

IN BOARD OF SELECTMEN
TUESDAY, NOVEMBER 16, 2004

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

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

Opening Remarks

Chairman Drobinski reminded residents to take special care in snow removal, now that winter has arrived, and encouraged them to check on neighbors to make sure all is well.

Chairman Drobinski announced the recent HOPEsudbury Telethon raised over \$48,000 to be used as community assistance aid for needy families in Town and other charitable endeavors.

Wayland/Sudbury Septage Facility Report

Present: Robert Gottberg, Vice Chairman.

Mr. Robert Gottberg, Vice Chairman, Wayland/Sudbury Septage Facility, stated the facility has submitted an application for a new permit from the Department of Environmental Protection. Requests were made by the facility to both Wayland and Sudbury to dig test wells, but as yet permission has not been granted.

Referring to a communication, dated November 9, 2004, from the Wayland Board of Selectmen, Mr. Gottberg opined that Board to be somewhat hasty in attempting to determine the future financial feasibility of the joint facility. He opined further that the facility may have to undergo a process known as "denitrification".

Mr. Gottberg opined the Wayland Board of Selectmen is concerned about funding the nitrification process in the very near future, and who would fund the study to determine need. He opined further DEP will most likely require the denitrification as part of the new permit. Mr. Gottberg stated neither Wayland or Sudbury pays any tax money toward the operation of the facility as its expenses are paid by an Enterprise fund, and, within two years, the facility will be debt-free, as it is losing less money each year.

The Board thanked Mr. Gottberg for his report and agreed the committee should wait until DEP makes its determination before taking any action.

for a term to expire April 30, 2005.

Earth Removal Board – Interview

Present: Constantine Athanas, 317 Old Lancaster Road, Applicant.

The Board reviewed a memo, dated October 20, 2004, from the Board of Appeals, recommending Constantine Athanas for appointment as Earth Removal Board member and Board of Appeals Associate.

Mr. Constantine Athanas briefly reviewed his qualifications for this position, most notably his experience in Land Use law in different roles. He stated he is a long time resident of Sudbury, and would

like to give something back to the Town. He stated he has attended Board of Appeals meetings in Sudbury, and also in other towns, learning how various communities apply their laws to best utilize available space. Mr. Athanas opined that towns and residents can work with developers in creating acceptable 40B projects providing affordable housing.

It was on motion unanimously

VOTED: To appoint Constantine Athanas, 317 Old Lancaster Road, as an Earth Removal Board member and Board of Appeals Associate for a term to expire April 30, 2005.

Minutes

It was on motion unanimously

VOTED: To approve the regular and executive sessions of November 4, 2004, as drafted.

D.A.R.E. Donation

It was on motion unanimously

VOTED: To accept the following donations totaling \$280 for deposit into the D.A.R.E. Donation Account and to authorize expenditure by the Police Chief for their intended purpose:

\$50	Mary Dockray-Miller and Michael Miller	\$20	Ross Stein
\$50	Rhonda and Brian Light	\$20	Dianne and Kevin Baxter
\$50	Barbara Natoli	\$20	Kathleen and Timothy Gorman
\$25	Charles and Teresa Stein	\$10	Mary and Gary Drake
\$25	Stephen Bober and Patricia Lukens	\$10	Daniel and Doreen McCarthy

Fire Department Gift Account

It was on motion unanimously

VOTED: To accept the following donations totaling \$130 to the Sudbury Fire Department to be deposited into the Fire Department Gift Account and to authorize expenditure of same by the Fire Chief:

\$10	Sarah and David Smith-Boyle, Sudbury	\$25	Gertrude McNamara, Milton
\$20	Jeffrey and Cristina Peter, Weston	\$75	Erica Martin, Sudbury

Sky Restaurant – One-Hour Extension of Liquor License

The Board reviewed a letter, dated November 3, 2004, from Brian R. Ravella, General Manager, Sky Restaurant, 120 Boston Post Road, requesting a one hour extension of the restaurant's liquor license on Wednesday, November 24, 2004 to a closing time of 1:00 a.m. Mr. Ravella stated this day is historically a busy day and the extra hour accommodates the increased traffic in the restaurant and lounge.

Town Manager Valente stated the Board has approved this request in previous years and reported there have been no incidents noted by the Police or Fire Departments.

Chairman Drobinski stated he would abstain from the vote as Sky Restaurant contributed to his son's memorial scholarship fund.

It was on motion

VOTED: To extend closing hours and the serving of alcoholic beverages at Sky Restaurant, 120 Boston Post Road, on Wednesday, November 24, 2004 until 1:00 a.m. on Thursday, November 25, 2004, on the condition that the kitchen remain open and food served. (Selectman O'Brien, aye, Selectman Keller, aye, Chairman Drobinski, abstain).

MAPC Executive Committee Election

Town Manager Valente stated the resignation of an individual to move into a different position created a vacancy on the Executive Committee of the Metropolitan Area Planning Council (MAPC). Member communities are now casting ballots for the position, the candidates being from Hudson and Stoneham. It was the consensus of the Board that the individual from Hudson would have a better feel for the needs of communities in this area, noting that Stoneham is closer to Boston.

It was on motion unanimously

VOTED: To cast the vote of the Town of Sudbury for Michelle Ciccolo, representing the Town of Hudson, for the vacancy on the Executive Committee of the Metropolitan Area Planning Council.

Frugal Flower – Temporary Greenhouse

This matter was continued from October 19, 2004. Mr. Wambolt was expected to be in attendance this evening, but was not. The Board took no action and opted to hold this item until such time as Mr. Wambolt can attend and provide information previously requested by the Board.

Highway Department – Purchase of Chipper

It was on motion unanimously

VOTED: Pursuant to Annual Town Meeting, Article 8 FY05 Capital Budget, to approve the award for the purchase of a Highway Department Chipper at a cost of \$31,295.92, said sum to be financed over a five-year period at an interest rate of 5.96%; and further, to authorize the Town Manager to execute all documents related thereto.

Purchase of Street Lighting

It was on motion unanimously

VOTED: To confirm the Board's authorization for the Town Manager to execute any agreements and documents required in connection with the purchase of street lights (purchase price \$15,407.31) from NSTAR and for the Town's maintenance of said street lights.

HOPEsudbury Banner

The Board reviewed a communication, dated November 4, 2004, from David Levington, stating the HOPEsudbury banner across Route 20 was installed by Comcast, and requesting the cables be left in place when it comes down. He opined the cables are very high and not visible to passersby.

Town Manager Valente reported there have been no complaints about the cables from residents, the Police Department or Fire Department. She opined leaving the cables up would make things easier, but opined such an action might encourage other community groups to request banners.

The Board discussed determining criteria for banner placement so that community groups will know ahead of time whether a banner would be approved. This criteria could be posted on the Town website.

After discussion, it was on motion unanimously

VOTED: To allow the cables across Route 20 to remain in place for future banner placement.

NSTAR: Tree Replacement on Stock Farm Road

Present: Annemarie Walsh, Community Relations and Economic Development Specialist; David Polson, Project Manager, Construction; William Hayes, Senior Arborist, NSTAR; Stanley Kaplan, 98 Victoria Road.

At 8:30 p.m. Chairman Drobinski convened a meeting with NSTAR representatives relative to the issue of the cutting of trees which screened high tension wires along Stock Farm Road and Pelham Island Road.

Town Manager Valente briefly reviewed events to date, including previous meetings with NSTAR representatives, town officials and neighbors.

Ms. Annemarie Walsh, NSTAR, stated they were presenting a list of suggested trees and tall plants that could be planted in the areas where trees were cut down by NSTAR. Utilizing drawings and artistic renderings, Mr. William Hayes, Senior Arborist, reviewed both the "cut down" view and the "new" view showing proposed plantings, after some growth.

Mr. Hayes stated red pine trees were the species of tree that was cut down, and opined that species was an inappropriate choice for that area as they grow very tall. He stated a "right tree, right concept" plan is what the company tries to follow now. Mr. Hayes stated there must be at least twenty feet of air space between the wires and foliage, and the trees were beginning to encroach on that space. He opined further that this type of tree can sometimes catch on fire if too close to hot wires.

Mr. Hayes stated an "installed" height of trees now would be a 1.5 inch caliper, which would be 6-8 feet tall, depending on species. The drawings indicate trees after several years' growth. Plants such as hydrangea will grow to 12 feet high at maturity. Mr. Hayes stated all the plants they propose to use are native and will withstand the winters. He acknowledged that computer imaging does not allow for a more accurate blending of what the foliage would look like.

Mr. Stan Kaplan, 98 Victoria Road, representing the neighborhood, read aloud a letter, dated November 16, 2004, from Mrs. Sheila Boyce, 28 Stock Farm Road, expressing her disappointment with the proposed replanting plan and the potential diminished property values caused by the tree cutting. He opined that large high tension wires cannot possibly be screened with the proposed trees and shrubs, as they would

not adequately screen the electrical installation. He stated 121 trees of substantial height [15'] were originally planted in the early 70s, and opined that similar size trees need to be replanted now.

Mr. Kaplan stated a former NSTAR engineer reported to him that trees at least ten feet away from the wires should not scorch. He asked if there was an industry standard on air space between trees and conductors. Mr. Hayes responded the standard is a minimum of twenty feet air clearance at maximum sag and load. Mr. Hayes noted that the support structure is not right at the street crossing, so sagging of the line at the street crossing reduced allowable height of trees.

Utilizing the drawing, Mr. Hayes pointed out existing trees that have been topped several times over the years, allowing the trunks to continue to grow, with very little branching on top.

Mr. Polson stated there were some instances last year where power outages were caused by vegetation issues, and there is a heightened awareness of the impact of the vegetation. He reiterated Mr. Hayes' comment that red pines would not be the species planted now as they are inappropriate.

Chairman Drobinski commented that screening is not usually present where power lines cross roads. Mr. Polson agreed and noted that some areas outside of Sudbury are now being cleared out to establish the twenty-foot clearance minimum.

Mr. Kaplan opined the clearance between the red pines and wires was twenty feet, and asked why 20-ft. would not be the size tree selected for replanting. He opined further that this would more adequately recreate the original screening of the wires. Mr. Polson responded that size would be too tall, lack of availability of plants that size and financial limitations.

Responding to a question from Chairman Drobinski, Mr. Hayes opined the original trees were likely of the 6-8' height, noting that the present day girth of the trunks indicate that growth. If left untrimmed, the red pines would have grown to 70 or 80 feet tall. He pointed out the "umbrella" shaped trees on the drawings.

Chairman Drobinski asked if there was any room for the neighbors to have input on the plants selected. Mr. Kaplan stated each neighbor has his own view of what plants would be best, but confirmed that all neighbors want the highest, densest screening that can be obtained. He expressed the belief that, as NSTAR cut down the trees, it should bear the necessary cost to replace the screening. Mr. Kaplan described the artistic renderings as pretty, but unnecessary. Mr. Hayes responded that screening is typically not a "wall of green", but a generally pleasant grouping of plants to detract from the starkness of the installation. He opined that people walking or driving will be looking at eye level typically, and not necessarily upward.

Selectman Keller asked if there were any other areas where similar situations have occurred, i.e., cutting of trees, followed by replanting. He suggested seeing those areas now would be helpful to making some decisions here. Ms. Walsh responded that, to her knowledge, the Town of Sudbury is the only community that had an agreement that NSTAR was to maintain screening. Mr. Polson concurred, noting that easement documents typically do not include such a requirement.

Responding to a question from Selectman O'Brien, Mr. Polson stated there would have been no intention to replant, had the legal documents not contained the screening requirement in Sudbury.

Selectman O'Brien expressed concern that only three of the proposed plantings are fir trees which keep their needles all year. The others would drop their leaves in the fall and winter. He suggested the

Town Manager submit the proposed list of plantings to the Conservation Commission for its expertise regarding native species and winter-resistant plants.

Mr. Polson offered to submit another list of suggested plantings with maximum heights noted so that an informed selection can be made. Selectman Keller suggested a local landscape architect also review the list.

Mr. Hayes stated the trees would most likely be 6-8' in height when planted next spring. Mr. Polson confirmed there is no intention to provide the tallest available trees.

Mr. Polson confirmed that only Stock Farm Road is being considered at this time, as NSTAR has not formally discussed Pelham Island Road tree replacement, but stated they would be willing to work with the Town toward resolution of this area as well.

It was agreed that Mr. Polson would submit the additional planting list to the Town Manager's office, who would submit the lists of proposed plantings and planting plan to the Conservation Commission and other parties for review and recommendation of a planting plan for NSTAR's consideration.

Charles J. Precourt and Son, Inc. – Temporary Tent Structure

Present: Michael Precourt, Charles J. Precourt and Son, Inc., Applicant.

The Board reviewed the following information:

1. Letter, dated November 9, 2004, from Michael Precourt, Charles J. Precourt and Son, Inc. requesting a temporary permit for the reconstruction of a tent enclosure that would be located at the same location as the previous year, which would be taken down no later than May 30, 2005. The tent is used to house a cutting process and protect employees from winter elements.
2. Report, dated November 15, 2004, from the Building Inspector, with the following comments: (a) the proposed storage tent appears to conform to the Town of Sudbury regulations for the temporary use of trailers for storage or office purposes; (b) the proposed placement will not obstruct access to parking areas, roadways, fire lanes or building entrances; (c) the placement of the tent is appropriate considering the location is in an Industrial District; and (d) the proposed time period and size of tent is reasonable.
3. Verbal report, received November 16, 2004, from the Town Engineer, noting that as a majority of the site consists of stockpiled quarry stone, there is no appreciable impact on drainage, and he sees no problem with the installation.
4. Report, dated November 16, 2004, from the Town Planner, stating the Planning Board has not met in time to review this request. Her individual comments are that the tent installed last year was virtually invisible from Union Avenue, and no detrimental comments were received from the public. If the tent is placed in the same location, she sees no problem with its temporary installation.
5. Report, dated November 16, 2004, from the Fire Chief, with the following comments: (a) a temporary structure cannot be erected for more than 180 days per year; (b) 527 CMR Section 19:03 1-3 shall apply. This section states the fire resistance and labeling requirements of tentage; and (c) no heating plant details are shown.

Town Manager Valente reviewed reports received to date.

Mr. Michael Precourt explained that the tent will house a cutting process and protect workers from the elements. He stated they do heat it, but contacted the Fire Chief separately for a permit and inspection last year. He stated they will do the same this year, if they decide the winter is cold enough. Mr. Precourt stated using the tent will allow time to train employees in its use, as well as repair the cutting machine, for spring projects.

After discussion, it was on motion unanimously

VOTED: To grant permission to Michael Precourt, Charles Precourt and Son, Inc., 46 Union Avenue, for use of a temporary tent structure for the purpose of housing equipment during winter processing, for a maximum period of 180 days to extend no later than May 30, 2005, and further, to waive the 30-foot rear yard setback as the structure is temporary and the concrete pad is already in place, subject to the Fire Chief's approval of the heating plan to be used in conjunction with the enclosure.

#SP04-376 – Omnipoint Holdings, Inc.

Present: Michael Almada, Project Manager, T-Mobile USA, Inc.; Ralph Tyler, One Deacon Lane.

At 9:45 p.m. Chairman Drobinski reconvened a Public Hearing to further consider site plan application #SP04-376 of Omnipoint Holdings, Inc. This matter was previously heard on September 7, October 19, and November 4, 2004.

Town Manager Valente stated a Draft Decision had been prepared by Town staff, incorporating the Board's instructions on November 4, 2004. The Board and applicant received a copy of said Decision to review prior to tonight's meeting.

Mr. Michael Almada, Project Manager, T-Mobile USA, Inc., stated Condition 22, placement of a jersey barrier prior to any work being done in connection with this Site Plan, creates a requirement of another party performing a task before the applicant can begin. He expressed concern that this could impede work for an unlimited period of time.

With regard to the flush-mount instead of the proposed full array, Mr. Almada opined such a design puts T-Mobile at a competitive disadvantage. Chairman Drobinski advised that, because technology has advanced since the previous antennas on this tower were installed, thereby providing improved coverage with a flush-mount design, the Board believes the use of this design to be a reasonable request. Mr. Almada responded that a stealth antenna loses a certain amount of radio frequency signal strength, which translates into reduced coverage.

Town Manager Valente stated the Dept. of Public Works cannot go onto Water District property leased to another entity. Ms. Valente stated the Town has assurance from the Water District that the work of installing the barriers to shield the propane tank will be accomplished, and opined that monetary gain (rent payments) may be delayed until it is completed.

Chairman Drobinski stated the condition should be retained as it was a suggestion by the Fire Chief as an element of public safety.

Mr. Ralph Tyler, One Deacon Lane, reiterated his request that the Board not approve this Site Plan, as he believes it is a non-conforming use and does not comply with the Zoning Bylaw. He stated the existing cell tower was built before the Wireless Bylaw was enacted, and suggested this change to the tower should go through a full site plan review process. Chairman Drobinski stated that Condition 1 provides that this installation shall comply with all laws and regulations, noting the Board of Appeals and other Town departments issue various kinds of permits outside the jurisdiction of the Board of Selectmen.

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

VOTED: To approve Site Plan Application No. 04-376 of Omnipoint Holdings, Inc., a wholly-owned subsidiary of T-Mobile USA, Inc., d/b/a VoiceStream, to modify the existing SpectraSite facility for wireless communications on property located in the Research District, 16 North Road, on Parcel C12-004, owned by the Sudbury Water District, by adding antennae at a height of 130 feet plus an E911 antenna at an approximate height of 100 feet to the existing tower, with co-axial cables and base transceiver station (BTS) units mounted on a 6' x 8' concrete pad comprised of three equipment cabinets and power/telephone pedestal, in collocation with CellularOne and Cellco Partnership (Bell Atlantic Mobile), as shown on a one-sheet Site Plan entitled "4DE-0485-B SPECTRASITE NORTH ROAD, North Road, Sudbury, Massachusetts", drawn by Edwards and Kelcey, Providence, RI, dated July 9, 2002, revised July 17, 2002 and September 25, 2002, subject to the following conditions:

1. The Omnipoint installation shall comply with all governmental laws and regulations including, but not limited to, the Wetlands Protection Act and Sudbury Wetlands Bylaw, zoning, building and health laws and regulations;
2. The Omnipoint installation shall comply with permit(s) granted by the Board of Appeals for this site and Sudbury Zoning Bylaw.
3. The Omnipoint installation shall comply with the Water Resource Protection District Special Permit granted by the Planning Board for this site.
4. The Omnipoint installation shall comply with FCC requirements and receipt of a permit from the Massachusetts Department of Health, if required.
5. Final approval of the stormwater management and drainage systems, including traps, catch basins, and periodic maintenance as required by the Town Engineer; drainage shall comply with the Water Resource Protection Special Permit issued by the Planning Board, and runoff from the concrete slab shall be infiltrated into the ground by placing 1 1/2" stone around the perimeter of the cabinets per recommendation of the Town Engineer.
6. Placement of all new utilities underground.
7. No wells for drinking water supply to be installed on the site.
8. The grant of an earth removal permit by the Earth Removal Board, as applicable.
9. No use of salt or sodium-based de-icers on site unless approved by the Conservation Commission.

10. No storage or use of chemicals on site except in conformity with guidelines and requirements of the Board of Health and the Fire Chief; the owner or operator of the site shall comply with the Massachusetts Oil and Hazardous Materials Release Prevention and Response Act, M.G.L. Chapter 21E, as amended, and all regulations issued thereunder.
11. Any disposal or removal of effluent and wastes generated on the site shall conform to the requirements of the Board of Health, Town Engineer and/or Conservation Commission, as appropriate.
12. If required by the Board of Health, Conservation Commission and/or Board of Selectmen, the applicant shall install one or more monitoring wells, or other protective device, on the site, including the Town's right of access for periodic testing and monitoring thereof.
13. The Board of Selectmen has rejected the nine-panel antenna array design. Omnipoint antennas shall be of flush mount design with sleeve covering (using Landfill model), to be approved by the Board of Selectmen in the revised plans to be presented for signature.
14. There shall be no lighting either on the pole or illuminating the pole. Exterior security lighting in the equipment area shall be directed away from adjacent properties and have shields, and shall conform to Zoning Bylaw Section 3427.f.
15. Any back-up generator used on site shall utilize propane gas as a fuel supply and shall comply with requirements of the Fire Chief.
16. The two gates to the site shall each be secured by one lock only, accessible by Bell Atlantic Mobile, Cellular One/SpectraSite, Omnipoint Holdings, Sudbury Water District, Department of Public Works, Fire Department, and Police Department; keys shall be made available for all locked areas to Town public safety agencies as needed.
17. The Omnipoint installation shall cause no interference with public safety radio transmissions; if any conflict occurs, Omnipoint shall pay for any filtering equipment the Town may require to eliminate the interference, or otherwise immediately eliminate the interference.
18. In accordance with Sudbury Zoning Bylaw Article IX, Section 4369, Omnipoint Holdings, Inc. shall furnish a bond in the amount of the estimated cost plus 25% of dismantling the facility.
19. Any air conditioners or generators shall not produce undue noise and shall be consistent with average noise levels for residential uses, and shall conform to the Sudbury Zoning Bylaw.
20. Omnipoint Holdings, Inc. shall annually provide copies of its compliance with Federal Communications Commission (FCC) requirements for measurement of radio frequency emission levels to the Board of Health and Board of Selectmen.
21. By virtue of its approval of this site plan, the Board of Selectmen waives Condition 12e in the Site Plan Decision 95-320 to allow collocation of Omnipoint equipment, as approved, on the SpectraSite tower.

22. Prior to commencement of any work in connection with this Site Plan, a jersey barrier shall be installed to protect the existing propane tank on the site from the adjacent traffic using the travel lane to the Town Borrow Pit; the barrier shall meet the requirements of the Town Engineer.
23. The following shall be added to the Site Plan:
 - 1) Signature block for the Board of Selectmen
 - 2) Signature block for the Building Inspector, Town Engineer, and Town Planner
 - 3) Site address of 16 North Road
24. Submission of an "as built" plan. Any change in the physical condition of the site, including changes in the location or design of structures or systems, following approval of the site plan, will require approval by the Board of Selectmen.
25. No Building Permit shall be issued until the Decision has been recorded in the Middlesex South Registry of Deeds with the title to the property and become a restriction thereon, the plans are approved and signed, and certain items noted above [5, 8, 13, 18, 22, and 23], as specified by the Board, are complied with.
26. No Occupancy Permit shall be issued until certain items noted above [1, 2, 3, 4, 6, 10, 11, 12, 14, 15, 16, 19, and 24], as specified by the Board, are complied with.
27. This approval shall lapse if construction and a substantial use thereof have not commenced except for good cause within two (2) years from the effective date of said approval.

The plans were not ready for signing at this time.

Central Transportation Planning Staff

Town Manager Valente stated the Town has been invited to designate a representative to serve on a task force to oversee a Feasibility Study for a Proposed Extension of the Bruce N. Freeman Memorial Path in Sudbury and Framingham, as outlined in a letter, dated November 15, 2004, from the Central Transportation Planning Staff. She stated no Town funds would be used for this. Ms. Valente asked for the Board's input on potential volunteers, suggesting someone from the newly formed Rail Trail Conversion Advisory Committee. Discussion followed. It was suggested that daytime meetings would be best attended by a staff person, while evening meetings would be better for a non-staff member. The Board designated Ms. Valente to find out more about the meeting schedule, approach available individuals, and to make the appointment(s) accordingly. (NOTE: Richard C. Williamson will serve as Sudbury's designee; Deborah Dineen will serve as Alternate.)

Little League – Lighting at Ball Fields

Town Manager Valente reported the Sudbury Little League would like to add lighting to Lower Featherland Left Field to accommodate night games, repairing any landscaping damaged by such an installation. The Board reviewed a letter, dated November 10, 2004, from James F. Winschel, Jr., requesting permission to install field lights on said field, limiting usage of the audio system, and installation of No Parking signs on the Lower Featherland driveway, which the Town has agreed to do. Ms. Valente stated there have been no concerns or issues from the abutters with respect to the existing lighting at Featherland.

Selectman O'Brien expressed his belief that the original request was perceived as a one-time request for lighting, not something that would be expanded over time. He expressed concern over putting abutters through yet another approval process. Ms. Valente stated Park and Recreation is planning to hold a public hearing on this matter. Mr. O'Brien suggested the Little League submit some type of Master Plan as to what they are planning for the future.

Chairman Drobinski recalled the original process made clear that any lighting installed on the fields did not belong to the Little League, and instead became Town property.

Selectman O'Brien stated he would be comfortable with Park and Recreation handling the hearing and working with the Town Manager on this matter. He stated further he would be interested in attending the hearing if scheduling permits.

Town Manager Valente stated she would convey the Board's comments to Park and Recreation.

Annual Town Meeting Deadline Change

Town Manager Valente expressed concern that the Town Offices holiday on December 31, 2004, could present a problem for persons believing the deadline to be year-end, and then missing the deadline of December 30, 2004. She stated the Fire Chief offered to date-stamp submissions at the Fire Station. Discussion followed. It was felt that people first coming to the Selectmen's office, finding it closed, then being redirected to the Fire Station, might become confused.

After discussion, it was on motion unanimously

VOTED: To amend the schedule for submission of Warrant Articles for the 2005 Annual Town Meeting (commencing April 4, 2005), as follows:

1. Per Sudbury Bylaws and in consideration of the Town Offices holiday on 12/31/04, all articles are due in the Office of the Selectmen by 5:00 p.m. on Thursday, December 30, 2004. *For those who cannot meet the December 30th deadline, articles will be accepted on Monday, January 3, 2005, until 5:00 p.m.*

The rest of the schedule stands as previously approved.

There being no further business, the meeting adjourned by 10:22 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk

