

IN BOARD OF SELECTMEN  
MONDAY, NOVEMBER 24, 1975

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

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

Site Plan #75-156, Jeffrey J. Marshall, Reverence Ltd., 37 Union Avenue

Present: Paul McNally, Chairman of the Planning Board

The Board at its meeting on November 18, 1975, voted to approve the site plan dated October 10, 1975 of Jeffrey J. Marshall, Reverence, Ltd., for location at 37 Union Avenue, subject to his compliance with the Planning Board's November 14, 1975 letter. The Board at that time scheduled the plan for signing at tonight's meeting, to allow completion of the additions to the plan and an opinion to be received from Town Counsel relating to setback requirements.

Mr. McNally now stated that it was the suggestion of the Planning Board that the site plan applicant apply for a variance with regard to the setback requirements, as the building (railroad station) has been abandoned for a period of three years, causing the non-conforming use to be subject to the regulations of the district in which it is located (Article IV, 1, C, 4). The location under consideration was rezoned from industrial to business at the 1973 Annual Town Meeting.

The Board received a letter dated November 19, 1975 from Town Counsel on the subject of setback requirements, but the Executive Secretary was directed to request from Town Counsel further clarification of the matter before further action on the site plan can be taken by the Board.

Public Hearing - Application of Buddy Dog Humane Society, Inc., - Special Permit - 151 Boston Post Road

Present: Edward Kreitsek, Chairman, Board of Directors, Buddy Dog Humane Society, Inc.

In accordance with the provisions of Sudbury Bylaws, Article IX, Section III, C, 2, i, Chairman Taft convened a hearing on the application of Buddy Dog Humane Society, Inc., for a Special Permit for the operation of an animal shelter and associated uses, including an adoption center, to be located at 151 Boston Post Road.

The Executive Secretary reported that the notice of the hearing had been published in a local newspaper on November 6 and 13 and that abutters and appropriate department heads had been notified.

Mr. Kreitsek referred to his letter to the Board dated October 28, 1975 in which he set forth information concerning Buddy Dog's proposed operation, which he again briefly outlined as follows:

1) total occupancy could be as many as 100 dogs, although the shelter will contain seventy-seven dog units -- the larger number to include litters of puppies, which would be placed in single pens or cages;

2) all dogs are to be inside the windowless, soundproofed area of the building by 6:00 p.m., or one hour before sunset, whichever is later;

3) there will be two chain-link enclosed outside exercise locations (a fenced area behind the building for exercise of the dogs housed in the cages and small, movable "puppy pens" on the grass area to the east of the building);

4) dogs will be walked on leashes in the 400 feet of pasture land south of the building, and

5) to be in operation every day of the year, except Christmas Day, with the hours of operation to be Monday - Saturday from 10:00 a.m. - 6:00 p.m., plus two unspecified evenings a week until 9:00 p.m. and on Sundays between the hours of 1:00 p.m. - 4:00 p.m. only.

Chairman Taft read the provisions of Article IX, III, C, 1, Permitted Uses in Industrial Districts, under which the proposal is allowed,

and it was on motion unanimously

VOTED: To approve the application of Buddy Dog Humane Society, Inc., for a Special Permit for the operation of an animal shelter and associated uses, including an adoption center, to be located at 151 Boston Post Road, to operate every day of the year, with the exception of Christmas Day with the hours of operation to be Monday - Saturday from 10:00 a.m. - 6:00 p.m., plus two unspecified evenings a week until 9:00 p.m. and Sundays from 1:00 p.m. - 4:00 p.m. only, all in accordance with the provisions of Article IX, III, C, 2, i, of the Sudbury Bylaws.

#### Warrant - December 15 Special Town Meeting

Following its review, the Board signed the Warrant for the December 15 Special Town Meeting.

#### Minutes

It was on motion unanimously

VOTED: To approve the minutes of November 13 and November 18, 1975.

#### Resignation - S. Leo Spottswood - Memorial Day Committee

The Board received a letter dated November 12, 1975 from S. Leo Spottswood which tendered his resignation from the Memorial Day Committee, effective November 20, 1975.

It was on motion unanimously

VOTED: To accept the resignation of Leo Spottswood, with deep regret, and to direct the Executive Secretary to acknowledge Mr. Spottswood's communication, expressing the Board's appreciation for his years of service on that Committee and their hope that he will join the Town officials in future Memorial Day parades.

Annual Town Census - Police Department Assistance

In response to a letter dated November 17, 1975, from the Town Clerk, on the recommendation of the Executive Secretary, it was on motion unanimously

VOTED: To authorize the Police Chief to provide the assistance of the Police Department, if necessary, to the Office of Town Clerk during the forthcoming Annual Town Census.

Sanitary Landfill Consultant - Town Engineer

Chairman Taft reported that the Board on November 10, 1975, had discussed with the Highway Commission and other departments the appointment of the Town Engineer as the qualified engineer, required by the State Department of Public Health, to supervise and direct the landfill operation. At that time the Highway Commission gave their verbal approval of this proposal, but were asked to take a formal vote on the subject.

Chairman Taft reported that the Board had received notice from the Commission, dated November 12, 1975, of their vote to appoint Mr. Merloni as Consultant to the Sanitary Landfill.

103rd Session of Town Fathers Forum

At 8:00 p.m. Chairman Taft convened the 103rd session of the Town Fathers Forum, a summary of which is attached hereto and is a part of these minutes.

1976 License Renewals

Following the Board's review of inspection reports from the Building Inspector, dated November 13, 1975, from the Fire Chief, dated November 20, 1975, and from the Director of the Board of Health, dated November 20, 1975, it was on motion unanimously

VOTED: To issue the following renewal licenses for forwarding to the Alcoholic Beverages Control Commission for approval and, upon their return to be held until payment of fees as required and completion of all work identified by the Building Inspector, the Fire Chief, and the Board of Health in their above-referenced communications, as confirmed by those department heads and incorporated into a report by the Executive Secretary with actual issuance after a final Board review:

Package Store All Alcoholic Beverages

The Colonial Spirits  
Sudbury Super Market (MacKinnon's Package Store)  
Wayside Package Store

Package Store - Wines and Malt Beverages

The Package Store

Restaurant - All Alcoholic Beverages

J. T. Steak House  
Svensk Kaffe Stuga, Inc.  
\*Porter's Restaurant

The Sudbury House, Inc.,  
Ye Olde 117 House  
Pacific Gate Restaurant

Innholder - All Alcoholic Beverages

The Wayside Inn

Restaurant - Wines and Malt Beverages

Pizza alla Pietra Corp.

Club - All Alcoholic

American Legion Post #191, Inc.

It was unanimously

VOTED: To grant permission to Wayside Package Store, Inc., 119 Boston Post Road, to change the manager from Thomas F. McManus to M. Claire McManus;

and it was further

VOTED: To grant permission to the American Legion Post #191, Inc., 676 Boston Post Road, to change the manager from Ronald J. Griffin to Cletus A. Terwiske.

It was further

VOTED: To issue the following renewal licenses to be held until payment of fees as required and completion of all work identified by the Building Inspector, the Fire Chief, and the Board of Health in their above-referenced communications, as confirmed by those department heads and incorporated into a report from the Executive Secretary with actual issuance after a final Board review:

Weekday Entertainment

J. T. Steak House  
Svensk Kaffe Stuga, Inc.  
Pacific Gate Restaurant  
\*Porter's Restaurant, Inc.  
Sudbury House, Inc.  
The Wayside Inn

Ye Olde 117 House, Inc.  
American Legion Post #191, Inc.  
Brigham's  
Pizza alla Pietra Corp.  
Friendly Ice Cream Shop  
Sudbury Bowladrome, Inc.,  
Sudbury Skating and Tennis Club, Inc.

Common Victualler

Sudbury Skating and Tennis Club, Inc.  
J. T. Steak House  
Svensk Kaffe Stuga, Inc.  
Pacific Gate Restaurant  
\*Porter's Restaurant, Inc.

The Sudbury House, Inc.  
The Wayside Inn  
Ye Olde 117 House  
American Legion Post #191  
Pizza alla Pietra

\*See minutes of December 29, 1975; Porter's licenses never issued - transferred to 99 West, Inc.

Brigham's  
Colonial House of Pancakes  
Friendly Ice Cream Shop  
Paul Joseph's Restaurant

Sudbury Bowladrome, Inc.  
Sudbury Dairy Queen  
Sudbury Drug Store  
Sudbury Pizza

Special Speed Regulations No. 1085 - Department of Public Works

On the recommendation of the Police Chief in a letter dated November 5, 1975, and the endorsement of the Highway Commission in a letter dated November 12, 1975, it was on motion unanimously

VOTED: To approve Special Speed Regulations No. 1085 for Route 117, as submitted by the State Department of Public Works.

Rules, Regulations, and Specifications Governing Work on Public Shade Trees

In response to a request dated November 14, 1975 from the Highway Commission and following the Board's review, it was on motion unanimously

VOTED: To approve the Highway Commission's Rules, Regulations, and Specifications Governing Work on Public Shade Trees in the Town of Sudbury, subject to the rewording of Section 7 to reference Article V, Section 4 of the Sudbury Bylaws.

Indemnity Agreement - Boston and Maine Corporation - Debtor

On the recommendation of the Executive Secretary, it was on motion unanimously  
VOTED: To approve the proposed Indemnity Agreement with the Boston and Maine Corporation-Debtor, granting temporary permission to the Town of Sudbury to enter railroad premises for the purpose of installing and maintaining a walkway on the westerly side of Horse Pond Road, subject to Town Counsel's written approval of the same.

Preventive Maintenance Program - Fire Chief

The Board noted receipt of a letter dated November 12, 1975 from the Fire Chief on the subject of his Preventive Maintenance Program and requested that Department Order #75-45, referenced within, be made available to them for their information.

Executive Session

At 9:45 p.m. it was on motion unanimously

VOTED: To enter into executive session for the purpose of discussing department head merit increases with the Personnel Board.

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

VOTED: To adjourn at 11:30 p.m.

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