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IN BOARD OF SELECTMEN
MONDAY, JANUARY 9, 1989

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

The statutory requirements as to time and place having been met, the meeting was called to order by Chairman Wallace at 7:30 p.m. at lower Town Hall.

Utility Petition 89-1 - Plympton Road

Present: Carol McManus, representative of Boston Edison Company; townsman Ralph Tyler.

The Board reviewed Utility Petition No. 89-1 submitted by New England Telephone and Telegraph Company and Boston Edison Company for conduit installation on Plympton Road. Boston Edison Company representative Carol McManus advised that Boston Edison's customer has already installed the underground conduit and all that needs to be done is the hook-up for service.

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 January 5, 1989.

Ralph Tyler of One Deacon Lane stated that, although he was not present to address this particular Utility Petition, he did want to advise the Selectmen that a number of people are thinking of putting in a warrant article concerning what they perceive to be an overwhelming number of overhead poles and wires. Mr. Tyler noted in particular that he believes the drive north of Town Hall, up Concord Road, is marred by Edison telephone poles, wires and cables, which he and others believe is incompatible with Sudbury's community values.

Executive Secretary Thompson advised that several years ago there was an extremely concerted effort to address the same situation; and it was determined that the process was so complicated it was unlikely that it could be accomplished. Mr. Thompson offered to make that data available to Mr. Tyler and suggested that he telephone Mr. Thompson's office to arrange to review same.

Mr. Tyler informed that to his knowledge and belief Concord has passed two such articles, both prohibiting new construction and requiring progressive removal. (It was pointed out to Mr. Tyler that Concord has a separate local Electric Department). It is Mr. Tyler's understanding that this is allowed by G. L. c. 166, §22E. Mr. Tyler went on to say that the article he and others are proposing for Sudbury would go beyond that of Concord, because they believe that there are other sections of the laws that allow the towns to direct the removal of such poles and wires that create safety hazards; he also believes there are legal cases which have stated that aesthetic considerations are valid in addressing the question of poles, wires and cables. Mr. Tyler concluded by stating that it is his understanding that removal of these items for safety or aesthetic reasons would be totally at the expense of the utilities; and the remaining "progressive removal" items would occur as a result of a schedule that the utilities would enter into with the town, and there would be a small surcharge in the billing of the residents of the town.

Selectman Drobinski pointed out that there are Subdivision Regulations currently that mandate any new construction be placed underground. Mr. Tyler stated that while he was aware of this, he did not believe it covers new housing on existing ways. Mr. Tyler stated that he has been in touch with Assistant Town Counsel.

Chairman Wallace told Mr. Tyler that the Selectmen appreciate his concerns and advised that this was a pet project of former Selectman Myron Fox. Mr. Thompson added that the Town did accomplish removal of overhead poles in Town Center; and more recently, in the Wayside Inn area. Mr. Tyler acknowledged this and stated that these areas that have been done stand out so starkly from the other areas; particularly with regard to Concord Road. Mr. Tyler believes that the wall of cables must be a combination of multiple telephone company cables, fiber optic cables, etc. Mr. Tyler stated that he has read the Concord Town Report and that is what gave him the idea of doing something for Sudbury.

On motion of Chairman Wallace, it was unanimously

VOTED: To approve Utility Petition 89-1 of Boston Edison Company and New England Telephone and Telegraph Company for permission to lay and maintain a distance of about 32 feet of conduit under the following public way of the Town: Plympton Road - southwesterly approximately 1122 feet northwest of Water Row; and shown on plan of Boston Edison Company entitled "Plan of Plympton Rd.-Sudbury", dated October 18, 1988; and New England Telephone and Telegraph Company's "Plan For Conduit", N.E.T.&T. No. 88-19, dated 1988.

Utility Petition No. 89-2 - Boston Post Road

Present: Carol McManus, representative of Boston Edison Company.

Pursuant to request of Boston Edison Company representative Carol McManus, who informed the Board that Boston Edison's customer has decided not to proceed with its plans, it was on motion of Chairman Wallace unanimously

VOTED: To allow Boston Edison Company to withdraw Utility Petition No. 89-2, which concerned the installation of four poles and removal of five poles on Boston Post Road.

1989 Girl Scout Cookie Sale

Present: Michael Guernsey; Girl Scouts Rachel Goldberg and Emily Hurstak.

At the invitation of Chairman Wallace, Michael Guernsey, spokesman for the 1989 Girl Scout Cookie Sale, announced that Thursday, January 12, 1989, at 3:00 p.m. kicks off the 1989 Patriots Trail Girl Scout Cookie Sale; and that this annual event contributes over 40% of the funds for Patriots Trail Scouts' needs to provide programs involving more than 30,000 Girl Scouts and volunteers. Mr. Guernsey explained that 86% of the budget goes directly to programs, camps, Girl Scout Council events, training and field services.

Mr. Guernsey informed that during the 1988 Cookie Sale, 195 Sudbury Girl Scouts sold almost 17,000 boxes of cookies, earning more than \$6,000 for its local troops. Mr. Guernsey conveyed the thanks of the Girl Scouts to the Selectmen and the Town of Sudbury for allowing them to participate in this

annual national sale. The price per box is \$2.50, and there is a new variety being introduced, the Country Hearth Chocolate Chip cookie.

Mr. Guernsey introduced two Second Grade Brownies, Rachel Goldberg and Emily Hurstak, who each presented the Selectmen with a box of cookies.

Chairman Wallace thanked the girls for the cookies and wished all the Scouts good luck in this year's sale.

1989 Annual Town Census

Present: Town Clerk Jean M. MacKenzie.

Pursuant to request contained in memorandum dated January 3, 1989, from Town Clerk Jean M. MacKenzie, it was on motion of Chairman Wallace unanimously

VOTED: To authorize the Police Department to assist the Town Clerk in the conduct of the 1989 Annual Town Census, if necessary.

Annual Town Election/ Meeting - Use of "A" Frame Sign for Voter Registration

Present: Town Clerk Jean M. MacKenzie.

On recommendation of the Executive Secretary, it was on motion of Chairman Wallace unanimously

VOTED: To approve the use of A-frame signs on the Town Common during voter registration sessions and during Town Meeting sessions, as requested by the Town Clerk by letter received January 3, 1989.

Voter Registration

Present: Town Clerk Jean M. MacKenzie.

On recommendation of the Executive Secretary, it was on motion of Chairman Wallace unanimously

VOTED: To not hold special voter registration sessions in each precinct prior to the Annual Town Meeting/Election, as allowed by G.L. c. 51 §30, pursuant to request of the Town Clerk dated January 3, 1989.

1989 Annual Town Election/Meeting - Vote Action Required

Present: Town Clerk Jean M. MacKenzie.

It was on motion of Chairman Wallace unanimously

VOTED: To take the following actions required for 1989 Annual Town Election and Annual Town Meeting, pursuant to request of the Town Clerk received January 3, 1989:

1. To set the 1989 Annual Town Election for the four precincts in Sudbury for Monday, March 27, 1989, from 7:00 a.m. to 8:00 p.m. at the Peter Noyes School;

2. To establish that the Annual Regional School District Election shall be combined with and held as part of the Annual Town Election of Sudbury, and that the ballot for the Annual Regional School District Election shall be included with and prepared as part of the ballot for the Annual Town Election;

3. To establish that the listing of the offices shall be the same as set forth in the Warrant for the Lincoln-Sudbury Regional School District Committee Election and shall be printed as the last office on the ballot;

4. To set the opening session of the 1989 Annual Town Meeting on Monday, April 3, 1989, at 7:30 p.m. in the auditorium of the Lincoln-Sudbury Regional High School;

5. To approve allowing the Board of Registrars to hold special voter registration sessions prior to the Annual Town Election and Town Meeting at the Town Hall, in accordance with Chapter 51 §30 of the General Laws.

Post Office - Trailer Request

The Board acknowledged receipt of communication from Postmaster Ronald H. Packard, dated December 30, 1988, which requested permission to place a 32-foot construction trailer in the rear of the post office building located on Union Avenue, to be used for storage purposes.

Executive Secretary Thompson attested to the fact that the Post Office has been attempting to relocate to larger quarters for the past five years, and he further stated that he has been informed that the area where the Postmaster wishes to place the trailer is not vital to customers. However, Mr. Thompson could not answer inquiry by Selectman Cope as to loss of parking to employees, post office vehicles, etc.

After discussion, it was on motion of Selectman Drobinski unanimously

VOTED: To table decision as to whether to allow the Post Office to place a 32-foot trailer behind the Post Office on Union Avenue for storage purposes; and to refer communication with enclosures from Postmaster Ronald H. Packard, dated December 30, 1988, to the Town Engineer and Police Chief for comments and recommendations; and to place this matter on the agenda for January 23, 1989.

MetroWest Growth Management Committee - Appointment of Water Supply Nominee

It was on motion of Selectman Cope unanimously

VOTED: To appoint Ursula Lyons of 157 Wayside Inn Road to serve as Sudbury's MetroWest Water Protection Supply nominee.

There followed a short discussion concerning the appointment of an alternate and upon recommendation of Selectman Drobinski, Selectman Cope will contact Stephen P. Garabedian to see if he would be interested in serving in such capacity.

Candlewood Trust - Conservation Deed, Cranberry Meadows

Upon recommendation of Executive Secretary Thompson, it was on motion of Chairman Wallace unanimously

VOTED: To accept deed dated January 4, 1989, from Candlewood Trust, Joseph L. Maillet, Trustee, for conservation purposes relative to Parcel C, Cranberry Meadows Subdivision off Powder Mill Road.

Site Plan Special Permit Application No. 88-309 - Paul J. Mauro, 61 King Philip Road

Present: Owner/applicant Paul Mauro, Eric Marcus and Lynn MacDonald, friends and supporters of Mr. Mauro; Bruce Ey and James Sairs of Schofield Bros., Inc.; Inspector of Buildings Joseph Scammon; Fire Chief Michael Dunne; approximately thirty abutters and residents.

At 8:00 p.m., Chairman Wallace convened a public hearing to consider the application numbered 88-309 of Paul J. Mauro for a Site Plan Special Permit, in accordance with Article IX.V.A. of the Zoning Bylaw, for business office use at 61 King Philip Road, an Historic District and Business District 3 and Residential A zoned, involving removal of barn, repair to existing underground sewage disposal system, construction of 15-car parking area, landscaping walks and lighting. The application was received November 14, 1988, and the accompanying plan dated November 3, 1988. An amended plan with a revision date of December 16, 1988, and a drainage analysis were received December 27, 1988.

Executive Secretary Thompson advised that parties in interest had been notified and Notice of Public Hearing had been duly posted and advertised in accordance with Sudbury Zoning Bylaws and Mass. G.L. c. 40A.

The Board noted receipt of the following communications relative to the proposed site plan:

1. Copy of letter dated February 16, 1988, from Zoning Enforcement Agent Joseph E. Scammon to Paul J. Mauro advising that the following approvals are needed for business use of the property: Site Plan Special Permit; Board of Appeals variance or special permit to park vehicles on the residence-zoned portion; change of use and occupancy permit issued by the Building Inspector. Mr. Scammon further issued an immediate Cease and Desist Order for operation of Mr. Mauro's business at the property.

2. Letter dated November 25, 1988, from Inspector of Buildings Joseph E. Scammon, advising review of the site plan and listing the need for additional information, including: a written statement detailing the proposed use, the building coverage (barn removal), percent of open space and drainage calculations; the plan should designate open space 30%; study on traffic impact; lack of 20-foot landscape buffer at residence district; lack of delineation of 20-foot landscape buffer at street lines; and requirements from the Board of Appeals of business use of residence zone, parking in residence zone, access to parking lot over residence zone, parking not behind buildings, 20-foot landscape buffer at lot line.

3. Letter dated January 5, 1989, from Inspector of Buildings Joseph E. Scammon commenting that removal of the barn is crucial to the revised site plan dated December 16, 1988; the revised plan now shows open space at 67% and landscaped buffers on both streets; drainage calculations are provided; and noting the following issues need to be resolved by the Board of Appeals: Business use of residence zone (small portion of house); parking in residence zone; access to parking lot over residence zone; parking not behind buildings; twenty-foot landscape buffer at residence lot line. In conclusion, Mr. Scammon commented that it is unfortunate that the whole lot was not designated Business District back in 1939, and stating that, if the required approvals from the Historic Districts Commission and the Board of Appeals are obtained, he would recommend approval of this site plan.

4. Letter dated December 16, 1988, from Fire Chief Michael Dunne, commenting that maneuverability of emergency vehicles are hindered by the extreme narrowing of King Philip Road at this point, and concern that as proposed on the site plan the parking lot with cars in it would not allow adequate turn-around for fire apparatus. Chief Dunne concluded by stating that at this time the Fire Department does not recommend approval.

5. Letter dated December 22, 1988, from Town Engineer I. William Place, commenting as follows: drainage calculations not received; volume calculations for the leaching basin should be provided; septic system on lot owned by N/F Jerome Tuck should be shown; a 20' landscape buffer zone between the Business District and Residential District has not been delineated; location of proposed dumpster would make the exiting of vehicles in the last two parking stalls very difficult and he suggests an alternate location; and all parking has not been located behind the building.

6. Letter dated January 4, 1989, from Town Engineer I. William Place, advising receipt of December 16, 1988, revised Site Plan and a set of drainage calculations prepared by Schofield Brothers, Inc. dated December 16, 1988; and comparing referenced material to Mr. Place's letter of December 22, 1988, noting Items 5 and 6 of his December 22 letter have not been addressed; and further noting the new Site Plan adds 20' wide landscape buffers along King Philip Road and Boston Post Road but not along abutting residential district; concern that the low percolation rate on the property could exceed the capacity of the leaching pit if there are two consecutive storms; and concern that the excavation and footing of the proposed retaining wall may possibly encroach onto the N/F Jerome Tuck property.

7. Letter dated December 22, 1988, from Burton H. Holmes, Chairman of the Historic Districts Commission, advising that a hearing has been scheduled by the Commission for January 9, 1989, to consider the demolition permit submitted by Mr. Mauro, (scheduled for 9:00 p.m.), and enclosing:

A. Copy of permit application;

B. Letter dated November 11, 1988, from Paul J. Mauro to Burton H. Holmes, Chairman of the Historic Districts Commission, enclosing letter from the construction consultant with regard to the structural stability of the barn; and

C. Memorandum dated December 7, 1988, from Assistant Town Counsel David J. Doneski, responding to request dated November 21, 1988, of Burton H. Holmes, Chairman of the Historic Districts Commission, outlining the requirements of Section 8 of Chapter 40 of the Acts of 1963, concerning applications for demolition permits.

8. Memorandum dated January 3, 1989, from Gordon Henley, Chairman of the Conservation Commission, advising that no wetlands are in close proximity to the site and thus a Wetlands Protection Act filing is not required. Mr. Henley further stated the Conservation Commission has no additional concerns.

9. Letter dated January 5, 1989, from Town Planner Lee Newman, advising that the Planning Board has reviewed the Site Plan and cannot recommend its approval, and recommending that the applicant withdraw his application, without prejudice. As reasons therefor, Ms. Newman outlined what the Planning Board believes to be concerns or deficiencies on the plan as submitted: 1) proposed construction of two parking spaces and a portion of the driveway system on land which is presently zoned for residential purposes and which to date has served as an effective buffer between the Route 20 commercial corridor and the King Philip neighborhood; 2) the lack of landscape plans and outdoor lighting pursuant to Bylaws, Section IX.V.A.5.c.; 3) the lack of building elevation and layout plans pursuant to Bylaws, Section IX.V.A.5.d; 4) the requirement for natural feature preservation pursuant to Bylaws, Section IX.V.A.7.a; 5) the requirement for signs and their design to be reviewed pursuant to Bylaws, Section IX.V.A.7.d.

10. Letter dated January 5, 1989, from Joyce Fantasia, Chairman of the Design Review Board, advising that that Board is unable to comment on subject plan because of inadequate designation of landscaping.

11. Memorandum dated January 5, 1989, from Robert C. Leupold, Health Director, advising that the Board of Health has received revised sewage disposal system plans dated December 19, 1988, and these will be reviewed on January 12, 1989. Mr. Leupold stated that due to septic system variances required, the Board of Health recommends that site approval be withheld until it reviews the revised sewage disposal plan.

James Sairs of Schofield Brothers, Inc., presented, on behalf of applicant/owner Paul J. Mauro, the revised Site Plan dated December 16, 1988, for the property. Mr. Sairs explained that they had a meeting last Tuesday with the Planning Board and neighbors and, based on the neighbors' objections that the plan would not be compatible with the residential character of King Philip Road, Schofield Brothers generated another study and two new diagrams, dated January 5, 1989, which he then displayed.

Mr. Sairs pointed out that the new plans show a reduced number of parking spaces, and suggests that they be put into something similar to a carriage barn, with the entrance on King Philip Road. Mr. Sairs stated that most of the parking will occur in the residential area because of the nature of the site and because of the restrictions facing the property owner. Plan "A" proposed an open barn facing the house, not the street, which would have five cars parked in it and would allow for one or two spaces outside. Plan "B" proposed a four-car garage facing the street. Bruce Ey of Schofield Brothers, Inc., added that it is his opinion that this is a complex site, noting that the

residential zone line "clips" the back portion of the house and the existing barn structure. Mr. Ey explained that the first design was an attempt to meet the zoning laws as best as could be done.

Mr. Ey stated that it is Mr. Mauro's intention to continue to operate his existing business out of the dwelling and not change the facade of the house at all. Mr. Ey continued by stating that Mr. Mauro only has need to park six to eight cars, but it is a requirement of the Town's zoning bylaws that they provide for a 15-car parking area. Because of this, Mr. Ey explained, Mr. Mauro would need a variance; also, to place the parking spaces in a residential zone would require a variance. Mr. Ey stated that they looked at a number of alternatives, such as entering from Route 20, but because of the septage system that needs to be brought up to Code, the grade needs to be raised. This would not allow access from Route 20.

Mr. Mauro introduced himself and stated that he has been doing business at that location since November of 1987. Mr. Mauro explained that he has a financial/estate planning business and resides at 173 Old Sudbury Road.

Selectman Drobinski expressed his uncomfortableness with the proposal and what has occurred at this site. Mr. Drobinski explained that he was a member of the Planning Board when the realtor for this property first approached the Planning Board. Mr. Drobinski recalled that at that time the Planning Board strongly advised that the property should not be developed for commercial use, due to a lot of issues and the fact that it has a long history as residential property. Mr. Drobinski stated that he does not mean to question Mr. Mauro's integrity as to his allegations concerning use; however, once granted, these variances will "run with the land."

Mr. Ey stated that they are working with the Board of Health to see if the septic system can be shifted 15', which would obviate the necessity for a retaining wall. At most, Mr. Ey continued, it would be a 2' wall. Mr. Ey noted that the construction of the septic system would have to take place whether the property is used for commercial or residential purposes. It is Mr. Ey's opinion that there would be less of an impact with commercial use, rather than use as a three-bedroom residence.

Selectman Drobinski brought to Mr. Mauro's attention the letter dated January 5, 1989, from the Design Review Board, concerning lack of a landscaping plan. Mr. Ey, speaking on behalf of Mr. Mauro, stated that it was his interpretation of the zoning bylaw that it did not apply to this property but, if required, a detailed plan can and will be provided.

In response to inquiries by Selectman Cope, Mr. Ey stated that the 20' buffer requirement will necessitate a variance from the Board of Appeals. It is Mr. Ey's estimate that between four and five variances will probably be required. Mr. Ey further stated that there is a possibility that the septic system might be designed without the necessity for any variances. Mr. Ey stressed that the property is being improved from a health standpoint. Mr. Ey stated that he was not aware that the Town Engineer had a severe problem with the drainage, but they will be more than happy to discuss same with the Town Engineer.

Chairman Wallace commented that this situation reminds him of the DeGiandomenico site plan for 344 Boston Post Road, which was approved a little over a year ago. Mr. Wallace stated that his initial reaction is that to be fair to Mr. Mauro the process of obtaining the required variances should be determined first; and he explained that although not statutorily premature, coming to the Board of Selectmen at this time is in reality premature for the Selectmen to take a position on this.

Louis H. Hough of the Historic Districts Commission was present and reminded the Selectmen that the issue of the barn was going to be addressed at 9:00 p.m. this evening at a meeting with the Historic Districts Commission.

Marian Y. Hall of 17 King Philip Road stated that she was concerned about the safety considerations and noted the narrowness of the road mandates that when a car is travelling in one direction and a school bus is travelling in the other direction, someone has to back up or go into a driveway. Mr. Ey responded that he believes this property is a little bit farther up than the area described by Mrs. Hall. However, Mr. Ey stressed that, as pointed out by Mr. Mauro, the business is not of a retail type; thus, the general public is not rushing in and out all the time. For this reason, Mr. Ey feels that trip generation would be no more severe than if a family lived in the dwelling. Mr. Ey also feels that a curb cut on Route 20 would be more dangerous than the plan they have proposed. Mr. Ey noted Fire Chief Dunne's issue concerning the maneuverability of the fire engines; but added that there would be no difference if the premises are used for commercial versus residential purposes. Mr. Ey concluded his comments by stating that they hope to meet with the Fire Chief and discuss the situation; and that they hope this meeting will be continued to allow them to pursue the variances and resolve issues such as this.

In response to inquiry by Chairman Wallace, Mr. Ey, on behalf of Mr. Mauro, stated that it is their intention to request a continuance of this hearing until such time as they know where they stand with respect to the variances that they will be seeking.

For clarification, Mr. Ey stated that right now there is not adequate parking to conform to the bylaw requirement. Mr. Ey further reiterated that there is no planned expansion of the building, just the parking area.

In response to inquiry from Margaret L. Tristan of 12 King Philip Road, Mr. Mauro stated that he does not require the use of a sign due to the nature of his business, and that he has no plans of changing the shape of the building at all. Mr. Mauro further commented that he believes a good idea came out of the Planning Board's meeting with regard to working with the barn area for parking. Mr. Mauro explained that there are three employees plus himself, and stressed that the request for fifteen parking spaces was not his personal desire, but rather a requirement of the Zoning Bylaws.

In response to inquiry from Gary R. Jacobson of 22 King Philip Road, Mr. Ey stated that the very rear corner of the house is the only area that requires a variance for commercial use, and that 90% of the building is business-zoned. Mr. Jacobson also asked, if the property is sold in the future, what protection would there be to prevent a busier-type business from being operated at that location. Mr. Ey responded by stating that if a variance is granted Mr. Mauro to only have six to eight parking spaces, if a

future occupier/owner requires more spaces, that new owner/occupier would have to apply for same at that time.

Paula L. Grisafi of 22 King Philip Road suggested that rather than attempting to use the barn area for a non-conforming use, Mr. Mauro rent parking spaces across the street. Selectman Cope explained that the parking situation across Route 20 is very tight and that option should not be considered.

Chairman Wallace explained to Mr. Mauro and his representatives that he believes a reason for the skepticism they may be seeing is due to the fact that other property owners in the area appear not to have been completely up front with the Town in their plans and expectations. By way of example, Mr. Wallace pointed out that the Country Living property across from them on Route 20 received site plan approval based on representations as to use. Shortly thereafter, the place is up for sale, suggesting more extensive use than the Selectmen were led to believe.

Selectman Drobinski asked what action took place as a result of the cease and desist order contained in Mr. Scammon's February 16, 1988. Mr. Mauro explained that he immediately contacted Mr. Scammon as a result thereof and the process was begun and continues, as evidenced by his presence this evening.

In response to further inquiry by Selectman Drobinski, Mr. Mauro stated that as a resident of Sudbury for the past ten years he was aware of the bylaws and the rules and regulations pertaining thereto; that when this house came up for sale, he wanted to preserve the house and its residential look. Selectman Drobinski replied that he is certain the Town appreciates the rehabilitation of the house, rather than construction of a modern structure.

Upon discussion and agreement expressed by the applicant, it was on motion of Chairman Wallace unanimously

VOTED: To continue this hearing by mutual consent to the first available date of the Selectmen's meetings following receipt of decisions by the Board of Appeals to applicant Mauro.

Selectman Drobinski strongly urged applicant Mauro and his representatives to meet informally with the Planning Board and Historic Districts Commission for guidance.

In response to inquiry from Sue Ellen Stine of 49 King Philip Road, Mr. Ey stated that the various applications for variances will be filed at the same time and a public hearing will be conducted. It is Mr. Ey's belief that one hearing will address all the variances at once and by the time such a hearing is convened his company will have a specific and detailed plan to present.

In response to inquiry from Dennis J. Camelio of 11 Massasoit Avenue, Mr. Ey stated his belief that each variance is contingent upon the other and in order for the plan to be successful, it would mean approval of the entire "package".

There was a suggestion that the Selectmen visit the property, and each Selectmen indicated their intention to do so.

Sandra Gardiner of 37 Pokonoket Avenue commented that she does not consider it a fair to compare the present barn structure which she referred to as a "sleepy barn" to a carriage house, which in her opinion is a fancy parking garage.

Chairman Wallace thanked all for attending and assured that when a date certain is set for a continuation of this public hearing, adequate notice would be made and everyone receiving notification of this evening's hearing would receive notice of the continuation date.

1989 Annual Town Meeting - Ordering of the Warrant

Present: Town Moderator Thomas Dignan.

The Executive Secretary explained that what the Selectmen have before them is a draft numerical list of articles for review by the Moderator and Selectmen, the purpose of which is to try to keep some vitality and life in Town Meeting by the placement of articles, as well as to attempt to accommodate various groups by keeping their articles together.

Mr. Thompson reported that the Conservation Commission requested that its Wetlands Protection Bylaw article (numbered 39) be placed next to the article concerning the Wastewater Treatment Facilities (numbered 41). It was therefore agreed that articles numbered 40 and 41 be reversed.

Mr. Thompson explained that he had placed a new article on the list concerning recycling (numbered 5), because, in order to implement a recycling program, it is necessary for Town Meeting to vote to establish the same in accordance with Massachusetts G. L. c. 40 §8H. Since the deadline for submission of articles has passed, the Selectmen agreed that it should be formally submitted as a petition article and remain on the list as #5.

There followed a discussion concerning placement of Article numbered 28, which is a request by the Schools for \$8,500,000. Chairman Wallace stated that the Chairman of the School Committee asked if it would make better sense to place this article at the beginning of the Warrant. Mr. Thompson expressed his belief that it is better to keep it where placed in order to keep the interest high at Town Meeting. Mr. Thompson further pointed out that the recommendation of the Finance Committee is to keep the "monied" articles up front. The Selectmen concurred with the recommendation of Mr. Thompson that, if there are no other problems with the order of the Warrant as presented, they vote its approval therefor and request the Executive Secretary to consult with Schools Superintendent David Jackson concerning the Schools' article and its presentation of same.

Town Moderator Thomas Dignan congratulated the Executive Secretary for preparing an excellent warrant and voiced no objection to the order as presented and discussed.

It was on motion of Chairman Wallace unanimously

VOTED: To approve the warrant ordering as presented by the Executive Secretary, with the amendments as discussed above; and to approve designation of articles for the Consent Calendar as drafted.

Mr. Dignan wished to go on record expressing his strong feelings agreeing with Mr. Thompson's position regarding the timing of possible override or exemption ballot questions, in that they should precede the Annual Town Meeting. Mr. Dignan continued by saying to do otherwise may cause havoc at town meeting.

Long Range Planning Committee

Present: Long Range Planning Committee members Robert G. Johnson, Joseph W. Mooney, Joel M. Schoen, Derek J. Gardiner and Robert J. Weiskopf.

A meeting was held with the Long Range Planning Committee to update the Selectmen on school and town office administration space plans resulting from the Space Study Committee meeting of December 20, 1988. Executive Secretary Thompson handed out an update of printed data, and stated that the purpose of the information is to show the Selectmen what some of the figures are.

Mr. Thompson reported that a meeting was held on December 20, 1988, with Dr. Jackson and the Long Range Planning Committee on space needs. Mr. Thompson stated that the schools have made their decision as to where they are going. Since then, however, Mr. Thompson stated that Dr. Jackson and Lincoln-Sudbury Regional Schools District Committeeman Richard Brooks have requested that a consensus be reached as soon as possible concerning the administrative space needs of the Town. Mr. Thompson reported that Dr. Jackson stated to him recently that the Carroll Center space would not be adequate for local school administrative needs. Mr. Thompson also noted that Fire Chief Michael Dunne is present this evening and will expand on his meeting with the Finance Committee concerning his proposal to the Long Range Planning Committee for a new Fire House.

Long Range Planning Committee member Robert Johnson stated that while the Committee does not wish to overstep the duties and rights of the School Committee, he is compelled to comment that if Town Meeting does not allow an override on a new school building, some thought should be given to other solutions. Mr. Johnson believes the hiring of a shared superintendent opens up some possibilities.

Mr. Johnson went on to explain that since the December 20th meeting, the Long Range Planning Committee has proposed some changes. The Committee had previously come up with a space proposal of renovating the existing Fire Department building. Mr. Johnson expressed extreme safety concerns about continuing to house the Fire Department in its present space and stated that the Committee has determined renovation would not be feasible (he cited a major problem is the building was built around a ledge). Mr. Johnson stated that Fire Chief Dunne presented them with a proposal based on two new wooden fire houses put up in Falmouth. Chief Dunne supplied the Committee with renderings and cost studies loaned to him by the Falmouth Fire Department; and the Committee now believes that instead of renovating, a completely new station could be built for roughly \$750,000, on the so-called "Oliver Land". If this is done, the Committee recommends that Town Hall be used by renovating the Town Clerk's Office and the space now occupied by the Fire Department and adding a two story addition. The Committee believes there would be very little impact on parking and the overall look of the building. It was further pointed out that the basement of Town Hall now occupied by the Fire Department could be used for storage of out-of-season vehicles owned by the Town. Mr. Johnson stated that

the Committee is waiting to meeting with the architect to determine what the cost of the renovations and second-story addition to Town Hall will be.

Mr. Johnson next reported that the Committee met with Highway Surveyor Robert Noyes, and learned that the Town of Harwich recently built a new highway facility. The original cost estimate for a new facility was \$2,100,000; the Committee now believes everything can be taken care of, including salt storage, for about \$1,500,000.

Mr. Johnson stated that the Committee has not yet met with Police Chief Peter Lembo, but they believe the figures relating to the Police Department could be dropped.

Mr. Johnson also reported that when they met with the Finance Committee, Jack Hepting brought up the fact that the Council On Aging's award of \$15,000 for preliminary architectural fees gave the Town the opportunity to make an intelligent decision. Based on Mr. Hepting's recommendation, Mr. Johnson stated that the Long Range Planning Committee will go back and look at architectural fees for the various projects. This will, he explained, probably result, for example, in a decrease in the Fire Department's request from \$75,000-100,000 to \$15,000-20,000. With regard to the Fire Department's request, Mr. Johnson stated that the Long Range Planning Committee recommends to Fire Chief Dunne that he follow the Committee's article with his.

Executive Secretary Thompson expressed the concurrence of the Selectmen that there is so much information to absorb and consider, and he suggested that the Long Range Planning Committee prepare and present a short summary of what it recommends, and the figures supporting these recommendations, for review by the Selectmen at a future meeting.

Mr. Johnson further informed the Selectmen that they prepared a rough overlay of taking the Flynn building and putting on a one-or-two-story addition so that the school administration could move back to the center of Town. Mr. Johnson stated that an architect will be looking into whether this would be economically feasible. Mr. Thompson stated that it was his understanding that Schools Superintendent Jackson was receptive to this proposal; and that his concern is cost of renovation versus new construction. More importantly, Mr. Thompson continued, is that Dr. Jackson has stated that his long-range objectives would still be central administrative office space, and that the move to the High School would be a transitional one.

Mr. Johnson summarized that the Long Range Planning Committee should come up with a summary cost package for renovation of Town Hall, with an addition and a renovation of the Flynn Building. In conclusion, Mr. Johnson stated that to date, the Committee has spent less than \$35,000 of the \$75,000 authorized, and \$10,000 of that amount concerned the schools. Executive Secretary Thompson commended the Committee for its conservative spending and their great efforts in behalf of the Town.

Fire Chief Michael Dunne next made a presentation for his proposal to build a new fire station on the so-called Oliver Land off Hudson Road. Chief Dunne displayed a rendering of the fire station built in Falmouth, and pointed out that it was constructed to look like a house. Chief Dunne stated that Town Engineer I. William Place had the land perked and determined that the building could be placed there with no trouble.

Chief Dunne advised that there are approximately 13.5 acres, but that only about 4.5 acres are actually buildable. In response to inquiry by Selectman Cope, Chief Dunne stated that fire apparatus accessibility will be met or exceeded.

Mr. Johnson suggested that the Selectmen visit the Fire Station with a view to looking at the severe safety problems that exist.

Executive Secretary Thompson stated that he will attempt to get the group together again as soon as possible and they will try to get the summary to the Selectmen prior to January 23, 1989.

In response to inquiry by Selectman Drobinski concerning asbestos removal in the schools, the Executive Secretary stated that it is his understanding that the School Committee does not intend to proceed with this unless they get reimbursed by the State.

Chairman Wallace thanked everyone for their input and especially thanked the Long Range Planning Committee for an excellent job.

Wastewater Advisory Committee - Amendments to 12/12/88 Minutes

It was on motion of Chairman Wallace unanimously

VOTED: To amend the minutes of the meeting of December 12, 1988, as set forth in letter dated December 27, 1988, from William W. Cooper, Chairman, Wastewater Advisory Committee.

Cancellation of Meeting

It was on motion of Chairman Wallace unanimously

VOTED: To cancel the meeting of the Selectmen scheduled for Wednesday, January 18, 1989.

Wish List

The Board reviewed Wish List-1988, revised by Selectman Cope. Ms. Cope referenced an article from the International City Management Association concerning Wish Lists from other communities/states and how said lists were utilized.

In an effort to update the other Selectmen and the public as to the Wish List, Ms. Cope recited each item and/or made comments as follows:

1. Regular Department Head meetings - recommended by Conservation Commission, Fire Department, Town Clerk and the Selectmen: Ms. Cope stated there has been expressed a need to discuss common problems.

2. Better Board communication - recommended by Conservation Commission, Town Engineer and the Selectmen.

3. Improvement Zoning and Inspections Office - recommended by Conservation Commission, Town Engineer, Selectmen and the Planning Board: Executive Secretary Thompson reported that he is monitoring this and reported that he has

been advised that the violation tickets have gone out to departments for usage. Mr. Thompson stated that he would see that Thomas Phelps and James McKinley of the Traffic Management Committee get copies of the tickets.

4. Unified plan, easing congestion and building plan for Route 20 - recommended by Youth Commission, Planning Board, Selectmen, Traffic Management Committee and many townspeople: Ms. Cope reported that plans on implementing this are moving along very well.

5. Preserve "ruralty" of the Town - recommended by the Selectmen, Planning Board, Conservation Commission and many townspeople.

6. Town beautification; trees, etc. Review replanting program; buy back key ugly Route 20 properties; incorporate Traffic Management Committee ideas - recommended by the Selectmen: there is a suggestion to check to see if there is any remaining Atkinson Farm stock.

7. Education; maintain high quality; improve standardized scores - recommended by the Selectmen: Ms. Cope reported that resident Ralph Tyler has expressed an interest in developing this.

8. Town space needs resolution; all boards work to a common goal - recommended by Town Treasurer/Tax Collector Chester Hamilton, the Selectmen, Town Engineer, Fire Department, schools. Consider schools reopening - recommended by Finance Committee. Consolidation of Town offices, poll employees for ideas - Town Clerk Jean A. MacKenzie: these suggestions are the subject of on-going discussion and plans are in progress to address many of these issues.

9. Community Center - recommended by Youth Commission, Selectmen, Finance Committee and Park & Recreation Commission: plans for this are in progress.

10. Study costs of studies with no follow-through and eliminate for the future; proceed more cost-effectively, e.g., Senior Center engineering study.

11. Social worker for schools and community - recommended by the Youth Commission: Executive Secretary Thompson stated that he believes this is taken care of in the budget.

12. Formal community service program - recommended by Youth Commission.

13. Crises Hotlines (including an after-5:00 crisis team, as in Concord) - recommended by Youth Commission: It was suggested that there are already in place a number of good programs and that better advertising would get this information out to the public.

14. Extensive after-school programs (Outward Bound, photography, etc.) for older children - recommended by the Youth Commission.

15. Day care in the schools - recommended by Youth Commission, Sudbury Housing Authority.

16. After-school programming - recommended by the Youth Commission.

17. Community and cultural Arts center for all ages (including a public address system and support all ages) - recommended by the Sudbury Arts Council: the suggestion is to consider this if there is excess space.

18. Annual arts festival (suggestion that this could also be a big fundraiser) - recommended by the Sudbury Arts Council.

19. Park & Recreation facilities improvements plan; equipment, services, personnel - recommended by the Park & Recreation Commission.

20. Inclusionary Zoning - recommended by Sudbury Housing Authority, Planning Board, Selectmen: it was reported that Planning Board Chairman Russell Kirby was not pleased with the incentive plan. At Selectman Cope's suggestion, Executive Secretary Thompson will send copy of the New Jersey Affordable Housing legislation and supporting data to State Senators Buell and Amick and Representative Magnani. Chairman Wallace stated he believed something similar was passed in Concord last year.

21. Successful recycling program and permanent area for leaf composting - recommended by Resource Recovery Committee, Selectmen, Finance Committee.

22. Town office and school recycling program, urge use of recycled paper - recommended by the Selectmen and the Resource Recovery Committee. Ms. Cope reported that Representative Lucille Hicks suggested that the Massachusetts Municipal Association might be a conduit for this program.

23. Improve, expand Landfill; establish a residential dropoff area; have trash pickup townwide - recommended by the Resource Recovery Committee.

24. Residential Landfill sticker fee, with recycling incentive - recommended by the Resource Recovery Committee.

25. Phase out and close Landfill, build transfer station - recommended by the Highway Department.

26. Equal housing solution - recommended by the Sudbury Housing Authority, the Selectmen and the Planning Board.

27. Support the new Fair Housing Committee - recommended by the Sudbury Housing Authority.

28. Remodel and expand the Goodnow Library; other improvements including more high-tech - recommended by the Selectmen and the Library Trustees. Ms. Cope reported these plans are in progress.

29. Townwide transportation program - recommended by the Youth Commission and the Sudbury Housing Authority. Mr. Thompson reminded the Board that Big W Transportation Company is attempting to add a route through Sudbury to Shoppers World, Framingham.

30. Correct ambiguities in bylaws and regulations; codification - recommended by the Planning Board and the Selectmen.

31. Long Range Growth Management Plan - recommended by the Planning Board and the Selectmen. It was pointed out that this is a three-year process.
32. Source of funding for open space and natural resource protection - recommended by the Planning Board, Selectmen and Conservation Commission. The Selectmen were advised that the first hearing regarding support for a land bank is being held January 11, 1989.
33. Control rate of development - recommended by the Planning Board, Selectmen and the Conservation Commission.
34. Protect water quality and other natural resources; provide for future needs - recommended by the Planning Board, Selectmen and the Conservation Commission.
35. Claim water resources before State tries - recommended by the Selectmen.
36. Wetlands bylaw - recommended by the Conservation Commission and the Selectmen.
37. Delineate sensitive areas for no-salt spreading - recommended by the Selectmen and the Conservation Commission. Water Superintendent Richard Carroll advised that Sudbury water has a low-salt content.
38. Revise Board of Health regulations - recommended by the Conservation Commission, Selectmen and the Planning Board.
39. Expand cemeteries, purchase properties, obtain options - recommended by the Highway Department.
40. Impact fee assessments - recommended by the Planning Board. It was reported that some developers agree to do this.
41. Increase number of Selectmen, spread the workload - recommended by the Long Range Planning Committee. This item has been studied by the League of Women Voters, and the indication is to leave the number of Selectmen small.
42. Extend youth services - recommended by the Sudbury Housing Authority.
43. Increased METCO support - recommended by the Sudbury Housing Authority.
44. Sidewalk from Longfellow Glen to Sudbury Farms - recommended by the Sudbury Housing Authority. Mr. Thompson informed that he believes money had been appropriated for design of such a walkway.
45. Mandatory submittal, both cluster and conventional development plans - recommended by the Planning Board.
46. Additional full-time person and second computer work stenographer - recommended by the Town Clerk. Town Clerk MacKenzie has indicated that people have expressed interest in short-term volunteer work.

47. Provide for hearing deficiencies at Town Meetings and Special Town Meetings - recommended by the Town Clerk. Mr. Thompson reported that this problem is being addressed.
48. Handicapped access to all Town board meetings - recommended by the Town Clerk. Mr. Thompson reported that this problem is being addressed.
49. General maintenance at Town Hall - recommended by the Town Clerk.
50. Fines for non-removal of "garage sale" signs, etc. - recommended by the Finance Committee. Mr. Thompson said a procedure is in place and violations should be reported to the Selectmen's office.
51. Increase dog fines - recommended by the Finance Committee. It was suggested that a volunteer might be located who can assist in enforcement of the rules and regulations pertaining to dogs.
52. Include Long Range Planning Committee's opinion in the Warrant for Annual Town Meeting regarding capital expenditures - recommended by the Long Range Planning Committee. It was noted that this was done last year.
53. Incorporate Long Range Planning Committee's Report into the Town Warrant - recommended by the Long Range Planning Committee.
54. New communications system - recommended by the Police Department.
55. Handicap access, Flynn Building - recommended by the Assessors.
56. Acquisition property under "first refusal" for affordable housing, recreation, water protection, or to develop intelligently to increase Town revenue - recommended by the Assessors.
57. Methods, as suggested, to improve personnel programs - recommended by the Fire Department, Personnel Board; assist in general hiring - recommended by the Selectmen.
58. Upgrade Emergency Medical Services - recommended by the Fire Department.
59. Radio system; emergency contact - recommended by the Fire Department. Fire Chief Dunne believes the amount would be \$2,000-\$3,000 for a short-term system, or as much as \$250,000 for the most sophisticated system.
60. Extend or create a new King Philip historic district to include the Country Living Building - recommended by the Historic Districts Commission.
61. Extend historic district south on Concord Road to include the library on the west and to #10 Concord Road on the east - recommended by the Historic Districts Commission.
62. Capital expenses and maintenance items - five-year plan - recommended by Lincoln-Sudbury Regional High School.
63. Conservation Commission consultant, and dollar line item - recommended by the Conservation Commission.

64. Map and record conservation easements and restrictions - recommended by the Conservation Commission.

65. Part-time Conservation Officer and/or land maintenance staff - recommended by the Conservation Commission.

66. Stormwater management bylaw to deal with contaminant runoff - recommended by the Conservation Commission.

67. Enforcement exclusion of All-Terrain Vehicles in Hop Brook area - recommended by the Conservation Commission. Mr. Thompson pointed out that there is now a state law prohibiting same; and violators will have those vehicles confiscated.

68. Funds to train for wetlands delineation - recommended by the Conservation Commission.

69. Land Bank - recommended by the Conservation Commission (High Priority).

70. Constant provision for summer hire - recommended by the Town Engineer.

71. New survey equipment - recommended by the Town Engineer.

72. Removal of obstructions within 4' of pavement (sight and snow) - recommended by the Town Engineer.

73. Hospital directional signs - recommended by the Finance Committee. Mr. Thompson stated that the hospitals put them up around 1973.

74. Street signs at all intersections - recommended by the Finance Committee.

75. Evaluate pavement system - recommended by the Highway Department; update highway facilities (new money and repairs).

76. Town photogeometric survey - Town Engineer.

77. Recognizing cash shortage, return to P.R.I.D.E.-type annual dance and fund-raiser. Function of the year, P.R.I.D.E., DeCordova-style: makes money, promotes good will.

Ms. Cope will continue to monitor and update the list and will report to the Selectmen at future times concerning same.

Sudbury Housing Authority - Military Land in Sudbury

The Board acknowledged receipt of letter dated January 4, 1989, from Jo-Ann Howe, Executive Director of the Sudbury Housing Authority enclosing copy of application for federal surplus real property to the Director, Division of Health Facilities Planning, Rockville, Maryland.

Sudbury/Wayland Septage Facility

The Board acknowledged receipt of copy of Environmental Notification Report forms as submitted to the State's Executive Office of Environmental Affairs, as well as copies of letters to said Executive Office as follows:

1. letter dated January 2, 1989, from the Planning Board;
2. letter dated December 28, 1988, from the Conservation Commission;
3. letter dated December 29, 1988, from the Wastewater Advisory Committee.

Design Review Board - Sign Bylaw Enforcement

The Board acknowledged receipt of copy of letter dated January 3, 1989, from Joyce Wells Fantasia, Chairman, Design Review Board, to Building Inspector Joseph Scammon. At the request of the Selectmen, Executive Secretary Thompson will communicate with Mr. Scammon for an update of the enforcement of violations of the Sign Bylaw.

Sudbury Water District - System Regulations

The Board acknowledged receipt of copy of the Sudbury Water District's new proposed System Rules and Regulations and was informed by Executive Secretary Thompson that he has met with Richard Carroll, the new Water Superintendent, concerning the same; and that they will be up for approval at the February 27, 1989, Annual Water District meeting.

There being no further business to come before the Board, the meeting was adjourned at 10:30 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk