

IN BOARD OF SELECTMEN
WEDNESDAY, APRIL 19, 1978

Present: Chairman William F. Toomey and John E. Murray.

Town Highway Safety Improvements Approved by Department of Public Works

Chairman William F. Toomey stated that the Board had received a letter dated April 7, 1978, from Commissioner John J. Carroll, Executive Office of Transportation and Construction, Department of Public Works (DPW), notifying the Town of approved highway safety improvements, as an Urban Systems Project, subject to the recommendations set forth in said letter.

Executive Secretary Richard E. Thompson explained that several years ago a "Topics Program" was started in the Town, and when said Program phased out, the "Urban Systems Project" replaced it. Mr. Thompson stated that, under the Urban Systems Project, the Town of Sudbury has been notified of approval by the DPW, as stated in the above-mentioned letter, to proceed with safety improvements at four locations, as requested in a letter dated March 8, 1978, by Robert A. Noyes, Highway Surveyor, to Mr. Robert Tierney, District Highway Engineer, DPW, as follows: 1) Route 117 at Haynes Road; 2) Union Avenue at Concord Road; 3) Concord Road at Pantry Road; and 4) Route 20 at Peakham Road.

Mr. Thompson further stated that, upon completion of design by the Town of Sudbury Engineering Department, and with the approval of the same by both Federal and State relative to environmental requirements, the Town would be eligible for 100% reimbursement from State and Federal funds; the cost to the Town without State and Federal aid would be \$50-100 Thousand Dollars.

Following discussion it was on motion unanimously

VOTED: To acknowledge receipt of a communication dated April 7, 1978, from Commissioner John J. Carroll, Executive Office of Transportation and Construction, Department of Public Works, notifying the Town of approved highway safety improvements, as an Urban Systems Project, and to direct the Executive Secretary to arrange the necessary meeting(s) with the Highway Department, the Engineering Department, the Planning Board and the Police Department, to get said project underway.

Request for Decreased Speed Limit (35MPH) on a Portion of Hudson Road

The Board acknowledged receipt of a communication dated April 11, 1978, from Frederick W. Welch requesting decreased speed limit (35mph), for both east and west bound traffic, on the portion of Hudson Road from Saxony Drive to the eastern boundary of the Military Reservation because of the increased usage of the Haskell Land within that portion of Hudson Road for both organized and unorganized recreational purposes, the number of intersections and the thickly settled area to the west.

Executive Secretary Richard E. Thompson recommended that the Board refer this matter to the Chief of Police and the Highway Surveyor for their comments and recommendations.

Chairman William F. Toomey suggested that a copy of said above-mentioned letter

be forwarded to the Park and Recreation Commission in order for them to deal with the parking situation at the Haskell Land, and particularly with offstreet parking.

Mr. Thompson stated that there is some parking on the corner of Fairbank and Hudson Roads, and that offstreet parking has been expanded off Fairbank Road, within the Haskell Land.

Following further discussion it was on motion unanimously

VOTED: To send a copy of the letter dated April 11, 1978, from Frederick W. Welch, 45 Great Lake Drive, requesting decreased speed limit (35mph) on the portion of Hudson Road from Saxony Drive to the eastern boundary of the Military Reservation to the Chief of Police for his comments and recommendations.

Request for a Meeting -- 128 West Resource Recovery Council

Executive Secretary Richard E. Thompson stated that he had attended a couple of meetings with the 128 West Resource Recovery Council (128 WRRC), and that a communication dated April 7, 1978, has been received from Martha Stone, Senior Planner, requesting a meeting with the Board to discuss their work and enclosing a status report and data.

Mr. Thompson explained that the Town's Sanitary Landfill seems to be adequate for the next 15-20 years, and that the purpose of such a meeting would be simply to allow the Council to explain the work that they have been doing through the 128 WRRC; said meeting could also be beneficial to them in the future when applying for funding.

Following discussion it was on motion unanimously

VOTED: To have the Executive Secretary arrange a meeting between the Board of Selectmen and the 128 West Resource Recovery Council, as requested in a communication dated April 7, 1978, from Martha Stone, Senior Planner, and to invite the Board of Health, Highway Surveyor and the Conservation Commission to attend.

Special Election -- June 5, 1978

It was on motion by Selectman John E. Murray unanimously

VOTED: To set the time and place of the Special Town Election for June 5, 1978, from 7:00 a.m. to 8:00 p.m. in the Peter Noyes School gymnasium.

Rescheduling the Board's Meeting of May 29, 1978, to May 31, 1978

It was on motion by Selectman John E. Murray unanimously

VOTED: To reschedule the Board's regular meeting of Monday, May 29, 1978, to Wednesday, May 31, 1978, due to the Memorial Day holiday.

Site Plan #78-188 -- Sudbury Associates Realty Trust, 447 Boston Post Road

Present: Francis E. White, Building Inspector; Julius Kaplan, representing Michael Cail, applicant; Bernard X. Ohnemus, Engineer; Walter F. Cybulski, Architect; and Kathleen M. Brown, Conservation Commission.

Chairman William F. Toomey stated that at the Board's previous meeting relative to Site Plan #78-188 of Sudbury Associates Realty Trust, for property located at 447 Boston Post Road (First National Shopping Center) on March 29th, it was mutually agreed to continue the hearing on said site plan by the petitioners and the Town so that the petitioners could get further information regarding the recommendations of the Conservation Commission and the Planning Board.

Mr. Bernard X. Ohnemus, Engineer, stated that, subsequent to the previous meeting, a surveyor had been hired to take readings on the existing drainage and grading of the site in question on which the capabilities of the system can be determined in view of the idea of trying to meet the Planning Board's request that a drainage system able to handle a 50-year storm be designed. Mr. Ohnemus further stated that he had brought in some elevations on the existing building that he did not have with him at the last meeting for public viewing.

Mr. Ohnemus said that Sudbury Associates Realty Trust is asking permission to add 9,000 square feet of stores to the existing facility, and in addition, to add 10,000 square feet of impervious area. He stated that most of the building is going to cover what is already paved, so that additional pavement is minimal.

He stated that, in reviewing the data, it was determined that the existing drainage system is considerably below the capabilities of a 50-year storm, a 25-year storm or even a 10-year storm.

He said that it would be economically unfeasible for the current owner to meet a 50-year storm, because in order to do that the entire system within the project would have to be replaced and, in addition, the drain that is currently under Route 20 and under Union Avenue to the open brook would have to be replaced.

The proposal, therefore, which is being suggested, Mr. Ohnemus stated, is that because the flow is being increased less than 10% (somewhere around 6.8%) that the present system be utilized and that a new system be added that will take the run-off from the new pavement and the new roofs and the existing low areas in the rear, to catch the run-off into three catch basins and to outflow into the existing system.

Mr. Ohnemus stated that the estimated cost to provide for a 50-year storm would be \$70-80 Thousand Dollars; the system being proposed would cost between \$10-20 Thousand Dollars.

Mr. Ohnemus further stated that the Conservation Commission's requirements have been discussed and a Determination of Applicability has been filed, and the Conservation Commission has found that a hearing will be necessary.

Mrs. Kathleen M. Brown, Conservation Commission Chairman, explained that the information provided for the Planning Board would be basically the same as that required by the Conservation Commission for the hearing under the Wetlands Protection Act. Mrs. Brown stated further that a site inspection has been made by members of the Commission and that vegetatively the proposed site has been determined applicable under Ch. 131 s. 40, thus requiring a filing of a Notice of Intention and subsequent hearing.

Executive Secretary Richard E. Thompson stated that if the Selectmen approved the Site Plan subject to the conditions of the Planning Board and the Conservation Commission, the Site Plan process would be complete and the petitioners could proceed at their own risk.

Mr. Walter F. Cybulski stated that the present drainage system in the street would not be able to hold the 50-year storm if it was designed for the site.

Following further discussion and on the recommendations of Town Counsel it was on motion unanimously

VOTED: To approve Site Plan #78-188, submitted by Sudbury Associates Realty Trust, for property located at 447 Boston Post Road, as shown on a plan entitled "Sudbury Shopping Center, Route 20, Sudbury, Massachusetts.", drawn by Cybulski, Ohnemus and Associates, Inc., dated February 2, 1978, revised April 19, 1978; subject to compliance with the recommendations listed in a letter dated March 20, 1978, from the Board of Health; subject to provisions 2-5 listed in a letter dated March 14, 1978, from the Planning Board; and subject to approval of the revised plan by the Building Inspector.

Proclamation Supporting Massachusetts Association for Retarded Citizens

It was on motion unanimously

VOTED: To sign a Proclamation supporting a bike ride fund-raising and public information project, to be conducted by the Massachusetts Association for Retarded Citizens in conjunction with the Lincoln-Sudbury Regional High School Teachers' Association, subject to notification of the Chief of Police by this organization of any bike-riding activities within the Town of Sudbury.

Minutes

It was on motion unanimously

VOTED: To accept the minutes of the regular session of April 4, 1978, and the regular and executive sessions of April 10, 1978, as drafted; and to correct the regular minutes of March 29, 1978, previously accepted.

CETA -- Public Service Project Application

Executive Secretary Richard E. Thompson brought the Board's attention to a proposed application for funding under CETA Title VI Program for a Parks, Conservation and Public Ways Environmental Development Project for a proposed contract which must be filed by Friday, April 21st at 4:00 p.m. (Duration of Contract: May 15, 1978 to September 30, 1978).

Following discussion it was on motion unanimously

VOTED: To authorize the Executive Secretary to file an application under the CETA Title VI Program for a Parks, Conservation and Public Ways Environmental Development Project for a proposed contract period from May 15, 1978, to September 30, 1978, in accordance with a communication and legal notice dated April 6, 1978, from the Marlboro CETA Consortium requesting proposals for public service projects.

Fire Chief Association Meeting

The Board acknowledged receipt of a communication dated April 11, 1978, from Fire Chief Frost inviting a member or representative of the Board to a meeting of the Fire Chiefs Association to be held at the Wayside Inn on April 26, 1978. It was agreed Chairman Toomey would attend and represent the Board.

Legislative Bills--Lincoln-Sudbury Regional High School--filed by Representative Ann Gannett

Executive Secretary Richard E. Thompson stated that on April 10th, the Board agreed that Town Counsel should review the two Legislative Bills filed by Representative Ann Gannett--1) legalizing the LSRHS contingency fund; and 2) to allow to charge for student parking at the high school.

Mr. Thompson stated that Town Counsel has received and reviewed copies of the two bills, and after hearing from Town Counsel sometime in the near future, the Board will comment to LSRHS Committeeman Rich Davison, as requested by him.

Town Planner

Mrs. Kathleen M. Brown asked the Board who would be replacing the Town Planner as the representative to the Metropolitan Area Planning Council (MAPC).

Executive Secretary Richard E. Thompson stated that Mr. Edward Lapal, current Town Planner, would be the Town's representative until his term of employment expires on July 1st, and that the Board will be making an appointment at the end of April to replace Mr. Lapal at the end of his term.

Waive Grave Opening Fee for Miss Florence Hosmer

Executive Secretary Richard E. Thompson stated that Mr. Robert A. Noyes, Highway Surveyor, has indicated that there is a cost of \$125 outstanding to the Town for the opening of the grave for Miss Florence Hosmer. Mr. Thompson recommended that the Board waive said expense, under Section 14 of the Sudbury Cemetery Rules and Regulations.

Following discussion it was on motion unanimously

VOTED: To waive the grave opening expense of \$125 for Miss Florence Hosmer under Section 14 of the Sudbury Cemetery Rules and Regulations.

Murphy & Murphy--Offer to Sell Land Next to Police Station

The Executive Secretary stated that a communication dated April 14, 1978, was received from Murphy & Murphy Real Estate, Inc., offering for sale a piece of their property on Route 20 for the purpose of expanding the Police Station.

Following discussion it was on motion unanimously

VOTED: To acknowledge receipt of communication dated April 14, 1978, from Murphy & Murphy Real Estate, Inc., and to respond that, although the Town is interested in the property on Route 20 next to the Police Station, Town Meeting is over, and there are no available funds in the budget to discuss any financial arrangements on said property at this time.

Follow-Up Letter to the 1978 Annual Town Meeting Voting

The Board reviewed a letter dated April 18, 1978, prepared by the Executive Secretary, listing those votes of the 1978 Annual Town Meeting requiring the Board's attention, as a follow-up program to the 1978 Annual Town Meeting.

Review of Applications for Appointment to the Historical Commission

The Board received a list of candidates for appointment to the Historical Commission to be discussed shortly.

Executive Secretary Richard E. Thompson stated that the Board had asked Town Counsel to report on the Estate of Florence Hosmer to date, and that a communication dated April 14, 1978, which he read, had been prepared by Town Counsel relative to the same. In addition, Mr. Thompson referred to a communication from John C. Powers dated April 14, 1978, enclosing a copy of the petition for probate of the Florence Armes Hosmer Estate.

Assistant Town Counsel Thomas M. French stated that all stocks and cash from the Estate have been secured, and that it will take a couple of months to complete the inventory, at which time other valuables will also be secured.

In answer to Selectman Toomey's question, Mr. Thompson stated that the two properties, the Loring Parsonage and the Hosmer House, are still under the jurisdiction of the Board of Selectmen, not the Historical Commission, but that the Board may assign certain duties to the Historical Commission relative to the restoration of the buildings--this system creates a good "check and balance" between the two Boards.

Selectman Toomey stated that there is no money available at this time to do the kinds of restoration which would be necessary to allow the Hosmer House to be open for public viewing.

Selectman Murray stated that until Probate of the Estate is completed, there will be no disposition of the properties of the Estate.

Mr. Thompson explained that only \$2,500 has been approved as a yearly in-house maintenance budget for the Hosmer House and that a transfer of funds was granted in the amount of \$800 to begin a preventative maintenance program which includes the installation of an exterior fire alarm system, which will later be connected to the fire station.

In answer to Selectman Murray, the Executive Secretary suggested that, if the Selectmen desire, they can appoint a sub-committee to work along with the Historical Commission, since there is such an interest among the townspeople to serve on the Historical Commission and membership is limited.

Mr. Thompson stated that the list includes 26 possible candidates to the Historical Commission, and that he received another letter dated April 18th from Mrs. Sally B. Lukesh stating her interest in serving on the Committee. Mr. Thompson further stated that he will need some guidance from the Selectmen in narrowing down the list and suggested the Board recommend eight people from the list to receive applications for appointment to the Historical Commission, subject to their interest in being appointed.

Selectman Toomey suggested that the people to be interviewed be those listed whom neither of the Selectmen know, letting it be understood by them that there are several other interested candidates. Those candidates to be interviewed were chosen as follows: Emmalou Eaton, 281 Goodman's Hill Road; Janet H. Smith, Assistant Librarian, 26 Canterbury Drive; Harriett P. Ritchie, 244 Goodman's Hill Road; Joyce L. Peavey, 41 Wagonwheel Road; Bradley I. Reed, 308 Concord Road;

Edtheann Grande, 22 Candy Hill Lane; James E. King, 108 Austin Road; and Sally Lukesh, P.O. Box 26.

It was also decided to ask Senior Citizen Elizabeth E. Atkinson if she is interested in serving on the Historical Commission, since her name was on the list.

Notification by Fire Chief as to Cancellation of EOC Phase II Federal Contributions

The Board acknowledged receipt of a communication dated April 11, 1978, from Fire Chief Josiah F. Frost relative to notification dated April 3, 1978, from Robert H. Cunningham, Director of the State Civil Defense Agency and Office of Emergency Preparedness, that the Sudbury project application for EOC Emergency Operations Center Phase II federal contributions has been canceled because the Town of Sudbury has no immediate plans to construct an Emergency Operations Center for Police/Fire Headquarters.

The Massachusetts Civil Defense Agency welcomed the Town of Sudbury to apply again when they are prepared to complete this project.

Letter from Acting Chief Richard S. Ryan, Concord

Chairman Toomey read a letter dated April 11, 1978, from Concord's Acting Chief Richard S. Ryan commending the Sudbury Fire Department, Engine #2, for being the first to arrive and for the way the two Fire Departments worked together in their desperate efforts to gain entry to an upstairs bedroom, where Mrs. Ellen Taylor perished in a house fire at 31 Mitchell Road, Concord. It was stated in the letter that the men on Engine #2 were Captain Dick Hawes and Firefighters George Abrahamson and Rick Eisner.

Town Fathers Forum

Chairman Toomey announced that the Town Fathers Forum would not be held this month due to the recent adjournment of the 1978 Annual Town Meeting.

There being no further business to come before the Board, the meeting was adjourned at 9:15 p.m.

Attest: _____

Richard E. Thompson
Executive Secretary-Clerk