

TOWN OF FRAMINGHAM

SELECTMEN'S RECORDS

REGULAR MEETING OF THE BOARD OF SELECTMEN SEPTEMBER 23, 1974

The regular meeting of the Board of Selectmen was held at 7:30 p.m. Present: Mr. John F. King, Chairman, Mr. John F. DelPrete, Clerk, and Mr. Peter W. Ablondi.

WARRANTS:

#32 - Sept. 23, 1974 - Bill - \$724,726.70
#33 - " " " - School Pay Roll - \$505,245.88
#34 - " " " - Pay Roll - \$509,840.57

COMMON VICTUALER'S LICENSE - The Sub-Way, 510 Union Ave.

LODGING HOUSE LICENSE - Mainini Realty Trust, 16 Freeman St.

SPECIAL MALT BEVERAGE AND WINE LICENSES:

Framingham State College-Linsley Hall, at State College Gym, Sept. 28, 8 p.m. to 12 p.m.
Framingham State College, State College Gym, Oct. 5, 8 p.m. to 12 p.m.
Framingham State College Student Union, Sept. 27, O'Connor Hall, State College, 3 p.m. to 6 p.m.
Kappa Delta Phi-Kappa PSI Chapter (State College), at O'Connor Hall, (Lounge), State College, Oct. 31 and Nov. 15, 3 p.m. to 7 p.m.

RATIFICATIONS:

Open, occupy & obstruct st.-Commonwealth Gas Co., 36 Crest Rd., lay gas supply line,
Sept. 17 to Nov. 12.

Obstruct street - Geraldine D. McPhee, intersection Gibon Dr. & Edgell Dr., Joleen Gardelli, Charity fair, Sept. 21, 10 a.m. to 4 p.m.

APPOINTMENTS:

Paul B. Maguire, 1 Rockingham Ave., Apt. 2, Malden, was appointed a special police officer for a term to expire with the termination of his employment with Jordan Marsh.
Thomas F. Goulet, 484 Edgell Rd., Framingham, was appointed a special police officer while performing duties as a Meter Man.

HEARING:

A public hearing was held at 7:30 p.m. in the Selectmen's Office, Room 21, Memorial Building, on the application of American Coated Fabrics Co. and/or First Arlington Realty Trust for a license to use the land at 225 Arlington St. for the storage of 12,000 gallons of Methyl Ethyl Ketone in one underground tank, for private use. Fire Chief Byrne was not present, but he recommended approval. Clarification was sought on location and safety of the tank by Mr. & Mrs. Abajian, abutters. No objection was presented, and it was voted to grant the license.

PARKING - PRINDIVILLE LOT:

Mr. Arthur S. Appel, Manager of A & A Auto School appeared before the Board concerning parking and tagging problems for his automobiles in the Prindiville parking lot. Mr. Appel, who noted that he had been in business for 28 years - 9 at the present location, and paid over \$1,000 in excise tax, complained that his cars were being tagged by police constantly. He explained that his cars (six to eight) were parked for only five to ten minutes a day because they normally are out on the road all day long. He said he has attempted to get more parking, however, there was no room in the rear of the lot where non-metered parking is allotted to people who work in nearby buildings. Several suggestions were offered. Mr. Ablondi indicated that if some meters were taken out of the lot for his autos this might be helpful. Mr. DelPrete vetoed this idea because this would result in lost parking meter revenue to the Town. He said he would like to assist Mr. Appel and suggested instead asking the Police Department not to tag the auto school cars, which would be clearly identified, during business hours. Mr. Ablondi indicated this would be considered preferential treatment and advised against it. He motioned that the matter should be worked out with the landlord. Mr. DelPrete motioned to instruct the Police Department not to ticket behind the Arcade Lot - the auto school cars only - during the hours they are opened for business. After further discussion, the matter was referred to Town Counsel to work out with both the Police Chief and the Landlord.

SIDEYARD VARIANCE: - 1 MOHAWK DRIVE:

Attorney Stephen Weitz and his client, Steven Stearns of 1 Mohawk Drive, appeared before the Board regarding Mr. Stearns' application for a sideyard variance to allow a 16 x 32' handball backstop to remain at its present location. Present also were the Building Official who recommended against the variance because the structure was erected without a permit and because of the size of the structure; and involved abutters, Mr. and Mrs. Richard Cronin who were opposed to the granting of the variance because it obliterated their view. Attorney Weitz, speaking for Mr. Stearns, explained that initially Mr. Stearns had intended a different location for the structure, however, because of a ledge factor the present location was the only feasible place for the backstop to be constructed. He explained further that it was not until after it was installed did he discover that was in violation and needed a permit. Mr. Richard Cronin said he objected not to the backstop but to its location in the yard which blocks his view, causes a lot of trespassing and possibly devalues his property. He presented pictures to the Board supporting his statement. Responding to a statement that the structure provides a place for neighborhood children to play, abutters Richard Cronin and Marguerite Clough denied it is a neighborhood playground since only 3 to 4 children used it all summer. Mr. Stearns agreed that it was not a playground and that it was constructed for his children and friends of theirs who wished to use it. Mr. King said it was clear to him that after viewing the site there was a definite violation of the building code. He agreed it would

TOWN OF FRAMINGHAM
SELECTMEN'S RECORDS

September 23, 1974

(2)

SIDEYARD VARIANCE (CONT'D.):

be a hardship on the Stearns to move the backstop, however, he emphasized that the Board of Selectmen rarely grant a variance when there is an objection from an abutter. He suggested the Cronins and Stearns get together to seek an amicable solution. Responding to a question raised by Peter Ablondi, Mr. Seeley reiterated his recommendation not to grant the variance because of its closeness to the abutting property and because it is not a normal size structure in residential area. Responding to Mr. Seeley's remark about the size of the structure, Mr. Stearns asked if it would be acceptable if it were a smaller size - noting he would be agreeable to lopping off 4 feet. After further discussion, it was voted to table the matter until next week after Selectmen DelPrete and Ablondi have had an opportunity to view the area.

SPARE CROSSING GUARD REQUEST WITHDRAWN:

Receipt was noted of a letter from Sergeant Robert Foley requesting withdrawal of his original request for additional spare Crossing Guards. The matter was tabled pending clarification with the Police Chief.

2:00 A.M. CLOSING - TIMOTHY'S TOO & TIMOTHY SPIRIT CO.:

It was unanimously voted to permit Timothy's Inc. d/b/a Timothy's Too and Timothy Spirit Co., Inc. d/b/a Timothy's Spirits Co., on their request, to remain open until 2:00 A.M. for the purpose of selling alcoholic beverages on Friday evenings only, for the remainder of 1974.

BAITING BROOK FLOOD CONTROL:

Receipt was noted of a letter from the State Department of Public Works regarding the Baiting Brook Flood Control. The matter was referred to the Executive Secretary to follow through with Town Counsel, Town Engineer and Department of Public Works.

COUNCIL ON AGING MEMBER RESIGNATION:

Receipt was noted of a letter of resignation from Norman K. Booth as a member of the Council On Aging. A copy of same will be referred to Town Clerk for his records.

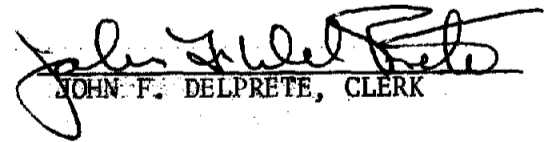
BEER AND WINE APPLICATION:

Action was deferred on the application of Ronald M. Tosti for a Retail Beer and Wine license at 282 Worcester Road.

DANFORTH STREET BRIDGE:

Receipt was noted of a ^{copy of a} letter from Planning Board Member Richard W. Cote in which he asked the Planning Director to consider the feasibility of keeping the Danforth Street Bridge closed to vehicular traffic. John King indicated his support of Mr. Cote's suggestion. He said he did not feel the public would be adversely affected providing provisions were made for a pedestrian walk. He also pointed out that studies are under way which might lead to a bypass of McGrath Square along the Sudbury River. It was unanimously voted to direct the Executive Secretary to investigate the possibility of permanently closing Danforth Street bridge to vehicular traffic. Town Counsel suggested that if the request were made to the State, it would have to be accompanied by alternate traffic plans. The matter will be investigated further.

MEETING ADJOURNED AT 8:30 P.M.


JOHN F. DELPRETE, CLERK