by the Permanent Building Committee, met with the Board to discuss their preliminary design report, dated May 15, 1973, for renovation and/or expansion of the Town Hall. This design report is based on 1981 projections for space needs program data obtained by the Municipal Facilities Committee and recent interviews with each department by the architects.

Mrs. Browning stated that the revised figures in their updated report of June 25, 1973, reflect the most recent review of space need figures by each department, and that several of these departments had indicated a sizable increase since the Municipal Facilities Committee's recommendations had been made. Mrs. Browning stated that the program assumes that all departments and committees, with the exception of Public Health Nursing Association, the School Department, the Fire, Police and Civil Defense Departments, and the field operation of the Highway Department, will be located in the Town Hall in accordance with the Committee's recommendations. Mrs. Browning also stated that several departments had indicated their disagreement with this recommendation.

Mr. Browning stated that they feel the Town Hall does not have sufficient space without extensive work, and that the renovation will be difficult due to the various levels of the building. Therefore, at this time, they would look to the Selectmen for direction relative to these problems.

Subsequent discussion concerning items for consideration included proposals for:

- 1) parking to the rear of the building only,
- 2) a new rear public entry with through circulation,
- 3) a grassed mall to include the paved area in front of the present Fire Department,
- 4) possible future space needs for the Sudbury Water District,

- 5) the possibility of eliminating the present driveway to the parking area at the rear of the Town Hall and the driveway's subsequent relocation, and
- 6) the incorporation of a loading/storage area possibly in the area of the rear stairway leading to the Fire Department.

The Board expressed their unanimous agreement that the foremost consideration should be to retain the present character of the Town Hall.

It was the consensus of the Board that a special meeting be held for the purpose of further discussion on the above-mentioned considerations before the architects proceed with the program, and Chairman Toomey requested that the Executive Secretary schedule such a meeting.

Town Fathers' Forum

The transcript of the Town Fathers' Forum attached hereto is a part of these minutes.

Site Plan Application #73-113 - Studio of Ballet Arts, 717 Boston Post Road

Present: Sylvia Silverman, applicant; Mr. Weissman, attorney for the applicant; Richard J. Babineau, owner; Francis E. White, Zoning Enforcement Agent; Jane Gillespie of the Planning Board; Rudolph V. Marrone and Janet Brennan, abutters

Chairman Toomey opened consideration of Site Plan application #73-113, for the Studio of Ballet Arts, 717 Boston Post Road, continued from June 11, 1973.

The Board had previously received a communication dated May 22, 1973, from the Zoning Enforcement Agent, which stated that the Studio of Ballet Arts is presently in violation of permit conditions relating to hours of operation, by the conduct of slimnastic classes by a tenant to whom the building is leased on a part-time basis, and a communication, dated June 7, 1973, from the Planning Board, which recommended disapproval because of zoning violations. The Board had also received a communication, dated May 16, 1973, from Mr. William E. Cummings, relative to rental of a garage on the property by two members of the Bay State Corvette Club. Mr. Weissman reported that his client Mrs. Silverman had attempted to comply with the conditions of the permit granted her by the Board of Appeals and stated that he had requested, on her behalf, the slimnastic classes be discontinued. Mr. Weissman stated that the tenant had filed for, and had received, a temporary restraining order against Mrs. Silverman which prohibited their eviction. Mr. Weissman also reported that the recent request for renewal of Mrs. Silverman's permit from the Board of Appeals had been deferred because their site plan had not yet been approved by the Selectmen.

Mrs. Gillespie stated that the Planning Board was concerned about the second dwelling on this property and about the operation of the car club in the garage. Mrs. Gillespie stated that, as the second dwelling was pre-existing non-conforming, it was not within their jurisdiction, but she asked that the car club operation be explained. The Zoning Enforcement Agent commented on the limits of the operation, and both Mrs. Gillespie and Mrs. Brennan, an abutter, reported that the number and models of cars at the garage exceeded the original request.

Following discussion, it was agreed by the Board to request a new site plan for the Ballet School, showing this as the only permitted use on this property in addition to the use of the two dwellings.

It was on motion unanimously

VOTED: To deny without prejudice Site Plan Application #73-113 of Sylvia Silverman for the Studio of Ballet Arts, and to waive, upon submittal of a new site plan, the filing fee required by the Board's present rules and regulations governing site plans, and

it was further

VOTED: That it be noted on the new site plan a list of proposed uses within the buildings, which would, in effect, negate any present use of the buildings which is prohibited by the zoning bylaw.

Minutes

The Board voted unanimously to approve the minutes of the regular meeting and the executive session of June 18, 1973, the former as amended, and to approve the minutes of the special executive session of June 20, 1973.

Application for Incorporation

The Board received an application for incorporation for Barbara B. Seymour and Herbert A. Seymour, 353 Old Lancaster Road, for incorporation of Mrs. Seymour School, Inc., to be located at 34 Church Street, Sudbury.

It was on motion unanimously

VOTED: To refer this matter to the Zoning Enforcement Agent for further information and his report before further consideration by the Board.

Office of Civil Defense

The Board received a request from the Civil Defense Director for the Board's authorization to submit an application for "Emergency Communications Planning Report" to the Office of Civil Defense. The Executive Secretary indicated that the request included the Selectmen's authorization of an expenditure of \$800 from Account 501-81 Surveys and Studies (50% of which is reimbursible) for the preparation of such a report for the Town of Sudbury.

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

VOTED: To authorize submittal of the above-mentioned application for "Emergency Communications Planning Report" to the Office of Civil Defense, and to authorize an expenditure not to exceed \$800 from the Selectmen's Survey and Studies account to cover the cost of the same.

License - Don's Limousine and Taxi Service, Inc.

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

VOTED: To approve the license renewal for Don's Limousine and Taxi Service, Inc., d/b/a Maynard-Sudbury Cab, for the year July 1, 1973, through June 30, 1974, subject to the Board's notification by the licensee of all changes in driver personnel, with character verification for the individual drivers to be determined by the Executive Secretary.

MacKinnon's Package Store

The Board received a communication, dated June 18, 1973, from John S. MacKinnon, President, Sudbury Super Market, Inc., relative to proposed expansion of MacKinnon's Package Store.

The Executive Secretary informed the Board that it would be necessary to hold a public hearing on the proposed expansion, under the provisions of Chapter 260 of the Acts of 1971, which amends Chapter 138 of the General Laws (Liquor Control Act), as it concerns a licensed premises, and it was on motion unanimously

VOTED: That the Executive Secretary inform the applicant of the necessity of the hearing and the steps involved in application for the same.

Insurance Advisory Committee - Workmen's Compensation

The Selectmen received a communication dated June 19, 1973, from the Insurance Advisory Committee relative to employees' accidental death and dismemberment insurance.

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

VOTED: To acknowledge receipt of the above-mentioned communication and to approve the recommendations made therein by the Insurance Advisory Committee.

Thursday Garden Club

The Board received a communication, dated June 13, 1973, from Kay Hall, President of the Thursday Garden Club relative to the Club's participation in Heritage Park.

Chairman Toomey requested that the Executive Secretary acknowledge the letter and extend to the members the Board's appreciation for their past participation in plans for the area now known as Heritage Park.

Chapter 90 State Highway Funds

The Board received a communication, dated June 15, 1973, from the State Department of Public Works relative to the assignment of Chapter 90 State Highway Funds in the amount of \$45,300 to the Town of Sudbury.

The Executive Secretary was requested to investigate the amount assigned to the Town in 1972 versus this year's assignment in an attempt to determine whether or not the Town's full allocation has been received, and to report back his findings.

Council on Aging

The Board received a communication, dated June 14, 1973, from Reverend C. W. Talbot, relative to nominees for the permanent Council on Aging.

Chairman Toomey requested that the Executive Secretary thank Reverend Talbot for his nominee suggestions and relay to him that as soon as approval is received from the Attorney General's office relative to acceptance of the Town's establishment of a Council on Aging at the Special Town Meeting on June 13, 1973, consideration will be given Reverend Talbot's recommendations.

Town Counsel

Sanitary Landfill - On the subject of the sanitary landfill, Town Counsel reported that in his memorandum, dated June 22, 1973, he had stated that under G.L.c.111, Section 150A, a facility, including a sanitary landfill, must be assigned as a facility by the Board of Health of the Town of Sudbury, following a public hearing. Town Counsel reported that his memo also stated that the Board of Health had assigned the present sanitary landfill area in accordance with the above-mentioned provision, and that it is possible to establish a brush and stump dump, which, if properly controlled, can be operated without the necessity of cover material. Town Counsel further reported that substantial cost and space savings would be available if satisfactory arrangements can be made between the Board of Health and the Highway Department and recommended that this possibility be reviewed with the Board of Health.

The Executive Secretary was requested to send a copy of the above-mentioned memo to the Highway Commission and to the Board of Health.

Schofield's Inc. - The Board had previously received a communication dated June 14, 1973, from E. R. Schofield, Inc., relative to their application for a second hand motor vehicle license. Town Counsel stated that his opinion, as set forth in his memorandum of June 18, 1973, was that, as the provisions of G.L.c.140, Section 58 and 59, under which such license is granted cannot be complied with in this instance, the request cannot be granted.

Office for Children - The Board received a communication, dated June 20, 1973, from the Office for Children of the Commonwealth of Massachusetts, which requested that the Selectmen designate a person or unit of government to perform the licensing function for day care centers in Sudbury. It was agreed by the Board to defer action on this request until further review of the request and of Town Counsel's recommendation on the matter.

Treasury Warrants

The Board signed Warrants #36 and #37 in the total amount of \$96,300.

Executive Session

It was on motion unanimously

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

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

VOTED: To adjourn at 11:30 p.m.

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