

IN BOARD OF SELECTMEN
TUESDAY, MARCH 11, 2003

Present: Chairman Lawrence W. O'Brien, Kirsten D. Roopenian and John C. Drobinski, Selectmen.

Opening Remarks

Chairman O'Brien encouraged residents to read the Annual Town Report that has been delivered to residences throughout Town to become more familiar with government and activities of the Town.

Chairman O'Brien announced the 2003 Annual Town Meeting will begin on April 7 at 7:30 p.m. at Lincoln-Sudbury Regional High School.

Chairman O'Brien announced further the League of Women Voters' Annual Candidates Night will be held Wednesday, March 12, at the Goodnow Library. He stated this event will be taped and broadcast on local cable access numerous times prior to the Town Election.

Chairman O'Brien announced the Annual Town Election will be held on Monday, March 31, 2003. He encouraged residents to check with the Town Clerk if they are unsure of their voting precinct or polling place.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular session of February 25, 2003, as drafted.

Evolution Sports Science Holdings, LLC -- Donations

It was on motion unanimously

VOTED: To accept donations made by Evolution Sports Science Holdings, LLC (ESS Holdings) as follows: (1) \$53,000 to be separately accounted for and used for traffic mitigation measures in the area of the Bosse Sports and Health Club, (formerly named ESS Sudbury Athletic Academy), 141 Boston Post Road, or nearby areas; and (2) \$9,000 to be deposited into the townwide Walkway Donation Account and used for planning and construction of walkways within the Town.

Sale of Alcoholic Beverages During Town Election

It was on motion unanimously

VOTED: To grant permission, in accordance with General Laws Chapter 138, s. 33, to holders of alcoholic beverages restaurant and package store licenses to sell alcoholic beverages during the polling hours of March 31, 2003 Annual Town Election.

Tyler Krone – Eagle Ranking

It was on motion unanimously

VOTED: To send a letter of congratulations to Tyler Krone, 64 Meadowbrook Circle, Troop 63, on achieving the rank of Eagle Scout.

Revision of Parking Fines in Sudbury

The Board reviewed a memo, dated March 7, 2003, from Officer Mark Gainer, Parking Clerk, Sudbury Police Department, submitting proposed parking fine amounts increased by \$5.00 - \$10.00.

Town Manager Valente stated the Town needs to order a new supply of parking tickets and, if the Board votes to modify the fine amounts, the new supply of tickets would be printed with the new amounts. She stated further parking fines have not been changed since 1984, and the proposed amounts were based on recommendations from the Police Chief and the Parking Clerk at the Police Department.

Responding to a question from Chairman O'Brien, Ms. Valente responded she had not yet received information comparing the proposed rates to those of nearby communities. Ms. Valente suggested printing only a year's worth of tickets at this time due to budgetary constraints. At that time, more comparative information will be available.

It was on motion unanimously

VOTED: To establish parking fines in the Town of Sudbury as follows:

\$25.00 fines [changed from \$15.00]

Parking within 10 feet of hydrant

\$15.00 fines [changed from \$10.00]

Parking in a posted Fire Lane
Obstructing a driveway
Within 20 feet on an intersecting way
Snow removal
Overtime parking
Over 1 foot from curb
Wrong direction
Obstructing a crosswalk
Obstructing a sidewalk
All night parking
Parking within a bus stop
Double parking
Restricted place or prohibited area

Student Awareness of Fire Education (S.A.F.E.) Program Grant

The Board reviewed a letter, dated February 10, 2003, from the Executive Office of Public Safety, Commonwealth of Massachusetts, announcing the Sudbury Fire Department was the recipient of a grant in the amount of \$1,400 for its Student Awareness of Fire Education program. Town Manager Valente stated this program allows fire officials to go into the schools and present educational programs to help students learn how to react and possibly assist others in the event of a fire before firefighters arrive.

It was on motion unanimously

VOTED: To accept a grant of \$1,400 from the Executive Office of Public Safety, Dept. of Fire Services, awarded to the Sudbury Fire Department in the first round of funding for FY02 Student Awareness of Fire Education (S.A.F.E.) Program and to authorize its expenditure for said Program.

Town's Credit Rating – AAA

Town Manager Valente announced the Town's credit rating from Standard and Poor's has again been reaffirmed as AAA in advance of the upcoming bond sale, which will occur on March 18. She briefly explained how the rating is determined. She praised the efforts of the Finance Director and her staff on their financial management efforts as the Town Planner for her work with regard to economic development.

Chairman O'Brien extended that praise to the rest of the Town staff who work hard to stay within their respective budgets and look for the most cost effective way to run their departments. Selectman Drobinski echoed those sentiments, and asked the Town Manager to convey the Board's comments to Town staff.

Layout of Town Ways for Acceptance at Town Meeting

At 8:02 p.m. Chairman O'Brien convened a Public Hearing for the purpose of considering laying out the following Town Ways for acceptance by the 2003 Annual Town Meeting under Article 10: Lettery Circle from Woodside Road to a dead end, a distance of 945 feet, more or less; and South Meadow Drive from Nobscot Road to a dead end, a distance of 508 feet, more or less. (Layout of portion of Raymond Road had been deleted from list, as it had previously been included in Town layout.)

The Board reviewed the following information:

1. Report, dated December 10, 2002, from the Conservation Coordinator, providing the following comments: (1) Lettery Circle – no issues; and (2) South Meadow Drive – no receipt of final detailed as-built plan for detention basin or the drainage swale behind Lot 2. Also, no records of the gift of the back acreage to the Water District. Recommend no acceptance of South Meadow Drive.
2. Report, dated December 30, 2003, from the Conservation Coordinator, stating, with regard to South Meadow Drive, the Conservation Commission has not yet received information on the vegetation used for stabilization or current vegetation on and in the basin and its surrounding disturbed area. The Commission also has yet to receive an as-built plan for the drainage swale behind Lot 2 and a copy of the Deed to the Water District on the back acres.

3. Report, dated March 6, 2003, from I. William Place, Town Engineer/DPW Director, confirming his December 27, 2002, report advising that Lettery Circle from Woodside Road to a dead end and South Meadow Drive from Nobscot Road to a dead end have been constructed in conformance with the Planning Board's rules and regulations, and therefore recommending the Board of Selectmen support laying out these streets as public ways.

4. Report, dated March 10, 2003, reiterating her previous recommendation of January 3, 2003, from the Town Planner, as follows: (1) South Meadow Drive -- the Planning Board holds a \$15,000 performance bond to complete several minor items (street trees), and other than that, the Town Planner has no issues with accepting this street. (2) Lettery Circle -- the Town Planner has no issues with this street and further states the Planning Board holds a \$5,000 maintenance bond pending acceptance.

Town Manager Valente briefly reviewed a memo, compiled March 11, 2003, by Jan Silva, Administrative Assistant, on resolution of Conservation Commission issues with South Meadow Drive [following conference with Conservation Coordinator]: (1) No Certificate of Compliance has been issued. (2) The Order of Conditions is conditioned upon receipt of the 4.66 acre parcel by either the Water District or Conservation Commission. (3) The Water District feels it is not worth its while to pursue acquisition of the 4.66 acre parcel except for protection of resources. It is swamp/wetland and not buildable. The Water District is ready to accept it if offered to them, but the contact person has been unreachable. (4) The Conservation Coordinator has arranged a meeting during which she hopes to gain information on how to contact Mr. Glover, owner of the land. (5) The parcel is now in Tax Title, and the Town may eventually get the land anyway. Should this occur, the Conservation Commission would like it transferred to ConCom. Ms. Valente stated she plans to discuss these developments with Town Counsel.

Selectman Drobinski recommended keeping the street acceptance approval progressing with the hope remaining issues will soon be resolved.

It was on motion unanimously

VOTED: To lay out the following Town Ways with the boundaries and measurements as set forth on plans on file in the Town Clerk, to be presented for acceptance at the 2003 Annual Town Meeting:

Lettery Circle from Woodside Road to a dead end, a distance of 945 feet, more or less; and
South Meadow Drive from Nobscot Road to a dead end, a distance of 508 feet, more or less.

Town Meeting Action

Speaker Assignments -- After discussion, it was decided Selectman Drobinski will speak on:
Article 54 -- Senior Citizen Real Estate Exemption
Article 55 -- Water Resource Protective Overlay Districts.

It was also agreed that Chairman O'Brien will speak on:
Article 56 -- Authorize Transfer of Parcel C07-020 Off Longfellow Road to ConCom
Article 57 -- Authorize Transfer of Parcel H05-027 off Hemlock Road to ConCom

The Board briefly reviewed all articles currently labeled as Report at Town Meeting. No changes were made at this time.

Community Housing Committee Interviews/Appointments

Present: Kaffee Kang, 96 Old Garrison Road; Amy Lepak, 54 Jarman Road; Patrick Rosseel, 104 Hemlock Road; Joellen Samojla, 96 Atkinson Lane; Roger Van Duinen, 171 Greystone Lane, Applicants.

Town Manager Valente reported another potential applicant, Ms. Cynthia Howe, decided not to make application to the Community Housing Committee, citing increased professional demands as Acting Executive Director of the Wellesley Housing Authority.

Mr. Roger Van Duinen, 171 Greystone Lane, thanked the Board for an opportunity to get involved with his community. He stated he and his wife chose Sudbury as their home, following a year overseas. He acknowledged he previously had little experience with the subject of affordable housing, but has learned much about it in recent weeks. Mr. Van Duinen emphasized diversity in a community is the key to economic success, which includes affordable housing. Understanding the needs of the community is essential. He opined much of the stigma attached to the idea of affordable housing is due to lack of information or communication to the public.

Mrs. Amy Lepak, 54 Jarman Road, stated she has long been an advocate of affordable housing and welcomes this opportunity to get directly involved. As a member of the League of Women Voters, she has worked on housing issues previously, as well as various zoning and economic development issues. She expressed concern that middle- and low-income families have little opportunity to live in Sudbury. She stated she would like to see progress in people being able to walk around Town, and also the grownup “kids” being able to move back to their hometown after living elsewhere. Responding to a question from Selectman Roopenian, Ms. Lepak opined a development/redevelopment process must be in place before successfully achieving goals. She concluded by stating how nice it would be to tell people who work in Sudbury that they can also live here.

Ms. Joellen Samojla, 96 Atkinson Lane, stated her background is very different, having grown up in South Natick in a working-class family. She stated until her mother moved into Musketawick Village, she had no idea such housing existed. Ms. Samojla stated she understands how working-class families have a difficult time finding affordable housing. She expressed concern that opposition to affordable housing comes from lack of information and communication to the public. She stated the affordable housing in Sudbury is very nice compared to that of other communities. Responding to a question from Selectman Drobinski, she stated she would use her “magic wand” to slow down development and preserve the Sudbury “mystique”. She opined that more diversity is needed so that children learn that not everyone lives in a castle on a hill. She also wondered how a piece of land is unbuildable one day and buildable another, expressing concern that rules are sometimes changed for the wrong reasons.

Ms. Kaffee Kang, 96 Old Garrison Road, brings an architectural perspective to the table, stating her primary concern would be design, what the housing looks like and how it fits into the neighborhoods. Her experience runs in the municipal, town hall, school and public housing arenas. After determining what the goal is, the process toward accomplishment requires a great deal of interaction with other committees, boards and groups that have unique perspectives and experience in the matter at hand. Ms. Kang stated a dense development provides a great deal of housing at one time, while individual buildings may have a less invasive appearance.

Mr. Patrick Rosseel, 104 Hemlock Road, commended the SHA in taking on the task of developing affordable housing in Sudbury. His interest is in land-use issues and site selection. He opined that, while individual buildings are very nice, a larger development would provide more units at one time, given that

Sudbury is 300 units below its required level of affordable housing. Selectman Drobinski complimented Mr. Rosseel on stepping forward to be a part of the process when he was initially opposed to the concept of affordable housing. Mr. Rosseel opined mixed-use development should be allowed in order to better work with developers.

The Board thanked all candidates for their willingness to serve on this Committee. Chairman O'Brien stated the Board will deliberate later in the meeting and contact applicants on their decision.

Following the meeting with the Sudbury Housing Authority, the Board reviewed all applications and briefly discussed qualifications and what each person can bring to the committee. It was suggested to add an Associate Member to the committee's makeup, to keep all persons involved, to attend meetings and otherwise participate in Committee activities, to be better educated on housing issues should a regular position become available.

After discussion, it was on motion unanimously

VOTED: To increase the membership of the Community Housing Committee by adding as Associate Member, with no voting powers, for an indefinite term of office.

It was further on motion unanimously

VOTED: To appoint the following individuals to the Community Housing Committee, as full voting members, staggering the initial terms, as follows:

Amy Lepak, 54 Jarman Road, for a term to expire April 30, 2006;
Patrick Rosseel, 104 Hemlock Road, for a term to expire April 30, 2004;
Joellen Samojla, 96 Atkinson Lane, for a term to expire April 30, 2006; and
Roger Van Duinen, 171 Greystone Lane, for a term to expire April 30, 2005.

It was also on motion unanimously

VOTED: To appoint Kaffee Kang, 96 Old Garrison Road, as an Associate Member of the Community Housing Committee, with no voting power, for an indefinite term.

Sudbury Housing Authority – Annual Town Meeting

Present: JoAnn Howe, Executive Director; John Darcey, Chairperson; Steven Swanger, Bette Kornegay, Carol Hamilton, Sudbury Housing Authority; Steve Shangreaux, Candidate for election.

At 9:50 Chairman O'Brien welcome the Sudbury Housing Authority (SHA). After introducing SHA members and electoral candidate, Mr. John Darcey, Chairperson, distributed copies of his letter, dated March 11, 2003, in which the SHA announced its intent to request indefinite postpoment of warrant articles 34 through 45 at the 2003 Annual Town Meeting, but still request funding for construction of up to 16 units of housing. He briefly explained the SHA's position on withdrawal of their articles. He opined "rushing" through a process toward a goal can create a lot of problems through miscommunication to the public as well as overlooked details. The SHA will still work toward development of sixteen affordable housing units.

Mr. Darcey proposed the formation of a "site selection review panel" whose mission will be to assess locations in Town that might best be used for affordable rental units, including communication with Town

boards, committees and employees, as needed, and hold public hearings on each site. The SHA will then develop appropriate site-specific articles to appear on the 2004 Town Meeting Warrant. SHA proposes that the panel will be comprised of SHA commissioners, two members appointed by the Selectmen and two members appointed by the Planning Board.

Responding to a question from Chairman O'Brien, Mr. Darcey clarified Article 32C is to support the construction of affordable housing with CPA funds, but is not linked to any specific site. Town Manager Valente suggested consulting Town Counsel on these articles to make sure that funding can be approved if no sites are selected.

Mr. Darcey asked the Board to support the concept of a review panel, and to appoint two members at a later date. The SHA requested the Board of Selectmen's public support of Article 32C as well as the withdrawal or defeat of the article(s) proposing designation of the Hemlock/Willow and Longfellow sites as conservation land [Articles 56 and 57].

Board members individually expressed their appreciation to the SHA in wanting to move slowly in order to do it right and make these projects as acceptable to the public as possible. They each expressed their concern for transfer of land to the Conservation Commission due to the inability to use that land for anything else. Selectman Drobinski opined that if the land is transferred to the Conservation Commission, uses could be very limited.

There was brief discussion on the concept of the review panel. Chairman O'Brien opined there to be a question of staff support. Town Manager Valente suggested further discussion on what the review panel will actually do, i.e., examining what Town staff might be involved, their credibility, and Town staff being expected to support a non-Town entity. She suggested checking with other communities for ideas on how they accomplish similar tasks. The Board supported the idea of a review panel, and opted to take more time to develop its mission and member makeup. They acknowledge success will be in the details.

Roger Van Duinan asked how a review panel can be set up before determining the issue of density, i.e., scattered sites vs. dense development. Selectman Drobinski responded that hopefully the two alternatives will be considered together, density being dependent on the specific land parcels and their characteristics.

The Board thanked the Sudbury Housing Authority for its diligence and desire to serve the community in the best way possible.

Executive Session

At 10:45 p.m. it was on roll call

VOTED: To go into Executive Session for the purpose of discussing contract negotiations. (Chairman O'Brien, aye, Selectman Roopenian, aye, Selectman Drobinski, aye).

Chairman O'Brien announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 11:07 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk