

IN BOARD OF SELECTMEN  
WEDNESDAY, MARCH 29, 1978

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

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 P.M. by Chairman William F. Toomey.

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

Present: Francis E. White, Building Inspector, Frank M. Vana, land owner, Michael Cail, Applicant, Bernard X. Ohnemus, Engineer and Walter E. Cybulski, Architect.

In accordance with Article IX, Section V, Paragraph A of the Sudbury Bylaws, the Board considered the Site Plan Application #78-188 of the Sudbury Associates Realty Trust for property located at 447 Boston Post Road for a building addition.

The Executive Secretary, Richard E. Thompson, reported that all appropriate abutters and Town officials have been notified, and that the following communications have been received regarding the same: 1) a communication dated March 14, 1978, from the Planning Board which recommended conditional approval; and 2) a communication dated March 20, 1978, from the Board of Health which recommended conditional approval.

Mr. Thompson further stated that the Conservation Commission is not present tonight, but verbally expressed to him earlier that it is its recommendation that compliance with the Wetlands Protection Act be made a condition of the Board's vote tonight regarding the site plan.

Mr. Francis E. White, Building Inspector, who is present tonight, expressed his approval of the Site Plan #78-188.

Chairman Toomey asked Mr. Frank M. Vana if this addition is part of the original agreement with Sudbury Associates Realty Trust, or if it is part of the Zoning Bylaw changes passed at Town Meeting a few years ago.

Mr. Frank M. Vana explained that a long-term lease has been in existence since 1960 on the property located at 447 Boston Post Road, (First National Shopping Center). He stated that he owns the land but the structures on the property are operated by Sudbury Associates Realty Trust; and, therefore, he has no control over the building in the site plan area. The addition, he said, is in the best interest of the Town, as Mr. Michael Cail, the applicant, is aware of what the Town's expectations would be for the new addition.

Chairman Toomey asked Mr. Vana to clarify if this piece of property is in the recently rezoned area.

Mr. Vana said that it is included in Business Zone #6 which was rezoned in 1971; and in 1973 the golf driving range was included in said business zone #6 also.

Mr. Walter F. Cybulski, Architect, in answer to the Building Inspector's

question, noted the following changes to be made on the site plan: 1) change in roof elevations, pitched roof looking at Route 20 the entire length of the complex; 2) change in lighting; 3) regrading of parking area for better drainage; and 4) replacement of large sign adjacent to Rt. 20.

Mr. Cybulski said that he would be willing to send elevations of the proposals to the Board or to anyone else who might be interested in seeing them. He said that the building addition is basically an effort to enhance shopping and an effort to clean up the entire area.

To answer Selectman Toomey, Mr. Cybulski said that he does not have a copy of the Planning Board's report, but has talked to them and will take care of the drainage problem area at the rear of the building, as they have recommended, by regrading or cleaning out catch basins, etc.

Selectman John E. Murray suggested that Mr. Cybulski contact Lynn Remington of the Conservation Commission for a determination as to whether or not a filing is necessary under the Wetlands Protection Act.

Selectman Toomey stated that, to incorporate the Planning Board's recommendation in the Board's vote, that proper drainage of the entire site be provided to handle a 50-year storm frequency, the Board must know this will be handled by the petitioners.

Mr. Cybulski said that no provisions have been made at this time, but that plans will be made and will be submitted to the Planning Board, the Board of Health, the Board of Selectmen and the Conservation Commission to show that the 50-year storm frequency has been accommodated.

Chairman Toomey requested that as many parking spaces be maintained as possible when improving the parking lot.

Mr. White stated that the requirement is 193 parking spaces predicated by the zoning law, but that the plan will include 218 parking spaces.

Mr. Michael Cail, applicant, stated that they have been waiting for a long time for an opportunity to improve this structure and surrounding ground area. He stated that Thayer Pharmacy will be moving in the new addition and the First National Store will remain and is in agreement that the structure needs these changes, and that he assumes the designs will be acceptable to the Town. Mr. Cail stated that the remodeling will be subject to the approval of the various boards, and will accommodate their recommendations.

Selectman Toomey suggested that the Board either vote the site plan approval tonight subject to these above-mentioned stipulations, or, by mutual consent, postpone the hearing until the Conservation Commission has taken their position on the site plan.

Mr. Thompson stated that the site plan review process expires April 10th, unless action to continue site plan consideration by mutual consent be taken tonight. He said that because of Town Meeting taking place the next two weeks, it would not be possible to schedule the hearing until the next meeting of the Board on April 19th. (Due to the holiday on Monday, April 17th, Mr. Thompson suggested that the Board vote to reschedule their meeting to April 19th.)

Mr. Thompson further suggested that the Board might approve the site plan subject to these conditions, but sign the site plan only when it is returned with these approvals noted (written in) on the site plan.

Following further discussion it was on motion unanimously

VOTED: To reschedule the regular meeting of April 17, 1978, to April 19, 1978, due to the regular meeting falling on a holiday, and further

VOTED: To table this hearing of Site Plan #78-188 of Sudbury Associates Realty Trust, for property located at 447 Boston Post Road, (First National Shopping Center), until April 19, 1978, (first order of business), by mutual consent of the petitioners (owner, architects, and engineer), at which time the Board will review compliance of the Site Plan to the recommendations of the Planning Board, the Board of Health, the Sign Review Board and the Conservation Commission.

#### Tax Anticipation Notes

Present: William E. Downing, Town Treasurer.

The Board reviewed a request for authorization to borrow \$500,000 in Tax Anticipation Notes from the Town Treasurer dated March 17, 1978.

Chairman Toomey stated that according to information received in a communication dated March 15, 1978, from the Town Accountant, the Town of Sudbury will be short approximately \$350,000-\$400,000 before receiving the first tax bill payments.

It was on motion by Selectman Murray unanimously

VOTED: To authorize the Town Treasurer to borrow \$500,000 in Tax Anticipation Notes in the event such borrowing becomes necessary, as requested by the Town Treasurer in his communication dated March 17, 1978.

#### Goodnow Library--Federal Title I Program of Library Services and Construction Act--Grant from Massachusetts Board of Library Commissioners

Executive Secretary Richard E. Thompson stated that a communication dated March 16, 1978, from Miss Helen Lowenthal, Director of Goodnow Library, informed the Board of the receipt of a grant in the amount of \$100 from the Massachusetts Board of Library Commissioners under the Federal Title I Program of the Library Services and Construction Act, and that the purpose of the grant will enable the Goodnow Library to enrich its collection of law books.

Following discussion it was on motion unanimously

VOTED: To accept a grant to the Goodnow Library in the amount of \$100 from the Massachusetts Board of Library Commissioners, received under the Federal Title I program of the Library Services and Construction Act, in accordance with the provisions of G.L.c44, s53A, as stated in a communication dated March 16, 1978, from Helen Lowenthal, Director, Goodnow Library.

#### Senior Citizens Legal Project

Chairman Toomey acknowledged receipt of a communication dated March 20, 1978

from the South Middlesex Legal Services Inc., inviting recommendations of the Board of persons to serve on an Advisory Council to the Senior Citizens Legal Project, funded through the Massachusetts Department of Elder Affairs, and recommended that the Executive Secretary, Richard E. Thompson, contact Colonel Paul J. Leahy, Chairman of the Council on Aging, who is also an attorney and retired army officer, with the hope that he might take the responsibility of serving on this Advisory Council.

Following discussion it was on motion unanimously

VOTED: To direct the Executive Secretary to speak to Colonel Paul J. Leahy, Chairman of the Council on Aging, asking him if he would like to serve on an Advisory Council to the Senior Citizens Legal Project, funded through the Massachusetts Department of Elder Affairs, and if not whom he would recommend, as requested by the South Middlesex Legal Services Inc. in their communication dated March 20, 1978.

Middlesex County Advisory Board Designee

Chairman Toomey referred to a communication dated March 15, 1978, from the Middlesex County Advisory Board regarding the appointment of a designee to the County Advisory Board. Mr. Toomey said that this is a committee which meets once a month, and recommended that the Executive Secretary represent the Board at these meetings as designee.

It was on motion unanimously

VOTED: To designate the Executive Secretary, Richard E. Thompson, to serve on the Middlesex County Advisory Board in accordance with C.959 of the Acts of 1977, to act on behalf of the Town of Sudbury Board of Selectmen Chairman.

Review of CETA report--Submitted by Michael Lochiatto, Project Supervisor

Chairman Toomey read a report dated March 21, 1978, of work completed during the period from January 23, 1978-March 22, 1978, from Michael Lochiatto, CETA Project Supervisor.

Executive Secretary Richard E. Thompson stated that Mr. Lochiatto did an outstanding job in supervising the CETA employees and in making the program successful. Mr. Thompson said that there is a meeting scheduled for next week as a follow-up and to solicit comments from the various boards and town departments regarding Spring and Summer CETA program.

Following discussion it was on motion unanimously

VOTED: To accept the report dated March 21, 1978, of work completed from January 23, 1978-March 22, 1978, from Michael Lochiatto, CETA Project Supervisor and to direct the Executive Secretary to send a letter of appreciation from the Board to Mr. Lochiatto.

Earth Week in the Town of Sudbury

Following discussion it was on motion by Selectman Murray unanimously

VOTED: To proclaim the week of April 29-May 6, 1978, as Earth Week in the Town

of Sudbury and announce the date of May 6 (snow date May 13) for the Annual Roadside Clean-up.

Chairman Toomey recessed the meeting at 8:15 p.m. to await the Town Moderator for the 8:30 p.m. scheduled warrant review of annual town meeting articles. The meeting was reconvened at 8:30 p.m.

Annual Warrant Review--1978 Annual Town Meeting

Present: Moderator J. Owen Todd, Town Clerk Betsey M. Powers and other Town Officials.

At 8:30 p.m. Chairman Toomey welcomed the Moderator, the Town Clerk and other Town Officials, and he called the 1978 Annual Warrant Review to order.

There followed a review of the Warrant for the 1978 Annual Town Meeting with motions, presentations, and procedures for each article discussed and agreed upon.

The Warrant Review concluded at 10:30 p.m.

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

VOTED: To adjourn the meeting at 10:30 p.m.

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