

IN BOARD OF SELECTMEN
MONDAY, NOVEMBER 3, 1986

Present: Chairman Josiah F. Frost, Anne W. Donald and David A. Wallace.

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

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular session of October 27, 1986, as drafted.

MetroWest Growth Management Committee Action

The Board discussed briefly the proposed legislation for 1986-87 presented by the MetroWest Growth Management Committee: 1) An Act to change the zoning amendment exemption provision for Definitive Subdivisions; and 2) An Act to change the zoning amendment exemption provision for Approval Not Required Plans.

MetroWest seeks the Board's opinion and response relative to:

- 1) A requirement for review fees reasonably related to the complexity and nature of the proposed subdivision and sufficient to evaluate its implications including, but not limited to, the engineering, legal, administrative, environmental and economic implications.
- 2) Co-sponsoring legislation which would formalize the Regional Impact Review process.

Chairman Frost expressed strong negative feelings on the proposed zoning and subdivision amendments.

Selectman Donald provided her written comments to the Board on the above proposed amendments and reminded the board that a response was necessary by November 10th.

Selectman Wallace indicated he had not had an opportunity to review the proposed amendments in depth, but would do so.

Chairman Frost asked the Executive Secretary to have Town Counsel review the proposed amendments and respond to the Selectmen by the end of the week.

Resignation/Sudbury Housing Authority

Executive Secretary Richard E. Thompson reported to the Board that the Sudbury Housing Authority will be forwarding a letter advising of the resignation of member Richard M. Passalacqua and requesting a joint meeting with the Board of Selectmen on November 24 at 7:30 p.m. The Housing Authority will be advertising in the news media for applicants for the position.

CODE Hot Line

The Board reviewed a communication, presented to them by the Executive Secretary, dated February 5, 1979, from the Board of Selectmen to Committee Chairman Ronald L. Blecher, Lincoln-Sudbury Regional High School, and Committee Chairman William W. Cooper, VI, Board of Health, regarding action that the Board of Selectmen recommended at that time on the question of joining the CODE Hot Line.

Dr. Thomas Spittler/Groundwater Contamination

Present: Doctor Thomas Spittler, Director, Analytical Department, U. S. Environmental Protection Research Laboratory; H²O Engineer Edward T. T. Chiang; Water District Executive Director William Fairbank; Chamber of Commerce President Frank M. Vana; Health Director Michael Sullivan; Stephen Badger, Waste Water Environmental Management; Fire Chief Michael Dunne; Board of Health Chairman Michael W. Guernsey; and approximately thirty-one interested residents.

The Board had invited Doctor Spittler to speak on the subject of sources of groundwater contamination, and invited other town boards, committees, legislators, Water District Commissioners, and interested citizens to attend.

Doctor Spittler presented a slide presentation on various cases of contamination throughout New England. The demonstration also included information that indicated there was a minute measure of contaminants in the area referred to as gasoline alley on Route 20 in Sudbury.

Doctor Spittler provided information on equipment that enables the researcher to discover contaminants in the ground, identify the kind of contaminant(s), determine which direction the sub-surface water is traveling and carrying the contaminant(s), how far beneath the surface the contaminant(s) is, and to measure the density or amount of the contaminant(s).

The Town of Acton has purchased this equipment for use in its own town. This was the only town that Dr. Spittler was aware of that had purchased the equipment. He suggested that a group of towns could jointly purchase equipment for use in the towns participating in the purchase. Purchase of the basic equipment and setup of a small laboratory would cost approximately \$13,000.

The Department of Environmental Quality Engineering has used the same equipment to discover hazardous materials in areas throughout New England but is not sufficiently staffed to perform testing in all towns. Doctor Spittler stressed that early discovery of contaminants and prevention of contamination were extremely important to our water supplies.

After the presentation, Chairman Frost asked if anyone in the audience had questions. Mr. Richard F. Brooks, 20 Russet Lane, asked Doctor Spittler if he could determine how large the leakage to the contaminated area on Route 20 may be, how long before it presented a real danger to our wells and where the components are coming from.

Doctor Spittler replied that the contamination was very minute, and would require further study and observation to obtain information necessary to reach any conclusions.

Mr. Brooks also asked Doctor Spittler if he knew if there was any contamination at the Sperry Rand and Raytheon companies located in Sudbury. Doctor Spittler replied that another researcher was doing studies in those areas and would be able to provide information upon completion of his studies.

At the conclusion, the Board thanked Doctor Spittler for his very informative and valuable presentation.

Appointment/Long Range Planning Committee

The Board received a letter dated October 6, 1986 from the Long Range Capital Expenditures Committee members setting forth recommendations for the appointment of a Long Range Planning Committee, pursuant to Article 14 of the September 25, 1986 Special Town Meeting. The communication recommended terms for the existing four members of the committee and appointment of a new member that they had interviewed, Mr. Paul J. Cefola, 59 Harness Lane.

Executive Secretary Richard E. Thompson reported that Mr. Cefola called the office expressing regret that he had to withdraw his application at this time, but would like to be considered to serve in about a year when he would have enough time to devote to the position.

In accordance with the foregoing, it was on motion unanimously

VOTED: To appoint to the Long Range Planning Committee, Robert D. Abrams, 48 Chanticleer Road, for a term to expire 1987; Theodore A. Barten, 160 Mossman Road, and Joseph W. Mooney, 147 Nobscot Road, for terms to expire 1988; and Robert G. Johnson, 41 Whispering Pine Road, for a term to expire 1989.

99 Restaurant/Application for Disc Jockey

Present: John C. Wetherbee, Manager of the 99 Restaurant.

Chairman Frost convened a discussion on the application dated September 15, 1986, from the 99 Restaurant, for the addition of a disc jockey on Friday and Saturday nights, to their Entertainment License, for property located at 698 Boston Post Road.

Mr. Wetherbee, Manager of the 99 Restaurant, said that currently they have a guitar player at the Restaurant, but he stated they were having a problem regulating the sound. It was either too loud or too quiet. He hopes a disc jockey providing pleasant music throughout the evening will help him in his efforts to have customers remain longer in the restaurant.

The Board expressed concern regarding customers having too much to drink and being too noisy. Also the Board was concerned that the area may turn into a night club atmosphere.

Mr. Wetherbee stated that his employees were trained in liquor liability and watch to see that customers are not irresponsible drinkers.

Fire Chief Michael Dunne communicated to the Board of Selectmen in his letter of September 24, 1986, that he had no objection to a disc jockey at the

99 Restaurant provided the disc jockey and equipment do not impede on the aisles and exit ways.

Inspector of Buildings Joseph E. Scammon communicated to the Board of Selectmen in his letter of October 3, 1986 that he has inspected the establishment and finds no problems; he has no reason to object to the request; and he has spoken to the manager about the use of banners and other temporary signs.

Chief of Police Peter B. Lembo communicated to the Board of Selectmen in his letter of September 29, 1986 that he has no objections to a disc jockey at the 99 Restaurant. His letter further stated that he has reviewed the department's records and finds very few requests for police service at the restaurant; however, if the police department begins to receive additional requests for services because of disturbances, log items and reports will be forwarded to the Selectmen.

The current license expires December 31, 1986. The Selectmen agreed that if permission is granted for a disc jockey it should be on a trial basis.

The Executive Secretary suggested that the Board grant permission for the 99 Restaurant to have a disc jockey on a three-month trial basis.

Following discussion it was on motion unanimously

VOTED: To modify the existing license No. 86-4 to 99 West, Inc., d/b/a "99", John C. Wetherbee, Manager at 694 Boston Post Road, to add:

Disc Jockey

Friday	8:30 p.m. - 12:30 a.m. (Saturday)
Saturday	8:30 p.m. - 12:30 a.m. (Sunday)

on a three-month trial basis, to be reviewed by the Selectmen at the end of January 1987.

Mr. Wetherbee agreed.

The Board advised Mr. Wetherbee that this would not be effective until he has received the license.

Mr. Wetherbee expressed his gratitude to the Board.

There being no further business to come before the Board, the meeting was adjourned at 9:50 p.m.

Attest: _____

Richard E. Thompson
Executive Secretary