

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN OCTOBER 12, 1971

The regular meeting of the Board of Selectmen was held at 7:30 P.M. Present: Mr. John F. King, Chairman and Mr. John F. DelPrete, Clerk.

WARRANTS:

#102 - Bill - \$262,853.29
#103 - Pay Roll - \$178,065.23

CONDUCT AN AUCTION AND ACT AS AN AUCTIONEER THEREAT:

Gene F. Campbell of 26 Franklin St., Peabody, Mass., to be an Auctioneer thereat and conduct an Auction at Holiday Inn, Framingham, October 16, 1971.

COIN OPERATED MACHINE LICENSE:

Shamrock, Inc., 143-145 Hollis St., 1 Coin Operated Machine.

MOTOR VEHICLE LICENSE:

Frank Q. Sciacca d/b/a Hollis Auto Sales, 232 Hollis St., Class II License.

SPECIAL MALT AND WINE ALCOHOLIC BEVERAGE LICENSE:

Framingham State Teachers College, Village Hall, Framingham Centre on Oct. 15, 1971.

SUNDAY ENTERTAINMENT LICENSES:

Caesar Tamagno d/b/a Monticello Restaurant, rear 90 Worcester Rd., Oct. 17, 1971.
1. Singer, comedian, dancers, M.C., Trio, background music.
2. Patron's dancing.

RATIFICATIONS:

Obstruct sidewalk - A.A. Litchfield & Son, 80 Concord St., 10/7/71 (Park St. side only).

Open, occupy and obstruct street -

Edward J. Baker Co., Inc. - traffic signal conduit installation -
1. Intersection of Edgell Rd. & Edmands Rd., 10/6-10/8.
2. Concord St. & Anzio Rd., 10/12-10/14.
3. In front of the fire station on Water St., 10/18-10/20.

Dennis A. Digiando, 20-21 Waushakum Blvd., water and sewer service, 10/7-10/12.

Dennis F. Marguerite, Corner Eaton Rd.- Eaton Rd. East, install water & sewer, 10/4/71-10/18/71.

Open, occupy & obstruct street - Worcester Gas Light -

203 Warren Rd., installing new gas service, 10/12-11/11.
67 Long Ave., install new 3/4" gas service, 10/12-11/11.
St. Patrick's Manor on Central St., new 4" L.P. gas service, 10/12-12/13.
Town Way, between Old and New Mt. Wayte Ave., supply gas to new incinerator, 10/12-12/13.

SPECIAL POLICE OFFICERS:

The following were appointed special police officers for a term of one year, effective October 12, 1971:

Sabino Nunes, 40 Nipmuc Rd., Framingham.
John Ducey, 928 Concord St., Framingham
Pamela G. Harper, 11 Porter Rd., Natick.

TRANSFER OF OWNERSHIP OF WINE AND MALT BEVERAGE LICENSE:

The matter of the transfer of the Wine and Malt Beverage License, as a retailer, from Angelo Verdelli d/b/a Verdelli's Market to Framingham Deli-Mart, Inc., William Hoey, Mgr., at same location, 818 Waverly St., tabled from last week, was unanimously granted, subject to the approval of the A.B.C.

HEARING - HATCH ACT (COLLINS & CLARK):

A public hearing was held at 7:45 P.M. in the Selectmen's Office, Room 21, Memorial Building on the application of Edward D. Collins and James W. Clark for permission to fill an area for the purpose of developing approximately five acres of land, located on the Southerly side of Summer Street at the intersection of Beacon St. in Framingham, described as lots 7,8, 10 through 19 as indicated on Preliminary Subdivision Plan dated September 25, 1971 in order to raise such areas of the premises to an elevation of 163 feet above mean sea level. Attorney Edward Mahan appeared, representing Collins and Clark, and presented to the Selectmen a copy of the Engineer's proposal and topographical plan which had been prepared in connection with the above-mentioned property. He gave a detailed description of the 19 lot sub-division project, (Copy on file in the Selectmen's Office). Present also were the owners, Edward D. Collins and James W. Clark, and Engineer for the project, William F. Drake. Mr. Drake explained that the proposal, as submitted, was in accord with a Master Plan for Drainage Systems for the Town of Framingham completed by Metcalf & Eddy, Engineers. He said they would fill some areas to assure uniform grade and pitch. Mr. Drake added the Department of Natural Resources has asked only that sufficient drainage capacity be provided. Selectman DelPrete questioned whether the 27" drain would take into consideration the five year storm. Mr. Drake replied this was calculated for a 100 year storm, with a rain fall of 2.75 inches per hour at slope of 5% and an imperviousness factor of 0.50 will be about 5 cubic feet per second. (Described in his project description on file). However, he added, he could not assure this if more developments were added later on.

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HATCH ACT (CONT'D.):

David Baye, a resident of the area, presented a petition to the Board containing signatures of approximately 80 residents of the area opposing the pending application to fill land on southerly side of Summer St. at Beacon St., which land has been declared subject to the provisions of Chapter 220 of Acts of 1965. Mr. Baye told the Board he learned only recently that at least five of the proposed lots fall within a wetland district of the town (lots 10, 11, 12, 13, and 14), which was contrary to the spirit of the Framingham Town Meeting which adopted an Article of wetland zoning in a portion of the proposed development. He noted these portions were included by description in the Wetland Zoning for this area, as adopted by the Town Meeting, and as a result, asked that the Board hold their decision in abeyance pending the return of Selectman Peter W. Ablondi in order that he could be made aware of the petition - and their opposition. He said they were concerned with possible additional drainage problems in an area where there is already drainage difficulty.

He noted also that he had attended a Conservation Commission hearing which resulted in a wetland zoning at which time counsel for the owner of the property came before the Commission and sought the Commission's cooperation in deleting this section that you see on this preliminary subdivision plan, stating that major portions were above the minimum elevation, and assured the Commission that in the event of any future developments, the wetland zoning on the so-called Anderson Swamp would be honored and obeyed in the future. The Commission supported the deletion based upon those representations at that time. Further, he expressed concern that the entire Juniper Hill area, as well as Quinlan Drive, might become overloaded. (He referred to a suit brought against the Town by Mr. Anderson.) Mr. Mahan explained that the replacement drain would not mean additional flow of water into the retention area. John Millar of 103 Indian Head Rd. voiced his opposition to the filling of an already hard-pressed retention area on the Anderson property and surrounding lowlands. He noted he has had water in his basement and felt if the land were built up it would reduce the size of the retention area and make his land more subject to flooding.

Reports received from the Conservation Commission, Town Engineer and Health Department are as follows:

Conservation Commission: Strongly objected to the filling on lots 10-14. (No objection to lots 1-9 and 15-19). Herbert Pahren, Chairman of the Conservation Commission was present and called attention to the recent heavy rains which caused catch basins to back up and overflow onto Leonard Road.

BOARD OF HEALTH: Recommended no action until such time as the developer submits results of engineering studies requested by their department.

Town Engineer: Recommendation that no permit be granted until a complete hydrological report has been filed, elevation of water tables determined, and information acquired on the depth and limits of peat on the site and filling methods to be used in areas where peat is encountered.

The Board voted to withhold approval of the permit pending the Engineering studies requested by the Town Engineer. The Department of Natural Resources will be so advised.

HEARING - STORAGE (GENERAL MOTORS):

A public hearing was held at 8:30 P.M. in the Selectmen's Office, Room 21, Memorial Building on the application of General Motors for a license to use the land at 63 Western Avenue for the storage of 600,000 gallons of No. 6 fuel oil, in one aboveground tank, for private use. Present were Fire Chief Jerome N. Byrne and representatives of General Motors. Return receipt cards were presented, indicating that abutters had been notified of the hearing. Plans were viewed. There was no opposition, and upon the recommendation of the Fire Chief, the Board voted unanimously to grant this license.

ROYAL CREST MOTEL:

Attorney John Garrahan appeared before the Board for the purpose of presenting a revised definitive plan for Royal Crest Motel. The Board of Selectmen accepted said plans insofar as the Alcoholic Beverage License was concerned.

CONFERENCE - ROUTE 9 - LEGISLATORS:

At the request of the Board of Selectmen, Senator Edward L. Burke, and Representatives J. Laurence Golden and Louis R. Nickinello appeared before the Board to discuss several unresolved longstanding problems which exist on Route 9 - a State Highway. Specific problems involved the correction of flooding problems at Route 9 and Prospect St., Traffic Signals at Framingham Ctr., and increased and improved lighting from Temple St. to the Southboro Line. Chairman King informed the legislators that many attempts with the State have been made to correct these problems, without success, and, therefore, urged their assistance in resolving these problems. With regard to Prospect St. & Route 9 intersection, Mrs. Gherna informed the Board that she had contacted the State Department of Public Works and was advised they would install two catch basins at Prospect St., if the Town could supply the use of a backhoe and operator. Senator Burke explained that he also has been in touch with the State concerning this matter and was advised they felt the problem is technically the town's since the source of the flooding emanates from property within the jurisdiction of the town, however, they would install the catch basins, provided the town supplied backhoe and operator. He said he would continue to work on this problem, however, if the town could loan them the backhoe for a five day period it would expedite matters, otherwise they would have to wait until the State could obtain one.

With respect to the lighting problem (Temple St. to Southboro), Sergeant Foley reported that the State has been continuously made aware of the dangerous condition on this stretch of Route 9, and has been informed by the State that it is the Town's financial responsibility to illuminate this area. Senator Burke explained that he has also investigated this situation with the State

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ROUTE 9:

and was advised they have no funds. He agreed that it was the State's responsibility, however, it was his feeling that inasmuch as the Town had allowed extensive building, it might be prudent to be less permissive in the future. Selectman DelPrete felt strongly that the businesses and apartment complexes along Route 9 should be responsible for lighting. He did not feel the Town should have to pay to light a State Road. Representative Nickinello indicated he could file legislation in an effort to obtain State Funds for this purpose. Chairman King said he did not feel the Town should have to pay for lighting a State Road., noting the hazardous conditions on this stretch of road. He felt strongly the Town should receive some return for the levies assessed it by the State.

Traffic signals at the Center were discussed also. The Legislators will attempt to have this situation corrected as well.

Mrs. Gherna was asked to investigate the possibility of procuring a backhoe. The Legislators indicated they would continue to assist in these problems until they are corrected.

EATON ROAD AND OVERLOOK DRIVE:

Receipt was noted of recommendations received from the Engineering Department regarding design and layout of Intersection of Eaton Road and Overlook Drive. This will be discussed further when Selectman Ablondi returns.

TRAFFIC REGULATIONS:

The Board unanimously voted the following recommendations submitted by Safety Officer, Sergeant Foley:

- ONE HOUR PARKING - On Henry St. west side from Lincoln St. to Union Ave.
- NO PARKING - In front of Elm Department Store, 62 Hollis St. (Parking meter in front of business to be removed.)

COLLECTIVE BARGAINING COMMITTEE APPOINTMENT:

The Board unanimously voted to appoint Frank Dewar to the Collective Bargaining Committee for 1972 Work Agreements, as recommended by Personnel Board Chairman, L. Ward Franzen.

DECENNIAL STATE CENSUS:

Senator Edward L. Burke informed the Board that Chapter 812 of the Acts of 1971, an act allowing for the reimbursement of cities and towns for taking the decennial state census at the rate of \$.25 per capita, was signed into law by the Governor on September 27, 1971. Receipt was noted.

RECOMMENDATIONS OF SERGEANT FOLEY:

1. Town Engineer be requested to study the intersections of Wheeler Ave. and Main Street and Main Street and Union Avenue for Stop or Yield Signs.
2. Recommendation for sidewalks on Water St. to connect with existing walks (This has been included in the recommendation for construction of sidewalks for the coming year in the Public Works Department budget. This area will also be included in Sergeant Foley's selective enforcement campaign. (Areas involved are Fairfield Road, Costa Circle areas).
3. NOT A THROUGH STREET - On Johnson Street at Central Street. Also, recommended closing the bridge by means of a chain. Chairman King asked Sgt. Foley to discuss this with Superintendent of School, Albert L. Benson, Jr. inasmuch as this is property of the School Department.

RENT CONTROL QUESTIONNAIRE:

The Board discussed a request from Marcia Rosenberg, Chairman of the Rent Control Study Committee for permission and funds to distribute a questionnaire among town employees as a method of assessing the rental housing problems of middle income residents of the Town. Said questionnaire to be distributed with the employees paychecks, with a return envelope attached. Cost to the Town \$113.00. Selectman DelPrete suggested the questionnaire be returned to department heads, rather than mailing them back, which would eliminate the cost.

MEETING ADJOURNED AT 9:30 P.M.


John F. DelPrete, Clerk