

SUDBURY BOARD OF SELECTMEN
 AGENDA - TUESDAY, JULY 22, 2014
 7:30 P.M., LOWER TOWN HALL, 322 CONCORD ROAD

1.	7:30 PM		Opening remarks by Chairman
2.	7:35 PM		Reports from Town Manager
3.	7:45 PM		Reports from Selectmen
4.	7:55 PM		Citizen's comments on items not on agenda
5.	8:00 PM	Vote	Presentation on the status of work being done on the Bruce Freeman Rail Trail project, and vote to proceed on next steps. <i>(Jim Kupfer, Assistant Planner will present)</i>
6.		Vote	<u>Miscellaneous:</u> A. Vote to call a Special Town Meeting to be held on Thursday, September 4, 2014, at 7:30 p.m. in the Lincoln-Sudbury Regional High School Auditorium, for the purpose of voting on supplementary project funding for the construction of the Police Headquarters; and to open the Warrant commencing July 23, 2014 and to close the Warrant for said Special Town Meeting at 5:00 p.m., Friday, August 1, 2014. B. Move to call a Special Town Election to be held Tuesday, September 9, 2014, and to place the following Proposition 2 ½ debt exclusion Ballot Question on the Warrant for the Special Town Election of September 9, 2014: <i>"Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to provide additional funding to construct a new Police Department Headquarters and appurtenant structures on Town-owned land adjacent to the existing Fire Headquarters including borrowing costs and expenses?"</i> ; and further to authorize Town Counsel's preparation of the Argument in Opposition for the Warrant, there being no organized opposition.
7.		Vote	Discussion on next steps regarding Minuteman High School's direction for Sudbury, and question of voting to create a new committee using the draft mission statement.
8.		Vote	Discussion on changing the meeting date for the August 19 Board of Selectmen's meeting to August 12.
9.			Discussion on receiving interest statements from Board members willing to accept Town Manager appointment as designee for collective bargaining at SPS and L-S
10.	At end of meeting	Vote	Vote to enter into Executive Session regarding strategy with respect to land negotiations if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares.

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.

11.		Vote	<u>Consent Calendar:</u> Vote to approve the June 25, 2014 regular session meeting minutes.
12.		Vote/ Sign	As the Licensing Authority for the Town of Sudbury, in accordance with MGL c138, s. 12, vote to approve a Change of Manager for No. 29 Sudbury, 29 Hudson Road, Unit 150, from John Malloy to Ashley Hanson, as requested in an application dated January 7, 2014.
13.		Vote/ Sign	Vote to approve the Conservation Restriction granted by SG Tall Pine, LLC and Dudley Brook Preserve Condominium Association, Inc., dated March 31, 2014, on a total of 9.37+/- acres located at 40 Tall Pine Drive, shown as "Proposed Conservation Restriction" on the a plan of land entitled "Conservation Restriction Plan of Land in Sudbury, Massachusetts", dated December 9, 2013, prepared by Schofield Brothers of New England, Inc.
14.		Vote/ Sign	Vote to accept Utility/Walkway/Highway and Drainage easements from SG Tall Pine LLC and Dudley Brook Preserve Condominium Association, Inc. for property located at 40 tall Pine Drive as shown on a plan entitled "Easement Plan of Land in Sudbury, Massachusetts (Middlesex County)" dated December 9, 2013 prepared by Schofield Brothers of New England, Inc.
15.		Vote	Vote to reappoint Sudbury registered voters: Joy Edith Baig, 21 Howell Road; Martha J. Coe, 14 Churchill Street; Tammie Rhodes Dufault, 84 Silver Hill Road; Marie D. Royea, 42 Blacksmith Drive; and Concord registered voter Maureen McMorrow, 19 Nathan Pratt Drive, as Election Officers with terms beginning August 15, 2014 and expiring on August 14, 2015, as requested by the Town Clerk.
16.		Vote	Vote to grant a special permit to Ronald Nix, President, St. Anselm Conference of the Society of St. Vincent de Paul, 100 Landham Road, to conduct a Walk for the Poor to take place on Sunday, September 20, 2014, from 9:00 a.m. to 12:00 p.m.
17.		Vote	Vote to grant a special permit to Sudbury Education Association, 22 Pratt's Mill Road, to conduct a Bells on 5K Run/Walk to take place on Sunday, October 5, 2014, subject to receipt of a Certificate of Liability.
18.		Vote	Vote to accept, on behalf of the Town, a \$500 donation to the Memorial Day Parade Committee, as requested by Karen Bonazzoli, in honor of her father, Alfred F. Bonazzoli, Jr., in a letter dated June 30, 2014, said funds to be expended under the direction of the Memorial Day Parade Committee.
19.		Vote	Vote to accept, on behalf of the Town, a \$1,000 donation from Lucinda Lagasse to the Pool Donations Account, as requested by Nancy McShea, Park & Recreation Director, in a memo dated July 8, 2014, said funds to be expended under the direction of the Park and Recreation Director.
20.		Vote	Vote to accept, on behalf of the Town, a \$250 donation from Marlborough Savings Bank for use by the Town of Sudbury for the purpose of the Sudbury Celebrates 375/Sudbury Day Committee celebration, and may be used for another similar purpose as authorized by the Board of Selectmen in the event that all funds are not expended at the conclusion of the aforementioned celebration.

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.

21.		Vote	<p>A. Vote to approve the Town Manager’s acceptance of Gale Associates, Inc. proposal for bid, award and construction period services in the amount of \$17,945 relative to the Upper Featherland Softball Project as an additional service to its existing contract with the Town.</p> <p>B. Vote to approve award of contract by the Town Manager to the lowest eligible bidder for development of the Upper Featherland softball field including synthetic turf and fencing, in accordance with bid documents prepared by Gale Associates, Inc., said project to be funded by a gift from Lincoln Sudbury Youth Baseball, and subject to Town Counsel approval.</p>
22.		Vote	Vote to approve award of contract by the Town Manager to Legion Fireworks Co., Inc. of Wappinger Falls, NY, pursuant to its 6/12/14 response to the Sudbury Celebrates 375/Sudbury Day Committee’s RFP for a fireworks display to be held at the LS Regional High School on 9/6/14, at a fixed price of \$15,000.
23.		Vote	Vote to approve award of contract by the Town Manager to the lowest, responsible and eligible bidder for the Town Center Intersection Improvement project upon receipt of bids and approval by Town Counsel.
24.		Vote	Vote to accept a \$6,000 gift from CCC Post Road Limited Partnership (the Coolidge at Sudbury) for walkway construction along the frontage of the property at 189 Boston Post Road, as required in condition IV.16 of the Comprehensive Permit approving the development. Said funds shall be deposited into the Town-wide walkway account and spent under the direction of the Director of Public Works.
25.		Vote	Vote to accept a \$15,225 gift from NSTAR, as described in section 4.4 of the Memorandum of Understanding between the Town of Sudbury and NSTAR dated 3/19/14, towards the construction of a walkway, including handicap access ramps, along NSTAR’s frontage on Boston Post Road, to be expended under the direction of the Director of Public Works, and to return any unused funds remaining after completion of the sidewalk construction to NSTAR. Said funds shall be deposited into the Town-wide walkway account and spent under the direction of the Director of Public Works.
26.		Vote/ Sign	Vote to accept a 10’ wide walkway easement from CCC Post Road Limited Partnership for property located at 189 Boston Post Road, Sudbury, MA as shown on a plan entitled “Plan of Land 189 Boston Post Road, Sudbury, Mass.” prepared by Schofield Brothers of New England, Inc. dated May 23, 2014.

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

Item Name: Bruce Freeman Rail Trail – Next Steps

Date of request: July 17, 2014

Requestor: Jody Kablack, Dir. Planning and Community Development

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

- (1) Discussion of next steps on this project;
- (2) BOS guidance on whether to appoint an advisory committee to work on the project or for the BOS to be the advising body;
- (3) BOS guidance on whether to proceed with an RFP for consulting services or to negotiate a contract with Greenman-Pedersen, Inc. for services related to the 25% MA DOT design plan.

Financial impact expected: Funds approved by Town Meeting and ballot.

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

Memo dated July 17, 2014

Recommendations/Suggested Motion/Vote:

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

none

Selectmen's Office Section

Date of Selectmen's Meeting: 7/22/14

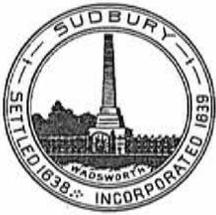
Board's action taken:

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

Future Agenda date (if applicable):

Distribution:

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



Town of Sudbury

Planning and Community Development

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TO: Board of Selectmen
FROM: *Jac* Jody Kablack, Planning and Community Development Director
JK Jim Kupfer, Assistant Planner
RE: Bruce Freeman Rail Trail Next Steps
DATE: July 17, 2014

The Bruce Freeman Rail Trail (BFRT) is a proposed 25-mile rail trail between Lowell and Framingham along the former Lowell Secondary Track right-of-way of the Old Colony Rail Road. In Sudbury, the rail corridor extends through the center of Town in a north south direction, approximately 4.4 miles from South Sudbury near Route 20, north to the Sudbury / Concord Town line. This portion of rail corridor is owned in its entirety by the Commonwealth of Massachusetts.

At the 2014 Annual Town Meeting, the Town voted to appropriate \$150,000 of Community Preservation funds, as proposed by the Selectmen and recommended by the Community Preservation Committee, for the purpose of preparing the 25% (preliminary) design plan for the full length of the BFRT in Sudbury to Mass DOT standards. Additional funds to supplement the CPA appropriation (including Friends of the Bruce Freeman Rail Trail gift and unspent CPA funds) bring the total project budget \$261,192. The 25% design plan is the next logical step in the creation of a rail trail along the Bruce Freeman corridor, and will provide the necessary technical details in determining the impacts and parameters of trail construction along its entire length. Completion of this plan will also increase Sudbury's eligibility for state and federal transportation funding for the construction phase of the project.

Now that the funds have been approved, we would appreciate guidance from the Board on next steps in order to proceed in an efficient and effective manner.

1. The first decision to make is whether to form an advisory committee to support staff in the procurement and design process. The Selectmen could either form a new committee for this project; or the Board could expand the mission statement of the current Rail Trail Conversion Advisory Committee; or the Board themselves could act in this capacity and advise staff directly. As this phase of the project (25% design) is prescribed by the Mass DOT requirements, is predominantly information gathering and mapping, and will be completed by a consultant, the need for direction and guidance by an advisory committee should be minimal. Due to the additional time demands of upholding the public meeting law, it is our strong recommendation that the Selectmen oversee and advise on this project directly. In this capacity the Selectmen will continue to be the decision maker, when necessary, and the Planning and Community Development Office will act as liaison to the consultant and the public. This way, staff time can be maximized on project details and public interaction rather than meetings and minutes. In order to achieve a similar level of public involvement in the process, any contract awarded for this phase of work will require the consultant to hold regularly scheduled public forums to update residents on the work completed to date, and receive public input.



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2. Secondly, we request guidance on whether to proceed with a Request for Proposals to procure design services, or to contract directly with Greenman-Pedersen, Inc. (GPI), a national engineering firm with a regional office in Wilmington, MA, which has worked with the immediate Towns north of Sudbury to complete the 100% design of the Bruce Freeman Rail Trail.

Whichever method is followed for the award of a contract to a consultant, the Town will have the ability to clearly define the parameters of the assignment in terms of allocated monies, benchmarks, deliverables, schedule and special requirements such as public meetings, permitting expectations, and the use of sub-contractors in its defined scope. Below are the reasons for and against the development of a RFP.

Reasons to complete a RFP:

- Competitive bids may provide the potential for cost savings;
- Comparatives will be submitted to assure accuracy in cost;
- Opportunity exposed to a wider range of engineering firms (advertisement in the Central Register required)

Reasons to bypass an RFP and contract directly with GPI:

- Engineering design is an exempt category under State procurement procedures (Chapter 30B);
- RFP would likely extend the procurement process by at least three months;
- GPI is a known entity to MassDOT and is familiar with state and federal funding of this project

Once the above decisions are made, the general task list for the project is expected to be as follows, with an overall expectation of completion in 24 months:

- Finalize a scope of work for the 25% design services
- Submit MassDOT Project Notification Form and Project Initiation Form
- Award contract to consultant
- Hold initial project kick-off, including meetings with abutters
- Field Survey, Base Mapping, and Data Collection
- Concept Design Plan (10%)
- Public meeting on concept plan
- Identify all required local, State, and Federal environmental and other permits and approvals that are needed for the construction of the rail trail. Identify appropriate timing for submittal of permits
- Documentation and data for the 25% Submission Environmental Review by MassDOT Environmental Section
- Preliminary designs for bridges, "boardwalks", street crossings, and on-street segments



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- Functional Design Report
- Design Exceptions Report as necessary
- Identify potential mitigation needed for abutters
- Determine any additional ROW that may be necessary to build the project
- Cost estimates for the completion of the project, including separate details on assumptions for each of the following: rail and tie removal; grading; and the scrap value of the rails
- Conduct 25% Design hearings
- Obtain MassDOT and FHWA, if needed, 25 % Design approval
- Other public meetings/forums as necessary

Ideally, the development of the scope of services and procurement will be completed over the summer and fall of 2014 with design services and public meetings beginning in early spring of 2015.

We request the Selectmen's guidance on next steps and look forward to working closely in the coming months as we begin to layout the design of the future rail trail.

AGENDA REQUEST - Item #6A

BOARD OF SELECTMEN

Requestor's Section:

Date of request: 7/14/14

Requestor: Permanent Building Committee

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

Financial impact expected: \$700,000 maximum funding requested, if borrowed, would result in \$8 on the tax rate of an average home valued at \$640,270 in the first year of debt service, declining thereafter based on \$0.01 per \$1,000 assessment.

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

See draft warrant article and report attached. Supplementary amount requested for funding will be determined by the bid of the lowest, eligible General Contractor on or about August 20, 2014. Timing of Special Town Meeting and Special Town Election will enable bid to be accepted within the 30-day legal time limit and work to commence upon contract signing lessening winter weather impact on actual building construction.

Recommendations/Suggested Motion/Vote:

Vote: To call a Special Town Meeting to be held on Thursday, September 4, 2014, at 7:30 p.m. in the Lincoln-Sudbury Regional High School Auditorium, for the purpose of voting on supplementary project funding for the construction of the Police Headquarters; and to open the Warrant commencing July 23, 2014 and to close the Warrant for said Special Town Meeting at 5:00 p.m., Friday, August 1, 2014.

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

Michael Melnick, Co-Chair, Permanent Building Committee

Selectmen's Office Section:

Date of Selectmen's Meeting: 7/22/14

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 ()

Draft Warrant Article:

To see what sum the Town will vote to raise and appropriate, or appropriate from available funds, for the purpose of augmenting the appropriation for constructing a new Police Department Headquarters and appurtenant structures on Town-owned land adjacent to the existing Fire Headquarters, as voted under Article 14 of the 2014 Annual Town Meeting and approved previously in the debt exclusion question voted at the 2014 Annual Town Election, said sum to be expended under the direction of the Permanent Building Committee; and to determine whether said sum shall be raised by borrowing or otherwise; or act on anything relative thereto.

Submitted by the Board of Selectmen.

(Two-thirds vote required, if borrowed)

PERMANENT BUILDING COMMITTEE REPORT: Additional funding is requested for the construction of a new Police Department Headquarters, the amount of which will be determined by the bid of the lowest eligible General Contractor during late 2014. The limits set forth in the Proposition 2 ½ Ballot Question approved at the March 31, 2014 Annual Town Election precluded the Town from raising additional funds under Article 14 of the May Annual Town Meeting although an increase of \$700,000 was desired based on a professional estimate received in the intervening months.

As background, the Summary section of the Election Warrant for the March 31, 2014 Annual Town Election noted that, at the time of warrant signing, the total project cost had not been finalized and an estimated total construction phase cost was provided in order to give an estimated impact on the tax rate for the construction, construction administration and furnishings of the project.

Prior to the May Town Meeting, a new professional estimate based on more complete technical specifications and drawings indicated a significant construction cost increase consistent with the apparent improvement in the construction environment. Town Meeting, however, was limited to voting the sum of \$7.2 Million being precluded by the limitations of the Ballot Question from voting the higher \$7.9 million desired to allow for the higher bidding climate. Accordingly, it was decided at that time to publicly bid the project construction and request additional construction funding, if any, once the actual bids were received at a subsequent Special Town Meeting. If the final funding request based on the bid is, in fact, an additional \$700,000, the maximum added to the tax rate above would be \$8 at the highest point based on \$.01 per \$1,000 assessed value on the average home value. Permanent borrowing will be based on the actual project cost.

AGENDA REQUEST Item #6B
BOARD OF SELECTMEN

Requestor's Section

Item Name: Question of calling a special election and submitting ballot question to the Town Clerk

Date of request: 7/14/14

Requestor: Permanent Building Committee

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

To call a Special Election for Tuesday, September 9, 2014, concurrent with the Statewide Election and place the debt exclusion ballot question on the Warrant regarding an additional funding request for construction of the Police Headquarters project to augment funding previously approved at the Annual Town Election (limited debt exclusion) and Article 14 of the Annual Town Meeting (\$7,200,000).

Financial impact expected: Additional amount will be determined upon receipt of bid of lowest, eligible General Contractor on or about August 20, 2014. Maximum \$700,000.

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

See draft Warrant attached.

Recommendations/Suggested Motion/Vote:

Move to call a Special Town Election to be held Tuesday, September 9, 2014, and to place the following Proposition 2 ½ debt exclusion Ballot Question on the Warrant for the Special Town Election of September 9, 2014: *"Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to provide additional funding to construct a new Police Department Headquarters and appurtenant structures on Town-owned land adjacent to the existing Fire Headquarters including borrowing costs and expenses?"*

; and further to authorize Town Counsel's preparation of the Argument in Opposition for the Warrant, there being no organized opposition.

Person(s) expected to represent Requestor at Selectmen's Meeting: Michael Melnick, Co-Chair Permanent Building Committee

Selectmen's Office Section

Date of Selectmen's Meeting: 7/22/14

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 ()

DRAFT ELECTION WARRANT:

BALLOT QUESTION

Shall the Town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to provide additional funding to construct a new Police Department Headquarters and appurtenant structures on Town-owned land adjacent to the existing Fire Headquarters including borrowing costs and expenses?

YES _____

NO _____

SUMMARY: The 2014 September Special Town Meeting will include an article for the expenditure of supplementary funds not to exceed Seven Hundred Thousand and no/100 Dollars (\$700,000.00) for construction of the new Police Department Headquarters approved at the 2014 Annual Town Meeting.

This ballot question seeks to exclude from the Proposition 2 ½ levy limit the principal and interest to pay for the additional funds, which may be necessary pay for the project. The project has been advertised for bidding. Professional estimators have advised that the construction market is in an upswing concluding that the bids received will be higher than anticipated. The bids will be received on or about August 20, 2014, after this warrant is printed but before the Town Meeting. If some or all of the funds are not necessary they will not be appropriated at the Special Town Meeting. The bids will be the determining factor for the amount of additional funding to be requested at the Special Town Meeting.

If this debt exclusion receives approval via this ballot and Town Meeting subsequently appropriates all or some of the \$700,000.00, permanent bonding will be obtained at the conclusion of the project based on actual expenditures.

If all of the supplementary funds are appropriated at the Special Town Meeting the estimated impact on the tax rate of this component (\$700,000.00) is: \$0.01 per \$1,000 assessed value at the highest point of the bonding period (based upon a 20-year bond at 2.5%). For example, the tax impact on the 2014 average home value of \$640,270 is estimated at \$8 in the first year of debt service, and would decline year during the bonding period.

A "yes" vote on this question will authorize the Town to exclude from the levy limit the debt required for the amount of the supplementary funds needed for construction of a new Police Headquarters facility, with all associated work connected thereto, subject to appropriation by Town Meeting; and a "no" vote will mean the additional funding, if any, will not allow approval of a debt exemption for the supplemental funds.

The prior approval of the ballot question at the 2014 Annual Election is not affected by this vote and cannot be rescinded.

ARGUMENT FOR PASSAGE: The May, 2014 Annual Town Meeting fully recognized the need to replace antiquated Boston Post Road Police Station and construct a Police Headquarters on Town owned land adjacent to the Hudson Road Fire Station and appropriated the sum of \$ 7,200,000 with the knowledge that this cost was based upon an earlier estimate of the construction costs. Subsequent to the March ballot debt exclusion vote approval, additional estimates were received reflecting that the public construction market was experiencing unanticipated cost increases due to the increased number of projects and the pent up demand for municipal projects that developed during the downturn of the economy.

Town Meeting was advised during the presentation that new cost estimates reflected that the project required an appropriation of an additional \$700,000 to insure that all of the necessary components for an operational Police Station would be constructed. An amendment to increase the funding was proposed, seconded and supported by nearly half of the attendees.

Since the article was based upon estimated construction costs and limited to the amount set forth in the Ballot Question explanation, it was decided approve an interim funding of \$ 7,200,000, solicit public bids and request any additional funding, if necessary, to award the construction contract, perform construction administration and provide furnishings and operational equipment required to operate the Police Station.

The Construction Bids are expected during the end of August and based upon the lowest responsible bid, the additional funding, if necessary, will be requested during the Special Town Meeting.

ARGUMENT IN OPPOSITION: The funds appropriated at the 2014 Annual Town meeting should be sufficient to construct a police station for the number of employees staffing the building at any one time. The Town's debt service should not be increased again above the Prop 21/2 debt limit. The entire amount of the supplemental funds above the debt limit reduction in taxes could be passed on to the taxpayers instead.

AGENDA REQUEST – Item #7
BOARD OF SELECTMEN

Requestor's Section

Item Name: *Discussion on next steps regarding Minuteman High School*

Date of request: *7.15.14*

Requestor: *Town Manager Valente*

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

Discuss next steps regarding Minuteman and question of voting to create a new committee using the draft mission statement.

Financial impact expected:

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

Recommendations/Suggested Motion/Vote:

Discuss next steps regarding Minuteman and question of voting to create a new committee using the draft mission statement.

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

Town Manager Valente

Selectmen's Office Section

Date of Selectmen's Meeting: *7/22/14*

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 #8
BOARD OF SELECTMEN

Requestor's Section

Item Name: *Discussion on changing the date of the 8/19/14 BOS meeting to 8/12/14*

Date of request: *7.15.14*

Requestor: *Town Manager Valente*

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

To discuss changing date of the 8/19/14 BOS meeting to 8/12/14

Financial impact expected:

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

Recommendations/Suggested Motion/Vote:

Discussion and vote on changing the meeting date of for the 8/19 BOS meeting to 8/12/14.

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

Town Manager Valente

Selectmen's Office Section

Date of Selectmen's Meeting: **7/22/14**

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 #9
BOARD OF SELECTMEN

Requestor's Section

Item Name: *Town Manager's designee for purposes of School Collective Bargaining*

Date of request: *7.15.14*

Requestor: *Town Manager Valente*

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

To receive interest statements from Board members willing to accept Town Manager appointment as designee for collective bargaining at SPS and L-S

Financial impact expected: *None to serve as designee*

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

See memo

Recommendations/Suggested Motion/Vote:

None

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

Town Manager Valente

Selectmen's Office Section

Date of Selectmen's Meeting: *7/22/14*

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 ()



Town of Sudbury

Town Manager's Office

278 Old Sudbury Road
Sudbury MA 01776
978-639-3385

Maureen G. Valente, Town Manager

Townmanager@town.sudbury.ma.us

<http://www.town.sudbury.ma.us>

Date: Wednesday July 16, 2014
To: Board of Selectmen
From: Maureen G. Valente, Town Manager
Subject: Town Manager's Designee for bargaining

Both SPS and L-S will be commencing the successor bargaining process with their employees. As part of Education Reform, there is a requirement that either the Town Manager, or my designee, participates in the development of bargaining strategy and voting on matters relating to the collective bargaining process. I have conferred with the Town Administrator in Lincoln, and he again prefers that Sudbury take the lead with the L-S negotiations.

I would prefer to appoint a designee for this role, given that the executive session meetings are at the end of school committee meetings, and my plate will be full with negotiations with town employees going on simultaneously. And I think it appropriate that the designee be a Selectman.

If any Selectman is interested in serving as the management designee for the SPS or the L-S bargaining, please let me know. I would be looking for the following:

1. A commitment to attend most of the school committee meetings whenever a session on collective bargaining is scheduled. This could be a significant commitment of time for the designee.
2. A commitment to keep me up to date with the progress of the negotiation.
3. A commitment to confer with me before casting a vote on any draft agreement.

Thanks Maureen

EXECUTIVE SESSION
AGENDA REQUEST – Item #10
BOARD OF SELECTMEN

Requestor's Section

Item Name: *Executive Session regarding strategy with respect to land negotiations if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares.*

Date of request: 7.15.14

Requestor: *Town Manager Valente*

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

To consider strategy with respect to consideration of acquisition of land that has been offered to the Town for purchase.

Financial impact expected: *Unclear at this time*

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

Recommendations/Suggested Motion/Vote:

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

Town Manager Valente

Selectmen's Office Section

Date of Selectmen's Meeting: 7/22/14

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 ()

AGENDA REQUEST - Item #11

BOARD OF SELECTMEN

Requestor's Section

Date of request: *July 11, 2014*

Requestor: *Patty Golden*

Action requested:

Vote to approve the June 25, 2014 regular session meeting minutes.

Financial impact expected: *None*

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

CONSENT CALENDAR

Recommendations/Suggested Motion/Vote:

Vote to approve the June 25, 2014 regular session meeting minutes.

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

Selectmen's Office Section

Date of Selectmen's Meeting: *June 25, 2014*

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: *June 13, 2014*

Requestor: *Ashley Hanson, No. 29 General Manager*

Action requested: *Approval of Change of Manager for 29 Group LLC d/b/a No. 29 Sudbury from John Malloy to Ashley Hanson*

CONSENT CALENDAR

Financial impact expected: *\$75 chg. of manager fee*

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

See attached application and background material.

Recommendations/Suggested Motion/Vote: *As the Licensing Authority for the Town of Sudbury, in accordance with MGL c138, s. 12, vote to approve a change of manager for No. 29 Sudbury, 29 Hudson Road, Unit 150, from John Malloy to Ashley Hanson, as requested in an application dated January 7, 2014.*

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

Selectmen's Office Section

Date of Selectmen's Meeting: *July 22, 2014*

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 ()

No. 29 Sudbury: Change of Manager Documents

- License Request Checklist
- Department Feedback
- Retail Transmittal Form
- Petition for Change of License
- ~~Manager Application~~
- ~~Personal Information Form~~
- Vote of Corporate Board

ALL ALCOHOL/WINE & MALT LICENSE REQUEST CHECKLIST

INFORMATION REQUIRED	APPLICATION DETAILS	COMPLETED
Applicant	29 Group LLC, d/b/a No. 29 Sudbury	
Date of submission (30 day limit for Public Hearing)	June 13, 2014	
Contact	Ashley Hanson	
Phone No.	978-443-1700 X102	
Email address	ashley@29sudbury.com	
Review application & provide Alcohol Rules & Regulations		
Town Counsel to review application	Approved with no comments	6/19/14
Public hearing notice submitted to newspaper	N/A	
Copies of Notice to Dept. Heads requesting reports due a week before meeting: Building Inspector Board of Health Fire Chief Police Chief	Completed	Sent info 6/19/14
Generate abutters list	N/A	
Send Newspaper Notice to abutters, applicant and attorney (if applicable) via certified mail	N/A	
Email/call applicant with hearing date reminder		7/11/14
Prepare all licenses for BOS meeting		7/17/14
Prepare ABCC Form 43 for BOS meeting		7/14/14
Conduct CORI check		7/17/14

ABCC QUOTA of Sudbury licenses: 32

Sec. 12: Pouring Licenses: 23
Sec. 15: Package Stores: 9

Licenses ISSUED to date: 21

Sec. 12: Pouring Licenses: 18
Sec. 15: Package Stores: 3

Breakdown of License Quota:

Pouring All Alcohol: 18 Wine & Malt: 5
Package All Alcohol: 4 Wine & Malt: 5

Breakdown of Licenses Issued:

Pouring All Alcohol: 14 Wine & Malt: 4
Package All Alcohol: 2 Wine & Malt: 1

NOTE:

In the event of a Selectmen's Meeting is cancelled, email or phone notification must be sent to: BOS, Recording Secretary, dept. heads involved, website, and attendees for the agenda item.

No. 29 Change of Manager Department Feedback

Board of Health Approval:

From: Leupold, Bob
Sent: Tuesday, July 08, 2014 3:12 PM
Subject: RE: No 29 Change of Manager Application

The Board of Health has no objection to the change of manager at 29 Sudbury.

Bob Leupold

Building Department Approval:

From: Herweck, Mark
Sent: Wednesday, July 09, 2014 12:12 PM
Subject: RE: No 29 Change of Manager Application

Hi Leila; I have no issues.

Fire Department Approval:

From: Whalen, John
Sent: Tuesday, July 08, 2014 3:07 PM
Subject: FW: No 29 Change of Manager Application

The Fire Department has no objection to the Change of Manger for No. 29 Sudbury Restaurant.

John M. Whalen, Assistant Fire Chief

Police Department Approval:

From: Nix, Scott
Sent: Thursday, June 19, 2014 3:46 PM
Subject: RE: No 29 Change of Manager Application

The police department does not have an issue with the transfer.

Scott Nix, Chief of Police



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

Print Form

RECEIVED
 BOARD OF SELECTMEN
 SUDBURY, MA

2014 JUN 13 A 10:19

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM**

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA: \$200.00

(CHECK MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL)

CHECK NUMBER

IF USED EPAY, CONFIRMATION NUMBER

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

LICENSEE NAME

ADDRESS

CITY/TOWN STATE ZIP CODE

TRANSACTION TYPE (Please check all relevant transactions):

- Alteration of Licensed Premises
- Change Corporate Name
- Change of License Type
- Change of Location
- Change of Manager
- Other
- Cordials/Liqueurs Permit
- Issuance of Stock
- Management/Operating Agreement
- More than (3) §15
- New License
- New Officer/Director
- New Stockholder
- Pledge of Stock
- Pledge of License
- Seasonal to Annual
- Transfer of License
- Transfer of Stock
- Wine & Malt to All Alcohol
- 6-Day to 7-Day License

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
 P. O. BOX 3396
 BOSTON, MA 02241-3396**



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street
 Boston, MA 02114
www.mass.gov/abcc

PETITION FOR CHANGE OF LICENSE

125000042

ABCC License Number

Sudbury
 City/Town

The licensee 29 CeTop LLC respectfully petitions the Licensing Authorities to approve the following transactions:

- Change of Manager
- Alteration of Premises
- Pledge of License/Stock
- Cordial & Liqueurs
- Change of Corporate Name/DBA
- Change of Location
- Change of License Type (\$12 ONLY, e.g. "club" to "restaurant")

Change of Manager

Last-Approved Manager: Jehu Malloy

Requested New Manager: Ashley Hanson

Pledge of License /Stock

Loan Principal Amount: \$ Interest Rate:

Payment Term: Lender:

Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA:

Requested New Corporate Name/DBA:

Change of License Type

Last-Approved License Type:

Requested New License Type:

Alteration of Premises: (must fill out attached financial information form)

Description of Alteration:

Change of Location: (must fill out attached financial information form)

Last-Approved Location:

Requested New Location:

Signature of Licensee

[Signature]
 (If a Corporation/LLC, by its authorized representative)

Date Signed

1/17/14

On this Date of 28th day of April 2014. 29 Group LLC votes to change managers from. John Malloy to Ashley Hanson.

Signed and Dated.



4/28/14

Signed and Dated.



4/28/14

AGENDA REQUEST - Item #13

BOARD OF SELECTMEN

Requestor's Section:

Date of request: 6/23/14

Requestor: Debbie Dineen, Conservation Coordinator

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

Approval of Conservation Restriction required by an Order of Conditions.

Financial impact expected: None

CONSENT CALENDAR

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

CR covers 9.37 a. of an 18.83 a. parcel off Tall Pine drive known as the Dudley Brook Preserve. This is the 26-unit senior condominium development under construction by the Green Company. The CR area includes a previous CR granted by a former property owner in 1985 on the wetland portion of the property. This new, restated, CR includes this wetland area as well as a large portion of upland riverfront area. Town Counsel has reviewed the document.

Recommendations/Suggested Motion/Vote: To approve the Conservation Restriction granted by SG Tall Pine, LLC and Dudley Brook Preserve Condominium Association, Inc., dated March 31, 2014, on a total of 9.37+/- acres located at 40 Tall Pine Drive, shown as "Proposed Conservation Restriction" on the a plan of land entitled "Conservation Restriction Plan of Land in Sudbury, Massachusetts", dated December 9, 2013, prepared by Schofield Brothers of New England, Inc.

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

Selectmen's Office Section:

Date of Selectmen's Meeting: 7/22/14

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 ()

Address of Premises:
40 Tall Pine Drive
Sudbury, MA 01776

Title Reference:
Book 61993, Page 103
Book 63104, Page 516

AMENDED AND RESTATED CONSERVATION RESTRICTION TO
TOWN OF SUDBURY, MASSACHUSETTS

(Property Address: 40 Tall Pine Drive, Sudbury, MA)
Sudbury CR#102
DEP File No. 301-1099

SG Tall Pine, LLC, a limited liability company organized under the Laws of the Commonwealth of Massachusetts, as Declarant of the Dudley Brook Preserve Condominium created by Master Deed recorded with the Middlesex South Registry of Deeds in Book 63104, Page 516, and as holder of 100% of the beneficial interest in the condominium land and improvements thereon described in the Master Deed, and Dudley Brooke Preserve Condominium Association, Inc. a nonprofit corporation organized under the laws of the Commonwealth of Massachusetts, both of 46 Glen Avenue, Newton, Massachusetts 02459 and their successors and assigns (collectively, "GRANTOR"), acting pursuant to sections 31, 32 and 33 of Chapter 184 of the General Laws, for consideration of one dollar (\$1.00), hereby grant with Quitclaim covenants to the TOWN OF SUDBURY, a Massachusetts municipal corporation acting by and through its Conservation Commission in accordance with M.G.L., chapter 40, sec. 8C, its permitted successors and assigns ("GRANTEE") in perpetuity and exclusively for conservation purposes, the following described conservation restriction on an 9.37+/- acre portion of a 18.83 acre parcel of land ("Parcel") known as and numbered 40 Tall Pine Drive, in the Town of Sudbury (the restricted area herein referred to as the "Premises"), being shown as the "Proposed Conservation Restriction" on a plan of land entitled "Conservation Restriction Plan of Land in Sudbury, Massachusetts" dated December 9, 2013 prepared for SG Tall Pine LLC by Schofield Brothers of New England, Inc., which is recorded herewith and a reduced copy attached hereto as Exhibit A ("Plan"). For GRANTOR's title to said land, see deed dated June 10, 2013, recorded with the Middlesex South Registry of Deeds in Book 61993, Page 103, Dudley Brook Preserve Condominium Master Deed recorded with said Deeds in Book 63104, Page 516, Restatement

and Amendment of the Dudley Brook Preserve Condominium Master Deed recorded with said Deeds in Book 63301, Page 89, Dudley Brook Preserve Condominium Association, Inc. By-Laws recorded with said Deeds in Book 63104, Page 541 and Restatement and Amendment of the Dudley Brook Preserve Condominium Association, Inc. By-Laws recorded with said Deeds in Book 63301, Page 114. Reference is also made to that conservation restriction dated November 20, 1985 recorded with the Middlesex South Registry of Deeds in Book 16971, Page 095 ("Prior Restriction"). The Prior Restriction restricts a portion of the Premises. This Amended and Restated Conservation Restriction ("Conservation Restriction") amends and restates the Prior Restriction, serves to substantially enlarge the previously restricted area and brings the Prior Restriction to current standards.

PURPOSES

This Conservation Restriction is defined in and authorized by Sections 31-33 of Chapter 184 of the Massachusetts General Laws and otherwise by law. Its purpose is to assure that the Premises will be retained in perpetuity predominantly in their natural, scenic and open condition and to prevent any use of the Premises that will significantly impair or interfere with the conservation values of the Premises. The GRANTOR and the GRANTEE acknowledge and agree that the Premises provide protection of significant scenic, aesthetic, and ecological values in their present state as natural areas comprising bordering vegetated wetlands, adjacent upland resource areas, riverfront area, and a perennial stream (Dudley Brook, a cold water fisheries resource). The GRANTOR and the GRANTEE further acknowledge and agree that the Premises have not been subjected to development incompatible with said state, and that protection of the Premises in their predominantly natural or open condition will be of benefit to the public through the protection of the public water supply, ground water supply and wildlife habitat, protection of cold water fisheries, and the prevention of storm damage and pollution, and flood control. The GRANTOR and GRANTEE share the common purpose of conserving the natural values of the Premises for the present generation and future generations. This Conservation Restriction is required by the Conservation Commission of Sudbury in its Order of Conditions issued pursuant to M.G. L. Ch. 131, Sec. 40 on April 9, 2013 and recorded with the Middlesex South Registry of Deeds in Book 61993, Page 73.

The terms of this Conservation Restriction are as follows:

A. PROHIBITED USES AND ACTIVITIES - RESTRICTED AREA

Except as otherwise permitted in paragraph B below, the GRANTOR, his successors and assigns shall neither perform nor permit others to perform any of the following activities or uses, which are prohibited, on, above or below the Restricted Area (i.e., the Premises);

- (1) Constructing or placing of any temporary or permanent building, tennis court, landing strip, mobile home, swimming pool, fences, asphalt or concrete pavement, sign billboard, or other advertising display, antenna, utility pole, tower, conduit, line or other temporary or permanent structure or facility on, above, or under the ground;
- (2) Mining, excavating, dredging or removal of soil, loam, peat, gravel, sand, rock or other mineral substances or natural deposit;
- (3) Placing, filling, or dumping of soil or other substances on the ground as landfill or dumping of refuse, trash, vehicle bodies or parts, rubbish, debris, junk, solid or chemical waste or other substance or material whatsoever;
- (4) Cutting, removing or otherwise destroying trees, shrubs or other vegetation except to further the purposes of the Conservation Restriction, and with prior written permission of the Sudbury Conservation Commission;
- (5) Parking or storage of motorized vehicles of any nature or kind, including but not limited to cars, trucks, motorcycles, all-terrain vehicles and snowmobiles, except as may be necessary for emergency personnel in carrying out their lawful duties;
- (6) Activities detrimental to drainage, flood control, water conservation, erosion control, wild-life habitat, fisheries, or soil conservation;
- (7) Subdivision or other division of the Restricted Area into separate lots to permit development on the Premises or other land; and the Premises cannot be used towards further building requirements on this or any other land
- (8) Any work within a wetland resource area or within the 100' adjacent upland resource area or within 200' of the riverfront area, except to further the purposes of this Conservation Restriction and with prior review and approval by the Sudbury Conservation Commission;

(9) Planting of native species, except with prior permission of the Conservation Commission and only to further the purposes of this Conservation Restriction and only using native plant species from the Commission's approved list;

(10) Any other use or activity which would materially impair conservation interests unless necessary for the protection of the conservation interests that are identified as purposes of the Conservation Restriction, and with prior written permission of the Sudbury Conservation Commission.

B. RESERVED RIGHTS - RESTRICTED AREA

1. Except as expressly limited in this Conservation Restriction, the GRANTOR reserves for himself, and his successors and assigns, all rights as owners of the Premises, including the right to use the Premises for all purposes not inconsistent with this grant that do not materially impair the purposes or conservation interests of this Conservation Restriction.

2. Notwithstanding anything contained in Paragraph A hereof, the GRANTOR reserves unto himself and to his successors in title the right to conduct or permit the following activities and uses on the Restricted Area:

- (i) With prior written permission of the Conservation Commission, the selective pruning and cutting of trees and shrubs to control or remove hazards, disease, invasive species, or insect or storm damage provided the planting of new native vegetation to further enhance the purposes of this Conservation Restriction is accomplished;
- (ii) With prior written permission of the Conservation Commission, the right to control noxious, nuisance, or non-native plant or animals species in a manner that does not impair non-target species or water quality; and
- (iii) The right to create, maintain and use an informal natural gravel walking-only trail for use only by the residents and guests of the proposed development. The width of this trail shall not exceed four feet, shall be located in a manner which shall be sensitive to the contours and ecological features of the land, and shall be approved on site by the Commission or its designated representative prior to the start of any trail establishment. Understory clearing and subsequent trimming shall be limited to the extent

of disturbance reasonably necessary to establish and maintain this walking path; and

- (iv) Walking, bird-watching, photography and other on-foot passive outdoor recreational activities by the residents of the unrestricted portion of the Parcel and their invitees and guests, but only to the extent that such acts uses do not materially impair conservation interests.

C. COMPLIANCE WITH APPLICABLE LAW

The exercise of any right reserved by GRANTOR, and his successors and assigns of this Conservation Restriction shall be in compliance with the then-current Wetland Administration By-Law of the Town of Sudbury, the state Wetlands Protection Act (Massachusetts General Laws Chapter 131, Section 40), and all other applicable federal, state, and local law. The inclusion of any reserved right requiring a permit from a public agency does not imply that GRANTEE or the Commonwealth of Massachusetts takes any position on whether such permit should be issued.

D. ACCESS

The GRANTOR grants to the GRANTEE the right to enter the Premises at reasonable times and in a reasonable manner for the purposes of inspecting the same to determine compliance herewith.

The Conservation Restriction hereby conveyed does not grant to the general public, or to any other person any right to enter upon the Premises or conduct any activities on the Premises, except those rights expressly conferred upon the GRANTEE as set forth in this Section D, and those rights reserved by the GRANTOR.

E. LEGAL REMEDIES OF GRANTEE

The rights hereby granted shall included the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Premises to its condition prior to the time of the injury complained of (it being agreed that the GRANTEE shall have no adequate remedy at law), and shall be in addition to, and not in limitation of, any other rights and remedies available to the GRANTEE. GRANTOR, and his successors and assigns

covenant and agree to reimburse GRANTEE all reasonable costs and expenses (including without limitation reasonable counsel fees and survey expenses) incurred in enforcing this Conservation Restriction or in taking reasonable measures to remedy or abate any violation thereof, provided that a court of competent jurisdiction determines that there has been a violation of this Conservation Restriction. By its acceptance of this Conservation Restriction, GRANTEE does not undertake any liability or obligation relating to the condition of the Premises. Enforcement of the terms of this Conservation Restriction shall be at the discretion of GRANTEE, and any forbearance by GRANTEE to exercise its rights under this Conservation Restriction shall not be deemed or construed to be a waiver. In the event of a dispute over the boundaries of the Conservation Restriction, the GRANTOR will be responsible for surveying and placement of monuments along the boundaries of this Conservation Restriction.

F. DURATION AND ASSIGNABILITY

The burdens of this Conservation Restriction shall run with the Premises and shall be enforceable against GRANTOR and his successors and assigns holding any interest in the Premises in perpetuity. GRANTEE is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction. The benefits of this Conservation Restriction shall run to the Grantee, shall be in gross and shall not be assignable by the GRANTEE, except in the following instances and from time to time: (1) as a condition of any assignment, GRANTEE requires that the purpose of this Conservation Restriction continue to be carried out, and (2) the assignee, at the time of assignment, qualifies under Section 32 of Chapter 184 of the General Laws as an eligible GRANTEE to receive this Conservation Restriction directly, and (3) subject to provisions of Article 97 and amendments of the state constitution, GRANTEE agrees to give written notice to GRANTOR and his successors and assigns of any such assignment at least twenty (20) days prior to the same, but failure to do so shall not impair the validity of this Conservation Restriction or limit its enforceability in any way.

G. SUBSEQUENT TRANSFERS

GRANTOR, for himself and his successors and assigns, agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument by which GRANTOR conveys any interest in all or a portion of the Premises, including, without limitation, a leasehold interest. Failure to do so shall not impair this Conservation Restriction or its enforceability in any manner. GRANTOR and each such successor in title shall not be liable hereunder for breaches of this Conservation Restriction arising after his period of ownership, but

shall be liable for breaches of this Conservation Restriction occurring or existing during his respective period of ownership.

H. EXTINGUISHMENT

(a) Grantee's Receipt of Property and Development Rights.

The Grantor and the Grantee agree that the grant of this Conservation Restriction gives rise for purposes of this paragraph to a real property right, immediately vested in the Grantee, with a fair market value that is at least equal to the proportionate value that this Conservation Restriction, to be determined at the time of any future taking or conveyance, bears to the value of the unrestricted Premises at that time.

(b) Value of Grantee's Property Right

Such proportionate value of the Grantee's property right shall remain constant.

(c) Right of Grantee to recover Proportional Value at Disposition.

If any occurrence ever gives rise to extinguishment or other release of the Conservation Restriction under applicable law, then the Grantee, on a subsequent sale, exchange or involuntary conversion of the Premises, shall be entitled to a portion of the proceeds equal to such proportionate value, subject, however, to any applicable law which expressly provides for a different disposition of proceeds, and provided that Grantee shall use such proceeds exclusively for land conservation in the Town of Sudbury.

(d) Grantor/Grantee Cooperation Regarding Public Action

Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action.

(e) Allocation of Expenses upon Disposition

All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and

Grantee in shares equal to such proportionate value.

(f) Continuing Trust of Grantee's Share of Proceeds of Conservation Restriction Disposition

The Grantee shall use its share of the proceeds in a manner consistent with the conservation purposes of this grant.

I. MISCELLANEOUS

(a) Controlling Law The interpretation and performance of this Conservation Restriction shall be governed by the laws of The Commonwealth of Massachusetts.

(b) Liberal Construction Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be construed liberally in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purpose of Massachusetts General Laws Chapter 184, Sections 31-33. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Conservation Restriction that would render the provisions valid shall be favored over any interpretation that would render it invalid.

(c) Severability If any provision of this Conservation Restriction shall to any extent be held invalid, the remainder shall not be affected.

(d) Entire Agreement This instrument sets forth the entire agreement of the parties with respect to the Conservation Restriction and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Conservation Restriction, all of which are merged herein.

(e) Effective Date This Conservation Restriction shall be effective when the GRANTOR and the GRANTEE have executed this indenture, the administrative approvals required by Section 32 of Chapter 184 of the General Laws have been obtained, the approval of GRANTOR's mortgagee, if any, has been obtained, and the indenture has been recorded. This Conservation Restriction shall be recorded in a timely manner.

(f) Estoppel Certificates Upon request by the GRANTOR, the GRANTEE shall within twenty (20) days execute and deliver to the GRANTOR any document, including an estoppel certificate, which certifies the GRANTOR's compliance with any obligation of the GRANTOR

contained in this Conservation Restriction, provided that GRANTOR is in compliance therewith. If the GRANTOR is not in compliance, the estoppel certificate shall describe the noncompliance.

(g) Miscellaneous Approval of this Conservation Restriction pursuant to M.G.L. chapter 184, Section 32 by any municipal officials and by the Secretary of Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

NO DOCUMENTARY STAMPS ARE REQUIRED.

EXECUTED UNDER SEAL THIS 31st DAY OF March, 2014

GRANTOR:
SG Tall Pine LLC
By its Manager:
TGG Holdings LLC

by Alan J. Green
Alan J. Green, Manager

GRANTOR
SG Tall Pine LLC
By its Manager:
TGG Holdings LLC

by Daniel C. Green
Daniel C. Green, Manager

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

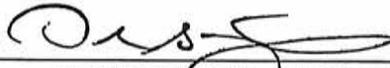
On this 31st day of March, 2014 before me, the undersigned notary public, personally appeared the above-named Alan J. Green and Daniel C Green, as Managers of TGG Holdings LLC, Manager of SG Tall Pine LLC, proved to me through satisfactory evidence of identification, which were: personal knowledge, to be the persons whose names are executed on the preceding or attached document, and acknowledged to me that they executed it voluntarily for its stated purpose in the foregoing capacity.

Denise M. Marini
Denise H. Marini, Notary Public
My Commission Expires: 5/29/2020



EXECUTED UNDER SEAL THIS 31st DAY OF March, 2014

GRANTOR:
Dudley Brook Preserve Condominium Association, Inc.
By its President and Treasurer:
TGG, Inc.

By 
David Caligaris, President

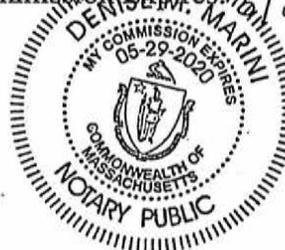
And
By 
Daniel C. Green, Treasurer

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 31st day of March, 2014 before me, the undersigned notary public, personally appeared the above-named David Caligaris and Daniel C. Green, as President and Treasurer respectively, of TGG, Inc. which is President and Treasurer of Dudley Brook Preserve Condominium Association, Inc. proved to me through satisfactory evidence of identification, which were: personal knowledge, to be the persons whose names are executed on the preceding or attached document, and acknowledged to me that they executed it voluntarily for its stated purpose in the foregoing capacity.

Denise M. Marini
Denise M. Marini Notary Public
My Commission Expires 5/29/2020



ACCEPTANCE OF GRANT

56 Tall Pine LLC
and Dudley Brook Preserve
Condominium Association, Inc

At a public meeting held on 4/28/14, the Sudbury Conservation Commission voted to accept the above Conservation Restriction granted by _____, LLC to Town of Sudbury under M.G.L. Chapter 40 section 8C, which is accepted, this 28th day of April 2014

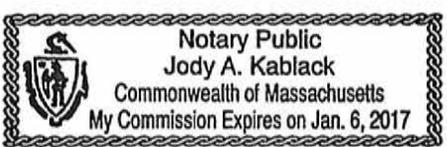
TOWN OF SUDBURY
by its Conservation Commission:

[Signature] Ed Aronson
Chair [Signature]
[Signature]

COMMONWEALTH OF MASSACHUSETTS

Middlesex,ss.

On this 28 day of April, 2014 before me, the undersigned notary public, personally appeared the above-named Elizabeth Armstrong, Thomas Friedlander, Charles Russo, Greg Topham and Bruce Porter, proved to me through satisfactory evidence of identification, which were personal knowledge, to be the persons whose names are executed on the preceding or attached document, and acknowledged to me that they executed it voluntarily for its stated purpose before me, as Members of the Town of Sudbury Conservation Commission



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

APPROVAL OF SELECTMEN OF TOWN OF SUDBURY

At a public meeting held on _____ the Selectman voted to approve and accept the above Conservation Restriction, which is accepted this _____ day of _____, 2014

TOWN OF SUDBURY
by its Selectmen

PATRICIA A. BROWN

ROBERT C. HAARDE

LAWRENCE W. O'BRIEN

LEONARD A. SIMON

CHARLES WOODWARD

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this ___ day of _____, 2014 before me, the undersigned notary public, personally appeared the above-named PATRICIA A. BROWN, ROBERT C. HAARDE LAWRENCE W. O'BRIEN, LEONARD A. SIMON and CHARLES WOODWARD proved to me through satisfactory evidence of identification, which were _____, to be the persons whose names are executed on the preceding or attached document, and acknowledged to me that they executed it voluntarily for its stated purpose before me, as Members of the Town of Sudbury Board of Selectmen

Notary Public
My Commission Expires:

**APPROVAL BY SECRETARY OF THE EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
COMMONWEALTH OF MASSACHUSETTS**

The undersigned, Secretary of the Executive Office of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction from SG Tall Pine LLC to Town of Sudbury has been approved in the public interest pursuant to Massachusetts General Laws, Chapter 184, Section 32. Said approval is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

, Secretary
Executive Office of Energy and
Environmental Affairs

COMMONWEALTH OF MASSACHUSETTS

, ss.

On this ___ day of _____, 2014 before me, the undersigned notary public, personally appeared the above-named _____, proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is executed on the preceding or attached document, and acknowledged to me that he executed it voluntarily for its stated purpose as Secretary of the Executive Office of Energy and Environmental Affairs, before me,

Notary Public
My commission expires:

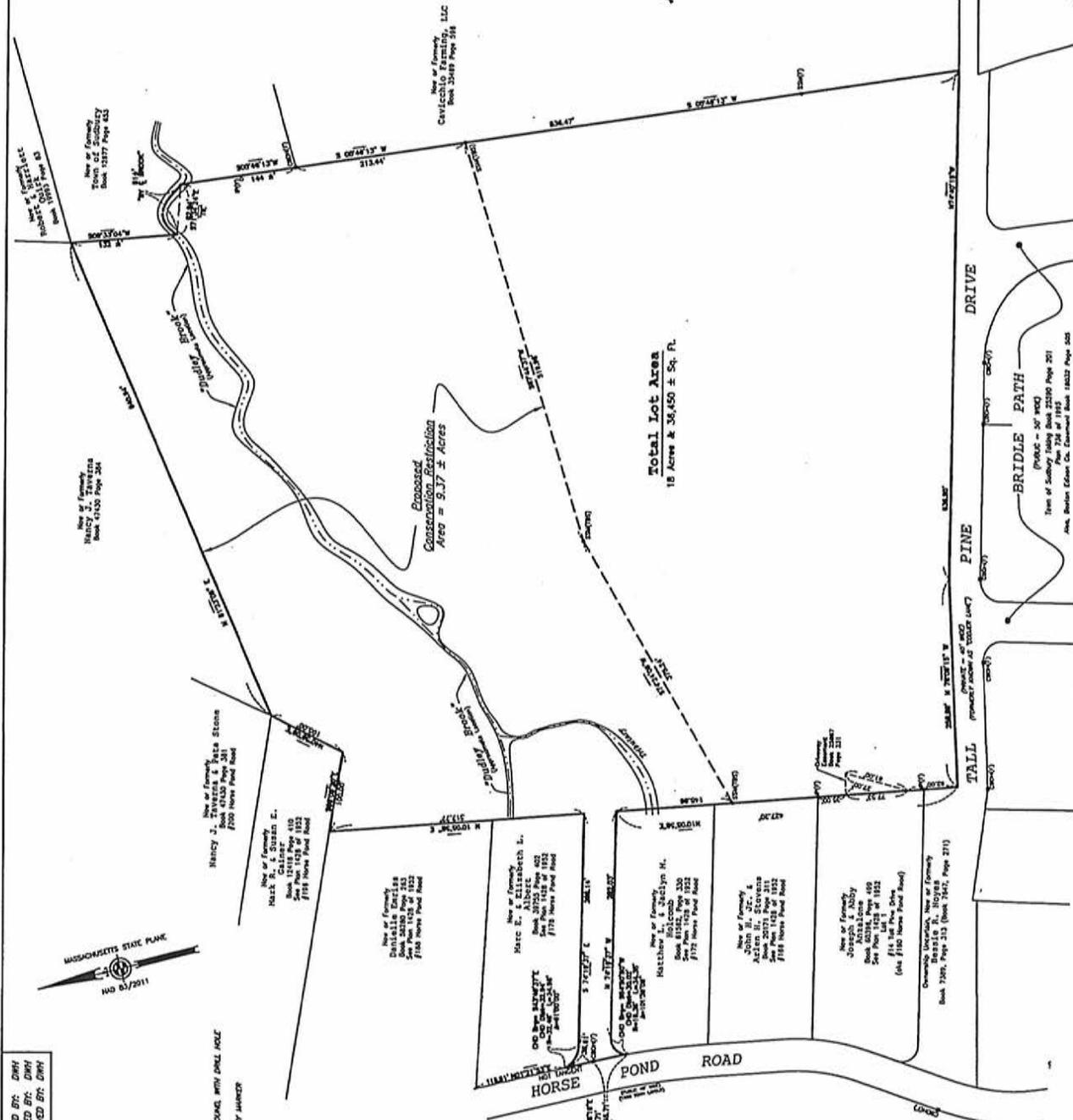
RESEARCH BY: DWH
 FIELD CHECK: N/A
 COMPUTED BY: SEC

DRAWN BY: DWH
 CHECKED BY: DWH
 APPROVED BY: DWH

Legend

(S) SET
 (F) FOUND
 TO BE SET
 (T) TYPED
 (C) COPY
 (M) MOUNTED
 (S) SCALED
 (A) ANNOTATED

CONCRETE FOUND WITH SMALL HOLE
 STEEL SPOUT MARKER



NOTES

FOR REGISTRY USE ONLY

24315

- 1.) RECORD OWNER IS 50 TALL PINE, LLC. SEE DEED BOOK 81993, PAGE 101.
- 2.) SEE ADJACENT MAP 406, PARCELS 001, 200, AND 201.
- 3.) PARCEL FALLS WITHIN TOWNING DISTRICT SINGLE RESIDENCE A ZONING. THE CONTINGENTIONS SHOWN HEREON ARE INTENDED TO MEET REQUIREMENTS OF THE TOWNING DISTRICT SINGLE RESIDENCE A ZONING. CONTRIBUTION TO TITLE OR OWNERSHIP OF THE PROPERTY BY ANY PERSON, OWNERS OF ADJACENT PROPERTIES ARE SUBJECT TO CONDEMNATION RECORDS.
- 4.) SEE UNDEVELOPED SOUTH REGISTRY OF DEEDS FOR RECORD DOCUMENTS.
- 5.) LEGAL STATUS OF EASEMENTS, RIGHTS, AND RESTRICTIONS NOT DETERMINED BY THIS SURVEY.
- 6.) THIS PROPERTY CONTAINS NATURAL WATER BOUNDARIES WHICH ARE SUBJECT TO CHANGE DUE TO NATURAL AND ARTIFICIAL CAUSES AND MAY OR MAY NOT REPRESENT THE ACTUAL LOCATION OF THE CORNER OF TITLE.

I CERTIFY THAT THE PREPARATION OF THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS AND RECORDS, MASSACHUSETTS, AND THE STANDARDS AS SET FORTH IN PARAGRAPH 12, 13 AND 14 OF THE REGISTRY STANDARDS VERSION 4.0 DATED JANUARY 1, 2008.

D. W. H. G.
 PROFESSIONAL LAND SURVEYOR

DATE: 3 March 2011

I CERTIFY THAT THIS PLAN SHOWS THE PROPERTY LINES THAT ARE THE LINES OF EXISTING OWNERSHIP, AND THE LINES OF STREETS AND RIGHTS SHOWN ARE THOSE OF PUBLIC OR PRIVATE OWNERSHIP. THE LINES OF EXISTING OWNERSHIP OR FOR NEW LOTS ARE SHOWN, IN ACCORDANCE WITH THE GENERAL LAWS, CHAPTER 81A, SECTION 81K.

D. W. H. G.
 PROFESSIONAL LAND SURVEYOR

DATE: 3 March 2011

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 FEET

0 3 6 9 12 15 18 21 24 METERS

Conservation Restriction
 Plan of Land in
Sudbury, Massachusetts
 Prepared For: 50 Tall Pine LLC
 Scale: 1" = 60' Date: December 9, 2010

SCHOFIELD BROTHERS OF NEW ENGLAND, INC.
 REGISTERED PROFESSIONAL LAND SURVEYOR
 100 WASHINGTON ROAD
 FRAMINGHAM, MASSACHUSETTS 01901
 Telephone: (508) 879-0000 Fax: (508) 879-1797
 Email: info@schofieldinc.com

Sheet No. 1 of 1 Project No. 24315

CONTRACT NO. 061, 97 APPROVED BY ORDER OF THE BOARD OF REGISTRY

24315

AGENDA REQUEST – Item #14
BOARD OF SELECTMEN

Requestor’s Section

Item Name: Acceptance of Easements

Date of request: July 16, 2014

Requestor: Jody Kablack, Planning Director

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

Vote to accept Utility/Walkway/Highway and Drainage easements from SG Tall Pine LLC and Dudley Brook Preserve Condominium Association, Inc. for property located at 40 tall Pine Drive as shown on a plan entitled “Easement Plan of Land in Sudbury, Massachusetts (Middlesex County)” dated December 9, 2013 prepared by Schofield Brothers of New England, Inc.

CONSENT CALENDAR

Financial impact expected: None

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

*Special Permit issued by Planning Board on _____
Easement Plan attached*

Recommendations/Suggested Motion/Vote:

Vote to accept Utility/Walkway/Highway and Drainage easements from SG Tall Pine LLC and Dudley Brook Preserve Condominium Association, Inc. for property located at 40 tall Pine Drive as shown on a plan entitled “Easement Plan of Land in Sudbury, Massachusetts (Middlesex County)” dated December 9, 2013 prepared by Schofield Brothers of New England, Inc.

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

none

Selectmen’s Office Section

Date of Selectmen’s Meeting: 7/22/14

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 ()
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Address of Premises:
40 Tall Pine Drive
Sudbury, MA 01776

Title Reference:
Book 61993, Page 103
Book 63104, Page 516

GRANT OF EASEMENTS

SG Tall Pine LLC, a Massachusetts limited liability company, as Declarant of the Dudley Brook Preserve Condominium created by Master Deed recorded with the Middlesex South Registry of Deeds in Book 63104, Page 516, and as holder of 100% of the beneficial interest in the condominium land and improvements thereon described in the Master Deed, and Dudley Brooke Preserve Condominium Association, Inc. a Massachusetts nonprofit corporation, both having an address of 46 Glen Avenue, Newton, Massachusetts 02459, and its successors, assigns and transferees (together, "Grantor"), for nominal consideration paid, grants to the **TOWN OF SUDBURY**, a Massachusetts municipal corporation having an address of 322 Concord Road, Sudbury, Massachusetts 01776 ("Grantee"), by its Board of Selectmen, the perpetual non-exclusive right and easement to use in common with Grantor and others permitted by Grantor from time to time to use the following portions of land owned by the Grantor in Sudbury, Middlesex County, Massachusetts, as shown on a plan entitled "Easement Plan of Land in Sudbury, Massachusetts (Middlesex County)" dated December 9, 2013 prepared by Schofield Brothers of New England, Inc., 1071 Worcester Road, Framingham, Massachusetts 01701 (the "Plan"), to be recorded herewith:

1. An easement and right of way over, across, under and through the area shown as "Proposed 10' Wide Utility/Walkway/Highway Easement" on the Plan, for all purposes for which streets and ways are now or may hereafter be used in the Town of Sudbury, including without limitation, access on foot and in motor vehicles, installing, maintaining and replacing, sidewalks, streets and ways, underground utility lines, including without limitation, drains, water mains, gas pipes, electric, telephone, cable and fiber-optic lines therein and thereunder, all of which underground drains, water mains, gas pipes, electric, telephone, cable and fiber-optic lines shall remain the property of the persons installing the same. The Grantee shall be permitted to clear, loam and seed within this easement area in connection with said use, construction, maintenance, repair or replacement subject to adequate replanting for privacy and Grantor's prior written approval of such clearing which approval shall not be unreasonably withheld.

2. An easement and right of way over, across, under and through the area shown as "Proposed Drainage Easement" on the Plan, for the purpose of laying, re-laying, erecting, constructing, re-constructing, altering, maintaining and operating a drainage pipeline or lines and plunge pool, together with the right to decrease the size of such line or lines provided that all disturbed areas shall be returned to the condition that existed prior to any work being done. The Grantee shall be permitted to clear, loam and seed within this easement area in connection with said use, construction, maintenance, repair or replacement subject to adequate replanting for privacy, and Grantor's review and prior written approval of such clearing which approval shall not be unreasonably withheld.

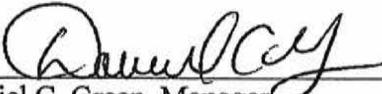
The easements hereby granted are conveyed subject to the right hereby expressly reserved by Grantor to continue to enjoy the use of its land for all purposes not adverse to the rights herein granted to Grantee, and subject to the condition that Grantee conducts its operations on the premises so as to not unreasonably interfere with such rights reserved by Grantor. Grantee, by its acceptance and recording of this Grant of Easements, agrees to observe appropriate safety procedures in its use of the premises, to remove any equipment and other material promptly from the premises after its work is completed, to use said easements at its sole risk, and to restore the premises to their prior existing condition upon the completion of any work performed thereon or therein. The use of the walkway easement hereby granted shall be considered recreational so as to come within the purview of Massachusetts General Laws Chapter 21, Section 17C.

For Grantor's title, see deed recorded with said Deeds in Book 61993, Page 103, Dudley Brook Preserve Condominium Master Deed recorded with said Deeds in Book 63104, Page 516, Restatement and Amendment of the Dudley Brook Preserve Condominium Master Deed recorded with said Deeds in Book 63301, Page 89, Dudley Brook Preserve Condominium Association, Inc. By-Laws recorded with said Deeds in Book 63104, Page 541 and Restatement and Amendment of the Dudley Brook Preserve Condominium Association, Inc. By-Laws recorded with said Deeds in Book 63301, Page 114.

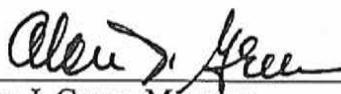
[signatures on following page]

Executed as a sealed instrument this 2nd day of July, 2014.

SG Tall Pine LLC
By Its Manager:
TGG Holdings LLC

By 
Daniel C. Green, Manager

SG Tall Pine LLC
By Its Manager:
TGG Holdings LLC

By 
Alan J. Green, Manager

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF MIDDLESEX

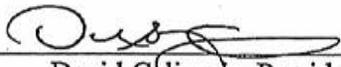
On this 2nd day of July, 2014, before me, the undersigned notary public, personally appeared **Daniel C. Green and Alan J. Green, as Managers of TGG Holdings LLC, Manager of SG Tall Pine LLC**, a Massachusetts Limited Liability Company, proved to me through satisfactory evidence of identification, which were: personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose and as their free act and deed, in such capacity.

Denise M. Marini
NOTARY PUBLIC
MY COMMISSION
EXPIRES: 5/29/2020



Executed as a sealed instrument this 2nd day of July, 2014

Dudley Brook Preserve Condominium Association, Inc.
By its President and Treasurer:
TGG, Inc.

By 
David Caligaris, President

and

By 
Daniel C. Green, Treasurer

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 2nd day of July, 2014 before me, the undersigned notary public, personally appeared the above-named David Caligaris and Daniel C. Green, as President and Treasurer respectively, of TGG, Inc. which is President and Treasurer of Dudley Brook Preserve Condominium Association, Inc. proved to me through satisfactory evidence of identification, which were: personal knowledge, to be the persons whose names are executed on the preceding or attached document, and acknowledged to me that they executed it voluntarily for its stated purpose in the foregoing capacity.

Denise M. Marini
Denise M. Marini, Notary Public
My Commission Expires: 5/29/2020



ACCEPTANCE

ACCEPTED on behalf of the TOWN OF SUDBURY by its BOARD OF SELECTMEN,
under authority of Section 3 of Article XII of the Sudbury Bylaws, and every other authority, this
__ day of _____, 2014.

TOWN OF SUDBURY
by its Selectmen:

PATRICIA A. BROWN

ROBERT C. HAARDE

LAWRENCE W. O'BRIEN

LEONARD A. SIMON

CHARLES WOODARD

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this __ day of _____, 2014 before me, the undersigned notary
public, personally appeared the above-named PATRICIA A. BROWN, ROBERT C. HAARDE
and LAWRENCE W. O'BRIEN, LEONARD A. SIMON and CHARLES WOODARD proved to
me through satisfactory evidence of identification, which were
_____, to be the persons whose names are executed on the
preceding or attached document, and acknowledged to me that they executed it voluntarily for its
stated purpose as their free act and deed before me, as Members of the Town of Sudbury Board
of Selectmen

Notary Public
My Commission Expires:

AGENDA REQUEST - Item #15

BOARD OF SELECTMEN

Requestor's Section:

Date of request: *July 10, 2014*

Requestor: *Town Clerk*

Action requested: *Re-appointment of additional election workers*

Financial impact expected: *None*

CONSENT CALENDAR

Background information: *none*

Recommendations/Suggested Motion/Vote: *Vote to reappoint Sudbury registered voters: Joy Edith Baig, 21 Howell Road; Martha J. Coe, 14 Churchill Street; Tammie Rhodes Dufault, 84 Silver Hill Road; Marie D. Royea, 42 Blacksmith Drive, and Concord registered voter: Maureen McMorow, 19 Nathan Pratt Drive, as Election Officers with terms to begin on August 15, 2014 and to expire on August 14, 2015.*

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

Selectmen's Office Section:

Date of Selectmen's Meeting: *7/22/2014*

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 ()
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AGENDA REQUEST - Item #16

BOARD OF SELECTMEN

Requestor's Section:

Date of request: *June 26, 2014*

Requestor: *Ronald Nix, President, St. Anselm Conference of the Society of St. Vincent de Paul*

Action requested: CONSENT CALENDAR –

To grant a special permit to conduct a Walk for the Poor on Saturday, September 20, 2014 from 9am-12pm.

Financial impact expected: *None*

Background information: *This 3-mile walk is a fundraiser to benefit the needy in the community. It would begin at the St. Anselm Church parking lot, proceed south on Landham Road, turn left on Russet Lane, left on Eddy Street, right on Brookdale Road, right on Kay Street, left on Stock Farm Road, right on Landham Road and return to the parking lot.*

Recommendations/Suggested Motion/Vote:

Vote to grant a special permit to Ronald Nix, President, St. Anselm Conference of the Society of St. Vincent de Paul, 100 Landham Road, to conduct a Walk for the Poor to take place on Sunday, September 20, 2014, from 9:00 am to 12:00 pm.

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

Selectmen's Office Section:

Date of Selectmen's Meeting: *July 22, 2014*

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)

St Anselm Walk for Poor Department Feedback

Highway Department Approval:

From: Place, Bill

Sent: Monday, June 30, 2014 5:28 AM

Subject: RE: St. Anselm Walk for the Poor

Leila, the DPW has no issues.

Bill

Fire Department Approval:

From: Miles, William

Sent: Friday, June 27, 2014 3:31 PM

Subject: Re: St. Anselm Walk for the Poor

The Fire Department has no issues with this event.

Bill Miles

Park & Recreation Approval:

From: McShea, Nancy

Sent: Friday, June 27, 2014 3:28 PM

Subject: Re: St. Anselm Walk for the Poor

Park and Recreation has no concerns with this request.

Nancy McShea, CPRE, CPSI

Police Department Approval:

From: Nix, Scott

Sent: Monday, June 30, 2014 11:26 AM

Subject: RE: St. Anselm Walk for the Poor

We do not have concerns with the route given they are staying on the sidewalk and not crossing Landham. Good luck to them!

Scott Nix, Chief of Police

**Society of St. Vincent de Paul
St. Anselm Conference**

RECEIVED
BOARD OF SELECTMEN
SUDBURY, MA

2014 JUN 26 P 12: 26

To: Board of Selectman, Town of Sudbury, MA
322 Concord Road, Sudbury, MA 01776
From: Ronald Nix, President
St. Anselm Conference of the Society of St. Vincent de Paul
100 Landham Road, Sudbury, MA 01776
Re: Annual Walk for the Poor
Date: Jun 22, 2014

The St. Anselm Conference of the Society of St. Vincent de Paul requests permission to conduct a Walk for the Poor on Saturday, September 20, 2014 at ~~1:00~~^{9 am}pm and concluding at approximately ~~3:00~~¹²pm. The route would begin in the St. Anselm Church parking lot; proceed south on Landham Road turn left on Russet Lane, left on Eddy Street, right on Brookdale Road, right on Kay Street, left on Stock Farm Road, right on Landham Road and return to the St. Anselm Church parking lot. Walkers will have the option of doing this route once (1.5 miles) or twice (3 miles). We will use the sidewalks on Landham Road and have volunteers posted at three other locations along the route where there are no sidewalks.

Last year we conducted this walk with Our Lady of Fatima Parish and used a different route and we had nearly 50 participants. This year our goal is to increase the participation by 20-50% which would be 60-75 walkers.

Money pledged to the walkers will be returned to the St. Anselm Conference and then used to assist the needy in the surrounding community. The St. Anselm Conference of the Society of St. Vincent de Paul is a 501-C-3 charity. While it is Catholic by association, we do not differentiate among clients with regard to religious affiliation or on any other basis.

Sincerely,

Gillian Kelleher
on behalf of
Ronald Nix, President

*Time change
requested 7/15/14
by G. Kelleher*

AGENDA REQUEST - Item #17

BOARD OF SELECTMEN

Requestor's Section:

Date of request: *June 10, 2014*

Requestor: *Anneke Bartelsman; Race Manager Mark Coddair*

Action requested: CONSENT CALENDAR –

To grant a special permit to conduct a Bells on 5K Run/Walk on Sunday, October 5, 2014.

Financial impact expected: *None*

Background information: *This is a fundraiser to benefit the Wally Bell Scholarship Fund.*

Recommendations/Suggested Motion/Vote:

Vote to grant a special permit to Sudbury Education Association, 22 Pratt's Mill Road, to conduct a Bells on 5K Run/Walk to take place on Sunday, October 5, 2014, 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: *July 22, 2014*

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)

Bells on 5K Department Feedback

Fire Department Approval:

From: Miles, William
Sent: Monday, July 14, 2014 6:32 AM
Subject: RE: Bells on 5k Run/Walk

The Fire Department has no issues with this event.

Bill

Highway Department Approval:

From: Place, Bill
Sent: Monday, July 14, 2014 5:52 AM
Subject: RE: Bells on 5k Run/Walk

DPW has no concerns.

Bill

Park and Recreation Approval:

From: McShea, Nancy
Sent: Friday, June 13, 2014 3:18 PM
Subject: Re: Preliminary Relay Race Application

Great. Then I have no issues with this. Thanks

Nancy McShea, CPRE, CPSI

Police Department Approval:

Lieutenant Grady worked with Sudbury Education Association to establish appropriate safety parameters.

Please see approval on application (attached).



TOWN OF SUDBURY

Office of Selectmen
www.sudbury.ma.us

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756

Email: selectmen@sudbury.ma.us

APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT ON A PUBLIC WAY

Written permission to conduct a fundraising walk or relay race in any public street, public sidewalk or public way within the Town must be obtained from the Board of Selectmen prior to the event. The Chief of Police will determine the appropriate public safety requirements for this event and the cost of such special duty officers, if any required, will be borne by the applicant. The Town of Sudbury requires a Certificate of Insurance of no less than \$1,000,000, naming the Town as an additional insured. All cleanup from the event will be completed by the applicant within 8 hours after the stated ending time or applicant will be billed for the Town's cost to clean up. Application processing can take up to four weeks as approval from the Police, Building and Park & Recreation departments may be required prior to Board of Selectmen approval. Processing begins after all required materials are received, so please plan accordingly.

Organization Name Sudbury Education Association
 Event Name BELLS ON 5K RUN/WALK
 Organization Address 22 TRATHS MILL RD SUDBURY MA 01776
 Name of contact person in charge ANNEKE BARTELSMAN - RACE MGT MARK CODDAIRE
 Telephone Number(s) of contact 978-263-5510 (M. Coddaire) (cell) 978-888-7214 (M. Coddaire)
 Email address GLARMCGAOL.COM - (M. Coddaire)
 Date of event 10/5/2014 Rain Date _____
 Starting time 10:00 AM Ending time 11:00 AM
 Route of the race/relay and portion of the road requested to be used (please indicate on map and attach to this application) SEE ATTACHED
 Anticipated number of participants 400
 Assembly area (enclose written permission of owner if private property to be used for assembly) _____
EAHRAIM CURTIS Middle School
 Organization that proceeds will go to WALLY BELL Scholarship Fund
 Any other important information KIDS MILE AT 11:00 \$11.15 - COMPLETELY ON SCHOOL GROUNDS

The undersigned applicant agrees that the applicant and event participants will conform to applicable laws, by-laws and regulations as well as any special requirement that may be made as a condition of the granting of permission pursuant to this application. I/we agree to hold the Town of Sudbury harmless from any and all liability and will defend the Town of Sudbury in connection therewith.

Signature of Applicant _____

Date 6/10/14



TOWN OF SUDBURY

Office of Selectmen
www.sudbury.ma.us

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756

Email: selectmen@sudbury.ma.us

CONTINUED: APPLICATION FOR A CHARITABLE WALK/RELAY PERMIT...

Application Checklist:

- Application Form
- Map of Route
- Evidence of Certificate of Insurance (please see details above)

OFFICIAL SAFETY PLAN TO BE USED MUST BE SUBMITTED PRIOR TO USATE ISSUING IWS.

Please submit completed application and materials to:

Board of Selectmen
278 Old Sudbury Rd.
Sudbury, MA 01776
Fax: 978-443-0756
Email: BOSSadmin@sudbury.ma.us

-----FOR INTERNAL USE ONLY-----

Application received in Selectmen's office by LSF Date 6/12/14

Recommendation and requirements of Sudbury Chief of Police: Worked with Lieutenant Grady regarding safety concerns AS well AS required detail officers

Signature of Police Chief [Signature] Date 7-8-14

Bells on 5K Traffic and Safety Plan

Proposed Course

- Start – The race starts on in the driveway of the Ephraim Curtis Middle School – McLean Dr. 15 minutes prior to the start this driveway will be closed to traffic to stage runners on the start line for a 10am start.
- Race lead vehicle will be in front of runners throughout the race and a police cruiser will be in front of official lead vehicle.
- The race will take a right on Pratts Mill Rd and stay to the right of the road for .88 miles. Traffic cones will be place approximately 3 feet of the shoulder beginning at .5 miles to identify a runner's lane.
- Race will cross-over and take a left on Dutton and follow to the 1.5 mile mark. Runner's will stay to the right in the coned runner's lane.
- Race will go left on Bulkey and follow to the 1.88 mile mark. Runner's will stay to the right in the coned runner's lane.
- Race will go left on Austin and follow to the 2.25 mile mark. Runner's will stay to the right in the coned runner's lane.
- Race will go right on Tanbark and follow to the 2.43 mile mark. Runner's will stay to the right in the coned runner's lane.
- Race will go left on Hemlock and follow to the 2.52 mile mark. Runner's will stay to the right in the coned runner's lane.
- Race will go right on Willow and follow to the 2.76 mile mark. Runner's will stay to the right in the coned runner's lane.
- Race will go right on Pratts Mill and follow to the entrance of the school where it will cross-over and finish in the driveway of School. Runner's will stay to the right in the coned runner's lane.

Minimum Recommended Police detail

- Officer #1 - Entrance and exit of the school at corner of driveway and Pratts Mill
- Officer #2 - Corner of Pratts Mills and Dutton
- Officer #3 - Corner of Willow and Pratts Mills
- Lead Vehicle duties should be able to be coordinated by using officer #1

Course monitors

- Entrance and exit of the school and all intersecting road

Water

- Water will be provided at the start, mile 2 and the finish. Local high school XC teams will man the water stop.

Course communication

- Police will communicate with each other via radio and lead vehicle and finish line via cell phone.

Medical

- Emergency/ambulance service and is called into service by the police as needed.

Kids Mile

- Completely close to traffic and contained to school grounds

Sanctions & Insurance

- USA Track & field sanction and insurance can be submitted for approval upon the acceptance of a safety plan agreed upon by town administrators and race organizers

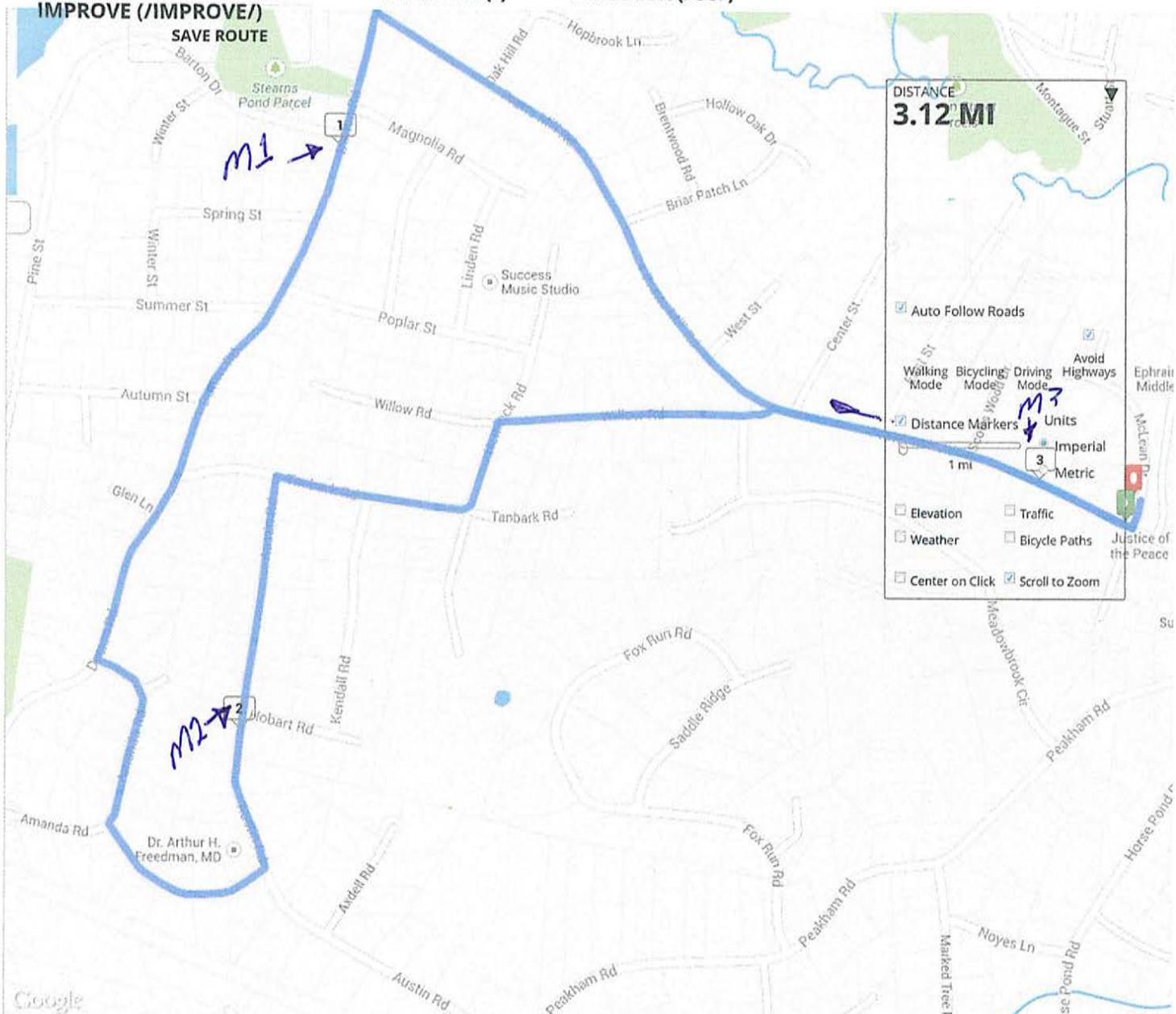
(http://mvp.mapmyrun.com)

Mark (/my_home/)

MY HOME (/)

DISCOVER (/US/)

IMPROVE (/IMPROVE/)
SAVE ROUTE



(http://maps.google.com/maps?hl=en&ll=40.978560711447728285681216817102845591033&map=US&client=apiv3&skstate=action:mps_dialog&iref:1&output=classic) Map data ©2014 Google

10/4

AGENDA REQUEST - Item #18

BOARD OF SELECTMEN

Requestor's Section:

Date of request: *July 3, 2014*

Requestor: *Karen Bonazzoli*

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

CONSENT CALENDAR

Accept a \$500 donation from Sudbury native Karen Bonazzoli to the Memorial Day Parade Committee

Financial impact expected:

Financial assistance to the Committee's efforts with the Parade and ceremonies

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

Recommendations/Suggested Motion/Vote:

Vote to accept, on behalf of the Town, a \$500 donation to the Memorial Day Parade Committee from Karen Bonazzoli, in honor of her father, Alfred F. Bonazzoli, Jr., said funds to be expended under the direction of the Memorial Day Parade Committee.

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

Selectmen's Office Section:

Date of Selectmen's Meeting: *July 22, 2014*

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 ()

RECEIVED
BOARD OF SELECTMEN
SUDBURY, MA

2014 JUL -3 A 11: 31

Karen Bonazzoli
4540 Larkbunting Dr., #7A
Fort Collins, CO 80526
970-206-1105
karenbonazzoli@gmail.com

1/22
agends?
BOS to
accept?
yes.
Let Memorial
Day Committee
know

June 30, 2014

Town of Sudbury
Selectmen's Office
278 Old Sudbury Road
Sudbury, MA 01776

Re: Donation for Memorial Day Events

Dear Sir/Madam:

I am pleased to enclose a check in the amount of \$500 specifically for Memorial Day events. I am doing this in honor of my father's 87th birthday. He is Alfred F. Bonazzoli, Jr.

Dad is a Sudbury native, and although now in Hopkinton, especially enjoys your Memorial Day festivities. Our family feels honored each year when the militia shoot off their guns at the grave of my grandfather, Alfred F. Bonazzoli, Sr. I guess the minutemen would call him colonel.

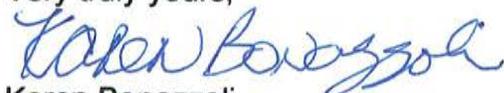
Sudbury will always mean a lot to the Bonazzoli's. I am proud to have a Sudbury birth certificate.

I would appreciate it if you could send a note or email to my Dad telling him of this donation in his name, without revealing the amount, of course.

Alfred F. Bonazzoli
7 Cole Drive
Hopkinton, MA 01748
abonazzoli@aol.com

Thank you so much for keeping history alive.

Very truly yours,


Karen Bonazzoli

AGENDA REQUEST - Item #19

BOARD OF SELECTMEN

Requestor's Section:

Date of request: *July 8, 2014*

Requestor: *Nancy McShea, Park and Recreation Director*

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

CONSENT CALENDAR

Accept a \$1,000 donation from Lucinda Lagasse to the Pool Donations Account

Financial impact expected: *\$1,000 in additional funds for pool operation*

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

See attached

Recommendations/Suggested Motion/Vote: *Vote to accept, on behalf of the Town, a \$1,000 donation from Lucinda Lagasse to the Pool Donations Account, as requested by Nancy McShea, Park & Recreation Director, in a memo dated July 8, 2014, said funds to be expended under the direction of the Park and Recreation Director.*

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

Selectmen's Office Section:

Date of Selectmen's Meeting: *July 22, 2014*

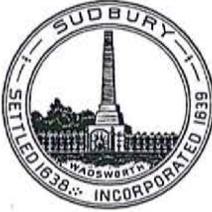
Board's action taken:

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

Future Agenda date (if applicable):

Distribution: Town Counsel approval needed? Yes () No (X)

7/22



Town of Sudbury

Park & Recreation Department

Park and Recreation Department
40 Fairbank Road
Sudbury, MA 01776
978-443-1092

McShean@sudbury.ma.us

Memorandum

TO: Patty Golden
FROM: Nancy McShea *Nancy L*
RE: Atkinson Pool Donation
DATE: July 8, 2014

2014 JUL 10 A 11:16
RECEIVED
BOARD OF SELECTMEN
TOWN OF SUDBURY, MA

To the Board of Selectmen:

Please accept the \$1,000 donation from Lucinda Lagasse for deposit into the Pool Donations account.

I have enclosed a copy of the check.

Please let me know when the donation is approved by the Selectmen and I will deposit into the Pool Donations Account 191748/483100.

Thank you,

Nancy McShea
Parks & Recreation Director
40 Fairbank Road
Sudbury, MA 01776-1843
978-639-3259

LUCINDA G. LAGASSE

381 DUTTON ROAD
SUDBURY, MA 01776-2509
TEL.: (978) 443-4879
~~FAX: (978) 579-9631~~

24 June 2014

Chery Findlay
Acting Aquatic Facility Director
Atkinson Pool
Fairbank Community Center
40 Fairbank Road
Sudbury, MA 01776

Dear Chery:

I'd like to donate the enclosed to the Atkinson Pool, for use to maintain or repair the pool and its facilities, and/or for professional staff development.

You all are a great team, and I am daily glad you are there.

Sincerely,



Lucinda Lagasse

enclosure

AGENDA REQUEST – Item #20

BOARD OF SELECTMEN

Requestor's Section:

Date of request: *July 7, 2014*

Requestor: *Sudbury Celebrates 375/Sudbury Day Committee*

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

Vote to accept, on behalf of the Town, a gift of \$250 for use by the Sudbury Celebrates 375/Sudbury Day Committee celebration

Financial impact expected: \$250 donation to committee fund

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

Recommendations/Suggested Motion/Vote: *Vote to accept, on behalf of the Town, a \$250 donation from Marlborough Savings Bank for use by the Town of Sudbury for the purpose of the Sudbury Celebrates 375/Sudbury Day Committee celebration, and may be used for another similar purpose as authorized by the Board of Selectmen in the event that all funds are not expended at the conclusion of the aforementioned celebration.*

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

Selectmen's Office Section:

Date of Selectmen's Meeting: *July 22, 2014*

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 #21A

BOARD OF SELECTMEN

Requestor's Section:

Date of request: 7/14/14

Requestor: Nancy McShea, Dir. of Parks & Recreation

Action requested (Who, what, when, where and why): See vote.

Financial impact expected: Funded by gift.

CONSENT CALENDAR

Background information (if applicable, please attach if necessary): This approval relative to the Upper Featherland Softball Project allows Gale Associates to provide additional services in the amount of \$17,945 for bid, award and construction period services to its Agreement for Services.

Recommendations/Suggested Motion/Vote: Vote to approve the Town Manager's acceptance of Gale Associates, Inc. proposal for bid, award and construction period services in the amount of \$17,945 relative to the Upper Featherland Softball Project as an additional service to its existing contract with the Town.

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

none

Selectmen's Office Section:

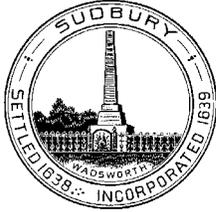
Date of Selectmen's Meeting: 7/22/14

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 ()



Town of Sudbury

Park & Recreation Department

Park and Recreation Department
40 Fairbank Road
Sudbury, MA 01776
978-639-3259

mcshean@sudbury.ma.us

July 17, 2014

To: Maureen Valente, Town Manager
From: Nancy McShea, Park and Recreation Director
RE: Gale Associates Proposal for \$17,945

Please approve the proposal for \$17,945 from Gale Associates so that we can proceed with the Upper Featherland Softball Field Renovation bidding work. This proposal will cover preparing and qualifying the bid documents and bidders and will assist me with the technical oversight of the construction phase of the project. I will be managing this project but will need the technical oversight assistance from Gale Associates. Thank you.

AGENDA REQUEST - Item #21b

BOARD OF SELECTMEN

Requestor's Section:

Date of request: 7/15/14

Requestor: Nancy McShea, Dir. Park & Recreation

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

Financial impact expected: Funded by gift

CONSENT CALENDAR

Background information (if applicable, please attach if necessary): Pursuant to field design by Gale Associates, CPA funded under Art. 37 of the 2013 Annual Town Meeting, plans and specifications were developed for bidding of the Upper Featherland softball field development to be funded by a gift from Lincoln Sudbury Youth Baseball. Bidding is expected to be complete in early August. This vote is to expedite the contracting process and allow construction to commence.

Recommendations/Suggested Motion/Vote: Vote to approve award of contract by the Town Manager to the lowest eligible bidder for development of the Upper Featherland softball field including synthetic turf and fencing, in accordance with bid documents prepared by Gale Associates, Inc., said project to be funded by a gift from Lincoln Sudbury Youth Baseball, and subject to Town Counsel approval.

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

Selectmen's Office Section:

Date of Selectmen's Meeting: 7/22/14

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 ()

AGENDA REQUEST - Item #22

BOARD OF SELECTMEN

Requestor's Section:

Date of request: 7/14/14

Requestor: Hal Cutler, Co-Chair, Sudbury Celebrates 375/Sudbury Day Committee

Action requested (Who, what, when, where and why): See vote.

CONSENT CALENDAR

Financial impact expected: Funds available as solicited by Committee.

Background information (if applicable, please attach if necessary): With the assistance of Town Counsel's Office, an RFP was prepared for a Fireworks display on 9/6/14 to be held at the LS High School as arranged. After review of proposals, the Committee chose the proposal of Legion Fireworks Co., Inc. A contract prepared by Town Counsel will be presented to the parties for signature. The LS District is included in the contract as the property owner.

Recommendations/Suggested Motion/Vote: Vote to approve award of contract by the Town Manager to Legion Fireworks Co., Inc. of Wappinger Falls, NY, pursuant to its 6/12/14 response to the Sudbury Celebrates 375/Sudbury Day Committee's RFP for a fireworks display to be held at the LS Regional High School on 9/6/14, at a fixed price of \$15,000.

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

none

Selectmen's Office Section:

Date of Selectmen's Meeting: 7/22/14

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 ()

AGENDA REQUEST – Item #23
BOARD OF SELECTMEN

Requestor's Section

Item Name: Award of Contract, Town Center Intersection Improvements

Date of request: July 16, 2014

Requestor: I. William Place, DPW Director

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

Vote to approve award of contract by the Town Manager for the Town Center Intersection Improvement project upon receipt of bids and approval by Town Counsel.

Financial impact expected: Funds approved by Town Meeting and ballot.

CONSENT CALENDAR

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

At the annual town meeting May 2013, Article 19 was approved overwhelmingly to appropriate \$700,000 to be expanded under the direction of the Town Manager for construction of traffic improvements to the town center.

Current estimate is \$1,855,703. The balance remaining will be paid for from MGL Chap. 90. The scope of the project is along Route 27 from Peakham Road easterly to the Flynn Building and along Concord Road northerly from Goodman's Hill Road to the entrance to Mt. Pleasant Cemetery.

Bids are expected in mid-August. This vote will expedite award and commencement of construction.

Recommendations/Suggested Motion/Vote:

Vote to approve award of contract by the Town Manager to the lowest eligible and responsible bidder for the Town Center Intersection Improvement project upon receipt of bids and approval by Town Counsel.

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

none

Selectmen's Office Section

Date of Selectmen's Meeting: 7/22/14

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 #24
BOARD OF SELECTMEN

Requestor's Section

Item Name: Accept Gift from CCC Post Road Limited Partnership

Date of request: July 16, 2014

Requestor: *Jody Kablack, Dir. of Planning and Community Development*

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

Accept a \$6,000.00 gift from CCC Post Road Limited Partnership (the Coolidge at Sudbury) for walkway construction along the frontage of the property at __ Boston Post Road, as required in condition IV.16 of the Comprehensive Permit approving the development. Said funds shall be deposited into the Town-wide walkway account and spent under the direction of the Director of Public Works.

CONSENT CALENDAR

Financial impact expected: *none*

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

Plan attached.

Recommendations/Suggested Motion/Vote:

Accept a \$6,000.00 gift from CCC Post Road Limited Partnership (the Coolidge at Sudbury) for walkway construction along the frontage of the property at __ Boston Post Road, as required in condition IV.16 of the Comprehensive Permit approving the development. Said funds shall be deposited into the Town-wide walkway account and spent under the direction of the Director of Public Works.

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

Selectmen's Office Section

Date of Selectmen's Meeting: 7/22/14

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)



Town of Sudbury

Planning and Community Development Department

Jody A. Kablack, Director

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

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

TO: Maureen Valente, Town Manager
FROM: *jak* Jody Kablack, Director of Planning and Community Development
RE: Developer Gift
DATE: July 16, 2014

Attached please find a check in the amount of \$6,000.00 from CCC Post Road Limited Partnership negotiated by the Zoning Board for the construction of a walkway along the property's Boston Post Road frontage in conjunction with the Coolidge at Sudbury development. Said funds should be accepted as a gift by the Board of Selectmen and placed into the account for town-wide walkway construction, to be expended under the direction of the Director of Public Works.

Enclosure

cc: Bill Place, DPW Director
Christine Nihan, Town Accountant (w/original check)

CCC POST ROAD LIMITED PARTNERSHIP

34 Washington Street
Brighton, MA 02135
Phone 617/731-5292
Fax 617/739-0124

June 30, 2014

Benjamin D. Stevenson, Chairman
Town of Sudbury Zoning Board of Appeals
c/o Jody Kablack, Director of Planning and Community Development
Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776

RE: **The Coolidge at Sudbury – Easterly Sidewalk Payment**
ZBA Case Number 11-27

Dear Mr. Stevenson,

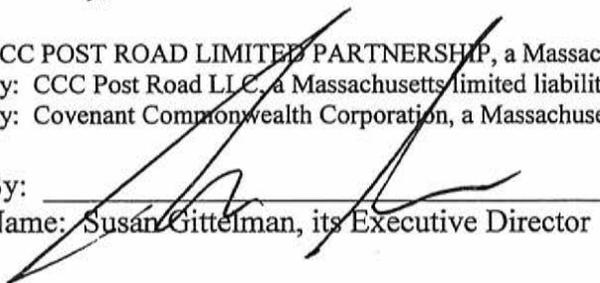
Regarding the Comprehensive Permit granted on August 8, 2011 for The Coolidge at Sudbury, we respectfully submit the enclosed funds to construct the Easterly sidewalk, as required in Condition IV.16.

Please contact Holly Grace or me if you have any questions or need further information. I can be reached at 617-731-5291 or by email at susan@bbhousing.org.

Thank you for working with us on this important development.

Sincerely,

CCC POST ROAD LIMITED PARTNERSHIP, a Massachusetts limited partnership
By: CCC Post Road LLC, a Massachusetts limited liability company, its sole general partner
By: Covenant Commonwealth Corporation, a Massachusetts non-profit corporation, its sole managing member

By: 
Name: Susan Gittelman, its Executive Director

NOTES

- 1.) RECORD OWNER: CCC POST ROAD LIMITED PARTNERSHIP
SEE DEED BOOK 6191A, PAGE 178, SUBJECT TO COMPREHENSIVE PERMIT (40-9) BOOK 3140, PAGE 414.
- 2.) THE CERTIFICATIONS SHOWN HEREON ARE NOT A CERTIFICATION OF ACCURACY OF THE INFORMATION SHOWN, OWNERS OF ADJACENT PROPERTIES ARE RESPONSIBLE FOR VERIFYING THEIR ASSASSOR'S RECORDS.
- 3.) SEE TOWN OF SUDBURY ASSESSOR'S MAP #10, PARCELS 12, 80, 81 & 82.
- 4.) SEE MIDDLESEX COUNTY REGISTRY OF DEEDS FOR DOCUMENTS OF RECORD.
- 5.) LEGAL STATUS OF EASEMENTS, WAYS, AND RESTRICTIONS NOT DETERMINED BY THIS SURVEY.
- 6.) PARCEL FALLS IN ZONING DISTRICT SINGLE RESIDENCE "SRA".

PLAN REFERENCES

- PLAN 339 OF 1977
- PLAN 1212 OF 1998
- PLAN 1244 OF 1996
- PLAN 1245 OF 1996
- 1989 STATE LAYOUT-LANDHAM RD

I CERTIFY THAT THE INFORMATION OF THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS AS REVISED THROUGH JANUARY 12, 1999 AND THE STANDARDS AS SET OUT IN APPENDIX B OF THE MASSACHUSETTS DEED RECORDING STANDARDS REVISION 4.2 DATED JANUARY 1, 2008.

[Signature]
PROFESSIONAL LAND SURVEYOR
DATE: 30 May 2014

I CERTIFY THAT THIS PLAN SHOWS THE PROPERTY LINES THAT WERE IN EXISTENCE PRIOR TO THE RECORDING OF THIS PLAN, THE LINES AND WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN. MASS. GENERAL LAWS, CHAPTER 41, SECTION 81X.

[Signature]
PROFESSIONAL LAND SURVEYOR
DATE: 30 May 2014



RECORD OWNER:
CCC POST ROAD LIMITED PARTNERSHIP

PLAN OF LAND
189 BOSTON POST ROAD
SUDBURY, MASS.

(MIDDLESEX COUNTY)
PREPARED FOR: IFM BROTHER HOLDING NEW ENGLAND, INC.
SCALE: 1"=40'
MAY 23, 2014
SCHOFIELD BROTHERS OF NEW ENGLAND, INC.
1077 WORCESTER ROAD, FRAMINGHAM, MASS. 01701
PHONE: (508) 879-0030 FAX: (508) 879-1797
www.schofieldbrothers.com

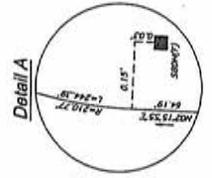


REVISION	DATE	BY	REASON
1			ISSUED
2			REVISED
3			APPROVED
4			FINAL

SHEET No. 1 OF 1
JOB No. 23933



FOR REGISTRY USE ONLY



AGENDA REQUEST – Item #25
BOARD OF SELECTMEN

Requestor's Section

Item Name: Accept Gift from NSTAR

Date of request: July 16, 2014

Requestor: Jody Kablack, Dir. of Planning and Community Development

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

Accept a \$15,225.00 gift from NSTAR, as described in section 4.4 of the Memorandum of Understanding between the Town of Sudbury and NSTAR dated 3/19/14, towards the construction of a walkway, including handicap access ramps, along NSTAR's frontage on Boston Post Road. Any funds remaining after completion of the sidewalk construction project will be returned to NSTAR. Said funds shall be deposited into the Town-wide walkway account and spent under the direction of the Director of Public Works.

CONSENT CALENDAR

Financial impact expected: none

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

MOU attached.

Recommendations/Suggested Motion/Vote:

Accept a \$15,225.00 gift from NSTAR, as described in section 4.4 of the Memorandum of Understanding between the Town of Sudbury and NSTAR dated 3/19/14, towards the construction of a walkway, including handicap access ramps, along NSTAR's frontage on Boston Post Road, to be expended under the direction of the Director of Public Works, and to return any unused funds remaining after completion of the sidewalk construction to NSTAR. Said funds shall be deposited into the Town-wide walkway account and spent under the direction of the Director of Public Works.

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

Selectmen's Office Section

Date of Selectmen's Meeting: 7/22/14

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)



Town of Sudbury

Planning and Community Development Department

Jody A. Kablack, Director

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

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

TO: Maureen Valente, Town Manager
FROM: *jak* Jody Kablack, Director of Planning and Community Development
RE: Developer Gift
DATE: July 16, 2014

Attached please find a check in the amount of \$15,225.00 from NStar negotiated by the Town for the construction of a walkway along the property's Boston Post Road frontage in conjunction with their recent application for improvements to the substation at 163/183 Boston Post Road. Said funds should be accepted as a gift by the Board of Selectmen and placed into the account for town-wide walkway construction, to be expended under the direction of the Director of Public Works.

Enclosure

cc: Bill Place, DPW Director
Christine Nihan, Town Accountant (w/original check)

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is entered into as of March 28, 2014, by and between NSTAR ELECTRIC COMPANY, a Massachusetts corporation and electric company, with an address at One NSTAR Way, Westwood, Massachusetts 02090 ("NSTAR") and THE TOWN OF SUDBURY, a Massachusetts municipal corporation, with an address at 322 Concord Road ("Sudbury" or the "Town"), collectively referred to herein as the "Parties".

Background:

A. NSTAR is proposing to perform certain construction and equipment installation work between March of 2014 and December of 2016 to upgrade and expand an existing NSTAR electrical substation (the "Substation") located at 163 and 183 Boston Post Road (see description in Exhibit A attached) in Sudbury, Massachusetts (the "Project").

B. NSTAR has proposed certain activities as mitigation for the impacts of the Project on the Town, including mitigation required to meet the performance standards of the Sudbury Wetlands Administration Bylaw, and building permits. NSTAR is offering such mitigation to comply with town bylaws, and obtain the required permits for the Project.

NOW, THEREFORE, in consideration of the foregoing, and the mutual agreements set forth herein, the Town and NSTAR agree as follows:

1.0 Purpose. The purpose of this MOU is to describe the undertakings of the Parties with respect to the Project.

2.0 Description of the Project. The Project is NSTAR's response to a determination by the Independent System Operator in New England (ISO-NE) of a need to address thermal overloads and voltage issues within the existing electrical transmission system in the Sudbury area. To resolve these issues and improve the electric transmission system in the area, NSTAR is proposing improvements at the Substation. These improvements involve installing new equipment within the Substation and will result in expansion of the existing footprint of the Substation. Following are the specific components of the Project, described in greater detail in Exhibit B attached hereto and incorporated herein:

- 2.1 Install voltage regulating devices;
- 2.2 Connect an existing overhead transmission line into the substation;
- 2.3 Replace wooden transmission poles with steel poles;

- 2.4 Install new transformers, switching equipment, and control equipment; and
- 2.5 Construct a pressurizing plant for an existing underground transmission line.

3.0 Project Permitting. The components of the Project listed above are combined for environmental permitting purposes, but two (2) separate building permits will be sought from the Town. One building permit will be submitted for the voltage regulating devices (2.1) and the 4 remaining components (2.2. - 2.5) will be combined under a second building permit application. The Town agrees to cooperate with NSTAR in timely processing of the building permit applications. In addition, NSTAR will require and seek a variety of permits from other state and federal agencies, including without limitation, the Army Corps of Engineers, Sudbury Conservation Commission, Massachusetts Department of Environmental Protection, United States Environmental Protection Agency, Massachusetts Natural Heritage and Endangered Species Program, Massachusetts Historical Commission, Massachusetts Environmental Policy Act, and ISO-NE approvals) as may be necessary, in its sole opinion, to construct, install, operate and maintain the Project. MEPA has already issued a decision that an Environmental Impact Report is not required. In addition, Massachusetts Natural Heritage and Endangered Species Program, and the Massachusetts Historical Commission have already issued "no impact" determinations.

4.0 Mitigation. Upon receipt by NSTAR of all required regulatory approvals from all governmental authorities having jurisdiction, including the Town, with all appeal periods with respect thereto having either expired without any appeal having been taken, or if any such appeal has been taken, such appeal having been resolved to the satisfaction of NSTAR, and in each case without conditions or limitations not acceptable to NSTAR in its sole discretion, NSTAR will provide the following mitigation to the Town:

4.1 NSTAR will purchase a parcel of vacant land located at 79 Lincoln Lane, Sudbury, comprising approximately 1.4 acres, for the sum of \$330,500, and will have such land deeded directly to the Town of Sudbury for conservation purposes only. This land is being offered as off-site mitigation which meets and exceeds the requirement for 2:1 mitigation under the Sudbury Wetlands Administration Bylaw.

4.2 NSTAR will create 1:1 wetland replication and habitat improvements at the substation property per the Wetlands Protection Act. The Town will act to remove the existing Sudbury Wetlands By-Law and WPA Superseding Order of Conditions on the 79 Lincoln Lane property.

4.3 NSTAR will install landscape improvements along Boston Post Road per the landscape plan dated December 8, 2013, provided to the Town on December 8, 2013, which the Town hereby approves and accepts.

4.4 NSTAR will donate to the Town the sum of \$15,225.00 to be applied by the Town towards the cost of installation of a sidewalk, including handicapped

access ramps, along NSTAR's frontage on Boston Post Road, which will be accepted as a gift to the Town for this specific purpose. Any funds remaining after completion of the sidewalk construction project will be returned to NSTAR.

5.0 Schedule. NSTAR proposes to commence the Project in March 2014 and achieve substantial completion in December 2016. NSTAR agrees to complete all required mitigation in subsections 4.1 through 4.3 within one (1) year of Project construction start, with the exception of the deeding of the Lincoln Lane property, which deed transferring title shall be recorded at the Registry of Deeds within 30 days of the issuance of the first building permit for the Project.

6.0 Notice. All notices under this MOU shall be in writing and sent to the following contacts designated by the Parties:

To NSTAR:
Beverly Schultz
NSTAR Electric
One NSTAR Way MS SE3041
Westwood, MA 02090

To Sudbury:

Paul L. Kenny, Town Counsel
278 Old Sudbury Road
Sudbury, MA 01776

7.0 General Provisions.

7.1 Assignment. Neither Party shall assign or transfer this MOU without the consent of the other Party.

7.2 Governing Law. This MOU shall be governed by the law of the Commonwealth of Massachusetts and shall bind and inure to the benefit of the Parties hereto and their respective successors and permitted assigns.

7.3 Recording. Neither this MOU nor any notice or memorandum hereof shall be recorded in any public record.

7.4 Counterparts. This MOU may be executed simultaneously in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

7.5 Exhibits. All Exhibits which are referred to herein and which are attached hereto or bound separately and initialed by the Parties are expressly made and constitute a part of this MOU.

7.6 Entire Agreement; Amendments. This MOU and the Exhibits hereto set forth all of the agreements, conditions and undertakings between the Parties hereto with respect to the subject matter hereof, and supersede all prior and contemporaneous agreements and understandings, express or implied, oral or written, except as contained herein, with the exception of conditions contained in the Order of Conditions issued by the Sudbury Conservation Commission for the Project (DEP File #301-1129). This MOU may not be changed orally, but only by an agreement in writing, duly executed by or on behalf of both Parties.

7.7 Further Assurances. The Parties agree to execute and deliver such further instruments, and take such other actions as may be reasonably required or requested and agreed to by respective counsel for the Parties, in order to fully implement the undertakings of the Parties contemplated hereby.

IN WITNESS WHEREOF, the Parties have caused this MOU to be executed under seal by their respective duly authorized representatives, as of the date first written above.

NSTAR ELECTRIC COMPANY

By: Douglas W. Foley
Name: Douglas W. Foley
Title: VP ELECTRIC OPERATIONS

TOWN OF SUDBURY

By: Maureen G. Valente
Name: Maureen G. Valente,
Title: Town Manager

EXHIBIT A

PROPERTY DESCRIPTION

The NSTAR property consists of two parcels of land acquired by NSTAR in ____ and ____, respectively. For title reference, see deeds recorded in the Middlesex South District Registry of Deeds in Book ____, Page ____ ("Parcel A"), and Book ____, Page ____ ("Parcel B"), respectively.

Parcel A at 183 Boston Post Road is just south of Boston Post Road (Route 20) and east of Landham Road. This parcel consists of a retired electrical substation with a utility building, fencing, and forested areas. Access to the existing operational Substation traverses through this parcel. This parcel is bordered on the south by an existing NSTAR transmission line right-of-way (ROW) and abandoned railroad grade. The ROW runs generally east to west and terminates at the Substation. The transmission line itself passes over the Substation and connects to another ROW south of the Substation.

Parcel B at 163 Boston Post Road is south of the existing ROW and consists of a large operational Substation with an associated driveway and power lines. The Substation has been in operation since approximately 1957, and is a typical electrical substation with imported gravel substrate. The Substation is surrounded by a chain-link fence and is accessed by a paved driveway off Boston Post Road (through the parcel north of the ROW). This parcel is bordered on the east, west, and south by the U.S. Fish and Wildlife's Great Meadows National Wildlife Refuge. A natural gas transmission line and easement also border the property to the south, running generally in an east-west direction. A second transmission line ROW originates on the south side of the Substation and continues south toward Wayland.

EXHIBIT B

PROPOSED WORK

Following is a more detailed description the components of the Project:

1. Install a new transformer and associated equipment, including:
 - a. Expand the Substation yard approximately 150 feet south of the existing fence line to accommodate the new equipment;
 - b. Expand the Substation yard approximately 50 feet west of the existing fence line to accommodate a new control house;
 - c. Construct a new gravel access road (approximately 12–18 feet wide) on the north side of the Substation;
 - d. Install two temporary bypass structures on the east side of the Substation for clearance during construction; and
 - e. Connect the Substation equipment to an existing overhead transmission line;
2. Install two new voltage-regulating shunt reactors and associated equipment in the northeast and southwest corners of the Substation (this will require relocation of an existing transmission line on the southwest side);
3. Construct a new dielectric fluid pump plant in the northwest corner of the Substation (within the existing fence line);
4. Maintain the existing transmission lines, including the replacement of two existing 3-pole wood structures with new steel 3-pole structures on the northeast and southeast sides of the Substation (the northeast structure is currently within the substation yard and will be replaced outside the fence line); and
5. Decommission the existing retired electrical substation on Parcel A. Work at this location will entail removing and properly disposing of the existing concrete equipment foundations, control building, and chain link fence. The surface of the retired substation will be restored with gravel.

AGENDA REQUEST – Item #26
BOARD OF SELECTMEN

Requestor's Section

Item Name: Acceptance of Walkway Easement

Date of request: July 16, 2014

Requestor: Jody Kablack, Planning Director

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

Vote to accept a 10' wide walkway easement from CCC Post Road Limited Partnership for property located at 189 Boston Post Road, Sudbury, MA as shown on a plan entitled "Plan of Land 189 Boston Post Road, Sudbury, Mass." prepared by Schofield Brothers of New England, Inc. dated May 23, 2014.

Financial impact expected: None

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

Plan attached

CONSENT CALENDAR

Recommendations/Suggested Motion/Vote:

Vote to accept a 10' wide walkway easement from CCC Post Road Limited Partnership for property located at 189 Boston Post Road, Sudbury, MA as shown on a plan entitled "Plan of Land 189 Boston Post Road, Sudbury, Mass." prepared by Schofield Brothers of New England, Inc. dated May 23, 2014.

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

none

Selectmen's Office Section

Date of Selectmen's Meeting:

Item #

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 ()

CCC POST ROAD LIMITED PARTNERSHIP

34 Washington Street
Brighton, MA 02135
Phone 617/731-5292
Fax 617/739-0124

July 14, 2014

Benjamin D. Stevenson, Chairman
Town of Sudbury Zoning Board of Appeals
c/o Jody Kablack, Director of Planning and Community Development
Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776

**RE: The Coolidge at Sudbury – Sidewalk Easement
ZBA Case Number 11-27**

Dear Mr. Stevenson,

Regarding the Comprehensive Permit granted on August 8, 2011 for The Coolidge at Sudbury, we respectfully submit the enclosed sidewalk easement executed by the ownership and related lenders, as required in Condition IV.15 and 16. This one easement covers the area of both the Easterly and Westerly sidewalks. We have enclosed two original easement copies and one original plan. Upon signing by the Board of Selectmen, kindly return one original executed easement copy to my attention.

Please contact Holly Grace or me if you have any questions or need further information. I can be reached at 617-731-5291 or by email at susan@bbhousing.org.

Thank you for working with us on this important development.

Sincerely,

CCC POST ROAD LIMITED PARTNERSHIP, a Massachusetts limited partnership
By: CCC Post Road LLC, a Massachusetts limited liability company, its sole general partner
By: Covenant Commonwealth Corporation, a Massachusetts non-profit corporation, its sole managing member

By: 
Name: Susan Gittelman, its Executive Director

Enclosures: 2 signed copies of executed sidewalk easement and one original plan

GRANT OF EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that CCC POST ROAD LIMITED PARTNERSHIP, a Massachusetts limited partnership (“Grantor”), having its principal office at 34 Washington Street, Brighton, 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, acting by and through its Board of Selectmen (“Grantee”) 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 Parcels 0012, 0080, 0081 and 0082 on Assessor’s Map K10 (the “Coolidge Parcels”).

Said easement being 10’ in depth along the entire frontage of the Coolidge Parcels on Boston Post Road, as shown on a plan prepared by Schofield Brothers of New England, Inc. dated May 30, 2014, attached hereto as Exhibit A and recorded herewith (the “Easement Area”).

Grantor hereby reserves to itself and those claiming by, under and through Grantor, the right to the use and enjoyment of the Easement Area, including, without limitation, the right to use the surface, subsurface and the area above the surface of the Easement Area for any and all purposes; provided that Grantor shall not exercise such reserved rights in a manner which unreasonably interferes with the rights granted to Grantee. This grant is subject to and with the acknowledgement that a portion of the Easement Area is within the access ways to the Coolidge Parcels and Grantee agrees that it shall use reasonable efforts not to materially impede the free flow of traffic into and out of the Coolidge Parcels. Grantee further agrees that it will provide at least 48 hours notice, which may be oral notice, to Grantor prior to commencement of work within the Easement Area and that it will use reasonable efforts not to materially impede, interfere or otherwise impact the use or operation of the Coolidge Parcels. Grantor may reasonably condition work in the Easement Area to ensure the intent of foregoing interference provisions is fulfilled.

Grantee agrees to use reasonable efforts to minimize any interference with safe and efficient use of the Coolidge Parcels and, if Grantee or any person claiming by, through or under Grantee causes any damage to the Easement Area or the Coolidge Parcels in connection with Grantee’s use of the Easement Area, Grantee shall promptly restore such area(s) to substantially the same condition it was in prior to such damage. “Reasonable efforts,” as the term is used in this Grant of Easement, shall not require the Grantee to incur any unreasonable additional expense or unreasonably delay the performance of the work.

The easements are granted on the condition that (a) Grantor, and its successors and assigns, shall not be responsible for maintenance or repair of the Easement Area,

including, but not limited to any sidewalks installed within the Easement Area, except that if the Easement Area and/or any sidewalk thereon is disturbed or damaged as a result of Grantor's exercise of its rights reserved hereunder, as set forth above, Grantor shall be responsible for restoring the Easement Area to its original condition; (b) Grantor, and its successors and assigns, shall not be liable, from and after the date hereof, for any injuries to person or property sustained within the Easement Area in the absence of the negligent or willful, wanton or reckless conduct by Grantor, its agents, employees or successors or assigns while exercising the Grantor's reserved rights, and (c) the easements shall not be deemed to confer upon any person so using the Easement Area the status of an invitee or licensee to whom any duty would be owed by Grantor, their successors or assigns. Notwithstanding anything to the contrary, Grantee shall not be responsible for the maintenance or repair of any utilities or other facilities or improvements owned by the Grantor and installed or placed in, on or under the Easement Area by Grantor or those acting by, through or under Grantor.

For Grantors title see deed dated May 31, 2013 and recorded with the Middlesex South Registry of Deeds in Book 61918, Page 178.

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

[Signature page follows]

Witness their hand(s) and seal this 1st day of July, 2014.

GRANTOR:

CCC POST ROAD LIMITED PARTNERSHIP, a
Massachusetts limited partnership

By: CCC Post Road LLC, a Massachusetts limited
liability company, its sole general partner

By: Covenant Commonwealth Corporation, a
Massachusetts non-profit corporation, its sole
manager

By: [Signature]
Susan Gittelman, Executive Director

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

July 1st, 2014

On this 1st day of July, 2014, before me, the undersigned notary public,
personally appeared the above-named Susan Gittelman
proved to me through satisfactory evidence of identification, which was
known to me, 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.



[Signature]
Notary Public
My Commission expires Aug 27, 2015.

Witness their hand(s) and seal this 1st day of July, 2014.

GRANTOR:

CCC POST ROAD LIMITED PARTNERSHIP, a
Massachusetts limited partnership

By: CCC Post Road LLC, a Massachusetts limited
liability company, its sole general partner

By: Covenant Commonwealth Corporation, a
Massachusetts non-profit corporation, its sole
manager

By: [Signature]
Susan Gittelman, Executive Director

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July 1st, 2014

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personally appeared the above-named Susan Gittelman
proved to me through satisfactory evidence of identification, which was
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signed on the preceding document, and acknowledged to me that he signed it voluntarily
for its stated purpose.

[Signature]

Notary Public
My Commission expires Aug 27, 2015.



MORTGAGEE'S ASSENT

Bank of America, N.A., holder of a mortgage on the referenced property over which the foregoing easement is granted, executes this Mortgagee's Assent for the sole purpose of assenting to and subordinating its interests in such mortgage to said easement.

(Dated) June 25, 2014

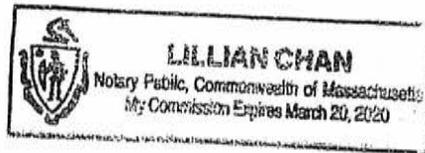
LENDER:

BANK OF AMERICA, N.A., a national banking association

By: Nitaya Ngan [SEAL]
Name: Nitaya Ngan
Title: Vice President

Then personally appeared the above named Nitaya Ngan, a duly authorized officer of Bank of America and acknowledged the foregoing instrument to be his/her free act and deed before me.

Lillian Chan
Notary Public
My Commission expires March 20, 2020



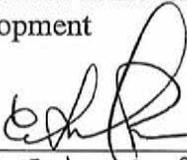
MORTGAGEE'S ASSENT

The Commonwealth of Massachusetts, acting by and through the Department of Housing and Community Development for itself and as agent for other lenders, holder of a mortgage on the above referenced property over which this easement is granted, hereby assents to and subordinates its interest to said easement.

(Dated) June 30, 2014

LENDER:

THE COMMONWEALTH OF
MASSACHUSETTS acting by and through the
Department of Housing and Community
Development

By: 
Name: Catherine Racer
Title: Associate Director

Then personally appeared the above named Catherine Racer, a duly authorized officer of Dept. of Housing & Community Dev. and acknowledged the foregoing instrument to be his/her free act and deed before me.


Notary Public
My Commission expires 2/12/2021

 **CARRIE A. KNUDSON**
Notary Public
Commonwealth of Massachusetts
My Commission Expires
February 12, 2021

ACCEPTED on behalf of the TOWN OF SUDBURY by its BOARD OF SELECTMEN under authority of Section 3 of Article XII of the Sudbury Bylaws, and every other authority, this _____ day of _____, 2014.

EXHIBIT A
EASEMENT AREA
(See attached)

NOTES

- 1.) RECORD OWNER: CCC POST ROAD LIMITED PARTNERSHIP
SEE REFERENCE TO MAP PAGE 172. SUBJECT TO COMPREHENSIVE PERMIT (40-30) BOOK 51461, PAGE 414.
- 2.) THE DEFINITIONS SHOWN HEREON ARE NOT A CERTIFICATION TO THE ACCURACY OF THE INFORMATION CONTAINED HEREON. THE ASSessor'S RECORDS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN ASSessor'S RECORDS.
- 3.) SEE TOWN OF SUDBURY Assessor'S MAP #10, PARCELS 12, 80, 81 & 82.
- 4.) SEE MIDDLESEX COUNTY Registry OF DEEDS FOR DOCUMENTS OF RECORD.
- 5.) LEGAL STATUS OF EASEMENTS, WAYS, AND RESTRICTIONS NOT DETERMINED BY THIS SURVEY.
- 6.) PARCEL FALLS IN ZONING DISTRICT SINGLE RESIDENCE "S0A".

PLAN REFERENCES

- PLAN 339 OF 1977
- PLAN 1212 OF 1988
- PLAN 1217 OF 1998
- 1901 STATE LAYOUT - RT. 20
- 1989 STATE LAYOUT - LANDHAM RD

I CERTIFY THAT THE PREPARATION OF THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERERS OF DEEDS AS REVISED THROUGH JANUARY 12, 1989 AND THE STANDARDS AS SET FORTH IN THE MASSACHUSETTS DEED RECORDING STANDARDS VERSION 4.0 DATED JANUARY 1, 2008.

PROFESSIONAL LAND SURVEYOR
DATE: 30 May 2014

I CERTIFY THAT THIS PLAN SHOWS THE PROPERTY LINES THAT ARE THE LINES OF EXISTING RECORDS AND THAT 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. MASS. REG. LAND SURV. CHAPTER 41, SECTION 61K.

PROFESSIONAL LAND SURVEYOR
DATE: 30 May 2014



RECORD OWNER:
CCC POST ROAD LIMITED PARTNERSHIP

PLAN OF LAND
189 BOSTON POST ROAD
SUDBURY, MASS.

(MIDDLESEX COUNTY)
PREPARED FOR: BFM BETH HOUSING NEW ENGLAND, INC.
SCALE: 1"=40'
MAY 23, 2014
SCHOFIELD BROTHERS OF NEW ENGLAND, INC.
117 WASHINGTON STREET, SUDBURY, MASS. 01701
PHONE: (508) 874-0030 FAX: (508) 874-1797
WWW.SCHOOFIELDBROS.COM

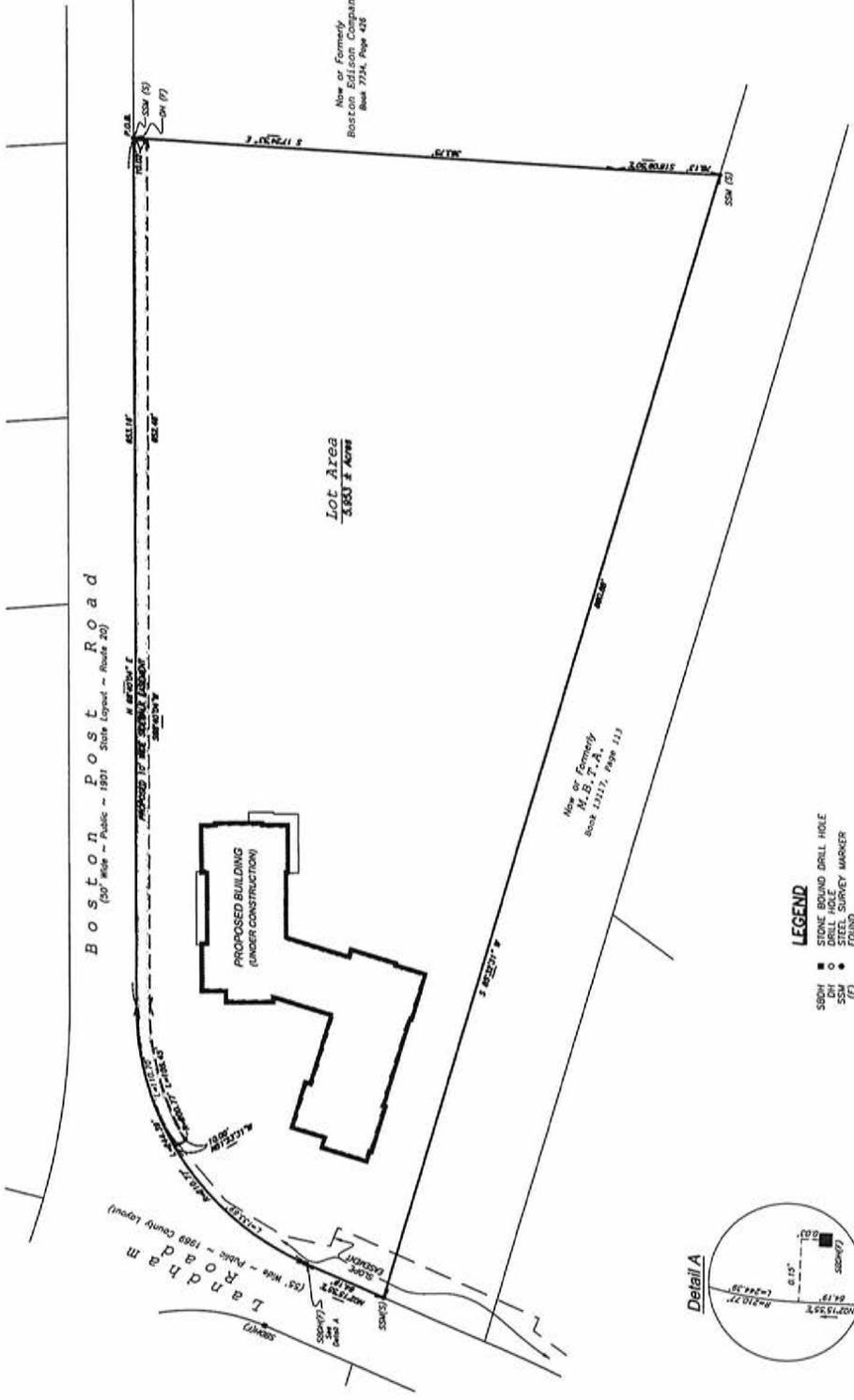


REVISIONS	NO.	DATE	BY	DESCRIPTION

DATE PLOTTED: 05/23/14
DRAWN BY: J. B. F. A.
CHECKED BY: J. B. F. A.
SCALE: 1"=40'
SHEET NO. 1 OF 1
JOB NO. 23933



FOR REGISTRY USE ONLY



LEGEND

- STONE BOUND DRILL HOLE
- IRON NAIL SURVEY MARKER
- STEEL SURVEY MARKER
- (F) FOUND
- (S) SET

