

IN BOARD OF SELECTMEN
TUESDAY, JULY 13, 2004

Present: Chairman John C. Drobinski, Selectmen Lawrence W. O'Brien and William J. Keller, Jr.

The statutory requirements as to notice having been complied with, the meeting was convened at 7:30 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

Chairman Drobinski thanked the Chamber of Commerce for the July 4 parade and celebrations.

Chairman Drobinski urged motorists to be watchful of DPW workers painting crosswalks and other roadways projects around Town.

Chairman Drobinski also thanked the Chamber of Commerce for its Town Employee, Teacher and Citizen of the Year recognitions.

Utility Petition #04-02 – Boston Edison Co.

The Board reviewed the following information: (1) petition and plan, dated June 24, 2004, from Richard Schifone, Rights & Permits, Boston Edison Company d/b/a NStar Electric, requesting a Grant of Location to install one (1) stub pole (101/43S), on Plympton Road, and stating it was necessary to support existing pole due to new circuit and improvements; (2) reports, received July 7, 2004, from the Wiring Inspector and Building Inspector stating they have no issues concerning this petition and no objection to its approval; and (3) report, dated July 8, 2004, from the Town Engineer/DPW Director, with the following comments: a) he is not sure of the need as there appears to be no strain and the utility wire and existing poles are relatively straight; b) the layout of Plympton Road is wide enough to accommodate the stub pole and guy wire without encroachment into the paved way or private property; c) there appears to be no impact on Plympton Road, and d) recommending approval.

Town Manager Valente stated NStar informed her office a representative could not attend this evening. She reported abutters were notified via first class mail.

Selectman O'Brien concurred with the Town Engineer's comments. Chairman Drobinski suggested NStar provide additional information as to need. Discussion followed.

It was on motion unanimously

VOTED: To deny Utility Petition #04-02 of Boston Edison Company, d/b/a NStar, for a Grant of Location to install one stub pole (101/43S). Board requests that NStar reapply when a representative can meet with the Board to provide additional information as to need.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the special meeting of May 25, 2004, the executive session of

June 1, 2004, the special meeting of June 9, 2004 (regular and executive sessions), the special meeting of June 25, 2004 (executive session) and the regular and executive sessions of June 15, 2004, as drafted, and the special meeting of June 25, 2004 (regular session), with amendments provided by the Town Manager.

Retirement Proclamation – John Lindgren

It was on motion unanimously

VOTED: To sign a proclamation in honor of John Lindgren for his long and valued employment in the Sudbury Highway Department on the occasion of his retirement and to declare Thursday, July 15, 2004, as John Lindgren Day in the Town of Sudbury.

Fire Department Donation – Camp Sewataro, Inc.

It was on motion unanimously

VOTED: To accept a donation of \$3,500 from Camp Sewataro, Inc., to be used by the Fire Department for installation of the Source Capture Vehicle Exhaust System, and to authorize expenditure under the direction of the Town Manager for its intended purpose.

Resignation – Community Preservation Committee

It was on motion unanimously

VOTED: To accept the resignation, dated June 24, 2004, from Diane Goldberg, 20 Silver Hill Road, from the Community Preservation Committee, and to send a letter of appreciation for her service to the Town.

Fire Headquarters – Source Capture Vehicle Exhaust System

It was on motion unanimously

VOTED: To approve award of a contract to furnish and install a Source Capture Vehicle Exhaust System at the Fire Headquarters, 77 Hudson Road, to Air Cleaning Specialists of New England LLC, at a bid price of \$45,470 for the Base Bid; \$2,500 for Alternate A; and \$2,000 for Alternate B for a combined bid price of \$49,970, as recommended by the Town Manager and Acting Fire Chief.

Housing Consultant Services

It was on motion unanimously

VOTED: To approve a contract with Toby R. Kramer of Riverside Consulting for providing housing consultant services on a time and materials basis for a maximum limit of \$15,000 and a rate of \$90 per hour.

Release of Right-of-Way Easements -- Lots 32 and 33, Hampshire Street

It was on motion unanimously

VOTED: To approve and sign a Release of Right-of-way Easements located on Lots 32 and 33, Hampshire Street, Town Property Maps E08-132 and E08-133, pursuant to authorization by the 2003 Annual Town Meeting under Article 28.

September 11th Memorial Garden Trust Agreement

It was on motion unanimously

VOTED: To approve and sign the following document prepared by Town Counsel: The September 11th Memorial Garden Trust Agreement which establishes the Selectmen and Town Treasurer as Trustee, the September 11th Memorial Garden Oversight Committee as Beneficiary, and a Trust Fund created from funds raised for the September 11th Memorial Garden.

Site Plan #SP04-374 – London Taxis North America, Inc.

Present: Larry Smith, Co-Applicant and President, London Taxis North America, Inc.; Paul Finger, Paul Finger Associates; Deborah Dineen, Conservation Coordinator.

At 7:45 p.m. Chairman Drobinski reconvened a Public Hearing for continued consideration of Site Plan Application #SP04-374 of London Taxis North America, Inc. for approval of a minor Site Plan, in accordance with Town of Sudbury Zoning Bylaw Article IX.6000, Section 6300, Site Plan Review, for expansion of current uses to include motor vehicle sales and rental and motor vehicle general and body repair, on property located at 80 Union Avenue, owned by Union Avenue Realty Trust, zoned Industrial District #2 and Water Resource Protection District Zone II.

The Board reviewed the following new information: 1) Notice of Decision on Site Plan Application #03-369 of Union Avenue Realty Trust, dated July 22, 2003; 2) Planning Board Decision, London Taxis North America, Inc., dated June 23, 2004, granting a Water Resource Protection District Special Permit; 3) Notice of Decision, Board of Appeals, dated June 22, 2004, granting London Taxis North America, Inc. and Union Avenue Realty Trust, a Special Permit for motor vehicle sales and rental and motor vehicle general body repair on property located at 80 Union Avenue; 4) report, dated July 9, 2004, from the Health Inspector, stating a septic system design flow analysis for the proposed change of use was submitted to the Board of Health, and verifying the septic system will be adequate for proposed uses at 80 Union Avenue; 5) report, dated, July 13, 2004, from the Town Planner, submitting a sample EPA Stormwater Pollution Prevention Plan which summarizes all proposed controls for stormwater management and pollution prevention, and recommending the applicant be required to complete the form as a condition of the site plan, with the exception of the post-construction documentation; 6) letter, dated July 12, 2004, from Paul Finger Associates to the Building Inspector, submitting DEP Form WS-1, "Notice of Plumbing Inspector Approval to Seal Floor", and plan dated June 14, 1998, concerning floor drains closed by the previous property owner and requesting a review of the completed work; and 7) Draft Decision for the Board's review.

Town Manager Valente distributed copies of revised language on Conditions 21 and 22 of the Draft Decision.

Ms. Valente reported a meeting had taken place between the applicant, Mr. Paul Finger of Paul Finger Associates, and the Conservation Coordinator, regarding the Stormwater Pollution Prevention Plan. Mr. Finger stated they met with the Conservation Commission on July 12, 2004. The Commission opined that Union Avenue Realty Trust must submit the plan in accordance with NPDES standards. Town Manager Valente stated Mr. Daniel Santangelo has signed the Site Plan application as a co-applicant.

Mr. Finger stated that, although some documentation was located regarding the closure of the floor drains, it is unclear whether the work was actually done, and that is being investigated. He said that no permit was required by the Conservation Commission as it is a change in use.

Mr. Finger stated that catch basins, water quality inlets, and water quality basins and outfall have all been constructed and inspected, and are fully functional. Landscaping, town drains, recharge areas, and other minor items are yet to be completed.

Deborah Dineen, Conservation Coordinator, stated the Conservation Commission felt comfortable not requiring a filing for change in use within the riverfront area, as long as pollution plans were in place as part of other boards' permits. She described a Stormwater Management Pollution Prevention Plan and stated most of its requirements should have been addressed during the site plan approval of Union Avenue Realty Trust's new building. She stated the revised wording of Condition 21 of the Decision was acceptable.

Mr. Finger opined this project is grandfathered into the original permits so additional permits were not necessary. He stated the applicant would do whatever the Town requires.

Selectman O'Brien expressed concern that Condition 22 states proposed use cannot commence, when in fact, it refers to the change in use, i.e., additional cars being stored and repaired there. He opined people unfamiliar with this type of wording might believe the applicant would have to cease all operations until all construction is complete. Mr. Finger stated the applicant is occupying the building as well as the other tenants so no building permit was required. Town Manager Valente stated the original site plan approval is in effect, and this change in use is the only thing under scrutiny at this time.

Using a revised drawing, Mr. Finger outlined changes suggested by the Fire Department, specifically, gate dimension and revised parking places. He stated revised mylar drawings would be submitted this week.

Mr. Finger asked that the Class 1 License be issued as soon as possible. Town Manager Valente noted the license had previously been approved by the Board and would be held, as voted, subject to site plan approval and conditions contained therein.

Based upon a determination that the foregoing evidence, together with the plans submitted, conformed to the intent and purpose of the Zoning Bylaw requirements, a motion was made and unanimously approved as follows:

VOTED: To approve Site Plan Application No. 04-374 of London Taxis North America, Inc. and Union Avenue Realty Trust, to expand current uses to include motor vehicle sales and rental and motor vehicle general and body repair, on property located at 80 Union Avenue, owned by Union Avenue Realty Trust, as shown on plan entitled, " Applicant: LONDON TAXIS NORTH AMERICA, INC., 80 Union Avenue, Sudbury, Massachusetts (Middlesex County), UNION AVENUE REALTY TRUST, 266 Derby Street, Newton, MA 02456", dated April 2, 2004, drawn by Paul Finger Associates, (Sheet L-1, SITE PLAN), subject to compliance with all governmental laws and regulations including, but not limited to, Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, zoning, building and health laws and regulations, and further subject to the following conditions:

1. All conditions of Site Plan No. 03-369 approval dated July 22, 2003, shall remain in full force and effect and are applicable to this site plan application as well.

2. Compliance with all conditions of the Special Permit issued by the Board of Appeals (Case 04-25) for this new usage.
3. Compliance with all conditions of the Water Resource Protection District Special Permit granted by the Planning Board June 23, 2004.
4. Receipt of appropriate fuel storage permits from the Fire Chief.
5. Outdoor storage of vehicles shall be limited to 34 vehicles.
6. There shall be no on-street vehicle loading and unloading of vehicles.
7. All vehicle repairs and maintenance shall be completed inside service bays; no outdoor repair work is allowed.
8. Adequate hazardous material spill control materials shall be kept on site and personnel trained in their use.
9. An 18-foot fire lane must be maintained through the entry gate off Union Avenue and along the rear of the building at all times for emergency access purposes. No parked vehicles, parts or dumpsters shall be stored in these areas.
10. Weeds, grass and dry vegetation shall be kept in check and periodic cleanup of parking area conducted in accordance with 527 CMR 10.05(3), as required by the Fire Department.
11. Approval of any changes to the drainage system, including traps, catch basins, and periodic maintenance as required by the Town Engineer.
12. Approval of signs or advertising devices as required under the applicable provisions of the Zoning Bylaw.
13. No storage or use of chemicals on site except in conformity with guidelines and requirements of the Board of Health and the Fire Chief; the owner or operator of the site shall comply with the Massachusetts Oil and Hazardous Materials Release Prevention and Response Act, M.G.L. Chapter 21E, as amended, and all regulations issued thereunder.
14. Approval by the Board of Health for expansion of the uses on site.
15. Any disposal or removal of effluent and wastes generated on the site shall conform to the requirements of the Board of Health, Town Engineer, and/or Conservation Commission, as appropriate.
16. If required by the Board of Health, Conservation Commission and/or Board of Selectmen, the applicant shall install one or more monitoring wells or other protective device on the site, including the Town's right of access for periodic testing and monitoring thereof.

17. Exterior lighting to be directed away from adjacent properties and have shields and shall be in conformance with Section 3427f of the Zoning Bylaw. When site is not in use, only minimal security lighting on buildings shall be used.
18. The parking spaces on the southern and northern sides of the building shall be striped.
19. The Plan shall be revised to meet the approval of the Acting Fire Chief regarding the arrangement/location of parking spaces for stored vehicles.
20. The Board of Selectmen waives the requirement that plans be stamped by a registered professional engineer or registered land surveyor.
21. A Stormwater Management Pollution Prevention Plan in accordance with EPA standards shall be submitted to the Town for this site.
22. The proposed use of this site shall not commence until this Decision has been recorded in the Middlesex South Registry of Deeds, the plans are approved and signed by the Board of Selectmen, and certain items noted above (2, 3, 4, 14, 19 and 21), as specified by the Board, are complied with and verified by the Building Inspector.
23. This approval shall lapse if construction and a substantial use thereof have not commenced except for good cause within two (2) years from the effective date of said approval.

Gift to Town -- Stearns Mill Dam

Present: Deborah Dineen, Conservation Coordinator.

Relative to an offer by William Smith, Trustee, to gift land to the Town, Town Manager Valente updated the Board on events thus far, including site walks, visual inspection, investigative cost estimate, downstream liability, tree removal and spillway removal. She referred the Board to her report, dated May 17, 2004, which summarized pertinent information.

The Board reviewed the following new information: 1) report, dated March 1, 2004, from the Town Engineer, stating he had reviewed the proposal from Weston & Sampson for assessment of the dam and that the price and scope appear reasonable, but stating further he would prefer to spend the money on removing the trees off the dam and fixing the spillway; 2) report, dated May 28, 2004, from the Conservation Coordinator, stating site visits by herself, the Town Engineer and Mark Mitsch, a Weston & Sampson representative, indicated the dam to be in good condition but in need of some maintenance work. Ms. Dineen reported Mr. Mitsch's opinion that, due to the low height of the dam and large downstream floodplain, the dam may not be subject to the most stringent Dam Safety requirements; and 3) report, dated May 28, 2004, from the Conservation Coordinator, stating the funding for the survey and inspection was to come from the Conservation Fund, but questioning whether those funds were to be used only after it was acquired by the Town for conservation purposes, and suggested Town Counsel be consulted for opinion.

Town Manager Valente reported both the Historical Commission and the Park and Recreation Commission support this acquisition.

Ms. Dineen stated that, along with the dam, the acquisition includes a piece of land where several parking spaces can be created, boats can be launched, etc. The dam dates back to 1790, which makes it a historical asset, as well as offering passive recreation opportunities.

In addition to the one acre delineated, an easement on another portion of the land will be granted to the Town so that the owner can retain 180' of frontage. Selectman O'Brien asked if, by accepting this gift, the owner would be able to create another lot on the balance of the parcel, and if the Town could negotiate a right of first refusal on the land owned by Mr. Smith abutting this parcel (as he believes if the Town assumes ownership of the dam, this would increase the value of abutting properties). He asked also if ownership of the parcel to be conveyed could be joint between the Conservation Commission and the Park and Recreation Commission.

Ms. Dineen stated that there is no way another lot could be created in that location as it would come under the Rivers Act and a 200' buffer requirement. Lot 1 already has a house on it and is not included in the parcel under consideration.

Chairman Drobinski suggested the Town Manager work with the Conservation Commission to build in some potential safeguards for future land disposition, should the abutting landowner wish to offer that parcel to the Town. Discussion followed.

It was on motion unanimously

VOTED: To approve the acceptance of an offer by William Smith, Trustee, of a gift of approximately one acre of land on Dutton Road containing the Stearn's Mill Dam, and to authorize the Town Manager and Conservation Commission to move forward with the negotiations and preparation of appropriate documents approved by Town Counsel, subject to joint ownership of the parcel by both the Conservation Commission and the Park and Recreation Commission and investigating the possibility of obtaining right of first refusal on purchase of the abutting parcel (remainder of current Lot 2).

Town Manager Valente suggested approaching the Community Preservation Committee for funds to do some of the necessary administrative work. Ms. Dineen opined the initial work should not be costly.

Site Plan #SP04-375 – St. Elizabeth's Episcopal Church

Present: Mark Donohue, Acton Survey and Engineering; Dan Barton, Mangel Architects; representatives from New Building Task Force, St. Elizabeth's Episcopal Church.

At 8:20 p.m. Chairman Drobinski reconvened a Public Hearing for the purpose of continued consideration of Site Plan Application #SP04-375 of St. Elizabeth's Episcopal Church, in accordance with Town of Sudbury Zoning Bylaw Article IX.6000, Section 6300, Site Plan Review, for partial demolition and construction of a new administrative addition, regrading and revised driveway and parking lots, on property located at One Morse Road.

The Board reviewed the following new information:

1. Letter, dated July 8, 2004, from Acton Survey & Engineering, Inc., submitting revised plans, Sheets 1-6, with various revision dates (Sheet 3 Site Plan - June 30, 2004; Sheet 4 Conceptual Landscape Plan - May 11, 2004).

2. Report, dated July 9, 2004, from the Town Planner, stating revised plans dated June 30, 2004 (Site Plan) and May 11, 2004 (Conceptual Landscape Plan) were reviewed, and posing the following questions: a) changes to Morse Road and existing walkway must be explained in detail and approved by the Director of Public Works; b) approval by the Acting Fire Chief on adequacy of access grades and alignment is pending; and c) which trees along Morse Road will be removed and which will be preserved; this should be labeled on the site plan. Ms. Kablack suggests the following be addressed as conditions of site plan approval: a) DPW approval of stormwater management plan; b) Conservation Commission approval of site plan; c) Zoning district designations must be added to the plan; d) Final landscaping plan, including lighting details, must be submitted for review and approval. Additional screening between Morse Road and new parking lot may be necessary, to be determined at the completion of construction by the Board of Selectmen; e) all new signage must be approved by the Design Review Board, including the directional signs. Is "facility sign" shown on site plan existing or proposed? f) Walkway easement on Concord Road to be submitted.

3. Report, dated July 9, 2004, from the Historic Districts Commission, stating it has no objections to the revisions outlined in a memo to the Board of Selectmen dated July 8, 2004. The Commission stated further it continues to support the architectural plans approved by the Commission on June 17, 2004, for which it has issued a Certificate of Appropriateness.

4. Report, dated July 9, 2004, from Acting Fire Chief Kenneth MacLean, stating he has reviewed revised plans and submitting the following comments: 1) as requested, a fire hydrant is located on the east side of the building; 2) entrance rounding will allow fire apparatus access; 3) proponent agrees to alter vertical alignment of entrances and driveway to insure that fire vehicles do not "bottom out"; and 4) a five foot grass strip opposite the handicapped spaces by the front sanctuary entrance is provided for fire vehicle use in the event that the handicapped spaces are occupied, the strip may be used in calculating the required 18' fire lane, and the strip must be kept free of vegetation other than lawn. With these conditions, the Acting Fire Chief recommends approval of the plan.

5. Submitted to the Board this evening, a letter dated July 13, 2004, enclosing a revised Page 3 of the Site Plan dated July 13, 2004 with copies of enlarged portions of the site plan, which had been revised as follows:

- 1) The location of the 24-inch oak tree located to the east of the easternmost driveway and within the Morse Road right of way is shown.
- 2) The curb radius on this side of the driveway has been reduced from 25 feet to 20 feet and the length of the curbing to be installed has been reduced to decrease possible injury to tree roots.
- 3) The other entrance curb radii have been labeled.
- 4) The trees in the vicinity of the driveway alterations required to provide a more suitable grade transition at the western driveway have been added.
- 5) The stormwater management works at each entrance has been expanded to provide storage/recharge for the first 1" of rainfall on the driveway.
- 6) Pursuant to a telephone conversation with Chief MacLean a note has been added to the site plan requiring access to be proven by the passage of the Department's ladder truck prior to pavement.

The report further states that the required changes at Morse Road will not require removal of any trees within the right of way and sidewalk easement, and that a small amount of the wall remains and shrub growth will be removed to increase sight distances and provide better transition between Morse Road and the driveways.

Mr. Mark Donohue, Acton Survey and Engineering, Inc., stated the Fire Chief will drive all fire equipment through the driveway prior to final paving to make sure it is acceptable. He stated that, in order to preserve at 25' oak tree east of the driveway, the radius of the entrance has been decreased to 20'. If the church can afford it, it will install sloped curbing. He stated also that two detention basins have been decreased in size after consultation with the DPW Director.

Responding to a question from Chairman Drobinski, Mr. Donohue stated the grade of the driveway has been changed in order to prevent the "bottom out" of fire equipment as requested by the Acting Fire Chief. No trees will have to be removed along Morse Road, although some boulders and scrub brush will be removed.

There was brief discussion on conditions suggested by the Town Planner. Mr. Donohue stated all items suggested will be completed. He stated they scheduled to meet with the Design Review Board regarding signage at its next meeting.

Responding to a question from Selectman Keller, Mr. Donohue stated there are 70 parking spaces planned on site.

Selectman O'Brien asked if they have met with the abutter on concerns involving the rear parking. The church representatives indicated they are meeting with him on a regular basis and progress is being made.

It was on motion unanimously

VOTED: To instruct the Town Manager to direct Town Staff to prepare a Draft Decision for the Board's review and to continue this hearing to July 27, 2004 at 8:00 p.m.

Newell Property

Town Manager Valente reported no new information has been submitted relative to the Town's purchase of the Newell property. She stated the Town Planner reported that a plan is expected from the developer next week. Ms. Valente opined a special Selectmen's meeting may be necessary in order to act on the offer within the required 120 days.

Town Forum

At 8:35 p.m. Chairman Drobinski convened Town Forum, during which time the Board of Appeals, Permanent Building Committee, and Design Review Board updated the Selectmen on their activities.

Jonathan Gossels and Tom Phelps represented the **Board of Appeals**. They expressed concern for the inability of alternates or Associate Members to be as involved as needed, possibility of replacing those individuals, recruitment suggestions, and ultimately bringing the membership to its full complement. The Selectmen were updated on the increasing number of teardowns, criteria for approving teardown/new construction, architectural impact on neighborhoods, and potential zoning bylaw changes. It was agreed applications for Associate Members would be solicited, upon receipt of criteria/qualifications from the Board of Appeals.

Bruce Ey and Michael Melnick updated the Board on **Permanent Building Committee** activities. The DPW Building is being worked on, including redoing the wash bay, resetting of floor drains, landscaping issues, and various loose ends. The Haynes School project is in litigation; the Loring School final documentation has been submitted for reimbursement; and the landscaping and playing field work at the Curtis Middle School is in progress. The Flynn Building elevator project has begun, with an expected completion date of mid-September.

Frank Riepe presented the report for the **Design Review Board**. He stated the Board is working from the Town Meeting Warrant where the sign bylaw changes were printed, as the official printed version is not yet ready for distribution. As yet, there has been no controversy over those bylaw changes. He also stated that the Design Review Board would like to be included in the site plan process for Town projects sooner than it is now.

Reports concluded at 9:15 p.m. The Selectmen thanked all participants for their reports. Refreshments were served.

Linbrook Properties (The Meadows) – Temporary Construction Access

Present: Myron Fox, Rollins, Rollins and Fox.

Town Manager Valente distributed revised copies of the proposed Temporary Construction Access License agreement drafted by Town Counsel. She expressed concern about fencing the construction access with regard to pedestrian interference, as well as clearly defining available parking.

Using a drawing, Mr. Myron Fox, Attorney for the developer, Linbrook Properties, outlined a proposed plan for marking parking parallel to the tennis courts. Ms. Valente indicated the DPW Director wants the construction lane well marked, but without the use of fencing. Mr. Fox suggested the Selectmen condition their vote subject to approval of the DPW Director.

With regard to the water easement, Mr. Fox stated an easement is traditionally ten feet on either side of the utility placement.

Ms. Valente pointed out Conditions 17 and 18, which prohibit large construction vehicles from specific roads and the time of day construction access shall be allowed. Discussion on the remainder of the license agreement followed. With regard to Chairman Drobinski's question regarding Condition 1, Mr. Fox responded small vehicles (autos or pickup trucks) may still be on site after 3:00 p.m. He stated there will be a gate at the end of Maple Avenue during the construction phase. He opined a lock box could be installed on the gate in order to let real estate/sales personnel into the site with prospective buyers. After discussion, Condition 1 was amended to read “. . . all construction **and project-related** vehicles used to **access**. . .”

It was on motion unanimously

VOTED: To grant a Temporary Construction Access License to Linbrook Properties, Inc., 2 Blueberry Lane, Lincoln, Massachusetts, outlining privilege to use the land located in the existing travel lane adjacent to the parking area immediately north of the existing tennis courts in Feeley Field on Raymond Road in the Town of Sudbury, as outlined in a License Agreement, dated July 13, 2004, as amended this evening.

Sudbury Water District – Easement, The Meadows

Present: Myron Fox, Rollins, Rollins and Fox.

Town Manager Valente reported Town Counsel worked with the applicant to draft the appropriate language for the Water Easement to install water lines to the Senior Residential Community known as *The Meadows*.

It was on motion unanimously

VOTED: To grant an easement to the Sudbury Water District under the existing travel lane adjacent to the parking area immediately north of the existing tennis courts in Feeley Field on Raymond Road, for the sole purpose of looping the Sudbury Water District's water mains, in accordance with the vote of Article 53 of the 2004 Annual Town Meeting, provided however, that a public right of way is not to be constructed nor is the existing travel lane to be used by vehicles other than those owned by the Town, those permitted under the Board of Selectmen vote of July 13, 2004, of a temporary construction access license to Linbrook Properties, Inc. and those used by residents parking their cars while using any of the facilities at Feeley Field, and provided further than the Fire Chief approve the location of any hydrant.

Juniper Farms – Hawker and Peddler License

Town Manager Valente stated the application documents have not yet been received, and asked the Board to postpone its consideration of this matter.

It was on motion unanimously

VOTED: To postpone discussion of a Hawker and Peddler License for Juniper Farms until such time as all application documents have been received and reviewed.

Lease/Purchase – DPW Truck

Town Manager Valente asked for the Board's approval of a lease/purchase agreement for a Chevy 4x4 service truck for the Department of Public Works in the amount of \$27,917.64. The base price for the truck is \$25,132.00.

It was on motion unanimously

VOTED: To approve the lease/purchase agreement in the amount of \$27,914.64 for a Chevy 4x4 service truck for the Department of Public Works, as recommended by the Town Manager.

Affordable Housing Forum

Town Manager Valente reported she indicated to the First Parish and the League of Women Voters that the Board of Selectmen support their efforts to present a **Housing Forum** in the near future.

Ms. Valente stated the League and First Parish have suggested October 21, 2004 as a possible date for the forum. Several speakers are tentatively scheduled for the evening event. Chairman Drobinski opined such an event would be a good way to send a positive message to the community on affordable housing. The Board agreed to participate in the forum.

Ms. Valente distributed copies of the draft **Sudbury Housing Plan** and asked the Board to review it and forward any comments directly to the Town Planner. This is the housing component of the Master plan.

Ms. Valente stated a letter to the Sudbury Housing Authority was prepared for the Board, in response to a letter received in June, and would include an attachment of a report, dated June 21, 2004, from the Town Planner, outlining the various sites.

It was on motion unanimously

VOTED: To approve and sign a letter to the Sudbury Housing Authority with regard to the scattered housing approach and suggesting research be conducted on the availability of state funds that could be used as down payments on developer-built units.

Community Housing Committee – St. Anselm’s Catholic Church

Town Manager Valente asked for the Board’s approval of a letter to the Archdiocese of Boston supporting the development of the St. Anselm Catholic Church for new community housing. She noted the property will be released for public sale on October 1, 2004. She reviewed the components of a conceptual development plan for the property.

Chairman Drobinski and Selectman O’Brien stated, for the records, that they are both members of that congregation, but did not see any conflict in signing the letter.

It was on motion unanimously

VOTED: To approve and sign a letter to the Archdiocese of Boston urging the development of the St. Anselm Catholic Church property for low-moderate or mixed income housing.

Regarding the formation of a Task Force to develop a conceptual plan for the St. Anselm’s property, Town Manager Valente reviewed a draft outline of plan components, potential membership and a draft press release for interested individuals. The application will be available on the Town website, with a submission deadline date of August 18, 2004.

It was on motion unanimously

VOTED: To approve the concept of the creation of a joint Community Housing Committee/Board of Selectmen Task Force to develop a plan for community housing at the St. Anselm’s Catholic Church property, and to direct Town staff to develop guidelines for membership and announce same through a press release.

Executive Session

At 10:00 p.m. it was on roll call

VOTED: To go into Executive Session for the purpose of discussing collective bargaining matters, and negotiations in real estate where open discussion may have a detrimental effect.

Chairman Drobinski announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 10:20 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk