

IN BOARD OF SELECTMEN
TUESDAY, JUNE 21, 2005

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

The statutory requirement for notice having been met, the meeting was convened at 7:30 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

Chairman O'Brien congratulated the Lincoln-Sudbury boys' baseball team on winning the State title, and extended congratulations to other teams for their efforts this year.

On behalf of the Board, Chairman O'Brien extended condolences to the family of Fred Hitchcock, a long time resident and member of the Memorial Day Committee. He recognized Mr. Hitchcock's many years of service to the town, and added that he was also a World War II veteran. Selectman Drobinski stated that Mr. Hitchcock had served in the same military unit as his father.

Minutes

It was on motion unanimously

VOTED: To approve the minutes of the regular and executive sessions of June 7, 2005, as drafted, and to approve the minutes of the special meetings of June 10, and 14, 2005, as drafted.

E.B. Hosmer Memorial Fund Donation

It was on motion unanimously

VOTED: To accept a donation in the amount of \$100.00 from the Sudbury Villagers to be deposited into the E.B. Hosmer Memorial Fund to be used for the Fund's intended purpose.

FY06 Cleaning Services Contract

It was on motion unanimously

VOTED: To approve for execution by the Town Manager a contract with All-Pro Cleaning Systems pursuant to the low bid of May 26, 2005 for FY06 cleaning services: for the base bid (Items 1-6: Town Buildings inclusive of the pool and Park and Recreation field restrooms) and option (Item 7) for the cleaning of Fairbank Center Complex "B" (Senior Center and Park and Recreation areas).

FY06 Fuel Oil Contract

It was on motion unanimously

VOTED: To approve for execution by the Town Manager a contract with Dennis K. Burke, Inc., Chelsea, MA, pursuant to The Education Cooperative Fuel Oil Bid, to supply #2 fuel oil for Town Buildings for FY06 at the price of +.0890 per gallon to be added to the lowest rack price as listed in the New York Journal of Commerce (Boston).

FY06 Gasoline Contract

It was on motion unanimously

VOTED: To approve for execution by the Town Manager a contract with the lowest eligible bidder to supply gasoline for FY06 pursuant to bids to be opened on June 29, 2005, subject to review by Town Counsel.

Contract 2005 M-2 Type I in Place/Adjust Catch Basin & Manhole Structures

It was on motion

VOTED: To approve for execution by the Town Manager Contract 2005 M-2 Type I in Place/Adjust Catch Basin & Manhole Structures with Massachusetts Broken Stone Company, as approved and recommended by Town Counsel in a communication dated June 13, 2005. (Chairman O'Brien and Selectman Keller, aye, Selectman Drobinski, abstain).

AAA Limousine, Inc. – Livery and Limousine License

It was on motion unanimously

VOTED: To approve renewal of Livery and Limousine License for AAA Limousine, Inc., 39 Union Avenue, in accordance with application dated June 10, 2005, received June 20, 2005, and to approve the rate schedule set forth therein, subject to approval of individual driver licenses and satisfactory inspection of vehicles by the Police Department.

General Obligation Refunding Bond Sale

The Board reviewed a memo, dated June 21, 2005, from Andrea Terkelsen, Town Treasurer/Collector, reporting bids for \$7,665,000 in General Obligation Bonds (long-term debt), in Series A and Series B, and recommending the Board award the sale of the Series A bonds issue to UBS Financial Services and award sale of the Series B bonds issue to Wells Fargo Brokerage.

The Town Manager briefly reviewed the amounts and percentage information contained within her report of June 21. She stated the new bonds were once again rated "AAA" by Standard & Poor's, due to the Town's strong property tax growth, strong financial performance and low debt burden.

It was on motion unanimously

VOTED: That the Treasurer is authorized to provide for the sale and issuance of refunding bonds in the aggregate principal amount of \$4,350,000 under Section 21A of Chapter 44 of the General Laws in order to refund the principal of and redemption premium and interest on the Town's Land Acquisition Bonds dated June 1, 1999, and maturing September 15 in the years 2009 through 2018 in the aggregate principal amount of \$4,100,000, and to pay costs of issuance related thereto; and that the Treasurer is further authorized to execute such documents and certificates as may be necessary or desirable to carry out this transaction, including a refunding escrow agreement with a bank or trust company and any documents or certificates relating thereto.

