

IN BOARD OF SELECTMEN  
FEBRUARY 19, 1974

Present: 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 Chairman William F. Toomey.

Tax Anticipation Notes

Chairman Toomey reported that on Friday, February 15, 1974, the Board had approved and signed the Town Treasurer's awarding of bids for the Town of Sudbury on \$1,000,000.00 Tax Anticipation Notes, dated February 20th and due May 15th, as follows:

|                                 |       |      |
|---------------------------------|-------|------|
| Community National Bank         | 3.97% | 100M |
| Community National Bank         | 3.99% | 200M |
| Newton Waltham Bank & Trust Co. | 4.00% | 500M |
| Community National Bank         | 4.04% | 200M |

Conservation Commission - Interview/Appointment

Present: Margaret Langmuir, Olga Reed, Joseph Tratnyek, Lael Meixsell, and Eric Lind of the Conservation Commission; Marion Harris and Donald Peirce, candidates for appointment.

The Board met in joint session with the Conservation Commission for the purpose of interviewing Donald W. Peirce relative to possible appointment to the Conservation Commission and for balloting on candidates to fill the existing vacancy on the same.

Mr. Peirce stated that he had owned and operated a construction business from 1947-1952, and that he had been part owner and manager of a commercial rose business from 1952-1973, at which time he had become sole owner. Mr. Peirce stated that he had four times been elected President of the Massachusetts Flower Growers Association, is presently on the State Board of Directors of the Massachusetts Farm Bureau and until recently was also on the Middlesex County Farm Bureau. Mr. Peirce added that he is presently involved with several other organizations, including a land use committee of the Farm Bureau.

Mr. Peirce stated that it was his position that the Conservation Commission should acquire adequate conservation land for the needs of the community over a projected period of time, but not pursue acquisition of land for the sake of the land itself.

Following the interview, it was on motion unanimously

VOTED: To appoint Richard E. Thompson, Executive Secretary, to serve as Clerk for the balloting of the Board of Selectmen and the Conservation Commission to fill the existing vacancy occasioned by the resignation of Raymond Clark.

In response to a request to Town Counsel relative to the expiration date of the term under consideration, Town Counsel requested that he be allowed to further review the pertinent statute and submit to the Board his written opinion and that the candidate be elected to fill the unexpired term of Raymond Clark pursuant to General Laws, Chapter 41, Section 11.

Nominations were opened and the names of Donald Peirce and Marion Harris were placed therein and duly seconded.

Nominations were closed and balloting proceeded.

Marion Harris was elected by a majority vote. (Five votes were cast for Marion Harris; two votes were cast for Donald Peirce.)

Application Hearing - Storage of Gasoline - Liberty Ledge Trust

Present: Alba Taylor, applicant, Mark Taylor; Fire Chief Albert St. Germain; Olga Reed of the Conservation Commission; Joyce B. Nicholls, Patrick Mullen, Jane Packer, and Mr. and Mrs. Harry Brettell, abutters.

Chairman Toomey opened the public hearing on the application of Alba Taylor, Liberty Ledge Trust, to store underground one 3000-gallon tank of gasoline at Camp Sewataro.

The Executive Secretary read the notice of the public hearing and stated that all abutters had been notified and that the application had been approved by the Fire Chief. Mr. Thompson stated that the Board had received a report dated February 7, 1974, from the Building Inspector, which recommended that if the presently unpopulated area is developed in the future, the permit should allow for reconsideration, and that proper security should be considered for the pump itself. Mr. Thompson further stated that the Board had received on February 12, 1974 a communication from Ralph H. Barton, an abutter living at 235 Marlborough Road, which expressed no objection to the proposal.

The Fire Chief stated that storage of gasoline at this site in the lesser amount of 156 gallons could legally be stored at the site aboveground without a permit and that he would prefer to see it stored underground.

Mrs. Taylor stated that the gasoline would be used to guarantee the transportation of all campers if the bus contractor was unable to provide all necessary fuel for the same and to fuel the farm equipment and the three cars used in connection with the maintenance and operation of the camp. Mrs. Taylor stated that the request for the 3000-gallon tank size was decided upon following consultation with several oil companies relative to ease of delivery service.

Mrs. Taylor offered yearly consumption estimates of 73 gallons per week for farm equipment from the period of May 1 through November 31 and 30 gallons per week in the period from December 1 - April 30, and added that the transportation busses consumed 4,000 gallons of gasoline in the two-month period of camp operation and that the three automobiles used in connection with its operation each used 18 gallons per week.

Mrs. Joyce Nichols, 403 North Road, Mr. Patrick Mullen, 388 North Road, and Mrs. Jane Packer, 387 North Road, objected to the proposal in regard to the use of the stored gasoline for the private cars.

Mr. Harry Brettell, 36 Old Coach Road, stated that he would be in favor of granting a license to store a lesser amount of gasoline, mentioning the 156-gallon figure earlier referred to by the Fire Chief.

Mrs. Reed, speaking as a member of the Conservation Commission, recommended that if the license were granted, the tank be placed in such a way that there would be no danger of pollution to a water supply or a waterway.

Following discussion, it was on motion unanimously

VOTED: To table further consideration of the above-mentioned application until the next regular meeting, February 25, to provide for the applicant's submission of usage figures in writing to the Board and confirmation of the exact proposed location of the tank and its distance to the abutters.

Chairman Toomey stated that if the gathering of the requested information caused a problem in processing the application within the required time period and a second application becomes necessary, the Board would waive the filing fee.

Hearing - Storage of #2 Diesel Fuel Oil - E. H. Perkins  
Construction, Inc.

Present: Fire Chief Albert St. Germain

Chairman Toomey opened the hearing on the application of Edward H. Perkins to store underground one 2000-gallon tank of #2 Diesel Fuel Oil at E. H. Perkins Construction, Inc., 50 Union Avenue.

The Executive Secretary reported that the Board had received a report, dated February 7, 1974, from the Building Inspector, which recommended that the license be conditioned to site plan approval.

Fire Chief Albert St. Germain stated that he had approved the application.

Following discussion, it was on motion unanimously

VOTED: To grant a license to E. H. Perkins Construction, Inc., 50 Union Avenue, to store underground one (1) 2000 gallon tank of #2 Diesel Fuel Oil, for private use only (not for public sale) and to be dispensed from a single pump, and it was further

VOTED: To authorize the Executive Secretary to sign the license.

Long Range Capital Expenditures Committee - Warrant Articles

Present: Saul Nathan, Marjorie Huse, Paul J. Remington and William Rynne of the Long Range Capital Expenditures Committee.

The Board met with members of the Long Range Capital Expenditures Committee for the purpose of discussing warrant articles having financial impact on the Town. The Committee submitted to the Board a report on the same, indicating the Committee's position, and a chart, listing the capital requests to this date.

Selectman Powers stated that several articles are being proposed which are new requests and have not previously appeared on five-year plans, and suggested that all proposed articles having financial impact on the Town be carefully reviewed.

Chairman Toomey stated that the Conservation Commission is continuing to request land acquisitions and has, as yet, made no provisions for the protection of the land presently under their jurisdiction, which, in the opinion of the Board, is necessary and has been suggested to the Commission. The Executive Secretary added that a check on present patrolling of conservation land would indicate that we have one major deficiency as far as fire protection is concerned in the Hop Brook area.

Chairman Toomey and Selectman Powers stated that the Town needs a long-range comprehensive plan which would indicate priorities for concrete programs and could be funded through yearly budgeting and requested that the Committee work with Town boards and committees in this regard.

Chairman Toomey stated that proposals in Article 16 (Amend Zoning Bylaw, Section I, G., Flood Plains), Article 17 (Recorded Lots), and Article 19 (Wetland Minimum Lot Size) would have an adverse monetary impact upon the Town through the loss of tax revenue because of reduced assessment of affected land and that no determination has yet been made relative to the amount of acreage or lots involved.

Selectman Powers stated that the possibility of a resultant upset in the stability of land value should be considered. The Board requested that the Committee research the problem and supply the Board with its findings.

The Board also requested that the Committee report on a management program for the land presently under the Conservation Commission's jurisdiction and to review the Commission's proposal for bonding as it relates to land acquisition.

It was the general consensus of the Board that the Long Range Capital Expenditures Committee should strengthen its position and work with Town boards, commissions, committees, and departments throughout the year, acting as a liaison agent to obtain cooperation and to determine the Town's priorities.

The Executive Secretary was directed to schedule a meeting in executive session with the Committee on March 4th for their report on the above-mentioned requests.

#### Minutes

The Board voted unanimously to approve the minutes of the regular and executive session of February 11, 1974, the former as amended.

#### Appointments

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

VOTED: To appoint Benjamin R. Walker, 36 Maple Avenue, as Surveyor of Lumber and Measurer of Wood, for a term to expire on April 30, 1974.

#### Heritage Park

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

VOTED: To defer action relative to the question of approving the final concept plan of Heritage Park until the next scheduled meeting of the Board, February 25, 1974,

and it was further

VOTED: To defer action relative to the question of submission of the Heritage Park Plan to the Historic Districts Commission until the next scheduled meeting of the Board, February 25, 1974.

#### Boston Gas Petition #17885-A

The Board received a notice, dated February 6, 1974, from the Department of Public Utilities, of a public hearing at #1210 Leverett Saltonstall Building, 100 Cambridge Street, Boston, on Friday, March 8, 1974, at 10:00 a.m. in regard to proposed gas rate increases requested by Boston Gas Company.

The Board suggested that said notice be brought to the attention of the press and to the Legislative Director of the Massachusetts Selectmen's Association, and that some thought be given to the advisability of setting up a citizens' consumer committee.

Local Telephone Service - Request for Hearing

The Board noted receipt of a communication, dated February 13, 1974, from Mrs. Robert Simon, 27 Surrey Lane, relative to a request for hearing on telephone service offered to this local area.

The Board agreed to defer action on this request pending consideration of the advisability of creation of a citizens' consumer committee.

U. S. Military Reservation Land

The Board received a communication, dated February 15, 1974, from John A. Brown, President, Sudbury Nonprofit Housing Corporation, which requested a meeting with the Board at the earliest opportunity to discuss their possible interest in the property.

Executive Session

At 9:45 p.m. 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 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 10:50 p.m.

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