

IN BOARD OF SELECTMEN  
MONDAY, JULY 23, 1979

Present: Chairman John E. Murray and William J. Cossart.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:00 p.m. by Chairman Murray.

Temporary Licenses - M.S.S. Indulgence Society of Sudbury

It was on motion unanimously

VOTED: To confirm action of the Board taken on July 20, 1979, to issue a temporary license to M.S.S. Indulgence Society of Sudbury, for the sale of wines and malt beverages only, to be drunk on the premises, and a license for the sale of frozen desserts, ice cream mix, confectionery, soda water or fruit on the Lord's Day, for one day only, on July 22, 1979, from 11:00 a.m. to 10:00 p.m., at the Mossman Road Sanctuary for their annual Feast Day.

Suit against Massachusetts Bay Transportation Authority (MBTA) by Sharon Board of Selectmen

In accordance with a verbal recommendation on July 18, 1979, from MBTA Designee Clifford J. Hughes, requested by the Board in their vote on July 9, it was on motion unanimously

VOTED: Not to support the Town of Sharon (as requested by them in a communication to the Town of Sudbury dated June 19, 1979) in their suit to prevent the MBTA from implementing the decision of the "T" to remove the Rapid Transit pass from the monthly commuter rail ticket (increasing price by \$9) without Advisory Board approval.

Sign-off and Questionnaire - MAPC Areawide Housing Opportunity Plan

Executive Secretary Richard E. Thompson informed the Board that the Sudbury Housing Authority (SHA) responded to a MAPC Community Information Questionnaire following the SHA's review of an outline of the Areawide Housing Opportunity Plan (AHOP) enclosed in a communication dated June 29, 1979, from the MAPC. The return of this questionnaire and sign-off letter by the Board of Selectmen would indicate Sudbury's interest in participating in a regional Housing Assistance Plan developed to set target quotas for local communities and would help establish higher priority for funding of the same from the Federal Government.

Mr. Thompson explained Chapter 705 - subsidized housing on a rental basis for low and moderate income families.

Selectman Cossart questioned the remaining target need of 301 housing units noted on the application (Housing Efforts-Needs Community Profile - Table 1) and requested verification of the same from a member of the SHA.

Following further discussion it was on motion unanimously

VOTED: To return a sign-off letter on the MAPC Areawide Housing Opportunity Plan (AHOP), in accordance with communications dated June 29, 1979, from the

MAPC Housing Department, and July 18, 1979, from the SHA relative to their completion of the MAPC Community Information Questionnaire, with the proviso that the Board receive backup data to justify the remaining need for 301 housing units noted on the application under "Housing Efforts-Needs Community Profile - Table 1" from SHA Chairman Dallas T. Hayes.

Chapter 705 Family Housing Program in Sudbury

Present: Frank H. Grinnell, Assessor.

The Board discussed the Sudbury Housing Authority's letter of July 9 informing the Board of the reactivation of the Chapter 705 Family Housing Program by the Executive Office of Communities and Development and the Authority's desire to purchase twenty homes for rental to low-income families under this program in accordance with the authorization of the 1974 Annual Town Meeting to purchase up to fifty homes.

Selectman Cossart questioned the possibility of the State's withdrawal from this program leaving the Town with a total monetary obligation. Executive Secretary Richard E. Thompson responded that a joint binding contract between both the SHA and the State exists, and if the 100% State/Federal funding ceased, then the Town would not be obligated to continue the program. Mr. Thompson pointed out that currently the SHA has only five homes under the 705 program.

Following further discussion it was on motion unanimously

VOTED: To support the SHA relative to a letter of interest to the Executive Office of Communities and Development and its desire to receive a Request for Proposal for first round of funding under Chapter 705 Family Housing Program for Sudbury.

Tax Assessor Frank H. Grinnell commented that full taxes are being paid and would continue to be paid to the Town on each of the houses which are subsidized under the 705 program.

Appointments

Special Constable - Raytheon - Following a brief discussion it was on motion unanimously

VOTED: To appoint Thomas Litchfield, 4 Whitehall Lane, Hopkinton, Massachusetts, as a Special Constable, Non-Paid for Traffic Duty only at Raytheon Company, to replace James A. Ouellette, for a term to expire April 30, 1980, subject to a favorable character reference from the Chief of Police.

Ex-officio Member - Council on Aging - The Board acknowledged receipt of a letter dated July 9 from John J. O'Neill informing the Board of his official resignation as of July 1 as Superintendent of the Sudbury Public Schools and, therefore, returning his appointment notice as an ex-officio member of the Council on Aging, dated November 12, 1973.

It was on motion unanimously

VOTED: To appoint Joseph D. LoPresti Ex-Officio member of the Council on Aging.

Election Officers - Democratic - It was on motion unanimously

VOTED: To appoint Democratic Election Officers for the year commencing August 15, 1979, in accordance with the recommendation of the Democratic Town Committee dated May 31, 1979.

Election Officers - Republican - Following a brief discussion it was on motion unanimously

VOTED: To table appointments of the Republican Election Officers for clarification of the recommendations made by the Town Clerk and the Republican Town Committee.

Amend Board's Policies and Procedures

Present: Forrest D. Bradshaw and Frank Grinnell.

Executive Secretary Richard E. Thompson stated that as a result of an inquiry, he drafted a new section M, entitled "Flag Code", to the Board's Policies and Procedures (dated May 28, 1979) which the Board referred to Forrest D. Bradshaw, Frank Grinnell and Guy L. Dietrich for their comments. (Mr. Thompson stated that this matter was held over from the Board's meeting last week because Mr. Dietrich was unable to attend, and that he is not in attendance tonight again because of illness.) Messrs. Bradshaw, Grinnell and Dietrich responded as a group to Mr. Thompson's above-mentioned communication by letter dated June 25, and following a review of the same, the Executive Secretary recommended adding back paragraph #8 from his May 25th memo, which was deleted by them, which reads: "Flags will be lowered to half mast upon notification of the death of any Sudbury member of the armed services; that is, Army, Navy, Marine Corps, Air Force and Coast Guard or members of the women's auxiliaries of these branches." Mr. Thompson also recommended deleting paragraph #10 of the Bradshaw-Dietrich-Grinnell recommendations of June 25th which reads: "There shall be no paid details for funeral attendance.\* An office or department should not be closed during funeral services." (\*Two members of this committee were in favor of inserting after the words "funeral attendance" the following: ";however, not over two hourly-rated employees may attend the services without suffering a loss of pay.")

Mr. Grinnell, addressing paragraph 8 of the Executive Secretary's May 25 letter, stated that the flag should only be lowered for an active veteran, not for every past veteran now living in Town unless specifically requested by the family or other interested person; the flag would also be lowered for all past and present Town officials. Mr. Bradshaw pointed out that the highest yearly death toll in Sudbury of veterans is thirteen in one year. It was agreed that this paragraph should not be part of the new section M.

Following further discussion it was on motion unanimously

VOTED: To delete Section M, Funeral Procedure, of the Selectmen's Policies and Procedures and adopt a new Section M, entitled "Flag Code", as recommended in a communication dated June 25, 1979, from Forrest D. Bradshaw, Guy L. Dietrich and Frank H. Grinnell, amended by deleting paragraph #10, as quoted above, further amended in paragraph #2 by adding the words "past or present" after the word "any" and before the words "Town official" and further amended in paragraph #8 by adding the words "at half mast" after the word "flown" and before the words "on such occasions".

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular and executive sessions of July 9, 1979, as drafted.

Conservation Perpetual Easement - Beckwith Estates

Following a review of a perpetual easement for conservation purposes for land in "Beckwith Estates", assigned and signed by the developer, Robert W. Murray, and the Conservation Commission, it was on motion unanimously

VOTED: To table the question of accepting and signing a perpetual easement for conservation purposes under Chapter 40, section 8C of the General Laws, from Murray Hills, Inc., to the Town of Sudbury, dated April 30, 1979, for land in "Beckwith Estates" until the Board's next meeting on August 6 so that the Executive Secretary can obtain a plot plan from the Town Engineer to determine the square footage of the easement.

Funds for Goodnow Library Membership Pass to Aquarium

Executive Secretary Richard E. Thompson called the Board's attention to a communication dated July 5, 1979, from the Library Director and Trustees requesting that \$300 of the Goodnow Library Fund be reserved for a family membership pass to the Aquarium. The Library currently has passes to the Science Museum, DeCordova Museum, Drumlin Farm, the Museum of Fine Arts and the Museum of Transportation.

Following discussion it was on motion unanimously

VOTED: To approve, as co-trustees of Town donations under the provisions of Chapter 180 of the Acts of 1911, in accordance with a request from the Goodnow Library Director and Trustees, dated July 5, 1979, the allocation of \$300 from the Goodnow Trust Funds Income Account, to be expended by the Goodnow Library Trustees, for the purchase of a library membership pass for the Aquarium, subject to the concurrence of the Town Treasurer as Co-Trustee.

Mr. Thomspon commented that accumulated monies in the Goodnow Library Trust Funds Income Account can be deposited into the Goodnow Library Invested Income Account to provide greater return, which has been done on two separate occasions, amounting to \$10,500.

200th Anniversary Celebration of Massachusetts Constitution

In accordance with a communication dated July 9, 1979, from House Chairman William P. Nagle, Jr., and Senate Chairman Paul D. Harold, the Board agreed to forward the same to the Ancient Documents Committee for its consideration of a celebration in the Town of Sudbury of the 200th Anniversary of the Massachusetts Constitution.

Chairman Murray recessed the meeting at 7:55 for a five-minute coffee break; the meeting was called back to order at 8:00 p.m.

Site Plan #79-208, Granco Realty Trust, 64 Union Avenue

Present: Francis E. White, Building Inspector; Judith A. Cope, Chairman and N. Theresa Lukas, Conservation Commission; Stephen E. Grande, Jr., and Orlando Grande, applicants.

In accordance with Article IX, Section V, Paragraph A of the Sudbury Bylaws, the Board considered site plan application #79-208 of Stephen E. Grande, Jr., Granco Realty Trust, for property located at 64 Union Avenue, Sudbury, for a new building.

Executive Secretary Richard E. Thompson reported that all appropriate abutters and Town officials had been notified, and that communications have been received as follows regarding the same:

- Conservation Commission, dated July 12, 1979, requiring a Wetlands Protection Act hearing.
- Town Engineer, under date of July 18, 1979, indicating sufficient parking and vehicular access to and from the site; and that the proposed drainage improvements to the property will be beneficial to the Town's drainage and mosquito control program.
- Board of Health, by letter of July 18, 1979, recommending approval.
- Planning Board, by letter of July 13, 1979, recommending approval.
- Building Inspector, by letter of June 27, 1979 recommending approval.
- Sign Review Board, under letter of July 6, 1979, suggests that the applicant be advised of the setback requirement for a sign.

The Building Inspector displayed a copy of the site plan.

Mr. Grande explained the site plan and the plans for the new building which will be 80'x200'. He stated that a tenant of his will be using the building as an extension to his Sudbury electronics assembly plant. He responded to the Selectmen that he does not plan to use salt for snow and ice control - a concern of the Town Engineer expressed in his July 18 communication. Mr. Grande stated that a Wetlands Protection Act hearing has been scheduled for July 25; also that he is aware of the setback requirements for a sign.

Following discussion it was on motion by Chairman Murray unanimously VOTED: To approve site plan application #79-208 of Stephen E. Grande, Jr., Granco Ralty Trust, for property located at 64 Union Avenue, Sudbury, as shown on a plan by Veo Associates, Inc., dated June 8, 1979, revised June 19, 1979, subject to approval by the Sign Review Board and the Conservation Commission.

Executive Session

At 8:20 p.m. it was on motion by Roll Call unanimously

VOTED: To enter into Executive Session for the purpose of discussing the Charity Fund and litigation where open discussion of the same may have a detrimental effect.

( Roll call vote: Chairman Murray in favor; Selectman Cossart in favor.)

Chairman Murray announced that public session would reconvene following the Executive Session.

Site Plan #R79-207, S.F. Doyle & Co., Inc. - 327-9 Boston Post Road

Present: Francis E. White, Building Inspector/Zoning Enforcement Agent; Frank H. Grinnell, Assessor; and S.F. Doyle, applicant.

In accordance with Article IX, Section V, Paragraph A of the Sudbury Bylaws, the Board considered site plan renewal application #R79-207 of S.F. Doyle, S.F. Doyle & Co., Inc., for property located at 327-9 Boston Post Road for the construction of buildings.

The Executive Secretary reported that all appropriate abutters and Town officials have been notified, and the following communications have been received regarding the same:

- Zoning Enforcement Agent, dated June 25, 1979, recommending approval.
- Board of Health, by date of July 19, 1979, recommending approval.
- Conservation Commission under date of July 12, 1979, indicating no concern.
- Planning Board, by date of July 13, 1979, recommending approval and indicating that the northwest extremity of the parking area be reviewed for better through traffic circulation.
- Town Engineer, under date of June 27, 1979, recommending approval.
- Sign Review Board, by date of July 6, 1979, suggesting that the applicant be advised of the setback requirement for a sign.

The Building Inspector displayed a copy of the site plan, and stated that there have been no changes since it came before the Board last year (June 12, 1978), and was approved at that time.

The Executive Secretary responded to the Board that there was only one concerned abutter present at the previous hearing, but not tonight.

Following a brief discussion it was on motion by Chairman Murray unanimously

VOTED: To approve site plan renewal R79-207 of S.F. Doyle & Co., Inc., for property located at 327-329 Boston Post Road, Business District #2, as prepared by Robert R. Dion Associates, Inc., dated April 14, 1978, revised June 1, 1978, and further revised June 12, 1978.

Chairman Murray recessed the meeting at 9:40 p.m. for a five-minute coffee break; the meeting was called back to order at 9:45 p.m.

#### Town Mosquito Control Program

Selectman Cossart reported briefly on the public meeting which was held on July 19 relative to the Town's current mosquito control program and gypsy moth problem and stated that a press release has been prepared for the newspaper.

Permanent Landscape Committee Chairman Gordon P. DeWolf, Jr., expanded on Selectman Cossart's comments regarding control of gypsy moths by stating that spraying would not be effective on a localized basis without aerial spraying on a weekly basis. Mr. DeWolf further stated that he would not recommend proceeding in this direction because it involves too much money.

#### Joint Meeting - Permanent Landscape Committee and Tree Warden

Present: Gordon P. DeWolf, Jr., Permanent Landscape Committee Chairman and members Shirlee G. Burd and Grace Gelpke; and Tree Warden William M. Waldsmith.

Chairman Murray welcomed the Tree Warden and members of the Permanent Landscape Committee (PLC) for a general discussion relative to a Town-wide tree planting program.

Tree Warden William M. Waldsmith stated that trees have been routinely planted and/or replaced in the Town for the past fifteen years - and pointed out that Landham Road has had as much planting as any other area in Town. He continued by stating that a specific Town-wide tree planting program would be difficult to plan since it is impossible to anticipate those trees which will eventually have to be replaced and since there are very few areas that are sparsely tree populated. Mr. Waldsmith said that presently he is working with funds appropriated at the Annual Town Meeting for tree planting, and that there is more than enough money in the budget for that purpose for this fiscal year.

Responding to the Selectmen, Mr. Waldsmith said that he does no planting on Route 20 because it is a State road. He also informed the Board that he no longer uses the so-called "Town Nursery" on Nobscot Road because of the continual vandalism and theft there, and due to the cost involved to maintain a full-scale nursery. Mr. Waldsmith said that he is presently using a small nursery in the Highway yard area which he planted in conjunction with walkway construction, and that other tree plantings is done by contract.

Responding to Selectman Cossart, the Tree Warden stated that, although he is in communication with the PLC through its Chairman, Gordon DeWolf, Jr., he has not received an official recommendation from them regarding a tree planting program.

PLC Chairman Gordon DeWolf referenced discussion on this subject with the Selectmen on May 1, 1978 and called their attention to a Proposed Policy for Roadside Tree Maintenance submitted by the PLC at that time. Mr. DeWolf, in his review of the policy, commented that there are relatively few streets in Town which require additional trees. He went on to say that many of the tree-lined streets are overcrowded and should have trees removed so that trees such as the White Oak, which have wide-spreading branches, and Red Oak can have room to develop; he also noted that these trees, because of over-crowding bend out towards the road to get light and then become a hindrance during ice storms. He expressed his opinion that the Town could utilize a tree crew twelve months of the year taking down trees to allow large trees to develop. Mr. DeWolf said that there should be approximately 60' between these large trees and suggested that, in conjunction with taking down small trees, for the right effect perhaps the Town should plant large trees, approximately 20-30' tall, in key areas. He stated that although it takes a lot of money to plant these large trees, in his opinion it would be money well spent.

The Tree Warden stated that he would need a bucket truck for the type of work Mr. DeWolf is suggesting.

The Executive Secretary suggested that as a follow-up to this meeting, this purchase and possible tree crew be discussed when the budget sessions start in November.

Mr. DeWolf also suggested that perhaps the Planning Board should put some additional restrictions on the developers of subdivisions relative to tree removal. His final recommendation was that the Town consider developing a Tree Department crew.

Chairman Murray suggested meeting with the Tree Warden, the PLC, the Highway Surveyor and the Finance Committee at the end of September for further discussion of a Town-wide tree planting program taking into consideration the suggestions and comments made tonight. The Selectmen, Tree Warden and PLC concurred. It was further agreed to re-evaluate plans for tree planting on Landham Road following completion of construction.

Chairman Murray thanked the Tree Warden and members of PLC for attending tonight's meeting.



Executive Session

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

VOTED: To enter into Executive Session for the purpose of discussing transactions in real property where open discussion may have a detrimental effect on such transactions.

(Roll Call vote: Chairman Murray in favor; Selectman Cossart in favor.)

Chairman Murray announced that public session would not reconvene following the Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 10:15 p.m.

Attest: \_\_\_\_\_

Richard E. Thompson  
Executive Secretary-Clerk