FURTHER VOTED: That the sale of the \$3,315,000 Municipal Purpose Loan of 2005 Bonds, Series A (the "Series A Bonds") of the Town dated June 15, 2005, to UBS Financial Services, Inc. at the price of \$3,315,032.30 and accrued interest is hereby confirmed. The Series A Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows, subject to earlier redemption at the option of the Town as provided in the Preliminary Official Statement dated June 1, 2005:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2006	\$285,000	5.00%	2016	\$135,000	4.00%
2007	265,000	4.00	2017	135,000	4.00
2008	260,000	3.50	2018	130,000	4.00
2009	260,000	3.375	2019	130,000	4.00
2010	260,000	3.50	2020	130,000	4.00
2011	135,000	3.50	2021	130,000	4.00
2012	135,000	3.50	2022	130,000	4.00
2013	135,000	3.75	2023	130,000	4.125
2014	135,000	3.75	2024	130,000	4.125
2015	135,000	3.75	2025	130,000	4.25

FURTHER VOTED: That the sale of the \$4,350,000 Refunding Bonds, Series B (the "Series B Bonds") of the Town dated June 15, 2005, to Wells Fargo Brokerage Services, LLC at the price of \$4,362,227.85 and accrued interest is hereby confirmed. The Series B Bonds shall be payable on September 15 of the years and in the principal amounts and bear interest at the respective rates, as follows, subject to earlier redemption at the option of the Town as provided in the Preliminary Official Statement dated June 1, 2005:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2009	\$485,000	3.00%	2014	\$450,000	3.75%
2010	480,000	3.00	2015	450,000	3.75
2011	475,000	3.25	2016	445,000	4.00
2012	460,000	3.25	2017	440,000	4.00
2013	455,000	3.50	2018	210,000	4.00

D.A.R.E. Donation – Girl Scout Troop 7131

It was on motion unanimously

VOTED: To accept a donation in the amount of \$75.00 from Girl Scout Troop 7131, 29 Hampshire Street, Sudbury MA 01776 to be deposited into the D.A.R.E. Program Donation Account and expended at the discretion of the Police Chief for the fund's intended purpose.

DPW Lease Purchase – Multi-Purpose Tractor

It was on motion unanimously

VOTED: To approve the DPW lease purchase of a 2006 Multi-Purpose Tractor with Plow and Snowblower (\$87,411.00) and Cold Planer (\$19,300.00) in the total amount of \$106,711 from Dyar Sales and Machinery Company, said sum to be financed through All American Investment Group, LLC, for a 5-year term at an interest rate of 4.79%.

Note: The equipment will be added to the Town's existing Master Lease with Option to Purchase Agreement No. TE 1335. Annual Payment: \$23,384.

Site Walk – St. Elizabeth's Episcopal Church

Town Manager Valente stated that the landscaping is complete at the St. Elizabeth's Episcopal Church, and asked if the Board wanted to review it, in accordance with the Decision for Site Plan SP04-375. There was brief discussion on who should assess the completed landscaping.

It was on motion unanimously

VOTED: To delegate this task to appropriate Town staff as directed by the Town Manager.

Town Forum

At 8:05 p.m. Chairman O'Brien convened Town Forum, during which time reports were heard from the Building Inspector, Finance Director, Town Clerk, Police Chief, Fire Chief, Assistant Town Manager/Personnel Director, and DPW Director/Town Engineer.

Jim Kelly, **Building Inspector**, stated the department has issued many permits for both tear-down and new construction. He encouraged residents to get references from contractors, and to also check if the contractor is licensed. He also stressed the importance for each house or mailbox to have the house number [address] plainly visible, as this aids police and fire in case of emergency.

Sue Petersen, **Finance Director**, reported on the activities of departments under her supervision. The Assessor's Office has updated brochures, processed 36 tax abatements, and completed property assessments in preparation for tax bills to be issued. The Treasurer's Office has set up internet payment of property taxes and is looking at adding a drive-up drop box for payments at the Flynn Building, processed two major bond issues, and prepared FY06 first quarter real estate tax bills. The Technology Administrator updated spam and virus software for the Town, upgraded the WAN connection, and implemented the disconnect/connect of all computers and telephones for the offices that moved from the Loring Parsonage to the Flynn Building. Ms. Petersen stated she is finishing her own year-end accounting while also getting ready for the new fiscal year, identifying surpluses that will impact budget decisions in the coming year.

Barbara Siira, **Town Clerk**, submitted a population report compiled from census forms returned to the Clerk's office and updated the Board on election matters, Annual Town Meeting, issuance of 1,890 dog licenses, new staff members, and the issuance of birth certificates and marriage intentions.

Peter Fadgen, **Police Chief**, reported the Police Department has seven new patrol officers and two new civilian dispatchers, and one officer out on injury for several months. He stated the department has received new radio repeater equipment and will be getting a fingerprint scanning system. Chief Fadgen stated the department had received an Enhanced 911 with GPS system that would interact with cell phones for location, but that, due to a software glitch, installation of the system has been put on hold.

Kenneth MacLean, **Fire Chief**, stated the Fire Department is now fully staffed, with one firefighter on disability, and that the Assistant Fire Chief position would be available July 1. He stated he has formed a committee to research a new fire engine, and that the new bucket truck is being built. He updated the Board on current grant programs, training and other department activities.

Assistant Town Manager and Personnel Director Wayne Walker reported on insurance policies and compliance with state regulations. He reviewed new programs focusing on safety procedures in offices, an employee walking program, skin care and financial planning.

Bill Place, **DPW Director and Town Engineer**, updated the Board on the reorganization of the DPW, crosswalk painting near schools and downtown, dealing with beaver dams, cemetery expansion, walkway construction, and road paving.

Reports concluded at 9:10 p.m. Refreshments were served.

Meeting with Park and Recreation Commission – Interview/Appointment

Present: John Braim, Michael Donowitz, Lauren O'Brien, and Seann O'Connell, Candidates; Dennis Mannone, Director, Paul Griffin, Chairman Gregory Hunt, and Alan Jefts, Park and Recreation Commission.

At 9:15 p.m. Chairman O'Brien convened a joint meeting of the Board of Selectmen and the Park and Recreation Commission for the purpose of interviewing and electing by roll call vote a fifth member to serve on the Park and Recreation Commission to fill a vacancy created by the resignation of Peter S. Glass. Chairman O'Brien stated he would recuse himself from this proceeding as his wife was one of the candidates. He stated further, for the record, that no applications for any of the candidates were included in his information packet. At this time, Chairman O'Brien turned the gavel over to Vice Chairman William J. Keller, Jr., and left the meeting room.

Vice Chairman Keller briefly reviewed the process, noting five people (excluding Chairman O'Brien) were present to vote, and that four votes out of those five were required to secure the appointment. A quorum was present.

It was on motion unanimously

VOTED: To appoint Maureen G. Valente as Clerk for these proceedings.

Candidates John Braim, Michael Donowitz, Lauren O'Brien, and Seann O'Connell each introduced themselves to both groups and offered brief opening remarks.

Vice Chairman Keller asked candidates what each would focus on with regard to Park and Recreation facilities. Ms. O'Brien stated she would like to see more summer camps, youth basketball, increased swim programs and use of pool facilities. Mr. Donowitz stressed use of playgrounds and soccer

fields. Mr. Braim stated he had no preferred sports or activities, but would put his efforts toward the visual appearance of the fields and rotating activities to allow field rest.

Mr. O'Connell opined he would like to see the soccer fields opened up for free play for families, and increased Park and Recreation programs such as tennis and soccer.

Selectman Drobinski pointed out that this position was to fill a vacancy, and asked if the candidates were willing to run for re-election in 2006. All responded they would do so.

Selectman Drobinski asked "Why should we pick you?" Mr. Donowitz stated he is fully committed to working on all aspects of the job. Ms. O'Brien stated she has previous experience on Town boards, she would work for the common good, and has a health education background. Mr. Braim stated he has unique experience in that he has attended Park and Recreation meetings since 1975, good historical knowledge of facilities use, and is a landscape architect. Mr. O'Connell stated he has a high level of commitment and interest in seeing programs succeed.

Paul Griffin, Park and Recreation Commission, asked if there was anything else the candidates would like to see offered. Mr. O'Connell stated he would like to see intergenerational programs. Mr. Braim stated he would like to expand the facilities and use of them, as soon there will be no more space. Mr. Donowitz opined more programs for entire families for a greater sense of community. Ms. O'Brien stated she would like to see more adult fitness programs and cross training opportunities.

Gregory Hunt, Park and Recreation Commission, asked the candidates what they would each like to accomplish in their appointment. Mr. Braim stated it is nice to know what worked and what did not [historical perspective], and being able to blend that information with present programs. Mr. O'Connell stated he is not familiar with past usage or programs, but would like to see increased participation overall. Mr. Donowitz stated he would like to set goals for various age groups, identify other potential user groups, to get the maximum use of facilities. Ms. O'Brien stated she would be interested in developing affordable rate structure for those who cannot afford full fees.

Alan Jefts, Park and Recreation Commission, asked candidates if they had any special skills or styles. Ms. O'Brien reiterated her previous Town board experience and the ability to resolve conflict. Mr. Donowitz stated that conflict resolution is part of his management job. Mr. Braim stated that, as a retired Town employee, he readily sees what works and what does not, and how to be successful. Mr. O'Connell stated he would be able to fit resident needs to programs.

Vice Chairman Keller asked if there would be any potential conflicts of interest. Ms. O'Brien stated that when her husband was on the Planning Board, she served on the Board of Appeals. She stated further that she would participate in this group as a citizen, and his being on the Board of Selectmen is irrelevant to that purpose. Mr. Braim stated he has the advantage of being able to see both sides, and would like to give back to the Town.

Selectman Drobinski asked if candidates would be interested in other Town positions, if not appointed this evening. All candidates responded they would certainly look into others. Gregory Hunt, Park and Recreation Commission, stated there would soon be an opening on the Rail Trail Conversion Advisory Committee, and to bear that in mind.

It was on motion unanimously

VOTED: To nominate John Braim, Michael Donowitz, Lauren O'Brien, and Seann O'Connell for the vacant position on the Park and Recreation Commission.

Each eligible voting member was asked by roll call to select a candidate with the following results: John Drobinski (Lauren O'Brien); Paul Griffin (John Braim); Greg Hunt (John Braim); Alan Jefts (John Braim); William Keller, Jr. (Lauren O'Brien).

Clerk Valente stated one candidate must receive four (4) votes in order to secure appointment; therefore, another vote must be taken. Subsequent vote yielded the following results: John Drobinski (Lauren O'Brien); Paul Griffin (John Braim); Greg Hunt (John Braim); Alan Jefts (John Braim); William Keller, Jr. (John Braim). Tally: Braim 4, O'Brien 1.

It was therefore declared by Clerk Valente that John B. Braim was duly elected to the Park and Recreation Commission, for a term to expire at the close of the 2006 Annual Town Meeting, in accordance with General Laws Chapter 41, section 11, as amended, to fill the vacancy created by the resignation of Peter S. Glass.

The joint meeting of the Board of Selectmen and the Park and Recreation Commission adjourned at 10:05 p.m.

Chairman O'Brien re-entered the room and received the gavel from Vice Chairman Keller.

Site Plan SP05-379: Sprint Spectrum LLP – North Road

Present: Timothy W. Greene, Managing Director, TerraSearch, representing Sprint PCS; Dennis Mannone, Director, Park and Recreation; Jody Kablack, Town Planner.

At 10:10 p.m. Chairman O'Brien reconvened a Public Hearing to review a Draft Decision on the application of Sprint Spectrum LLP, d/b/a Sprint PCS, to add three flush-mounted antennas to an existing wireless tower, on property located in the Research District, 16 North Road, owned by the Sudbury Water District. This matter was previously heard on May 3 and 17, 2005.

Mr. Timothy W. Greene, Managing Director, TerraSearch, introduced himself as the new representative for Sprint PCS. He stated he had reviewed all pertinent documents associated with this site plan application.

With regard to the Draft Decision, he made the following comments:

- (1) The size of the concrete pad should be 10' x 18', not 10' x 8' as noted in the Decision. He opined this to be a typographical error that was carried through. Town Planner Jody Kablack stated all drawings and plans feature the concrete pad correctly labeled as 10' x 18', and it was agreed the correction would be made.
- (2) Mr. Greene asked when Condition #22 [furnishing bond to cover dismantling cost] was to be completed. Town Planner Kablack responded that the bond could be posted anytime during the building process, and noted the cost estimate typically comes from the Town Engineer.
- (3) With regard to Condition #27 [a contribution of \$15,000 toward communication upgrades as identified by Sudbury public safety offices], Mr. Greene asked if the amount could be split between this project and

the proposed project at Feeley Field. The Board felt it was prudent to leave this condition as it stands, given the fact that the Public Hearing for the other project has not convened.

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. 05-379 of Sprint Spectrum LLP, d/b/a Sprint PCS, to expand the existing SpectraSite facility for wireless communications on property located in the Research District, 16 North Road, on Parcel C12-004, owned by the Sudbury Water District, by adding three flush-mounted antennae at a height of 120 feet to the existing tower, with interior cables, and base transceiver station (BTS) units mounted on a 10' x 18' concrete pad comprised of four equipment cabinets in collocation with CellularOne, Cellco Partnership (Bell Atlantic Mobile), and Omnipoint Holdings (T-Mobile), as shown on site plans comprised of seven sheets entitled "Sprint PCS SPECTRA SITE - SUDBURY BS13XC620A", dated August 12, 2004, revised September 2, 2004, September 24, 2004, January 18, 2005, March 1, 2005 and April 1, 2005, as drawn by Dewberry-Goodkind, Inc. of Boston, MA, subject to the following conditions:

1. The Sprint Spectrum installation shall comply with all governmental laws and regulations including, but not limited to, the Wetlands Protection Act and Sudbury Wetlands Bylaw, zoning, building and health laws and regulations.
2. Prior to commencement of any work, Sprint Spectrum shall install erosion control measures as shown on the Plan.
3. No building permit shall be issued until a Water Resource Protection Special Permit has been granted by the Planning Board to Sprint Spectrum, or the most recent amendment to the Sudbury Water Resource Protection District Bylaw has been approved by the Massachusetts Attorney General's Office.
4. The Sprint Spectrum installation shall comply with FCC requirements and receipt of a permit from the Massachusetts Department of Health, if required.
5. Stormwater shall be infiltrated into the ground by placing 1 1/2" stone for a width and depth of 2' around the perimeter of the cabinets per recommendation of the Town Engineer.
6. Placement of all new utilities underground. A notation to this effect shall be added to Sheet Z-4 of the Plan.
7. No wells for drinking water supply to be installed on the site.
8. The grant of an earth removal permit by the Earth Removal Board, if applicable.
9. No use of salt or sodium-based de-icers on site unless approved by the Conservation Commission.
10. 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.

11. 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.
12. 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.
13. There shall be no lighting either on the pole or illuminating the pole. Exterior security lighting in the equipment area shall be directed away from adjacent properties and have shields, and shall conform to Zoning Bylaw Section 3427.f.
14. Back-up power shall utilize batteries.
15. The gates to the entire site, to include the Sprint installation, shall each be secured by one lock only, accessible by all carriers, Sudbury Water District, Department of Public Works, Fire Department, and Police Department; keys shall be made available for all locked areas to Town public safety agencies as needed.
16. The Sprint Spectrum installation shall cause no interference with public safety radio transmissions; if any conflict occurs, Sprint Spectrum shall pay for any filtering equipment the Town may require to eliminate the interference, or otherwise immediately eliminate the interference.
17. Antennas shall be flush-mounted to minimize visual impact, but shall not be sheathed. Sheet Z-4 shall be amended to reflect the removal of the stealth sheathing.
18. Parking by technicians shall not interfere with the day-to-day operation of the adjacent borrow pit.
19. Expansion of radio cabinets, equipment and fencing shall be verified on plans and noted that they will not encroach into the truck right-of-way. A notation shall be added to Sheet Z-4.
20. Prior to issuance of Occupancy Permit, antenna installation review by a structural engineer shall be done and the Building Department provided with a final Construction Control Affidavit.
21. Sprint Spectrum should post a bond for the cost of the post-construction structural analysis, to be determined by the Town Engineer or Building Inspector .
22. In accordance with Sudbury Zoning Bylaw Article IX, Section 4369, Sprint Spectrum shall furnish a bond in the amount of the estimated cost plus 25% of dismantling the facility.
23. Any air conditioners or generators shall not produce undue noise and shall be consistent with average noise levels for residential uses, and shall conform to the Sudbury Zoning Bylaw.
24. Sprint Spectrum shall annually provide copies of its compliance with Federal Communications Commission (FCC) requirements for measurement of radio frequency emission levels to the Board of Health and Board of Selectmen.

25. By virtue of its approval of this site plan, the Board of Selectmen waives Condition 12e in the Site Plan Decision 95-320 to allow collocation of Omnipoint equipment, as approved, on the SpectraSite tower.
26. Prior to commencement of any work in connection with this Site Plan, the safety issues regarding the proximity of the existing propane tank to the driveway for the Town Borrow Pit shall be resolved to the satisfaction of the Fire Chief and the Director of Public Works.
27. In lieu of installation of Public Safety communications equipment on this cell tower, the Applicant will contribute \$15,000 toward communication upgrades for the Police Department at Lincoln-Sudbury Regional High School or other communication needs identified by the Sudbury public safety offices.
28. Submission of an "as built" plan. Any change in the physical condition of the site, including changes in the location or design of structures or systems, following approval of the site plan, will require approval by the Board of Selectmen.
29. No Building Permit shall be issued until the Decision has been recorded in the Middlesex South Registry of Deeds with the title to the property and become a restriction thereon, the plans are amended as required herein (conditions 6, 17 and 19), and approved and signed, and certain items noted above [2, 3, 8, 19, 21 and 26], as specified by the Board, are complied with.
29. No Occupancy Permit shall be issued until certain items noted above [1, 4, 5, 6, 7, 15, 17, 20, 22, 27 and 28], as specified by the Board, are complied with.
30. 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.

