

IN BOARD OF SELECTMEN
MONDAY, APRIL 28, 1975

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

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. by Chairman John E. Taft.

Jurors

Present: Betsey M. Powers, Town Clerk

The Board drew the names of Samuel C. Morton, Jr., 112 Pratts Mill Road, and Franklin K. Stauffer, 21 Woodland Avenue, to serve as jurors at Lowell Court, and Elmo J. Pacini, 77 Clifford Road, and R. David Robins, 35 Meadow Drive to serve as jurors at Cambridge Court, all commencing June 2, 1975.

Utily Petition 75-29 - Peakham Road - Meadowbrook Circle

Present: Robert Blake of Boston Edison Company

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

UP75-29 - Petition of the Boston Edison Company to install fifty (50) feet of conduit in Peakham Road, at and southerly from Meadowbrook Circle, in order to supply underground service to a new development.

The Executive Secretary reported that appropriate boards had been notified and that a recommendation for approval, dated April 17, 1975, had been received from the Wiring Inspector.

Following discussion, it was on motion unanimously

VOTED: To approve the above-reference petition, as submitted by the Boston Edison Company on March 21, 1975.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the following meetings: the regular meeting and executive session of April 1, 1975, the former as corrected; the regular meeting and warrant review of April 2, 1975; the regular meeting of April 7, 1975; the special meeting of April 8, 1975; the special meeting and executive session of April 9, the latter as corrected; the regular meeting of April 14; and the regular meeting of April 15, 1975.

License - Underground Storage of Inflammables Highway Garage

Following discussion, it was on motion unanimously

VOTED: To rescind the Board's vote of October 15, 1973, to grant a license to Edward J. Blaine, Superintendent of the Highway Department, for the underground storage of inflammables at the Highway Garage, 175 Old Lancaster Road, as follows:

One (1) tank for 2,000 gallons of Diesel Fuel;

and it was further

VOTED: To grant a license to the Sudbury Highway Commission, for use by the Sudbury Highway Department vehicles, for the underground storage of inflammables at the Highway Garage, 175 Old Lancaster Road, as follows:

One (1) tank for 2,000 gallons of Diesel Fuel.

Reserve Fund Transfer Request

#0615 - Account 503-21 Law - General Expense - Following discussion, it was on motion unanimously

VOTED: To approve a request for a transfer (#0615) in the amount of \$2,800.00 from the Reserve Fund to Account 503-21 Law - General Expense, for unexpected expenses in connection with extended labor negotiations and expert witness fees.

Site Plan #75-146, West Sport, 81 Union Avenue

Present: Francis E. White, Zoning Enforcement Agent; Saul Westleman, West Sport, applicant; and Ronald Adolph, Chairman of the Board of Appeals

In accordance with Article IX, V, A of the Sudbury Bylaws, the Board considered the site plan of West Sport, 81 Union Avenue.

The Executive Secretary stated that the following reports had been received: from the Zoning Enforcement Agent, dated March 29, 1975, which recommended approval; and from the Planning Board, dated April 17, 1975, which recommended conditional approval.

Mr. Thompson reported that a petition for a permit to operate a retail business for the sale of camping trailers, canoes, camping equipment, and sporting goods, on property at 81 Union Avenue, had been heard before the Board of Appeals on March 25, 1975, and that a conditional permit had been granted.

Mr. Westleman explained that 4,000 square feet of the exterior storage area would be allotted to West Sport, which would be sufficient to accommodate storage of his twenty or twenty-one camping trailers.

Chairman Taft requested that delineation of this area and several other additions be made to the plan.

Later in the evening, following completion of the requested additions, it was on motion unanimously

VOTED: To approve the site plan of West Sport, 81 Union Avenue and William J. Corcoran, Robert K. Pederson, Trustees of 75 Union Avenue Realty Trust, dated March 18, 1975, subject to the conditions set forth in the Board of Appeals permit issued March 25, 1975, and to sign approval by the Sign Review Board.

Site Plan #75-145, Orion Realty Trust, 80 Union Avenue

Present: Francis E. White, Zoning Enforcement Agent; Ernest Schofield, applicant

The Executive Secretary reported that, at its April 14 meeting, the Board voted to defer further consideration of the Orion Realty site plan, to request the Zoning Enforcement Agent to arrange for an on-site inspection and meeting between the Selectmen and the principal, and to have the subject scheduled on the agenda for the Board's April 28 meeting.

The Executive Secretary reported that the Board had viewed the site on April 22 and that the following reports had been received: from the Board of Health, dated March 31, 1975, which stated that the existing drainage ditch located on the lower south side of the property was not located on the plan under consideration and that a high ground water was recorded in the proposed septic system area, which might result in a design problem; from the Planning Board dated March 25, 1975, which recommended approval; and from the Conservation Commission, dated April 4, 1975, which stated that a Wetland Protection Act hearing would be required.

The Zoning Enforcement Agent stated that Mrs. Harris, Chairman of the Conservation Commission, had reported to him that, in her opinion, a standard Wetland Protection Act hearing would present no problem.

Following discussion, it was on motion unanimously

VOTED: To approve the site plan of Orion Realty Trust, 80 Union Avenue, as revised on February 7, 1975, for an additional oil tank on the site; said approval does not include that section which was approved on September 12, 1971, and which shows a proposed second building and leaching field.

Taylor Rental Center

The Board at its meeting on March 24, 1975, in discussion of possible violations of the zoning bylaw, voted to request Town Counsel to render an opinion as to whether or not Taylor Rental Center is operating in violation.

Town Counsel, referring to his communication to the Board dated April 11, 1975, stated that, in his opinion, Taylor Rental Center is not in violation of Section E or Section K, in Part V, of the Zoning Bylaw.

The Board requested that copies of Town Counsel's April 11 communication be forwarded to Victor Mangini, President of P.R.I.D.E., Taylor Rental, and Edward Sokoloff, for their information.

Chairman Taft requested that the matter be placed on the agenda for the Board's regular meeting on May 5 for further discussion.

Boston Appellate Tax Case

Town Counsel reported that the suit against the Boston Appellate Tax case filed by Malden and other cities has been dismissed. Town Counsel suggested that it might be appropriate for the Town to file a motion in Supreme Judicial Court for adjustments for relief and that if so authorized by the Selectmen, he will file a motion to cease finalization and distribution of the cherry sheets.

The Board authorized Town Counsel to proceed with the motion.

Mutual Aid - Fire Department

The Board received a communication dated April 14, 1975, from Town Counsel relative to authorization by the Board for the Sudbury Fire Department to aid neighboring fire departments.

Town Counsel reported that he had reviewed the matter with the Fire Chief and that he has endorsed the same. Mr. Turner suggested that the distance coverage involved be made a policy decision between the Selectmen and the Fire Chief.

It was agreed to schedule the matter of the distance coverage on the agenda for the Board's regular meeting on May 19.

Following further discussion, on the recommendation of Town Counsel, it was on motion unanimously

VOTED: That the Sudbury Fire Department, when acting in accordance with the lawful orders of the Fire Chief or, in his absence, the person acting in his behalf, is hereby authorized to go to the aid of another city, town, fire district, or area under federal jurisdiction in this Commonwealth or in any adjoining state in extinguishing fires therein, and while in the performance of their duties in extending such aid, the members of the Sudbury Fire Department shall have the same immunities and privileges as if performing the same within the Town of Sudbury. This authorization shall remain in effect until amended or revoked by order of the Board of Selectmen.

National Flood Insurance Program

Town Counsel, referring to his communication to the Board dated April 17, 1975, suggested that the Engineering Department take steps to revise the initial Flood Hazard Boundary Maps issued by the Department of Housing and Urban Development (HUD), as soon as possible. Town Counsel reported that he had received a call from HUD, indicating that a citizen has already requested a change in the map. Mr. Turner stated that all changes should be submitted to the Selectmen for incorporation with other material on the subject and that these changes should also be referred to the Planning Board.

Chairman Taft suggested that the Town Engineer be requested to contact the Corps of Engineers to verify the basis of the hundred-year flood before work on the maps is begun.

Following further discussion, it was on motion unanimously

VOTED: To direct the Town Engineer to prepare flood hazard boundary maps as a top priority and to direct Town Counsel to prepare the National Flood Insurance Program application;

and it was further

VOTED: To hold a joint meeting with the Planning Board to review the maps and application upon their completion, following which a public hearing on the matter will be held.

Application for Incorporation

Following a review by the Board of the below-named application for incorporation, it was on motion unanimously

VOTED: To send a favorable report to the Secretary of the Commonwealth on the application of Robert Gordon, 119 Puritan Lane, and Bailey Barron, 247 Dutton Road, for incorporation under the name of Action for Soviet Jewry, Inc., to be located in the City of Newton.

Rules, Regulations and Specifications Governing Work on Public Shade Trees

The Board received a communication dated April 14, 1975, from the Highway Commission, which enclosed proposed "Rules, Regulations and Specifications Governing Work on Public Shade Trees". The Highway Commission requested that the Selectmen review the proposed regulations and offer comments and suggestions before adoption by the Commission.

The Board directed that the proposed regulations be referred to Town Counsel for his report and that the Highway Commission be notified of this action and the fact that the Board's response will be forthcoming.

One-Day Auctioneer's License - Gordon P. Thompson

The Board at its meeting on March 17 voted to grant a one-day auctioneer's license to Gordon P. Thompson for April 15, 1975.

The Board received a communication dated April 14, 1975, from Mr. Thompson which requested the date of the license to be changed to May 13, 1975.

It was on motion unanimously

VOTED: To grant a one-day auctioneer's license to Gordon P. Thompson, Arlington, Massachusetts, to conduct an auction at 31 Singletary Lane, Sudbury, on May 13, 1975, at 10:00 a.m. for the purpose of sale of said property.

Boston Edison Company - Electric Power Service - Peakham Road

The Board received correspondence on the subject of Boston Edison Company's petition to close an electrical circuit on Peakham Road through use of overhead lines, as follows: a communication dated March 28, 1975, from Robert J. Caldwell, 11 Peakham Road, a response dated April 9, 1975, to Mr. Caldwell's letter from Boston Edison Company, and a second communication dated April 25, 1975, from Mr. Caldwell.

It was agreed that the Board should schedule an on-site inspection with Mr. Roth of the Boston Edison Company and a representative of the Power and Light Committee when the petition is again submitted.

The Executive Secretary was directed to forward copies of the above-referenced correspondence to the Power and Light Committee and to request that the Committee's future votes include a breakdown as to numbers in favor and against each issue.

Press Release - Annual Roadside Clean-up

The Executive Secretary reported on the successful April 12 Annual Roadside Clean-up and the Board issued a press release thanking organizations and individual volunteers for their participation.

April 19 Bicentennial Celebration

The Executive Secretary reported that letters of appreciation relative to the April 19th Bicentennial celebration were to be sent by the Selectmen to various Town agencies and volunteers as well as to the Concord Board of Selectmen and the Sudbury Companies of Minute & Militia.

The Executive Secretary also reported that the total expenditures in preparation for the celebration, including the shuttle bus, amounted to \$3,359.30 (shuttle bus cost was \$2,938.05), that the shuttle bus receipts had totaled \$2,833.50, and that the balance will be paid from previously appropriated accounts.

Executive Session

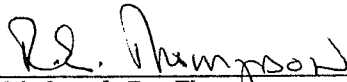
At 9:15 p.m., it was on motion unanimously

VOTED: To enter into executive session for the purpose of discussing matters of collective bargaining and personnel.

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

VOTED: To adjourn at 9:50 p.m.

Attest:



Richard E. Thompson
Executive Secretary/Clerk