

IN BOARD OF SELECTMEN
MONDAY, AUGUST 26, 1974

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

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:35 p.m. by Chairman John C. Powers.

Site Plan #74-134 - Underground Storage, Mobil Oil Corporation,
Boston Post Road

Present: Francis E. White, Zoning Enforcement Agent; Mr. Mazzone, Attorney, and Mr. Saunders, both representing Mobil Oil Corporation.

Mr. White submitted the site plan for Mobil Oil Corporation, which showed increased tank storage on their property located at the corner of Union Avenue and Boston Post Roads. Mr. White stated that all abutters had been notified of tonight's site plan consideration.

At the Board's meeting with Mr. Mazzone on August 12th on the subject of Mobil Oil Corporation's request for a license for increased storage, Mr. Mazzone was asked to obtain information relative to delivery, safety, and installation of the tank. In this regard, Mr. Mazzone now made the following statements:

Deliveries are presently made 2.5 - 2.6 times per week, but with additional storage facilities, it is expected that deliveries can be reduced to 1.6 - 1.7 times per week.

The present and proposed tank are constructed of fibreglass, the proposed tank will be located two feet away from the present tanks, the hole open less than 48 hours, and the installation will be inspected by the Fire Chief.

The Fire Marshal has indicated that the danger of fire comes not from underground storage, but from frequency of delivery. The Fire Marshal does not have printed material to substantiate this fact, but suggested that the local Fire Chief be requested to attest to this fact.

Mr. Saunders stated that unleaded gasoline is now being stored in the tank which previously stored the premium product, and as it accounts for only 5% of their total sales, their supply of regular gasoline must be delivered more frequently.

The Board received reports from the Zoning Enforcement Agent, dated July 29, 1974, from the Board of Health, dated July 24, 1974, and from the Planning Board, all of which recommended approval.

Following discussion, it was on motion unanimously

VOTED: To issue a license for additional underground storage of 10,000 gallons of gasoline to Mobil Oil Corporation, 611 North Avenue, Wakefield, Massachusetts, as an extension to their existing license for underground storage of 20,000 gallons of gasoline, 1,000 gallons of oil, and 585 gallons of other inflammables stored aboveground at property located at the corner of Union Avenue and Boston Post Road;

and it was further

VOTED: To approve Site Plan #74-134, dated July 10, 1974, for Mobil Oil Corporation, to show increased tank storage on property located at the corner of Union Avenue and Boston Post Road.

Site Plan #74-135 - Edmund R. Brown, Gulf Oil Corporation,
470 Boston Post Road

Present: Francis E. White, Zoning Enforcement Agent; Edmund Brown, applicant; Dr. Norton, owner of vans parked at Gulf Service Station.

The Zoning Enforcement Agent submitted to the Board the site plan for Gulf Oil Corporation, 470 Boston Post Road, which showed a change of use; specifically, the parking of mini-busses and a taxi.

Chairman Powers read into the record a communication from the Zoning Enforcement Agent, dated August 5, 1974, which recommended approval.

During the proceedings a telephone message was received by the Board from the Planning Board, indicating that the Planning Board had just voted to recommend disapproval of said site plan, pending final determination by Town Counsel as to whether or not the parking of the Norton Systems vehicles at this location is legal under the bylaws of the Town.

Dr. Norton stated that the mini-busses are primarily used for transportation of the elderly and the handicapped and for delivery of meals in the Boston area. Dr. Norton stated that these vehicles are serviced and fueled at the Gulf Station on a daily basis and are being parked here overnight in this regard.

Chairman Powers stated that in his opinion these vehicles are incidental to Dr. Norton's business, but not to the operation of Mr. Brown's business.

Selectman Taft cited Article IX, III, B, 2, paragraphs e and g of the Bylaws, both of which deal with related permitted uses in a business district and stated that nothing in either of these sections applies to this particular situation nor has there been a precedent.

Following further discussion, it was on motion unanimously VOTED: To table the matter of site plan consideration until the Board receives a ruling from Town Counsel as to the legality of the parking of the Norton Systems vehicles at the Gulf Service Station, 470 Boston Post Road.

Selectman Taft requested that a more legible site plan be submitted to the Board when the matter is next discussed.

Selectman Toomey stated that if it is determined that these vehicles can be garaged in Sudbury, that the excise taxes on the same be paid to the Town.

Highway Department Investigation

Present: Ernest Finan, Investigator.

