

IN BOARD OF SELECTMEN
MONDAY, FEBRUARY 24, 1986

Present: Chairman Myron J. Fox, Josiah F. Frost and Anne W. Donald.

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

Common Victualler & Entertainment Lics./The Charcuterie, 525 Boston Post Road

Present: Applicant Elizabeth Kyle; Building Inspector Joseph E. Scammon; Michael Guernsey, Board of Health.

Chairman Fox convened a public hearing, continued from February 10, 1986, on the above-captioned license application request.

Following a brief discussion, it was on motion by Selectman Fox unanimously

VOTED: To grant a Common Victualler License and Entertainment License (stereo-cassette player with multiple speakers for background music during the hours of Monday-Friday, 10:00 a.m. to 7:00 p.m., and Saturday, 10:00 a.m. to 4:00 p.m.) to Elizabeth Kyle, Paul D. Johnson, and Jane Yates, d/b/a The Charcuterie, at 525 Boston Post Road, Star Market Plaza, Unit 16, and, in conjunction with the foregoing, to grant a waiver of Condition #3 of the Selectmen's June 6, 1983, vote of approval of Site Plan 83-254, Sudbury Plaza Shopping Center, to allow this specified restaurant use only, subject to the following:

- the Conservation Commission's approval, to be voted at its meeting of Tuesday, February 25; and

- the Board of Health's report of February 4, 1986, which stipulated the following: that a water meter be installed to monitor the water usage, that water usage not exceed 300 gallons per day, that only paper service be used, that an interior grease trap be installed, that there be no preparation of deep fried foods, that seating not exceed 24, and that approval is non-transferable.

Accept Petition Articles/86ATM - Number and Take Positions

Following discussion, it was on motion unanimously

VOTED: To take the following action with regard to articles for the 1986 ATM:

- To renumber article #33, Stabilization Fund, and Article #34, Use of Free Cash, to articles #35 and #36, respectively.
- To accept the following petition articles, to number them accordingly, and to take the following positions:

Brimstone Lane Resolution, Article 18, support.

Route 20 Widening Resolution, Article 19 (original Article 19,

Sudbury Centre Intersection, to be withdrawn), hold.
Belcher Drive & Suffolk Road Drainage, Article 33, oppose.
Authorize Compensating Balance Agreements, Article 34, support.

Withdraw Article 19/Sudbury Center Intersection

It was on motion by Selectman Frost unanimously

VOTED: To withdraw Article 19, Sudbury Centre Intersection, from the 1986 Annual Town Meeting Warrant, as requested by the Town Engineer in a letter dated February 14, 1986, because of the Town's financial situation at this time.

Note: The Town Engineer states in his letter that, because of the importance of this project, he will continue to work with the Selectmen's office toward its resolution.

Communication - Blanchette/Cemetery Lot

In accordance with Section XIV of the Town of Sudbury Cemetery Rules and Regulations, it was on motion by Selectman Frost unanimously

VOTED: To waive regulation IX.3 and to sell Lot 11, Grave 1, in Old Town Cemetery, purchased under Deed No. 54 by Patrick J. McPadden, to Stephen J. Blanchette, in consideration of One Dollar, subject to return of Deed #54 and approval of Town Counsel's office.

Historic Districts Commission/Landscape Concerns in Historic Districts

It was on motion by Selectman Frost unanimously

VOTED: To approve a response, prepared under date of February 24, 1986, to the Historic Districts Commission's communication of February 4, 1986, concerning preservation and protection of landscapes within districts of historic significance, suggesting a meeting to discuss the issue as soon after Town Meeting as possible.

Resignation

It was on motion by Selectman Donald unanimously

VOTED: To accept the resignation of Richard P. Stitt, dated February 3, 1986, from the Insurance Advisory Committee, effective immediately, and to forward an appropriate letter of appreciation to Mr. Stitt for his service on said Committee.

Meeting Schedule

It was on motion by Selectmen Donald unanimously

VOTED: To reschedule the Board's meeting of March 31 to Wednesday, April 2; to set the time of the Warrant Review on April 2; and to cancel the March Town Forum.

Minutes

It was on motion by Selectman Fox unanimously

VOTED: To approve the minutes of February 10, 1986, as corrected.

Homeownership Opportunity Program

On the question of the Town participating in the Homeownership Opportunity Program (initiated by the Massachusetts Housing Partnership, a public/private effort to meet housing needs), which will assist moderate-income individuals and families to purchase their first homes, Executive Secretary Richard E. Thompson stated that he had returned the form indicating the Town's interest, and that he had spoken to the Director of the Sudbury Housing Authority, and was waiting to hear back regarding its interest in sponsoring the program.

Minuteman School/Amendment of Chapter 74

With regard to a communication dated February 18, 1986, from Sudbury's member of the Minuteman School Committee, seeking support for legislation (amendment of Chapter 74) which the Minuteman Regional Vocational Technical School District has submitted to the Local Aid Commission of the General Court, the Board directed the Executive Secretary to forward a letter to the Governor, and to appropriate leaders of the General Court, supporting the principle of 50% basic aid to vocational technical schools.

MetroWest Meeting

Selectman Donald reported on the MetroWest meeting she and Selectman Frost attended on February 12. Selectman Donald stated that the traffic report which MetroWest is compiling will be computerized and that the availability of an adaptable computer model was particularly appealing to the Planning Boards which were in attendance. Additionally, Selectman Donald reported that the Sudbury Route 20 group had been represented at the meeting, that they would be providing input to the traffic coordinator regarding the proposed Route 20 widening in Sudbury, and suggested that, in view of the fact that the Committee's input may not reflect exactly the Selectmen's position, the Selectmen should provide input as well. The Board agreed and also will request the Route 20 Committee to keep the Selectmen updated on its involvement and that the Selectmen would do likewise.

MAGIC

Selectman Frost stated he will be attending the MAGIC meeting Thursday, February 27. Regarding the MAPC's policy to donate, on an annual basis,

seventy hours of time to work on regional issues, on behalf of cities and towns in the district, last year the Selectmen had designated Sudbury's seventy hours equally to the MAGIC and MetroWest groups. Selectman Frost stated that MAGIC's application for State funding for planning had been turned down and recommended, therefore, that this year all seventy hours be designated to the MAGIC group instead of dividing those hours between the two groups. The Board agreed to ask MAPC to give MAGIC an extra 35 hours because of our swing position between MetroWest and MAGIC.

Request for Postponement - Site Plan 85-296/S. F. Doyle & Co.

In accordance with a request from S. F. Doyle & Company, Inc., dated February 24, 1986, it was on motion unanimously

VOTED: To postpone without discussion by mutual consent consideration of Site Plan 85-295 of S. F. Doyle & Co., Inc., for Lot 2, Boston Post Road and Horse Pond Road, LBD#1, for the construction of four buildings to house stores, offices, and two restaurants, until April 2, 1986.

Town Forum

Chairman Fox did not convene the Town Forum, and instead recessed the Selectmen's meeting at 8:00 p.m. to attend the Water District Meeting being conducted in the upper Town Hall.

Board of Health member Michael Guernsey made brief a statement relative to Hazardous Waste Day, scheduled in Sudbury for May 10.

Joint Meeting/Route 20 Citizen Committee

Present: Peter H. Anderson, Susan La Tour, Mary L. and Joseph S. Gumlak, Arlene Epstein and James Watterson.

Chairman Fox convened a joint meeting with a citizen committee (Route 20 Citizens Advisory Committee) concerned with the widening of a portion of Route 20, upon request of said committee.

Chairman Fox acknowledged receipt of a communication dated February 21, 1986, from said Committee, setting forth some questions which have arisen in continuing dialog amongst the Committee members and the citizens, and indicating that answers from the Board of Selectmen would be helpful. Later in the meeting, those questions were reviewed and the discussion is summarized.

Chairman Fox stated that the Selectmen are unanimous in their concern that the road is too wide, as proposed by the State, and that the Town should work together in terms of providing the State with the necessary information and input from the citizens as a whole to reach a mutually-agreed-upon width - and other aspects of the construction - with the State.

Responding to Chairman Fox's suggestion that the Committee designate a spokesperson to interface with town officials, Mr. Anderson stated that the Committee had already decided to do so and that Mrs. Susan La Tour had been designated liaison with the Selectmen's office.

Mr. Peter L. Anderson stated that the purpose of the Committee's request to meet with the Selectmen is in the spirit of working together and he gave a verbal status report on the Committee's activities since its meeting on January 13, 1986. Mr. Anderson stated that the Committee is holding steering committee meetings every Thursday evening at 7:30 p.m., at the Loring Parsonage, and encouraged general attendance at those meetings. Mr. Anderson explained the organization and commitment of the committee; he stated that Katherine Abrams, who was unable to attend this evening, is the Chairman, and that any correspondence to the Committee should be sent to her address - 57 Winsor Road. Later in the evening, and specifically addressing a concern by Mrs. Mary L. Gumlak, all agreed that this type of general forum would provide the most significant input in devising a plan that would be mutually satisfactory.

Mr. Anderson referenced a petition article which had been submitted by the Committee on February 19, 1986, and validated by the Town Clerk for inclusion in the 1986 Annual Town Meeting Warrant - a resolution relative to the Route 20 widening. He also referenced the fact that the Committee had worked to place a non-binding advisory opinion question on the ballot for the 1986 Annual Election relative to the widening project.

There was some discussion on the individual points/statements contained in the Route 20 resolution. The Selectmen made several suggestions on how many of the statements in the Route 20 resolution could be reworded to be more accurate, especially eliminating references to utility lines and having a future Town Meeting approve a design plan. The Committee agreed to review the resolution for revision and re-submission, which, Mr. Thompson stated, would have to be completed and submitted to the Selectmen's office for processing before the Warrant is finalized this week for printing.

The following is a summarization of the discussion of the questions raised in the above-noted February 21st communication to the Selectmen from the Committee:

1) On the question of whether the Board of Selectmen must approve the DPW's 25% design plan before the project can proceed, the Executive Secretary was directed to contact the Town Engineer to substantiate his opinion that this is not the case.

2) Another concern questioned at what point in the process land-taking is approved and when it commences. Mr. Thompson replied that State legislation in 1980, House Bill No. 215, authorized the DPW "to acquire certain public land (owned by the Town) in the Town of Sudbury". Mr. Thompson said that land taking would not take place until final approval of a construction plan.

3) Chairman Fox responded to what the Selectmen would accept as a compromise design for the Route 20 widening by stating, in conjunction with the widening, that they would prefer the elimination of the 10' shoulders. Also, the Selectmen are concerned about landscaping, utility wires being placed underground, that businesses which provide parking along Route 20 do not lose so much of their parking that their properties become non-conforming, and that a closed drainage system is a high priority. Selectman Frost and Donald concurred.

4) The final concern questioned whether the Selectmen would pursue the widening if a subsequent plan is not accepted by the DPW.

Chairman Fox responded that it is premature to answer such a question at this time while Congressman Atkins' office and others are negotiating for a lesser width.

During general discussion Mr. James Watterson stressed the importance of submitting a new plan devised by people who have the necessary expertise, i.e., the Town Engineer, the Planning Board, the Chamber of Commerce, the Selectmen, etc., which will be a "document of consensus". Chairman Fox responded that the Town had gone to considerable expense (approx. \$15,000) to have the Town's Master Plan of Route 20 updated; although not a perfect document, it did start constructive dialogue between the Planning Board and the Selectmen.

Additionally, Ms. Arlene Epstein commented on the frequent reference in the criteria for primary arterial highways to their being "in harmony with the environment"; Mr. Joseph Gumlak feared a Routes 495/128-type connector through Sudbury; speaking on behalf of the Chamber of Commerce, Mr. Frank Vana expressed the need for a "Town-oriented" roadway, and stated that the federally-mandated plan for the widening had come as a surprise to everyone. Mr. Vana recommended we pursue the Route 20 design presented by the DPW in 1974.

At the conclusion of discussion, Chairman Fox thanked everyone for their attendance this evening and encouraged continued dialogue between all interested parties.

Executive Session

At 11:00 p.m. it was on motion by roll call

VOTED: To enter into Executive Session for the purpose of discussing the Charity Fund.

(Chairman Fox, in favor; Selectman Frost, in favor; Selectman Donald, in favor.)

Chairman Fox 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 11:10 p.m.

Attest: _____
Richard E. Thompson
Executive Secretary-Clerk