

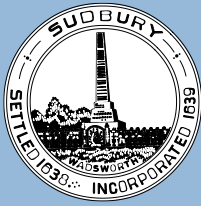
SUDBURY BOARD OF SELECTMEN
TUESDAY OCTOBER 20, 2015
7:30 PM, TOWN HALL - LOWER LEVEL

Item #	Time	Action	Item
	7:30 PM		CALL TO ORDER
	7:30 PM		Opening remarks by Chairman
	7:35 PM		Reports from Interim Town Manager
	7:40 PM		Reports from Selectmen
	7:50 PM		Citizen's comments on items not on agenda
PUBLIC HEARING			
1.	8:00 PM	<i>VOTE / SIGN</i>	As the licensing authority, vote to approve a Transfer of Ownership of 22% of the company from Kevin Chung to Yee F. Fong for Fong Tan LLC d/b/a Lavender at 519A Boston Post Road. No alterations to the premises are planned. The described premises are as follows: 4615 sq. ft. single level restaurant within a shopping plaza, including kitchen, walk-in cooler, dining area and office, with 2 entrance/exits on the north side and two exits on the south side.
TIMED ITEMS			
2.	8:10 PM		Presentation on Wayside Inn's plan to make a proposal for granting of conservation restrictions through the Community Preservation Committee (CPC). (Lily Gordon, President, Wayside Inn Board of Trustees, to attend.)
MISCELLANEOUS			
3.		<i>VOTE</i>	Discuss Remote Participation policy, and vote to authorize the Interim Town Manager to solicit input from other Town Boards and Committees as to whether this would be a positive option, and at a later date return to Selectmen with the responses. Mark Thompson, Town Technology Administrator, to attend.
4.			Update on discussion of the Finance Committee and the Budget Strategies Task Force concerning the FY17 budget process. (Selectman Woodard to present.)
5.		<i>VOTE</i>	Discussion and vote on whether to authorize Interim Town Manager to execute a consent to an assignment of the lease between the Town and New Cingular Wireless, PCS to Varsity Wireless Investors, LLC. Proposed vote: Move to approve the assignment of the lease between the Town and New Cingular Wireless, PCS to Varsity Wireless Investors, LLC, and to authorize the Interim Town Manager to execute a consent to the assignment.

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.

Item #	Time	Action	Item
6.			Sudbury Station LLC - review letters and discuss this proposal and submit comments on the application before the November 6 deadline.
7.		<i>VOTE / SIGN</i>	Vote to allow Chairman to vote for 2015 Metropolitan Planning Organization (MPO) seats open as indicated in ballot received from Metropolitan Area Planning Council (MAPC) dated October 9, 2015.
8.		<i>VOTE</i>	Discussion on the possibility of whether or not to vote to dissolve the Vocational Education Options Committee (VEOC)
9.			Discuss future agenda items
CONSENT CALENDAR			
10.		<i>VOTE</i>	Vote to accept the resignation of Paul Lynch, 20 Dorothy Road, from the Vocational Educational Options Committee, and as Sudbury's representative to the Minuteman Building Committee, effective immediately. Also to send a letter of thanks for his service to the Town.
11.		<i>VOTE</i>	Vote to approve amended 9/17/15 regular session minutes.
12.		<i>VOTE</i>	Vote to approve the regular session minutes of 9/16/15
13.		<i>VOTE</i>	Vote to Grant a Special Permit to SMILE Mass, to Hold the "4th Annual Gobble Wobble 5K/10K" on Saturday November 21, 2015, from 10:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race's conclusion.

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.



SUDBURY BOARD OF SELECTMEN

Tuesday, October 20, 2015

PUBLIC HEARING**1: Lavender Asian Cuisine - transfer of stock**REQUESTOR SECTION

Date of request:

Requestor: Applicant

Formal Title: As the licensing authority, vote to approve a Transfer of Ownership of 22% of the company from Kevin Chung to Yee F. Fong for Fong Tan LLC d/b/a Lavender at 519A Boston Post Road. No alterations to the premises are planned. The described premises are as follows: 4615 sq. ft. single level restaurant within a shopping plaza, including kitchen, walk-in cooler, dining area and office, with 2 entrance/exits on the north side and two exits on the south side.

Recommendations/Suggested Motion/Vote: As the licensing authority, vote to approve a Transfer of Ownership of 22% of the company from Kevin Chung to Yee F. Fong for Fong Tan LLC d/b/a Lavender at 519A Boston Post Road. No alterations to the premises are planned. The described premises are as follows: 4615 sq. ft. single level restaurant within a shopping plaza, including kitchen, walk-in cooler, dining area and office, with 2 entrance/exits on the north side and two exits on the south side.

Background Information:

Attached application

Financial impact expected:n/a

Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting: Tim Fong, Manager, Lavender and Stephen Grande III, Esq, Legal Counsel

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM



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

RECEIVED
 BOARD OF SELECTMEN
 SUDBURY, MA

2015 SEP 29 P 1:18

**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

2628

IF USED EPAY, CONFIRMATION NUMBER

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

125000033

LICENSEE NAME

Fong Tan LLC D/B/A/ Lavender

ADDRESS

519A Boston Post Road

CITY/TOWN

Sudbury

STATE Ma

ZIP CODE

01776

TRANSACTION TYPE (Please check all relevant transactions):

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Cordials/Liqueurs Permit | <input type="checkbox"/> New Officer/Director | <input type="checkbox"/> Transfer of License |
| <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Issuance of Stock | <input type="checkbox"/> New Stockholder | <input checked="" type="checkbox"/> Transfer of Stock |
| <input type="checkbox"/> Change of License Type | <input type="checkbox"/> Management/Operating Agreement | <input type="checkbox"/> Pledge of Stock | <input type="checkbox"/> Wine & Malt to All Alcohol |
| <input type="checkbox"/> Change of Location | <input type="checkbox"/> More than (3) \$15 | <input type="checkbox"/> Pledge of License | <input type="checkbox"/> 6-Day to 7-Day License |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> New License | <input type="checkbox"/> Seasonal to Annual | |

☐ Other

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

APPLICATION FOR RETAIL ALCOHOLIC BEVERAGE LICENSE

City/Town

Sudbury

RECEIVED
BOARD OF SELECTMEN
SUDBURY, MA

1. LICENSEE INFORMATION:

A. Legal Name/Entity of Applicant:(Corporation, LLC or Individual) Fong Tan LLC

2015 SEP 29 P 1:18

B. Business Name (if different) : Lavender

C. Manager of Record: Yee F. Fong AKA Timothy Fong

D. ABCC License Number (for existing licenses only) : 125000033

E. Address of Licensed Premises: 519A Boston Post Road

City/Town: Sudbury

State: Ma

Zip: 01776

F. Business Phone:

G. Cell Phone:

H. Email:

I. Website:

J. Mailing address (If different from E.):

City/Town:

State:

Zip:

2. TRANSACTION:

- ☐ New License
 ☐ New Officer/Director
 ☒ Transfer of Stock
 ☐ Issuance of Stock
 ☐ Pledge of Stock
- ☐ Transfer of License
 ☐ New Stockholder
 ☐ Management/Operating Agreement
 ☐ Pledge of License

The following transactions must be processed as new licenses:

- ☐ Seasonal to Annual
 ☐ (6) Day to (7)-Day License
 ☐ Wine & Malt to All Alcohol

IMPORTANT ATTACHMENTS (1): The applicant must attach a vote of the entity authorizing all requested transactions, including the appointment of a Manager of Record or principal representative.

3. TYPE OF LICENSE:

- ☒ \$12 Restaurant
 ☐ \$12 Hotel
 ☐ \$12 Club
 ☐ \$12 Veterans Club
 ☐ \$12 Continuing Care Retirement Community
- ☐ \$12 General On-Premises
 ☐ \$12 Tavern (No Sundays)
 ☐ \$15 Package Store

4. LICENSE CATEGORY:

- ☒ All Alcoholic Beverages
 ☐ Wine & Malt Beverages Only
 ☐ Wine or Malt Only
- ☐ Wine & Malt Beverages with Cordials/Liqueurs Permit

5. LICENSE CLASS:

- ☒ Annual
 ☐ Seasonal

1.a

6. CONTACT PERSON CONCERNING THIS APPLICATION (ATTORNEY IF APPLICABLE)

NAME: Law Offices of Stephen E. Grande III

ADDRESS: 60 Union Ave

CITY/TOWN: Sudbury STATE: Ma ZIP CODE: 01776

CONTACT: [REDACTED]

EMAIL: [REDACTED]

7. DESCRIPTION OF PREMISES:

Please provide a complete description of the premises to be licensed. Please note that this must be identical to the description on the Form 43.

4615 sq.ft. single level restaurant within a shopping plaza, including kitchen, walk-in cooler, dining area and office with 2 entrance/ exit on the north side and two exits on the south side.

Total Square Footage: 4615 Number of Entrances: 2 Number of Exits: 2

Occupancy Number: 186 Seating Capacity: 137

IMPORTANT ATTACHMENTS (2): The applicant must attach a floor plan with dimensions and square footage for each floor & room.

8. OCCUPANCY OF PREMISES:

By what right does the applicant have possession and/or legal occupancy of the premises? Final Lease

IMPORTANT ATTACHMENTS (3): The applicant must submit a copy of the final lease or documents evidencing a legal right to occupy the premises.

Other: [REDACTED]

Landlord is a(n): Corporation Other: Property Mgr. Gravestar Inc.

Name: Wellyn Inc. Phone: 617-492-4118

Address: 106 Second Ave. City/Town: Cambridge State: Ma Zip: 02142

Initial Lease Term: Beginning Date 1/31/2006 Ending Date 8/22/2008

Renewal Term: 8/31/2023 Options/Extensions at: 5 Years Each

Rent: \$108,360.00 Per Year Rent: \$9,030.00 Per Month

Do the terms of the lease or other arrangement require payments to the Landlord based on a percentage of the alcohol sales?
Yes ☐ No ☒

IMPORTANT ATTACHMENTS (4):

1. If yes, the Landlord is deemed a person or entity with a financial or beneficial interest in this license. Each individual with an ownership interest with the Landlord must be disclosed in §10 and must submit a completed Personal Information Form attached to this application.
2. Entity formation documents for the Landlord entity must accompany the application to confirm the individuals disclosed.
3. If the principals of the applicant corporation or LLC have created a separate corporation or LLC to hold the real estate, the applicant must still provide a lease between the two entities.

The Applicant is a(n):

LLC

Other :

If the applicant is a Corporation or LLC, complete the following:

Date of Incorporation/Organization:

01/01/2008

State of Incorporation/Organization: Massachusetts

Is the Corporation publicly traded? Yes ☐ No ☒**10. INTERESTS IN THIS LICENSE:**

List all individuals involved in the entity (e.g. corporate stockholders, directors, officers and LLC members and managers) and any person or entity with a direct or indirect, beneficial or financial interest in this license (e.g. landlord with a percentage rent based on alcohol sales).

IMPORTANT ATTACHMENTS (5):A. All individuals or entities listed below are required to complete a Personal Information Form.B. All shareholders, LLC members or other individuals with any ownership in this license must complete a CORI Release Form.

Name	All Titles and Positions	Specific # of Stock or % Owned	Other Beneficial Interest
Yee F. Fong AKA Timothy For	Manager	78%	
Kevin Chung	Member	22%	

*If additional space is needed, please use last page.

11. EXISTING INTEREST IN OTHER LICENSES:Does any individual listed in §10 have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes ☐ No ☒ If yes, list said interest below:

Name	License Type	Licensee Name & Address
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	
	Please Select	

*If additional space is needed, please use last page.

1.a

2. PREVIOUSLY HELD INTERESTS IN OTHER LICENSES.

Has any individual listed in §10 who has a direct or indirect beneficial interest in this license ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes ☐ No ☒ If yes, list said interest below:

Name	Licensee Name & Address	Date	Reason Terminated
			Please Select
			Please Select
			Please Select

13. DISCLOSURE OF LICENSE DISCIPLINARY ACTION:

Have any of the disclosed licenses to sell alcoholic beverages listed in §11 and/or §12 ever been suspended, revoked or cancelled? Yes ☐ No ☒ If yes, list said interest below:

Date	License	Reason of Suspension, Revocation or Cancellation

14. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR A (§15) PACKAGE STORE LICENSE ONLY :

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes ☐ No ☐
2. Are you a Massachusetts Residents? Yes ☐ No ☐

B.) For Corporation(s) and LLC(s) :

1. Are all Directors/LLC Managers U.S. Citizens? Yes ☐ No ☐
2. Are a majority of Directors/LLC Managers Massachusetts Residents? Yes ☐ No ☐
3. Is the License Manager or Principal Representative a U.S. Citizen?

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes ☐ No ☐

15. CITIZENSHIP AND RESIDENCY REQUIREMENTS FOR (§12) RESTAURANT, HOTEL, CLUB, GENERAL ON PREMISE, TAVERN, VETERANS CLUB LICENSE ONLY:

A.) For Individual(s):

1. Are you a U.S. Citizen? Yes ☒ No ☐

B.) For Corporation(s) and LLC(s) :

1. Are a majority of Directors/LLC Managers **NOT** U.S. Citizen(s)? Yes ☐ No ☒
2. Is the License Manager or Principal Representative a U.S. Citizen? Yes ☒ No ☐

C.) Shareholder(s), Member(s), Director(s) and Officer(s):

- 1.. Are all Shareholders, Members, Directors, LLC Managers and Officers involved at least twenty-one (21) years old? Yes ☒ No ☐

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6. COSTS ASSOCIATED WITH LICENSE TRANSFER:

A. Purchase Price for Real Property:	
B. Purchase Price for Business Assets:	
C. Costs of Renovations/Construction:	
D. Initial Start-Up Costs:	
E. Purchase Price for Inventory:	
F. Other: (Specify)	\$185,000.00
G: TOTAL COST	\$185,000.00
H. TOTAL CASH	\$185,000.00
I. TOTAL AMOUNT FINANCED	

IMPORTANT ATTACHMENTS (6): Submit any and all records, documents and affidavits including loan agreements that explain the source(s) of money for this transaction. Sources of cash must include a minimum of three (3) months of bank statements.

The amounts listed in subsections (H) and (I) must total the amount reflected in (G).

17. PROVIDE A DETAILED EXPLANATION OF THE FORM(S) AND SOURCE(S) OF FUNDING FOR THE COSTS IDENTIFIED ABOVE (INCLUDE LOANS, MORTGAGES, LINES OF CREDIT, NOTES, PERSONAL FUNDS, GIFTS):

This is a Stock Buyout. The Stock of Kevin Chung is being purchased by Timothy Fong who will then own 100% of the Stock. \$185,000.00 being paid by retained cash in the LLC.

*If additional space is needed, please use last page.

18. LIST EACH LENDER AND LOAN AMOUNT(S) FROM WHICH "TOTAL AMOUNT FINANCED" NOTED IN SUB-SECTIONS 16(I) WILL DERIVE:

A.

Name	Dollar Amount	Type of Financing

*If additional space is needed, please use last page.

B. Does any individual or entity listed in §19 as a source of financing have a direct or indirect, beneficial or financial interest in this license or any other license(s) granted under Chapter 138? Yes ☐ No ☒

If yes, please describe:

--

1.a

9. PLEDGE: (i.e. COLLATERAL FOR A LOAN)A.) Is the applicant seeking approval to pledge the license? ☐ Yes ☒ No

1. If yes, to whom:

2. Amount of Loan:

3. Interest Rate:

4. Length of Note:

5. Terms of Loan :

B.) If a corporation, is the applicant seeking approval to pledge any of the corporate stock? ☐ Yes ☐ No

1. If yes, to whom:

2. Number of Shares:

C.) Is the applicant pledging the inventory? ☐ Yes ☐ No

If yes, to whom:

IMPORTANT ATTACHMENTS (7): If you are applying for a pledge, submit the pledge agreement, the promissory note and a vote of the Corporation/LLC approving the pledge.**20. CONSTRUCTION OF PREMISES:**Are the premises being remodeled, redecorated or constructed in any way? If YES, please provide a description of the work being performed on the premises: ☐ Yes ☒ No**21. ANTICIPATED OPENING DATE:** Already open

IF ALL OF THE INFORMATION AND
ATTACHMENTS ARE NOT COMPLETE
THE APPLICATION WILL BE
RETURNED

APPLICANT'S STATEMENT

1 a

Packet Pg. 11

I, Yee F. Fong AKA Timothy Fong the ☐ sole proprietor; ☐ partner; ☐ corporate principal; ☒ LLC/LLP member

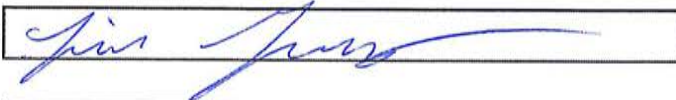
of 6 Hillcrest Ave, Beverly Ma. 01915, hereby submit this application for Stock Transfer (hereinafter the

"Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

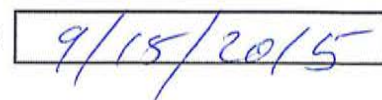
I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature:



Date:



Title:

Member / Manager Fong Tan LLC



*Alcoholic Beverages Control Commission
239 Causeway Street, First Floor
Boston, MA 02114*

PETITION FOR TRANSFER OF OWNERSHIP

125000033

ABCC License Number



Sudbury

City/Town

The licensee Fong Tan LLC and the proposed transferee Timothy Fong (Stock of Fong Tan LLC only) respectfully petition the Licensing Authorities to approve the following transfer of ownership.

Is the PRESENT licensee a Corporation/LLC duly registered under the laws of the Commonwealth of Massachusetts?



☒ Yes ☐ No If YES, please list the officers, directors and stockholders, their residences, and shares owned by each.

Name	Title	Address	Stock or % Owned
Yee F. Fong AKA Timothy Fong 	Member/Manager	6 Hillcrest Ave. Beverly, Ma 01915	78% after transfer 100% 
Kevin Chung	Member	2 Dodge Court #B Danvers Ma 01923	22% after transfer 0% 

Is the PROPOSED transferee a Corporation/LLC, duly registered under the laws of the Commonwealth of Massachusetts?

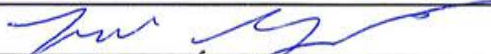
☒ Yes ☐ No If YES, please list the officers, directors and stockholders, their residences, and shares owned by each.

TO: (Place an * before the name of each DIRECTOR/LLC Manager.)

Name	Title	Address	Stock or % Owned
* Yee F. Fong AKA Timothy Fong 	Member/Manager	6 Hillcrest Ave. Beverly Ma 01915	78% after transfer 100% 
Kevin Chung	Member	2 Dodge Ct. #B Danvers Ma. 01923	22% after transfer 0%

The above named proposed transferee hereby joins in this petition for transfer of said license.

SIGNATURE OF LAST-APPROVED LICENSEE:



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

SIGNATURE OF PROPOSED TRANSFEREE:



Date Signed

6/12/15

1.a

Additional Space

Please note which question you are using this space for.

Fong Tan LLC
Member Interest Buyout

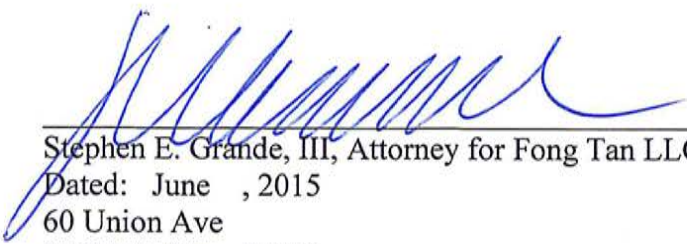
Timothy Fong , Manager of the Fong Tan LLC is buying out the interest in the LLC held at this time by Kevin Chung.

The purchase price of the 22% interest has been agreed to as \$185,000.00
To be paid in the following manner: Funds to be borrowed by a Mortgage Loan by the LLC from a Bank.

The Mortgage and Note will not be closed with the Lender until the ABCC approval has been received.

Mr. Fong is to remain the Manager of the LLC on record with the State and therefore no further filings will be required to the State of Massachusetts. Mr. Fong's total financial interest will be set at a 100 % Interest in the LLC.

Thank you for your anticipated cooperation in this matter and if you have any further Questions do not hesitate to call. (978-443-7881)



Stephen E. Grande, III, Attorney for Fong Tan LLC.

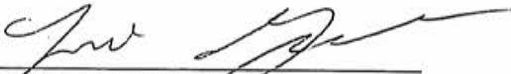
Dated: June , 2015

60 Union Ave

Sudbury, Ma. 01776

TAX ATTESTATION

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes as required under law.



*Signature of Individual
Yee F. Fong AKA Timothy Fong

By: Corporate Officer
Manager/ Member



** Social Security # Voluntary
or Federal Identification Number

9/15/2015
Date

*This license will not be issued unless this certification is signed by applicant.

**Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Massachusetts General Law, chapter 62C, Section 49A.

Fong Tan LLC
Operating Agreement
Dated June 30, 2008
Third Amendment

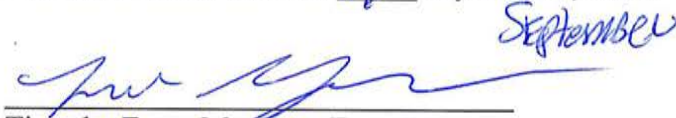
I, Timothy Fong, Manager of the Fong Tan LLC, do hereby accept and approve the resignation of the member Kevin Chung from the Fong Tan LLC.

As per the Fong Tan LLC Operating Agreement, Dated June 30, 2008, in Article VIII (i), it is in the manager's absolute discretion to approve the Transfer of a Member's interest in the LLC.

I also hereby approve that the shares held by Kevin Chung, be purchased and added to the shares of the Member and Manager Timothy Fong.

This document shall serve as that Approval.

IN WITNESS WHEREOF, the Manager of the Fong Tan LLC has executed this Document under seal this 16th day of ~~June~~, 2015.


Timothy Fang, Manager, Fang Tan LLC.

VOTE

September
June 16th, 2015

At a meeting of the Manager/Members of Fong Tan Limited Liability Company ("the LLC"), held at 519 A Boston Post Road, Sudbury, MA 01776, it was duly voted that the LLC apply to the Board of Selectman for the Town of Sudbury to change the ownership of the All Alcoholic License exercised on the premises located at Lavender Restaurant, 519A Boston Post Road, Sudbury, MA 01776.


"VOTED: To authorize Yee F. Fong, A.K.A. Timothy Fong, to sign the application to change the ownership of the license in the name of Fong Tan LLC, to execute in its behalf any necessary papers, and to do all things relative to changing the license."

This is to certify Yee F. Fong, A.K.A. Timothy Fong, of Beverly, Massachusetts, is still the manager or principal representative, with a full authority and control of the premises described in the license of the LLC and of the conduct of all business therein relative to alcoholic beverages as the licensee itself could in any way have and exercise if it were a natural person resident in the Commonwealth of Massachusetts and that a copy of this vote duly certified by the Manager of the LLC and delivered to said manager or principal representative shall constitute the written authority required by Sec. 26, Chap. 138, G. L.

This is to certify that a majority of the Manager/Members of Fong Tan LLC a Limited Liability Company duly organized under the laws of Massachusetts, are residents of the Commonwealth of Massachusetts and citizens of the United States.

This LLC has not been dissolved.

A TRUE COPY
ATTEST


Yee F. Fong, Manager

Project	Lavender
Proposed Plan, etc.	
Revisions	
Revision-1	
Scale	
Drawn / Check by	
Date	
Job No.	
Sheet	1 of 1

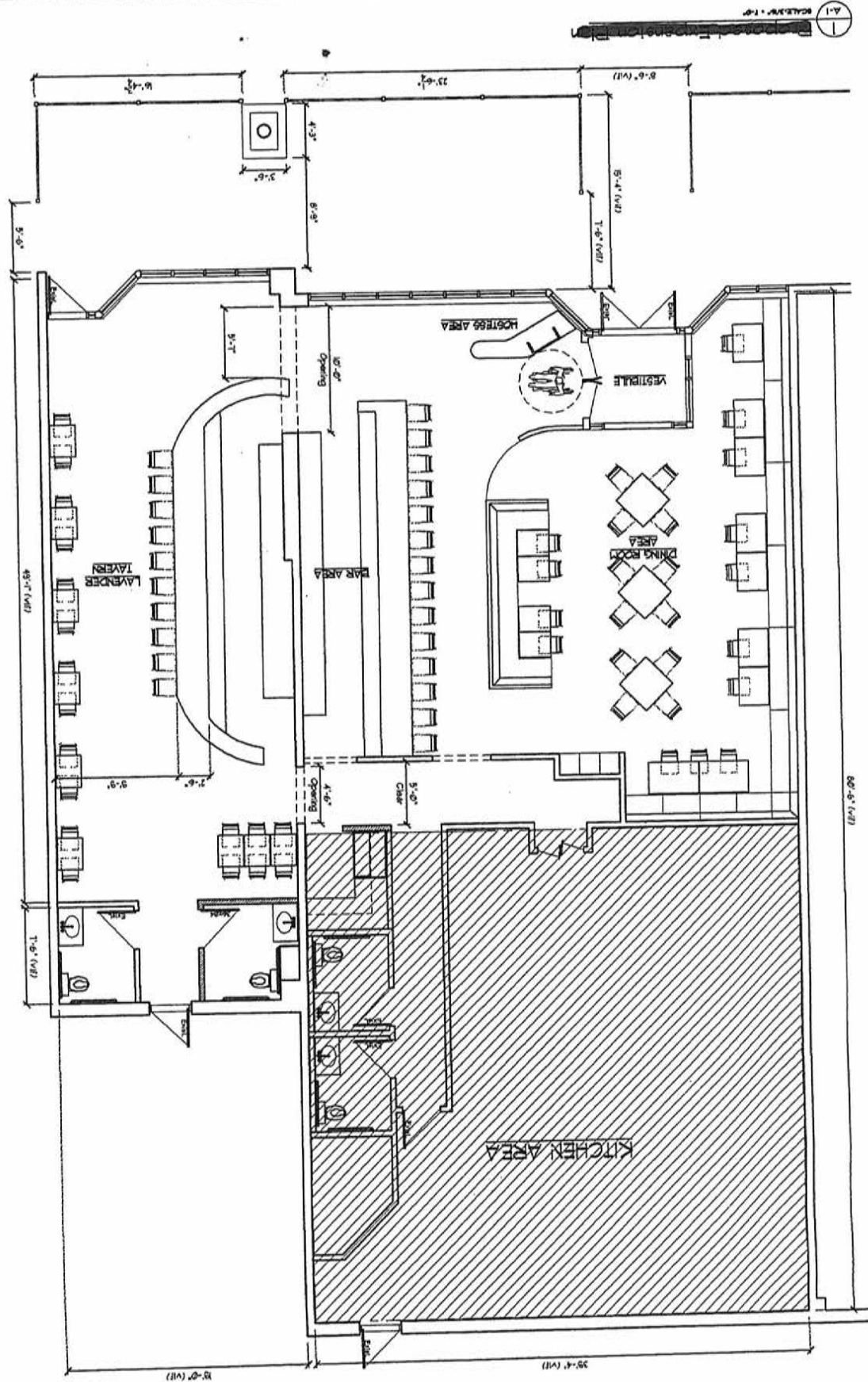
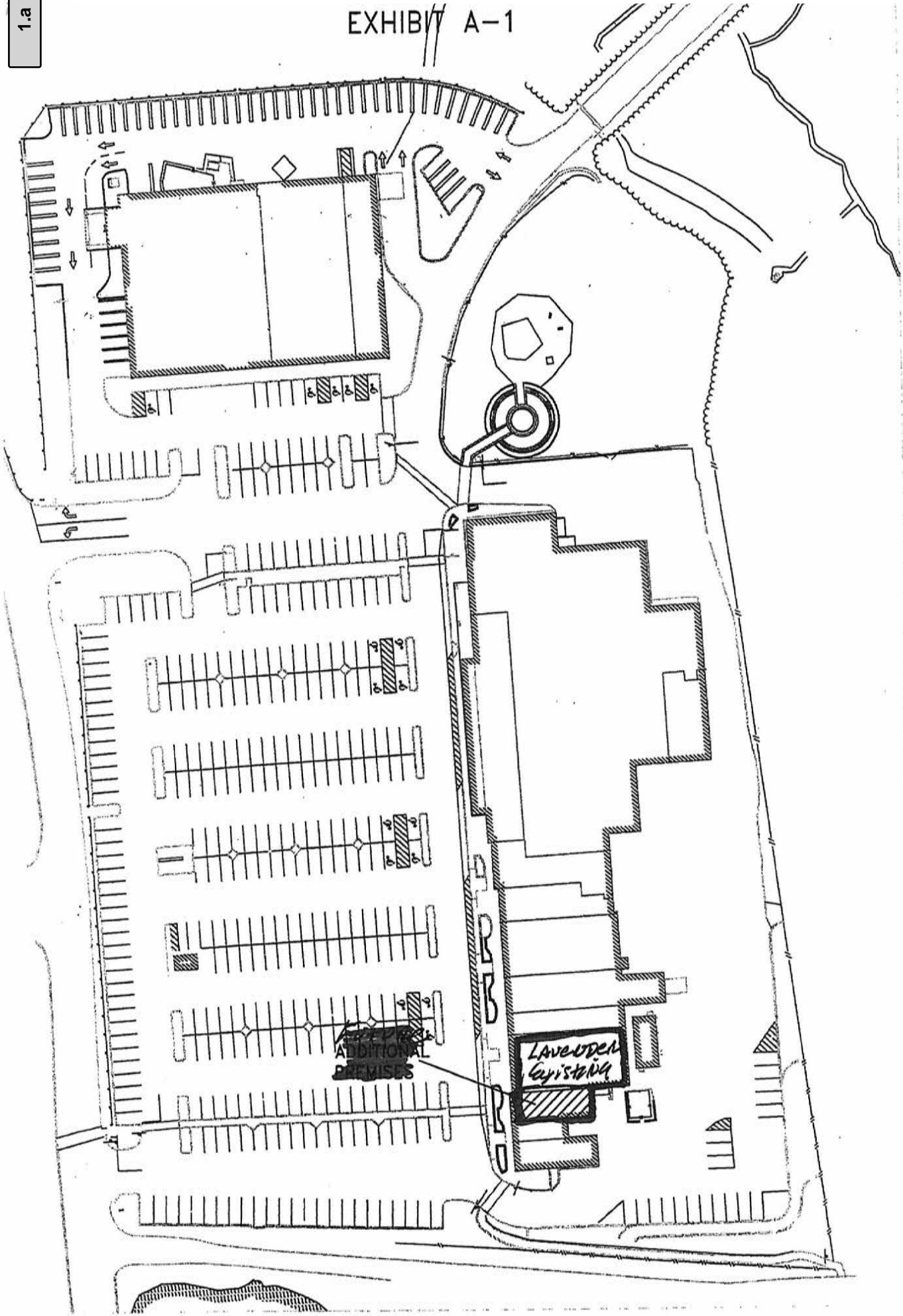


EXHIBIT A-1

1.a





MASSACHUSETTS DEPT. OF REVENUE
PO BOX 7066
BOSTON, MA 02204



MARK E. NUNNELLY, COMMISSIONER
MICHAEL J. LIVIDOTI, DEPUTY COMMISSIONER



FONG TAN LLC
519A BOSTON POST RD
SUDBURY MA 01776-3313

243C

Notice 80619 OP
T/P ID [REDACTED]
Date 07/09/15
Bureau CERTIFICATE

CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE

The Commissioner of Revenue certifies as of the above date, that the above named individual or entity is in compliance with its tax obligations payable under M.G.L. c. 62C, including corporation excise, sales and use taxes, sales tax on meals, sales and use tax on Boats/RV, withholding taxes, room occupancy excise and personal income taxes, with the following exceptions.

This Certificate certifies that individual taxpayers are in compliance with income tax obligations and any sales and use taxes, sales tax on meals, withholding taxes, and/or room occupancy taxes related to a sole proprietorship. Persons deemed responsible for the payment of these taxes on behalf of a corporation, partnership or other business entity may not use our automated process to obtain a Certificate.

This Certificate does not certify that the entity's standing as to taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law. Taxpayers required to collect or remit the following taxes must submit a separate request to certify compliance: Alcoholic Beverage Excise, Cigarette Excise, International Fuels Tax Agreement, Smokeless Tobacco or Ferry Embarkation.

THIS IS NOT A WAIVER OF LIEN ISSUED UNDER GENERAL LAWS, CHAPTER 62C, SECTION 52.

Very truly yours,


Michael J. Lividoti, Deputy Commissioner

FIRST AMENDMENT TO LICENSE AGREEMENT

This FIRST AMENDMENT TO LICENSE AGREEMENT ("Amendment") is dated as of June 27, 2013 ("Effective Date") by and between WELLYN INC., a Massachusetts corporation ("Licensor"), successor in interest to SUDBURY PLAZA TRUST ("Original Licensor") (and FONG TAN LLC, a Massachusetts limited liability company ("Licensee").

RECITALS

WHEREAS, Licensor and Licensee are parties to that certain License Agreement Outdoor Seating Area between Original Licensor and Licensee dated as of August 22, 2008 for premises in Sudbury, Massachusetts, (the "License");

WHEREAS, Licensee desires to license additional premises as shown on Exhibit A-1 hereto ("Additional Premises"); and

WHEREAS, Licensor is willing to license the Additional Premises to Licensee on the terms and conditions hereinafter set forth.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and agreed, Licensor and Licensee hereby agree as follows:

1. Capitalized Terms. Capitalized terms used herein and not otherwise defined shall have the meaning thereto ascribed in the License.
2. Revision of Licensed Sidewalk Area. Licensor and Licensee agree that, if and only if the Additional Premises Commencement Date occurs under that certain Second Amendment to Lease between Licensor and Licensee of even date herewith (the "Lease Amendment"), then Exhibit A to the License shall be deleted and replaced with Exhibit A-1, attached hereto, as of said Second Additional Premises Commencement Date.
3. Revised Definition of Lease. If and only if said Additional Premises Commencement Date occurs under the Lease Amendment, the "Lease," as defined in the License Agreement shall be amended to mean the Lease, as amended by the Lease Amendment.
4. Licensor's Work. If and only if such Additional Premises Commencement Date occurs, then, with reasonable diligence thereafter, Licensor shall cause the work described on Exhibit B-1, attached hereto, to be performed
5. No Broker. Licensee and Licensor warrant and represent that no broker was involved on either's behalf in negotiating or consummating this Amendment, and Licensee and Licensor hereby agree to indemnify and hold the other harmless from and against any and all claims for brokerage commissions arising out of any communications or negotiations had by either with any broker regarding this Amendment.

6. Ratification; Counterparts. Except as amended hereby, the License shall remain unmodified and in full force and effect. This Amendment may be executed in counterpart originals which, taken together, shall constitute a single, original instruction.

[REMAINDER OF PAGE BLANK;
SIGNATURE PAGE TO FOLLOW]

EXECUTED as an instrument under seal as of the date first above written.

LICENSOR:

WELLYN INC., a Massachusetts corporation

By: 

Name:

Title:

LICENSEE:

FONG TAN LLC, a Massachusetts limited liability company

By: _____

Name:

Title:

EXECUTED as an instrument under seal as of the date first above written.

LICENSOR:

WELLYN INC., a Massachusetts corporation

By: _____

Name:

Title:

LICENSEE:

FONG TAN LLC, a Massachusetts limited liability company

By: _____

Name:

Title:

SECOND AMENDMENT TO LEASE

This SECOND AMENDMENT TO LEASE ("Amendment") is dated as of June 27, 2013 ("Effective Date") by and between WELLYN INC., a Massachusetts corporation ("Landlord"), successor in interest to SUDBURY PLAZA TRUST ("Original Landlord") (and FONG TAN LLC, a Massachusetts limited liability company ("Tenant"), successor in interest to ASILLEM LLC ("Original Tenant").

RECITALS

WHEREAS, Landlord and Tenant are parties to that certain lease between Original Landlord and Original Tenant dated as of January 31, 2006 for premises in Sudbury, Massachusetts, as affected by a Lease Assignment and Amendment (the "First Amendment") among Original Landlord, Original Tenant and Tenant, effective as of the Closing Date set forth in the Asset Purchase Agreement between Original Tenant and Tenant dated July 15, 2008 (which Closing Date Tenant represents and warrants was August 22, 2008 (collectively, the "Lease");

WHEREAS, pursuant to the Lease, the Leased Premises consist of 3,415 square feet of gross leasable area (the "Existing Premises");

WHEREAS, Tenant desires to lease additional premises consisting of 1,200 square feet of gross leasable area as shown on Exhibit A-1 hereto ("Additional Premises"); and

WHEREAS, Landlord is willing to lease the Additional Premises to Tenant on the terms and conditions hereinafter set forth.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and agreed, Landlord and Tenant hereby agree as follows:

1. Capitalized Terms. Capitalized terms used herein and not otherwise defined shall have the meaning thereto ascribed in the Lease.

2. Use. Tenant shall use the Additional Premises together with the Existing Premises, as described in the First Amendment ("Use"), and for no other use. Additionally, Tenant's Use shall be subject to all local restrictions regarding restaurant seating and septic capacity, as the same may be dictated by the Required Approvals, as defined below, or as otherwise may be required by applicable laws, rules and regulations from time to time determined by municipal or other officials. Tenant may not use the Leased Premises, as expanded by the Additional Premises or otherwise, in any manner that would restrict the septic capacity available for other tenants at the Shopping Center, as determined by the Sudbury Board of Health, beyond that caused by Tenant's existing capacity allocation as of the date hereof (i.e., 2,580 gallons per day). The reference to 72 seats in Use is hereby deleted, it being understood that Tenant may offer its own allocation of dining and tavern seats, provided Tenant does not exceed the 2,580 gallons per day capacity allocation, as determined by the Sudbury Board of

Health. Tenant and Landlord acknowledge that the Shopping Center may eventually be connected to a municipal sewer system, and Tenant agrees that regardless of whether the Leased Premises or the Shopping Center are connected to a municipal sewer or to the present septic system, in no event shall Tenant offer more than ninety (90) total interior seats or more than twenty (20) total exterior seats.

3. Permitting. Commencing on the Effective Date, Tenant shall use its best efforts in good faith to obtain all necessary permits and approvals (including, without limitation, all approvals related to the sale of alcoholic beverages and all approvals related to seating and septic use) to permit the use of the Additional Premises for the Use (collectively, the "Required Approvals"). Tenant shall not obtain the Required Approvals if such approvals or conditions of approval would restrict the septic capacity available to other tenants at the Shopping Center, as determined by the Sudbury Board of Health, beyond that caused by Tenant's existing capacity allocation as of the date hereof (i.e., 2,580 gallons per day). Tenant shall keep Landlord reasonably apprised of its efforts with respect to obtaining the Required Approvals and shall promptly notify Landlord of any denial thereof and/or receipt thereof. In the event that Tenant has not obtained all of the Required Approvals on or before the date ninety (90) days after the Effective Date, all of the terms and conditions of this Second Amendment, except Sections 1, 2, 15, 16, 17 and 18, shall be null and void and have no force or effect and Tenant shall have no rights with respect to the Additional Premises.

4. Term. Landlord and Tenant agree that, subject to the provisions of Section 3 above, the first option to extend the Term (as set forth in Section 12.27 of the Lease, as amended by the First Amendment) shall be deemed irrevocably exercised to the effect that (a) the Term shall be extended until August 31, 2023 (subject to earlier termination in accordance with the Lease), and (b) Tenant shall have only one further option to extend the Term for one additional five (5) year Extended Term.

5. Demise of Additional Premises. Provided that Tenant's rights herein are not previously terminated pursuant to the terms of Section 3 above, commencing as of the Additional Premises Commencement Date, as defined in Section 6 below, Landlord hereby demises and leases to Tenant, and Tenant hereby hires and takes from Landlord, the Additional Premises. Said demise of the Additional Premises shall be upon all of the same terms and conditions applicable to Tenant's demise of the Existing Premises, except to the extent inconsistent with the provisions of this Amendment.

6. Delivery of the Additional Premises to Tenant; Additional Premises Commencement Date. The Additional Premises shall be delivered to Tenant on the Additional Premises Commencement Date, broom clean, free and clear of debris, personal property and equipment and free of other tenants and occupants, and otherwise substantially in the same condition in which such Premises are in as of the Effective Date, reasonable wear and tear excepted. The "Additional Premises Commencement Date" shall be the date (anticipated to be September 1, 2013) that Landlord delivers to Tenant the Additional Premises in the condition required pursuant to the provisions of this Section 6 or such earlier date as Tenant takes possession thereof.

7. Additional Premises Rent Commencement Date. As used herein, the phrase “Additional Premises Rent Commencement Date” shall mean the earlier of (a) the date ninety (90) days after the Additional Premises Commencement Date or (b) the date that Tenant first open for business to the public in any portion of the Additional Premises.

8. Minimum Annual Rent. Subject to the provisions of Section 9, from and after the Additional Premises Rent Commencement Date, the Minimum Annual Rent shall be equal to the sum of (a) the Minimum Annual Rent payable under the Lease without taking into account this Amendment plus (b) the following:

Additional Premises (1,200 square feet)			
<i>Time Period</i>	<i>Minimum Annual Rent</i>	<i>Monthly Payment</i>	<i>Annual Rent Per SF</i>
Additional Premises Rent Commencement Date through 8/31/18	\$26,400	\$2,200	\$22.00
9/1/18 – 8/31/23	\$27,600	\$2,300	\$23.00
9/1/23 – 8/31/28 (Extended Term)	\$31,200	\$2,600	\$26.00

9. Rent Credit. Notwithstanding the provisions of Section 8, above, if and only if Tenant opens for business to the public in substantially all of the Additional Premises within one hundred eighty (180) days of the Additional Premises Commencement Date, then for the six (6) month period commencing on the Additional Premises Rent Commencement Date, the Minimum Annual Rent each month shall be reduced by \$2,200 for a total reduction of \$13,200, equaling the additional Minimum Annual Rent that would otherwise have been payable under Section 8 hereof for such six (6) month period.

10. Additional Rent. Notwithstanding anything to the contrary in the Lease or this Amendment, Tenant shall be responsible for and shall pay Tenant’s Share of Taxes and Tenant’s Share of Costs and Expenses: (i) applicable to the Existing Premises on the basis of the floor area of the Existing Premises during the entire Term, and (ii) applicable to the Additional Premises on the basis of the floor area of the Additional Premises, commencing as of the Additional Premises Rent Commencement Date and continuing thereafter throughout the remainder of the Term.

11. Security Deposit. Notwithstanding the modifications in the gross leasable area of the Leased Premises and the modifications of the Minimum Annual Rent hereunder, the parties hereto have intentionally not modified the definition of the Security Deposit.

12. Condition of Additional Premises. Except as otherwise set forth herein, Tenant accepts the Additional Premises “AS-IS, WHERE-IS AND WITH ALL FAULTS” and without any representation or warranty whatsoever. Without limiting the foregoing, except as set forth in Section 6 hereof, Landlord shall have no further obligations with respect to Section 2.5 or Section 3.1 of the Lease.

13. Expansion Work. After the Additional Premises Commencement Date, Tenant shall use diligent efforts to construct tenant improvements in the Additional Premises to allow

Tenant to operate therein in compliance with Section 4.2 of the Lease (the "Expansion Work"). Prior to commencing the Expansion Work, Tenant shall obtain Landlord's approval of the plans and specifications therefor (which approval shall not be unreasonably withheld) and shall thereafter construct the same in accordance therewith. Except as otherwise set forth herein to the contrary, Tenant shall, in all respects, undertake the Expansion Work in accordance with the Lease, including, without limitation, Section 7.2 thereof.

14. Measurement. Landlord and Tenant hereby agree that Section 1.4 of the Lease is no longer applicable to the Existing Premises and is not applicable to the Additional Premises.

15. Percentage Rent. Percentage Rent shall be payable in accordance with the Lease with respect to both the Initial Premises and the Additional Premises. Notwithstanding the foregoing, however, (a) from and after the date hereof Gross Sales shall not include the selling price of any alcoholic beverages, and (b) with respect to all statements of Gross Sales to be delivered under the Lease as hereby amended, Tenant shall report Gross Sales as amended by clause (a) above, and shall also report at the same time the amount received from the selling price of alcoholic beverages made during the corresponding period.

16. No Broker. Tenant and Landlord warrant and represent that, except for the broker identified in Section 1.1(k) of the Lease, no broker was involved on either's behalf in negotiating or consummating this Amendment, and Tenant and Landlord hereby agree to indemnify and hold the other harmless from and against any and all claims for brokerage commissions arising out of any communications or negotiations had by either with any broker regarding the Additional Premises or any other premises in the Shopping Center and/or the consummation of this Amendment. Landlord agrees to pay any leasing commission due to the broker listed under Section 1.1(k) of the Lease under separate agreement.

17. Exclusives. From and after the date hereof, **Exhibit C** of the Lease is hereby amended to add the following:

"Impact Functional and Sports Training LLC

Provided Tenant shall (i) continuously operate its business in the Leased Premises in accordance with the terms of this Lease, (ii) use the Leased Premises for the permitted uses set forth in Section 1.1(h) and for no other purpose, and (iii) not be in default under this Lease beyond any applicable grace period, Landlord covenants that, during the Term of this Lease, Landlord will not enter into a lease for the occupancy of any store located in the Shopping Center (other than the Premises) whose primary use is as a health club, fitness center, or personal training center (the 'Restricted Use')."

18. Ratification; Counterparts. Except as amended hereby, the Lease shall remain unmodified and in full force and effect. This Amendment may be executed in counterpart originals which, taken together, shall constitute a single, original instruction.

[REMAINDER OF PAGE BLANK; SIGNATURE PAGE TO FOLLOW]

EXECUTED as an instrument under seal as of the date first above written.

LANDLORD:

WELLYN INC., a Massachusetts corporation

By: 

Name:

Title:

TENANT:

FONG TAN LLC, a Massachusetts limited liability company

By: _____

Name:

Title:

EXECUTED as an instrument under seal as of the date first above written.

LANDLORD:

WELLYN INC., a Massachusetts corporation

By: _____
Name:
Title:

TENANT:

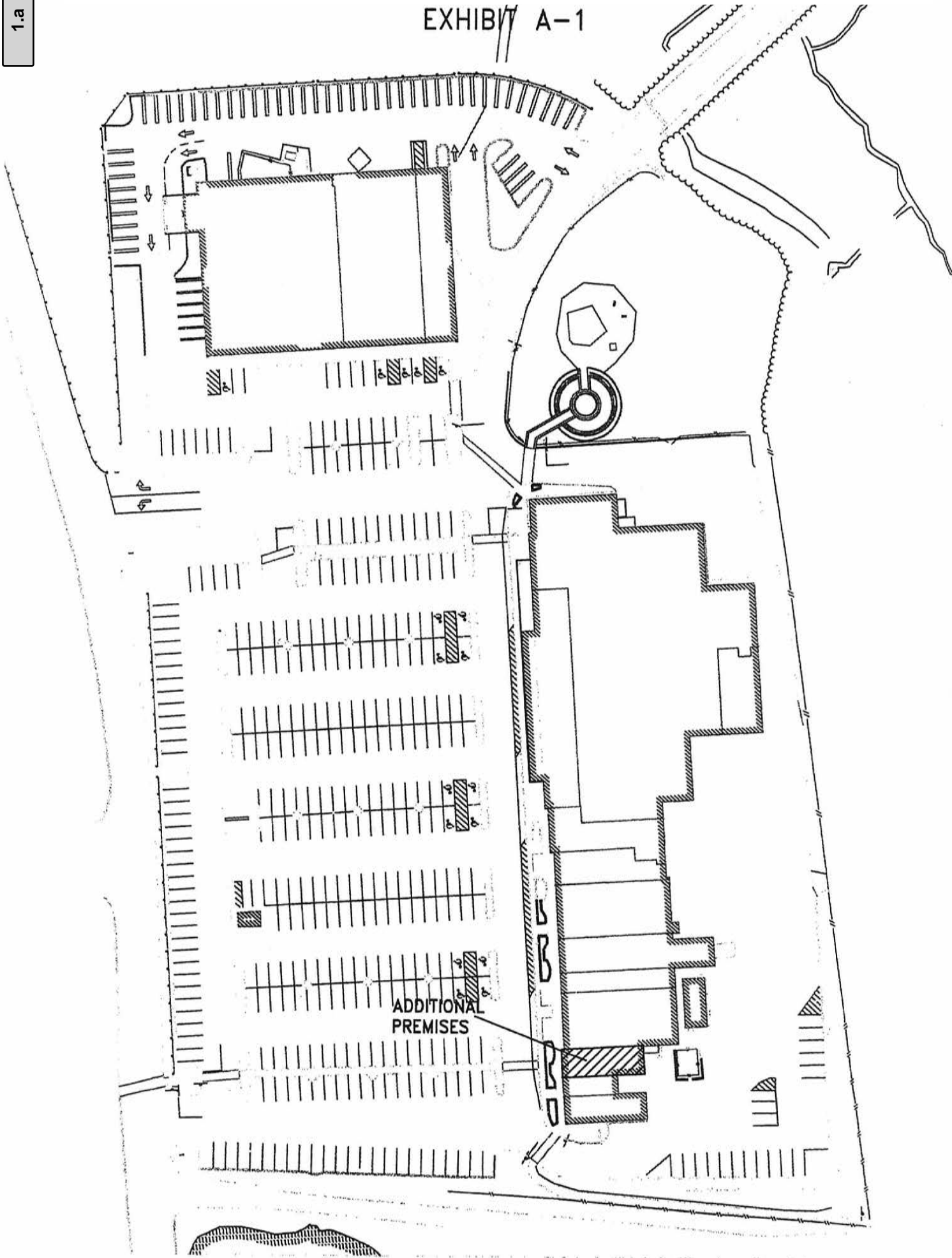
FONG TAN LLC, a Massachusetts limited liability company

By:  _____
Name: Tim Fong
Title: Manager

EXHIBIT A-1

Additional Premises

EXHIBIT A-1



Lavender Transfer of Stock Department Feedback

Board of Health Approval:

From: Murphy, Bill
Sent: Friday, October 09, 2015 10:41 AM
Subject: RE: Lavender Transfer of Stock Application

The Board of Health does not have any issues with this application.

William C. Murphy, MS,RS,CHO
Director of Public Health

Building Department Approval:

From: Herweck, Mark
Sent: Wednesday, September 30, 2015 4:26 PM
Subject: Re: Lavender Transfer of Stock Application

The Building Department has no issues.

Mark H.

Fire Department Approval:

From: Whalen, John
Sent: Friday, October 09, 2015 10:00 AM
Subject: RE: Lavender Transfer of Stock Application

The Fire Department has no issues with this application moving forward.

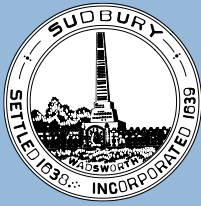
John M. Whalen
Assistant Fire Chief

Police Department Approval:

From: Nix, Scott
Sent: Friday, October 09, 2015 9:42 AM
Subject: RE: Lavender Transfer of Stock Application

We do not have an issue with the transfer.

Scott



MISCELLANEOUS (UNTIMED)

2: CPC funding - Wayside Inn Conservation Land

REQUESTOR SECTION

Date of request:

Requestor: Lilly Gordon

Formal Title: Presentation on Wayside Inn's plan to make a proposal for granting of conservation restrictions through the Community Preservation Committee (CPC). (Lily Gordon, President, Wayside Inn Board of Trustees, to attend.)

Recommendations/Suggested Motion/Vote: **Presentation on Wayside Inn's plan to make a proposal for granting of conservation restrictions through the Community Preservation Committee (CPC).** (Lily Gordon, President, Wayside Inn Board of Trustees, to attend.)

Background Information:

Attached letter from Lily Gordon, President, Wayside Inn Board of Trustees

Financial impact expected:

Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting: Lilly Gordon, President, Wayside Inn Board of Trustees

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM



Longfellow's Wayside Inn

Sudbury, Massachusetts 01776

Phone: (978) 443-1776 • Fax: (978) 443-8041

October 14, 2015

Patricia A. Brown, Chair
Board of Selectmen
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

RECEIVED
BOARD OF SELECTMEN
SUDBURY, MA
2015 OCT 14 P 3:15

RE: Longfellow's Wayside Inn-Land Preservation Program

Dear Ms. Brown:

On behalf of the Wayside Inn Board of Trustees, I would like to present the Inn's plan for preservation of the Inn's campus, comprising in excess of 100 acres, and constituting one of the most important pieces of unprotected open space in the Town. The Inn has the highest ranking for preservation on the Town's 2009-2013 Open Space and Recreation Plan, but currently remains private and subject to future change. Our efforts, as outlined below will guaranty that the Inn's campus will be permanently protected.

Earlier this year, with the generous support of the Sudbury Foundation and the Sudbury Community Preservation Committee (CPC), the Board retained the services of LandVest, Inc. to conduct an extensive survey and land valuation analysis of the Inn's campus. This work has culminated in a valuation report that has been reviewed and approved by the Board. The report outlines the potential development value of the Inn, and compares this value to the value of retained land subject to a permanent Conservation Restriction. The difference in value is the value of the Conservation Restriction that the Inn seeks to negotiate with the Town, with funding from the CPC. The Board would like to commence this process at this time in order to submit an application for open space protection to the CPC in the current funding round this fall, with a vote at the May, 2016 Town Meeting.

A Conservation Restriction will allow for the Inn to continue to function as it has for centuries, while providing for permanent protection of the Inn's campus, and ensuring public enjoyment. In turn, the value of the Conservation Restriction will be used for restoration of the Inn's buildings, protection of the Inn's archives, provision for continued and enhanced public enjoyment, and creation of enhanced programming efforts. This fund will secure the Inn as a valuable resource and asset of the Town for generations to come.