The plans are to be submitted for signature at a later date.

Site Plan 05-380: Sprint PCS, Feeley Field

Present: Timothy W. Greene, Managing Director, TerraSearch, representing Sprint PCS; Dennis Mannone, Director, Park and Recreation; Jody Kablack, Town Planner.

At 10:20 p.m. Chairman O'Brien convened a Public Hearing to consider the Site Plan application of Sprint Spectrum LLP, d/b/a Sprint PCS, in accordance with Sudbury Zoning Bylaw Section 6300, Site Plan Review, to install in collocation with T-Mobile/Omnipoint three internal-mounted antennas to existing light stanchion/monopole and a 10' x 18' equipment pad to hold four radio cabinets (2 proposed, 2 future) at Feeley Field, 180 Raymond Road, owned by the town of Sudbury, zoned Single Residence – Wireless Services Overlay District.

Notice of the Public Hearing was duly posted and advertised in the *Sudbury Town Crier* on June 2 and 9, 2005. Abutters according to the Assessors were provided written notice by first class mail. The Sudbury Planning Board and other boards and officials were notified and requested to report to the Selectmen.

The Board is in receipt of the following:

1. Site Plan application dated April 18, 2005, received May 5, 2005, enclosing site plan entitled "Sprint FEELEY FIELD Proposed Unnamed Wireless Telecommunication Site, Site Number: BS23XC432A Raymond Road, Sudbury, MA", dated March 7, 2005, comprised of twelve sheets plus Sheet Z2-A (an enlarged version of sheet Z2) drawn by Infinigy Engineering of Roswell, GA with the exception of sheet EX1 Survey, dated February 25, 2005, drawn by BL Companies of Meriden, CT.
2. Report from the Town Planner to the Planning Board dated June 7, 2005, describing the application, and making the following comments and recommendations:
 - (1) The need for a post-construction structural analysis was discussed at the pre-application meeting, due to the recent loosening of panels at the tower at the Cummings Building. The Selectmen should be urged to require both a pre-and post-construction analysis to make sure the existing tower can handle an additional carrier, and that it is built to design specifications. A bond should also be required to ensure completion of the analysis.
 - 2) Park & Recreation Commission has recommended the planting of additional screening in the outfield with approximately 60 trees along the fence line. Baseball players get distracted by the wireless equipment, and the vegetation will improve the overall field. Sprint has agreed to discuss mitigation.
 - 3) Park & Recreation Commission has also recommended utilizing black vinyl chain link fencing to secure the equipment in lieu of a traditional silver fence. The Plan indicates galvanized wire fencing.
 - 4) It is questioned whether barbed wire fencing is necessary at this site.
 - 5) I have spoken with Mr. Warren Kelleher, representing Sprint, who stated that all utilities will be installed underground. No ice bridge will be constructed. All references to ice bridges should be removed from the Plan notations unless they are necessary for the underground utility installation as well.
 - 6) The scale of the Landscape Plan (Sheet Z12) appears to be wrong, and should be verified by Sprint. The notation states it is 1"=20', but the typical detail shows it at 1"=10'. This impacts the number and spacing of vegetation proposed, and should be clarified.
 - 7) A Water Resource Special Permit will no longer be necessary (if the bylaw is approved by the Attorney General's Office) due to the bylaw changes at the 2005 Annual Town Meeting. The proposal does not increase impervious surface above 15%, which would be the threshold triggering a special permit. An opinion from the Building Inspector should be solicited to determine if a building permit will be issued without a Water Resource Special Permit.
 - 8) A special permit from the ZBA is also not required for the expansion of the wireless facility (see June 1, 2005 memo from the ZBA). Also, no work is being done in the flood plain, therefore a special permit is not necessary. Erosion control measures will be installed to keep construction out of the flood plain.
 - 9) An Order of Conditions from Conservation will be needed. Work is contemplated within the 100 foot wetland buffer and the 200' riverfront.
 - 10) Recommendations from Police and Fire as to their present needs to locate equipment on this tower have been solicited.
 - 11) No photo simulations were submitted, but Mr. Warren Kelleher has stated that all installation of the antenna will be internal, with no external components.
 - 12) Mr. Kelleher has also stated that Omnipoint will be able to access their equipment area through Sprint's lease area. As planned, Omnipoint will not have direct access from Raymond Road to their site. A notation must be added to the Plan indicating that Omnipoint will have access across Sprint's lease area.
 - 13) The signature block for the Zoning Board of Appeals should be removed from all Plan sheets. The Selectmen's signature block should be separate from the town officials, and should indicate it is a vote of the board.

3. Report from the Planning Board dated June 9, 2005, recommended approval of the subject Site Plan application with the following recommendations and comments:

1) Comments drafted by the Town Planner in her memo of June 7 should be included as conditions of Site Plan approval as follows:

- a) Pre and Post construction structural analysis required.
- b) Additional screening in outfield as recommended by Park and Recreation Commission.
- c) Black vinyl fencing instead of galvanized metal.
- d) All utilities to be installed underground.
- e) Revision to scale of the Landscape Plan.
- f) Order of Conditions from Conservation Commission.
- g) Solicit comments from Police and Fire Departments on communication needs
- h) All antennas shall be internal, not exterior components.
- i) Notation on the Plan indicating right to access Omnipoint area through Sprint site.
- j) Signature block revisions.

2) The Planning Board opines the proposed barbed-wire fence around concrete pad is not appropriate given the public nature of the recreation field. If this facility imposes additional security risks, the Planning Board recommends the applicant contribute \$5,000 to the Sudbury Police Department for increased security patrol of the area.

3) Some screening vegetation should be installed between Sprint equipment cabinets and the outfield fence to shield the visibility of the equipment from the field, players and spectators.

4. Report dated June 15, 2005, from the Police Chief stating he has no equipment needs at this particular site.

5. Report dated May 25, 2005, from the Building Inspector with the following comments:

- 1) Applicant must receive approval from the Zoning Board of Appeals. (See Board of Appeals letter below.)
- 2) Applicant must submit an analysis of the tower structure to ensure that the tower can support an additional carrier.
- 3) Applicant must provide written report by a Mass. Structural Engineer upon completion of the work to ensure tower and components are installed per specifications.
- 4) Per Bylaw section 4362, all equipment must be completely screened from view from the public way.
- 5) Site address (180 Raymond Road) should be added to site plans.
- 6) All utilities should be underground; use of an ice bridge is not permitted.
- 7) No exterior mounting of antennas and all cables must be inside the pole.
- 8) Chain link fencing should be black in color to be less conspicuous to the public view.

6. Report dated June 15, 2005, from the Town Engineer/DPW Director stating that:

- 1) Drainage calculations were not submitted for review. It is recommended that 2 feet of 2½" stone be placed around the perimeter of the concrete slab.
- 2) The landscaping proposed appears to be designed around an existing utility pole (which is currently lying on the ground). This pole was removed when the cell tower was installed and will be physically removed from the premises at some future time.
- 3) Post and rail fence is being proposed. The posts are pressure treated and should not contain arsenic.

4) Access can still be gained between the gate and the batting cages. It is recommended the post and rail fence be placed in this location also.

7. Letter dated June 1, 2005, from the Board of Appeals to Atlantic Western Consulting, stating that:
 - 1) A Special Permit from the ZBA is not required since Sprint is the second carrier and as long as installation is in accordance with Conditions 1 (previous monopole plan) and 3 (no lighting) of the ZBA's Decision on Case No. 00-12 for Omnipoint.
 - 2) Regarding Condition 2, it is the Board's position that approval would be required only for add-on antennas which are to be used specifically for fire/safety purposes.

8. Report dated June 14, 2005, from Park & Recreation Director, recommending screening in front of the new equipment box with shrubs and approximately 60 trees or shrubs along the center field fence line. Further, he suggests black vinyl chain link fencing to secure the equipment box area, instead of silver. He stated that Sprint has also agreed to discuss mitigation or provide capital contribution under the lease agreement.

9. Memo from the Conservation Coordinator stating an Order of Conditions was issued by the Commission noting that the Order requires:
 - 1) A permanent, physical barrier (fence) be erected between the existing gravel access road and the field.
 - 2) Landscaping with native plants around the equipment area and the disturbed area along the access road.

10. Report dated February 3, 2005, from the Fire Chief stating that the Fire Department wishes to reserve no-cost space on the poles and in the cabinets for future electronic communication equipment needs.

Town Planner Jody Kablack briefly reviewed all correspondence received thus far.

Mr. Timothy W. Greene, Managing Director, TerraSearch, introduced himself as the representative for Sprint PCS. He stated the project engineer will now be Dewberry-Goodkind, Inc., the same as the North Road project. He briefly reviewed the plans, page by page.

Responding to the DPW Director's comment about pressure-treated fence posts, Mr. Greene stated fence materials will not contain arsenic. In addition, he stated black vinyl chain link fence will be used where suggested, and no barbed wire would be used.

With regard to the Town Planner's report noting an incorrect scale on the landscaping plan, he stated that an internal notation within the plan drawing indicated one inch equals ten feet, but said he would obtain verification and supply a corrected Sheet Z12.

Chairman O'Brien asked about alternate power supply. Mr. Greene stated Sheet Z3 features both proposed and future battery cabinets and that no propane gas would be used.

Dennis Mannone, Director, Park and Recreation, asked if some screening could be added to the field side of the equipment box, plantings in front of the box. He asked further if the field lights could be upgraded (redirected and bulbs replaced) and the field rehabbed. Mr. Greene said these things could be done. Chairman O'Brien suggested that the Permanent Landscape Committee and Conservation Commission could advise the applicant as to appropriate plant varieties.

Chairman O'Brien asked if light bulbs could be replaced or repairs made when the crane is there to install the antennas. Mr. Mannone responded the timing on that could be difficult to coordinate. Mr. Greene opined construction could start as early as September.

Selectman Drobinski suggested and it was agreed that the applicant consult with Mr. Mannone on the mitigation items, with Mr. Mannone to supply the cost of same.

Chairman O'Brien stressed there be a post construction structural analysis to assure the integrity of the construction.

After discussion, it was on motion unanimously

VOTED: To continue this matter until July 12, 2005, at 8 p.m.

Sudbury Meadows – Board of Appeals Case #05-19

The Board reviewed the minutes from the Board of Appeals hearing on June 2, 2005 regarding this matter in order to provide further input to the Board of Appeals.

Town Planner Jody Kablack stated that, in response to neighborhood concerns, the applicant was asked to reduce the density from 11 units to 8 units. The applicant declined, stating construction costs were fixed, and profit would be reduced. There will be three affordable units, and discussion on buy-down of an additional unit continues, she added.

The Board would like to see more definitive plans on the proposed walkway, streetscape and architecture (exterior appearance of buildings). It further expressed desire for at least one buy-down unit, and a local preference (Sudbury residents and employees) for prospective buyers.

Following discussion, the Board requested that a letter be sent to the Board of Appeals, supplying the following comments:

- 1) The Selectmen concur with the Planning Board that a walkway be required along the south side of Route 117, from Mossman Road to Longfellow Road.
- 2) They urge that attention be paid to the streetscape; i.e., landscaping, fencing, signage, requirement of maximum setbacks, etc., in anticipation of lessening the impacts on the abutting properties and the community.
- 3) Likewise, for review of the architecture. When plans are in a more finalized form, the Board would appreciate the opportunity for further review.
- 4) The Selectmen are in favor of seeking the buydown of an additional unit for either low/moderate households or a middle income household.
- 5) Relative to the lottery process for affordable units, the Selectmen request that preference be given to local residents, similar to the Carriage Lane lottery.

Ponds and Waterways Committee – Appointments

The Board reviewed reports from Michael Fee, Mark Ensign, Dennis Mannone and Paul Griffin regarding increasing the number of at-large positions on this committee. All were in favor of doing so, citing increased perspectives, availability to attend meetings, and getting more people involved in town government. The Board also discussed various skills and styles it would like to see among the membership.

It was on motion unanimously

VOTED: To amend the Mission Statement to increase the number of at-large positions on the Ponds and Waterways Committee to five.

Town Manager Valente reminded the Board of the potential to create subcommittee or Associate members at a later date.

It was further on motion unanimously

VOTED: To appoint the following individuals to the Ponds and Waterways Committee with respective terms as noted:

Paul Griffin (Park and Recreation Commission), one year ending on April 30, 2006
Theodore Klein (At-Large), one year ending on April 30, 2006
William S. Leslie (At-Large), one year ending on April 30, 2006
Joel Singer (At-Large), two years ending on April 30, 2007
Mark Ensign (Conservation Commission), two years ending on April 30, 2007
Susan Crane (At-Large), three years ending on April 30, 2008
Richard Davison (At-Large), three years ending on April 30, 2008
Michael Fee (Planning Board), three years ending on April 30, 2008

Executive Session

At 11:32 p.m. it was on roll call

VOTED: To go into Executive Session to discuss land acquisition and collective bargaining matters.

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

There being no further business, the meeting adjourned at 12:02 a.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk