

IN BOARD OF SELECTMEN  
MONDAY, SEPTEMBER 28, 1981

Present: Chairman Anne W. Donald, William J. Cossart 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 Donald.

Site Plan #81-234 - Project Management, Inc., Lots 3 and 4 Powder Mill Road

Present: Building Inspector Joseph E. Scammon; Town Engineer James V. Merloni; Brian Pettigrew, applicant; Project Engineer Bruce M. Stamski; Phillip Kissinger, Project Management; and approximately 36 abutters (list available in Selectmen's office).

The Board continued consideration of Site Plan #81-234 of Project Management, Inc., for property known as Lots 3 and 4 Powder Mill Road, tabled by mutual consent on September 14.

Mr. Brian Pettigrew informed the Board that the property in question was now owned by Project Management, Inc., having been sold by Drake Park Realty, Inc.

Executive Secretary Richard E. Thompson acknowledged receipt of the following communications:

- a report dated September 24, 1981, from the Town Engineer in response to questions raised at the hearing on September 14 regarding traffic and safety problems. The Town Engineer gives his professional opinion that the development will not create any serious traffic or safety problems on Powder Mill Road but that existing conditions at the three intersections of Powder Mill and Powers Road, Powder Mill and North Roads, and North and Powers Roads, require consideration for future reconstruction. Also, the Town Engineer's letter states his opinion that access to the site would probably not be via Powers Road, but via Powder Mill Road from adjacent routes 117 and 62. (Copies of this report were given to Mrs. Sandy Bell of Powder Mill Road and Mr. Gerald B. Morse, 120 Powers Road.)

- telephone messages from both Mr. James VonBenken and Mrs. Anna Parfenuk, received today, requesting a traffic study on Powder Mill Road prior to the development of the site;

- a motor vehicle accident report, dated September 22, 1981, from Safety Officer William B. Carroll giving a breakdown of accidents on Powers and Powder Mill Roads, and at the intersection of those roads, for the years 1978-80;

- a petition filed by 130+ residents requesting delay of the development of the industrial site until traffic safety problems in the area are addressed;

- telephone requests from both Mrs. Bell and Mr. Richard Grentzenberg of 125 Powers Road to be heard at tonight's hearing.

Selectman Murray, speaking on behalf of the Selectmen, stated that the Selectmen are very concerned about the traffic and safety problems on Powder Mill Road and Powers Road and reminded everyone that approval of this particular site plan would only approve a first phase construction project, and that it is

not an approval for the entire development of the site. Selectman Murray asked the Town Engineer to explain what an in-depth traffic study entails in terms of time and money for the Town.

The Town Engineer stated that an in-depth study would take a minimum of 3-6 months depending on the limitations of that study, and that this would definitely be beyond the scope of his department. A minimal study might be done in 60-90 days but in terms of manpower, that too would be beyond the capability of his department. In terms of money, a minimal study would cost approximately \$5,000 or more. Responding to Chairman Donald as to what a minimal study would include, Mr. Merloni stated that we would have to establish the criteria - 1) determine the condition of the road as it currently exists, i.e., pavement, trees; recommendations would be given for improving existing conditions; 2) volume counts would be taken on Route 117, Powers Road and Powder Mill Road and the major intersections to establish what direction the traffic is going; and 3) phase into that study the anticipated effect of the industrial complex.

Selectman Cossart expressed his opinion that, aside from the fact that a substantial amount of money is needed for this study, the type of information gained from this type of study would not be beneficial to what he feels the present concerns are: 1) the abutters do not object to the idea of an industrial activity and do not wish to delay the project; and 2) they feel that traffic is a very serious situation now, and that the Town has a number of very inadequate roads.

Responding to Selectman Murray, the developer stated that the water for the development would be picked up on Route 117 and brought down Powder Mill Road.

Mrs. Bell spoke for the petitioners explaining that they are requesting a study be done prior to site plan approval, as stated on the submitted petition (Mrs. Bell submitted further names, some of which included Concord residents.), and that it should be done at the expense of the developer - not at the expense of the Town. As concerned citizens, Mrs. Bell stated that they have considered the following low-cost alternatives: one-way streets, cul-de-sacs, residential traffic only at peak times, all subject to being addressed by a traffic expert. Mrs. Bell stated that in support of this traffic study, she and a friend had conducted a traffic count as follows:

Thursday, September 24

7-8:00 a.m., 233 cars passed her house (in both directions) on Powder Mill Road, equalling 3.8 cars per minute.

Between 8-8:30 a.m., 179 cars, which is more than 5 per minute.

That afternoon, between 4:35-6:00 p.m., 333 cars, equalling 4.4 cars per minute.

Friday, September 25

7-8:30 a.m., 84 cars.

Between 5-6:30 p.m., 96 cars, equalling over a car a minute.

Mrs. Bell referenced the aforementioned traffic report, commenting that there is an average of 1 traffic accident per month on a road of only 1.2 miles! Compounding this situation by adding 1,000 more cars, Mrs. Bell stated, would be a situation that no one can absorb, including the fire and police departments.

Several of the area residents did not agree with the Town Engineer's assessment of Powder Mill Road, stating that two hazards are already posted on that road, and further commenting that, contrary to Mr. Merloni's report that the pavement on Powder Mill Road was 18-20' wide, she and her husband personally measured points where the pavement was 14'10", 14'8" (in front of her house), and 14'6" (before the Lembos' house)!

Mr. Grentzenberg pointed out that, although the distance and speed limits from the development site to Route 62 to Route 2 or from Powder Mill Road to Powers Road to Route 2, are the same (3.3 miles), there are several more stop signs, flashing lights and intersections along Route 62, which is also very heavily congested at the end of the day, causing back-ups, so that the Powder Mill Road route would be a faster and more favorable choice. Mr. Grentzenberg also pointed out that there are areas which are only 14' in width along Powers Road, and that every tenth of a mile, there is a blind curve or a corner that should be driven at very low speed. Mr. Grentzenberg compared the size of the projected development in relation to the Raytheon site on Route 20 in Town, saying that the over-all site in question will be 250,000 square feet and accommodate 1,000 cars, which is about 2/3 of the size of the Raytheon site, which buildings now equal 380,425 square feet with 1,478 cars (according to the master plan revised in March, 1978), and it takes a security guard 30 minutes to clear the main parking lot of the Raytheon complex.

Mr. Grentzenberg summed up by stating that the Town bylaws expressly mention the regards of safety in particular to pedestrian movement in relation to streets and adjacent lands, and accordingly the petitioners feel that it is imperative that a traffic study be implemented prior to site plan approval.

Mr. Brian Pettigrew reiterated that we are only talking about Phase I of construction, which would impact on Powder Mill Road with the larger emphasis on Route 62, and that a 6-month delay for a traffic study, no matter who pays for it, will not tell us anything without origin and destination information.

Mr. Pettigrew commented that approval had been previously granted for a building of approximately the same size on that complex with, as he understands, no objections from abutters. Selectman Cossart commented that objections may have been precipitated because references are being made to the total possible site development under this site plan review.

Chairman Donald stated that no further construction could take place without further site plan approval, which would take into consideration the impact of approximately 200 cars caused by the first phase of this development.

Selectman Murray suggested that when the developer puts in the water on Powder Mill Road, the road could be widened at the same time. The Town Engineer explained that, without a formal layout of the roads (Powers and Powder Mill Roads do not have formal layouts), we cannot widen the road(s). There appeared to be a concensus of those abutters present that widening the road would be an option to lessen future accidents, although wider roads generally mean faster traffic! On the recommendation of the Executive Secretary, the Board concurred that the Town Engineer should give priority to preparing a layout for Powers and Powder Mill Roads. Later in the evening the Town Engineer stated that he felt it would be impossible to prepare the necessary layouts for the required public hearings called for and still meet the December deadline for submitting Annual Town Meeting monied articles. To have an outside firm do the work would cost approximately \$10,000, but it would probably be done in time for the 1982 Annual Town Meeting.

Responding to Selectman Murray regarding making Powers Road one way during certain times of the day, the Town Engineer stated that this poses a problem in that both Powder Mill Road and Powers Road do not lie within the boundaries of one town. Later, responding to Mrs. Bell, the Town Engineer stated that an agreement could be negotiated by the towns of Concord and Sudbury (Powers Road) and Acton and Sudbury (Powder Mill Road) regarding any restrictions on the roads. Mr. Thompson added that the State would also be involved.

Mr. Merloni suggested using "no right" and "no left turn" signs to restrict the traffic going to the site from Powers and coming from the site onto Powers Road. Regarding the use of a "Residential Traffic Only" sign, there appeared to be a concurrence, following some discussion, that unless it were enforced by the physical presence of a police officer, it would be ignored. Town Counsel Paul L. Kenny stated there would be a problem getting approval from the State for "Residential Traffic Only" on a public way.

During discussion, Mr. Grentzenberg commented that drivers look for short cuts, and once the water is in, the developer will want to complete the entire project, thereby increasing traffic.

Mr. David Aufderhaar, 119 Maynard Farm Road, asked for the Board's opinion on the plus and minuses of 1) tax dollars to the Town as a result of this industrial development, vs. 2) related traffic and safety problems as a result of an increased number of cars on our country roads. He also questioned if the increased tax dollars would help us to have these streets widened.

Selectman Murray responded that these are questions for the Town Engineer and controlled by Town Meeting, and that under Proposition 2 1/2 constraints it is difficult to talk about street widening. Selectman Murray also stated that this Industrial Park was zoned as such by Town Meeting.

Selectman Cossart stated that the Selectmen have conducted traffic studies in the past and that they have not shed a bit of light. He asked the petitioners to withdraw their request on the basis of the Selectmen's past experience. Selectman Cossart expressed his opinion that it is not the petitioners' intent to delay the project further - the developer has already agreed to a two-week delay - since Project Management purchased a piece of industrial property on an already approved industrial site in Town and is entitled to go forward. However, speaking on behalf of the Selectmen, Selectman Cossart stated that they have an obligation to the people of the Town who are living on roads where an already dangerous traffic and safety situation exists, concluding that the impact of only 200 cars with some temporary relief to the area residents by the use of signs may be acceptable.

Mrs. Bell expressed her opinion that having a traffic study would help in making an intelligent response - we are facing an intolerable problem, she said, which is only going to be compounded by additional traffic.

Mr. Frank Chiodo of 112 Powers Road commented on the lack of response from the Police Department regarding many acts of vandalism to his property on Powers Road, leaving him with the opinion that there appeared to be no concern generally for public safety.

Mrs. Sandy Gorgone referenced the developer's comment regarding no opposition expressed at the time site plan approval was granted for the other buildings in the complex, by stating that sometimes people are not aware of what is going on or they feel the situation will be handled in their best interest by the appropriate public officials.

Mr. Thompson suggested that a spokesman or two from the group work with the Town staff, including the Town Engineer, as this development progresses, and stated that this was a very effective approach when Landham Road was being developed.

Mrs. Laura Chiodo commented on accidents on Powers Road, stated that she has been a school bus driver in Sudbury for many years, and that there are many bus drivers who will not even go down those roads because they are so narrow.

Mr. Richard Monahan, 147 Powers Road, in part commented that we do not have to increase the flow of cars by very many to have a very significant problem and it should be studied.

Responding to a question regarding legal width of a 2-way road, the Town Engineer stated that the Town's Planning Board had adopted a standard layout for new construction which is a maximum of 50' for a right of way and a minimum pavement of 24'.

At the conclusion of discussion it was on motion by Selectman Murray unanimously

VOTED: To approve Site Plan #81-234 of Project Management, Inc., for property known as Lots 3 and 4 Powder Mill Road, Limited Industrial District, now owned by Project Management, Inc., as shown on a plan entitled, "Site Plan Proposed Building, Powder Mill Road, Sudbury, Ma.", dated July 10, 1981, revised July 23, 1981, and again August 11, 1981, subject to the following conditions:

1) a letter of commitment to be submitted to the Board of Health stating town water supply shall be extended to the proposed site; installation of a monitor well, the location of which shall be designated by the Town Engineer; submission of a report to the Board of Health concerning the use of potentially toxic or hazardous chemicals to be used on the site, in accordance with the Board of Health's letter of September 11, 1981;

2) no salt or chemicals will be used during snow removal on the parking areas and walkways;

3) placement of utilities underground; and

4) seeding and loaming of the future expansion areas, if construction does not take place within two years.

And it was further

VOTED: That the Town Engineer and other appropriate Town officials form a citizens' committee to work on the following:

1) On Powers and Powder Mill Road - the possibility of cooperating with the Towns of Concord and Acton in making these roads one-way during peak traffic periods, or restricting traffic by the use of either "no right" or "no left" turns;

2) a commitment on the part of the developer to conduct the appropriate studies or surveys to back up his data for his future development; and

3) a possible future Town Meeting article dealing with bringing these roads into compliance with standard layouts in the Town.

The Selectmen asked the Town Engineer to give the layouts of Powder Mill Road and Powers Road his priority, understanding his time constraints to do so.

Mr. and Mrs. Anthony Gorgone of 51 Powers Road, Mr. and Mrs. Frank Chiodo of 112 Powers Road and Mrs. Sandra Bell of 34 Powder Mill Road, volunteered to be on the citizen's committee.

#### Engineering Department Employees

Present: Town Engineer James V. Merloni.

The Board was in receipt of a report dated July 8, 1981, from Town Engineer James V. Merloni with recommendations regarding step and classification increases following annual reviews performed by him of departmental personnel.

Executive Secretary Richard E. Thompson stated that the funds for these increases are available in the FY1981-82 engineering budget (salary line item) and within the salary adjustment line item.

Town Engineer James V. Merloni briefly reviewed that, although the position of Assistant Town Engineer was created in 1975, for the past five years Senior Civil Engineer Bruce Kankanpaa (level E-6) has been performing many duties within the capacity of Assistant Town Engineer (E-7) without proper remuneration. Mr. Merloni stated that he has been before the Selectmen on several occasions requesting that the Assistant Town Engineer position be a permanent, full-time position and that, because of the lack of action by the Selectmen, the Union developed; consequently Mr. Kankanpaa refused to continue with his added responsibilities without a classification change.

It was on motion by Selectman Murray unanimously

VOTED: To approve the Town Engineer's recommendation to appoint Bruce Kankanpaa as Assistant Town Engineer, classification E-7, step 1, from E-6, step 2, effective July 1, 1981.

The Board expressed its concurrence with the Town Engineer's personnel advancements, as follows:

Bill Place from E-6, step 1 to E-6, step 2;

Paul Baptiste from E-5, step 5 to E-5, step 6;

Dennis Bourque no change E-3, step 6 (maximum).

Bond Issue for Police Station

Present: Town Treasurer Chester Hamilton.

The Board acknowledged receipt of a communication from the Town Treasurer to the Board of Assessors, dated September 23, 1981, requesting pursuant to Section 17A of Chapter 44 that the Board of Assessors include in this year's Tax Rate Recapitulation, Section II, amount to be raised, line item B.2 "debt and interest charges matured and maturing not included in Schedule B", the sum of \$15,000.

For informational purposes, Mr. Hamilton explained that there was a difference of opinion in the interpretation of amendment 243 of the Acts of 1981 between himself, our Bonding Counsel and our Certifying Bank, and Mr. Harvey Beth, Director of the Bureau of Accounts, whereby \$200,000 in Bond Anticipation Notes were renewed for longer than a one-year period, requiring, according to Mr. Beth, the action noted in the above communication under Section 17A.

Also, following an explanation by the Town Treasurer it was on motion by Selectman Murray unanimously

VOTED: To sign an authorization allowing the Town Treasurer, pursuant to section 16C of Chapter 44 of the Massachusetts General Laws, to cause facsimilies of the Board of Selectmen's signatures to be engraved or printed on each bond of the following described bonds of the Town, dated November 1, 1981:

\$525,000 Municipal Purpose Loan of 1981 within Debt Limit.

#### Executive Session

At 9:25 p.m. it was on motion by roll call

VOTED: To enter into Executive Session for the purpose of discussing strategy for collective bargaining or litigation where open discussion of the same may have a detrimental effect.

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

Chairman Donald announced that Open Session would reconvene following Executive Session.

#### Sanitary Landfill

Present: Highway Surveyor Robert A. Noyes.

On the question of purchasing a used bulldozer for the Sanitary Landfill because of the breakdown of the compactor, and relative to the Highway Surveyor's communication of August 19, 1981, and a subsequent communication from Assistant Highway Surveyor, John Lindgren, dated August 28, 1981, and after discussion, it was on motion by Selectman Cossart unanimously

VOTED: To support the Highway Surveyor's awarding of the low public bid (at the bid opening on September 23, 1981) to Rock Drillers Supply Co., Inc., in accordance with its bid dated September 18, 1981, in the amount of \$12,500 to purchase an Allis-Chalmers used HD-16B Diesel Bulldozer (serial #HD16DC-6456) for use at the Sanitary Landfill, to be paid for from accounts specified in the August 28, 1981, communication from Assistant Highway Surveyor John Lindgren.

On the matter of the compactor situation, Mr. Noyes informed the Board parts for its repair are being ordered and will cost in the vicinity of \$8,000. Mr. Noyes explained that this will allow him to use the bulldozer for moving and preliminary compaction of material with final compaction by the compactor, which, in his opinion, will eliminate the adverse compaction comments in the Town Engineer's report to the State on the operations of the Landfill, and hopefully bring us in compliance with both State and local Board of Health regulations.



Appointment - Memorial Day Committee

On the recommendation of William A. Burns of the Memorial Day Committee, dated September 22, 1981, it was on motion by Selectman Murray unanimously

VOTED: To appoint Cletus A. Terwiske of 27 Codjer Lane, to the Memorial Day Committee to replace Carol Hull, for a term to expire April 30, 1984.

United Way Month

It was on motion by Chairman Donald unanimously

VOTED: To sign a proclamation dated September 28, 1981, designating the month of October, 1981, as United Way Month in the Town of Sudbury.

School Zone Traffic Signals

It was on motion by Chairman Donald unanimously

VOTED: To sign a contract with Signal Systems, Inc., of Worcester, Massachusetts, for the installation of school zone traffic signals at two locations in accordance with the Board's bid acceptance of August 31, 1981, and authorization of the June 15, 1981, Special Town Meeting under Article 2.

Minutes

It was on motion unanimously

VOTED: To accept the minutes of the Regular Session of September 21, 1981, as amended.

(Selectman Cossart abstained as he was not present at the September 21 meeting.)

Current Items of Interest

Boston Edison Rate Increase

The Board acknowledged receipt of a communication, dated September 24, 1981, from Newton Mayor Theodore D. Mann, newly appointed Chairman of the Middlesex County Advisory Board, enclosing a proposal for legal intervention regarding the Boston Edison rate increase request, and requesting mutual support. No action was taken by the Board.

School Bus Run

Selectman Cossart informed the Board of a complaint he had received about the inconsistencies of a school bus stop for two children living on Bowditch Road, off Route 20. There is a question of whether these children can be dropped off on the opposite side of Route 20 without stopping all the traffic. Mr. Thompson stated that Selectman Cossart had informed him of this complaint, and that he was working with school officials. The Board concurred with the Executive Secretary's recommendation to continue to pursue this matter with school officials and to consult with Safety Officer Carroll as well.

Sperry Research

Selectman Cossart asked if a meeting had been scheduled for Mr. Sullivan (Health Director) and himself at Sperry Research. Mr. Thompson stated that it had not but that he would follow it up.

Coatings Engineering

Selectman Murray stated that he had witnessed very obvious smog and fumes being discharged by Coatings Engineering last week. The Board directed the Executive Secretary to ask the Health Director for a follow-up report indicating the status of Coatings' compliance with state and local pollution controls and report back to the Board.

Sudbury Variety

Mr. Thompson informed the Board that the office had been notified by Mr. Scammon that the owner of Sudbury Variety stated he will remove the signs which are in violation of the Sudbury bylaw to avoid a show cause court hearing.

Custodian/Security Guard Position - Vacated Schools

During a lengthy discussion relative to the new position of custodian/security guard for the vacated Sudbury schools and a memorandum, dated September 23, 1981, from the Executive Secretary. Selectman Cossart directed Mr. Thompson to submit a more specific memorandum which includes details such as: 1) hours to be spent at each location; 2) the exact duties which are to be performed by the custodian/security guard and where; 3) details regarding transportation, i.e. mileage rate, use of Town vehicle, how many trips per day to and from work; 4) salary; and 5) whether or not he would be involved in scheduling the use of Loring School.

At Mr. Thompson's suggestion, it was agreed that he would draft for the Selectmen's approval a letter of agreement, which would be sent to the new employee covering those areas of concern mentioned above.

There being no further business to come before the Board, the meeting was adjourned at 11:10 p.m.

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

Richard E. Thompson  
Executive Secretary-Clerk