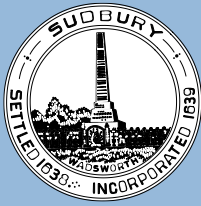
Furthermore, a successful vote at Town Meeting will be a fitting milestone in celebration of the Inn's 300th Anniversary, which will be marked by a series of events throughout 2016.

On behalf of the Board of Trustees, thank you, and we look forward to working with you on this valuable endeavor.

Sincerely,

Lily A. Gordon, President

A MASSACHUSETTS HISTORIC LANDMARK



MISCELLANEOUS (UNTIMED)

3: Remote Participation Discussion

REQUESTOR SECTION

Date of request:

Requestor: Chairman Brown

Formal Title: Discuss Remote Participation policy, and vote to authorize the Interim Town Manager to solicit input from other Town Boards and Committees as to whether this would be a positive option, and at a later date return to Selectmen with the responses. Mark Thompson, Town Technology Administrator, to attend.

Recommendations/Suggested Motion/Vote: Discuss Remote Participation policy, and vote to authorize the Interim Town Manager to solicit input from other Town Boards and Committees as to whether this would be a positive option, and at a later date return to Selectmen with the responses. Mark Thompson, Town Technology Administrator, to attend.

Background Information:

Attached documents

Financial impact expected:

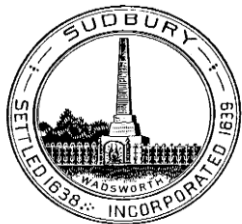
Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting: Mark Thompson, Town Technology Administrator

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM



TOWN OF SUDBURY
Office of the Interim Town Manager

Maryanne Bilodeau
 Interim Town Manager

278 Old Sudbury Road
 Sudbury, Massachusetts 01776
 Tel: (978) 639-3385
 Email: bilodeaum@sudbury.ma.us

Date: October 14, 2015
 From: Maryanne Bilodeau
 To: Board of Selectmen
 RE: Remote Participation Policy

The topic of Remote Participation for boards and committees of the Town of Sudbury was considered by the Board of Selectmen back in 2012, and requests for further Board consideration have come up in the interim. If the Board of Selectmen is to consider adoption of the enabling regulation, it is highly advisable that a clear policy for implementation be adopted simultaneously, and Town Counsel has recommended that a policy such as Westwood's would be a good example of what to adopt (with any desired modifications). Attached to this memo is a redlined version of this policy.

Prior to adoption of the regulation and related policy, a review of the pros and cons is recommended:

Pros:

1. The Attorney General promulgated the regulation in order to facilitate meeting participation when limited, unusual circumstances would make attendance at a given meeting extremely difficult. In that sense, a notable "pro" of the regulation is that it can serve to increase member "attendance" at a given meeting when member absence may otherwise have been problematic. Since the best interests of the community are met when meetings take place as scheduled and Town business gets done in a timely manner, perhaps the biggest advantage of the regulation is that it allows the Town another tool to consider in trying to efficiently carry out its business – one which relies so heavily on volunteer boards and committees.

Cons:

1. The Attorney General still strongly encourages that committee members be physically present at meetings whenever possible because of the obvious value of that presence, and what personal contact adds to the meeting. So a "con" of Remote Participation, in stating the obvious, is that it opens the door for members to be absent from a meeting while still being considered "present". With that, it must be recognized that the regulations not only allow for absences such as for illness, personal disability, emergency and military service, but also for "geographic distance". The regulations do not draw a distinction between geographic distance due to unavoidable work travel and planned leisure travel so, if adopted, the accompanying policy should clearly spell out

that geographic distance must be related to unavoidable travel, and that the number of such absences should be limited (not only due to the impact on individual meetings, but also for the fact that if a member frequently finds him or herself at great distance from the Town and his/her meeting obligations, then his/her overall effectiveness on the committee is likely suffering as well). The policy should also give each adopting committee chair the indisputable authority to deny individual member requests, and should include that such denial may also be based upon other logistical matters such as having already approved other remote participation, not being able to provide the absent member with all necessary documents before the meeting, etc.

2. Another “con” of the regulation is that it adds a layer of expense (as well as logistics) for both the Town and for the remote participant (which should be properly addressed in the policy). For the Town, if the regulation is adopted, the Board of Selectmen should identify within the policy what type of equipment is acceptable, what budget(s) will purchase it, and how it will be managed and (if desired) loaned out to various committees. Unless multiple devices are purchased, or committees are left to individual purchasing rather than sharing, the tracking of the equipment should anticipate that there could be occasions where more than one committee may need equipment at the same time, and should address how that will be handled. While omnidirectional equipment is not necessarily exorbitant in cost, care would also need to be taken in the selection of adequate equipment to avoid another “con” regarding the possibility of not everyone in the audience being able to hear the remote participant. For the remote participant, the policy should be clear to identify that all costs associated with “calling in” or otherwise connecting from the remote location shall be borne by that participant.

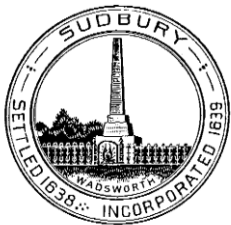
When the Board of Selectmen discussed this several years ago, it was suggested that we develop the necessary policy for the Board's approval, of which a red-lined version is attached.

It was also recommended that we survey other Sudbury boards and committees to see if they see this as a positive option or if they anticipate additional issues or problems if this policy was to be adopted. Before proceeding with this, I want to be sure this is a direction the Board of Selectmen wishes me to pursue.

It's important to note that the Board of Selectmen has the sole authority to both adopt and to rescind Remote Participation. If adopted by the Board of Selectmen, all other boards and committees would have the option to allow or disallow remote participation following the Selectmen's policy. It would be helpful that if this policy is adopted for the us to poll each board and committee as to whether they intend to allow remote participation, and then to require each that does allow it to report back to the Selectmen periodically regarding frequency of use, effectiveness of the policy, and any additional “pros and cons” uncovered along the way so that we may revise our policy as necessary.

For your convenience attached are the regulations from Attorney General's Office, a suggested policy, as well as a memo from Mark Thompson, our Technology Administrator, with his recommendations.

Thank you.



TOWN OF SUDBURY
Office of the Town Technology Department

Mark Thompson
 Technology Administrator

278 Old Sudbury Road
 Sudbury, Massachusetts 01776
 Tel: (978) 639-3307
 Fax: (978) 443-8450

Date: October 15, 2015

To: Maryanne Bilodeau
 Interim Town Manager

From: Mark Thompson, Technology Administrator

Subject: Remote Meeting Participation Recommendations

Maryanne,

The Town has many options available for Remote Participation during a committee meeting. My recommendation is to go with a simple, easy to set up option. The Town owns a VoIP conference phone which has exceptional voice quality and the ability to pick up conversations from around the room. A Cable TV microphone would be placed next to the conference phone so that Sudbury TV would be able to capture the remote participant's voice for broadcast.

The remote participant would be given a number to dial into our conference bridge which would immediately connect he/she into our conference phone. The remote participant would be watching the meeting on the public access channel or they could live stream the meeting on their computer via SudburyTV.org website. In both scenarios the participant would be instructed to turn the sound down on their TV or Laptop to avoid any audio feedback coming through the phone line. Lynn Puorro, Executive Director of Sudbury Access Corporation said that during the broadcast, a photo of the remote participant would be shown when they are speaking.

This setup would also be able to accommodate up to nine remote participants. All remote participants would follow the procedure outlined above.

Other alternate remote participation software solutions are Skype, GoToMeeting, or Google Hangouts. All of these solutions would require a laptop be connected to the video switcher in the Town Hall Cable TV studio. Also, an audio line out cable would also have to be connected from the laptop to the audio mixer. These collaboration software packages require a robust internet connection and could possible become choppy if the connection is less than satisfactory. If the remote participant had a camera connected to their computer, we could also see their face live.

Attachment 3.b: Remote Participation Recommendation from M Thompson 10-13-15 (1465 : Remote Participation Discussion)

Adding the video component and the internet dependency adds complexity to the setup which I believe is not necessary. The conference phone solution is simple to set up and allows the remote user to fully participate in the meeting.

REMOTE PARTICIPATION POLICY

Town of Sudbury, MA

PURPOSE STATEMENT

The Office of the Attorney General amended the *Open Meeting Law* regulations at 940 CMR 29.00 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Boards and Committees should try to attend meetings in person, the new regulations seek to promote greater participation in government meetings by allowing members to participate remotely when certain specific circumstances prevent them from being physically present.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town Boards and Committees under the *Open Meeting Law*, M.G.L. c.30A, §§18-25.

ENABLING AUTHORITY- 940 CMR 29.10(8)

A municipality may adopt a policy that prohibits or further restricts the use of remote participation by public bodies within its jurisdiction.

ADOPTION OF REMOTE PARTICIPATION

In accordance with 940 CMR 29.10(2)(a), the Board of Selectmen, on XXXXX, 2015, voted to authorize the adoption of 940 CMR 29.10 so that remote participation is permitted in the Town. In accordance with 940 CMR 29.10(3), the Board of Selectmen may revoke its adoption of 940 CMR 29.10 by simple majority vote at any time.

This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, sub-committees and other public bodies, regardless of whether such public bodies are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control.

Deleted: working groups

MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION

Members of the public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other.

A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c.30A, §20(d).

Members of the public body who participate remotely must have access to the same materials being used at the meeting location.

Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of Article III, Section 8 of the Town General By-laws and M.G.L. c. 39, §23D.

Section 23D (a): Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

PERMISSIBLE REASONS FOR REMOTE PARTICIPATION

It is the express desire of the Board of Selectmen that remote participation in meetings be an infrequent event, for both individual board members and Town Boards and Committees as a whole. Chairs of public bodies are encouraged to interpret these rules in a strict fashion and to continue to induce all members to attend meetings in person as a general rule, due to the inherent benefits of physical presence in a meeting.

A Board member may attend a meeting through electronic conferencing if his or her physical presence at the meeting is prevented due to one of the following extenuating circumstances: personal illness or disability; a family or other emergency; military service; geographic distance (due to personal employment or business on behalf of the Town, and excluding leisure travel).

Deleted: such as

Due consideration should be given regarding associate members on Boards and Committees, Associate members should be utilized in the absence of members of Boards and Committees when deemed appropriate by the Chair. Any determination by the person chairing the meeting to allow or not to allow remote participation shall be final and shall not be appealable.

The commission on disability may by majority vote of the commissioners at a regular meeting authorize remote participation applicable to a specific meeting or generally to all of the commission's meetings. If the commission on disability utilizes remote participation, a physical quorum of that commission's members shall not be required to be present at the meeting location; provided, however, that the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location. The commission shall comply with all other requirements of law and this policy.

ACCEPTABLE METHODS OF REMOTE PARTICIPATION

The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive communications.

Deleted: Reasonable a

- (i) Telephone, internet, or satellite enabled audio or video conferencing.
- (ii) Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible and, if possible, clearly visible to all persons present at the meeting location.
- (iii) If technical difficulties arise as a result of utilizing remote participation, the Chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with remote participant's ability to hear or be heard clearly by all persons at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred and subsequent reconnection if achieved shall be noted in the meeting minutes. If a public hearing occurs after disconnection, the member shall be noted as absent.

PROCEDURES FOR REMOTE PARTICIPATION

Any member of a public body who wishes to participate remotely shall, at least 48 hours or as soon as reasonably possible prior to the meeting, notify the chair or person chairing the meeting of his or her desire to do so and the reason for and facts supporting his or her request.

- (i) If the Chair approves the request for remote participation, he or she shall make any necessary arrangements with appropriate Town personnel to ensure that the required equipment is available and, to the greatest extent practical, provide access to all meeting materials. THE TOWN DOES NOT GUARANTEE AVAILABILITY OF REQUIRED EQUIPMENT AT ANY PARTICULAR TIME OR LOCATION.

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- (ii) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason for his or her remote participation. This information shall also be recorded in the meeting minutes.
- (iii) All votes taken during any meeting in which a member participates remotely shall be by roll call vote. Members may participate remotely even if they are not qualified to vote.
- (iv) Remote participants shall preserve the confidentiality of the executive session (where applicable). The remote participant shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.
- (v) The Town shall not be responsible for the reimbursement of any out-of-pocket costs associated with the remote participation of Board members.
- (vi) Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting, and should make their decisions based upon the same information as is available to all the other participants in the meeting. The remote participant shall also state at the beginning of any meeting that no other person is in proximity who could exert undue influence on the participant, in either executive or public session, and shall inform the chair if that situation changes.
- (vii) The chair of any committee which has agreed to allow remote participation shall provide to the Board of Selectmen, no later than June 30 and December 31 of each year, a report that indicates the date(s) of any meetings for which remote participation was requested, the name(s) of individuals making the request, the determination of the chair for each request, and a summary of any logistical, technical and compliance issues related to remote participation.
- (viii) ↓
- (ix) Remote participation shall be limited to one member per scheduled meeting.
- (x) Remote participants shall not operate a motor vehicle or otherwise jeopardize personal or public safety while participating in a meeting.

Deleted: under 940CMR 29.10(5)

Deleted: To the greatest extent practical, and to ensure informed discussion and decision-making, members of Town Board who participate remotely should have access to materials being used at the meeting location

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REMOTE PARTICIPATION POLICY

Town of Sudbury

Approved by the Board of Selectmen on XXXXX, 2015

ATTEST:

29.10: Remote Participation

(1) Preamble. Remote participation may be permitted subject to the following procedures and restrictions. However, the Attorney General strongly encourages members of public bodies to physically attend meetings whenever possible. By promulgating these regulations, the Attorney General hopes to promote greater participation in government. Members of public bodies have a responsibility to ensure that remote participation in meetings is not used in a way that would defeat the purposes of the Open Meeting Law, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

(2) Adoption of Remote Participation. Remote participation in meetings of public bodies is not permitted unless the practice has been adopted as follows:

(a) Local Public Bodies. The Chief Executive Officer, as defined in [M.G.L. c. 4, sec. 7](#), must authorize or, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that authorization or vote applying to all subsequent meetings of all local public bodies in that municipality.

(b) Regional or District Public Bodies. The regional or district public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(c) Regional School Districts. The regional school district committee must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(d) County Public Bodies. The county commissioners must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of all county public bodies in that county.

(e) State Public Bodies. The state public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(f) Retirement Boards. A retirement board created pursuant to [M.G.L. c. 32, sec. 20](#) or [M.G.L. c. 34B, § 19](#) must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(3) Revocation of Remote Participation. Any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) may revoke that adoption in the same manner.

(4) Minimum Requirements for Remote Participation.

(a) Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other;

(b) A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by [M.G.L. c. 30A, sec 20\(d\)](#);

(c) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of [M.G.L. c. 39, sec. 23D](#).

(5) Permissible Reasons for Remote Participation. If remote participation has been adopted in accordance with 940 CMR 29.10(2), a member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), if the chair or, in the chair's absence, the person chairing the meeting, determines that one or more of the following factors makes the member's physical attendance unreasonably difficult:

(a) Personal illness;

(b) Personal disability;

(c) Emergency;

(d) Military service; or

(e) Geographic distance.

(6) Technology.

(a) The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive telecommunications.

(i) telephone, internet, or satellite enabled audio or video conferencing;

(ii) any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.

(b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

(c) The public body shall determine which of the acceptable methods may be used by its members.

(d) The chair or, in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

(e) The amount and source of payment for any costs associated with remote participation shall be determined by the applicable adopting entity identified in 940 CMR 29.10(2).

(7) Procedures for Remote Participation.

(a) Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.

(b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.

(c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.

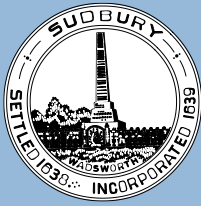
(e) When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with [M.G.L. c. 30A, sec. 22](#).

(8) Further Restriction by Adopting Authority. These regulations do not prohibit any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) from enacting policies, laws, rules or

regulations that prohibit or further restrict the use of remote participation by public bodies within that person or entity's jurisdiction, provided those policies, laws, rules or regulations do not violate state or federal law.

(9) Remedy for Violation. If the Attorney General determines, after investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.

[To Top](#)



MISCELLANEOUS (UNTIMED)

4: FY17 Budget Process

REQUESTOR SECTION

Date of request:

Requestor: Selectman Woodard

Formal Title: Update on discussion of the Finance Committee and the Budget Strategies Task Force concerning the FY17 budget process. (Selectman Woodard to present.)

Recommendations/Suggested Motion/Vote: Update on discussion of the Finance Committee and the Budget Strategies Task Force concerning the FY17 budget process. (Selectman Woodard to present.)

Background Information:

Financial impact expected:

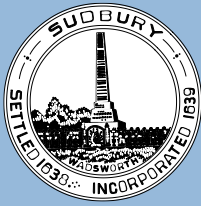
Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting: Chuck Woodard

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, October 20, 2015

MISCELLANEOUS (UNTIMED)**5: New Cingular Wireless Lease**REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and vote on whether to authorize Interim Town Manager to execute a consent to an assignment of the lease between the Town and New Cingular Wireless, PCS to Varsity Wireless Investors, LLC. Proposed vote: Move to approve the assignment of the lease between the Town and New Cingular Wireless, PCS to Varsity Wireless Investors, LLC, and to authorize the Interim Town Manager to execute a consent to the assignment.

Recommendations/Suggested Motion/Vote: Discussion and vote on whether to authorize Interim Town Manager to execute a consent to an assignment of the lease between the Town and New Cingular Wireless, PCS to Varsity Wireless Investors, LLC.

Proposed vote: Move to approve the assignment of the lease between the Town and New Cingular Wireless, PCS to Varsity Wireless Investors, LLC, and to authorize the Interim Town Manager to execute a consent to the assignment.

Background Information:
attached

Financial impact expected:

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting: Jody Kablack

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM

CONSENT TO ASSIGNMENT

Reference is made to the

(i) Lease Agreement dated _____ (the “Lease Agreement”) by and between the Town of Sudbury, having a mailing address at 278 Old Sudbury Road, Sudbury, Massachusetts, 01776, (“Landlord”) and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 575 Morosgo Drive NE, Atlanta, GA 30324 (“Tenant” or “Assignor”); and

(ii) Assignment of Lease made and entered into effective as of the ____ day of _____, 2015 (the “Assignment”) by and between Tenant, as Assignor, and Varsity Wireless Investors, LLC, a Delaware limited liability company, with an address at 290 Congress Street, 7th Floor, Boston, MA 02210 (“Assignee”).

Pursuant to Section 16 of the Lease Agreement, in consideration of the recitals and the covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord hereby consents to the execution and delivery of the Assignment by Assignor to Assignee upon the following provisions, conditions and terms:

1. Assignee agrees to abide by and be bound by all the terms and conditions of the Lease Agreement. All terms, representations, warranties, covenants conditions and restrictions of the Lease Agreement are hereby ratified, restated and confirmed by Assignee and shall be and remain in full force and are assumed by Assignee.
2. As required by Section 17 of the Lease Agreement, notices shall be addressed as follows:

“As to Tenant:

Varsity Wireless Investors, LLC
290 Congress Street, 7th Floor
Boston, MA 02210
Attn: Christopher J. Davis, President”
3. By its consent Landlord does not in any way make or infer a finding that the Assignor is or is not in good standing or in compliance with the Lease Agreement.
4. Landlord hereby fully and unconditionally releases and discharges Assignor, but not Assignee, from any and all obligations arising under the Lease Agreement without any further action, including without limitation the obligation to pay rent and all other sums due, and the performance of all other terms, conditions and covenants to be kept and performed by the Tenant hereunder, and will look solely to Assignee for the same.

5. The parties each acknowledge and represent that it duly organized, validly existing and in good standing and has the right, power and authority to enter into this Consent to Assignment and bind itself hereto through the party set forth as signatory below.

LANDLORD
TOWN OF SUDBURY

By: _____
Name: Maryanne Bilodeau
Title: Interim Town Manager

TENANT/ASSIGNOR
New Cingular Wireless PCS, LLC

By: _____
Name:
Title:

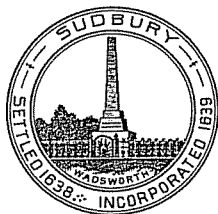
ASSIGNEE
Varsity Wireless Investors, LLC,

By: _____
Name:
Title:

DATED: _____

2015.09.25 consent to assignment (1914-09)

Attachment5.a: Consent to Assignment 10-2-2015 - clean (A0328294xB0BA5) (1512 : New Cingular Wireless Lease)



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: Zoning Board of Appeals
Planning Board
FROM: JAK Jody Kablack, Planning and Community Development Director
RE: Varsity Wireless Investors LLC, Site Plan and Special Permit/Variance Applications
275 Old Lancaster Road, DPW Facility
DATE: October 1, 2015

This application seeks Site Plan, Special Permit and Variance approval to install a 140 foot monopole wireless communications tower with internal antennas, and approximately 900 sq. ft. of land for equipment needs, on property located at 275 Old Lancaster Road owned by the Town of Sudbury and contained in the Wireless Overlay District. The property is a 16 acre parcel located in an A-Residential Zoning District and Zone III of the Water Resource Protection District, and is presently improved with the Town's DPW facility. The applications request approval for 2 carriers, as well as the installation of Town public safety equipment. A dimensional variance for the height of facility to exceed the 100' height limit is also proposed.

I have reviewed the above applications for conformance with the Zoning Bylaw, and offer the following comments and recommendations:

1. These applications are a result of a Request for Proposals advertised by the Board of Selectmen in June 2014 for the lease of land for a wireless communication facility on this property. The Selectmen awarded the proposal to New Cingular Wireless in August 2014 as the most advantageous proposal, subject to the execution of a lease. New Cingular Wireless and the Town (through Town Counsel) have come to agreement on the terms of a lease, which requires the assignment of the lease to Varsity Wireless for construction of the facility. General provisions of the lease include a 10 year term with 2 five year extensions, annual payment to the Town of \$27,000, and a one-time \$50,000 payment to be used for public safety communications.
2. A balloon test was conducted in accordance with section 4375 of the Bylaw on September 19, 2015, and the results will be shared with the Board at the hearing on October 5, 2015.
3. The Special Permit application requests approval for 2 carriers, which complies with section 4354 of the Zoning Bylaw. If approved, no further zoning approvals will be necessary for another carrier to co-locate on the tower and erect an equipment shelter at a future date. However, since this is Town land, the Board of Selectmen will need to issue an RFP prior to the use of the tower by any future carriers.
4. The wetland boundaries have not been approved by the Conservation Commission, and the applicant is urged to proceed with that approval immediately as there are multiple wetland resource areas surrounding the property. The Plan indicates that the proposal is outside all required buffer areas, however this must be confirmed prior to construction. A wetland report dated June 2015 has been received and will be circulated to the Conservation Commission office for review.
5. The access drive and the provision of utilities to the equipment area will be along the existing driveway from Old Lancaster Road, which is sufficient for this proposal.
6. A General Stormwater Management Permit application will be required for this proposal. Approximately 900 sq. ft. of disturbance is anticipated.

7. There is no additional impervious surface being added to the site with this proposal. The tower and equipment structure will be located on an already paved surface. Site drainage will consist of a 3" deep crushed stone base over a layer of geotextile filter fabric to be installed beneath the entire compound area to naturally infiltrate stormwater. Hay bales and silt fencing will be installed to the south of the compound area to intercept any runoff or sediment from the construction activities prior to reaching the wetlands.
8. Power back-up will be provided by a natural gas generator located within the equipment compound, which will be fed from an underground line located on the property.
9. All utilities to the new facility must be installed underground. Electricity will originate at an existing utility pole located on the property, however any extensions for this facility must be installed underground.
10. It is recommended that the barbed wire proposed along the top of the fence around the facility be removed. The property is well patrolled by the Sudbury Police Department, as it contains the fueling facility for all town vehicles.
11. Typically a radio frequency analysis is supplied with an application for a new tower in order to fulfill section 4354 of the Bylaw (demonstration that the facility cannot be accommodated on an existing or approved tower within a ½ mile radius of the proposed tower). The applicant has informed me that this information will be submitted at the hearing.
12. The diameter of the tower at its base will be 60" at the base, tapering to 48" at the top. This detail should be added to the Plan.
13. The tower will be a galvanized (non-reflective) gray color and the fiberglass shrouds on top will be gray as well. This detail should be added to the Plan.
14. A post-construction construction control affidavit should be required to be performed to ensure that the tower was constructed properly.
15. Section 4360 of the bylaw requires a bond to dismantle and remove the facility be posted prior to issuance of a building permit for of the facility. This should be included in any decisions granted.
16. The ability to co-locate town equipment on this tower in the future should be included as a condition of any approval.
17. Signature blocks for the Building Inspector, DPW Director and Planning Director must be added to all Plan sheets.
18. The deadline to render a decision on the Site Plan application is January 9, 2016 (120 days from filing the application). The deadline to render a decision on the Special Permit is 90 days from the close of the public hearing. The deadline to render a decision on the Variance application is December 20, 2015 (100 days from filing the application).

cc: Applicant
DPW Director
Building Inspector

Police Chief
Conservation Agent
Fire Chief

Board of Selectmen
Town Manager

VARSITY WIRELESS, LLC

INFRASTRUCTURE SOLUTIONS FOR THE COMMUNICATIONS INDUSTRY

Varsity Wireless:



Headquarters:

346 Congress Street, Suite 703
Boston, MA 02210

Regional Offices:

- New York, NY
- Portsmouth, NH
- Providence, RI

www.VarsityWireless.com

Vision: Wireless services permeate every facet of our lives. We use multiple wireless devices to improve our efficiency at work and maximize our time at play. These remarkable devices have also brought the expectation of a ubiquitous, always-on network. Physics, and the doubling of data usage each year, dictates that more cell sites are required to meet this expectation. Experience says that there is a better solution to address the “siting” issues that prevent wireless service providers and the communities they serve from reaching ubiquity. Varsity believes its experienced professionals and capital resources offer both groups the solutions to move this amazing industry forward.

About Us: Varsity Wireless, LLC (“Varsity”) was formed in 2012 to own, manage and operate wireless communications facilities – an irreplaceable component of wireless networks used by companies like Verizon, AT&T, Sprint and T-Mobile to deliver their services. While Varsity is a new entrant to the tower industry, its senior managers are not. Varsity’s management combines over 75 years of wireless industry experience including leadership positions with wireless carriers (“Carriers”), tower companies and the Federal Communications Commission. Our diverse experience allows Varsity to quickly diagnose the many challenges facing Carriers, property owners and communities as they consider the best locations for the next cell site.

Varsity seeks to invest its human and capital resources in locations that match carrier coverage objectives with community needs, and use structures or locations, which minimize the negative discourse that so often surrounds communications sites. Such investments include upgrading pre-existing structures, using “stealth” solutions, selecting municipal properties and working with local safety officials to address critical coverage gaps in the community. When managed thoughtfully and efficiently, these investments meet critical community needs, speed time to market and reduce Carrier deployment costs.

Senior management has managed the investment of more than \$105 million of equity in telecommunications infrastructure assets with each investment resulting in substantial returns to its investors. Varsity was founded with an investment from its senior managers to develop and acquire tower sites that target the infrastructure needs of the wireless carriers. Varsity augmented this initial capital with an equity capital raised from a small group of private investors having a long-term investment horizon similar to management. The combined investment positions Varsity as a reliable, long-term partner for the Carriers, property owners and the communities served by its infrastructure investments.

Mission: Provide our clients with exceptional creativity and execution, while achieving optimal returns for our stakeholders. Varsity will achieve this by improving the discourse between the Carriers and the communities they serve, offering innovative infrastructure solutions that produce sound financial results, and by leveraging the very best resources and development partners to execute those solutions.

Core Competencies:

Strategic Site Development: Varsity develops new tower sites and other infrastructure in locations that address Carrier coverage and capacity needs.

Build to Suit Development: Varsity’s management has built over 150 sites for Carriers under build-to-suit agreements.

Tower Acquisition: Varsity acquires quality tower sites that have the potential for future lease-up and yield exceptional returns for its investors.

Developer Capital: Varsity provides independent tower developers with investment capital and other resources to help maximize their opportunities.

VARSITY WIRELESS, LLC

INFRASTRUCTURE SOLUTIONS FOR THE COMMUNICATIONS INDUSTRY

The Team:



Headquarters:

290 Congress Street, 7th Fl
Boston, MA 02210

Regional Offices:

- New York, NY
- Portsmouth, NH
- Providence, RI

Contact:

www.varsitywireless.com

Christopher J. Davis

617.226.4146

cdavis@varsitywireless.com

Brian M. Orlandi

617.416.8065

borlandi@varsitywireless.com

Stephen Kelleher

508.404.8917

skelleher@varsitywireless.com

Francis D Parisi, Esq.

401.447.8500

fparisi@varsitywireless.com

Christopher J. Davis (President, CEO, and Founder): Chris brings more than 18 years of wireless infrastructure industry experience to Varsity Wireless after beginning his career in real estate finance and accounting. Chris was a pioneer in the development of distributed antenna system ("DAS") infrastructure for wireless carriers - operating one of the first true neutral host DAS at the Moscone Center in San Francisco, California, as well as land mark installations at Wynn Las Vegas and Boston's subway system. Chris was also President of LCC International's tower unit, Microcell Management, Inc., where he oversaw the development, management and ultimate sale of 196 communications facilities to Pinnacle Towers. Before making wireless infrastructure the focus of his career, Chris held senior finance and accounting positions with J. E. Roberts Companies (a Goldman Sachs venture) and Ernst and Young's real estate group (Kenneth Leventhal & Co.), where he earned his CPA. Chris has a degree in business administration from the University of New Hampshire and lives in Boston, Massachusetts.

Brian Orlandi (Vice President, COO): Brian brings nearly 20 years of wireless industry experience to Varsity Wireless, including program management and operations leadership roles for Sprint Nextel, Bell Atlantic and AT&T Wireless. As system development manager at AT&T Wireless, he successfully managed real estate, construction, and engineering teams in an aggressive access network expansion of new cell site deployments for the Northeast region. Brian held leadership roles in tower development at Crown Castle and the outdoor DAS solutions Group with American Tower Corp. where he directed network development, implementing real estate and regulatory processes as well as composing construction standards and specifications for the burgeoning technology. Brian studied architectural technologies and construction management at Wentworth Institute of Technology. He is an active volunteer in the Seacoast region of New Hampshire and serves on the board of trustees of the Newman School in Boston, Massachusetts.

Steven J. Kelleher (Director of Development): Steve has been involved in real estate development for most of his career, more recently focused in site development in the wireless industry. Prior to joining Varsity, he founded Vertex Towers, securing development rights on a number of locations acquired by Varsity Wireless. He also formed KJS Realty, Inc. where he provided acquisition, zoning and development services to wireless carriers and infrastructure providers, like AT&T Mobility and Global Tower Partners. Steve was a site acquisition project manager for Maxton Technologies, Tower Resource Management and American Tower Corp. maintaining and securing property and regulatory rights for numbers of tower sites and antenna locations throughout New England. Steve lives in Norfolk, Massachusetts and served in the Massachusetts Air National Guard. He earned his degree in History from Bridgewater State College.

Francis D. Parisi, Esq. (Counsel): Fran brings a wealth of real estate law and wireless industry development experience to Varsity Wireless, that include program management consulting roles for major national wireless carriers, infrastructure providers and their vendors. Over the past fourteen years, he has operated a sophisticated real estate law and consulting practice focused on offering challenging siting solutions to clients like, Sprint, Nextel, and AT&T Wireless to name a few. Prior to the formation of Parisi Law Associates, P.C., and Terracord, LLC Fran practiced Real Estate, Corporate and Securities Law at Redding & Associates, Goldenberg & Muri, and Rich, May, Bilodeau & Flaherty, P.C. Fran graduated from the University of Illinois and holds a Juris Doctorate from Boston College Law School. He lives in Cranston, Rhode Island and is a member of the Massachusetts and Rhode Island Bar Associations.

Attachment5.c: VW_SoQForm 101515 (1512 : New Cingular Wireless Lease)

Our Assets:



www.VarsityWireless.com

Varsity Wireless Tower Facilities

3 Sites fully constructed and operational

- Stratham, NH
- Jefferson, NH
- Norton, MA

40+ Sites committed in Development

- Focus in Massachusetts and New Hampshire
- Underserved areas / capacity constrained locations
- Designed to meet Carrier LTE requirements
- Proactively pursuing permits
- Secure Municipal & Public Safety Support

40+ Additional Sites in Acquisition

- 15 Build to Suit (BtS) rings
- Expanding in the Northeast Region
- Strategic site development

SEARS Holdings Corporation

Selected Exclusive Agent & Manager 2013

- 1,300 Site Portfolio (Sears & K Mart Stores)
- Over 133,000,000 s/f of retail space
- 663 Mall locations
- 271 free standing auto centers
- Within 5 miles of 85% of US population

Flexible use that promotes Colocation

- Macro Sites, Micro Sites / small cell, DAS, etc.
- Data Centers and Base Station Hotels
- Ample equipment space at each location
- Streamlined process for leases & approvals

Prudential Center Arena

Varsity Awarded Development in 2014

- Multi-tenant DAS solution deployed 4th qtr. 2015
 - 3 of 4 major carriers factored in the design
- Home to the NHL's, New Jersey Devils
 - ~650,000 fans for NHL games alone
- Home of the Seton Hall Men's NCAA - D1 basketball
 - Ranked among highest attendance in NCAA
- 300 Entertainment events annually
 - Top 10 Revenue grossing venues worldwide
- Seating Capacity:

<i>Hockey</i>	17,625
<i>Basketball</i>	18,711
<i>Concerts</i>	19,500
<i>Luxury Suites</i>	74
<i>Club Seats</i>	2,330

VARSITY WIRELESS, LLC

INFRASTRUCTURE SOLUTIONS FOR THE COMMUNICATIONS INDUSTRY

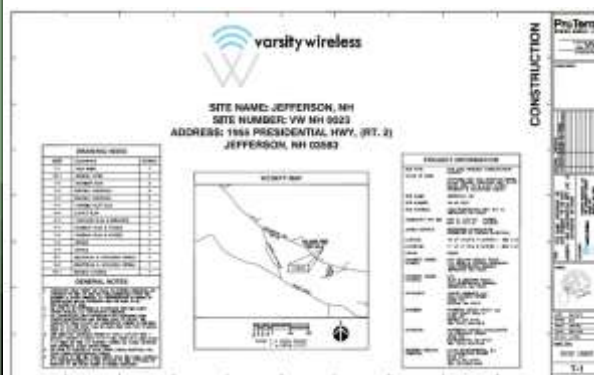
Financial Information:



www.VarsityWireless.com

Varsity Wireless Investors, LLC (the "Company") is a privately-held Delaware limited liability company formed in 2013. Its Managing Member, Varsity Wireless, LLC, is also a privately-held Delaware limited liability company. As of October 15, 2015, the Company is equity financed and does not have any bank or other long term debt. The Company's equity investors have been the sole capital source for the construction and operation of the Company's tower facilities, including the Company's existing facilities as well as the tower contemplated at Old Lancaster Road, Sudbury, MA currently in development.

The Company's fiscal year ends on December 31. The Company's financial statements at December 31, 2014 and for the year then ended were audited by the independent accounting firm of Melanson Heath in Manchester, NH, and it is contemplated that Melanson Heath will be retained to audit the Company's financial statements at December 31, 2015 as well. As of October 15, 2015, the Company had cash and cash equivalents on hand of \$820,000 and total assets of \$1.7 million. As of October 15, 2015, the Company's investors have committed \$7.5 million of capital towards the development of wireless infrastructure, which is periodically drawn as individual site projects require capital. As of October 15, 2015, the Company has drawn \$3.5 million of the capital commitment and has funds available of \$4 million for future development. Funds for the construction of the tower site at Old Lancaster Road, Sudbury, MA were included in the most recent capital call approved by the Company's Board of Directors.



Attachment5.c: VW_SoQForm 101515 (1512 : New Cingular Wireless Lease)

VARSITY WIRELESS, LLC

INFRASTRUCTURE SOLUTIONS FOR THE COMMUNICATIONS INDUSTRY

References:



www.VarsityWireless.com

Carrier References

AT&T Mobility

Kevin Mason, Area Manager – Construction and Engineering
550 Cochituate Road, Suites 13 & 14, Framingham, MA 01701
(P: 508-271-8328) / kevin.mason@att.com

Sprint

Peter Dawson, Regional Manager, Public Venue Programs
3 Van de Graaff Drive, Burlington, MA 01803
(P: 617-839-6731) / Peter.Dawson@sprint.com

T-Mobile

Ward Wilson, National Director, Public Venue Programs
6501 Windcrest, Suite 150, Plano, TX 75024
(P: 469-241-3664) / Ward.wilson@T-Mobile.com

Northeast Wireless Networks

David Duplissis, Director of Field Operations & Project Management
202 US Rt. 1, Suite 206, Falmouth, ME 04105
(P: 207-200-2508) / dduplissis@newirelessnetworks.com

Business References

Tilson Technology Management

Josh Broder, Owner & CEO
245 Commercial Street, Portland, ME 04101
(P: 207-200-2508) / jbroder@tilsontech.com

ProTerra Design Group

Thomas Johnson, Owner & CEO
4 Bay Road, Suite 200, Hadley, MA 01035
(P: 413-320-4918) / tjohnson@proterra-design.com

EnviroBusiness, Inc. (EBI Consulting)

Robert Maguire, Managing Consultant
21 B Street, Burling, MA 01803
(P: 508-397-4407) / rmaguire@ebiconsulting.com

Sabre Towers & Poles

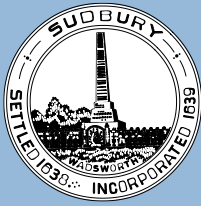
Ryan McBreen, Technical Sales Manager - Northeast Region
330 Red Oak Lane, Cresson, PA 16630
(P: 712-587-2273) / ramcbreen@sabreindustries.com

Sears Holdings Corporation

Julie Negron, Program Manager
3333 Beverly Road, Hoffman Estates, IL 60179
(P: 914-414-8816) / Julie.Negron@searshc.com

The Prudential Center

Mark Gheduzzi, Senior Vice President
25 Lafayette Street, Newark, NJ 07102

**SUDBURY BOARD OF SELECTMEN**

Tuesday, October 20, 2015

MISCELLANEOUS (UNTIMED)**6: Sudbury Station LLC - review of letters****REQUESTOR SECTION**

Date of request:

Requestor: Jody Kablack

Formal Title: Sudbury Station LLC - review letters and discuss this proposal and submit comments on the application before the November 6 deadline.

Recommendations/Suggested Motion/Vote: Sudbury Station LLC - review letters and discuss this proposal and submit comments on the application before the November 6 deadline.

Background Information:
attached

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM



Massachusetts Housing Finance Agency
One Beacon Street, Boston, MA 02108

TEL: 617.854.1000 | FAX: 617.854.1091
VP: 866.758.1435 | www.masshousing.com

October 14 2015

Ms. Jody Kablack
Director of Planning and Community Development
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

Re: Municipal Comments for the Village at Sudbury Station. MH #790

Dear Ms. Kablack:

I received your email dated October 14, 2015 requesting a two week extension to the municipal comment period for the Site Approval Application for the Village at Sudbury Station currently under review at MassHousing. Please accept this letter as confirmation that, as requested, comments will be due at MassHousing on November 6, 2015.

In the meantime, please don't hesitate to contact me if you have further questions about the proposal or the Site Approval process.

Katy Lacy, Permitting Specialist

Attachment6.a: Comment Extension Letter (003) (1517 : Sudbury Station LLC - review of letters)

Findings for Site Approval

These are the specific findings made by the Subsidizing Agency (MassHousing, DHCD, Massachusetts Housing Partnership or MassDevelopment) to determine Project Eligibility (aka Site Approval) for a proposed 40B development.

- (a) that the proposed Project appears generally eligible under the requirements of the housing subsidy program, subject to final approval under 760 CMR 56.04(7) ("Final Approval");
- (b) that the site of the proposed Project is generally appropriate for residential development taking into consideration the information provided by the Municipality regarding actions previously taken to meet affordable housing needs;
- (c) that the conceptual project design is generally appropriate for the site on which it is located;
- (d) that the proposed Project appears financially feasible within the housing market in which it will be situated based on comparable projects;
- (e) that an initial pro forma, including a land value determination consistent with the Guidelines, has been reviewed, and the Project appears financially feasible and consistent with the Guidelines for cost examination and limitations on profits and distributions on the basis of estimated development costs, and the project is fundable under the Program;
- (f) that the Applicant would be eligible to apply as a Limited Dividend Organization in connection with an application for financing under the Program; and meets the general eligibility standards of the Program; and
- (g) that the Applicant controls the site.

Only when a Project Eligibility Letter (PEL) has been issued can the developer apply for Comprehensive Permit from the local Zoning Board of Appeals (ZBA).

Distributed by
Mass Housing at
10/6/15 site visit

Golden, Patricia

From: Qi Jin <jinqi1017@hotmail.com>
Sent: Wednesday, October 07, 2015 12:22 PM
To: Selectmen
Subject: Concern for "The Village at Sudbury Station"

Thank you for voicing our concerns at last night's meeting. We moved to this town in 2013 and really loved it as a nice suburb town to raise children. I felt that I am obligated to send you this email to express my deep concern of this project.

First, I totally understand that it is the state regulation that requires the town to comply with 40B. However the town center location where this project has picked really can't be worse for Sudbury. I am sure everyone sees how congested that area is every day at the rush hours. I simply can't imagine about 400 cars there. Sudbury doesn't have public transportation. Most if not all the residents in this development will have to have cars for their commute. In addition to the town center intersection, all the roads near the town center like Peakham, Candy Hill etc, are so narrow and windy and I really don't think they can handle the traffic coming out of such a big apartment complex.

Second, we heard about Raytheon project last night also. That sounds like a much more thought-through project done by a much reputable developer who has proven to know what they are doing. While the developer at the Village at Sudbury Station barely did any homework for the possible traffic impact to the town. It is really a shame that he and the lawyer he hired grew up in Sudbury. Raytheon project most likely will bring Sudbury to or very close to 10% requirements for 40B. Why do we want two big size apartment complex in town. Most of towns surround us like Concord built their 40B project in the town that is as far as from the town center as possible.

As a citizen and the resident, I do hope you to voice our concerns to Mass Housing. If you could invite them for the site visit, they should clearly see how much traffic impact will this project for Sudbury.

Thanks,
 Qi Jin
 2 Meachen Rd

Attachment6.c: Villages_Sudbury_Station_resident (1517 : Sudbury Station LLC - review of letters)

Kablack, Jody

From: Kablack, Jody
Sent: Friday, October 09, 2015 3:14 PM
To: 'klacy@masshousing.com'
Cc: Bill Henchy
Subject: Village At Sudbury Station

Katy,

Please accept this email as a request for an extension of time to provide comments from the Town of Sudbury to MassHousing on the above Site Approval application (MH #90) until November 6, 2015. This is a large application for Sudbury, and requires coordination between various boards and departments in order to provide a cohesive set of comments that I anticipate will be issued by the Board of Selectmen. This extension will enable us to work in open session with the Selectmen at their meetings scheduled for October 20 and November 3, and provide the written comments by the end of that week.

Please let me know if you need anything else from me, and please confirm the extension date. Thank you!

Jody Kablack
Director of Planning and Community Development
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776
978-639-3387

Attachment6.d: Villages_Sudbury_Station_emails (1517 : Sudbury Station LLC - review of letters)

Kablack, Jody

Subject: FW: New 40B Proposal, Concord Road

From: Jonathan Gossels [mailto:jon.gossels@systemexperts.com]

Sent: Friday, October 09, 2015 3:43 PM

To: Kablack, Jody <KablackJ@sudbury.ma.us>

Subject: RE: New 40B Proposal, Concord Road

Hi Jody,

My thoughts are as follows:

1. It is actually a good location for a 40B
2. The number of units overreaches by a lot
3. The architecture proposed does not fit in our historic town center

-Jon

Attachment6.d: Villages_Sudbury_Station_emails (1517 : Sudbury Station LLC - review of letters)

Kablack, Jody

Subject: FW: New 40B Proposal, Concord Road

From: James Marotta [mailto:jim.marotta@marottava.com]

Sent: Tuesday, October 13, 2015 9:13 AM

To: Kablack, Jody <KablackJ@sudbury.ma.us>

Cc: Park and Rec Commission <prc@sudbury.ma.us>

Subject: RE: New 40B Proposal, Concord Road

Jody,

Any public recreation amenities that the site could accommodate would be a positive from a Park & Recreation standpoint.

The primary possibility is improving access and/or parking for the Ti-Sales field. As currently configured perhaps parking opposite the rail corridor could be provided, with, if possible, foot traffic across the rail corridor (or someday a rail trail).

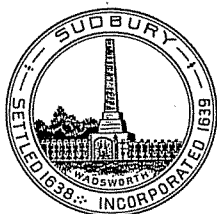
Also, given the developer at the BOS meeting eluded to the possibility that the Hudson Road access to the development may align with Peakham Road (at least that's what I thought I heard and implies additional parcel(s) maybe incorporated into the development), perhaps better a better solution could be had with Ti-Sales parking and access.

Tennis courts are also something that residents want.

Thanks

James J. Marotta, MAI
Marotta Valuation Advisors, Inc.
345 Boston Post Road, Suite H
Sudbury, MA 01776
p 978.443.3515
f 978.443.2011
www.marottava.com

Attachment6.d: Villages_Sudbury_Station_emails (1517 : Sudbury Station LLC - review of letters)



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

May 7, 2010

Mr. Michael Busby
40B Program Coordinator
Massachusetts Housing Finance Agency
One Beacon Street
Boston, MA 02108

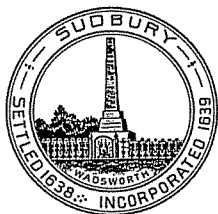
RE: PE#507, Landham Crossing, Sudbury, MA

Dear Mr. Busby,

Thank you for your letter of March 30, 2010 and the opportunity to provide comments relative to the above project application, and the verbal extension of time within which the Town of Sudbury could submit comments. The Sudbury Board of Selectmen met with the applicant on May 4, 2010, and received an overview of the preliminary plan to construct 32 units of attached housing on an 8.52 acre parcel of land located on Boston Post Road. Two members of the Board were also present at the site visit held with MassHousing on April 28, 2010. The Selectmen also received correspondence from various department heads on this development, which has been incorporated into the comments below.

Following the Board's meeting, the Board directed me to respond to your letter with the following comments and recommendations:

1. The Selectmen believe the location of this property is appropriate for a comprehensive permit. There are relatively few abutters who will be significantly impacted by the density of this development. It is close to commercial services and the downtown business area. It will provide 32 units of housing, including 8 units of affordable housing, which is not currently widely offered in Sudbury.
2. Due to the existence of wetlands on 2 sides of the property, an NRAD to verify the wetland line, and Conservation Commission permitting will be required. The applicant is encouraged to apply under both the State Wetlands Protection Act and the local Wetlands Administration Bylaw.
3. Density is in compliance with our local 40B Guidelines, at 5 units/buildable acre. Density of this development should stay as reasonably high as the physical nature of the property can sustain (based on wetlands, wastewater and stormwater). This will offer more affordable units to the Town.
4. We would also encourage working with the developer to buy-down additional units to increase our stock of affordable housing. The Sudbury Housing Trust has created a successful model program using Community Preservation Act funds, and can negotiate the number of units during the comprehensive permit process, depending on their budget.
5. This proposal will require a new curb cut permit from MassHighway.
6. The Town is currently working with our consultants, VHB, to design a traffic signal at Landham Road. The proposed driveway entrance at the eastern property line is in a desired location based on



Town of Sudbury

Office of Selectmen
www.sudbury.ma.us

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Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756

Email: selectmen@sudbury.ma.us

the preliminary signalization plan, however traffic impacts to Boston Post Road and the Landham Road intersection are expected from this development. The applicant should be prepared to address impacts in the form of mitigation and/or design improvements along the frontage of the property.

7. The applicant should work with the Department of Public Works and MassHighway on any needed drainage improvements along this stretch of Boston Post Road.
8. The Town desires a varied architectural style of the units along Boston Post Road. These units should appear as fronts from the roadway, and massing should be minimized to avoid the appearance of high density development. Appropriate screening and landscaping to make the front of the development attractive is also recommended.
9. Setbacks to direct abutters should be in accordance with Sudbury's 40B Guidelines (2.5 times the underlying zoning, or 50' side yard, 75' rear yard), particularly to the closest residences along Boston Post Road.
10. The Town of Sudbury has a right of first refusal to purchase this property under c. 61B. This process must conclude by June 26, 2010.
11. Local preference for the affordable units should be requested to the maximum extent allowed by law.
12. The Board notes that Sudbury has recently adopted the Stretch Energy Code, which this development will be subject to. The developer should submit a new pro-forma incorporating the additional energy improvements.
13. The developer of this project has willingly entered into discussions with the Town of Sudbury staff and boards to receive input on this project. The Selectmen strongly urge that this collaborative effort continue as the plans are brought to finalization.
14. The developer is urged to contact abutting property owners immediately to ascertain their concerns with development of the property as proposed.

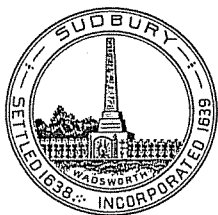
Thank you for your consideration of these comments.

Very truly yours,

For the Board of Selectmen

Maureen G. Valente
Town Manager

cc: Ben Stevens, President, Trask Inc.
Jody Kablack, Town Planner
Beth Rust, Community Housing Specialist
Board of Appeals



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

VIA EMAIL and USPS

August 17, 2010

Ms. Nancy Anderson
Director of Rental Housing
MassHousing
One Beacon Street
Boston, MA 02108

RE: The Residences at Johnson Farm, Sudbury
MH #SA-10-001

Dear Ms. Anderson:

Thank you for your letters of June 8 and 21, 2010, and the extension of time in which to provide comments relative to the above project. The Sudbury Board of Selectmen met with the applicant, in public session, on July 27, 2010, and received an overview of the preliminary plan to construct 120 units of rental housing on a 36 acre parcel of land located on Landham Road. The abundance of comments from residents at the July 27th meeting necessitated the further extension of time in which to review the issues and prepare this letter. All members of the Board were also present at the site visit held with MassHousing on June 22, 2010. The Selectmen also received correspondence from Town departments and committees on this development, which have been incorporated into the comments below.

Sudbury has been making steady progress in recent years towards our 10% subsidized housing inventory. As an early adopter of the Community Preservation Act, Sudbury has expended significant local funds on the development of affordable housing over the last 8 years, including \$600,000 on 10 units of scattered rental housing by the Sudbury Housing Authority, and funding our local Sudbury Housing Trust with over \$1 million towards the creation of homeownership units. We have a current Housing Plan, have developed local 40B Guidelines, and are in the process of preparing a Housing Production Plan. We are proactive in the affordable housing arena, and are working diligently to create housing that fits into the Town's character and provides opportunities for a diverse cross section of the population.

Sudbury is not new to 40B and its controversies. The Town has had several recent, positive experiences with Comprehensive Permit applications. We have approved seven 40B developments with 167 total housing units over the past 10 years in development sizes ranging from 2 units to 73 units. In addition one application is currently being reviewed by the ZBA along with three pending applications totaling an additional 111 units of affordable housing. Each application went or will go through a rigorous review process, resulting in attractive developments in terms of size, scale, and style of housing. We have never denied a 40B application, but have worked with developers to shape their projects into developments that fit the neighborhood and produce benefits for both the new residents and the Town in general. Each of

Page 2.
August 17, 2010

Ms. Nancy Anderson
Dir. of Rental Housing
MassHousing

these developments has demonstrated that they will not harm the environment, nor cause significant off-site problems. Each development is located in an appropriate area for development that is denser than the surrounding zoning district, and each application has been supported by the Town to MassHousing or DHCD during the site approval process. Each development meets the local 40B Guidelines developed in 2007, and closely align with the goals of the 2005 Housing Plan.

All that said, the Board of Selectmen has grave concerns for the potential impacts from this development, and cannot support the proposal as submitted. We have not formed this position rashly, nor simply due to public outcry over the proposal. We have reviewed the materials submitted, including data from the applicant and memos from the Town's technical staff, and believe that a development of this size, on a parcel of land surrounded by wetlands, riverfront and flood plain, will have severe impacts that may not have the capability to be adequately mitigated.

Surface and groundwater concerns are paramount, as Sudbury is completely reliant on underground aquifers for our drinking water. The property is in an area of known high groundwater elevation, and within 5,000 feet to four of the Town's primary well fields and adjacent wetlands. Impacts from construction, as well as stormwater runoff and wastewater disposal, all contribute to the Town's unease with the size of the development proposed. We feel that the complex hydrology of the site may not allow for adequate protections against harmful disturbance to these ecosystems. Data submitted to date does not relieve our level of discomfort, particularly the proposed exclusive use of infiltration for stormwater and the overall size of the wastewater leaching field. The soils in these locations do not exhibit the ability to absorb water as proposed in the preliminary plans.

The property is identified on the Town's 2009 Open Space and Recreation Plan as a parcel that merits preservation due to a variety of factors, including groundwater resources, surface water resources, agriculture, wildlife, vegetation, geology, recreation, historic preservation, scenic views, connection to protected land, trails, public accessibility and size. The surrounding 150 acres of land are undeveloped and contribute to groundwater protection, wildlife corridors, riparian habitat and flood control. Constructing 10 buildings and roadways in the midst of these natural resources will have an irreversible impact, and does not comply with the Commonwealth's Sustainable Development Principles and "Smart Growth" Guidelines.

The traffic expected from the development will add 10% to the existing volume on Landham Road (or just under 900 additional trips per day). Landham Road is a narrow, 2 lane road, which, along with its tributary roads, may be able to absorb an increase in traffic of the magnitude expected with longer delays and queues. However, roads heading east off Landham Road regularly experience spring flooding and closure, and the additional traffic generated by this proposal will exacerbate problems during these annual events.

Attachment 6.f: BOS Comments to MH Johnson Farm (1517 : Sudbury Station LLC - review of letters)

Page 3.
August 17, 2010

Ms. Nancy Anderson
Dir. of Rental Housing
MassHousing

The Town has additional concerns related to agricultural chemicals and pesticides which may have been historically used on the property, and for which conventional testing and risk analysis is not normally conducted nor required. If the development proceeds, the Town will request additional soil testing for these compounds, risk analyses, and full remediation of any areas indicating such chemicals in excess of approved limits.

It is also noted that a large majority of the units (2/3) will not be habitable or "visitable" by persons with physical disabilities. The Town questions the functionality of the buildings with no handicap access to the upper floors, and whether this is compatible with DHCD and Federal ADA requirements.

During the course of our review, additional comments by the public were solicited and those that were submitted in writing are included as attachments to this memo. One group of residents is represented by attorney Jon Witten of Daley and Witten, LLC.

In closing, The Town of Sudbury cannot support a development of this magnitude on the parcel, and urges MassHousing to decline to issue a site eligibility letter. It is out of character and scale for the surroundings, and has the potential for significant health and safety impacts that may not be capable of mitigation or permitting. The project does not comply with the intent and directives of the Commonwealth and DHCD's Guidelines, and investment in the development by MassHousing would be inconsistent with these standards. Thank you for your thoughtful consideration of these comments.

Very truly yours,

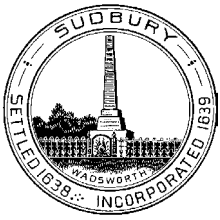
For the Board of Selectmen


John C. Drobinski, Chairman

Attachments

cc: Robert Moss, Moss Development
Peter and Richard Johnson, owners
Jody Kablack, Planning and Community Development Dir.
Sudbury Zoning Board of Appeals
Sudbury Planning Board
Rep. Thomas P. Conroy
Sen. Susan C. Fargo
Sen. James B. Eldridge

Attachment 6.f: BOS Comments to MH Johnson Farm (1517 : Sudbury Station LLC - review of letters)



Town of Sudbury

Sudbury Housing Trust

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387

<http://www.sudbury.ma.us>
Housing@sudbury.ma.us

October 16, 2015

Sudbury Board of Selectmen
Flynn Building
Sudbury, MA 01776

RE: Comments on Sudbury Station 40B Development Site Eligibility Application

Dear Board members:

The Sudbury Housing Trust offers these comments to the Board of Selectmen regarding the Sudbury Station 40B Development Site Eligibility Application. The Trust met with developer Chris Claussen and his attorney Bill Henchy on October 14, 2015 and reviewed the project.

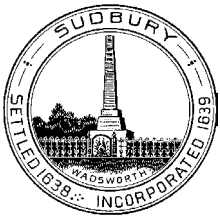
In general, the Trust supports the project and finds its location is appropriate. The Town is still far from its 10% housing goal and this project will fill the gap considerably, as well as introduce a housing choice that is currently not available. While there were some concerns raised about traffic and development feasibility, and the Trust understands those items will be discussed with the ZBA and the Trust will limit its comments to housing related matters.

Local Preference: The Trust plans to review expanding the local preference definition to include employees of Sudbury businesses, and will make a recommendation to the Selectmen at a later time. Currently, the local preference definition used in Sudbury includes the categories of current residents, employees of the Town or Schools, and families of students in Sudbury, and excludes employees of business located in Sudbury. DHCD allows employees of Sudbury businesses, and we believe the rental units will lend themselves to these occupants.

Unit Mix: The project plans 10% of the units to be 3 bedroom, in accordance with the DHCD policy. These are composed of 6 affordable units, and 9 market units. The Trust requests that the 3BR mix be 7 affordable and 8 market to provide an additional affordable 3BR unit which are in high demand. The Trust suggests that a majority of the affordable 3BR units be located on the ground floor for ease of access to the outdoors. The Trust also requests that all the affordable units mirror the market rate unit in terms of unit type, i.e. those with patios, lofts or other amenities, and be interspersed appropriately throughout the development. The ZBA is encouraged to designate specific units as the affordable units prior to approval of the Comprehensive Permit.

Units reserved for developmentally disabled persons: The Trust would like to explore reserving some units for developmentally disabled persons. Mr. Claussen seemed agreeable to that, and the Trust looks forward to exploring that idea. Sudbury has no units available for developmentally disabled persons, which is a noticeable gap.

Support for the Affordable Units: The Sudbury Housing Trust is requesting Community Preservation Funds for the 2016 Annual Town Meeting to provide financial assistance for the affordable units. This additional support may take the form of assistance with initial rental expenses (security deposit), or perhaps to further subsidize units at the development – increasing the number of affordable units, or creating additional affordability (from 80% to 50% AMI) for some units. This funding request will be in addition to the Trust's annual request for the 10% housing funds.



Town of Sudbury

Sudbury Housing Trust

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387

<http://www.sudbury.ma.us>
Housing@sudbury.ma.us

Stretch code, renewable energy: The Trust suggests that the developer may wish to expand the energy efficiency of the development through the use of renewable energy sources (solar). There are significant financial incentives in Massachusetts and the Trust encourages further exploration. The development will be built to the Stretch Code in any event, which is a good baseline.

Section 8 Vouchers: The Trust requests that MassHousing require that the Project accept the lower of the calculated affordable rent or the Section 8 Fair Market Rent (FMR).

For background, it is estimated that 30% of the affordable tenants will be using Section 8 vouchers (or 19 units extrapolated from comparable developments at Concord Mews and Lexington Avalon). Tenants obtain Section 8 vouchers from issuing agencies, mostly larger local housing authorities and regional housing assistance entities (like SMOC). With a Section 8 voucher, the tenant pays 30% of their income, and the 'voucher' pays the remainder of the rent, up to a maximum of the HUD published Fair Market Rent.

The table below shows the 2015 gross rents under the MassHousing 40B NEF/Housing Starts Program (before they are reduced by the tenant paid utility allowance) and the HUD FMR. This shows that the Section 8 maximum rent does not cover the 1BR or 2BR MassHousing rent, and more than covers the MassHousing 3BR rent.

	1BR	2BR	3BR
Projected # affordable units using Section 8 vouchers	9	8	2
Mass Housing Rent	\$1,308	\$1,569	\$1,813
Fair Market Rent	\$1,196	\$1,494	\$1,861
Difference	-\$112	-\$75	\$48

This means that FMR does not cover the 40B 1BR rent so voucher holders are not able to rent the restricted 1BR units. This is a very big issue in the Boston area as the only units available to voucher holders are the units that are restricted as affordable. Voucher holders cannot find any other apartments in most of the communities in Metrowest, and certainly not Sudbury.

The Sudbury Housing Trust understands the complexity of this item, hopes that MassHousing will consider the request.

Further, the Trust would like to explore the possibility of ways increase affordability of these units, especially for very low income families.

Please let us know if you need anything further on this topic.

On Behalf of the Housing Trust,

Robert Morrison

Robert Morrison, Chair

cc: MassHousing

Peter Abair
14 Dawson Drive
Sudbury, MA 01776

October 19, 2015

Sudbury Board of Selectman
Patricia Brown, Chairman
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

Dear Chairman Brown:

You are in receipt of a letter titled "Comments on Sudbury Station 40B Development Site Eligibility Application" from the Sudbury Housing Trust.

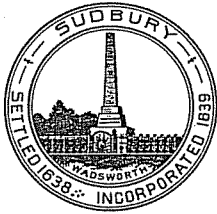
By this letter, as a member of the Sudbury Housing Trust, I wish to record my strong dissent from the comments expressed in the Trust's letter to the Board of Selectmen on this matter.

Thank you for your consideration.

Best regards,

A handwritten signature in black ink that reads "Peter J. Abair". The signature is written in a cursive, slightly stylized font. The first name "Peter" is written with a large, looping 'P'. The middle initial "J." is written with a small, simple 'J' followed by a period. The last name "Abair" is written with a large, looping 'A' and a trailing 'z' at the end.

Peter J. Abair



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: Board of Selectmen
FROM: Jody Kablack, Director of Planning and Community Development
RE: Village at Sudbury Station, Comments to MassHousing
DATE: October 20, 2015

This application proposes a comprehensive permit pursuant to MGL. c. 40B to construct 250 units of rental housing on approximately 39.87 acres of land located off Concord Road, abutting the New Town Cemetery and the Bruce Freeman Rail Trail corridor. The property is zoned A-Residential. The property is currently vacant and forested, and contain 26.42 acres of non-buildable land under an Agricultural Preservation Restriction, and 13.45 buildable acres. Wetlands have been delineated recently through an approved Notice of Resource Area Delineation (NRAD) by the Conservation Commission, which indicated few wetlands in the area of the development. The site is hilly, with grades gradually increasing from the railroad corridor east to the cemetery, with slopes of 8-14% throughout the developable portion of the property.

The development is proposed as 12 buildings. Three buildings contain 4 stories, with parking under the building; 2 buildings contain 3 stories with parking under the building; the remaining buildings contain 2 stories, some with parking under the building and some without. Twenty five percent (25%) of the units (63 units) are proposed as affordable housing for households @ 80% the HUD Area Median Income under the state's guidelines. Estimated rents for the affordable units are estimated at \$1190 (one-bedroom units), \$1419 (2-bedroom units) and \$1629 (3-bedroom units). Market rents will range from \$1950-\$2850. The development will consist of 119 one-bedroom units, 106 two-bedroom units and 25 3-bedroom units. 406 parking spaces are proposed. One internal roadway will service the development creating a through street from Concord Road to Hudson Road.

Wastewater disposal is proposed as a package treatment plant. The leaching field is not shown on the plan, nor is the treatment plant. Approximately 43,000 gallons/day of wastewater is anticipated from the development (based on 397 bedrooms). It is unclear whether soil testing has been performed. No testing has been witnessed by the Sudbury Board of Health. Stormwater management has not been shown on the plan.

A site visit with MassHousing was held on October 6, 2015. Comments are due to MassHousing by November 6, 2015.

I offer the following comments and recommendations:

1. The property is adjacent to the Sudbury Center Historic District, a designated National Register Historic District, on the east and south sides. The height and density of this development could have a permanent negative impact on the Historic District and the historic buildings and landscapes in the district. The application materials include a cross section of the plans and anticipated visual impacts, however this conceptual drawing does not take into account: the significant tree removal that will be necessary to construct the development; views from Hudson Road traveling east; views from other higher areas in the immediate vicinity; roof heights (the roofs look almost flat in the conceptual cross-section); and views along the rail trail. The applicant should be required to provide better conceptual cross sections **prior to approval by MassHousing of the Site Eligibility letter.**

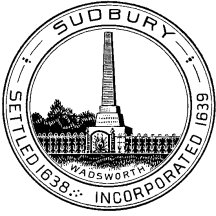
2. The Town has recently been advised of a pending 250 unit rental 40B development on the Raytheon site at 526 and 528 Boston Post Road. The Raytheon property is an identified parcel on the Town's approved 2011 Housing Production Plan, and is a more appropriate site for a large development. The Town currently needs 235 units to reach its 10% affordable housing goal. 2 large developments will place undue strain on municipal services, and may create excessive supply of a similar housing type.

The subject parcel of land is contained on the Town's 2009 Open Space and Recreation Plan, and is described in that plan as a "Forested, landlocked parcel adjacent to undeveloped Town lands (Parkinson, Howe, New Town Cemetery) and the proposed Bruce Freeman Rail Trail. Adjacent to actively managed crop land under Agricultural Preservation Restriction, and wooded area containing Mineway Brook with limited trails. Presents an opportunity for further development of an active/passive recreational complex and expansion of Town cemetery." The Town's long range plans indicate specific recreation and open space uses for this property which do not include housing development.

3. Two access points are proposed, however neither of the accesses to the development are without significant safety concerns. The Concord Road access is off-set from Candy Hill Lane, making turns from both of those roads onto Concord Road awkward. It is questioned if the access on Peter's Way can be constructed without the need for an easement from the Town due to wetland constraints on the northern side of the right of way. Sight distance at this intersection is not acceptable.

The Hudson Road access poses a significant safety hazard by its location in a very congested stretch of the road. The Town of Sudbury is just completing the major reconstruction and realignment of a large intersection located approximately 600 feet away from the proposed access driveway. Adding a new driveway to service 250 residential units will decrease the level of service at this location, causing accidents and heavier delays. The new driveway will be flanked to the west by 4 access points within 225 feet (the rail trail, the Ti-Sales commercial property driveway, single family house driveway and driveway to the Town's recreation field); to the east by 2 residential driveways within 175 feet; across the street to the south there will be a conflict with the Peakham Road intersection, as the new driveway will be off-set by only approximately 80 feet. The egress driveway for the 29 Hudson commercial plaza poses another problem almost directly opposite the new access. It is questioned if there is adequate right of way to make the necessary improvements to create a safe access to the development on Hudson Road. These impacts may not be able to be mitigated, and **MassHousing should be requested to require the access to the development be adequately designed prior to issuance of the Site Eligibility letter.**

4. The basic engineering feasibility of this development is in question. The applicant has not provided the Town with adequate information to determine whether the site can handle the wastewater capacity proposed, or provide adequate stormwater protection. This information should be fully documented upon submittal of the Comprehensive Permit so that the limited amount of time allotted to review of the permit (180 days) is not squandered.
5. Sudbury Board of Health approval will not be required for this development since a package treatment facility is proposed. DEP will be the permitting agency. However it is strongly urged that all DEP witnessed soil testing include the Sudbury Health Director so that the Town can keep informed on the progress of the design of the system.



Town of Sudbury

Planning and Community Development Department

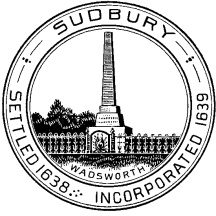
Jody A. Kablack, Director

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Fax: 978-443-0756

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

6. The proposed method of stormwater collection has not been shown. This development proposes a significant amount of impervious surface, including the buildings, roadway and parking, on a hillside. Mitigating stormwater and erosion control will be challenging, and will require large areas for detention. These areas will need to be cleared of forest in order to function properly, and this level of clearing is not indicated on the preliminary plans. This information should be fully documented upon submittal of the Comprehensive Permit.
7. Almost ½ of the proposed development area is within a mapped Priority Habitat Area under the jurisdiction of the Natural Heritage Endangered Species Program (NHESP). The land surrounding this proposed development is undeveloped, and contains streams, wildlife corridors, endangered species and little human intrusion. The impacts of the development to the wildlife, brooks and fisheries must be documented. This information should be fully documented upon submittal of the Comprehensive Permit.
8. Residents have expressed concerns for impacts to the school population from this development. The applicant should be required to submit verified data from similar existing developments in Massachusetts to document the number of school children who will reside in the development so that the Sudbury Public School Committee has accurate information to plan for future growth. This information should be fully documented upon submittal of the Comprehensive Permit.
9. Verified tenancy data (length of occupancy, household size, etc) from similar developments in Massachusetts is requested so that the Town can better understand the population of residents who will live in the development, and any particular municipal needs that the development will require.
10. Over 30 waivers are requested in the application, including height (2.5 stories permitting; 4 stories requested), dimensional setbacks, parking, environmental protection, erosion control, screening and landscaping. This seems excessive and unreasonable given the size of the parcel. As there are no wetland constraints on the majority of the parcel, setbacks should be required to conform to current zoning at a minimum. The New Town Cemetery will be particularly impacted by the proximity of the proposed buildings.
11. The height of the buildings exceeds zoning, and will be a concern for fire protection and public safety response for medical calls. It is questioned if the buildings will contain elevators. Without elevators, public safety response time will be severely impacted, as reaching residents on the upper floors will be difficult. As proposed, at least 56 units will be on the 3rd and 4th floors.
12. The applicant should be urged to reduce the number of units in the development in order to attain adequate separation of the buildings from the property lines, and demonstrate adequate land area for stormwater and wastewater management. The concern lies not only with the ability to meet Town and state requirements, but for the amount of vegetation clearing and grading that will be required.
13. Several submission requirements of the MassHousing Comprehensive Permit Site Approval Application/Rental are missing, and which do not provide MassHousing with the complete history and description of the property, and do not provide the Town the ability to adequately review the proposal. **These items should be submitted prior to issuance of any Site Eligibility letter for this proposal:**

- a. Section 2 of the application requires disclosure of any previous development efforts on the property. This property received Definitive Subdivision approval in 2012, which approved the extension of Peter's Way to service one single family lot.
 - b. Section 2 also asks if the site is listed on the National Register of Historic Places. The entire Sudbury Center Historic District is listed as a National Historic District.
 - c. Section 2 requires a By-Right Site Plan be submitted. The plan submitted in the application is not by-right, as the secondary access road onto Hudson Road does not meet the Planning Board Subdivision Regulations due to its proximity to the property line, as well as proximity to the existing garage at 30 Hudson Road. If the secondary access was not proposed, the main roadway on Peter's Way and Peter's way Extension would also not be compliant with the Subdivision Regulations due to the length of a dead end street.
 - d. Section 3 notes that the net density of the proposal is 18.59 units per acre. The site is in a 1-acre residential zone. The density proposed far exceeds that of any other 40B development in Sudbury, which on average contain less than 6 units/acre.
 - e. Section 3 requires the submittal of a Preliminary Site Layout Plan with proposed site grading and setbacks. No such plan has been submitted.
14. The applicant's responses to the Sustainable Development Criteria Scorecard contained in the MassHousing application are misleading and inaccurate in several areas:
 - a. The proposed development does not reuse an existing site, structure or infrastructure. This site is vacant and forested and has not been previously developed.
 - b. The proposed development does not promote social equity and improve the neighborhood. The property is a listed parcel on the Town's Open Space and Recreation Plan and is desired for preservation. Development will not be an improvement.
 - c. The project does not create housing in an area where the only new construction is single family homes on large lots for market rate price levels. 2 out of 4 developments currently under construction in Sudbury are creating 3 units of affordable homeownership housing, and 26 units of age-restricted multi-family housing.
 - d. The project will not be the only supply of affordable rental units in Sudbury. In fact, over 2/3rds of the affordable housing in Sudbury are rental units. The Town currently has 321 units of affordable rental housing (5.4% of the total housing stock), and 36 units of homeownership.
15. The ability to access this parcel was granted via a land swap between the Town and the property owners at the 2011 Annual Town Meeting. Previously the parcel was landlocked. The intent of the swap was to provide the property owners with enough frontage for 1 single family lot in exchange for 2 acres of land to be used by the Town for cemetery purposes. No restrictions were placed on the land deeded to the property owners. Subsequent to the land swap, the Planning Board granted subdivision approval for the extension of Peter's Way to serve 1 single family lot, and a covenant requiring the installation of the roadway prior to sale of the property was recorded on the property. The intent of the Town Meeting vote will be violated by this proposal.
16. If the development proceeds to a local Comprehensive Permit, the applicant will be requested to address the following issues:
 - a) The applicant is encouraged to apply under both the State Wetlands Protection Act and the local Wetlands Administration Bylaw.
 - b) Yard setbacks should be in accordance with Sudbury's 40B Guidelines (3 times the underlying zoning, or 60' side yard and 90' rear yard).



Town of Sudbury

Planning and Community Development Department

Jody A. Kablack, Director

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

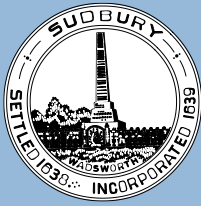
<http://www.sudbury.ma.us/services/planning>
kablackj@sudbury.ma.us

- c) Local preference for the affordable units should be requested to the maximum extent allowed by law.
- d) The Housing Trust may request to be the lottery agent for the development.
- e) The applicant should be prepared to address impacts in the form of mitigation and/or design improvements in the vicinity of the property if the application is successful.

In conclusion, the proposed site plan is does not seem appropriate in the context of the surrounding area and historic district; the application does not take into account previous municipal action to meet affordable housing needs as the parcel is not listed on the Housing Production Plan; the housing design is not appropriate for the site and will require significant clearing and grading to construct the plan as proposed; the appropriateness of the parcel is in question particularly in regards to safe access and overall engineering feasibility. Significant documentation is necessary and should be required by MassHousing prior to issuance of a Site Eligibility in order to determine the viability of the proposed development.

Please advise if you need anything further.

cc: Applicant
Conservation Commission
Building Inspector
DPW Director
Health Director
Zoning Board of Appeals
Fire Chief
Police Chief
Sudbury Water District
School Superintendent



SUDBURY BOARD OF SELECTMEN
Tuesday, October 20, 2015

7

MISCELLANEOUS (UNTIMED)

7: Municipal Elections - MPO

REQUESTOR SECTION

Date of request:

Requestor: Chairman Brown

Formal Title: Vote to allow Chairman to vote for 2015 Metropolitan Planning Organization (MPO) seats open as indicated in ballot received from Metropolitan Area Planning Council (MAPC) dated October 9, 2015.

Recommendations/Suggested Motion/Vote: Vote to allow Chairman to vote for 2015 Metropolitan Planning Organization (MPO) seats open as indicated in ballot received from Metropolitan Area Planning Council (MAPC) dated October 9, 2015.

Background Information:
attached

Financial impact expected:none

Approximate agenda time requested: 5 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM



RECEIVED
BOARD OF SELECTMEN
SUMMARY, MA

2015 OCT -9 A 10: 16

MBTA Advisory Board

177 Tremont Street, Boston, MA 02111

Tel: (617) 426-6054 Fax: (617) 451-2054

October 7, 2015

TO: Chief Elected Officials

FR: Paul Regan, Executive Director, MBTA Advisory Board
Marc Draisen, Executive Director, Metropolitan Area Planning Council

RE: Municipal Elections to the Boston Region Metropolitan Planning Organization

We are pleased to forward the 2015 MPO Ballot, the candidates' statements of candidacy, and the election procedures for the elected municipal seats on the Boston Region Metropolitan Planning Organization (MPO).

This year there are four (4) municipal open seats on the MPO. The Town of Arlington is running unopposed for the At-Large Town seat. The City of Newton is running unopposed for the At-Large City Seat. The City of Woburn is running unopposed for the North Suburban Planning Council seat. The town of Norwood is running unopposed for the Three Rivers Interlocal Council seat.

Key Dates and Locations:

October 28, 2015	Absentee Ballots Due 5:00 PM delivered by mail or in person (<u>No Fax or Email</u>) to: BOSTON REGION MPO ELECTIONS Metropolitan Area Planning Council 60 Temple Place, 6 th Floor Boston, MA 02111
October 29, 2015	MPO Municipal Election At MAPC Fall Council Meeting, 9:00AM University of Massachusetts-Boston Campus Center, 100 Morrissey Boulevard, Boston, MA

Voting Rules:

One vote may be cast by each of the Chief Elected Officials of the 101 municipalities in the Boston region, for each open seat (there are 4 open seats). Ballots may be cast by one of the following ways:

1. By the CEO, in-person, on October 29, 2015 at MAPC Fall Council Meeting.
2. By Absentee Ballot, delivered by mail or in-person to MAPC by 5:00 PM the day before the election, October 28, 2015.
3. By a designee, in-person, on October 29, 2015 at MAPC Fall Council Meeting.

Each Chief Elected Official or their designee, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the two open MPO seats (for a total of 4 votes cast).

Appointing Designees:

Designees shall present a signed letter or signed MPO Ballot by the CEO of the municipality they are representing, to MAPC staff prior to the election or by 9:00 AM on the day of the election. Designees may represent only one municipality in the election.

Certification of Results:

The results of the election shall be certified by the Chairman of the MPO by 12 noon on Friday October 30, 2015.

First MPO Meeting:

The Boston Region MPO regularly meets at 10:00 AM on the first and third Thursdays of every month. Candidates that are elected to the MPO are asked to plan to attend their first MPO meeting on November 5, 2015 at 10:00 AM. The meeting is estimated to last two hours but may last longer. It will be held in conference rooms 2 and 3 in the State Transportation Building, 10 Park Plaza, Boston.

We appreciate the interest shown by the candidates in choosing to serve in these seats on the MPO and for your interest in this important matter. We look forward to your participation. Please contact Eric Bourassa at MAPC (617-933-0740) or Paul Regan, Executive Director of the MBTA Advisory Board (617-426-6054), if you have any questions concerning this election.

2015 MPO Absentee Ballot

The MPO Election will be held on Thursday, October 29, 2015
At MAPC Fall Council Meeting, 9:00 AM
University of Massachusetts-Boston Campus Center, 100 Morrissey Boulevard, Boston, MA

**Absentee ballots must be delivered by October 28, 2015
via mail or in person (No Fax or Email) by 5 PM to:**
BOSTON REGION MPO ELECTIONS
Metropolitan Area Planning Council
60 Temple Place, 6th Floor
Boston, MA 02111

Each Chief Elected Official, regardless of which sub-region they are in, or whether they represent a city or a town, may cast one vote for each of the four open MPO seats.

Chief Elected Official may:

Vote for only one from the North Suburban Planning Council

☐ Woburn Scott Galvin, Mayor

Vote for only one from the Three Rivers Interlocal Council

☐ Norwood Paul A. Bishop, Chair Board of Selectmen

Vote for only one At-Large City

☐ Newton Setti Warren, Mayor

Vote for only one At-Large Town

☐ Arlington Kevin F. Greeley, Chair Board of Selectmen

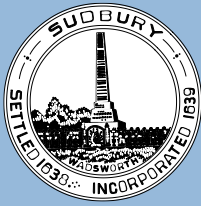
Municipality _____ Chief Elected Official _____
(Signature)

(Print or type name)

(see back for more information)

Fill this box out only if you (Mayor or Chair Board of Selectman) are appointing someone to vote in your place in person on October 29th at the MAPC Fall Council Meeting.

Designation of alternate (by Mayor or Chair Board of Selectman):	
I hereby authorize _____ to cast the ballot for _____	
(name)	(municipality)
_____	_____
Chief Elected Official (signature)	Date



MISCELLANEOUS (UNTIMED)

8: VEOC discussion

REQUESTOR SECTION

Date of request:

Requestor: Chairman Brown

Formal Title: Discussion on the possibility of whether or not to vote to dissolve the Vocational Education Options Committee (VEOC)

Recommendations/Suggested Motion/Vote: Discussion on the possibility of whether or not to vote to dissolve the Vocational Education Options Committee (VEOC)

Background Information:

Financial impact expected:n/a

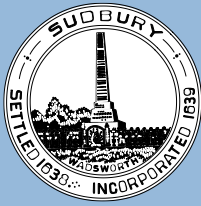
Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM



SUDBURY BOARD OF SELECTMEN
Tuesday, October 20, 2015

9

MISCELLANEOUS (UNTIMED)

9: Discuss future agenda items

REQUESTOR SECTION

Date of request:

Requestor: Chairman Brown

Formal Title: Discuss future agenda items

Recommendations/Suggested Motion/Vote: Discuss future agenda items

Background Information:

Financial impact expected:na

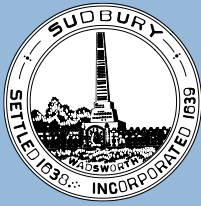
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, October 20, 2015

CONSENT CALENDAR ITEM**10: Paul Lynch Resignation**REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to accept the resignation of Paul Lynch, 20 Dorothy Road, from the Vocational Educational Options Committee, and as Sudbury's representative to the Minuteman Building Committee, effective immediately. Also to send a letter of thanks for his service to the Town.

Recommendations/Suggested Motion/Vote: Vote to accept the resignation of Paul Lynch, 20 Dorothy Road, from the Vocational Educational Options Committee, and as Sudbury's representative to the Minuteman Building Committee, effective immediately. Also to send a letter of thanks for his service to the Town.

Background Information:

Attached resignation letter

Financial impact expected:n/a

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

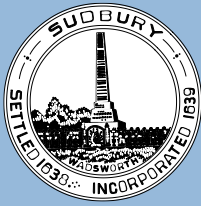
10/20/2015 7:30 PM

From: Paul Lynch <plynch1292@aol.com>
Date: October 13, 2015 at 3:46:48 PM EDT
To: patbrownian@me.com
Cc: jwstulin@comcast.net, fspalding@fbeins.com

Pat, I am not sure if it is necessary at this point but I have been meaning to send you an email officially resigning from (i) the VOEK and (ii) my position on the Minuteman Building Committee. I have sold my house in Sudbury - the closing was last Friday. Thank you for allowing me to serve on these committees which of course are of critical importance to the citizens of Sudbury. Best of Luck to you in your position as Chair of the Sudbury Board of Selectman. I know it will be a demanding task but I also know that you will do a great job.

Paul Lynch

Attachment10.a: Paul Lynch Resignation (1525 : Paul Lynch Resignation)



SUDBURY BOARD OF SELECTMEN

Tuesday, October 20, 2015

CONSENT CALENDAR ITEM**11: Approve amended 9/17 regular session minutes**REQUESTOR SECTION

Date of request:

Requestor: Patty Golden

Formal Title: Vote to approve amended 9/17/15 regular session minutes

Recommendations/Suggested Motion/Vote: Vote to approve amended 9/17/15 regular session minutes

Background Information:

Please note: On page 3 of the attached minutes, the text "Public Hearing" was mistakenly inserted in the agenda item heading "Request for Sudbury Laborer's Public Employees Local #1156 - Memorandum of Understanding Discussion and Vote." The amended copy has this highlighted text inserted at the correct item "Utility Pole - 84 Maynard Road - Request for Waiver"

Financial impact expected:

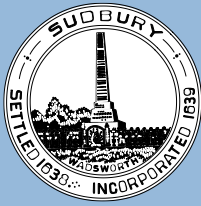
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM



CONSENT CALENDAR ITEM

12: Minutes approval

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to approve the regular session minutes of 9/16/15

Recommendations/Suggested Motion/Vote: Vote to approve the regular session minutes of 9/16/15

Background Information:

Financial impact expected:

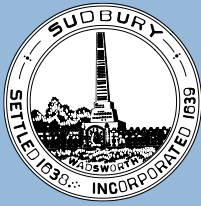
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM



SUDBURY BOARD OF SELECTMEN

Tuesday, October 20, 2015

CONSENT CALENDAR ITEM**13: SMILE Mass Gobble Wobble 5K/10K Road Race**REQUESTOR SECTION

Date of request:

Requestor: Susan Brown, SMILE Mass

Formal Title: Vote to Grant a Special Permit to SMILE Mass, to Hold the “4th Annual Gobble Wobble 5K/10K” on Saturday November 21, 2015, from 10:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race’s conclusion.

Recommendations/Suggested Motion/Vote: Vote to Grant a Special Permit to SMILE Mass, to Hold the “4th Annual Gobble Wobble 5K/10K” on Saturday November 21, 2015, from 10:00 A.M. through approximately 12:00 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the race’s conclusion.

Background Information:

CONSENT CALENDAR

Financial impact expected:N/A

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Maryanne Bilodeau	Pending
Barbara Saint Andre	Pending
Leila S. Frank	Pending
Patty Golden	Pending
Charles C. Woodard	Pending
Board of Selectmen	Pending

10/20/2015 7:30 PM



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 SMILE MASS
 Event Name 4TH ANNUAL GOBBLE WOBLE SIK 10K
 Organization Address 66 DUDLEY RD
 Name of contact person in charge LOTTE DIOMEDE / SWAN BROWN
 Telephone Number(s) of contact [REDACTED]
 Email address [REDACTED]
 Date of event 11/21 Rain Date —
 Starting time 10:00 AM Ending time 12:00 PM
 Route of the race/relay and portion of the road requested to be used (please indicate on map and attach to this application) ATTACHED
 Anticipated number of participants 300
 Assembly area (enclose written permission of owner if private property to be used for assembly) CURTIS MIDDLE SCHOOL HAS BEEN RESERVED
 Organization that proceeds will go to SMILE MASS
 Any other important information we anticipate needing approx. 2-4 police detail

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 [Signature]

Date 9/28/15



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) *coming ASAP*

Please submit completed application and materials to:

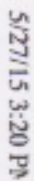
Board of Selectmen
278 Old Sudbury Rd.
Sudbury, MA 01776
Fax: 978-443-0756
Email: BOSSadmin@sudbury.ma.us

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

Application received in Selectmen's office by _____ Date _____

Recommendation and requirements of Sudbury Chief of Police: _____

Signature of Police Chief _____ Date _____







CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
9/29/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Stoner Insurance Agency 345 Boston Post Rd Po Box 362 Sudbury, Massachusetts 01776	Phone: (978)443-6381 Fax: (978)443-3004	CONTACT NAME: Elaine Stoner PHONE (A/C, No, Ext): E-MAIL ADDRESS: elaine@stonerinsurance.com FAX (A/C, No): <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td>INSURER A : Philadelphia Indemnity Insurance Company</td> <td>18058</td> </tr> <tr> <td>INSURER B :</td> <td></td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Philadelphia Indemnity Insurance Company	18058	INSURER B :		INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER F :																
INSURED SmileMass.org 66 Dudley Rd Sudbury, MA 01776																

COVERAGES
CERTIFICATE NUMBER:
REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS														
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	✓		PHPK918877	9/30/2015	9/30/2016	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>EACH OCCURRENCE</td><td style="text-align: right;">\$ 1,000,000</td></tr> <tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td style="text-align: right;">\$ 500,000</td></tr> <tr><td>MED EXP (Any one person)</td><td style="text-align: right;">\$ 5,000</td></tr> <tr><td>PERSONAL & ADV INJURY</td><td style="text-align: right;">\$ 1,000,000</td></tr> <tr><td>GENERAL AGGREGATE</td><td style="text-align: right;">\$ 2,000,000</td></tr> <tr><td>PRODUCTS - COMP/OP AGG</td><td style="text-align: right;">\$ 1,000,000</td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> </table>	EACH OCCURRENCE	\$ 1,000,000	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 500,000	MED EXP (Any one person)	\$ 5,000	PERSONAL & ADV INJURY	\$ 1,000,000	GENERAL AGGREGATE	\$ 2,000,000	PRODUCTS - COMP/OP AGG	\$ 1,000,000		\$
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	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">PER STATUTE</td> <td style="width: 5%;">OTH-ER</td> <td style="width: 90%;"></td> </tr> <tr><td>E.I. EACH ACCIDENT</td><td></td><td style="text-align: right;">\$</td></tr> <tr><td>E.I. DISEASE - EA EMPLOYEE</td><td></td><td style="text-align: right;">\$</td></tr> <tr><td>E.I. DISEASE - POLICY LIMIT</td><td></td><td style="text-align: right;">\$</td></tr> </table>	PER STATUTE	OTH-ER		E.I. EACH ACCIDENT		\$	E.I. DISEASE - EA EMPLOYEE		\$	E.I. DISEASE - POLICY LIMIT		\$		
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

November 21, 2015 Gobble Wobble Race, Curtis Middle School

CERTIFICATE HOLDER
CANCELLATION

Holder's Nature of Interest : Additional Insured Town of Sudbury Sudbury, MA 01776	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	---

SMILE Mass Gobble Wobble 5K/10K Department Feedback

November 21, 2015

Fire Department Approval:

From: Whalen, John
 Sent: Wednesday, October 07, 2015 4:12 PM
 Subject: RE: SmileMass Gobble Wobble 5K/10K
 The Fire Department has **NO ISSUES** with this event.
 John M. Whalen
 Assistant Fire Chief

Highway Department Approval:

From: Place, Bill
 Sent: Thursday, October 08, 2015 7:08 AM
 Subject: RE: SmileMass Gobble Wobble 5K/10K
 Smile has had this race for the last few years without incident. We supply cones and barricades and they pay for police detail.
RECOMMEND APPROVAL.
 Bill.

Park & Recreation Approval:

From: McShea, Nancy
 Sent: Monday, September 28, 2015 2:28 PM
 Subject: **ACCEPTED**: SMILE Mass 5K/10K
 When: Saturday, November 21, 2015 10:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).

Police Department Approval:

From: Nix, Scott
 Sent: Tuesday, September 29, 2015 1:36 PM
 Subject: **ACCEPTED**: SMILE Mass 5K/10K
 When: Saturday, November 21, 2015 10:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).