Chairman Powers read and issued to the press a statement concerning the matter of the Highway Department investigation and the indictment of the Highway Superintendent by the Middlesex County Grand Jury.

Following the completion of the statement, Chairman Powers introduced Ernest Finan, and questions were accepted from members of the press.

Utility Petition #74-5, Powers Road

Present: Robert Blake of Boston Edison Company; Daniel Place, abutter.

In conformity with the requirements of Sections 21 and 22 of Chapter 166 of the General Laws, a hearing was held on the following utility petition:

UP74-5, Powers Road - Petition of Boston Edison Company and New England Telephone and Telegraph Company for joint or identical locations for the erection or construction of poles to be owned and used in common by them and such other fixtures as may be necessary to sustain or protect the wires of the line upon, along, and across the following public way:

POWERS ROAD opposite Maynard Farm Road, --
One guy wire and anchor

POWERS ROAD southwesterly side, approximately 325 feet
southeast of Maynard Farm Road, --
One guy wire and anchor

The Board received a report from the Wiring Inspector, dated July 23, 1974, which indicated no objection to approval of the petition and a report from the Power and Light Committee, dated

August 8, 1974, which recommended disapproval of the petition, commenting that the purpose of the guy wire on Pole JO 114/16 is not obvious since future cables to Maynard Farm Road should be routed by conduit underground and would not require a guy wire and anchor.

The Board requested that inquiry be made of the Planning Board by the Administrative Secretary as to why utilities in this section of Maynard Farm Road were not placed underground.

Following further discussion, it was on motion unanimously

VOTED: To approve the petition for one guy wire and anchor to Pole JO 114/19 on Powers Road, southwesterly side, approximately 325 feet southeast of Maynard Farm Road; and it was further

VOTED: To table further consideration of the petition for a guy wire and anchor on Pole JO 114/16 on Powers Road, opposite Maynard Farm Road, until further information on the matter is obtained.

Dakin Road

Chairman Powers read into the record a communication, dated August 8, 1974, concerning the same general area, from the Power and Light Committee, which referred to a December 1970 petition of the two utility companies to erect thirteen poles and remove nineteen poles along Dakin Road to Dakin Farms II, which was approved, and which requested that Boston Edison Company and the New England Telephone Company expedite the removal of the nineteen old poles as agreed.

Mr. Blake stated that Boston Edison Company would notify the Telephone Company, requesting that they remove their lines and as soon as this is done, Boston Edison will remove theirs and the poles will be taken down.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular meeting of August 12, 1974, as amended, and the special meeting and executive session of August 15, 1974, as submitted.

Sale of All Alcoholic Beverages - State Primary Elections

It was on motion unanimously

VOTED: To allow the sale of alcoholic beverages by common victuallers and retail package stores during the polling hours of the State Primary elections on September 10, 1974.

Boston Edison Company - Petition to Federal Energy Administration

The Board received a communication on August 10, 1974, from Thomas J. Galligan, Jr., President, Boston Edison Company, who requested the Board's support of that Company's petition to the Federal Energy Administration for regulatory relief in the New England region from high-priced imported residual oil.

It was on motion unanimously

VOTED: To request that Frederick Roth, District Manager, Boston Edison Company, meet with the Board for further discussion on the matter.

Resignation - MBTA Designee

The Board received a communication dated July 31, 1974, from Paul Buxbaum, who tendered his resignation as the Sudbury MBTA designee.

The Board accepted the resignation with regret and directed the Administrative Secretary to acknowledge the communication from Mr. Buxbaum and to express the Board's appreciation for his years of service in that position, requesting that he remain as such until a successor is appointed.

Resignation - Long Range Capital Expenditures Committee

The Board received a communication, dated August 21, 1974, from John R. Smith, who tendered his resignation from the Long Range Capital Expenditures Committee.

The Board accepted the resignation with regret and directed that the Administrative Secretary acknowledge the communication from Mr. Smith and to express the Board's appreciation for his service on that Committee.

Sudbury Police Department

The Board read a communication dated August 14, 1974, from Mr. and Mrs. Michael S. Bubb, Morris Township, New Jersey, who expressed their gratitude for police aid given them in a recent emergency.

Annual Highway Hearing - Middlesex County

The Board received a communication dated August 14, 1974, from the Middlesex County Commissioners relative to the annual hearing on public road matters to be held Wednesday, October 2, 1974, at 10:30 a.m., New Superior Court House, East Cambridge, and which requested that the Board have a representative at this meeting.

It was agreed to designate the Town Surveyor as the Board's representative.

Tax Anticipation Notes

At the request of William E. Downing, Town Treasurer, in a communication dated August 22, 1974, it was on motion unanimously

VOTED: To approve the borrowing, effective September 4 and due November 15, 1974, of \$1,000,000.00 to meet expenses as set forth in the above-referenced communication.

Sudbury Housing Authority - Access to the Housing for the Elderly Project

Present: Douglas Miranda, Lorraine Bauder, Willie Hoover, Robert Williams of the Sudbury Housing Authority; Louis Edwards of the Committee on Town Administration; Arthur E. Harding, Town Surveyor; Craig Parkhill, William Bell, Norman Gillespie, Robert Hotch, and Carleton Colburn of the Permanent Building Committee.

Mr. Miranda stated that the Sudbury Housing Authority had recently voted on the following matters:

- 1) to eliminate consideration of access to the Housing for the Elderly development from Colonial Road;
- 2) to have a shared access road to both projects from Hudson Road; and
- 3) to have included in the special town meeting warrant a backup article for a separate access from Hudson Road, which would run parallel to the easterly lot line, as shown on the plan, in the event that the fire/police headquarters building is not passed.

Mr. Miranda displayed plans showing the separate access road to the Housing for the Elderly project and the alternate road which would provide shared access to the proposed fire/police headquarters building as well.

Mr. Miranda stated that the separate access road would be cheaper to construct, that the combined access road would add 100 feet to its length, but that the Authority would be willing to share the cost of a common driveway.

Selectman Taft objected to the proposed placement of the separate access road if its construction would remove a stand of large trees which would provide screening for the headquarters building and suggested that the area be walked in this regard.

Mr. Bell stated that the Permanent Building Committee favors the shared driveway because it would somewhat reduce the cost of the project headquarters.

In response to questions, the Permanent Building Committee stated that the Committee was satisfied that a shared access road could be constructed without causing a confusion of traffic with the housing for the elderly development and that final determination for locating the road should be made with the headquarters building foremost in mind.

The Town Surveyor submitted to the Board estimates dated August 26, 1974, for Alternates 2, 3, 4, and 5 - Site Improvements.

Mr. Miranda stated that the Housing Authority's tentative schedule calls for completion of drawings by September 1st, documents out to bid by September 15th, bids due in October, with ground-breaking on or about November 14th.

It was agreed that design and costs for shared and separate access roads would be the subject of future discussion.

The Town Surveyor proposed that a 40-foot easement, which would include a walkway, be drawn on the final site plan in case the separate access road is used, and it was agreed that he would stake out both the separate and the shared access road for the convenience of the Board, who will walk the area.

It was agreed by the Board to accept, in principle, the scheme showing the joint layout entering onto Hudson Road as shown on Sheet SP2-A of the plan.

It was also agreed that the architect for the Housing Authority would incorporate the layout of the shared access road on the site plan drawn by Hughes and MacCarthy, as well as the 40-foot easement.

Fire/Police Headquarters Building

Present: Craig Parkhill, William Bell, Norman Gillespie, Robert Hotch, and Carleton Colburn of the Permanent Building Committee.

Mr. Colburn reported that following the August 12th joint meeting of the Permanent Building Committee and the Selectmen, he had reviewed the specifications and plans for the fire/police headquarters facility and had only a few minor criticisms.

Mr. Bell stated that still to be obtained was a letter of committal from the Civil Defense Agency for assistance money, which is being followed up by the Executive Secretary.

Selectman Taft commented that Section 1A.12 of the specifications relating to equal employment opportunities was not as specific as Article VII(A) of the Town Bylaws and requested that the wording of the specifications be changed to incorporate that of the Bylaw.

Mr. Bell stated that the individual drawings will be signed as requested at the August 12th meeting and that the Permanent Building Committee plans to put the document out to bid on September 3rd, with bids received by October 1st.

Chairman Powers asked that the Committee arrange to have a set of the specifications available in the Executive Secretary's office, so that the public can have access to them. Mr. Parkhill was in agreement.

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

VOTED: To adjourn the meeting at 10:25 p.m.

Attest: Phyllis A. Sampson
Phyllis A. Sampson
Executive Secretary Pro Tem