

APPROVED

**TOWN OF WESTFORD**  
**BOARD OF SELECTMEN**  
**MINUTES**

**DATE:** February 13, 2001  
**TIME:** 7:30 P.M.  
**PLACE:** J.V. Fletcher Library  
**PRESENT:** R. Jefferies, D. Healy-Coffin, R. McCusker  
**ABSENT:** E. McKenna, J. Wrobel

Open Forum

There was no input from the Board or the floor.

Public Hearing

**Zia Trattoria - Wine and Malt License** - Attorney Richard Boudreau was present for the applicant seeking a Wine and Malt License for a restaurant to be located in the Westford Valley Marketplace. Ledoux stated that a satisfactory CORI report has been received. It was moved by Healy-Coffin, seconded by McCusker, and VOTED 3 in FAVOR with 2 ABSENT (McKenna, Wrobel) to grant a Wine and Malt License to Zia Trattoria, Littleton Road.

**Verc Enterprises - Wine and Malt License** - Attorney Howard Hall was present for the applicant seeking a Wine and Malt License for the proposed convenience store (Tiger Mart) to be located in the Exxon station on Boston Road. Hall showed a site plan of the convenience store that had been previously approved by the Planning Board. Jefferies expressed concern regarding the concept of selling beer and wine from a gas station. Jefferies felt that it could be a security problem for the town relative to prohibiting the sale of alcohol to minors. Healy-Coffin was opposed to granting this license based upon the number of small package and convenience stores within walking distance of this site. Healy-Coffin was concerned with small business owners being put out of business. Marianne Leonard, owner of Westford Package Store and an abutter, was concerned with the gas station being opened 24 hours and having the sale of alcohol exceed the

license limitations. Leonard stated that they have never sold alcohol to minors and that the granting of this license will greatly impact her business which is her only means of income. Hall requested a continuation until a full board is present. It was moved by McCusker, seconded by Healy-Coffin, and VOTED 3 in FAVOR with 2 ABSENT (McKenna, Wrobel) to continue the public hearing to March 13, 2001.

**Residence Inn by Marriott - Wine and Malt License** - Attorney Howard Hall was present for the applicant seeking a Wine and Malt License for the Residence Inn by Marriott. This license was requested for the residents of the Marriott only. Hall showed a plan indicating the location of the storage for the beer and wine. Lynne Melilli, Sales Manager, stated that the Marriott had in the past provided wine and beer free of charge to the residents of the hotel, however, the ABCC now requires that the Marriott charge for this service. It was moved by McCusker, seconded by Healy-Coffin, and VOTED 3 in FAVOR with 2 ABSENT (McKenna, Wrobel) to grant the Wine and Malt License to the Residence Inn by Marriott, 7 Lan Drive.

**Legislative Update with Representative Geoff Hall and Senator Steve Panagiotakos**

Representative Hall and Senator Panagiotakos addressed various legislative issues including the Community Preservation Act, the Governor's Budget, and the Senior Citizen Tax Relief Tax Force.

**Selectmen to Sign Warrant for Special Town Meeting; Recommendation from CPA Study Committee; Draft Motion; Special Town Meeting Timetable; Discussion of Selectmen's Position**

Ledoux referenced the corrected copy of the Warrant and the draft Motion. It was the recommendation of the Community Preservation Act Committee to have a surcharge of 3% and two exemptions. Bob Shaffer, Chairman of the CPA Committee, reported that the Committee voted on February 6, 2001 to support this motion. Peraner-Sweet suggested that Ledoux check with Town Counsel regarding the exemption under Chapter 59 being part of the motion. Ledoux to post a meeting for Friday, February 16, 2001 at 9:00 a.m. to set the correct warrant. Shaffer reported that the League of Women Voters will hold a forum on March 15, 2001. The Board to take a position on March 13, 2001.

**Selectmen to Further Discuss Right of First Refusal on Drew Farm**

Ledoux reported that the Board has received letters of recommendation from the Planning Board and the Conservation Commission regarding the Town's right of first refusal. Ledoux asked if the Board wished to reconsider its position. Ledoux also updated the Board on his recent conversations with Tom Goddard, proposed buyer of Drew Farms, relative to an agreement between Goddard and the Town that Goddard would maintain the

orchard as long as economically feasible as outlined in a memo dated February 2, 2001. Healy-Coffin asked to see language that a portion of the orchard remain. Healy-Coffin noted that the Town has the agricultural rights on this property and that the Town does not have extra money to buy this land at this time. The Board voted to sign the original letter to not exercise the Town's right of first refusal.

**Selectmen to Review Charge for Senior Citizen Tax Relief Task Force and Make Appointments**

Ledoux read the draft Charge for the Senior Citizen Tax Relief Task Force. It was moved by McCusker, seconded by Healy-Coffin, and VOTED 3 in FAVOR with 2 ABSENT (McKenna, Wrobel) to accept the charge. It was moved by Healy-Coffin, seconded by McCusker, and VOTED 3 in FAVOR with 2 ABSENT (McKenna, Wrobel) to appoint the following to the Senior Citizen Tax Relief Task Force: Fran Considine, Helena Crocker, Maurice St. Hilaire, John Lowrey, David Keele, Eugene Jungbluth, Dorothy Hall, Mary Sawosik, Paul Murray, Judy Rameriz, Diane Holmes, and Bob Jefferies (Board of Selectmen - non-voting member).

**Selectmen to Further Discuss Discontinuance of Nixon Road**

Ledoux reported that Staff has had discussions with Arthur Gutierrez, Jr. regarding the relocation of the Reed Farm barn to either an area on site or to the 4-H Fairgrounds. Healy-Coffin referenced a letter from the Historic Commission in support of moving the barn to the 4-H Fairgrounds. The owners of the 4-H Fairgrounds are also in support of moving the barn to their site. Healy-Coffi would consider granting the discontinuance of Nixon Road only if the barn is moved to the 4-H Fairgrounds. Jefferies stated that the Board needs to know how the Town owns Nixon Road, i.e., fee simple, etc. and if Chapter 30B needs to be addressed with this discontinuance. Ledoux to check with Town Counsel regarding Chapter 30B. McCusker stated that he would like input from the Historic Commission and the Planning Board before making a decision. Andrea Peraner-Sweet, Chairman of the Planning Board, stated that they have told Gutierrez that they want to preserve the barn and that the Historic Commission is in favor of moving the barn to the 4-H Fairgrounds. Ledoux to correspond with Gutierrez regarding moving the barn to the 4-H Fairgrounds.

**Selectmen to Review Correspondence from Nashoba Valley Technical School District Regulating Connection in with Chelmsford Sewer**

Ledoux reported that representatives of Nashoba Valley Technical High School will be meeting with the Board on February 27, 2001. Ledoux stated that the Town of Chelmsford does not want anyone else tying into the sewer line going into the plant. Jefferies noted that there is also a wetlands problem and that Westford

would not allow a line down Littleton Road. Jefferies felt that it would be difficult getting the line permitted. McCusker asked what guidelines this falls under since it is a utility.

**Selectmen to Review Issues for Consideration of Placement on the Annual Town Meeting Warrant and Forward Zoning Articles to the Planning Board for Review and Recommendation**

Jefferies read the list of Issues for Consideration of Placement on Warrant, dated February 5, 2001. Healy-Coffin referenced a letter from Bill Turner, Conservation Administrator, regarding a figure of \$200,000 for the Dalton land acquisition. Healy-Coffin questioned where that figure came from and also cautioned Turner and the Conservation Commission that this figure seems high. Andrea Peraner-Sweet, Chairman of the Planning Board, noted that the zoning ordinance amendments (J., K., and L.) are not being sponsored by the Planning Board and asked that they be forwarded to the Board as a courtesy. It was moved by Healy-Coffin, seconded by McCusker, and VOTED 3 in FAVOR with 2 ABSENT (McKenna, Wrobel) to refer the zoning items to the Planning Board.

**Applications**

**Nabnasset Country Club - Change of Manager** - Ledoux reported that a satisfactory CORI report has been received and that the Police Chief has recommended approval. It was moved by McCusker, seconded by Healy-Coffin, and VOTED 3 in FAVOR with 2 ABSENT (McKenna, Wrobel) to approve the Change of Manager for the Nabnasset Country Club.

**Corporate Chef's, Inc. - Unisphere and Davox Corporation** - Both requests continued to a future meeting awaiting input from the Board of Health.

**MOB Gas - Change of Manager** - Ledoux stated that a satisfactory CORI report has been received and that the Police Chief has recommended approval. It was moved by McCusker, seconded by Healy-Coffin, and VOTED 3 in FAVOR with 2 ABSENT (McKenna, Wrobel) to approve the Change of Manager for MOB Gas.

**Resignation of Jon Barstow from Cable Advisory Committee** - The Board accepted Barstow's resignation. Healy-Coffin thanked Barstow for volunteering.

**League of Women Voters Request to Place a Banner Across Main Street Advertising Special Town Meeting** - It was moved by Healy-Coffin, seconded by McCusker, and VOTED 3 in FAVOR with 2 ABSENT (McKenna, Wrobel) to approve the request.

**Franklin Property Update**

Ledoux had no report at this time.

57

**Minutes**

It was moved by Healy-Coffin, seconded by McCusker, and VOTED 3 in FAVOR with 2 ABSENT (McKenna, Wrobel) to approve the minutes of December 19, 2000.

It was moved by Healy-Coffin, seconded by McCusker, and VOTED 3 in FAVOR with 2 ABSENT (McKenna, Wrobel) to approve the minutes of January 9, 2001.

**Board Reports/Updates**

**Permanent School Building Committee** - Jefferies reported that they are working with the architect to redesign and rebid for the new schools.

**Community Preservation Act Committee** - Healy-Coffin reported that the committee met today and that matters are moving forward. Healy-Coffin also reported that committee members Andrea Peraner-Sweet and Chris Romeo attended the forum in Worcester on Saturday, February 10th. Healy-Coffin felt that the Community Preservation Act would be helpful to the Town for open space, affordable housing and historical preservation.

**Old Business/New Business**

**Permit Streamlining** - Ledoux read a summation of the information received from the All Boards Meeting held on January 30th. Ledoux to distribute the information to all the Boards that were present at that meeting.

**Letter of Interest, Wireless Communication Facility at Town Hall** Ledoux referenced a request from Sprint PCS to place a wireless communications facility in the cupola of the Westford Town Hall. Healy-Coffin asked if the wireless communications facility has any harmful emissions. Leslie Thomas, Master Plan Implementation Committee, felt that this was an opportunity to make some money and at the same time keep the wireless communications facility hidden from sight. Ledoux to explore this request further with Sprint PCS.

**Report from Water Department of Treatment Plant at Snake Meadow Hill** - Ledoux referenced a letter from the Water Department dated January 26, 2001 responding to the Board's inquiry relative to siting the Nutting Road Treatment Plant at Snake Meadow Hill.

**Fire Stations in Graniteville and Forge Village** - Jefferies reported that he has received telephone calls regarding the use of those buildings. McCusker reported that the Land Use Priorities Committee is reviewing and categorizing the requests from all departments and will make a recommendation.

**Snowplowing** - Healy-Coffin commended the Highway Department on the excellent snowplowing job during the recent snow storm.

**Injured Town Employee** - Healy-Coffin commended Ledoux and the many employees who have donated sick time to Robin McCarthy, a town employee injured by a falling tree. Healy-Coffin wished McCarthy a speedy recovery.

Correspondence

Jefferies read the list of correspondence.

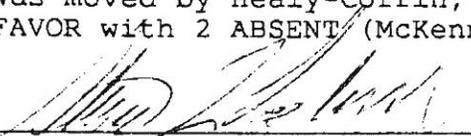
2.11 Westford Fire Department - Firefighter Safety Grant. The Board commended Chief Rochon on the grant.

Open Items

- 2/13-1 Ledoux to schedule continued public hearing re: Verc Enterprises (Wine & Malt License) for March 13 meeting.
- 2/13-2 Ledoux to check with Town Counsel re: Ch. 59, motion for Special Town Meeting, CPA.
- 2/13-3 Board to take position on CPA March 13.
- 2/13-4 Ledoux to post meeting for Friday, 2/16 to set warrant.
- 2/13-5 Board to sign original letter re: Drew Farms Right of First Refusal.
- 2/13-6 Ledoux to correspond with Gutierrez re: moving barn to 4-H Fairgrounds.
- 2/13-7 Ledoux to check on Ch. 30B re: discontinuance of Nixon Road.
- 2/13-8 Ledoux to determine how Town owns Nixon Road.
- 2/13-9 Board to vote on Corporate Chef's re: Unisphere and Davox after input from Board of Health is received.
- 2/13-10 Ledoux to distribute summation of Permitting Streamlining to all Boards present at All Boards Meeting.
- 2/13-11 Ledoux to correspond with Sprint re: wireless communication facility at Town Hall.

Adjournment

It was moved by Healy-Coffin, seconded by McCusker, and VOTED 3 in FAVOR with 2 ABSENT (McKenma, Wrobel) to adjourn.

  
Steve Ledoux, Town Manager

  
Robert Jefferies, Chairman