

**SUDBURY BOARD OF SELECTMEN**  
**AGENDA**  
**TUESDAY, MARCH 12, 2013**  
**7:00 p.m., Town Hall, 322 Concord Road**

1. 7:00      **Executive Session --** Open meeting in Town Clerk's Office and immediately vote to go into Executive Session to discuss collective bargaining with the Laborers' Union wherein strategy discussion in an open meeting may have a detrimental effect on the bargaining position of the Board.

If necessary, the Executive Session will be suspended to the close of the regular meeting which will begin in Lower Town Hall at 7:30.

2. 7:30      Opening remarks by Chairman
3. 7:35      Reports from Town Manager
4. 7:40      Reports from Selectmen
5. 7:45      **PUBLIC HEARING (Continued) --** Consideration of the application and draft decision for Solar Sudbury One LF LLC, (a/k/a Ameresco) and the Town of Sudbury, owner, for Site Plan approval to construct a 1.5 megawatt solar photo-voltaic array on approximately a six-acre parcel of leased land at the Town's Landfill, located at 20 Boston Post Road, zoned Limited Industrial District, Town Assessor Map K12, Parcel 0002.  
*(Bill Braun, Chair, Energy and Sustainability Committee, and representatives of Ameresco)*
6. 8:00      Meeting with the Finance Committee
7. 8:30 **Vote**      Question of accepting the winning bids for CPA bond issue refunding
8. 8:40 **Vote**      Question of extending, through June 30, 2014, the Inter-Municipal Agreement with the City of Marlborough for the services of the Veterans' Agent, which Agreement would create a district with Marlborough and Sudbury for these services.
9. 8:50 **Vote**      Question of continuing the Fairbank Community Center Task Force.  
*(Jim Kelly, Facilities Director, will attend.)*

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**Consent Calendar:**

10. **Vote**      Vote to approve the Regular and Executive Session minutes of February 19, 2013 and the Regular Session minutes of February 26, 2013.
11. **Vote/Sign**      Vote to proclaim April 21-27, 2013 as Sudbury Earth Week and designating Saturday, April 27 as Spring Cleanup Day for the annual roadside cleanup, with a rain date of May 4.
12. **Vote/Sign**      Vote to grant a one-day Wine and Malt License to Erin Llewellyn, representing First Parish in Sudbury, 327 Concord Road, to accommodate First Parish of Sudbury's annual service auction fundraiser on Saturday, March 30, 2013, from 5:00 p.m. to 10:00 p.m., subject to receipt of a Certificate of Liability.

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**Miscellaneous (untimed items):**

13. **Vote**      Vote to ratify the Collective Bargaining agreement approved in Executive Session.

14. Discussion regarding Parker Street development in the Town of Maynard
15. **Vote/Sign** Question of accepting the Walkway and Drainage Easement, granted by Robert and Michelle Elliot of 135 Peakham Road
16. **Vote/Sign** Question of accepting the Walkway and Drainage Easement, granted by Kevin Ashley Milton and Helen L. Milton of 95 Peakham Road
17. **Vote** Annual Town Meeting Actions:
  - a) Designate any additional articles for Consent Calendar
  - b) Take positions on articles
  - c) Determine speakers on articles

*These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.*

# AGENDA REQUEST Item #5

## BOARD OF SELECTMEN

### Requestor's Section

**Date of request:** *February 26, 2013*

**Requestor:** *Solar Sudbury One LF LLC, applicant and the Board*

**Action requested (Who, what, when, where and why):**

*Vote to approve Site Plan application and sign Decision*

**Financial impact expected:** *None*

**Background information (if applicable, please attach if necessary):**

*See attached new material and Draft Decision AND -- **PLEASE BRING PRIOR PACKETS REGARDING SOLAR SUDBURY ONE***

**Recommendations/Suggested Motion/Vote:**

*Vote to close the hearing and approve the Decision on the application of Solar Sudbury One LF LLC, (a/k/a Ameresco) and the Town of Sudbury, owner, for Site Plan approval to construct a 1.5 megawatt solar photo-voltaic array on approximately a six-acre parcel of leased land at the Town's Landfill, located at 20 Boston Post Road, zoned Limited Industrial District, K12, Parcel 0002.*

**Person(s) expected to represent Requestor at Selectmen's Meeting:**

*Bill Braun, Chair, Energy and Sustainability Committee and members of Ameresco*

### Selectmen's Office Section

**Date of Selectmen's Meeting:** *March 12, 2013*

**Board's action taken:**

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Town Counsel approval needed?**

Yes ( )

No ( X )

Public Hearing:  
Site Plan of Solar Sudbury One LF LLC  
20 Boston Post Road  
Material received as of February 7, 2013

Notice of the Public Hearing was duly posted and advertised in the *Sudbury Town Crier* on January 24 and 31, 2013. 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 Selectmen opened the public hearing on February 12, 2013.

The Board is in receipt of the following:

1. Application for Site Plan dated January 23, 2013, including Site Plan prepared by AMEC Environmental & Infrastructure Inc., Westford, MA dated January 23, 2013, consisting of 2 sheets – Sheet 1 of 2, Proposed Site Plan; Sheet 2 of 2, Details.
2. Memo from Jody Kablack, Planning Director, to the Board of Selectmen dated February 6, 2013.
3. Memo from Bill Place, DPW Director, to Jody Kablack, Planning Director, dated February 7, 2013.

The Board continued the hearing until February 26, 2013. Materials received in advance of that hearing include:

1. Letter from Henry Watkins, President of HDR Holdings, LLC to the Board dated February 19, 2013.
2. Letter to Henry Watkins, President of HDR Holdings, LLC from Jody Kablack, Director of Planning and Community Development dated February 21, 2013.

The Board continued the hearing until March 12, 2013. Materials received in advance of that hearing include:

1. Letter from the Planning Board to the Board dated March 7, 2013 supporting the site plan application.
2. Email from John Bamman, Amerseco, to David Watkins, HDR Holdings LLC, dated March 7, 2013.
3. Pictures of black vinyl fencing (2).
4. Draft decision dated March 12, 2013.



# Town of Sudbury

## Planning Board

[planningboard@sudbury.ma.us](mailto:planningboard@sudbury.ma.us)

<http://www.sudbury.ma.us/services/planning>

Flynn Building  
278 Old Sudbury Rd  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-443-0756

March 7, 2013

Mr. Lawrence W. O'Brien, Chairman  
Sudbury Board of Selectmen  
Sudbury, MA 01776

RE: Solar One Sudbury LLC Site Plan Application  
20 Boston Post Road

Dear Mr. O'Brien,

The Planning Board reviewed the above proposal with members of the Green Energy Committee and the applicant at their meeting on October 24, 2012, and supports the site plan application. The idea to create a solar facility on the Town Landfill was ratified by Article 25 of the 2010 Annual Town Meeting, which the Planning Board supported. The Board believes that the installation of a black or green vinyl fence from visible portions of the project would be in the best interest of the Town, and hopes that this can be accommodated into the project.

If we can be of further service, please advise.

On behalf of the Planning Board,

Michael C. Fee, Chairman

cc: Applicant

March 12, 2013

SITE PLAN DECISION  
SUDBURY BOARD OF SELECTMEN

Solar One Sudbury LF LLC  
20 Boston Post Road

DECISION of the Board of Selectmen of the Town of Sudbury, Massachusetts (the "Board") on the petition of Ameresco (the "Applicant") and the Town of Sudbury (the "Owner") for property located at 20 Boston Post Road in Sudbury, Massachusetts, Town Assessor Map K12, Parcel 0002 (the "Property") for approval to construct a 1.5 megawatt solar photovoltaic array on an approximately 6 acre parcel of leased land (the "Facility") at the Town's landfill located at 20 Boston Post Road. The property is zoned Limited Industrial District.

This decision is in response to an application by the Applicant for approval of a Site Plan submitted to the Board on January 23, 2013 pursuant to the Zoning Bylaw of the Town of Sudbury (the "Zoning Bylaw"), Section 6300.

After causing notice of the time and place of its public hearing and of the subject matter thereof to be published, posted and mailed to the Applicant, abutters and other parties in interest, as required by law, the public hearing was called to order on February 12, 2013, continued to February 26, 2013 and March 12, 2013, and was closed at the end of the March 12, 2013 proceedings. Board members Lawrence W. O'Brien and Robert C. Haarde and were present throughout the proceedings. Board member John C. Drobinski was absent at February 26, 2013 session and, pursuant to G.L. c. 39, § 23D, has certified that he has examined all of the evidence received by the Board on this subject and is therefore eligible to vote on the subject application. The record of the proceedings and submissions upon which this decision is based may be referred to in the office of the Town Clerk or the Board office.

The Board is in receipt of the following:

1. Application for Site Plan dated January 23, 2013, including Site Plans prepared by AMEC Environmental & Infrastructure Inc., Westford, MA dated January 23, 2013 consisting of 2 sheets, - Sheet 1 of 2, Proposed Site Plan; Sheet 2 of 2, Details.
2. Memo from Jody Kablack, Planning Director, to the Board of Selectmen dated February 6, 2013.
3. Memo from Bill Place, DPW Director, to Jody Kablack, Planning Director, dated February 7, 2013.

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4. Letter from Henry Watkins, President of HDR Holdings, LLC to the Board dated February 19, 2013.
5. Letter to Henry Watkins, President of HDR Holdings, LLC from Jody Kablack, Director of Planning and Community Development dated February 21, 2013.

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

VOTED: To approve the Site Plan Application of Ameresco (the "Applicant") and the Town of Sudbury (the "Owner") for approval of a site plan to construct a 1.5 megawatt solar photovoltaic array on an approximately 6 acre parcel of leased land at the Town's landfill located at 20 Boston Post Road, (Town Assessor Map K12, Parcels 0002), owned by the Town of Sudbury as described in the above referenced application, subject to compliance with all governmental laws, regulations, licenses and permits including, but not limited to Wetlands Protection Act and Sudbury Wetlands Administration Bylaw, zoning, building and health laws and regulations, and further subject to the following conditions insofar as they apply to the Property:

1. Receipt of a Stormwater Management Permit from the Planning Board or its Authorized Reviewing Agent.
2. Receipt of an Order of Conditions or a Negative Determination of Applicability by the Conservation Commission.
3. Receipt of approval from the MA Department of Environmental Protection of a Post Closure Use Permit.
4. No herbicides for plant or weed removal shall be permitted as part of the maintenance of the Facility.
5. A six (6) foot high chain link fence shall enclose the entire Facility. At a minimum, black vinyl coated fencing shall be installed along the western side of the Facility for a length of approximately 480 feet to reduce the visibility of the Facility from the abutting commercial properties, and along Boston Post Road for a length of approximately 130 feet to reduce visibility from the public way.
6. The location of the fencing installed for the Facility shall not interfere with the landfill operations, including mowing and tree removal. Fencing location shall be approved by the Director of Public Works prior to installation.
7. There shall be no new overhead lighting of the Facility. Low level surface lighting shall be permitted in the immediate vicinity of the inverters and disconnects, provided it is shown on the plan and a detail of such lighting has been submitted for review by the Board.
8. No wells for drinking water supply to be installed on the Property.
9. 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.

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10. 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.
11. Prior to operation of the Facility, the Board or their representative shall view the Property for screening of the Facility. If, in the opinion of the Board, additional screening or landscaping is required, the Applicant shall forthwith rectify such concerns with the planting of additional vegetation or installation of screening to the reasonable satisfaction of the Board.
12. 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.
13. No Building Permit shall be issued until the Decision has been recorded in the Middlesex South District Registry of Deeds, and certain items noted above [1, 2, 3], as specified by the Board, are complied with.
14. The Facility shall not be operated until certain items noted above [5, 6, 7, 8, 11 and 12], as specified by the Board, are complied with.

Appeals of the grant of this permit, if any, shall be made pursuant to M.G.L. Chapter 40A, Section 8.



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Date: March 12, 2013

SUDBURY BOARD OF SELECTMEN

\_\_\_\_\_  
Lawrence W. O'Brien, Chairman

\_\_\_\_\_  
Robert C. Haarde

\_\_\_\_\_  
John C. Drobinski

**COMMONWEALTH OF MASSACHUSETTS**

MIDDLESEX, ss

March 12, 2013

On this 12th day of March 2013, before me, the undersigned notary public, personally appeared the above-named \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was one of the following (check applicable box):  a driver's license;  personal knowledge, to be the person whose name is signed on the preceding document; or  other \_\_\_\_\_, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

- cc: Town Clerk
- Board of Health
- DPW Director
- Building Inspector
- Planning and Community Development Department
- Conservation Commission
- Town Counsel
- Fire Chief
- Applicant

**Kablack, Jody**

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**Subject:** FW: Security Fencing Design - Sudbury Landfill Solar PV Project  
**Attachments:** Black-Chain-Link-Fence-01.jpg

**From:** Bamman, John [<mailto:jbamman@ameresco.com>]  
**Sent:** Thursday, March 07, 2013 8:42 AM  
**To:** Dave Watkins ([dave@pavonix.com](mailto:dave@pavonix.com))  
**Cc:** Walker, Jim; Pitreau, Brian; 'Bukowski, Rob'; Braun, William; Kelly, James; Meyer, Harold  
**Subject:** Security Fencing Design - Sudbury Landfill Solar PV Project

Hello Dave,

Since our last Site Plan Review meeting we have evaluated several fence options in response to your concerns about the aesthetic impact of the 'construction-style' fence we had originally proposed.

Taking your feedback into account, we also have had to consider fence stability in high wind events as well as, of course, cost. We researched woven fence screens as well as privacy slats and found that both of these options would push the size and weight of the supporting ballast bases required to maintain the fence's integrity beyond reasonable cost and practicality. In addition, we are concerned about the long term durability of these options over the 20 year life of the project. Tattered screening and/or cracked and missing slats would only add to the issue.

We were, however, able to look at a redesign that would eliminate the proposed pre-manufactured fence panels and move to a more uniform fence post and chain link fencing approach using pre-cast concrete ballast bases. This design will allow the 6 ft. high posts to be grouted into over-sized holes in the bases so even if the bases are not perfectly level on the uneven ground, the posts- at 10 ft. intervals- can be installed perfectly plumb. Horizontal pipe will be installed across the top of the posts to support the top of the fence and further stabilize the posts. A tension wire will run along the bottom of the fencing to keep it taut.

This approach will also enable us to use black vinyl-coated fencing and black posts and horizontal support pipe.

Attached is a representative picture of how we envision the finished fence will look.

We hope that this new approach will sufficiently address your concerns and we welcome your comments.

Thanks, John



John Bamman  
Senior Project Manager – Grid-Tied Solar PV

P:508-598-3026  
C:508-308-9842  
[jbamman@ameresco.com](mailto:jbamman@ameresco.com)

111 Speen St., Suite 410  
Framingham, MA 01701





# AGENDA REQUEST – Item #6

## BOARD OF SELECTMEN

### Requestor's Section

**Date of request:** *February 2013*

**Requestor:** *Finance Committee/Board*

**Action requested:** *Joint meeting between the Board and the Finance Committee*

**Financial impact expected:** *Not applicable at present.*

**Background information (if applicable, please attach if necessary):**

*No materials have been delivered. We MAY hear something Monday or Tuesday – will email whatever materials come in before the meeting*

**Recommendations/Suggested Motion/Vote:** *None anticipated*

**Person(s) expected to represent Requestor at Selectmen's Meeting:**

*Finance Committee members*

### Selectmen's Office Section

**Date of Selectmen's Meeting:** *March 12, 2013*

**Board's action taken:**

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Distribution:**

**Town Counsel approval needed?**

Yes ( )

No ( X )

# AGENDA REQUEST #7

## BOARD OF SELECTMEN

### Requestor's Section

**Date of request:** *March 7, 2013*

**Requestor:** *Andrea Terkelsen*

**Action requested:** *Vote to accept the winning bids for CPA bond issue refunding – sale to take place on March 7, 2013.*

**Financial impact expected:** *Debt service savings over \$500,000 over the next 12 years*

**Background information (if applicable, please attach if necessary):**  
*Accept winning bids and sign all documentation*

**Recommendations/Suggested Motion/Vote:** *Bond Counsel will be providing official standard award documents to include motion/voting language*

**Person(s) expected to represent Requestor at Selectmen's Meeting:**  
*Andrea Terkelsen, Town Treasurer*

### Selectmen's Office Section

**Date of Selectmen's Meeting:** *March 12, 2013*

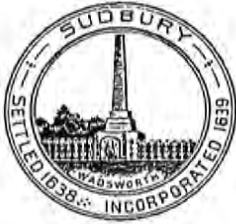
**Board's action taken:**

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Distribution:**

**Town Counsel approval needed?      Yes ( )      No ( )**



**TOWN OF SUDBURY**  
*Finance Department*  
278 Old Sudbury Road  
Sudbury, Massachusetts 01776  
Tel: (978) 639-3376

## MEMORANDUM

**To:** Board of Selectmen  
Maureen G. Valente, Town Manager

**From:** Andrea L. Terkelsen, Finance Director/ Treasurer-Collector

**Date:** **March 7, 2013**

**Subject:** \$4,045,000 General Bond Obligation Refunding Bonds

This is to confirm that the Town of Sudbury received a total of 8 bids on March 7, 2013 for the sale of long-term debt to refund a previous balance of \$4,045,000 remaining from two CPA fund issues in 2004 and 2005. The original issues of \$8.3 million were used to purchase and preserve the Cutting, Dickson and Libby properties.

Net Purchase Price: \$ 4,172,302  
Proceeds delivered by: 3/15/2013  
Purpose: Refunding CPA fund issues for Cutting, Dickson and Libby, articles from ATM 2003-32 & 2004-25, 2005-49.

Eight bids were received. The lowest bidder was FTN Financial Capital markets – Memphis, TN, with a true interest cost (TIC) of 1.3680%. Issue summary as follows:

Term of bond issue: 12 years  
Par Amount of bonds: \$ 4,045,000  
Interest Coupon Range: 1.5% - 2.00%  
Net Interest Cost: \$ 492,353

Total Debt Service Savings: \$ 585,346

Repayment Source: CPA funds

The Board of Selectmen will need to take a formal vote on the sale. This vote is scheduled to take place on the evening of March 12, 2013. The vote certificate along with all other documentation requiring your approval and signature will be provided to you at the meeting.

# AGENDA REQUEST - Item # 8

## BOARD OF SELECTMEN

### Requestor's Section:

Date of request: February 20, 2013

Requestor: Maryanne Bilodeau, Assistant Town Manager/HR Director

### Action requested (Who, what, when, where and why):

Vote to approve the execution by the Town Manager of an "Intermunicipal Agreement" between the City of Marlborough, MA and the Town of Sudbury, MA for shared veterans' services as set forth in attached agreement and authorizing the creating of a Veteran's District with the personnel required subject to State and Marlborough City Council approval."

**Financial impact expected:** Savings of approximately \$21,000 by providing this service through the Intermunicipal Agreement as opposed to hiring a Fulltime Veterans' Agent.

**Background information (if applicable, please attach if necessary):** *Attached*

### Recommendations/Suggested Motion/Vote:

"Pursuant to the provisions provided in M.G.L. c.40, s.4A, and such other laws required to approve the execution by the Town Manager of an "Intermunicipal Agreement" between the City of Marlborough, MA and the Town of Sudbury, MA for shared veterans services as set forth in said agreement and authorizing the creating of a veteran's district with the personnel required subject to State and Marlborough City Council approval."

### Person(s) expected to represent Requestor at Selectmen's Meeting:

*Assistant Town Manager/HR Director, Maryanne Bilodeau*

### Selectmen's Office Section:

**Date of Selectmen's Meeting:** ~~February 26, 2012~~

**Board's action taken:**

*Kept on (3/12) agenda*

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Distribution:**

Town Counsel approval needed? Yes ( X ) done No ( )



# AGENDA REQUEST- ITEM #9

## BOARD OF SELECTMEN

### Requestor's Section:

**Date of request:** *March, 2013*

**Requestor:** *Jim Kelly, Combined Facilities Director*

**Action requested (Who, what, when, where and why):**

*Discussion regarding continuation of the Fairbank Community Center Task Force*

**Financial impact expected:** *N/A*

**Background information (if applicable, please attach if necessary):**

*See attached*

**Recommendations/Suggested Motion/Vote:** *Vote as necessary*

**Person(s) expected to represent Requestor at Selectmen's Meeting:**

*Jim Kelly, Combined Facilities Director*

### Selectmen's Office Section:

**Date of Selectmen's Meeting:** *March 12, 2013*

**Board's action taken:**

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Distribution:**

**Town Counsel approval needed?      Yes ( )      No ( X )**

# AGENDA REQUEST - Item #//

## BOARD OF SELECTMEN

### Requestor's Section:

**Date of request:** *March 7, 2013*

**Requestor:** *Dev Glaser, Spring Cleanup Day coordinator*

**Action requested:** CONSENT CALENDAR

*To proclaim April 21- 27, 2013 as Sudbury Earth Week and designating Saturday, April 27th as Spring Cleanup Day for the annual roadside cleanup*

**Financial impact expected:** *None*

**Background information:** *See attachment*

**Recommendations/Suggested Motion/Vote:** *Vote to proclaim April 21 -27, 2013 as Sudbury Earth Week and designating Saturday, April 27 as **Spring Cleanup Day** for the annual roadside cleanup, with a rain date of May 4.*

**Person(s) expected to represent Requestor at Selectmen's Meeting:** *None*

### Selectmen's Office Section:

**Date of Selectmen's Meeting:** *March 12, 2013*

**Board's action taken:**

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Distribution:**

**Town Counsel approval needed?**

Yes ( )

No ( X )

# AGENDA REQUEST - Item #12

## BOARD OF SELECTMEN

### Requestor's Section:

**Date of request:** *March 5, 2013*

**Requestor:** *Erin Llewellyn, for First Parish Church*

**Action requested:** CONSENT CALENDAR –  
*Approval of a one-day Wine and Malt Beverages License*

**Financial impact expected:** *\$25.00 to General Fund*

**Background information:** *All requested information provided (waiting on the Certificate of Liability) – no prior problems with their fundraisers. The bartender has been TIPS- trained. Bldg. Insp. and Police expressed no issues.*

### **Recommendations/Suggested Motion/Vote:**

*Vote to grant a one-day Wine and Malt License to Erin Llewellyn, representing First Parish in Sudbury, 327 Concord Road, to accommodate First Parish of Sudbury's annual service auction fundraiser on Saturday, March 30, 2013, from 5:00 p.m. to 10:00 p.m., subject to receipt of a Certificate of Liability.*

**Person(s) expected to represent Requestor at Selectmen's Meeting:** *None*

### Selectmen's Office Section:

**Date of Selectmen's Meeting:** *March 12, 2013*

**Board's action taken:**

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Distribution:**

**Town Counsel approval needed?** Yes ( ) No ( X )

# AGENDA REQUEST – Item #13

## BOARD OF SELECTMEN

### Requestor's Section

**Date of request:** *March 4, 2013*

**Requestor:** *Maryanne Bilodeau, Asst. Town Mgr./HR Director*

**Action requested:** *Ratify the vote taken in Executive Session between the Town of Sudbury and the Laborers' Union*

**Financial impact expected:** *N/A*

**Background information (if applicable, please attach if necessary):**

*Background material provided at Executive Session – Agenda #1*

**Recommendations/Suggested Motion/Vote:** *Vote to approve and sign*

**Person(s) expected to represent Requestor at Selectmen's Meeting:** *Town Mgr.*

### Selectmen's Office Section

**Date of Selectmen's Meeting:** *March 12, 2013*

**Board's action taken:**

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Distribution:**

**Town Counsel approval needed?**

Yes ( )

No ( )

# AGENDA REQUEST- ITEM #14

## BOARD OF SELECTMEN

### Requestor's Section:

**Date of request:** *March 1, 2013*

**Requestor:** *Maureen Valente and Jody Kablack*

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**Action requested (Who, what, when, where and why):**

*Discussion regarding the 129 Parker Street development in Maynard*

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**Financial impact expected:** *N/A*

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**Background information (if applicable, please attach if necessary):**

*See attached*

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**Recommendations/Suggested Motion/Vote:** *Vote as necessary*

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**Person(s) expected to represent Requestor at Selectmen's Meeting:**

*Maureen Valente*

### Selectmen's Office Section:

**Date of Selectmen's Meeting:** *March 12, 2013*

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**Board's action taken:**

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**Follow-up actions required by the Board of Selectmen or Requestor:**

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**Future Agenda date (if applicable):**

**Distribution:**

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**Town Counsel approval needed?**      Yes ( )      No ( X )

# AGENDA REQUEST Item #15

## BOARD OF SELECTMEN

### Requestor's Section

**Application Name:** *Walkway and Drainage Easements*

**Date of request:** *March 6, 2013*

**Requestor:** *Jody Kablack, Planning Director*

**Action requested (Who, what, when, where and why):**

*Vote to accept easement*

**Financial impact expected:** *None*

**Background information (if applicable, please attach if necessary):**

*See attached materials*

**Recommendations/Suggested Motion/Vote:** *Vote to accept the Walkway and Drainage easement granted by Robert and Michelle Elliot, of 135 Peakham Road, and shown as "Proposed 15' Walkway and Drainage Easement" on a plan prepared by the Town of Sudbury Engineering Department, dated February 13, 2013, as requested by Town Planner Jody Kablack.*

**Person(s) expected to represent Requestor at Selectmen's Meeting:** *None*

### Selectmen's Office Section

**Date of Selectmen's Meeting:** *March 12, 2013*

**Board's action taken:**

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Distribution:**

**Town Counsel approval needed?      Yes ( X )      No ( )**

WALKWAY EASEMENT

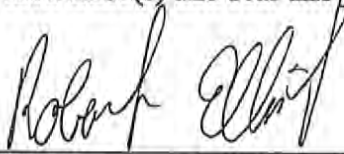
WE, Robert and Michelle Elliot, of 135 Peakham Road, Sudbury, Middlesex County, Massachusetts, for nominal consideration paid, the receipt of which is hereby acknowledged, grants to the TOWN OF SUDBURY, a municipal corporation located in Middlesex County, Massachusetts, with the address: Town Hall, 322 Concord Road, Sudbury, Massachusetts, with QUITCLAIM COVENANTS, the right and easement to construct, reconstruct, maintain and use a walkway and sidewalk, for all purposes for which walkways and sidewalks are customarily used in the Town of Sudbury, over, across and through the property owned by the Grantors shown as Parcel 021 on Assessor's Map J04.

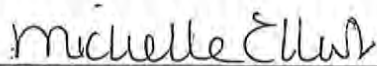
Said easement being 15' in depth along the entire frontage of said Parcel on 135 Peakham Road, and is shown as "Proposed 15' Walkway and Drainage Easement" on a plan prepared by the Town of Sudbury Engineering Department dated February 13, 2013 and recorded herewith.

For Grantors title see Deed dated August 16, 2011 and recorded with the Middlesex South Registry of Deeds in Book 57300, Page 373.

The consideration for this deed is less than \$100 and therefore no excise tax stamps are required by law.

Witness their hand(s) and seal this 17<sup>th</sup> day of March, 2013.

  
\_\_\_\_\_  
Robert Elliot

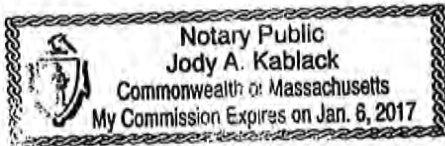
  
\_\_\_\_\_  
Michelle Elliot

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

March 9, 2013

On this 9<sup>th</sup> day of March, 2013, before me, the undersigned notary public, personally appeared the above-named Robert Elliot proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.



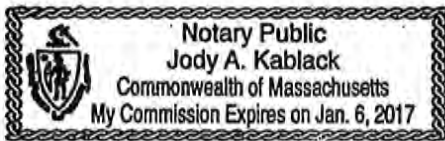
Jody A. Kablack  
Notary Public Jody A. Kablack  
My Commission expires 1/6/2017

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

March 9, 2013

On this 9<sup>th</sup> day of March, 2013, before me, the undersigned notary public, personally appeared the above-named Michelle Elliot proved to me through satisfactory evidence of identification, which was ~~Michelle Elliot~~ personal knowledge, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose.



Jody A. Kablack  
Notary Public  
My Commission expires 1/6/2017



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH.

P.L.S. \_\_\_\_\_ DATE \_\_\_\_\_



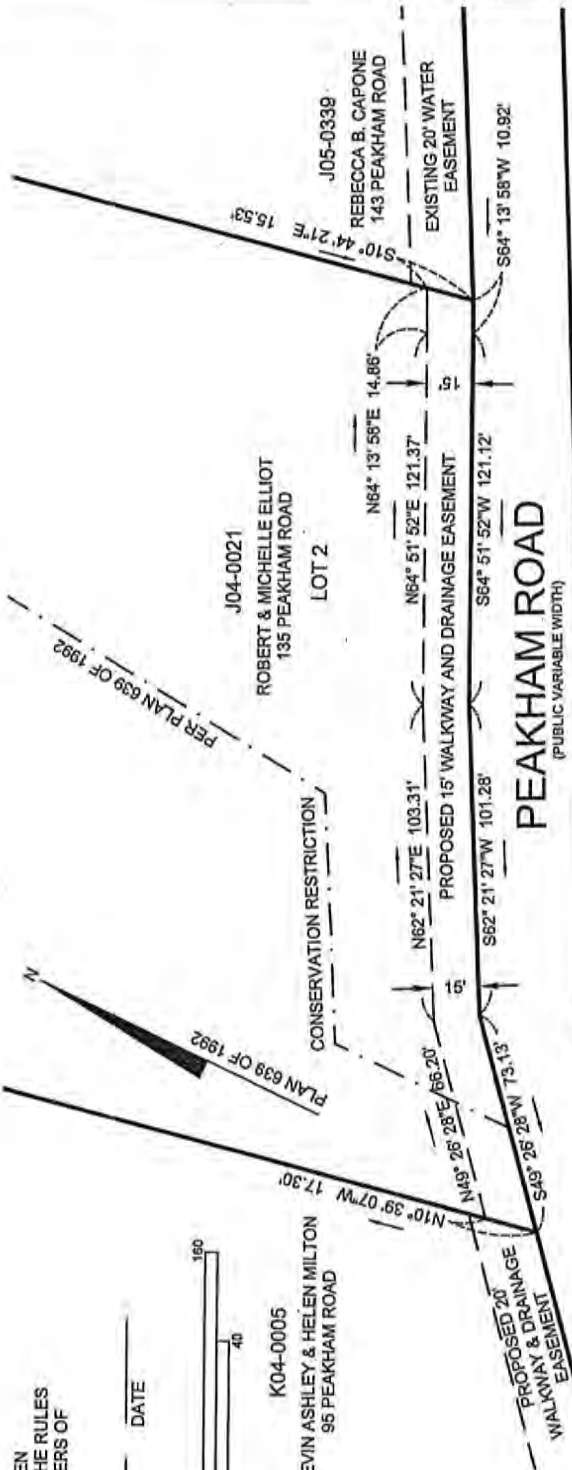
K04-0005  
KEVIN ASHLEY & HELEN MILTON  
96 PEAKHAM ROAD



DEED REFERENCE:  
BK.57300; PG.373

PLAN REFERENCE:  
NO.639 OF 1992

PROPERTY MAP J04; PARCEL 0021



J04-0020  
EDMUND B. STANTON  
132 PEAKHAM ROAD

J05-0301  
MARCUS J. & LORI J. GOLDMAN  
138 PEAKHAM ROAD

J04-0021  
ROBERT & MICHELLE ELLIOT  
135 PEAKHAM ROAD

J05-0339  
REBECCA B. CAPONE  
143 PEAKHAM ROAD

PLAN SHOWING PROPOSED  
**WALKWAY EASEMENT and DRAINAGE EASEMENT**  
OVER LAND OF  
**ROBERT ELLIOT and MICHELLE ELLIOT**  
135 PEAKHAM ROAD SUDBURY, MA.

TOWN OF SUDBURY ENGINEERING DEPARTMENT  
DATE: FEBRUARY 7, 2013 SCALE: 1IN.=40FT.

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

P.L.S. \_\_\_\_\_ DATE \_\_\_\_\_

# AGENDA REQUEST Item #15

## BOARD OF SELECTMEN

### Requestor's Section

**Application Name:** *Walkway and Drainage Easements*

**Date of request:** *March 6, 2013*

**Requestor:** *Jody Kablack, Planning Director*

**Action requested (Who, what, when, where and why):**

*Vote to accept easement*

**Financial impact expected:** *None*

**Background information (if applicable, please attach if necessary):**

*See attached materials*

**Recommendations/Suggested Motion/Vote:** *Vote to accept the Walkway and Drainage easement granted by Robert and Michelle Elliot, of 135 Peakham Road, and shown as "Proposed 15' Walkway and Drainage Easement" on a plan prepared by the Town of Sudbury Engineering Department, dated February 13, 2013, as requested by Town Planner Jody Kablack.*

**Person(s) expected to represent Requestor at Selectmen's Meeting:** *None*

### Selectmen's Office Section

**Date of Selectmen's Meeting:** *March 12, 2013*

**Board's action taken:**

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Distribution:**

**Town Counsel approval needed?      Yes ( X )      No ( )**

WALKWAY EASEMENT

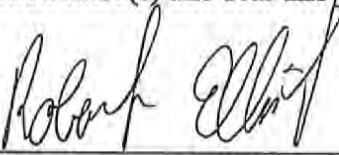
WE, Robert and Michelle Elliot, of 135 Peakham Road, Sudbury, Middlesex County, Massachusetts, for nominal consideration paid, the receipt of which is hereby acknowledged, grants to the TOWN OF SUDBURY, a municipal corporation located in Middlesex County, Massachusetts, with the address: Town Hall, 322 Concord Road, Sudbury, Massachusetts, with QUITCLAIM COVENANTS, the right and easement to construct, reconstruct, maintain and use a walkway and sidewalk, for all purposes for which walkways and sidewalks are customarily used in the Town of Sudbury, over, across and through the property owned by the Grantors shown as Parcel 021 on Assessor's Map J04.

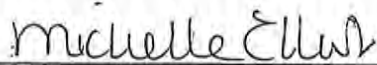
Said easement being 15' in depth along the entire frontage of said Parcel on 135 Peakham Road, and is shown as "Proposed 15' Walkway and Drainage Easement" on a plan prepared by the Town of Sudbury Engineering Department dated February 13, 2013 and recorded herewith.

For Grantors title see Deed dated August 16, 2011 and recorded with the Middlesex South Registry of Deeds in Book 57300, Page 373.

The consideration for this deed is less than \$100 and therefore no excise tax stamps are required by law.

Witness their hand(s) and seal this 17<sup>th</sup> day of March, 2013.

  
\_\_\_\_\_  
Robert Elliot

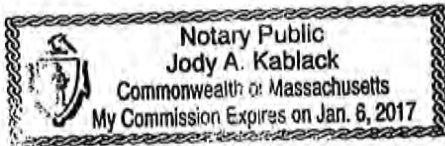
  
\_\_\_\_\_  
Michelle Elliot

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

March 9, 2013

On this 9<sup>th</sup> day of March, 2013, before me, the undersigned notary public, personally appeared the above-named Robert Elliot proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.



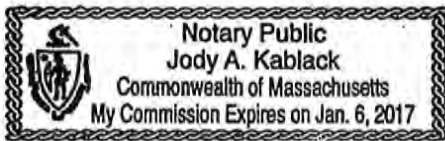
Jody A. Kablack  
Notary Public Jody A. Kablack  
My Commission expires 1/6/2017

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

March 9, 2013

On this 9<sup>th</sup> day of March, 2013, before me, the undersigned notary public, personally appeared the above-named Michelle Elliot proved to me through satisfactory evidence of identification, which was ~~Michelle Elliot~~ personal knowledge, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose.



Jody A. Kablack  
Notary Public  
My Commission expires 1/6/2017

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH.

P.L.S. \_\_\_\_\_ DATE \_\_\_\_\_



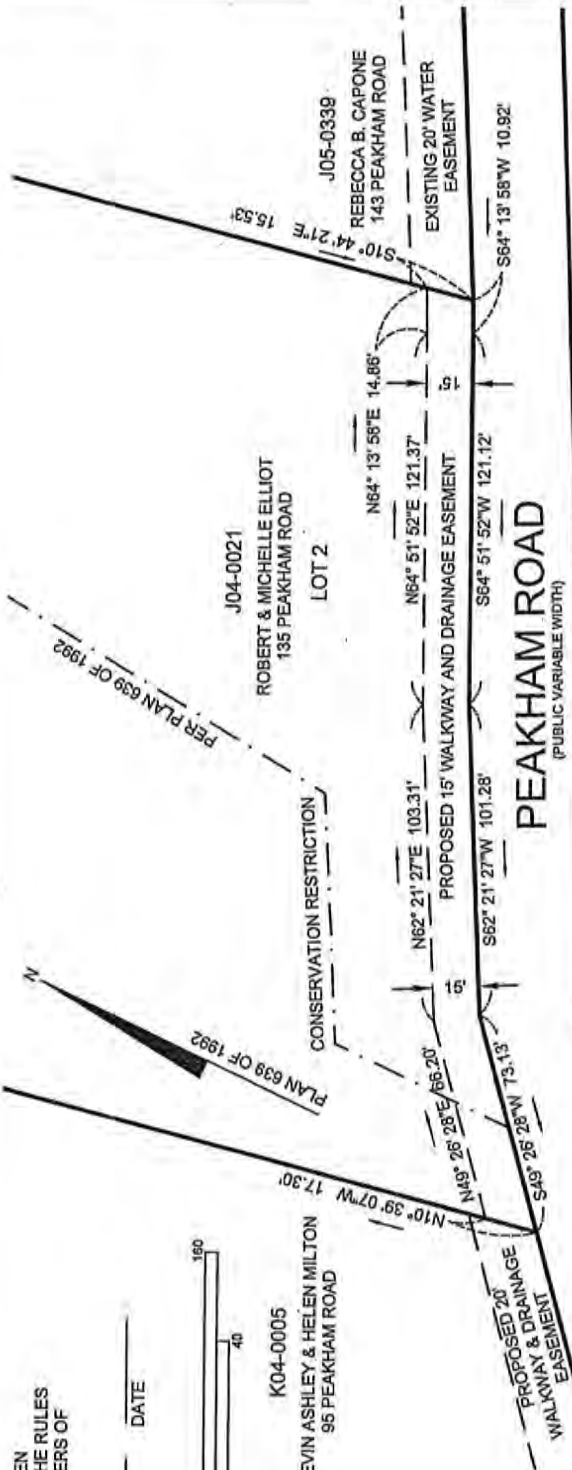
K04-0005  
KEVIN ASHLEY & HELEN MILTON  
96 PEAKHAM ROAD



DEED REFERENCE:  
BK.57300; PG.373

PLAN REFERENCE:  
NO.639 OF 1992

PROPERTY MAP J04; PARCEL 0021



J04-0020  
EDMUND B. STANTON  
132 PEAKHAM ROAD

J05-0301  
MARCUS J. & LORI J. GOLDMAN  
138 PEAKHAM ROAD

PLAN SHOWING PROPOSED  
**WALKWAY EASEMENT and DRAINAGE EASEMENT**  
OVER LAND OF  
**ROBERT ELLIOT and MICHELLE ELLIOT**  
135 PEAKHAM ROAD SUDBURY, MA.

TOWN OF SUDBURY ENGINEERING DEPARTMENT  
DATE: FEBRUARY 7, 2013 SCALE: 1IN.=40FT.

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

P.L.S. \_\_\_\_\_ DATE \_\_\_\_\_

# AGENDA REQUEST Item #16

## BOARD OF SELECTMEN

### Requestor's Section

**Application Name:** *Walkway and Drainage Easement*

**Date of request:** *March 6, 2013*

**Requestor:** *Jody Kablack, Planning Director*

**Action requested (Who, what, when, where and why):**

*Vote to accept easement*

**Financial impact expected:** *None*

**Background information (if applicable, please attach if necessary):**

*See attached materials*

**Recommendations/Suggested Motion/Vote:** *Vote to accept the Walkway and Drainage easement granted by Kevin Ashley Milton and Helen L. Milton, of 95 Peakham Road, and shown as "Proposed 20' Walkway and Drainage Easement" on a plan prepared by the Town of Sudbury Engineering Department, dated February 12, 2013, as requested by Town Planner Jody Kablack.*

**Person(s) expected to represent Requestor at Selectmen's Meeting:** *None*

### Selectmen's Office Section

**Date of Selectmen's Meeting:** *March 12, 2013*

**Board's action taken:**

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Distribution:**

**Town Counsel approval needed?**

**Yes ( X )**

**No ( )**

## WALKWAY EASEMENT


We, Kevin Ashley Milton and Helen L. Milton ("Grantors"), of 95 Peakham Road, Sudbury, Middlesex County, Massachusetts, for nominal consideration paid, the receipt of which is hereby acknowledged, grants to the TOWN OF SUDBURY ("Grantee"), a municipal corporation located in Middlesex County, Massachusetts, with the address: Town Hall, 322 Concord Road, Sudbury, Massachusetts, with QUITCLAIM COVENANTS, the right and easement to construct, reconstruct, maintain and use a walkway and sidewalk, for all purposes for which walkways and sidewalks are customarily used in the Town of Sudbury, and the right to construct, reconstruct and maintain a drainage culvert over, across and through the property owned by the Grantors shown as Parcel 005 on Assessor's Map K04. Construction and maintenance of the walkway and culvert within the easement shall be solely the responsibility of the Grantee, its agents, servants, and employees.

Said easement being twenty (20) feet in depth along a portion of the frontage of said Parcel on 95 Peakham Road, shown as "PROPOSED 20' WALKWAY AND DRAINAGE EASEMENT" on a plan prepared by the Town of Sudbury Engineering Department dated February 12, 2013 and recorded herewith.

For Grantors title see Deed dated March 17, 2009 and recorded with the Middlesex South Registry of Deeds in Book 52420, Page 465.

The consideration for this deed is less than \$100 and therefore no excise tax stamps are required by law.

Witness my hand and seal this 4<sup>th</sup> day of June, 2012.

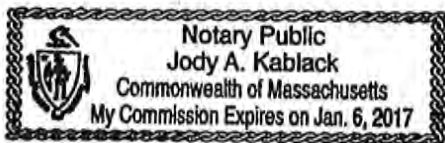
  
Kevin Ashley Milton

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

June 4, 2012

On this 4<sup>th</sup> day of June, 2012, before me, the undersigned notary public, personally appeared the above-named Kevin Ashley Milton proved to me through satisfactory evidence of identification, which was personal knowledge/MA Driver's License, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose.



Jody A. Kablack  
Notary Public Jody A. Kablack  
My Commission expires 1/6/2017



Witness my hand and seal this 4<sup>th</sup> day of June, 2012.

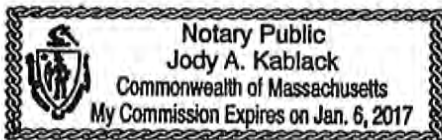
  
\_\_\_\_\_  
Helen L. Milton

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

June 4, 2012

On this 4<sup>th</sup> day of June, 2012, before me, the undersigned notary public, personally appeared the above-named Helen L. Milton proved to me through satisfactory evidence of identification, which was MA Driver's License, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose.



Jody A. Kablack  
Notary Public Jody A. Kablack  
My Commission expires 1/6/2017.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERERS OF DEEDS OF THE COMMONWEALTH.

P.L.S. \_\_\_\_\_ DATE \_\_\_\_\_



DEED REFERENCE:  
BK.52420, PG.465

PLAN REFERENCE:  
NO.548 OF 1958

PROPERTY MAP K04, PARCEL 0005

K04-0005  
KEVIN & ASHLEY MILTON  
95 PEAKHAM ROAD

LOT 106

J04-0021  
ROBERT & MICHELLE ELLIOT  
135 PEAKHAM ROAD

K04-0405  
KARL & POMPONI BUTTNER  
118 PEAKHAM ROAD

J04-0020  
EDMUND B. STANTON  
132 PEAKHAM ROAD

PEAKHAM ROAD  
(PUBLIC VARIABLE WIDTH)

SIDEWALK EASEMENT  
PER PLAN NO. 461 OF 1991  
S53° 46' 16"W 23.86'  
S54° 57' 58"W 52.39'  
80.34'  
N40° 08' 40"E 146.27'  
S40° 08' 40"W 132.17'  
71.83'

N34° 01' 50"E 135.44'  
PROPOSED 20' WALKWAY & DRAINAGE EASEMENT  
S34° 01' 50"W 125.00'

S26° 03' 45"E 23.07'  
PROPOSED 15' WALKWAY & DRAINAGE EASEMENT

CONSERVATION RESTRICTION  
PER PLAN 639 OF 1992

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

P.L.S. \_\_\_\_\_ DATE \_\_\_\_\_

PLAN SHOWING PROPOSED  
WALKWAY EASEMENT and DRAINAGE EASEMENT  
OVER LAND OF

KEVIN ASHLEY MILTON and HELEN L. MILTON  
95 PEAKHAM ROAD SUDBURY, MA.

TOWN OF SUDBURY ENGINEERING DEPARTMENT  
DATE: FEBRUARY 12, 2013 SCALE: 1IN.=40FT.

# AGENDA REQUEST – Item #17

## BOARD OF SELECTMEN

### Requestor's Section

**Date of request:** *March 7, 2013*

**Requestor:** *Mary McCormack*

**Action requested:** *Discussion regarding Board of Selectmen's articles for 2013 ATM – make any additional "Consent Calendar" designations, take positions and consider speaking assignments where possible*

**Financial impact expected:** *N/A*

**Background information (if applicable, please attach if necessary):**  
*See attached list of articles*

**Recommendations/Suggested Motion/Vote:** *As needed based on discussion*

**Person(s) expected to represent Requestor at Selectmen's Meeting:**

### Selectmen's Office Section

**Date of Selectmen's Meeting:** *March 12, 2013*

**Board's action taken:**

**Follow-up actions required by the Board of Selectmen or Requestor:**

**Future Agenda date (if applicable):**

**Distribution:**

**Town Counsel approval needed?      Yes ( )      No ( )**