

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, APRIL 29, 2008

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

The statutory requirements as to notice having been complied with, the meeting was convened at 7:37 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:37 p.m., Chairman O'Brien, in his new role as voted during the reorganization of the Board of Selectmen on April 8th, opened the meeting.

Chairman O'Brien thanked Selectman Drobinski for the strong leadership he provided for the Board and Town last year, during difficult economic times. He also congratulated Mr. Drobinski on successfully being re-elected as a Selectman.

Chairman O'Brien thanked the Town Clerk's Office for coordinating a successful Town election last month, where over 4000 citizens voted, and a successful Annual Town Meeting, which was well attended on all three evenings.

Chairman O'Brien also thanked everyone who participated in the Town's Spring Cleanup Day on April 26th. He highlighted the work done by Dev Glaser and the Staff of the Selectmen's Office, the local Boy Scout Troops and local companies such as Raytheon, William Raveis Real Estate, Shaw's and Sudbury Farms to help make the event a success.

Citizens' Petition

Chairman O'Brien noted that there were no citizens' petitions presented tonight. Vice-Chairman Keller asked for a brief explanation of the citizens' petition purpose. Selectman Drobinski noted that it has been a long-standing tradition to begin the Board's meetings with a five-minute opportunity for citizens to bring forth topics which they believe should be addressed or noted by the Board. Mr. Drobinski further stated that citizens have this open forum to enlighten the Board on an issue of concern or to acknowledge someone or something of benefit to the Town.

Town Manager Valente noted though that the forum is only to share initial information, and if action is required by the Board the issue should be added to a future agenda so others can be alerted the topic will be discussed. The Board emphasized that no decisions are made by the Board on any issues initially brought forth through this process. The Board also recommended that anyone interested in presenting a citizens' petition at a future Board meeting first contact the Town Manager's office prior to doing so.

Sudbury Housing Trust - Habitat for Humanity - Local Initiative Plan - Discussion

Present: Sudbury Housing Specialist Beth Rust

Sudbury Housing Specialist Beth Rust provided a brief update on the Sudbury Housing Trust - Habitat for Humanity project on Dutton Road. She explained that the Chapter 40B Comprehensive Permit process provides for a 30-day comment period by the Town once the 40B application for the Local Initiative Plan program has been received.

Ms. Rust noted that the Greater Worcester Habitat for Humanity continues to generate strong community support for the project. Two information meetings have already been well attended, and community outreach subcommittees have been formed. Anyone interested in becoming involved with the project can access more information on the Planning Office section of the Town website.

Ms. Rust stated that the overall project cost is estimated to be \$268,000, of which \$125,000 is expected to be raised through fundraising. To date, \$65,000 has been pledged. Ms. Rust reported that the project will be marketed via lottery to qualifying households. She noted that the income eligibility criterion will be only 50% of the area median income versus the standard 80%.

Ms. Rust reported that there have been no changes made to the preliminary site plan. The Department of Housing & Community Development (DHCD) conducted a site visit today, which went well. She noted that contact has been made with abutters, and that efforts are ongoing to address concerns of neighbors related to screening and construction details. A survey has been completed, and proposed elevations will be reviewed with the Design Review Board in May. Habitat for Humanity has begun to incorporate into the plans some of the Design Review Board's architectural recommendations.

Ms. Rust stated that application information has been shared with appropriate Town Department Heads, and to date, no concerns have been identified. Thus, she wanted the Board to also have the opportunity tonight to provide comments on the project.

Vice-Chairman Keller stated that he is excited that the project is progressing well. He suggested that it might be helpful in the future if a definitive border is provided. Mr. Keller asked if the existing stone wall will be moved to function as a boundary. Ms. Rust responded that boundaries will be discussed and provided, possibly with vegetative screening.

The Board expressed no other concerns. Ms. Rust concluded that no formal comment letter is required at this time, since the Board recently submitted a letter of support.

In response to a question from Chairman O'Brien, Ms. Rust reiterated that anyone interested in participating with the project can contact the Greater Worcester Habitat for Humanity Office or the Sudbury Planning Office. She also stated that project meetings are open to the public and well advertised in the *Sudbury Town Crier*. The Board also suggested that Ms. Rust contact local schools to invite and encourage student participation.

Public Hearing: Ti-Sales - Site Plan Application

Present: L.W. Bert Tighe, Ti-Sales Owner and Director of Planning and Community Development Jody Kablack

At 8:02 p.m., Chairman O'Brien opened the public hearing regarding the Site Plan application for Ti-Sales, SP#08-006, in accordance with Town of Sudbury Zoning Bylaw Art. IX. Section 6300, for property located at 36 Hudson Road, Parcel G09-0002, owned by L.W. Bert Tighe; zoned Business District 7 and Residential A-1. The proposal is for construction of a 1,000 square-foot building in the rear of the property for storage of waterworks' supplies.

Director of Planning and Community Development Jody Kablack noted that the Public Hearing was duly publicized in the *Sudbury Town Crier* on April 10 and April 17, 2008, and abutters were duly notified. She stated that the Board was in receipt of the following materials: an application and accompanying drawings for Site Plan Approval from Ti-Sales dated March 31, 2008; a letter from Department of Public Works Director William Place, dated April 1, 2008, stating his recommendations based upon his review of the as-

built plan, proposed plot plan, floor and elevation plans, and foundation plans; a memo from Sudbury Building Inspector James Kelly dated April 16, 2008; a note from Conservation Coordinator Deborah Dineen indicating that the proposal presents no conservation issues; a letter from owner Bert Tighe dated April 17, 2008 responding to plan comments; and a memo to the Board from Director of Planning and Community Development Jody Kablack dated April 18, 2008, noting her comments and recommendations. Ms. Kablack further stated that Fire Chief MacLean has also provided the applicant with feedback regarding the proposal.

Ms. Kablack explained that the Minor Site Plan application is for construction of a 1,000 square-foot metal storage building on the 1.57-acre parcel located at 36 Hudson Road. The proposed building site is high and dry. Ms. Kablack stated that the construction will not necessitate additional parking, and there will be no new impervious area added to the site. Ms. Kablack noted that although a portion of the parcel is in close proximity to a Historic District, the new proposed building will not fall within the Historic District. Ms. Kablack explained that the applicant has responded to the recommendation of Department of Public Works Director Place. The applicant's engineer has suggested another catch basin be installed near the north boundary. Ms. Kablack noted that a cell tower is located on the site. Wetlands exist to the east of the property, however, no construction is proposed in that vicinity. Ms. Kablack stated that she and the Building Inspector have identified very few concerns, and thereby recommends approval.

Owner Bert Tighe, commended Ms. Kablack on her summary of the project. He stated that the proposed building is small, and that he hopes the Board will approve the proposal.

Selectman Drobinski stated that the proposal and plans seem compliant and straight forward.

Roanna London, 46 Hudson Road, is an abutter to the proposed site. She asked for clarification of the new building's location and height, and hoped that she will not see it from her property. Ms. Kablack identified the new building location, behind the present building, on an exhibit site plan, and the height was noted as 23 feet. Mr. Tighe said the new building will be shorter than some portions of the existing building.

Ms. London also asked for construction schedule details. Chairman O'Brien responded that Town bylaws allow construction to begin at 7:00 a.m. on weekdays and continue until 5:00 p.m. Mr. Tighe responded that he anticipates no construction work to be completed on weekends. Mr. Tighe also stated that he plans to begin construction within days of receiving a permit to do so, and that the project should be completed within two months.

Ms. London asked if some of the materials presently stored outside will be housed in the new building. Mr. Tighe responded probably not, and that the new building will store materials which are resold. Ms. Kablack acknowledged Ms. London's concern regarding materials stored on the surrounding grounds, and she offered to visit the site to further resolve this concern prior to a decision being approved. Ms. London also noted that the site is not completely fenced. On her site visit, Ms. Kablack stated she will identify any hazards which need to be mitigated. The Board supported this suggestion.

Selectman Drobinski suggested that an affirmative draft decision be prepared, subject to Ms. Kablack's site visit, and that the draft be distributed to all relevant parties prior to the next Board meeting.

It was on motion unanimously

VOTED: To instruct Town staff to draft an affirmative decision regarding the Site Plan application for Ti-Sales, SP#08-006, in accordance with Town of Sudbury Zoning Bylaw Art. IX, Section 6300, for property located at 36 Hudson Road, Parcel G09-0002, owned by L.W. Bert Tighe; zoned Business District 7 and

Residential A-1, subject to a site visit to be conducted by Sudbury's Director of Planning and Community Development.

It was also on motion unanimously

VOTED: To continue the Public Hearing for the Site Plan application for Ti-Sales, SP#08-006, in accordance with Town of Sudbury Zoning Bylaw Art. IX, Section 6300, for property located at 36 Hudson Road, Parcel G09-0002, owned by L.W. Bert Tighe; zoned Business District 7 and Residential A-1 to May 13, 2008 at 9:00 p.m.

Ms. Kablack will send an email message to the Selectmen in advance of the site visit, noting the date and time, in case Board members would also like to attend.

Middlesex Savings Bank - Revised Site Plan Endorsement

Present: Director of Planning and Community Development Jody Kablack, Alan Popkin, Maugal Architects, and Bruce Weisberg, Middlesex Savings Bank Senior Vice-President

At 8:25 p.m., Chairman O'Brien opened the discussion regarding endorsing the revised architectural and site plans for Middlesex Savings Bank's Site Plan Application #07-003.

Director of Planning and Community Development Jody Kablack reported that the Board was awaiting only a decision regarding an additional curb cut prior to endorsing the plans. She reported that the applicant has decided to abandon the additional curb cut on Route 20, thereby channeling all traffic to the signalized access point. She and Department of Public Works Director Bill Place support this plan modification. The revised plans dated February 7, 2008, represent a change to the interior layout of the Middlesex Bank floor plans, with the bank now occupying the west side of the building.

Architect Alan Popkin briefly reviewed the few revisions to the plans since his last meeting with the Board. He concurred that the most significant change has been the elimination of the additional curb cut. He exhibited revised plans which reflected removal of the covered entry that the Bank was to use, and revisions to the cupola and columns as requested by the Sudbury Design Review Board. He also briefly reviewed signage. Ms. Kablack confirmed that the sign plans have been approved by the Design Review Board, and they have been granted a Special Permit from the Zoning Board of Appeals for an oversized freestanding sign. Mr. Popkin also displayed the proposed lighting plan. He noted that the existing exterior fixtures will be used, but new lights will be installed within them.

Mr. Popkin reported that a site visit has been scheduled with Conservation Coordinator Debbie Dineen on May 12, 2008. Ms. Kablack stated that an initial reaction suggests that the Conservation Commission will support plans to build a bridge linking pedestrian walkways to the surrounding trails and properties.

In response to a question from Chairman O'Brien, Mr. Weisberg stated that the bank must follow specified lighting guidelines for security purposes, noting that customers will need to access drive-up ATM facilities 24 hours a day. Ms. Kablack noted that the approval will be written with the customary condition that the Board reserves the right to recommend lighting revisions based upon a final site visit scheduled at night. In summation, Ms. Kablack recommended endorsement of the plan.

In response to a question from Selectman Drobinski, Mr. Popkin and Mr. Weisberg confirmed that there was structural damage of the existing building, which required more demolition and expense than was previously anticipated.

In response to a question from Vice-Chairman Keller, Mr. Weisberg stated that the bank hopes to open at its new location by July 28, 2008.

It was on motion unanimously

VOTED: To endorse and sign Site Plan #07-003, Architectural Plans and Lighting Plan for Middlesex Savings Bank located at 454 Boston Post Road, zoned Business District 5, Town Assessor Map K8, Parcel 65, subject to completion of requirements outlined in the Board of Selectmen decision dated October 9, 2007 and summarized by the Planning and Community Development Director, Jody Kablack, in her memo to the Board dated April 18, 2008.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive session minutes of March 25, 2008 and the regular session minutes of April 8, 2008.

Underground Storage Tank License - Discontinuation

It was on motion unanimously

VOTED: In accordance with the provisions of Chapter 148, Sec. 13 of the M.G.L., to discontinue Underground Storage Tank License #86123, issued to Philip and Marjorie Newfell, 770 Concord Road, as the underground tank has been removed by Zecco, Inc. and properly transported to an approved tank yard under the supervision of the Sudbury Fire Department.

Eagle Scouts - Troops 61 and 63

It was on motion unanimously

VOTED: To enter into the Town record, and to sign a letter of congratulations for Ryan Cove from Boy Scout Troop #63, and for Patrick Shannon Ryan, Mathew R. Delaney, Stephen Maurice Weiss, Alexander Joseph Muri and Gregory Kilcoyne Voyta, from Boy Scouts from Troop #61, on achieving the high honor of Eagle Scout.

Chairman O'Brien attended the ceremony last night for Ryan Cove at the Goodnow Library, which he reported was well attended and well done. He noted that Ryan's final project was building four benches on Cape Cod.

Community Emergency Response Team - Donation

It was on motion unanimously

VOTED: On behalf of the Town of Sudbury, to accept a \$250 donation to the Community Emergency Response Team (CERT), for the purpose of purchasing sheltering supplies, received from Dan and Sally Sack, in memory of their recently deceased brother-in-law, Robert Jacob, said funds to be expended under the direction of the Fire Chief, as requested on April 24, 2008.

Board of Selectman 2008-2009 Liaison Assignments

Chairman O'Brien asked if Vice-Chairman Keller would prefer to represent the Board on the Parks and Recreation Commission instead of Selectman Drobinski. After a brief discussion, Vice-Chairman Keller agreed to be the liaison to the Commission.

In response to a question from Town Manager Valente regarding the Lincoln-Sudbury Safety Committee, Vice-Chairman Keller responded that the Committee is not active, and it could be deleted from the listing. He noted that if the Committee should reconvene, he is amenable to representing the Board at future meetings.

It was on motion unanimously

VOTED: To approve the draft version of the Board of Selectman 2008-2009 Liaison Assignments presented this evening, subject to the following amendments: Vice-Chairman Keller will be listed as liaison to the Parks & Recreation Commission instead of Selectman Drobinski, and the Lincoln-Sudbury Regional High School Safety Review Panel will be deleted entirely from the list.

Massachusetts State Lottery Commission - Keno To Go Program Proposal

Town Manager Valente provided a brief overview of the proposed Massachusetts State Lottery Commission "Keno To Go" Program. She noted that this is an additional attempt to add revenue for cities and towns. Staff have spoken with the Lottery Commission, and the Commission stated that the program is non-controversial and it has received no negative feedback to date. In response to a question from Chairman O'Brien, Ms. Valente estimated Sudbury's share of Lottery aid this year at \$1,000,000, although she noted it is subject to change. Ms. Valente explained that Sudbury has until May 1, 2008 to provide its official response regarding whether it chooses to opt-out of the program.

Ms. Valente distributed to the Board a listing of Sudbury locations which participate in the Lottery programs, noting which locales have already chosen to participate in the "Keno To Go" Program.

In response to a question from Vice-Chairman Keller, Ms. Valente responded that the lottery fund allocation for Sudbury is determined by a formula based upon values and income and other factors. She stated that Sudbury has fared financially better by the Lottery formula than by the one used to allocate Chapter 70 funds. Ms. Valente recommended that Sudbury not opt out of the program. Vice-Chairman Keller concurred, noting that, at this time, the program does not seem to have any negative impacts.

It was on motion unanimously

VOTED: As the Licensing Authority for the Town of Sudbury, to approve the sale of "Keno To Go" in Sudbury as an additional function of the Massachusetts State Lottery Commission Program, designed to increase Lottery aid to the Commonwealth's cities and towns.

Board Annual Appointments and Accepting Resignations

Chairman O'Brien listed several Town committees and boards in need of volunteer representation. He encouraged anyone interested in serving on a Town committee or board to view membership vacancies listed on the Town website and/or to contact the Board of Selectmen's Office.

It was on motion unanimously

VOTED: To make the following annual appointments (all appointments are subject to acceptance):

Aging, Council on: To reappoint Patrick J. Mullen, Jr., Barbara A. Bahlkow, and John Beeler for terms of three years to end on April 30, 2011.

Agricultural Commission: To reappoint Laura B. Abrams and John J. Donovan for a term of three years to end on April 30, 2011.

Board of Appeals: To reappoint Jeffrey P. Klofft for a term of five years to the end of April 30, 2013.

Board of Appeals Associates: To reappoint Richard D. Vetstein and Benjamin D. Stevenson for terms of one year to end on April 30, 2009.

Cable Television Committee: To reappoint Jeff Winston, Robert Kavanagh, Mark W. Thompson, Martin Greenstein, and Theodore Fedynyshyn, each for a term of one year ending on April 30, 2009.

Capital Improvement Planning Committee: To reappoint Pascal Cleve for a term of three years to end on April 30, 2011.

Civil Defense, Assistant Director of: To reappoint I. William Place for a term of one year to end on April 30, 2009.

Civil Defense, Director of: To reappoint Kenneth J. MacLean for a term of one year to end on April 30, 2009.

Civil Defense, Radio Operator: To reappoint James S. Idelson for a term of one year to end on April 30, 2009.

Community Preservation Committee: To reappoint John C. Drobinski for a term of three years to end on April 30, 2011.

Constable: To reappoint James D. Conboy and Nelson H. Goldin each for a term of three years to end on April 30, 2011.

Earth Removal Board -- Bd. of Appeals Assoc.: To reappoint Richard D. Vetstein and Stephen A. Garanin, each for a term of one year to end on April 30, 2009.

Fence Viewers: To reappoint John C. Drobinski, William J. Keller, Jr., and Lawrence W. O'Brien, each for a term of one year to end on April 30, 2009.

Mass. Bay Transportation Authority: To reappoint Maureen G. Valente for a term of one year ending on April 30, 2009.

Memorial Day Committee: To reappoint Spencer R. Goldstein for a term of three years ending on April 30, 2011.

Metropolitan Area Planning Council: To reappoint Maureen G. Valente for a term of one year ending on April 30, 2009.

Permanent Building Committee: To reappoint Bruce Ey and Michael E. Melnick each for a term of three years ending on April 30, 2011.

Ponds and Waterways Committee: To reappoint Susan J. Crane, Michael C. Fee, and Michael R. Dufault, each for a term of three years ending on April 30, 2011.

Registrars, Board of: To reappoint Kirsten Roopenian for a term of three years ending on April 30, 2011.

Sealer of Weights and Measures: To reappoint Courtney W. Atkinson for a term of one year ending on April 30, 2009.

Septage Committee: To reappoint Robert A. Gottberg for a term of one year ending on April 30, 2009.

Special Constables: To reappoint James F. Kelly, Earl D. Midgley, Kenneth J. MacLean, Joseph D. Bausk and Arthur J. Richard, each for a term of one year ending April 30, 2009.

Sudbury Housing Trust: To reappoint Peter M. Crowe and Amy E. Lepak, each for a term of one year ending April 30, 2009.

Sudbury Water District Water Resource: To reappoint James F. Occhialini for a term of one year ending on April 30, 2009.

Surveyor of Lumber & Measurer of Wood: To reappoint Russell DiMauro for a term of one year ending on April 30, 2009.

Town Historian: To reappoint Curtis F. Garfield for a term of one year ending on April 30, 2009.

Town Report Committee: To reappoint Beth Farrell and Laura Casey, each for a term of one year to end on April 30, 2009.

U.N. Day Chairman: To reappoint Elaine K. McGrath for a term of one year ending on April 30, 2009.

Veterans' Advisory Committee: To reappoint Winifred C. Grinnell and Spencer R. Goldstein, each for a term of one year ending on April 30, 2009.

Youth Commission: To reappoint, Susan C. Asbedian-Ciaffi, Greg Bochicchio, Elizabeth R. Hampton, Jo-ellen Samojla and Kevin Matthews, each for a term of one year ending on April 30, 2009.

It was also on motion unanimously

VOTED: To accept the resignations of the following individuals at the close of term: Jonas DL. McCray (Board of Appeals Associate and the Earth Removal Board); Margaret R. Fredrickson and Peter Boers (Cable Television Committee); William J. Nicholson, Jr. (Sudbury Cultural Council) Jo-ellen Samojla (Town Report Committee) and to send letters of gratitude for their service to Sudbury.

Reports From the Board of Selectmen

Selectman Drobinski stated he thought the Town held a successful Town Meeting this year, and he looks forward to the year ahead.

Vice-Chairman Keller participated in the Annual Spring Cleanup last weekend. He found the experience enlightening by observing first-hand how much litter is inappropriately disposed. He urged the community to participate next year in this beneficial event.

Chairman O'Brien reported that the Budget Review Task Force met last night. Town Manager Valente was the guest speaker whose presentation focused on the collective bargaining process.

Chairman O'Brien further reported that the Sudbury Housing Trust will resume its work this week.

Reports From the Town Manager
Sudbury Historical Commission - Appointments

Town Manager Valente recommended the appointments, by her, of Maurice J. Fitzgerald and Ellen M. Given to the Sudbury Historical Commission.

It was on motion unanimously

VOTED: To approve the Town Manager appointments of Maurice J. Fitzgerald, 108 Old Lancaster Road, and Ellen M. Given, 60 Greenhill Road, to the Sudbury Historical Commission, each for a term to expire April 30, 2011.

Luncheon Recognition - Lyn MacLean

Town Manager Valente attended a luncheon to honor Lyn MacLean, Chair of the Sudbury Historical Commission, by the Massachusetts Historic Commission, for her many years of service in preserving the history of Sudbury.

Annual Meeting of State Fire Chiefs

Town Manager Valente also attended the annual meeting of State Fire Chiefs at the Wayside Inn. She welcomed the group to Sudbury, as did local host Fire Chief Kenneth MacLean.

Regional Local Emergency Planning Committee

Town Manager Valente participated in a regional Local Emergency Planning Committee Seminar held at the Concord Armory. The meeting was sponsored by a grant and focused on a mock exercise of a dirty bomb detonation at the Concord Railroad Station. She found the exercise extremely enlightening, even though it highlights Sudbury's need for an emergency command center. Ms. Valente reported that this regional group represented several surrounding communities, and it was commended for how effectively the members worked together throughout the mock crisis. She thanked everyone who worked diligently to coordinate the successful meeting.

Assabet Wildlife Refuge - Groundbreaking

Town Manager Valente announced that she and Chairman O'Brien will attend a groundbreaking ceremony for the Assabet Wildlife Refuge Visitor Center on May, 3, 2008 from 2:00 to 4:00 p.m. The public is also invited to attend.

Town Manager Valente thanked State Representative Tom Conroy for assisting Sudbury in receiving a \$75,000 tourism grant, which will be used to construct a walkway on Hudson Road from Spruce Lane to the Visitor Center.

U.S. Mayor's Association - Town Video Vignettes

Town Manager Valente reported that in approximately two weeks, filming will begin by CGI Communications' videographer to produce Town video vignettes to promote community features for the Town website. Mark Thompson has been working to bring this project to fruition.

Town Hall Matters

Town Manager Valente announced that she appeared as the guest on a recently taped episode of *Town Hall Matters* to discuss the outcome of this year's Town meeting and goal setting for next year. The episode will air in the near future.

There being no further business, the meeting adjourned at 9:08 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk