

IN BOARD OF SELECTMEN  
MONDAY, SEPTEMBER 23, 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 7:30 p.m. by Chairman John C. Powers.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular meeting and the executive session of September 16, 1974, the former as corrected.

Communications Consultant

The Executive Secretary announced the employment of Mr. Bradford Tiffany, as Communications Consultant, in connection with the cost analysis of changing over communications equipment from the present police and fire facilities to the proposed new headquarters building on the so-called Oliver land.

Board of Health - July Road Property Clean-up

At the request of the Board of Health, in a communication dated September 19, 1974, it was on motion unanimously

VOTED: To authorize Town Counsel to legally represent the Board of Health in effecting the cleanup of a home owner's property on July Road.

Site Plan #74-136 - Margaret Frederickson, St. John Evangelical Lutheran Church Nursery School, 16 Great Road

Present: Francis E. White, Zoning Enforcement Agent.

In accordance with Article IX, Section V, Paragraph A, of the Sudbury Bylaws, the Selectmen took under consideration the site plan for Mrs. Margaret R. Frederickson, St. John Evangelical Lutheran Church Nursery School, 16 Great Road, which indicated a proposed change in the location of the nursery school playground.

The Executive Secretary reported that notice of the above application had been sent to all abutters.

Mr. Thompson reported that a hearing for renewal of the school's permit to operate a day care/nursery school had been held on September 17, 1974, by the Board of Appeals, and that permit renewal had been granted on that date.

The Zoning Enforcement Agent stated that his recommendation was for approval of the site plan.

The Executive Secretary reported that the Board had received a report dated September 10, 1974, from the Planning Board and a report dated September 6, 1974, from the Board of Health Agent, both of which recommended approval.

No abutters appeared in opposition to the proposal.

Following discussion, it was on motion unanimously

VOTED: To approve the site plan dated August 7, 1974, of Mrs. Margaret R. Frederickson for the St. John Evangelical Lutheran Church Nursery School, 16 Great Road, to show a change in the location of the playground area.

Award Bid - #2 Fuel Oil

In response to invitations to bid on #2 fuel oil to supply heating oil for the Town Hall, Centre School Building, Loring Parsonage, Fire Stations, and Goodnow Library, on the recommendation of Town Counsel, it was on motion unanimously

VOTED: To award the bid to the low bidder, Interstate Gas & Oil Corporation, at the low bid price of .310¢ per gallon, as indicated at the time of bid opening, September 19, 1974.

Re-opened Dog Hearing - Adametz, Sharkey/Stern

Present: Mrs. Samuel Stern, owner of the dog; Mrs. Clinton Beaudette, Mr. and Mrs. Arthur York, Mrs. Leonard Douglas, abutters; Francis E. White, Dog Officer, Betsy M. Lawson, Assistant Dog Officer.

The Executive Secretary stated that on September 9th, the Board had stayed its order of August 12th that the Sterns dispose of, or otherwise remove, the dog "Sambo" within a thirty-day period and to re-open the hearing on September 23rd, on the basis of new evidence -- a communication dated September 3, 1974, from Mrs. Samuel Stern.

Chairman Powers read into the record a communication dated September 19, 1974, from Mrs. Vincent Adametz, a complainant at the September 9th hearing, which stated that the dog "Sambo" had been tied for the last two months.

Mrs. Beaudette, Mrs. Douglas, and Mr. and Mrs. York, abutters, supported the statements in Mrs. Stern's above-referenced letter, which attested the dog was not a nuisance.

Following further discussion, it was on motion unanimously

VOTED: To rescind the Board's vote of August 12, 1974, relative to the dog "Sambo", owned by Mr. and Mrs. Samuel Stern, and to take no further action on the matter at this time.

94th Session of the Town Fathers' Forum

The transcript of the 94th session of the Town Fathers' Forum attached hereto is a part of these minutes.

Davis Property - Hulbert Property

Present: Town Accountant John Wilson; Town Treasurer William Downing; Eric Lind and Margaret Langmuir of the Conservation Commission; Pasquale Piscitelli and John Carter of the Park and Recreation Commission.

The Board met with members of the Conservation Commission and the Park and Recreation Commission for discussion of the status of the acquisition and funding of the Davis and Hulbert lands.

Davis Farm - Mr. Lind stated that application had been filed with the Bureau of Outdoor Recreation (BOR) for matching funding on both the recreation (29+ acres) and conservation (37+ acres) parcels of the Davis farm, but as the Commission has been informed that BOR funding is not available in 1975, it is presently seeking only State Self Help funding for the conservation portion.

Mr. Lind stated that Mr. Orcutt, Mr. Davis' attorney, and Town Counsel have drawn up a new agreement to purchase the conservation parcel in October 1974 and to purchase the recreation portion of that land in November or December 1975, at which time they may again become eligible for 1976 BOR funding.

Mr. Lind stated that the application for 1976 BOR funding will be properly submitted, and, if the funding is available at that item, the application will be qualified. Mr. Lind also stated that there is legislation pending to increase BOR funding, but it is uncertain, at this time, if it will be available in 1976.

Chairman Powers read into the record the vote taken on Article 12 (Acquire Davis Land) at the 1974 Annual Town Meeting as it relates to funding of the purchase, and discussion followed of the Town's commitment to purchase the property if BOR funding is not available.

Town Counsel was requested to submit to the Board a written memorandum relative to procedure of the Davis land purchase under the vote, as well as copies of the old and the new purchase and sales agreement with Mr. Davis.

Town Counsel was also requested to meet with the Town Accountant and the Town Treasurer relative to borrowing procedure.

Hulbert Land - Mrs. Langmuir stated that she had recently written to the Director of the Division of Conservation Services, Department of Natural Resources on September 13, 1974, requesting that Office's review and estimate of possible BOR funding relative to the Hulbert land acquisition.

Mrs. Langmuir stated that if it appears that federal BOR funding will not be available for the Hulbert land purchase, the Commission would like to proceed immediately to acquire the land under the State Self Help program, application for which was filed on March 13, 1974.

The Board requested that Town Counsel submit a memorandum relative to the purchase of a small section of the parcel that lies in the Town of Framingham and to acquisition of the whole parcel as it relates to the sales agreement and methods for funding relating to the Town Meeting vote of April 9, 1974.

Military Reservation Land - Chairman Powers informed the Conservation Commission and the Park and Recreation Commission of the recent meetings held with Commissioner Brownell of the Department of Natural Resources relative to the Military Reservation land and made the following statements in his review of the same:

At the initial joint meeting a consensus had been reached that this land be used for the purpose of conservation and recreation, and the State had indicated its interest in development of this land as a State Park.

At the September 18th meeting a rough land use plan had been shown for which Commissioner Brownell and his staff requested Sudbury's support in application by the State for its use for passive conservation and recreational purposes.

Selectman Taft stated that in areas in which the Department of Natural Resources has facilities, they set up a local advisory committee with whom they work. Selectman Taft added that establishment of such a committee would provide the Town with a voice on the ultimate use and maintenance of the land.

Chairman Powers added that a portion of the military land now being excessed originally belonged to the Department of Natural Resources before it was acquired for military purposes.

The Board requested that the Conservation Commission supply it with input for future meetings, and Mrs. Langmuir stated that the Commission's earlier report still stands.

The Board stated that it would keep the Conservation Commission and Park and Recreation advised of future meetings.

October 22, 1974, Special Town Meeting - The Board requested of the Conservation Commission that its proposed article dealing with a bylaw revision relative to flood plain district be deleted from the warrant for the October 22, 1974 Special Town Meeting, as the subject matter is not of an emergency nature. Mrs. Langmuir and Mr. Lind stated their individual agreement with the Board that consideration of the article be postponed until the 1975 Annual Town Meeting, and Mrs. Langmuir stated that she would put the request to a vote of the Commission at its next meeting.

Application for Waiver for Exterior Sign - American Oil Co.

Present: Francis E. White, Zoning Enforcement Agent

The Board re-opened consideration of the application of American Oil Co., for a sign permit to change the wording of the pre-existing, non-conforming sign located at 440 Boston Post Road, and requested Town Counsel's report of his findings on the matter.

Town Counsel referred the Board to his communication dated September 20, 1974, which sets forth Article IX, V, J, of the Bylaws as the section under which a non-conforming, pre-existing sign may be continued...but shall not be...reworded...unless it is brought into conformity, or unless a waiver from this section is granted by the Sign Review Board.

It was the recommendation of Town Counsel that if any change in the location of the sign or the telephone booth on the property, portions of which either extend onto or overhang the public way, are to be requested, that it be done in conjunction with the wording change of the sign.

As the present location of the sign is a traffic hazard, the Board suggested that the Zoning Enforcement Agent meet with the petitioner to see if he is agreeable to relocation of the sign to the gasoline pump island and to make the necessary inquiries as to the relocation of the telephone booth.

It was on motion unanimously

VOTED: To defer the Board's decision on the permit for exterior sign until after the Zoning Enforcement Agent's meeting with the owner of the American Oil Co. station, 440 Boston Post Road, relative to an agreement to remove the sign to the pump island.

Sudbury Water District Deed

Present: Pasquale Piscitelli and John Carter of the Park and Recreation Commission.

On the subject of the deed drawn to convey the new well site on Raymond Road from the Town to the Sudbury Water District, Mr. Carter was requested to submit to the Board a communication certifying the completion, to the Park and Recreation Commission's satisfaction, of all road and water work done by the Sudbury Water District, as earlier agreed upon.

Executive Session 11:00 p.m.

It was on motion unanimously agreed to enter into executive

session for the purpose of discussing matters which, if made public, might adversely affect the financial impact of the Town.

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

VOTED: To adjourn the meeting at 11:45 p.m.

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