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IN BOARD OF SELECTMEN
MONDAY, AUGUST 15, 1988

Present: Chairman David A. Wallace, John C. Drobinski, Judith A. Cope.

The statutory requirements as to notice having been fulfilled, the meeting was called to order at 7:30 p.m. by Chairman David A. Wallace at the Lower Town Hall.

Tax Anticipation Notes

Present: Town Clerk Jean MacKenzie; Town Treasurer Chester Hamilton.

Town Treasurer referred the Board to his request dated August 10, 1988, for authority to borrow \$1,400,000 in order to meet Town obligations over the next two months. Mr. Hamilton requested said request be amended to read "not to exceed \$1,400,000."

It was on motion of Chairman Wallace unanimously

VOTED: To authorize the Town Treasurer to borrow an amount not to exceed \$1,400,000 in Tax Anticipation Notes, as requested by the Treasurer in his letter of August 10, 1988.

Bond Anticipation Notes - Article 4, April 4, 1988 Special Town Meeting

Present: Town Clerk Jean MacKenzie; Town Treasurer Chester Hamilton.

Upon review of letter dated August 10, 1988 from Town Treasurer Chester Hamilton informing the Selectmen that the bid for the Town of Sudbury on \$500,000 Bond Anticipation Notes, dated August 25, 1988 and due February 10, 1989 for school engineering and architectural services, was awarded to Bank of New England - Essex at the rate of 5.89%; and upon presentation of said notes by Town Clerk Jean MacKenzie, it was on motion unanimously

VOTED: To sign notes relative to the borrowing authorized by the Board on August 1, 1988, in the amount of \$500,000 for Article 4 of the April 4, 1988 Special Town Meeting. [Whereupon the Selectmen so signed said notes].

Utility Petition No. 88-8 - Hudson Road

Present: Boston Edison Company representative Robert Malis.

The Board reviewed Utility Petition No. 88-8 submitted by New England Telephone and Telegraph Company and Boston Edison Company for conduit installation on Hudson Road in order to provide electric service for a new house.

Executive Secretary Thompson noted that all appropriate abutters had been notified and approval had been recommended by the Inspector of Buildings and Wiring Inspector under date of August 5, 1988.

On motion of Chairman Wallace, it was unanimously

VOTED: To approve Utility Petition 88-8 of Boston Edison Company and New England Telephone and Telegraph Company for permission to lay and maintain a distance of about six feet of conduit under the following public way of the Town: Hudson Road - southerly approximately 277 feet east of Great Lake Drive; as shown on plan of Boston Edison Company entitled "Plan of Hudson Rd. Sudbury", dated June 28, 1988; and New England Telephone and Telegraph Company's "Plan For Conduit Location", N.E.T.&T. No. 88-7, dated August 4, 1988.

Meeting With Sudbury Housing Partnership Committee

Present: Sudbury Housing Partnership Committee Chairman Stephen P. Garabedian, and members Arthur W. Hall, Marjorie B. Bergstrom, George R. Hanow; Steven H. Peck.

By invitation of Chairman Wallace, Sudbury Housing Partnership Committee ("SHPC") Chairman Stephen P. Garabedian informed the Selectmen that since the Committee is relatively new (having been formed this past Spring), it has spent some time trying to establish its functions and goals. Mr. Garabedian announced election of officers as follows:

Chairman	Stephen P. Garabedian
Vice Chairman	Thomas P. Sokol
Correspondence Secretary	Reverend John R. VanSiclen
Recording Secretary	Carol E. Smith
Treasurer	Susan Berry

The Committee meets on the last Wednesday of each month.

Mr. Garabedian continued by stating that two subcommittees have also been formed, one dealing with rules and guidelines of the SHPC, and the other dealing with guidelines pertaining to developers. He proceeded to read from draft guidelines, stressing the requirement of approval from the Selectmen of any recommendations or actions by the Committee. In essence, Mr. Garabedian explained, the Committee will act as a communication and advocacy group for low and moderate income housing in the Town. He further explained that with regard to establishment of guidelines pertaining to developers, there is a pre-application and pre-screening section, and the actual application for Housing Partnership. It is hoped that during the next three months, the Committee will be able to pull these from the draft stage.

Executive Secretary Thompson pointed out that the Committee is working closely with the Housing Authority and is using it as a sounding board. It was pointed out that Jo-Ann Howe, the Director of the Housing Authority, has been especially helpful. Mr. Thompson reported that he has been informed by a Town official who has attended several of the meetings that she was impressed with the organization and productivity of the Committee.

Mr. Garabedian requested the Board increase the number of Committee members to fourteen and to consider appointment of Steven Peck to the Committee.

Upon discussion with Steven Peck, it was on motion unanimously

VOTED: To increase the members of the Sudbury Housing Partnership Committee to fourteen; and to appoint Steven H. Peck of 30 Canterbury Drive to said Committee for a one-year term to expire April 30, 1989.

Executive Secretary Thompson reported that matters have progressed between the Town and the Massachusetts Commission Against Discrimination. The Town has advertised for applications to the Fair Housing Committee and a response has been received from an individual who would be willing to serve in a minority capacity. Mr. Thompson expressed his hope that some members of the SHPC would serve on a dual basis on the Fair Housing Committee. He stressed that the FHC should be a small group consisting of three to five individuals. Mr. Thompson concluded that the Fair Housing Committee will be coming before the Selectmen on August 29, 1988, requesting they adopt a Fair Housing Plan and hopefully making appointments at that time.

Selectman John C. Drobinski concluded the meeting by congratulating the Committee for its diligence and productivity and expressing the concurrence of the Selectmen that the Committee keep up its good work.

Site Plan Special Permit Application No. SP88-307 - WANT Advertiser

Present: Jack L. Scholbe, President, Scholbe Consulting Services, Inc.; Jack Hepting of Larson Associates; Joseph Rizza of Rizza Associates; Nancy C. Grellier; Arthur Grellier; Robert Grellier; Earl Midgley, Deputy Building Inspector; James Cost, Abutter.

Upon invitation by Chairman Wallace for representatives of the WANT Advertiser to make their presentation, Jack L. Scholbe introduced himself as President of Scholbe Consulting Services, Inc. and technical services consultant for WANT Advertiser. He next introduced members of his team and the principals involved.

Mr. Scholbe stated that the plans call for the addition of a vestibule to the front entrance of the building; the construction of a two-story addition to the rear of the building; plus modifications and renovations to the interior, such as the installation of toilet facilities for the handicapped, installation of a sprinkler system, improvements to the heating and ventilating systems. Mr. Scholbe further explained that they wish to turn one of the five parking spaces located at the front of the building into a handicapped parking space, with access into the building. Mr. Scholbe stressed that the major motivation for doing this project is to improve the working environment of WANT Advertiser employees. For example, the present overcrowded kitchen/lounge area will be replaced by a larger kitchen/lounge area and a separate lounge area for smokers. He added that there will be no new employees, machines or equipment.

Mr. Scholbe stated that they have made every effort to follow all required Town and State procedures for this project. As an example, he pointed out that the plans for installation of toilet facilities for the handicapped and the septic system came as a result of recommendations made by the then Health Director Michael Sullivan. The project team has met with Building Inspector/Zoning Agent Joseph Scammon on numerous occasions. As a result of those meetings, they were advised by Mr. Scammon that it is his opinion that the zoning amendments are not retroactive and there would therefore be no

problem with the front parking spaces. Mr. Scholbe pointed out that there exist five parking spaces in the front and nineteen to the left and rear of the building and these were all incorporated in the approved site plan of 1971.

Mr. Scholbe stated that their first site plan showed a reduction of the five front spaces to four because of the proposed handicap space; this is referred to as "Plan A". After the Design Review Board suggested that they move three of the spaces to the rear of the facility, and based on other suggestions, "Plan B" was developed which showed one handicap parking space in the front and 23 additional spaces scattered along the side and rear. Upon review, however, the project team was still concerned because of the public safety factor. Mr. Scholbe explained that the majority of the business involved a fast turnover of parking spaces by the public. The team requested input from the Police Department and received excellent advice from Lt. Ronald J. Nix, who recommended they leave the spaces in the front for the safety of the public. That advice, together with a suggestion that the curb cut be reduced to 40' resulted in "Site Plan C", which is being submitted for the first time this evening. It is this plan that his team believes will provide the least impact on the environment and neighborhood.

Mr. Scholbe concluded his presentation by stating that they were in the process of going out for bids and that it is their desire to get the building "closed in" before the onset of winter.

Architect Joseph Rizza of Rizza Associates of Arlington showed photographs of the building and explained the proposed renovations with the aid of a sketch showing the interior and exterior of the proposed project.

Jack Hepting of Larson Associates of Arlington, the Landscape Architect for the project, compared the original scheme with the proposed one and pointed out some discrepancy between the existing zoning bylaw and the alleged non-conformities. Mr. Hepting stated he agreed with Zoning Agent Scammon's interpretation and does not see a problem. Mr. Hepting pointed out that with regard to the handicap access to the building, because the grade on the sidewalk is 5% or less, no railings are required to be installed. He concurred with the opinions of Mr. Scholbe and Lt. Nix that it is important to allow the public access to the front of the building.

With regard to the front parking and the zoning bylaw, it is Mr. Hepting's opinion that the current zoning bylaw is for aesthetics only; while retention of those front parking spaces would be for the protection and safety of the public.

Mr. Hepting concluded by stating that aside from the difference of opinion with the Planning Board regarding the front parking spaces, he believes the current site plan satisfies everything else.

Chairman Wallace opened the floor for questions, and abutter James F. Cost of 55 Washington Drive asked if there would be installation of additional air conditioning equipment. Mr. Rizza stated there would be, but it would be incorporated into one central unit. Although the condensers would have to be placed outside, Mr. Rizza assured Mr. Cost that the equipment is state-of-the-art and should present no increased noise level.

Deputy Building Inspector Earl Midgley asked if the parking space Mr. Scammon expressed concern about on the side of the building - i.e., the one

that appeared to be on residential property, has been relocated. He was informed that that space was relocated.

Selectman Cope inquired about the buffer zone. Mr. Hepting stated that there is a requirement in the existing zoning bylaw for a 20' landscaped buffer between any residential property and any commercially-zoned property. In response to further inquiry by Mrs. Cope, Mr. Hepting explained that the commercial development zone is 150' wide; it is a strip along Route 20 where commercial development is allowed. Referring to the sketch, he pointed out the zoning district line to the rear separating the commercially-zoned property owned by the Grelliers from the residentially-zoned property also owned by the Grelliers. To the west is residentially-zoned property; to the east is Coach House Inn; and to the north is the Grellier's own property. A heavily landscaped buffer is maintained along west border of the property. Mr. Hepting further explained that the reason there is no 20' buffer in the front is because what was built back in 1971 is what one can see; it is in his words "what we inherited".

Mr. Hepting continued by stating that the residential property to the rear, owned by the Grelliers, is occupied by nothing and there is a heavy density of trees recessed in that area.

In response to request by Executive Secretary Thompson, Mr. Hepting informed that the Police Department is proposing to close one of the entries to Lafayette Drive because of vehicular safety concerns, and Lt. Nix suggested the short "fork" entrance be closed, leaving only the "straight" one. A resident expressed concern that closing that portion would make access onto Route 20 even more difficult that it currently is. Mr. Hepting explained that any decision of this nature was out of their control; that this is a Town matter. There was a concurrence by those present that this is a subject that should be discussed before any action is taken and it was suggested that a meeting be scheduled concerning this.

Selectman Drobinski expressed concern about the zoning issue and it was determined that the statute in issue was M.G.L. c. 40A §6. Town Counsel Paul Kenny entered the room at that time and Chairman Wallace outlined the issue regarding the front parking spaces to him; i.e., do five front parking spaces, already in existence, one of which is to be converted to a handicapped space with three regular spaces remaining, constitute an expansion of a non-conforming use. In response to inquiry by Chairman Wallace, Attorney Kenny, who was not fully familiar with the facts and circumstances of this matter, opined that based on what he has heard this evening, it is his opinion that the front parking space situation would not be an expansion of a non-conforming use. He suggested that the Planning Board's letter concerning this should be referred to Joseph Scammon for his reply and that Mr. Scammon should be requested to clarify his position.

Executive Secretary Thompson reported that all appropriate parties in interest have been notified and advertisement duly made. Mr. Thompson noted receipt of the following:

1. Letter dated July 28, 1988, from Town Engineer I. William Place noting the following points he believes should be addressed:

- A. the storm water runoff should be analyzed for the 25-year storm frequency;
- B. calculations for the volumes of the proposed drywells should also be submitted;
- C. calculations should be stamped by a Registered Engineer;
- D. the proposed dry wells are less than 25' to the septic system which is at variance to Title V of the State Environmental Code;
- E. the plan lacks a 20' wide landscape buffer zone between the residential zone and business zone;
- F. a 20' landscape area between the street and parking is not shown;
- G. the Plan is unclear as to whether parking is proposed in the residentially-zoned area;
- H. parking stall lengths are less than the 22' as required by Section 5 of the Site Plan Special Permit;
- I. the width of the maneuvering aisle is less than required for one-way traffic;
- J. building should be dimensioned;
- K. the access drive is greater than 40' which is at variance to Section 9 of the Special Regulations for Site Plan Special Permit;
- L. Site Plan should be stamped by a Registered Engineer or Registered Land Surveyor and a Registered Landscape Architect.

2. Letter dated August 10, 1988, from Design Review Board Chairman Joyce Wells Fantasia, approving the architecture and landscaping of the plan as presented; but recommending that three of the front parking spaces be moved to the rear, leaving the handicapped parking and access in the front. The Design Review Board further informed that they would be willing to support a zoning variance to allow the necessary expansion into the residential zone.

3. Letter dated August 10, 1988, from Inspector of Buildings/Zoning Enforcement Agent Joseph E. Scammon, commenting as follows:

- A. zoning amendments are not retroactive in their application to this site plan;
- B. the addition complies with the required setbacks including the 20' from the residence zone line. The plan shows an existing landscaped buffer at the street line;

C. the plan does not show a formal 20' landscape buffer between the business use and the residential district. In this case, Mr. Scammon believes it would be appropriate to increase the plantings on the residential side of the line to comply with Zoning Bylaw provision V,A,6,i,1;

D. the parking on the existing site has 24 spaces which was more than required under the old regulations because the bylaw at that time did not address basement levels, only the ground floor or first story, and all stories above the first story; the plan attempts to maintain the 24 spaces, which will meet today's bylaw;

E. applicants are losing one space in front of the building in order to provide for the handicapped, and it would be relocated to the left front of the existing line. Given such a developed existing site, Mr. Scammon would approve it; however, if the Board disagrees, it would have to be located to the rear of the building;

F. the last space in the westerly parking row is shown as encroaching on the residential zone (left rear corner of lot); it will have to be relocated to comply;

G. the first page of the site plan has been stamped by Richard Betts, formerly with the Town of Belmont; the second page (landscape plans) is not stamped by a professional;

H. Mr. Scammon stated he would approve this site plan if the negative comments of his review are complied with.

4. Memorandum dated August 8, 1988, from Health Director Robert C. Leupold, commenting as follows:

A. the Site Plan/Landscape Plans by Larson Associates, Inc. dated June 20, 1988 does not locate the septic tank and leach area according to Board of Health records;

B. use of the existing leach area is acceptable if the number of employees remains at twenty-five full-time and twelve part-time evening employees;

C. an area for replacement of the septic system should be designated on the site plan.

5. Memorandum dated July 25, 1988, from Fire Chief Michael Dunne, expressing no objection to the Site Plan Special Permit.

6. Memorandum dated August 15, 1988, from Conservation Commission Chairman Gordon Henley, stating no wetlands issue.

7. Letter dated August 15, 1988, from Police Lieutenant Ronald J. Nix, expressing his opinions with regard to the front parking spaces and his suggested elimination of a short section of Lafayette Drive.

8. Letter dated August 15, 1988, from the Planning Board, expressing its recommendation that the Site Plan not be approved because of the issue of the front parking spaces.

9. Communication dated August 12, 1988, from Janet Silva, explaining revised site plan proposals A and B, submitted August 12, 1988.

The Planning Board was requested to make further comment on its August 15, 1988, but respectfully declined to do so.

After further discussion, the Board indicated its preference to proceed with Plan "C", and it was on motion of Chairman Wallace unanimously

VOTED: To refer the matter presented by Police Lieutenant Ronald J. Nix regarding the possible elimination of a short section of Lafayette Drive to the Town Engineer and the Executive Secretary; and to request Town Engineer I. William Place and Executive Secretary Thompson to meet with the State Department of Public Works, District 4, to discuss the situation and possible solutions; and it was further

VOTED: To seek clarification from Building Inspector/Zoning Enforcement Agent Joseph Scammon as to the comments contained in his letter dated August 10, 1988, with regard to the landscaped buffer; and it was further

VOTED: To request Town Counsel to prepare a draft decision for the Board, and in doing so, to resolve the conflicting opinions among the Planning Board, Town Engineer and Building Inspector; and it was further

VOTED: To continue this matter to August 29, 1988, for action.

Joint Meeting With Board of Assessors

Present: Robert A. Lancaster and Adam B. Ames of the Conservation Commission; Russell P. Kirby, Morton L. Brond, Lael M. Meixsell, Richard A. Brooks of the Planning Board; Town Planner Lee Newman; Patrick J. Delaney, III, Thomas H. Hillery of the Board of Assessors; Assistant Assessor Daniel A. Loughlin; John B. Hepting of the Finance Committee.

Chairman Wallace convened a joint meeting with the Board of Assessors, Planning Board and Conservation Commission to discuss the current reassessment of open space land values.

At the request of Chairman Wallace, Board of Assessors Chairman Patrick J. Delaney, III reviewed with the Board the handout which the Selectmen had previously received copies of, entitled "Fiscal 89 Tax Alternatives Concerning Open Space in Sudbury". Mr. Delaney's comments focused on two main points: (1) the fact that Assessors are statutorily obligated to assess all property at its full and fair cash value as of January first of each year; and (2) assessment of property above or below its full cash value is prohibited under the constitutional and statutory provisions.

Selectman Cope questioned if any options are available on assessing using a different method; i.e., to her knowledge the Town of Lincoln is not assessing in this fashion. Mr. Delaney responded that there are different variables used

in the assessing practice, but the end result must be the same; i.e., true market value must be established.

Selectman Drobinski inquired when the new open space assessments might appear in the tax bills, and Mr. Delaney answered that would be in the second half-payment of Fiscal 1989. Selectman Cope expressed her concern that it appears that Sudbury is rushing into this in contrast to other towns. She asked "why the rush, or is it?" She further asked if the process might be slowed down. Mr. Delaney stated that other towns are at varying stages of our time tables. He pointed out that Sudbury is at the end of the ten-year cycle, when a full and complete valuation is mandated. In fact, he added, the Department of Revenue is now checking the Assessors' work to determine that the methodology used is correct and that the Town is assessing all properties at full and fair cash value.

Mr. Delaney went on to say that there are some options available to help in blunting the impact; for example, Chapter 61A. However, he added, this is not popular with many property owners because it does not forgive the ultimate tax; it only delays the same. It is further compounded by allowing the Town right of first refusal of the purchase of the property.

Another procedure the Selectmen may wish to use is a ten percent open space discount which they may vote when they later determine a percentage of tax to each classification of property.

Planning Board Chairman Russell P. Kirby expressed his strong personal concern and that of the Planning Board that these new open land assessments will create a large tax bill on large parcels, which may then go on the market immediately, thus further enhancing the rapid development in the Town. Mr. Kirby also expressed concern that such high values might prove disadvantageous to the Town relative to its reimbursements on the Cherry Sheets. Such assessments, in his opinion, penalizes the community.

Mr. Kirby further stated that he has a proposal which he has discussed with Mr. Delaney, whereby a mechanism can be established for allowing the Town to purchase development rights within a specific amount of time (for example, five years). The property owner, he explained, continues to pay his tax bill at the present rate, not the inflated rate. In this manner, the anticipated pace of development would not be as rapid.

In answer to an inquiry, Mr. Kirby responded that the development prohibition would remain if the land were sold.

Executive Secretary Thompson stated that Mr. Kirby's proposal would require State legislation, which is not out of the realm of likelihood, but cannot provide an immediate solution to the problem.

Selectman Drobinski asked where the funds would come from to purchase such properties, to which Mr. Kirby responded that the properties would be purchased at the depressed values, not the new values.

Finance Committee Chairman Jack Hepting expressed his concern about any possible loss on the Cherry Sheets and suggested that this fact be given greater examination as to its impact on future Town spending capacity.

In response to a question as to number of acreage which would be affected by this new open space valuation, Mr. Delaney responded that several thousand acres would be affected. Chairman Wallace expressed concern at such a large number of acreage and stated that it appears that the group assembled here tonight is looking for a legal mechanism to lessen the impact this valuation would have on potential increased development.

Chairman Wallace went on to say that he recognizes the mandate of the Assessors to assess at full cash value; however, he feels this may be the time for some form of special legislation to accomplish what appears to be the Town's common goal, expressed here this evening.

Planning Board Chairman Morton Brond echoed his concurrence with Mr. Wallace's opinion and suggested that some form of a two-tier pricing/assessing/taxing practice or method might be further explored.

At the conclusion of the meeting, there was a consensus to follow up on the Executive Secretary's suggestion that a meeting be scheduled with Department of Revenue Commissioner Collins to discuss the issues raised this evening and to seek his wisdom for some possible solution.

The meeting concluded with Chairman Wallace thanking those present for their input.

Interviews For the Position of Police Sergeant

Present: Police Chief Peter B. Lembo.

The Board reviewed applications and statements of qualifications submitted by the following three candidates for the position of Police Sergeant:

John F. Harris
Bruce C. Noah
Thomas S. Miller

Upon conducting separate interviews with each of the above-named candidates, and upon review of report from Chief of Police Peter B. Lembo dated August 3, 1988 containing his recommendation for appointment, it was on motion unanimously

VOTED: To promote and appoint Police Officer Thomas S. Miller to the position of Police Sergeant for the Town of Sudbury, effective as soon as possible; subject to approval by the Commonwealth's Division of Personnel Administration; and to authorize the Executive Secretary to sign all Civil Service documents necessary to effectuate such appointment.

Town of Millis - Regional Materials Recycling Facility

The subject of acting upon the recommendation of the Resource Recovery Committee to participate in negotiations for a Materials Recycling Facility with the Town of Millis and other area towns, tabled on August 1, was again reviewed. The Board was in receipt of a memorandum dated August 15, 1988, from Town Counsel which 1) states his opinion that the draft Letter of Intent commits the Town to the recycling project upon negotiation of a contract and

proposes insertion of the words, "and subject to the approval of the Sudbury Town Meeting as required by Massachusetts General Laws Chapter 40, sections 4 and 8H"; 2) expresses his belief that disposal costs will probably be greater for Sudbury than anticipated in the letter of July 12 from Millis because of the cost of construction of a transfer station and transportation; 3) expresses his opinion the Town should explore the question of who the parties are and whether the communities will be negotiating as a partner with Millis or negotiating with Millis and the contractor; and 4) suggests review of the volume of the Town's recyclable material to see if our disposal characteristics are amenable to participation in the project.

After discussion, it was on motion unanimously

VOTED: To execute the Letter of Intent enclosed in the July 12, 1988 letter from the Millis Board of Selectmen declaring the Town's intent to join the Town of Millis in negotiating with a contractor for the purpose of developing a regional recycling facility; subject to the provisions contained in the memorandum dated August 15, 1988, from Sudbury Town Counsel, to be attached and made a part of said Letter of Intent; and subject further to participation in the negotiations by the Resource Recovery Committee for a period of three months, after which time they are to report back to the Board of Selectmen with a recommendation as to whether the Town should proceed or not proceed as a party to the negotiations for said facility.

Wayland/Sudbury Memo of Understanding - Joint Recycling and Composting

The Board noted receipt of the above-subject Memorandum of Understanding signed by the Wayland Board of Selectmen and a cover letter dated August 2, 1988, from Selectman Chairman George Harris informing that they are continuing negotiations, represented by the Wayland Road Commissioners, with the Town of Millis.

Warrant for the September 15, 1988 State Primary

Upon review, it was on motion unanimously

VOTED: To sign the Warrant for the State Primary to be held September 15, 1988. [Whereupon the Selectmen so signed the Warrant].

Orders of Taking - Article 8 of 1988 Annual Town Meeting

Upon motion of Chairman Wallace, it was unanimously

VOTED: To sign Orders of Taking pursuant to the 1988 Annual Town Meeting vote under Article 8 accepting Beckwith Street, Guzzle Brook Drive, Hawes Road, Maynard Farm Circle, Maynard Farm Road (portion), and Tantamouse Trail as public ways. [Whereupon said Orders of Taking were signed by the members of the Board and notarized by Town Counsel Paul L. Kenny].

Town Crier Publications - Offer to Advertise

Upon review of letter dated August 1, 1988 from Asa Cole, Publisher of Town Crier Publications, it was on motion unanimously

VOTED: To accept with thanks the offer of Asa Cole, Publisher of Town Crier Publications, to provide the Town with legal advertisements free of charge, as set forth in his letter dated August 1, 1988; and to request the Executive Secretary to prepare a draft letter of acceptance for signature by the Board.

Congregation B'nai Torah - Request For New Lease at Loring School

Upon review of letter with enclosures dated August 5, 1988, from Robert Snyder, President, Congregation B'Nai Torah, it was on motion unanimously

VOTED: To request Executive Secretary Thompson to schedule a meeting with the Board and Robert Snyder, President, Congregation B'Nai Torah, to discuss a new lease at the Loring School.

Hughes Property - Concord Road

Upon review of letter dated August 2, 1988, from Roy C. Smith of R. Smith Management Corp., it was on motion unanimously

VOTED: To request the Executive Secretary to forward the letter dated August 2, 1988, from Roy C. Smith of R. Smith Management Corp. pertaining to development of the Hughes land on Concord Road to the Board of Health and other appropriate departments for comment, if any.

Wadsworth Cemetery - Repurchase of Grave

Upon review of letter dated August 3, 1988 from Superintendent of Cemeteries Robert A. Noyes, which enclosed letter from the family of Charles VanArsdale requesting a sell-back of one grave, it was on motion unanimously

VOTED: To repurchase one grave in Wadsworth Cemetery, Section E, Lot #62A (Deed 660) from Charles VanArsdale, 180 Flying Point Road, Freeport, Maine, for the amount of \$150.00 (\$37.50 from Sale of Lots; \$112.50 from Perpetual Care), as set forth in letter dated August 3, 1988 from Superintendent of Cemeteries Robert A. Noyes.

Council On Aging - Donations

It was on motion unanimously

VOTED: To accept with thanks \$100 donated from the residents, Activity Director, and Social Worker of the Sudbury Pines Nursing Home, to be used by the Council On Aging for senior citizen activities; to accept donations totaling \$126.00 for deposit into the Council On Aging Van Donation Account, and to authorize the Council On Aging to expend the same for purposes of operating and maintaining the Council On Aging van.

Article 42 1988 Town Meeting - Amendment Re: Storage of Inflammable Fluids Fee

It was on motion unanimously

VOTED: To amend the Selectmen's Fee Schedule in its Policies and Procedures, in accordance with the vote of the April 1988 Annual Town Meeting under

Article 42, amending Town Bylaw Article V §25, and subsequently approved by the Attorney General, as follows:

Amend License Fee for Storage of Inflammable Fluids from \$40 to \$100.

MetroWest Growth Management Committee - Water Supply Protection
Nominee/Alternate

The Board considered a request from the MetroWest Growth Management Committee to appoint a Water Supply Protection Nominee and an Alternate to work as the Town's liaisons relative to a water supply protection study it is undertaking. Selectman Cope suggested that a member of the Wastewater Advisory Committee (WAC) be appointed and mentioned Charles Cooper and Robert H. Sheldon of WAC as possible appointees.

After discussion, it was agreed by the Board that additional persons will be solicited for their interest and acceptance, so that an appointment may be made at the earliest possible time.

Personnel Board - Appointments

Upon review of applications and recommendation by the Personnel Board, it was on motion unanimously

VOTED: To appoint Bradford J. Brown of 63 Landham Road and to reappoint Leonard R. Costa to the Personnel Board, each for a term to expire at the adjournment of the 1991 Annual Town Meeting; and it was further

VOTED: To request the Executive Secretary to communicate with the Personnel Board the Selectmen's desire that the position of Chairman of the Personnel Board should rotate in order to enhance the experience of all members of the Board and provide for good continuity.

Assistant Town Counsel Services - Fiscal Year 1989 Retainer

It was on motion unanimously

VOTED: To table discussion of setting the Fiscal Year 1989 retainer for providing Assistant Town Counsel services to August 29, 1988.

DPW District Highway Department - Chapter 90 Reports

The Board noted the signing by Chairman Wallace and Selectman Cope on August 10, 1988 of the following Chapter 90 reports required by the DPW District Highway Engineer:

1. Final Advisory Report relative to Chapter 811 Bond Issue Project in the amount of \$103,450 for work commenced May 11, 1987 and completed June 2, 1987 on Landham Road and Raymond Road; and

2. a revised Project Request for street overlays under the 1988 Transportation Bond Issue (Chapter 15 of the Acts of 1988) for Fiscal Year 1989, in the amount of \$137,475.

Acceptance of Walkway Easements - Peakham Road and Goodman's Hill Road

It was on motion unanimously

VOTED: To accept Walkway Easements along the northerly side of Peakham Road, as shown on plans drawn by the Town of Sudbury Engineering Department, pursuant to Article 31 of the 1985 Annual Town Meeting and Article 32 of the 1986 Annual Town Meeting, granted by:

Michael E. and Helene Guski, 237 Peakham Road
Alan F. and Mary C. Bernier, 247 Peakham Road
Frank R. and Joan P. Sherman, 255 Peakham Road
May E. Widmer, 265 Peakham Road
Robert P. Mailly, 271 Peakham Road
David E. Molzan and Ava J. Frank, 281 Peakham Road
Henry A. and Carol J. Williamson, 287 Peakham Road
Richard A. and Marian C. Rice, 293 Peakham Road
Joseph L. Maillet, Trustee of Candlewood Trust, for property located
at Peakham and Fox Run Roads;

and it was further

VOTED: To accept Walkway Easements along the easterly side of Goodman's Hill Road, as shown on plans drawn by the Town of Sudbury Engineering Department, pursuant to Article 32 of the 1986 Annual Town Meeting and Article 41 of the 1987 Annual Town Meeting, granted by:

Linda Buxbaum, 10 Nashoba Road
Harold A. Olsen, III, 212 Goodman's Hill Road
Maureen and Joseph E. Marcklinger, 220 Goodman's Hill Road
Margaret R. Espinola, 224 Goodman's Hill Road
David P. Colette and Sylvia Soini, 250 Goodman's Hill Road
John L. and Susan M. Wyatt, 258 Goodman's Hill Road
Rex Trailer, Trustee of the Rex Trailer Family Trust, 256 Goodman's Hill
Road
Dante J. and Meribeth H. Germanotta, 280 Goodman's Hill Road
Michael T. and Mellissa M. Madden, 286 Goodman's Hill Road
Suzanne C. Jenkins, 15 Brewster Road (two documents)
Richard A. and Mary P. Scott, 16 Brewster Road
Hoima Forbes Cherau, 304 Goodman's Hill Road
James B. and Christine A. McGill, 316 Goodman's Hill Road
E. Helene Sherman, 328 Goodman's Hill Road
Virginia K. McTague, 332 Goodman's Hill Road.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of August 1, 1988, as amended.

Boston Edison Company - ROW Maintenance

The Board noted receipt of memorandum dated August 12, 1988, from Health Director Robert C. Leupold concerning Boston Edison Company's maintenance of

its electrical transmission rights-of-way (ROW), and concurred with Mr. Leupold's recommendation that Boston Edison be notified of three sensitive areas.

It was therefore on motion unanimously

VOTED: To request Executive Secretary Thompson to forward to Boston Edison Company a copy of the memorandum dated August 12, 1988 from Health Director Robert C. Leupold outlining the following sensitive area criteria for the ROW #8-1, and noting the concurrence of the Selectmen of the recommendations contained in said memorandum:

1. Residences (Pelham Island Road, Stockfarm Road, and Victoria Road neighborhoods);
2. Watercourses and wetlands; and
3. Access and Tordon RTU are not recommended for soil types along ROW.

Council On Aging - Formula Grant Application FY89

Following review and discussion concerning the Council On Aging's application to the Commonwealth's Executive Office of Elder Affairs for grant money in the total amount of \$2,379 for 1) a crafts-based occupational therapy program; 2) hiring of an Activities Coordinator; 3) COA board training and development; and 4) funding a volunteer recognition luncheon for office volunteers, it was on motion unanimously

VOTED: To authorize Chairman Wallace to sign the Council On Aging Grant Application to the Commonwealth of Massachusetts Executive Office of Elder Affairs in the amount of \$2,379 for local programs dealing with the elderly.

Resource Recovery Committee - Appointment

The Board reviewed applications from Michael G. LaRow and Eugene L. Ratner for appointment to the Resource Recovery Committee (RRC) to fill the position vacated by George Martin, and letter dated August 15, 1988 from Catherine A. Rader on behalf of the RRC recommending the appointment of Mr. LaRow. The Board noted memorandum dated August 12, 1988 from Janet Silva communicating her telephone conversation with a representative of the RRC, who informed that although the Committee is recommending Mr. LaRow for appointment, they will try to involve Mr. Ratner in their meetings, etc.

It was on motion unanimously

VOTED: To appoint Michael G. LaRow of 74 Bent Road to fill the position vacated by George Martin on the Resource Recovery Committee, for a term to expire April 30, 1989.

Board of Appeals (Alternate) - Appointment

The Board reviewed applications from Joseph Devlin, Patrick J. Delaney, III, John Baranowsky, Mary Jane Hillery and Paul H. McNally for appointment to Board of Appeals (Alternate) and to the Earth Removal Board, and letter dated

August 10, 1988 from Lawrence L. Blacker, Chairman of the Board of Appeals, recommending the appointment of Patrick J. Delaney, III to said positions.

It was on motion unanimously

VOTED: To appoint Patrick J. Delaney, III of 206 Boston Post Road as Alternate Member of the Board of Appeals and member of the Earth Removal Board, each position for a term to expire April 30, 1989, to fill the position formerly held by Elizabeth Ingersoll.

October 3, 1988 Special Town Meeting

Executive Secretary Thompson distributed to the Selectmen an updated listing of proposed articles and reports pertaining to the upcoming October 3, 1988 Special Town Meeting for their perusal.

Mr. Thompson requested the Selectmen to review same at their earliest convenience and telephone his office with suggested additions, deletions, amendments, etc., within a few days.

Proposed Golf Driving Range

Executive Secretary Thompson informed the Board of a meeting he attended on August 8, 1988 with Donald Soule, Chairman of the Park and Recreation Commission and Liaison for the Golf Driving Range, concerning the proposed Range.

Mr. Thompson reported that on August 3, 1988, the Park and Recreation Commission voted to ask Joseph DeFranco, representative of The Friends of Sudbury Park & Recreation, Inc., to develop and manage a golf driving range on the so-called "Davis Land", and provided the Selectmen with a copy of letter dated August 5, 1988, from Mr. Soule to Mr. DeFranco outlining details of the plan.

Mr. Thompson concluded by stating that he will schedule a meeting with Mr. DeFranco and Town Counsel's Office in order to work out the details of a lease.

Conservation Commission - Military Land in Sudbury

Executive Secretary Thompson reported that he had a recent conversation with Gordon Henley of the Conservation Commission, and that there appears to be some imminent action to be taken by the GSA concerning the excess military land in Sudbury.

As this subject concerns matters which should be discussed in Executive Session, Mr. Thompson stated that he will keep the Board privately apprised of developments as they occur.

Massachusetts Municipal Management Association

Executive Secretary Thompson reported that at a recent past meeting of the Massachusetts Municipal Management Association, at which the new Commissioner of DEQE was speaker, it was strongly stressed that future funding from DEQE for

projects such as aquifer protection and landfills would favor regional applications.

Harry Rice Trust Fund

Executive Secretary Thompson asked the Board to consider a future possibility of using the Harry Rice Trust Fund money to establish a museum that would comply with the Will of Harry Rice while at the same time provide for the needs of the local Sudbury Historical Society.

After discussion, it was on motion unanimously

VOTED: To request Executive Secretary Thompson to ask Town Counsel's Office to research the Will of Harry Rice and the Trust established therefrom with a view toward allowing the Town to use such funds for building and maintaining a museum for the Sudbury Historical Society at a location such as a small addition to the Hosmer House.

There being no further business to come before the Board, the meeting was adjourned.

Attest:

Richard E. Thompson
Executive Secretary-Clerk