

IN BOARD OF SELECTMEN  
TUESDAY, MARCH 27, 2007

Present: Chairman William J. Keller, Jr., Vice-Chairman John C. Drobinski, Selectman Lawrence O'Brien, and Maureen Valente, Town Manager

The statutory requirements as to notice having been complied with, the meeting was convened at 7:40 p.m. in the Lower Town Hall, 322 Concord Road.

**Opening Remarks**

Chairman Keller thanked the community for returning him to office for another three-year term as a Selectman in yesterday's Town Election. He thanked the many Town office and department personnel, especially the Town Clerk's Office, and the over 50 volunteers who work diligently to make the event a smooth-running success. Vice-Chairman John C. Drobinski commended those who were elected, and those who ran for office, all of whom contributed to a lively democratic debate and process. Selectman O'Brien added his thanks to the 3600 residents who voted their preferences in the best interests of the Town. Chairman Keller also reported that a new, multi-impairment voting machine was used successfully for this election, and he hopes this will allow more voters to participate. Election Day results are available on the Town's website.

Chairman Keller reported that the override budget and fire truck ballot questions passed. However, the ballot question for the construction of a new police station lost by 56 votes. The police station article will go before the voters again at the Annual Town Meeting on April 4, 2007.

Chairman Keller congratulated all of the Lincoln-Sudbury Regional High School winter teams for a successful season. In particular, he noted the achievement of the Girl's Basketball Team, and named each team member. The team captured the Eastern Massachusetts Division 2 Championship on March 17, 2007. Vice-Chairman Drobinski added congratulations to Coach Feldman for this accomplishment, which could lead to a future honor as Coach of the Year.

**Overhead Waiver Petition**

Chairman Keller announced that the applicant has requested that this agenda item be rescheduled to April 24, 2007 at 9:30 p.m.

**Public Hearing: Frugal Flower - Site Plan Hearing**

Present: Jody Kablack, Director of Planning and Development, Craig Wambolt, Owner, Joseph D. Peznola, PE, Hancock Associates Principal and Manager, Harold Jacoby, Attorney for Frugal Flower

At 7:55 p.m., Chairman Keller opened a public hearing for the Site Plan Application SP#07-001 of Frugal Flower, 736 Boston Post Road, Craig Wambolt, owner, in accordance with Town of Sudbury Zoning Bylaw Art.IX, Section 6300, Site Plan Review, for a change of the property from retail/office/warehouse to multiple business, including retail, restaurant and office space, which had been continued from March 13, 2007.

Director of Planning and Development Jody Kablack read the public notice for the record, noting that abutters were duly notified. The Board was in receipt of several site plan documents, which were briefly reviewed by Ms. Kablack including: copies of DPW Director/Town Engineer William Place's comments regarding the site plan application for proposed parking lot expansion, dated February 6, 2007; the Statement Attachments for the Application for Site Plan Approval, and a response letter to Ms. Kablack and the Planning Board dated March 22, 2007, both prepared by Hancock Associates; the Board of Selectmen's

Site Plan Decision, dated November 22, 2005; the Zoning Board of Appeals Notice of Decision, dated November 1, 2005; a memorandum from the Board of Health regarding a new septic system, dated February 22, 2007; a letter from the Design Review Board, dated February 15, 2007; comments from the Conservation Commission in a memorandum dated March 19, 2007; and comments from the Building Inspector and Fire Chief, dated February 15, 2007 and March 19, 2007 respectively. Materials also included a letter from the Planning Board dated February 21, 2007, which recommended denial of the request for a change in use of the site based upon several significant concerns. The Board has also received numerous letters from abutters, Edward and Vaune Lewis, 28 Revolutionary Road, James and Mary Krumsiek, 20 Revere Street, William Rynne, 25 Washington Drive, two letters from Mike and Siobhan Hullinger, 55 Washington Drive, and Esther and John Brockman, 12 Revolutionary Road, objecting to the proposal. All file documents are available for review in the Board of Selectmen's Office and the Office of Planning and Development.

In response to a question from Chairman Keller, Ms. Kablack explained the timeframe for approval as 120 days from the filing date. Thereby, the deadline for this approval would be May 9, 2007. Ms. Kablack stated the deadline is tight, but possible with diligent efforts in the next few weeks. If necessary, the Board can ask the applicant for an approval extension.

Chairman Keller requested that Ms. Kablack present a brief summary of the permitting of this site from its original construction. Ms. Kablack reported that the present site was developed in 1997-1998, for a 6700 square-foot garden center, with 2200 square feet of retail space, 1500 square feet of office space and 3000 square feet of greenhouse/warehouse space. The original building configuration required 26 parking spaces. The applicant complied with the Water Resource Protection District Special Permit required by the Planning Board in 1997. The Conservation Commission issued an Order of Conditions in 1997; some of these conditions were not met, and were incorporated into a subsequent filing for the expanded parking lot. A building permit was issued in 1998. In July 2000, the Town Engineer/DPW Director noted that certain conditions of approval had not been completed including: final paving, parking not constructed according to plan, dumpster not in the correct location, drainage system not working properly, and incomplete fencing and landscaping.

Ms. Kablack continued to explain that the lot was originally bisected into two zoning types: the front of the site was zoned for business, and the rear of the site was zoned as residential. A variance application was submitted in 2003 to construct a small parking lot in the front of the site. The purpose was to reconfigure the space to increase the retail and office space by 4000 square feet by decreasing the storage/warehouse space. A variance was granted for additional parking spaces to 36 for the site, subject to conditions secured by a bond by this Board. Conditions of the November 2005 approval have not been fully complied with, including installation of landscaping along Route 20, installation of a compliant sign and submittal of an as-built plan. These conditions are covered by a remaining \$15,000 bond.

A Notice of Violation was issued by the Conservation Commission in 2004 for not removing a temporary greenhouse within the approved timeframe.

Ms. Kablack visited the site today, and presented photographs to the Board depicting many conditions having been fulfilled such as, installation of the first coat of pavement, berm appropriately on site, dumpster in the correct location and an upgraded drainage system has been installed. She noted that the site is still under construction for missing landscaping and the final coat of pavement. However, completion of this work is bonded. The Conservation Commission also holds a bond for drainage work. As of this date, Ms. Kablack concluded that the site is fairly well in compliance.

Joseph D. Peznola, PE, Hancock Associates Principal and Manager, addressed the Board to clarify that the intent of the application is to expand the applicant's right for mixed-use, with no changes to the original

approval. He described the proposed changes will effect mostly the interior and the western greenhouse section of the site.

Mr. Peznola addressed many of the concerns previously noted by the Planning Board, which included: the problematic size of the site, parking limitations, and the inconsistency of the Board of Health approval for a septic system with the intent of the zoning for the area. He stated that the septic system and parking constraints are issues they have tried to address. Soil testing was completed, and in coordination with the Board of Health's recommendations, a septic system upgrade was installed. Board of Health Director Bob Leupold advised that Title V requirements and local bylaws define and describe restaurants, fast-food restaurants and full-service restaurants differently. Mr. Leupold interpreted local bylaw to only address requirements for full-service restaurants. Thus, Mr. Leupold suggested that the applicant comply with State Title V requirements for fast-food restaurants, which include parameters of no full-time waitstaff and disposable plates and utensils. Following the septic system upgrade, Mr. Peznola explained that the applicant pursued the change of use proposal with Ms. Kablack and the Building Inspector.

Mr. Peznola displayed site plan exhibits, and explained that a proposed restaurant which could occupy approximately 3000 square feet on the westerly side of the site. Traffic is planned with a one-way ingress, circulating around the back, to egress on the opposite side. Parking is approved for 36 spaces, with a six-space variance.

Mr. Wambolt explained that his intentions are to maintain a standard flower shop, with limited personnel, on the first floor since flower deliveries and production have been relocated to his Hudson facility. The proposal includes four offices, with an additional large front office space on the second floors totaling approximately 2500 square feet. Mr. Wambolt reiterated that the proposed changes are concentrated only around the warehouse structure.

In response to questions from Selectman O'Brien, Mr. Wambolt confirmed that there is no restaurant tenant presently under contract. However, he said the types of restaurants who have shown an interest in the site would serve both lunch and dinner. No prospects have yet to express an interest in a liquor license. However, it was noted that a future prospect could pursue a liquor license.

Mr. Peznola acknowledged that he found inconsistent definitions when reading the zoning bylaw regarding uses and parking. The ambiguity of the language has made the process more complicated.

Selectman O'Brien asked the Town Manager to request a written report from Board of Health Director Bob Leupold to clarify his position, and to respond to expressed concerns, since he will be the enforcement officer. Selectman O'Brien foresees potential traffic and parking problems during peak eating and commuting times. Mr. Peznola responded that he foresees the parking to be fine, and that the three mixed-uses will have offsetting peak times.

Mike Hullinger, 55 Washington Drive, addressed the Board to note his concern that the zoning language does not allow for approval of a fast-food restaurant. He also is concerned that a fast-food restaurant will bring litter and noise to the neighborhood, which will be difficult to mitigate. He also noted that abutters will be disturbed by lights from cars entering and exiting the neighborhood at night, and that proper rear barriers will be needed. Ms. Kablack responded that additional opportunities for rear screening could be easily accommodated. Mr. Hullinger also broached safety concerns, since the site is located on a bend in the road, with difficult site distances.

Mr. Wambolt reported he has had discussions with Ms. Kablack regarding dumpster requirements, knowing that a dumpster for a restaurant will require a cover and an enclosure with doors.

Chairman Keller alerted the applicant that he will be reluctant to support approval of a new plan without evidence of full compliance with previous conditions. He encouraged Mr. Wambolt to rigorously work on outstanding matters, and to continue to adhere to the application process.

Mr. Peznola reiterated that the applicant believes they are in compliance, and proposing only minor changes that are within the character of what presently exists. He again stated, for the record, that the applicant does not believe he is proposing any changes to the site, that he already has the right to the uses requested, and that he is willing to work with the neighborhood on ways to mitigate any concerns.

Vice-Chairman Drobinski strongly stated that the Board has been very cooperative through the years in the ongoing efforts of fostering the applicant's business. However, he believes the applicant will have to exhibit a willingness to work with the Town to establish the best plan for the community, and not just the property owner. Vice-Chairman Drobinski said that if this had been the original plan for the site, it would never have been approved. He emphasized that Mr. Wambolt should be prepared to not be granted everything he has requested, and that the Board may deem it necessary, for the good of the larger community, to limit and/or amend the proposal. He encouraged everyone to work cooperatively towards the best plan for the site for all parties involved.

In response to a question from Selectman O'Brien, Mr. Wambolt said he would consider adjusting seating to accommodate parking for staff and/or contract with an abutter for additional parking.

Selectman O'Brien cautioned that deliberation of this matter should assume a worst-case scenario of approval for an initial restaurant tenant, which could lead to a future fast-food, high-intensity use tenant being allowed by the Building Inspector, since that future tenant would not have to come before this Board for approval.

Attorney for Frugal Flower, Harold Jacoby, asked the Board to view the applicant as a hometown resident, who has lived and raised his family in Sudbury, and is looking for assistance in order to maintain his business here as well. He reinforced that Mr. Wambolt wants to provide a positive contribution to the Town and will continue to work with his neighbors on all matters.

Chairman Keller added that it is the intent of the Board to work with businesses to be successful.

Ms. Kablack recommended that she coordinate a site visit for the Board prior to its next meeting. She also will collect sample information of 50-seat restaurants in Town for comparison purposes. Further, Ms. Kablack will obtain a response from the Board of Health regarding its interpretation of parameters to be set for a fast-food restaurant.

Ms. Kablack emphasized there are two key issues for this Board to be comfortable with: size of the restaurant and parking as it relates to bylaw compliance.

Mr. Wambolt stated that he has actively sought a retail tenant for the past seven or eight months, but to no avail. He commented on the number of commercial real estate signs presently on Route 20, emphasizing that these signs do not bode well for the commercial market.

Karen Jacob, 19 Washington Drive, expressed her strong opposition to the proposal, and frustration with the applicant's prior commitments to the abutters that have not been fulfilled. She described a gridlocked-traffic situation currently during rush hours, and fears this proposal will increase safety risks. She also voiced concerns for the noise another restaurant would bring to the neighborhood.

Mr. Wambolt responded to the Board he is surprised by some of the abutters' perceptions of him as a neighbor. For the record, he stated he has always had the best interest of the area in mind. Mr. Wambolt hopes neighbors will acknowledge that he put a conservation restriction on a large portion of the pond, which he owns and pays taxes on, for the enjoyment of the neighborhood.

Chairman Keller thanked the citizens for their feedback and encouraged them to attend the continuation of this hearing on April 24, 2007. He then closed the public discussion on this matter.

It was on motion unanimously

VOTED: To continue the public hearing for the Site Plan Application SP#07-001 of Frugal Flower, 736 Boston Post Road, Craig Wambolt, owner, in accordance with Town of Sudbury Zoning Bylaw Art.IX, Section 6300, Site Plan Review, for a change of the property from retail/office/warehouse to multiple business, including retail, restaurant and office space, to April 24, 2007 at 8:00 p.m.

**2007 Annual Town Meeting Petition Article #31 - Outdoor Wood-fired Boilers**

Present: Petitioners Peter Glass and Robert McDonald, Walter Bent

Robert McDonald, 23 Aaron Road, reported to the Board that he and other concerned citizens have drafted an article petition, "Use of Outdoor Wood-fired Boilers," (OWB) for presentation at the Annual Town meeting. The Board was in receipt of previous information, including an article "Wood Boilers Cut Heating Bills. The Rub? Secondhand Smoke," by Anahad O'Connor, which was published in the New York Times on December 18, 2006. Mr. McDonald described the public safety dangers from odors and thick smoke created by OWBs via photographs and a brief PowerPoint demonstration. He noted that there are three units in Town already, and he hopes the passing of the proposed bylaw would force these to cease to operate as well as prohibit others from being installed. Mr. McDonald and fellow petitioner, Peter Glass, hope that the Board will support the petition article at Town Meeting.

Mr. McDonald reported that if the petition passes at Town Meeting, Town Counsel has advised him that existing units would not be "grandfathered," and would have to comply with the bylaw.

In response to a question from Vice-Chairman Drobinski, Mr. Glass stated that the Department of Environmental Protection (DEP) will take some time before issuing regulations for these devices. It appears the DEP will act on some form of regulation no earlier than September 2007. Mr. McDonald strongly rejects the suggestion that Sudbury wait for DEP to set limitations. He believes it is the responsibility of the cities and towns to act quickly to ban these boilers in the interest of public safety. Responding to another question from Vice-Chairman Drobinski, Mr. McDonald added that if a Town establishes guidelines which are more stringent than those eventually instituted by the State, then the local guidelines will prevail and not be usurped by State regulations.

Town Manager Valente requested a copy of tonight's PowerPoint presentation for the record, which the petitioners agreed to provide. Selectman O'Brien asked that Ms. Valente obtain and distribute to the Board, prior to the Town Meeting, the minutes from the Planning Board, Board of Health and Conservation Commission pertaining to deliberations of this article.

When asked what the Board of Health's position is on whether these devices are health hazards, Mr. McDonald said that the Board of Health is not prepared at this time to take a position based upon its belief that there have not been enough studies and research performed to provide conclusive evidence of the severity of health hazards.

In response to a question from Chairman Keller, Mr. McDonald said that OWBs produce 12 times as much pollution as a wood-burning stove. He noted that there are potential harmful effects from many things, and that OWBs, wood-burning stoves, and fireplaces, all vary as to the degree of danger posed.

Walter Bent, 539 Hudson Road, owns one of these boilers, and stated that he plans to only use it during the winter months, and not for the entire year. He said he invested in the device as a safety precaution for his own family, and certainly not to cause harm or to annoy neighbors. Mr. Bent said the significant smoke is emitted intermittently for only five to ten minutes at a time as the device builds up to temperature. When Mr. Bent purchased the OWB, he contacted the Fire Department to ensure he was in compliance, and was told there were no restrictions for use or permits required. Mr. Bent sells wood for a living and is leery of where the banning of OWBs will lead. He asked would this same group next suggest that wood-burning stoves and fireplaces also be banned. The Town allows outside burning permits to be issued from January to May each year. Mr. Bent wondered if that too would be banned in the future. He concluded that Sudbury residents have been burning wood for centuries, and they should be allowed to continue to do so. He suspects that a petitioner or two are personally and greedily motivated by their desires to sell their own properties and fear the devices will affect their selling price.

Selectman O'Brien would like to research further these devices prior to formulating an opinion. He asked Mr. Bent to provide the Board of Selectman's Office with the make, model and manufacturer of his boiler. Mr. Bent said it is from Central Boiler, and he will provide more details as requested. Selectman O'Brien stated he is inclined to not penalize someone who installed a device in full compliance with Town laws at the time.

Vice-Chairman Drobinski asked Mr. McDonald, and he agreed, to provide further particulate chemistry data to the Board for review.

At 9:46 p.m., Chairman Keller thanked the petitioners for their presentation, and closed the discussion.

**Public Hearing: Sudbury Wines LLC**

Present: Robert Shire, Manager, Martin Bloom, President

Town Manager Valente read into the record the public hearing notice. She noted that the notice was published in the *Metrowest Daily News* on March 16, 2007, and abutters were duly notified. Ms. Valente reported that the Police Chief, Building Inspector and department heads have no objections to this request.

Mr. Bloom briefly described to the Board the genesis for the need to relocate the store. He announced that Citibank will be occupying the old MacKinnon's space. The new location will provide slightly less square footage, but the layout will satisfy the needs of the company.

The Board commended Mr. Bloom and Mr. Shire for the outstanding contributions they make to the community with their volunteer efforts. Both gentlemen assured the Board their community involvement and support will continue in the new location.

It was on motion unanimously

VOTED: To approve, as the Licensing Authority for the Town of Sudbury, in accordance with MGL c138, 2.12, a change of location of a Package Store License for the Sales of All Alcoholic Beverages, under G.L. Ch. 138, s.12, issued to Sudbury Wines LLC, d/b/a Sudbury Wine Warehouse at MacKinnon's from

5 Concord Road to 15 Concord Road, Robert Shire, Manager, said license to expire on December 31, 2007, subject to compliance with conditions required by the Fire Department.

**Sudbury Ponds and Waterways Committee - Interview**

Present: Robert S. Hershfield

At 9:56 p.m., Chairman Keller welcomed Robert S. Hershfield, 88 Butler Road, to tell the Board why he is interested in serving as a member of the Ponds and Waterways Committee.

Mr. Hershfield has lived in Sudbury for 15 years. He said he has a passion for the outdoors, lakes and waterways. He has already attended three meetings of the Committee. He believes his marketing and software background can help the Committee fulfill its goals and mission. He looks forward to contributing to the planning process and assisting with data collection and mapping the watersheds.

Vice-Chairman Drobinski noted that Mr. Hershfield's interests reach beyond the Sudbury boundary, and that he had the pleasure of meeting him at an event to benefit the Assabet River. He thanked Mr. Hershfield for his interest, and believes the Committee will benefit greatly from his membership.

It was on motion unanimously

VOTED: To approve the appointment of Robert S. Hershfield, 88 Butler Road, as a member of the Ponds and Waterways Committee to fill an at-large vacancy, for a term to expire April 30, 2009, as requested by Susan J. Crane, Committee Chair.

Town Manager Valente informed Mr. Hershfield he should report to the Town Clerk's Office to be sworn in, upon receipt of his confirmation letter.

**Minutes**

Vice-Chairman Drobinski recused himself from this vote, since he was unable to attend the March 13, 2007 meeting.

It was on motion

VOTED: To approve the regular minutes of March 13, 2007.

**Rail Trail Conversion Advisory Committee - Resignation**

It was on motion unanimously

VOTED: To accept the resignation of Sigrid L. Pickering, 623-A Peakham Road, as a member of the Rail Trail Conversion Advisory Committee, as requested in her letter dated March 11, 2007, and to send a letter of appreciation for her service to the community.

**Eagle Scouts - Troop 60**

The Board was in receipt of a letter from Catherine Strahan, dated March 10, 2007, announcing the achievement of the rank of Eagle Scout by Jason Matthew Mariasis and asking for a letter of commendation, which will be presented at the Eagle Court of Honor to be held on April 29, 2007.

It was on motion unanimously

VOTED: To sign and send a letter of congratulations to Jason Matthew Mariasis, c/o Catherine Strahan, 26 Suffolk Road, Sudbury, on attaining the rank of Eagle Scout.

**Rotary Club of Sudbury - 40th Anniversary Proclamation**

It was on motion unanimously

VOTED: To sign a proclamation designating April 26, 2007 as Sudbury Rotary Club Day to commemorate the 40th Anniversary of the Rotary Club of Sudbury, and thanking the Club for its many contributions to Sudbury.

**Sudbury Municipal Housing Trust - Trustee Appointment**

Selectman O'Brien recused himself from this vote.

It was on motion

VOTED: To approve the appointment of Lawrence W. O'Brien, 687 Boston Post Road, as a member of the Sudbury Housing Trust, for a term to expire April 30, 2009, as requested by Community Housing Specialist Beth Rust.

**Annual Town Meeting Warrant Articles - Board Speaker Assignments**

Town Manager Valente distributed a revised listing dated March 23, 2007, of the 2007 Annual Town Meeting Warrant Articles. The Board reviewed speaker and presentation assignments.

Town Manager Valente asked the Board how it would like to proceed with discussion of Article 4 for the Construction of the Police Headquarters, given that the Ballot question lost by 56 votes and had 129 blank votes recorded. She reported meeting today with the Police Chief and the Permanent Building Committee to discuss the Ballot question outcome. She shared some feedback regarding the failure on Election Day which included, concerns for the size and cost of the facility, concerns about the site, and that too much financially was asked for from the residents at one time.

Selectman O'Brien stated that Town Meeting provides an excellent opportunity to address these concerns and others with additional information. He believes the community could benefit from more discussion to become better educated on the need for a new facility. The Board concurred that a motion should be made for the article, and be presented as planned. Chairman Keller added it is important to remember that 1700 residents voted in favor of the new facility.

Town Manager Valente announced that the Town will need two Special Elections later this year to address Congressman Marty Meehan's upcoming open seat. Thus, the Town may have an opportunity again to bring the question of the need for a new Police Station before the residents. Vice-Chairman Drobinski recommends informing the citizens at Town Meeting that this article may arise again at a future Special Election.

It was on motion unanimously



VOTED: To adopt amended speaker and presentation assignments for the 2007 Annual Town Meeting Warrant Articles, as reviewed this evening as follows: In Memoriam Resolution - Selectman Lawrence O'Brien.

Chairman Keller asked Town Manager Valente to request that Director of Development and Planning Jody Kablack prepare a report summarizing the process, procedures and regulations regarding the acceptance of street plans to assist him with his presentation of Petition Article #34 - Frost Farm Drive and Northwood Drive - Acceptance Plan and Intermediate Assistance.

The Board also will review additional material for Petition Article #31, "Use of Outdoor Wood-fired Boilers," prior to Town Meeting.

### **Reports From the Board of Selectmen**

Chairman Keller attended the first meeting of the Lincoln-Sudbury Regional School Committee Review Panel. He was impressed with the Panel membership and reported the meeting went well. The School District's attorney presented a primer on meeting law. The Panel will meet next on March 24, 2007 to develop an agenda and appoint its Chair. The Review Panel hopes to meet weekly and to be able to present a preliminary report by the end of the school year.

Chairman Keller thanked the community again for re-electing him to this Board, and he looks forward to his continued service on behalf of Sudbury and its residents.

Vice-Chairman Drobinski is glad to be back from his business trips, and apologized for any inconveniences caused by his absence at the last two meetings.

Selectman O'Brien attended the first meeting of the trustees of the Sudbury Housing Trust, which will meet again in late April.

### **Reports From the Town Manager**

#### **Rail Trail Conversion Advisory Committee (RTCAC) - Appointment**

Town Manager Valente reported to the Board that Conservation Commission has requested that Becky Corkin be its designee to the RTCAC, and that Commission Coordinator Debbie Dineen be reinstated as a voting member.

A brief discussion ensued regarding the Committee's membership. As stated in previous meetings, the Board stated its preference for the active involvement of the Park and Recreation Department and the Conservation Commission with the RTCAC.

Chairman Keller expressed reservations about Town staff members having voting positions on Town committees. The Board concurred and will further discuss this issue at a later date.

Vice-Chairman Drobinski recommended scheduling a joint meeting of the Board and the RTCAC to discuss membership issues.

It was also on motion unanimously

VOTED: To appoint Becky Corkin as designee of the Conservation Commission to the Rail Trail Conversion Advisory Committee.

Selectman O'Brien requested that Town Manager Valente obtain and distribute to the Board the Finance Committee's minutes from meetings pertaining to the Community Preservation Committee's Town Meeting Rail Trail-related Articles.

#### **Mahoney and Melone Properties Staff Group**

At Selectman O'Brien's request, Town Manager Valente reported that the UMass/Amherst students will meet on March 28, 2007 at 1:30 p.m. in the Flynn Building second floor conference room to discuss uses for the Melone property. She added that any ideas and/or comments can be shared with Director of Planning and Development Jody Kablack.

Vice-Chairman Drobinski cautioned that the Community Preservation Committee (CPC) had previously been presented with a statement from the Selectmen indicating use of the Melone property would be only for CPC purposes. Thus, he believes the Board should be careful to not endorse a different use without a thorough review.

The Board asked Town Manager Valente to obtain and distribute to the Board a copy of the letter stating the Community Preservation Committee's intent for the property for the Board's review.

#### **Community Preservation Committee - Resignation**

Town Manager Valente distributed a letter dated March 23, 2007, from Mark A. Kablack announcing his decision to withdraw his name from consideration for reappointment to the Community Preservation Committee.

Vice-Chairman Drobinski stated Mark's contributions to the Committee have been extremely valuable, and his presence will be sorely missed.

Town Manager Valente noted the Committee vacancy has been posted on the website.

It was also on motion unanimously

VOTED: To send a letter of gratitude, on behalf of Sudbury and its residents, to Mark A. Kablack for his years of service as a member of the Community Preservation Committee.

#### **Board of Appeals Application for Comprehensive Permit - TD Sudbury Village LLC**

Town Manager Valente distributed to the Board, for informational purposes, the updated project materials for the TD Sudbury Village LLC Comprehensive Permit.

Vice-Chairman Drobinski happily noted that Mass. Housing supported many of the Board's previous suggestions.

#### **Clause 41C 1/2 Property Tax Exemption for Seniors**

Town Manager Valente distributed to the Board, for informational purposes, the Massachusetts

Department of Revenue Informational Guideline Release for the Clause 41C 1/2 Property Tax Exemption for Seniors. She will collect more analysis for the Board to review and discuss at a future meeting. To be adopted, this would need to appear on a future regular election ballot.

**2007 Annual Town Meeting - Street Acceptance and Layout Approval Schedule**

Town Manager Valente announced she has received from DPW Director William Place the Street Acceptance and Layouts for the 2007 Annual Town Meeting approval.

**Executive Session**

At 11:00 p.m., Chairman Keller announced the close of the regular meeting and it was on roll call unanimously

VOTED: To go into Executive Session for the purpose of discussing land acquisitions and collective bargaining.

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

There being no further business, the meeting adjourned at 11:00 p.m.

Attest: \_\_\_\_\_  
Maureen G. Valente