

IN BOARD OF SELECTMEN
MARCH 18, 1974

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

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

Article 24 - Amend Article IX, Signs, Section V, J.

Present: Zoning Enforcement Agent Francis White, Jane Gillespie, Paul McNally, Town Counsel David L. Turner, William Hall, Leon Zola, and Richard Briden of the Sign Bylaw Revision Committee.

Mr. White reported that the members of the Sign Bylaw Revision Committee, in preparation of Article 24, had reviewed all past bylaws and had held many lengthy discussions with people employed by oil companies and in the advertising, art, and business fields. Mr. White reported that submittal of the article, in its present form, had received a 6-1 vote of the Committee.

Town Counsel stated that the revised bylaw has redefined the word "sign" and has added definitions for "area of sign" and for a "temporary sign".

Selectman Taft questioned the definition of a "temporary sign" and suggested that the definition be so worded as to specify that a sign not be a recurring one which might be allowable by its repeated removal and replacement at the same location.

Town Counsel stated that this problem had been extensively discussed and that it was the consensus of the Committee that the warrant article is the best proposal at the moment and that it was the Committee's opinion that following experience with it, any inadequacies could be resolved.

Selectman Taft recommended that references to the Building Inspector as enforcer of the zoning bylaw in Section J, 4 of the article, and elsewhere, be amended to read Zoning Enforcement Agent.

Selectman Taft questioned the proposal that bylaw requirements, as they apply to signs, may be varied by a Sign Review Board rather than by the Zoning Board of Appeals.

Mr. Hall stated that this section had received the unanimous support of the Committee, and Mrs. Gillespie and Mr. Briden added that the Committee had thought about giving this to the Board of Appeals, but were of the opinion that a local board should be created whose membership would include a cross-section of the Town - professional men who could offer a positive approach to the merchants with their problems.

The Committee stated that it was the intent of the bylaw that only applications for signs which could not meet the existing standards set forth under Section J, 4, (a) - (d) would be heard before the Sign Review Board.

Mr. Briden stated that P.R.I.D.E. wants to be assured of compatibility between the separate discretion and interpretations of the Zoning Enforcement Agent and the Sign Review Board. Mr. Briden stated that it is P.R.I.D.E.'s opinion that wording of the present article does not assure such compatibility and has set forth, in a communication to the Board, dated March 18, 1974, an amendment in this regard.

As the Board had not yet had an opportunity to review the above-referenced communication, Chairman Toomey requested that members of P.R.I.D.E. meet with the Board, and the Sign Bylaw Revision Committee, including Town Counsel, for further discussion on April 3rd, at 7:30 p.m.

Mr. White announced that the Sign Bylaw Revision Committee would hold a meeting immediately following tonight's meeting with the Selectmen, to further clarify which sign permits are to be issued by the Zoning Enforcement Agent and the Sign Review Board.

Selectman Taft stated that he wished to discuss with his fellow Selectmen the need of establishment of a Sign Review Board, inasmuch as the services of an existing board were available and the work load not too great.

Executive Session

At 8:30 p.m., it was on motion

VOTED: To enter into executive session for the purpose of discussing collective bargaining matters, which if made public, might adversely affect the financial interest of the Town.

Warrant Articles - Planning Board

Present: Jane Gillespie, Paul McNally, and Edward Connors of the Planning Board.

At 8:50 p.m., the Board met with members of the Planning Board to discuss the following warrant articles:

Article 17 - Recorded Lots - In answer to a question, the Planning Board responded that they had not yet made a determination of the number of lots which would be affected by passage of Article 17. Mrs. Gillespie stated that these lots were located in areas known as "Pine Lakes" and "Pine Rest", and that the Planning Board would supply the Selectmen with this information by the end of the week.

The Selectmen stated their concern with the impact of this zoning as it relates to possible "panic" selling of lots by the affected landowners.

Article 18 - Create "Open Space Districts" - Mrs. Gillespie stated that utilization of this zoning bylaw, if passed, would be at the discretion of the individual affected landowners and that it is the hope of the Planning Board that a resolution will be presented by the Board of Assessors offering guidelines. Mrs. Gillespie stated that land for those who wished to place it in an open space district would be assessed at the minimum rate, and once placed in this designation, its removal from the same would require a two-thirds vote of Town Meeting. Mrs. Gillespie stated that the Planning Board did not have, as yet, figures on how much land or how many lots would be affected by passage of Article 18.

Article 19 - Wetland Minimum Lot Size - The Planning Board stated that information as to the number of affected lots will be provided to the Selectmen. Mrs. Gillespie stated that passage of Article 19 would affect nonsubdivision lots and land which has not yet been subdivided.

The Selectmen requested that the Planning Board also supply it with information relative to the tax impact of Article 19.

Selectman Powers asked what criteria will be used by the Board of Health to determine whether land is "swampland, wetland, a body of water, or marshland" and stated that, in his opinion, if no such criteria are set forth in the article, it makes it impossible for the Planning Board to tell how many acres are involved. The Board asked that information in this regard also be submitted, as well as the Planning Board's definition of "contiguous" as it is used in the article.

The Board indicated its concern with the reaction of affected land holders and how passage of such zoning might cause them to sell their land.

Article 21 - Site Plans - Contiguous Land in Same Ownership - The Board indicated its concern with the imposition placed on holders of large tracts of land by passage of Article 21 and requested clarification of the proposal.

Article 26 - Add Transportation Corridors to Official Map - In response to a question, Mrs. Gillespie stated that passage of Article 26 would reserve land within railroad rights-of-way for specific use as transportation corridors. In response to a question from the Board relative to what impact such a designation might have on industrial land through which a railroad right-of-way passes, Mrs. Gillespie stated that said industrial land would be enhanced and that the corridor could be bought but could not be built upon.

The Selectmen requested that the Planning Board be prepared for questions at Town Meeting relative to utilization of transportation corridors and their impact on the industrial areas.

Selectman Powers advised the Planning Board that all land in these railroad rights-of-way might not belong to the railroads.

Article 27 - Hydrological and Geological Study - In response to a question, the Planning Board stated that, in its opinion, the results of the proposal in Article 27 would be very valuable information to the Planning Board and to the Planning Administrator, if hired.

Article 28 - Hire Consulting Firm - Transportation and Land Use Plan - Mrs. Gillespie stated that the Planning Board could recommend indefinite postponement of Article 28 if the Planning Administrator were hired. In response to a question from the Board, Mrs. Gillespie stated that material gained as a result of passage of Article 28 would be valuable, but that the Planning Board was of the opinion that a Planning Administrator could supply much of the necessary information, and that if such consultants were utilized, help of the magnitude in Article 28 would not be requested.

Article 32 - School Walkways - The Executive Secretary asked the Planning Board for a recommendation on priorities in a reduced article request.

Mrs. Gillespie stated that, in her opinion, the first walkway priority includes the area around the Junior High School - that mentioned in Section "B". Mrs. Gillespie stated that the second walkway priority is the area in the vicinity of Haynes Road, Hadley Road, Dunster Road, and Puffer Lane to the area in the vicinity of Mossman Road, Silver Hill Road, Farm Lane, Old Coach Road, Ledge Road and Sylvan Way (Section "A, HF").

Mrs. Gillespie explained that these priorities were agreed upon in discussion held between herself and Mr. Stevens, and that, as yet, there had been no full discussion of the matter among all members of the Planning Board nor had there been a vote of the Planning Board.

The Selectmen stated that they would prefer to see all engineering funds requested in this and other articles appear in the regular line item of the Engineering Department budget. The Planning Board indicated concurrence.

Article 33 - Bicentennial Walkways - Final Engineering/Construction and Article 34 - Bicentennial Walkways - Planning/Preliminary Engineering - Mrs. Gillespie stated that it was the Planning Board's opinion to proceed with these articles if the cost could be tied in with bicentennial funding, but that the Town should not pay for these walkways alone.

Article 25 - Limited Business District #6 - Petition (Vana Land) - Mrs. Gillespie stated that the petitioner had agreed to increase the size of the conservation easement. Mrs. Gillespie further stated that the Planning Board was not asking the petitioner to deed a roadway, and that while the petitioner was cooperative, he was not ready to deed specific land to the rear of his land for possible use as a future road.

Appointments

Chairman Toomey announced the appointments, on March 4, 1974, of Robert Anderson, 101 Austin Road, and Robert Turner, 11 Barbara Road, to serve as Associate members of the Board of Appeals, terms to expire April 30, 1974.

With the concurrence of Dr. H. James Healy, Chairman of the Board of Health, it was on motion unanimously

VOTED: To sign a nomination paper for Dr. Stuart E. Wiles, 662 Boston Post Road, for Inspector of Animals for the Department of Agriculture.

Upon the request and recommendation of the Chief of Police, as set forth in a communication dated March 7, 1974, it was on motion unanimously

VOTED: To appoint Robert E. Hall, Jr., 36 Concord Road, as a Special Police Officer for part-time duty, for a term to expire April 30, 1974, subject to the approval of the Personnel Board.

Application - Entertainment License - J. T. Steak House

At its regular meeting of February 11, 1974, the Board received an application from Sudbury Management Associates, Inc., d/b/a J. T. Steak House, which requested a change in weekly entertainment license. At that time, the Board agreed to defer consideration of the application until further information was received from the Building Inspector, the site had been viewed by members of the Board, and review by Town Counsel of the statute regulating control of entertainment as it relates to dancing.

The Board received a communication, in this regard, from the Building Inspector, dated March 18, 1974, in which he recommended disapproval of said application.

It was on motion unanimously

VOTED: To deny the application from Sudbury Management Associates, Inc., without prejudice.

It was further

VOTED: To direct the Executive Secretary to request that the applicant resubmit the application and to appear before the Board at the time of its consideration,

and it was further

VOTED: To request of Town Counsel an opinion on the minimum period of time for which the Board may issue such a license.

Insurance Advisory Committee - Blue Cross/Blue Shield Insurance

The Board noted receipt of a communication dated March 8, 1974, from the Insurance Advisory Committee relative to the differences between the Town's present level of coverage vs. the Master Medical Level of Blue Cross/Blue Shield insurance.

Gasoline Storage Permit - Camp Sewataro - Liberty Ledge Trust

The Board received a communication dated March 8, 1974, from Wilson & Orcutt, attorneys for Camp Sewataro, relative to a request to the Board to reconsider its action at its regular meeting on February 25, 1974, wherein the Board voted a conditional permit for underground storage of gasoline in the amount of 500 gallons. The communication also requested that the Board revoke the permit to allow underground storage in the amount of 1000 gallons, as the latter amount is the minimum order which will be delivered by vendors.

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

VOTED: To rescind the above-referenced vote of the Board as recorded in the minutes of the February 25th meeting;

and it was further

VOTED: To grant a license to Liberty Ledge Trust, Liberty Ledge, Sudbury, to store underground one (1) 1000 gallon tank of gasoline, subject to the following conditions:

1. the recommendations as set forth in the communication of the Building Inspector, dated February 7, 1974;
2. that the gasoline be for private use only (not for public sale) and to be dispensed from a single pump;
3. that the gasoline be used for equipment on the premises only;
4. that there be no use of the gasoline for fueling private vehicles which travel on the public way;

5. that installation be made under the supervision of the Building Inspector.

Resignation - Personnel Board

The Board received a communication, dated February 20, 1974, from Bruce Ostar, tendering his resignation from the Personnel Board, effective immediately.

The Board accepted Mr. Ostar's resignation with regret and directed the Executive Secretary to send a letter to Mr. Ostar thanking him for his eight years of service to the Town.

Minutes

The Board agreed to defer the question of approving the minutes of the special meeting of March 2, 1974, and the regular meeting and executive session of March 11, 1974, until its next regular meeting on March 25, 1974.

Sales of Alcoholic Beverages on Election Day, March 25, 1974

It was on motion unanimously

VOTED: In accordance with the amendment to G. L. Chapter 138, Section 33, Package Goods Stores, licensed under Section 15, may remain open on Election Day, March 25, 1974.

Article 56 - Police/Fire Headquarters Building

Present: Craig Parkhill, William Bell, Norman Gillespie and Robert Hotch of the Permanent Building Committee; Burgess Warren, Robert Beckett, Clark Goff, and N. Cornell Gray of the Historic Districts Commission; Fire Chief Albert St. Germain; John Hennessy of the Finance Committee.

The Permanent Building Committee displayed architects' renderings of colonial and contemporary designs for the proposed police/fire headquarters building, as well as the site plan and interior design. Cost estimates for the designs were given; \$715,381 for the contemporary and \$802,019 for the colonial. Mr. Bell stated that these renderings would also be on display at Town Meeting.

It was noted that the present concept does not reflect screening as requested by the Historic Districts Commission, and the Permanent Building Committee stated that this screening will be indicated before Town Meeting.

Mr. Parkhill stated that the architects had defined, on a topographical plan of the site, the boundaries for the parcel of land which will be sold to the Sudbury Housing Authority for use as a housing for the elderly site.

Executive Session

At 10:30 p.m., it was on motion

VOTED: To enter into executive session for the purpose of discussing matters with the Permanent Building Committee, which if made public, might adversely affect the financial interest of the Town.

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

VOTED: To adjourn the meeting at 11:25 p.m.

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