

IN BOARD OF SELECTMEN
MONDAY, JUNE 26, 1989

Present: Chairman John C. Drobinski and David A. Wallace.

The statutory requirements as to time and place having been fulfilled, the meeting was called to order by Chairman Drobinski at 7:40 p.m. at Lower Town Hall.

Ft. Devens Training Annex Land

Present: Gordon M. Tucker of the Sudbury Neighborhood Planning Association; approximately seventy residents.

Chairman John C. Drobinski convened a meeting with the Sudbury neighbors of the United States Army Fort Devens Training Annex at their request relative to proposal of the Sudbury Housing Authority (SHA) for lease of the Annex for housing.

Executive Secretary Richard E. Thompson clarified that this meeting is not a formal public hearing but is being held because of the concerns and questions area residents have raised. Mr. Thompson further pointed out that the Selectmen would be going into executive session later in the evening to discuss the notice dated June 13, 1989, from the General Services Administration (GSA) giving the Town twenty days to respond to an offer to sell most of the land, excluding that set aside for the SHA. Mr. Thompson stated that Gordon M. Tucker, Representative of the Sudbury Neighborhood Planning Association, was being invited to attend the executive session, as the Selectmen feel it necessary to have his input in the discussion.

Mr. Thompson noted that when Ft. Devens first acquired the property that is now the site of their Training Annex, there was a lot of concern expressed by area residents. A neighborhood group was formed at that time, many meetings were held, including meetings at Ft. Devens headquarters with the General and Commander in charge of the facility. These efforts were productive, and Mr. Thompson stated he brings this up to give hope that such efforts and cooperation will prove beneficial now and to assure that whatever action is taken by the Selectmen and the Sudbury Housing Authority will be in the best interests of the neighbors and the Town.

At the invitation of the Chairman, Gordon M. Tucker of Five Firecut Lane gave an opening presentation of the views and concerns of area residents. Mr. Tucker stated that abutters and neighbors of the subject property have formed a group known as the Sudbury Neighborhood Planning Association with two purposes in mind: (1) to address land development and traffic safety issues with regard to the Ft. Devens property; and (2) to serve as a resource for other issues that will be facing the Town in the future.

Mr. Tucker stated that the initial reaction of the Association members to the SHA proposals as reported in the media was one of alarm and shock. Since that time, however, Mr. Tucker stated that the Association believes the SHA has done an admirable job in proceeding with the proposed development of this property, and the Association has the sense that the SHA also has the interest of the neighborhood at heart. The Association wishes to provide support to the SHA

for development of that property; and they wish to become an integral part of the whole process. However, Mr. Tucker went on to say, there are several concerns that need to be addressed and he handed out a four-page outline dated June 19, 1989, which he summarized as follows.

1. Traffic/Safety: Mr. Tucker stated that because of the dangerous situation which already exists on Moore Road, and the safety considerations to abutting neighborhoods, the Association will oppose any access roads being constructed other than off Hudson Road.

2. Greenbelt/Open Space: Mr. Tucker stated that the neighborhoods have been developed over a long period of time with great care to preserve rural and aesthetic qualities. The Association recommends a greenbelt surrounding any development and would like to see as much of the existing forest preserved as possible.

3. Mixed-Income Development: The Association is in support of what the SHA has been proposing; i.e., to provide low and moderate-income housing with new market-rate housing. The Association believes to limit the development to only low-income housing would result in segregating an area of the population, the impact of which would be seen on children attending the schools, etc.

4. Size/Scope/Location: The Association believes that developing 100+ units of housing at one time would be too ambitious a project for a small Town to handle, and recommends an initial development of 40-50 units. With regard to location, the Association believes the ideal development would be placed as far forward on the land directly abutting Hudson Road as possible. The Association acknowledges that in order to accomplish this ideal, the State must make available the D.E.M. land directly abutting Hudson Road, or at least provide an easement for an access road from Hudson Road.

Mr. Tucker concluded by stating that the Association wishes to remind that the prior will of the Town was for use of that land as Open Space and passive recreational use; and as far as the Association can determine, that is still the wish of the majority of townspeople.

David R. Manjarrez of 47 Firecut Lane informed that he counted the number of cars travelling in the Raynor Road/Moore Road area between 6:30 - 8:30 a.m. By way of background, Mr. Manjarrez stated that there are 125 homes in that particular area; and to keep in mind that there was no additional traffic from schools, and that this is vacation time, which would mean fewer cars travelling to work. Mr. Manjarrez reported that he counted approximately 75 cars during that two-hour period and would estimate that to be a conservative number.

Mr. Manjarrez also questioned whether Moore Road is in compliance with regulations because at one point the asphalt only measures 14' and he believes the regulations call for 24'. Mr. Manjarrez concluded by asking that the following questions be considered when thinking of development of the subject property if accessing Moore Road: How safe will Moore Road be? Who will pay for making the road safe in the future? How can children wait along Moore Road for a bus safely? What will happen in the winter where the road is further narrowed by snowdrifts and made more slippery?

Richard A. Brooks of 28 Middle Road stated that he was present this evening as an area resident and Planning Board member, "wearing two hats". Mr. Brooks congratulated the SHA for its work and success thus far in pursuing this land, and he believes this is a major opportunity for the Town to obtain at minimal cost a major parcel of land so valuable, upon which the Town may develop a mixed-income housing project.

Mr. Brooks also complimented Mr. Tucker on his comments about the importance and sensitivity of this issue. Mr. Brooks opined that this opportunity would be much harder for the economics to work were the Town required to purchase the land at par market value; and he believes that, instead, the Town has the opportunity for more reasonable density, and a broader mix of housing.

Mr. Brooks stated that the Planning Board would like to see this development resemble as much as possible other subdivisions within the Town, and cited the positive experience with regard to the SHA development of the Fairbank property.

With regard to the traffic and safety concerns, Mr. Brooks suggested that the SHA consider the transportation and the mores of the community that is going to be living there. In particular, Mr. Brooks questioned how those residents would get to the center of Town. Mr. Brooks concluded by suggesting that traffic counters be placed at Moore Road and major intersecting roads; and that the Selectmen support a request for police traffic monitoring.

Chairman Drobinski stated that as a past member of the Planning Board that was very active in getting the 1985 Town Meeting Open Space article passed, it was his intent that this area would stay Open Space. Mr. Drobinski added his lauds to the SHA for its work and said that clearly the mixed-unit housing concept is one he personally wishes to see implemented.

Mr. Drobinski concluded by stating that he believes the presence of so many residents at this meeting indicates that the Town has to work together, as it is sitting next to a sleeping giant.

Selectman Wallace complimented the Association for a good presentation, and stated that common sense mandates agreement with the points raised. Mr. Wallace stated that this is a way of planning for something that is inevitable, while keeping as much control over it as the Town can. Mr. Wallace concurred that the SHA should be complimented on what they have done, because this will enable the Town to meet its 10% affordable housing goal.

Mr. Wallace cautioned those present to keep in mind that use of this property may be beyond control of the Town; that the Town may have some input on a local level, but when dealing with the federal government, all good intentions may be blotted out very quickly if it has other things in mind. The Town does not know whether the Open Space bylaw will be upheld; nor does the Town know if the proffered purchase price per acre, set by the GSA in its letter of June 13, 1989, at \$50,000, would be upheld, and if so, if the Town could possibly meet that price.

Mr. Wallace concluded by stating that, although the SHA was not present this evening, he wished them to know the Town will work with them to accomplish their goal.

Anthony J. Velardo of 15 Surrey Lane stated that he has no qualms about working this out, and he believes something could be worked out with the federal government. Since the land is such a valuable asset, Mr. Velardo opined that the Town might not have cash to pay for it, but the Town should consider mortgaging itself to pay for it. Mr. Velardo concluded by stating that by purchasing the land, the Town can control its fate and resell the land if necessary.

Chairman Drobinski thanked Mr. Velardo for his comment and noted that there are very creative people in Town and the Selectmen welcome their thoughts and suggestions. Mr. Drobinski then thanked those present for attending and their input and the meeting was concluded.

Town Forum - 185th Session

At 8:30 p.m., the 185th Session of the Town Forum was convened and a video tape of same is on file in the Office of the Board of Selectmen.

Bistro Management, Inc. - Change of Management/Name

Present: Christopher L. Bernazzani, proposed new manager of restaurant.

The Board considered question of approving a petition dated May 31, 1989, of Bistro Management, Inc., for a change in manager and a change in its d/b/a.

Upon notification by the Executive Secretary that the application is on file, and checks of records have been made, it was on motion of Chairman Drobinski unanimously

VOTED: To approve petition dated May 31, 1989, of Bistro Management, Inc., holder of an All Alcoholic Beverages Restaurant License, operating at 394 Boston Post Road, for (1) change in manager from Frank P. Bell to Christopher L. Bernazzani; and (2) a change in d/b/a, the name under which it does business, from "Bistro West" to "Three Dollar Dewey's"; subject to review and comment by Town Counsel.

Tax Anticipation Notes

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

Upon review of memoranda from Town Treasurer/Collector Chester Hamilton dated June 22, 1989, it was on motion of Selectman Wallace unanimously

VOTED: To sign Tax Anticipation Notes in the amount of \$500,000, as authorized by the Board on May 22, 1989.

And it was further

VOTED: To authorize renewal of February 10, 1989, borrowing (due July 14, 1989) in Tax Anticipation Notes in an amount up to \$3,000,000, as requested by the Town Treasurer/Collector in memorandum dated June 22, 1989, and as amended by Mr. Hamilton during this evening's meeting.

Atkinson Town Pool - Meeting With Park and Recreation Commission

Present: Park and Recreation Commission Chairman Gerald B. Berenson and members Melinda M. Berman, Donald R. Soule and Stanley Natanson; Pool Director Sheila Stewart; Finance Committee Chairman Richard H. Pettingell; residents Peter J. Buxton and Eric F. Menoyo.

At 9:30 p.m., Chairman Drobinski convened a meeting with Park and Recreation Commission regarding the Atkinson Town Pool.

Park and Recreation Commission Chairman Gerald B. Berenson reported that a subcommittee of the Commission has compiled revenue and expense data for the Atkinson Pool. Said subcommittee consisted of two members of the Commission (Mr. Berenson and Jane Neuhauser), Pool Director Sheila Stewart, and two residents (Peter J. Buxton and Eric F. Menoyo) who have had pool management experience due to their affiliation with the Greenwood Club.

Peter J. Buxton of 19 Chanticleer Road handed out copies of the nine-page report referred to by Mr. Berenson and explained that the purpose of the report and the presentation this evening was not to reach any definite conclusions but to provide preliminary data, describing the Pool's operations, programs, memberships, finances and financial plans, and to provide insight into Atkinson Pool's operations as compared with other community pools. Mr. Buxton continued by stating that he hoped this information and discussion will result in Town officials joining together in an enthusiastic, cooperative effort to maximize all aspects of what he considers to be one of Sudbury's finest assets.

Mr. Buxton went on to give a detailed explanation of the data and graphs contained in the report, and concluded his presentation by reiterating his hope that this information will give the Selectmen an insight into the Pool's operations and explain the reasons for some of the differences in the financial numbers that had been noted.

Dr. Berenson opined that the report shows that the Pool offers a lot to the Town, much more than other area pools; but that it should be realized that there is competition with other pools and since Atkinson Pool is so new, it will take two or three years before all the "bugs" are worked out. Dr. Berenson also commended Sheila Stewart for her work as Pool Director.

Dr. Berenson informed that pursuant to previous discussions with the Selectmen and the Finance Committee, the Park and Recreation Commission is suggesting that a committee be formed to review and make recommendations on pool financial operations composed of the existing subcommittee mentioned above, along with John Ryan of the Finance Committee and the Executive Secretary, who will be representing the Selectmen.

Chairman Drobinski concurred with this recommendation and further concurred with Mr. Buxton's opinion that the Pool is an asset to the community. Mr. Drobinski went on to say that it is important that what goes on with the Pool is positive and that the Pool's financial situation be in the best shape it can. Mr. Drobinski stated his belief that the public perception has been that "something is out of whack" and it is therefore necessary to rebuild public confidence in the Pool and its operation. Mr. Drobinski concluded by stating that formation of this committee is not meant to be a reflection on the past management but is meant to make a good asset even better.

Selectman Wallace commented that he believes the report and this evening's meeting are a good start toward getting a handle on the situation, and commended Mr. Buxton for a good presentation. Mr. Wallace stated that his personal belief and experience with regard to the operation of the Pool has been an extremely positive one and believes the Pool is a top-notch facility. Mr. Wallace further stated that he believes a working committee will be a good way to work the problems out and may further assist the Pool's management.

Selectman Wallace further expressed his hope that the press will make note of the positive efforts evidenced by this evening's meeting and convey to its readers that kudos should go out to the Atkinson Pool for its great programs and dedicated staff.

Finance Committee Chairman Richard Pettingell stated that he believes this evening's presentation was a very positive step and noted that the Finance Committee looks forward to offering whatever assistance it can to work with the Park and Recreation Commission in order to get the Pool running as well on the fiscal side as it appears to be running on the operational side.

Executive Secretary Thompson summarized the meeting by stating that all in all, the Town wants a successful pool and it will take a while to get established. Mr. Thompson stressed that there is a financial problem, but stated that part of the solution is for the Town to strongly show its support for the Pool through membership. Mr. Thompson further commented that he hopes the labors of the working committee will result in recommendations that will be accepted and implemented.

After further discussion, it was a consensus of those present (especially the Park and Recreation Commission and the Board of Selectmen) that the following persons would serve to meet and make recommendations on the future financial operations of the Atkinson Pool:

Gerald B. Berenson	representing Park and Recreation Commission
Jane Neuhauser	representing Park and Recreation Commission
Sheila Stewart	Atkinson Pool Director
John J. Ryan	representing the Finance Committee
Richard E. Thompson	representing the Board of Selectmen
Peter J. Buxton	resident
Eric F. Menoyo	resident

It was agreed that Mr. Thompson will coordinate the work of the committee through his Office.

Executive Session

At 10:15 p.m., it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss transactions in real property concerning the United States Army Fort Devens Training Annex; and in particular the General Services Administration notice of June 13, 1989.

Chairman Drobinski announced that public session would reconvene immediately following the Executive Session.

Michael Goldberg, a reporter for the Middlesex News, voiced his objection to not being allowed to remain, and based his objection on the fact that, as mentioned earlier in the evening, Gordon M. Tucker of the Sudbury Neighborhood Planning Association was being invited to attend.

Whereupon the regular session reconvened at 11:00 p.m.

Dixon Restaurant Association, Inc. - Change in d/b/a

At the recommendation of the Executive Secretary, the subject of a change in d/b/a, the name under which business is done, of the Dixon Restaurant Association, Inc., 470 North Road, from "Alfredo's" to "Sierras" was tabled pending full application for a license transfer.

Town and School Audit Proposal - Arthur Young

Upon review, the Board supported communication dated June 21, 1989, from the Executive Secretary recommending acceptance and funding of a proposal dated June 1989 from Arthur Young to perform an audit for Town and schools; and the Selectmen requested the Executive Secretary to keep them apprised of developments as they occur.

The Board further noted that final approval of any audit services must be given final approval by the Board of Selectmen.

Taxi and Limousine Service Regulations

Administrative Assistant Janet Silva, through memorandum dated June 22, 1989, informed that AAA Limousine Service, located at 39 Union Avenue, is in an Industrial District zone. Although the Zoning Enforcement Agent informs that conduct of a taxi business is allowed in this zone, Item 10 of the Selectmen's Taxi Regulations does not so designate.

It was on motion unanimously

VOTED: To amend the Selectmen's Taxi and Limousine Service Regulations to conform with Town Zoning Bylaws by amending Item 10 of said Regulations by deleting the sentence: "The business office and location of telephones used in the operation of said business must be in a business zone"; and inserting in lieu thereof the following: "Location of business must be in conformance with Zoning Bylaws of the Town of Sudbury."

Transfer of Funds - Selectmen

Upon review, it was on motion unanimously

VOTED: To approve transfer of \$500.00 from Selectmen's Travel Account 501-410 to Maintenance 501-310, for vehicle maintenance.

350th Anniversary Celebration - Donations

It was on motion unanimously

VOTED: To accept all donations made for Sudbury's 350th Anniversary Celebration and establish a separate account therefor, and to authorize the

Sudbury 350th Anniversary Celebration Committee to expend the same for purposes of said 1989 Celebration, pursuant to Massachusetts General Laws Chapter 40, section 5, clause 27(B).

Hosmer House - Sale of Items at Yankee Doodle Yard Sale

It was on motion unanimously

VOTED: To authorize the sale of items from the Hosmer House at the Yankee Doodle Yard Sale on July 4, 1989, as requested and listed in a communication dated June 16, 1989, from the Sudbury Historical Commission, in accordance with Bylaws Article XII.

Landfill - Proposal by Resident To Waive Permit Fee For Senior Citizens

Discussion concerning a communication dated June 21, 1989, from resident John Naatz, proposing waiver of landfill permit fee for vehicles owned by senior citizens, was tabled until the Selectmen's meeting scheduled July 10, 1989, so that Selectman Cope may participate.

Sudbury Valley Trustees - Carding Mill

The Board acknowledged receipt of communication dated June 15, 1989, from the Sudbury Valley Trustees concerning its desire to use the Carding Mill building for Sudbury Valley Trustees offices; and requested that the Executive Secretary schedule a meeting with the Sudbury Valley Trustees in the early Fall, or sooner if possible.

Sudbury Housing Authority - State Appointee

It was on motion unanimously

VOTED: To recommend the reappointment of Virginia M. Allan as State Appointee to the Sudbury Housing Authority, in response to a letter dated June 7, 1989, from the Executive Office of Communities and Development.

DPW Certification of FY90 Appropriations

It was on motion unanimously

VOTED: To sign certification of appropriations by the 1989 Annual Town Meeting for construction, maintenance and policing of Town roads, to be submitted to the Massachusetts Department of Public Works.

Run Brook Circle - Sale of Conservation Land

It was on motion unanimously

VOTED: To sign a Petition to the General Court for passage of a Special Act pursuant to Article 50 of the 1989 Annual Town Meeting to allow sale of 1,883 square feet of conservation land on Run Brook Circle to Jan B. Morgan of 24 Run Brook Circle.

Old Meadow Road

It was on motion unanimously

VOTED: To state the Board's intention to lay out a portion of Old Meadow Road at its meeting of August 14, 1989, said portion of Old Meadow Road extending from Elliot Road southerly to a dead end, a distance of an average of 197 feet more or less, as shown on a plan entitled, "Plan of a Portion of Old Meadow Road as Laid out by the Town of Sudbury, Massachusetts, dated June 22, 1989, drawn by the Town of Sudbury Engineering Department; and that proper notice of the Board's intention to lay out that way be given to the owners of the properties in question not less than seven days before such date; and that the proposed layout be referred to the Planning Board for its report on or before August 14, 1989.

Walkway Easement - 200 Concord Road

This subject was tabled because documentation was not ready.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the remaining portion of the June 5, 1989 regular session and the June 12, 1989 executive session of 10:20 p.m., as presented; and the minutes of the June 12, 1989 regular session with the addition of a paragraph at the end of page 2 of said minutes under the Agenda Item "Performance Review - Town Engineer", as drafted by the Executive Secretary.

Edwin Barrett Hosmer Memorial Fund - Request For Expenditure

It was on motion unanimously

VOTED: To authorize the expenditure by the Sudbury Historical Commission of an additional \$106.32 to pay Astro Paint and Wallpaper Co. for another order of wallpaper, from the Edwin Barrett Hosmer Memorial Fund.

The Sudbury MA 12 KM Walk

The Board acknowledged receipt of brochure prepared by The Walk 'n Mass Volkssport Club announcing The Sudbury, MA 12 Km. Walk scheduled for Sunday, July 9, 1989.

Community Social Worker

The Board acknowledged receipt of resume of Martha E. Lynn of 317 Branch Avenue, Providence, Rhode Island, who has been appointed by the Sudbury Visiting Nurse Association, Inc. to serve as Community Social Worker, effective July 24, 1989.

Lafayette Drive

The Board acknowledged receipt of copy of letter dated June 21, 1989, from Town Engineer I. William Place to James R. Lanoix of One Lafayette Drive, written in response to Mr. Lanoix' letter of June 12, 1989, concerning the proposed closing of a portion of Lafayette Drive.

Fiscal Year 1989 Tax Rate

It was on motion unanimously

VOTED: To record in these minutes letter dated June 20, 1989, signed by Chairman Drobinski to the Department of Revenue, acknowledging that Sudbury is \$158,994 plus an additional \$12,000 under the levy limit and advising that in the opinion of the Selectmen it would not be fiscally prudent to call a Special Town Meeting to expend the same.

Executive Session - Discretionary Fund Matter

It was on motion unanimously

VOTED: To go into Executive Session for the purpose of discussing a Discretionary Fund matter.

The Chairman announced that the Board would not be returning to public session and adjourned the meeting at 11:50 p.m.

Attest:

Richard E. Thompson
Executive Secretary-Clerk