

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, JUNE 7, 2016

Present: Chairman Susan N. Iuliano, Vice-Chairman Charles C. Woodard, Selectman Leonard A. Simon, Selectman Patricia A. Brown and Town Manager Melissa Rodrigues

Participating remotely for a portion of the meeting: Selectman Robert C. Haarde

The statutory requirements as to notice having been complied with, the meeting was convened at 7:32 p.m. in Town Hall.

Opening Remarks

At 7:32 p.m., Chairman Iuliano opened the meeting. She reminded residents to attend the Special Town Meeting on June 13, 2016 regarding the zoning changes for the redevelopment proposal for the Raytheon property to be held at the Lincoln-Sudbury Regional High School Auditorium at 7:30 p.m. She also announced Selectman Haarde will join the meeting remotely for a portion of the meeting later tonight.

Reports from the Town Manager

Town Manager Rodrigues announced she will hold Town Manager Office Hours with Police Chief Nix on June 8, 2016 from 10:00 a.m. to 11:00 a.m. at the Police Station. She also announced Pine, Summer, Spring and Autumn Streets will be closed on June 8, 2016 to facilitate street paving. Town Manager Rodrigues stated the Town is seeking a firefighter/EMT paramedic candidate, and additional information regarding the position is on the Town website.

Reports from the Board of Selectmen

Selectman Simon stated Sudbury is still a member of the Minuteman Regional School District. He further stated funding for the proposed new Minuteman High School is still uncertain, noting a Special Town Election will be held in Arlington on June 14, 2016 regarding whether to support bonding for the project. Selectman Simon stated he would continue to monitor Minuteman-related issues and occasionally update the Board. He reported the Massachusetts School Building Authority has extended the timeframe for Minuteman to obtain a successful vote for a new School to November 30, 2016.

Selectman Simon encouraged residents to access the Town Manager Newsletters which are posted on the Town website. He stated there is a wealth of information about what is happening in Town and items being worked on by several Town Departments. Selectman Simon asked Town Manager Rodrigues to see if the website access to this information for residents could be simplified and more customer-friendly.

Selectman Woodard suggested the Board should have a future discussion regarding the failure of several capital funding requests at the recent Special Town Election. He stated it would be beneficial for the Board to discuss the Election results and the resulting funding and communication challenges ahead.

Citizen's Comments

At 7:35 p.m., Chairman Iuliano announced no citizens have requested comment time tonight.

Villa TBR Corp, d/b/a Craft Beer Cellar Sudbury, 365 Boston Post Road – Application for Change of Name

Present: Sudbury Craft Beer Manager Gustavo Villatoro

At 7:50 p.m., Chairman Iuliano took this agenda item out of order and she opened a discussion regarding the application submitted by Villa TBR Corp d/b/a Craft Beer Cellar Sudbury, 365 Boston Post Road, Sudbury, for a Change of d/b/a to Sudbury Craft Beer, under M.G.L. Ch. 138, section 15, Gustavo Villatoro, Manager. The Board was previously in receipt of copies of the Commonwealth of Massachusetts Alcoholic Beverages Control Commission Retail Alcoholic Beverages License Application and accompanying documents and exhibits, Town Department Head feedback comments, noting no objections to the request, and information regarding “Sudbury Alcohol License Quota & Availability,” updated April 21, 2016.

Sudbury Craft Beer Manager Gustavo Villatoro explained a decision has been made to separate from the franchise, and thus he is requesting a change of d/b/a.

Selectman Brown clarified that this type of request must come before the Selectmen when the applicant holds a liquor license.

Town Manager Rodrigues stated the application paperwork is in order, and no objections have been expressed from Town Departments.

Selectman Simon asked how long the business has been open. Mr. Villatoro stated it has been open for about seven weeks and business has been good.

It was on motion unanimously

VOTED: As the Local Licensing Authority for the Town of Sudbury, to approve the application of Villa TBR Corp d/b/a Craft Beer Cellar Sudbury, 365 Boston Post Road, Sudbury, for a Change of d/b/a to Sudbury Craft Beer, under M.G.L. Ch. 138, section 15, Gustavo Villatoro, Manager.

Public Hearing: Dog Hearing – 53 Highland Avenue

Present: Sudbury resident Nancy Grellier and her attorney Evans J. Carter, Sudbury resident Beverly Whitcomb and her attorney Jeremy Cohen, Sudbury Town Counsel Barbara Saint Andre and Sudbury Dog Officer Jennifer Condon

At 7:56 p.m., Chairman Iuliano described the Dog Hearing Public Hearing process about to be opened tonight, wherein witnesses will testify under oath, and she referenced the State statute and she read aloud its definitions regarding a dangerous dog and a nuisance dog. She stated the Board will need to determine if the dog in question is dangerous or a nuisance, and if it is deemed dangerous, then a prescribed remedy will also need to be determined. Chairman Iuliano stated the Board would receive documentary evidence tonight, and since tonight’s agenda is full, it is uncertain how far the hearing will be able to proceed this evening.

Selectman Simon stated this type of Hearing is new ground for the Board, which will function much like a tribunal wanting to hear what happened from witnesses. He further stated the dog owner has a right to appeal the outcome of this Hearing in District Court.

At 8:00 p.m., Chairman Iuliano opened a Public Hearing pursuant to M.G.L. c. 140, s.157 to determine whether the dog owned and/or kept by Beverly Whitcomb at 53 Highland Avenue, Sudbury, is a Nuisance Dog or Dangerous Dog as those terms are defined in the statute. The Board was previously in receipt of copies of a letter from Attorney Evans J. Carter dated March 25, 2016, a letter from Attorney Carter to

Sudbury's Dog Officer Jennifer Condon dated March 9, 2016, a letter from the Springhouse Pond Condominium Trust President David Egan dated March 1, 2016, and the relevant section of M.G.L. Chapter 140, Section 157, and Chapter 140, Section 155.

Attorney Jeremy Cohen representing the dog owner, and Attorney Evan Carter representing the petitioner, introduced themselves.

Mr. Cohen stated he believes this case should be immediately dismissed because there is a signed agreement in place (he distributed copies to the Board), as of March 29, 2016, stating a Public Hearing would occur only if there were a future occurrence. He further stated his client, Beverly Whitcomb, has upheld all of the conditions of the Agreement.

Chairman Iuliano asked for a minute recess to confer with Town Counsel and the Town Manager. She resumed the discussion, stating the Board would receive Ms. Whitcomb's Agreement into evidence, noting it is not binding on the Board.

Mr. Cohen stated the Agreement is a signed contract. He also stated his client has invested approximately \$5000 to fulfill all the Agreement's obligations, which Mr. Cohen read aloud.

Attorney for the petitioner Evans Carter objected to the motion to dismiss the Public Hearing because he did not receive it in advance. Mr. Carter stated he believes the typical process is for the petitioner to first provide evidence and witnesses to describe the case, followed by the opposing side.

Chairman Iuliano stated the Board was declining the motion to dismiss, and she asked the petitioner's attorney to make a brief statement.

Mr. Carter stated he moved to Springhouse Pond two years ago, and the development has 39 units. He stated the entire Springhouse community has been harmed by the uncontrollable actions and habitual offenses of the dog named Sophie.

Mr. Cohen stated Mr. Carter's statements verged on testimony and he suggested he should perhaps be sworn in.

Chairman Iuliano advised Mr. Carter the Hearing is only related to Section 157 of the statute regarding dangerous or nuisance dogs, and she asked him to proceed with his statement.

Mr. Carter stated the first biting incident by the dog occurred in January 2014, a parent later stated her son was riding a bike and was bitten by the dog, and the petitioner Nancy Grellier was bitten on February 19, 2016 while walking on the easement. He further stated he would present a copy of the easement public record granted to the Springhouse community and the public as evidence later tonight.

Mr. Cohen stated Mr. Carter sent the Dog Officer a letter on March 9, 2016, wherein he misstated the law. He also read aloud a sentence from the letter wherein he feels Mr. Carter besmirched his client's character. Mr. Cohen believes Mr. Carter has attempted to negatively sway the Board's opinion of his client.

Selectman Simon stated the Board would like to hear the facts from the witnesses, and it will make its own determination.

Mr. Carter presented his documentary evidence which was received and copies were numbered as follows: 1). the easement reflecting Springhouse Pond being allowed use of the easement, 2). The January

20, 2014 Sudbury Animal Control log, 3). The July 2014 Sudbury Animal Control log, and 4). The February 19, 2016 Sudbury Police Department Report. He also stated he previously submitted his petition letter, which he did not distribute again tonight.

At 8:17 p.m., Town Manager Rodrigues asked anyone in attendance who is planning to speak as a witness for either side to stand, and she then administered an oath to all who stood.

Mr. Cohen stated he objected to evidence #3 presented because the three-page letter does not specify the name of the dog.

Mr. Carter called his first witness, Sheldon Lesser, 203 Nobscot Road, and he asked if he was bitten by Sophie on January 20, 2014. Mr. Lesser stated he was.

Mr. Cohen stated he objected to this testimony due to the signed agreement in place.

Mr. Lesser stated he was walking on the path to Shaw's, on a snowy day, and the dog jumped at him and bit through Mr. Lesser's pants. He stated he had an argument with the dog owner after this happened, and he reported the incident to the Dog Officer. Mr. Lesser stated the dog owner initially stated he might have been on her property, but she later offered to buy him a new pair of jeans, which he declined. He stated the dog barks constantly and the owner should have trained it.

Selectman Simon asked if the dog charged at Mr. Lesser, if there was any barrier between them, and if he antagonized the dog. Mr. Lesser stated there was an invisible fence, but there was no physical fence. He also stated he was just walking along and he did not antagonize the dog.

Mr. Cohen asked Mr. Lesser if he has read the public easement, and Mr. Lesser stated he had not. Mr. Cohen stated there is a survey pole drilled into the ground along the easement, and he asked Mr. Lesser to describe where he was on the path and whether he could be sure he was not trespassing on Ms. Whitcomb's property. Due to snow on the ground, Mr. Lesser stated he could not be sure where he was in relation to the pipe, but he estimated he was about five to six feet from the gate.

Mr. Carter objected.

Mr. Cohen asked if Mr. Lesser was aware of the additional safeguards put in place since the February 19, 2016 incident, and whether they provided him more comfort. Mr. Lesser stated he was aware of changes made and they did make him more comfortable.

Mr. Carter asked Mr. Lesser if he felt there are adequate safeguards now in place. Mr. Lesser stated he cannot be sure because the fence could fail again.

Selectman Brown stated the Animal Control log confirmed that Mr. Lesser had no bite, but just torn pants.

Mr. Cohen stated the dog owner made a neighborly gesture to buy him new pants. Mr. Lesser stated this was not a gesture he wished to accept at the time, following the argument they had had.

Mr. Carter called his second witness Gisele Borghani, 57 Highland Avenue, and he asked if she was attacked by Sophie on July 22, 2014. Ms. Borghani stated she was attacked when she was in her yard holding her three-year old. She stated Sophie charged at her and bit her calf. Ms. Borghani stated she reported the incident to the Police Department.

Selectman Simon asked if Ms. Borghani was concerned about the safety of her child. Ms. Borghani stated she was because she had seen Sophie on other occasions go after the children. She explained as recently as a month ago, her nine-year-old child stayed near their mailbox after school because she was too frightened by Sophie. Ms. Borghani stated she has witnessed Ms. Whitcomb's husband in the past throwing tennis balls into her yard.

Selectman Simon asked if the invisible fence was working on July 22nd. Ms. Borghani stated the invisible fence was not working that day. In response to another question from Selectman Simon, Ms. Borghani stated she had seen the dog cross the fence two other times and come within steps of her home.

Mr. Cohen asked if her nine-year old daughter now knows the invisible fence has been fixed. Mr. Carter objected stating what the daughter knows would be speculation. Mr. Cohen stated that, if the witness can speculate about her daughter's fear, then his question should also be allowed. In response to a question from Mr. Cohen, Ms. Borghani stated she has called Animal Control twice. Mr. Cohen asked if there have been any previous public hearings, and Ms. Borghani stated there have not. Mr. Cohen also asked Ms. Borghani who asked her to attend tonight's meeting, and she stated it was Mr. Carter.

Mr. Carter called his third witness, Nancy Grellier, 173 Nobscot Road, and he asked if she was bitten by Sophie on February 19, 2016.

Mr. Cohen stated his client would stipulate Ms. Grellier was bitten on February 19, 2016.

Mr. Carter asked Ms. Grellier if she was injured and whether she had permanent scarring. Ms. Grellier stated she was bitten on her right calf and she will have permanent scars for the remainder of her life. She described her medical visits including the emergency room, doctors' appointments and eleven weeks of healing. Mr. Carter asked if her activity has been curtailed since the incident and, if she walks with others, what their perceptions of Sophie are. He also asked what she had observed about the dog since January 2014. Ms. Grellier stated her activity has been curtailed, and when she walks with others, they too fear the dog. She also stated she had previously observed the dog charging, growling and barking as he approached the fence.

Ms. Grellier stated her bite was severe as it severed through nerves. She stated her recovery was difficult, and she worries about what would have happened had the incident happened to a child.

Selectman Simon asked her to describe what she was doing prior to the incident and why she thinks the dog did not stop at the fence that day. Ms. Grellier stated she was walking along conversing with her daughter, and she does not know why the dog did not stop at the fence.

Mr. Cohen stated his client does not dispute Ms. Grellier was bitten and he extended his apologies. He showed Ms. Grellier a letter sent to her by his client, and he asked if she had received it and responded to it. Ms. Grellier stated she recalled receiving it, but she did not respond to it. Mr. Cohen offered this letter into evidence as item #6. He stated that, in this letter, his client implies that the invisible fence had failed and that it has been replaced and that other remedies have been taken. Mr. Cohen also stated his client offered to work with Ms. Grellier to become more comfortable with Sophie, and she offered to pay for all Ms. Grellier's medical and incident-related expenses.

Chairman Iuliano reminded Mr. Cohen that the Board is solely trying to determine if the dog is dangerous or a nuisance. Mr. Cohen stated he believes Mr. Carter has tried to create a negative perception of his client, which he needs to disprove with the contents of this letter.

Selectman Simon reiterated the Board needs to hear the facts as presented by the witnesses, which will be important for the Board in its role as fact finder.

Mr. Cohen asked if Ms. Grellier has seen Sophie foam at the mouth, and she stated she has not.

Ms. Grellier presented pictures of her wounds from March 9, 2016 and April 4, 2016, which were presented as evidence exhibits #7 and #8 respectively. Mr. Cohen asked to later be provided with copies of these photographs.

Mr. Carter asked Ms. Grellier if she fears Sophie today. Ms. Grellier stated she does and does not wish to ever see the dog.

Mr. Cohen asked if she has walked on the path since the incident, and it was noted Ms. Grellier has done so seven times.

Mr. Cohen presented a picture of the dog Sophie as evidence item # 9.

Chairman Iuliano stated that due to timing, the Board would proceed to hear from the Dog Officer and Dog Owner tonight.

At 8:45 p.m., Animal Control Officer Jennifer Condon was called to testify. She stated she has the same information the Board has been presented with. Ms. Condon noted that some alleged incidents were not reported to her office or to the Police Department, and thus she must consider them as hearsay. She stated she implemented security measures for all parties after the February 2016 incident, and there has not been any incidents since. Ms. Condon also stated she has visited and spent time with Sophie. In response to a question, Ms. Condon stated she does not consider Sophie to be a dangerous dog, but possibly a nuisance dog given the three incidents.

Vice-Chairman Woodard stated the photographs of Ms. Grellier's wounds appear serious, and he asked if Ms. Condon considered that to be the result of a dangerous dog. Ms. Condon stated she does not, noting she has seen far worse bites. She also clarified for Vice-Chairman Woodard that there were no incidents reported to her office from July 2014 to the incident in February 2016, and that no actions had been taken after the 2014 incidents.

Selectman Simon asked what Ms. Condon refers to in formulating her definition of dangerous and nuisance dogs. Ms. Condon stated she refers to the State Mass. General Laws definitions, noting there are only two reports of bites which broke skin.

Selectman Simon stated there was a physical injury and he asked if Ms. Condon considers this as dangerous. Ms. Condon stated she considers a dog that bites continuously to be dangerous, and not just two incidents which were years apart. Selectman Simon asked Ms. Condon to reconsider her interpretation of the definitions per the State statute.

Mr. Cohen stated it appears Selectman Simon has already made up his mind before Mr. Cohen has even had the opportunity to present his 20 pieces of evidence. Selectman Simon stated he has not made up his mind and he will assess all of the evidence presented.

Mr. Carter asked Ms. Condon what certifications she holds. She stated she has none.

Mr. Cohen objected, stating Mr. Carter's scope of questioning should be limited.

Mr. Carter asked Ms. Condon how many residents from Springhouse Pond she had contacted to discuss the situation. Ms. Condon stated that is not part of her job, but she had met with the Police Chief. Mr. Carter asked if the Police Chief told Ms. Condon not to issue warrants, and she stated he had not.

Mr. Cohen asked that Mr. Carter's line of questioning be stopped.

Sudbury's Town Counsel Barbara Saint Andre asked all parties to maintain a level of decorum during the Hearing.

Mr. Carter stated he was trying to determine Ms. Condon's competency. Ms. Condon stated she is very competent at her job.

Mr. Carter asked Ms. Condon what she knew of an incident of a young boy with the dog, and if a Police Report had been filed. Ms. Condon stated the boy was riding his bike on Ms. Whitcomb's property, and she was unaware of a Police Report and nothing was reported to her office.

Mr. Cohen asked if Ms. Condon deems the dog as dangerous, and she stated she does not. She further stated she has done her job for ten years for eight communities. Ms. Condon stated she was concerned about the complaints, which is why she put proper remedies in place in the Agreement. Mr. Cohen asked if Ms. Whitcomb has violated the Agreement and if any other incidents have occurred since February 19, 2016. Ms. Condon answered no to both questions.

Mr. Carter asked on what basis Ms. Condon has formed her opinion that the dog is not dangerous. She stated there are only two broken skin bites on record, and the dog has not consecutively bitten anyone.

Mr. Cohen asked if Ms. Condon has knowledge of why a dog bites. She stated it is often a sign of fear.

Selectman Simon asked if Ms. Condon has reason to believe the dog was provoked, and she stated she did not.

Mr. Cohen proceeded to present documents into evidence as follows: #10) a picture of Sophie, #11) a picture of the scene, #12) a Tufts Veterinary School behaviorist report, #13) a report from a veterinarian behaviorist Lisa Rockland and her resume, #14) a receipt for the replacement of the electric collar, #15) a receipt from Freedom Pet Supply for the aerial dog run, #16) a letter of support from Cataldo, #18) a letter of support from Curran, #19) a letter of support from Michaels, #20) a letter of support from Pettengill, and #21) a letter of support from Wood.

Mr. Carter had objected to items # 12, 13, and #16. Chairman Iuliano reiterated the Board is receiving these documents for identification purposes and has noted his objections.

At 9:10 p.m., dog owner Beverly Whitcomb, 53 Highland Avenue, was asked to testify. Ms. Whitcomb stated she has lived in Sudbury for ten years, and she owns two dogs.

Mr. Cohen asked Ms. Whitcomb to describe Sophie's demeanor. She stated Sophie is shy and fearful of people, and will keep her distance and bark if she does not know someone. Ms. Whitcomb stated Sophie is not mean or vicious.

Mr. Cohen asked Ms. Whitcomb what her understanding had been about the Agreement she signed and whether she thought there would be a Hearing if there were no future incidents. Ms. Whitcomb stated Sophie's electrical collar must be on at all times and/or the dog must be on a leash when outdoors or on the

aerial run, which has been relocated on her property. She stated she did not think there would be a Hearing since there have been no incidents.

Mr. Cohen asked how long Ms. Whitcomb has had Sophie, and she stated she adopted her seven years ago when Sophie was about 15 weeks old. Sophie now weighs about 49 pounds.

Mr. Cohen asked if she has done training for the dog and what the assessment was. Ms. Whitcomb stated she had sessions with a behaviorist, Lisa Rockland, who thought Sophie was a fearful dog, but she did not portray her as dangerous. Ms. Rockland thought Sophie's behavior was a way of protecting her home. Ms. Whitcomb stated Sophie is now on an aerial run which prevents her from getting to the electrical fence. Mr. Cohen stated the electrical fence seems to now function as a back-up resource.

Mr. Cohen asked if new techniques have been implemented with Sophie. Ms. Whitcomb stated the family was instructed on better ways to interact with Sophie by letting the dog come to them. Mr. Cohen asked if Sophie is dangerous, and Ms. Whitcomb answered "no." She also stated that, during the seven years she has had Sophie, she has had play dates at her home and outside contractors work at the home, and she never worried that Sophie would bite anyone, although she would bark.

Mr. Cohen asked Ms. Whitcomb what happened on February 19, 2016. Ms. Whitcomb stated she witnessed Sophie go over the invisible fence and she went out and took off her collar and took Sophie inside where she increased the shock level of the collar which had beeped. Later that day, the collar appeared to have failed and Sophie popped the invisible fence again, and although the collar was beeping, it was not shocking. Ms. Whitcomb stated she contacted the manufacturer and bought a replacement collar.

Selectman Simon asked if the Tufts behaviorist deemed the dog as dangerous. Ms. Whitcomb stated she did not. She further stated Sophie comes at someone from behind as a way of getting someone out of what she considers her area because she is being fearful and protective versus acting as an aggressive dog would by coming at someone directly in front.

Mr. Carter asked to which dog obedience school the dog was taken. Ms. Whitcomb stated she took Sophie to Especially for Pets when she was 18-20 weeks old.

Mr. Carter asked Ms. Whitcomb what happened in the incident with the boy on the bike. Ms. Whitcomb stated she saw the boy riding onto her property and she told him not to do so, and the dog chased the boy. She stated that, later on, the boy and his mother came by, and the boy admitted to his mother that he had ridden onto Ms. Whitcomb's property. Mr. Carter asked if the boy is fearful of the dog, and Ms. Whitcomb responded, "absolutely not," noting the boy has been on her property since then.

Mr. Carter asked Ms. Whitcomb if she has observed many people walking on the path. Mr. Cohen objected, stating Mr. Carter is cross-examining his client.

Selectman Simon asked if the boy had provoked the dog. Ms. Whitcomb stated the boy had ridden through her yard. Selectman Simon asked if Ms. Whitcomb was home when Mr. Lessor was attacked, and she stated she was not. In response to questions from Selectman Simon, Ms. Whitcomb stated she was not outside on the four occasions mentioned, and that on two occasions, her children let the dog out without putting on his electric collar. She also stated she has observed her dog barking and running up to the invisible fence, but she has not seen the dog growl.

Vice-Chairman Woodard asked what controls were put in place after the second incident in July 2014 with Ms. Borghani. Ms. Whitcomb stated her children had let the dog out without its collar that time.

She stated she apologized to Ms. Borghani and told her the dog should get to know her. Ms. Whitcomb stated she has a neighbor across the street with three boys and there is no problem because they all know the dog.

Vice-Chairman asked when Ms. Whitcomb first noticed Sophie broke through the electrical fence, and she stated it was on February 19, 2016.

In response to a question, Ms. Whitcomb stated she believes when Mr. Lesser's pants were torn, the children had let the dog out without its collar.

Selectman Brown asked if there are Animal Control or Police Department records for the incident regarding the boy on the bike, and Ms. Whitcomb stated there are not.

Selectman Brown asked how old Ms. Whitcomb's children are now. She stated they are 20, 19 and 18 years old and they are well aware now of what the requirements are for the dog.

Selectman Brown reviewed the precautions put in place since February 2016, and Ms. Whitcomb stated the aerial run is approximately 68 feet away from the path.

Chairman Iuliano stated time had expired for this discussion tonight.

It was on motion unanimously

VOTED: To continue the Public Hearing pursuant to M.G.L. c. 140, s.157 to determine whether the dog owned and/or kept by Beverly Whitcomb at 53 Highland Avenue, Sudbury, is a Nuisance Dog or Dangerous Dog as those terms are defined in the statute to June 14, 2016 at 7:30 p.m.

Mr. Cohen requested that a hard stop could be put on the time allotted for the June 14th Hearing.

National Development – Conformance Recommendations from Planning Board – Discussion and Possible Vote

Present: Director of Planning and Community Development Jody Kablack, Planning Board Chairman Peter Abair and Planning Board members Chris Morely, Steve Garvin and Dan Carty

At 9:41 p.m., Chairman Iuliano opened a discussion regarding the Planning Board's Conformance Recommendations for Meadow Walk Sudbury, and she welcomed Planning Board Chairman Peter Abair and Planning Board members to the Meeting. She also announced Selectman Haarde has joined the Meeting remotely. The Board was previously in receipt of copies of a draft v.6 letter from Sudbury's Planning Board regarding the draft Conformance Recommendations for Meadow Walk Sudbury dated June 8, 2016.

Mr. Abair stated the Planning Board is pleased to present an affirmative recommendation to the Selectmen on the conformance of the Meadow Walk Sudbury Master Development Plan. Aided by a PowerPoint slide presentation, he stated the Planning Board focused on the retail, assisted living/memory care facility and age-restricted condominium components of the project. Mr. Abair stated the plan and materials conform to the requirements of the proposed Mixed Use Overlay District (MUOD) bylaw. He also summarized the materials reviewed by the Planning Board since February 2016, including traffic improvement and circulation plans, stormwater management Master Plan, environmental studies, architectural plans of all the MUOD components, building locations, layouts, and materials, landscape plans, lighting plans, utilities, construction management and phasing plans, fiscal impacts and public use areas.

Mr. Abair highlighted that several areas of materials have been peer-reviewed, including traffic, stormwater, fiscal impacts and environmental concerns. He also stated Town staff and many Town boards have reviewed materials, including the Conservation Commission, the Design Review Board, the Sudbury Water District, Board of Health, Department of Public Works, Fire Department, Building Inspector and Planning Director. Mr. Abair stated the Planning Board is scheduled at its meeting tomorrow night to finalize its Conformance Recommendation, which will include approximately 50 conditions, limitations and safeguards which will guide the project before, during and after construction. He summarized some of these conditions, including traffic improvements, public amenities, noise restrictions and compliance with Dark Sky Lighting requirements, stormwater management, and post-construction operation and maintenance procedures.

Mr. Abair stated the Planning Board is largely satisfied with the details of the plans and the Master Development Plan, noting the developer has been cooperative throughout the process, and materials provided were professional and thorough. He stated the Master Development Plan meets the purposes of the proposed MUOD Bylaw and he displayed slides of renderings of the proposed streetscapes. Mr. Abair stated the re-development would encourage other re-development along the Route 20 corridor, and it includes a blend of contemporary uses and promotes an active streetscape. He stated the Board believes the developers are reputable and experienced and that they will deliver a modern development which is appropriate for the site. He stated the Planning Board awaits the details of the Development Agreement later tonight, which should include other benefits to the Town. Mr. Abair encouraged residents to attend the Special Town Meeting on June 13, 2016.

Vice-Chairman Woodard asked if the Planning Board unanimously supports the recommendations. Mr. Abair stated there is a meeting tomorrow night when a vote is expected to occur, but he anticipates support will be unanimous, noting it has been a long process resulting in many conditions.

Vice-Chairman Woodard asked what the plan is for the wastewater treatment plant. Mr. Abair stated a meeting was held with the Sudbury Water District and the developer is meeting with the Department of Environmental Protection (DEP) to possibly increase capacity to 90,000 gallons per day, with improvements to water quality treatment.

Selectman Simon thanked the Board and Ms. Kablack for their work on this comprehensive report. He asked if the Planning Board identified any downside to the project. Mr. Abair stated there already is traffic on Route 20, and the traffic reports suggest there may be more traffic at times, but this will be accompanied by many traffic improvements made by the developer.

Selectman Simon asked if the traffic signal on Route 20 will be a smart signal. Planning Board member Steve Garvin stated there are plans for the signal to be preemptive for the Fire Department and to work in unison with other signals to improve traffic flow. He also stated the traffic model will be monitored at intervals after each project component is completed to be sure the model is effective.

In response to a comment by Selectman Brown, Mr. Abair stated the MUOD proposed bylaw sets up requirements for the plan, and the recommendations confirm compliance.

Director of Planning and Community Development Jody Kablack stated the conditions are binding upon the developer and Town Counsel has reviewed them.

Chairman Iuliano clarified that Town Meeting will approve the recommendations as part of the plan.

Selectman Brown thanked the Planning Board for the impressive work they have done.

At 9:59 p.m., Chairman Iuliano thanked the Planning Board and Ms. Kablack for their work and she concluded the discussion.

National Development – Development Agreement – Discussion and Possible Vote

At 9:59 p.m., Chairman Iuliano opened a discussion regarding the Development Agreement between National Development and the Town of Sudbury. Copies of the Development Agreement and Town Manager Rodrigues' PowerPoint slides for her presentation were distributed tonight.

Through a PowerPoint presentation, Town Manager Rodrigues explained that a Development Agreement is a contract between a municipality and a person/entity that has ownership or control of a property within the municipality's jurisdiction. She further explained it is not always needed, but it can be done when a project is large, transformational in nature and/or requires significant mitigation. Town Manager Rodrigues stated that, due to both the nature of this project and the Town's Bylaws, a Development Agreement has been drafted, and she referenced proposed Zoning Bylaw 4761. She stated a Negotiation Team, including herself, Selectman Haarde, Town Counsel Saint Andre, Director of Planning and Community Development Jody Kablack and Planning Board member Chris Morely, was established to draft the Agreement, and the Agreement is signed by the Board of Selectmen and BPR Sudbury Development LLC, which is a joint venture of National Development and Avalon.

Town Manager Rodrigues summarized the Agreement, stating it begins by defining the project as it has been discussed at Town meetings and that the parties have cooperated to present certain articles to the Special Town Meeting to further the project. She explained the Agreement incorporates the Planning Board's Conformance Recommendation, which is binding upon the developer. Town Manager Rodrigues stated the draft Conformance Recommendation was summarized earlier tonight and it will be voted on by the Planning Board tomorrow night. Regarding traffic mitigation, she stated the developer, at its own expense, agrees to complete approximately \$2 million in traffic design and improvements. Town Manager Rodrigues stated community benefits include the estimated gross tax revenue in excess of \$1.7 million annually, and net revenues in the range of \$571,500 to \$694,400 annually. In response to a question from Vice-Chairman Woodard, she further clarified what net revenues reflect for the viewing audience. Town Manager Rodrigues stated the developer also agreed to convey a portion of land (approximately 8,000 square feet) to be used to accommodate a potential future fire station for \$1, and it has agreed to allow the future fire station to discharge wastewater into the Developer's onsite wastewater treatment plant and to discharge its stormwater into the developer's stormwater system. The developer has also agreed to maintain landscaping of the fire station.

Town Manager Rodrigues stated the developer has also agreed to the following onetime monetary contributions to Sudbury: \$500,000 to recreational fields, \$850,000 to Public Safety, \$100,000 to the Senior Center for transportation needs, \$850,000 to provide for School and other municipal technology, \$80,000 toward the design of a future Fire Station, \$15,000 toward the implementation of a section of sidewalk along Boston Post Road, \$100,000 to offset any fiscal mitigation or off-site mitigation deemed necessary by the Zoning Board of Appeals, for mitigation funds totaling \$2,495,000. She stated the Town has agreed to reasonably cooperate in the conversion of Avalon Sudbury to a Chapter 40B Local Initiative Program (LIP). She described a LIP as a State housing program that provides technical assistance rather than financial assistance and provides greater control in monitoring units. Town Manager Rodrigues also stated the LIP restrictions are perpetual and it is a regulatory agreement which is positive for the Town.

Town Manager Rodrigues stated the Team relied on past agreements reached in the State (especially with this developer) and on the peer reviews from consultants to indicate what burdens might need to be mitigated. She explained the next steps are for the Board of Selectmen to vote on the Development

Agreement, for the Planning Board to issue the Conformance Recommendation and for the articles to be presented at the Special Town Meeting on June 13, 2016. Town Manager Rodrigues also stated a one-page summary of the Development Agreement conditions will be posted tomorrow on the Town website.

Vice-Chairman Woodard asked how the one-time payments will be separated from Free Cash and what the process will be for being able to spend the money. Town Manager Rodrigues stated it will be kept separate from Free Cash in separate gift accounts which will be created. She also stated she will work collaboratively with the gift recipients regarding needs for using the funds, but the final decision for spending will be by the Board of Selectmen.

Vice-Chairman Woodard asked for clarification regarding what situation there would be for fiscal ZBA mitigation and about LIP programs, which Town Manager Rodrigues provided.

Selectman Brown stated her understanding is that the developer is also covering all the costs for the Special Town Meeting. Town Manager Rodrigues stated this is noted in the Agreement.

Selectman Simon asked how the final Development Agreement compared with those from other towns. Town Manager Rodrigues stated the Negotiation Team thinks Sudbury's final document is a good one. Selectman Simon stated he is pleased that so many different constituencies in Town will benefit from the conditions of the Agreement.

Selectman Haarde was asked remotely if he had anything to add to the discussion, and he stated he thinks the key points have already been covered.

Chairman Iuliano thanked Town Manager Rodrigues for her work on this aspect of the project. Selectman Simon thanked all the members of the Negotiation team for their work.

It was on motion and roll call unanimously

VOTED: To authorize the Chairman of the Board of Selectmen to sign the Development Agreement between BPR Sudbury Development LLC and the Town of Sudbury, Selectman Patricia A. Brown, aye, Selectman Robert C. Haarde, aye, Selectman Leonard A. Simon, aye, Vice-Chairman Charles C. Woodard, aye, and Chairman Susan N. Iuliano, aye.

2016 Special Town Meeting – Discussion and Possible Vote on Articles

At 10:15 p.m., Chairman Iuliano opened a discussion regarding preparation for the June 13, 2016 Special Town Meeting (STM), and discussion and possible vote on its articles. Copies of the "Town of Sudbury Official Warrant Special Town Meeting Monday June 13, 2016 7:30 p.m." were distributed to the Board tonight.

It was on motion and roll call unanimously

VOTED: To support "Article 1 – Amend Article IX, The Zoning Bylaw, Section 4700, Mixed-Use Overlay District" of the June 13, 2016 Special Town Meeting, Selectman Patricia A. Brown, aye, Selectman Robert C. Haarde, aye, Selectman Leonard A. Simon, aye, Vice-Chairman Charles C. Woodard, aye, and Chairman Susan N. Iuliano, aye.

It was also on motion and roll call unanimously

VOTED: To support “Article 2 – Master Development Plan” Approval of the June 13, 2016 Special Town Meeting, Selectman Patricia A. Brown, aye, Selectman Robert C. Haarde, Selectman Leonard A. Simon, aye, Vice-Chairman Charles C. Woodard, aye, and Chairman Susan N. Iuliano, aye.

It was further on motion and roll call unanimously

VOTED: To support “Article 3 – Acquisition of Land, Grants of Easements – Boston Post Road, Fire Station No. 2” of the June 13, 2016 Special Town Meeting, Selectman Patricia A. Brown, aye, Selectman Robert C. Haarde, Selectman Leonard A. Simon, aye, Vice-Chairman Charles C. Woodard, aye, and Chairman Susan N. Iuliano, aye.

It was also on motion and roll call unanimously

VOTED: To support “Article 4 – Amend Town Bylaws, Art. 1, Town Meetings, Section 3” of the June 13, 2016 Special Town Meeting, Selectman Patricia A. Brown, aye, Selectman Robert C. Haarde, Selectman Leonard A. Simon, aye, Vice-Chairman Charles C. Woodard, aye, and Chairman Susan N. Iuliano, aye.

It was further on motion and roll call unanimously

VOTED: To support the Indefinite Postponement of “Article 5 – Fairbank Community Center Complex – Designer Services” of the June 13, 2016 Special Town Meeting, Selectman Patricia A. Brown, aye, Selectman Robert C. Haarde, Selectman Leonard A. Simon, aye, Vice-Chairman Charles C. Woodard, aye, and Chairman Susan N. Iuliano, aye.

It was also on motion and roll call unanimously

VOTED: To support the Indefinite Postponement of “Article 6 – FY16 Budget Adjustments” of the June 13, 2016 Special Town Meeting, Selectman Patricia A. Brown, aye, Selectman Robert C. Haarde, Selectman Leonard A. Simon, aye, Vice-Chairman Charles C. Woodard, aye, and Chairman Susan N. Iuliano, aye.

Selectman Brown noted Article 6 is being indefinitely postponed because there are no budget adjustments needed.

Chairman Iuliano announced the Board would suspend this discussion and return to it later this evening in order to accommodate agenda item #6.

Selectman Haarde concluded his remote participation in the Meeting.

At 10:45 p.m., Chairman Iuliano resumed the discussion regarding presentations for the Special Town Meeting. She stated the Town Moderator has been asked to allow Articles 1, 2 and 3 to be discussed together for a total of thirty minutes. Chairman Iuliano stated the Planning Board will take the lead, but there are portions of the presentation which will be given by the Selectmen, such as regarding the Development Agreement. In response to a question from Selectman Brown, it was noted Town Manager Rodrigues will work with Town Clerk Harvell to decide who will make the presentation for Article 4.

At 10:46 p.m., the discussion was concluded.

Coolidge at Sudbury Phase 2 Chapter 40B Applications – Discussion and Possible Vote on Comments to Department of Housing and Community Development

Present: B'nai B'rith Housing Executive Director Susan Gittelman, B'nai B'rith Housing Senior Project Manager Holly Grace and their Attorney Joshua Fox

At 10:20 p.m., Chairman Iuliano opened a discussion regarding the comments to be provided to the Department of Housing and Community Development (DHCD) regarding the Coolidge at Sudbury Phase 2, Chapter 40B Application for Project Eligibility. The Board was previously in receipt of copies of a letter to the Board from the DHCD dated May 9, 2016. In addition, copies of the letter dated September 13, 2010 sent to the Massachusetts Housing Finance Agency from Sudbury's Board of Selectmen regarding Phase 1 of this development were distributed tonight.

The applicant's attorney Joshua Fox briefly described the application is for preliminary approval of a 56-unit rental housing project as Phase 2 of The Coolidge development. Mr. Fox stated all the units will be rental for people 55 years old or older, and they will almost all be one-bedroom units.

B'nai B'rith Housing Executive Director Susan Gittelman stated her organization is a mission-based, non-profit, which has had a very satisfying partnership with Sudbury for its Phase 1 development. Ms. Gittelman stated Phase 1 has been a success, and her organization wishes to expand its opportunities in Sudbury.

B'nai B'rith Housing Senior Project Manager Holly Grace displayed three exhibit boards which showed the current site and location of Phase 1 (noting the undeveloped land which would be used for Phase 2), a rendering of the site adding the proposed new Phase 2 building, and a rendering of the three-story Phase 2 building itself. Ms. Grace stated the Phase 2 building will have an on-site project manager and a resident services coordinator. She also noted 56 parking spaces are planned, and 46 of them will be in a basement garage under the new building and they will not be visible from the street. Ms. Grace stated they will work with the Conservation Commission as needed regarding wetlands regulations. She stated her organization would appreciate the support of the Board to work together to help Sudbury reach its affordable housing goals.

Town Manager Rodrigues stated the Town's 30-day review period to provide comments from the date of the May 9, 2016 letter is almost expired and she asked for an extension but has not heard anything. Thus, she stated she would draft a letter tomorrow morning to reflect tonight's comments.

Chairman Iuliano referenced the letter distributed tonight which was sent previously for Phase 1, and she asked the Board if they wanted to reflect similar comments or if they wanted to identify new items to include.

Vice-Chairman Woodard thanked Ms. Grace for the tour she conducted of Phase 1. He stated this project application, and one of the larger projects already submitted, would bring Sudbury to its 10% affordable housing goal through 2030.

Selectman Simon stated he also toured the Phase 1 development and attended the groundbreaking ceremony. He stated the Phase 1 process went smoothly and those 64 units are filled. Selectman Simon believes the Coolidge development has been successful for all parties, and it is a proven partnership which is working well. He stated he would highly endorse the application to create additional units for more citizens.

Selectman Brown stated she too toured Phase 1, and she believes the application fits with the Town's goals. She asked if the applicant has worked with the Council on Aging (COA) to coordinate some

transportation connectivity. Ms. Grace stated she believes the project manager has been in touch with the COA and they are discussing ways to work together.

Chairman Iuliano stated there had been a request for a market study for Phase 1, and she asked if there is a demand for this type of housing. Ms. Gittelman stated they are confident there is a need for these types of units, and she noted they update their market studies every six months.

Chairman Iuliano asked if traffic has been studied. Ms. Grace stated they will complete a traffic study for the Phase 2 Comprehensive Permit process. However, she also noted the impact to the current traffic scenario is anticipated to be insignificant.

Chairman Iuliano stated the letter should properly address any wetlands concerns. She also noted the Town still supports local preference be requested for the units.

Selectman Brown asked about #14 of the Phase 1 letter, which referenced the funds from the WestMetro HOME Consortium. Director of Planning and Community Development Jody Kablack stated the Phase 1 development did utilize \$100,000 of these funds, however, no more funding from this source is available at this time. However, Ms. Kablack stated the Sudbury Housing Trust has discussed possibly helping with the Phase 2 funding, and it seems eager to do so.

Town Manager Rodrigues stated Police Chief Nix suggested some safety-related items to be included in the letter.

It was on motion unanimously

VOTED: To delegate to the Town Manager the responsibility to draft and sign a letter, on behalf of the Board, to be sent to the Department of Housing and Community Development (DHCD) regarding the Coolidge at Sudbury Phase 2, Chapter 40B Application for Project Eligibility, reflecting tonight's discussion by the Board and indicating the Town's support of the project.

Strategic Financial Planning Committee for Capital Funding – Vote to Extend Appointment Terms

At 7:40 p.m., Chairman Iuliano took this agenda item out of order, and she opened a discussion regarding the Strategic Financial Planning Committee for Capital Funding appointment terms. The Board was previously in receipt of copies of the Strategic Financial Planning Committee for Capital Funding Mission Statement last amended on July 28, 2015.

Vice-Chairman Woodard explained the Committee's purpose is to evaluate how capital requests are funded. He noted the Town has had major challenges for these items in the past two years. Vice-Chairman Woodard recommended the appointments of Committee members should be extended so as to continue the Committee's work.

Selectman Simon asked if a joint meeting with the Strategic Financial Planning Committee for Capital Funding should be considered. Vice-Chairman Woodard stated he believes the Board has some prework to do prior to coordinating such a meeting.

Selectman Brown stated part of the Strategic Financial Planning Committee for Capital Funding's Mission Statement is that it should submit a report each year for others to consider regarding financing of projects. She asked if a timeline should be included in the Mission Statement for the report to be distributed so the information can get to other groups such as the Finance Committee and Capital Improvement

Advisory Committee (CIAC) sooner in the budget process. Vice-Chairman Woodard suggested the Board should review the entire capital request timeline. Selectman Brown concurred, stating she believes a review of the sequencing of the capital and budget timelines should be discussed.

Town Manager Rodrigues stated she previously discussed this with Selectman Brown and Finance Committee Chair Susan Berry, and she suggested drafting a schedule for all finance-related matters for the Board's review at its June 14, 2016 meeting.

Following a procedural question to Town Counsel, Chairman Iuliano suggested this agenda item could be delayed until June 14, 2016 to consider changes to the Mission Statement as well as appointment extensions for Strategic Financial Planning Committee for Capital Funding members. She noted it is important to keep the process moving so that members can be appointed.

Sudbury resident Kirsten Roopenian stated she believes it can be confusing for the public to know what each of the many financial-related Town groups is responsible for. Ms. Roopenian stated this confusion and the perception that key financial information is not always received in a timely manner by the Finance Committee may be a reason for some to decide not to vote on certain matters. She suggested the Town could provide some information to help residents understand the objectives of each finance-related committee/group.

Highway and Walkway Grants – 4 Maynard Road

At 7:52 p.m., Chairman Iuliano took this agenda item out of order, and she opened a discussion regarding accepting the following grants for highway and walkway purposes from 4 Maynard Rd. Sudbury LLC, for property located at 4 Maynard Road, Sudbury as shown on the recorded plan entitled "4 Maynard Road Sudbury, Mass. for Walker Development," dated November 22, 2015, and drawn by Rose Land Sudbury: Deed of grant of 463 s.f. for highway purposes, and Walkway Easement for grant of 10' wide walkway easements on Parcels 1 and 3. The Board was previously in receipt of copies of a letter from Department of Public Works Director/Town Engineer I. William Place dated May 19, 2016, and accompanying Walkway Easement, Deed for Highway Purposes and a Plan entitled "4 Maynard Road Sudbury Massachusetts for Walker Development," dated November 12, 2015.

Town Manager Rodrigues summarized the request, noting the easement will allow the Town to continue the southerly portion of the Maynard Road walkway to Hudson Road, and the Deed for Highway Purposes will allow the Town to maintain sight lines at the corner of Maynard Road and Hudson Road. She stated the paperwork is in order.

Selectman Simon asked if this was initiated for safety concerns. Town Manager Rodrigues stated it was likely due to safety concerns and the neighbors submitted a petition.

Selectman Brown asked if this work will allow the walkway to be connected, and Town Manager Rodrigues stated it would.

It was on motion unanimously

VOTED: To accept the following grants for highway and walkway purposes from 4 Maynard Rd. Sudbury LLC, for property located at 4 Maynard Road, Sudbury as shown on the recorded plan entitled "4 Maynard Road Sudbury, Mass. for Walker Development," dated November 22, 2015, and drawn by Rose Land Sudbury: Deed of grant of 463 s.f. for highway purposes, and Walkway Easement for grant of 10' wide walkway easements on Parcels 1 and 3.

Citizens' Comments – Continuation

At 10:46 p.m., Chairman Iuliano took this agenda item out of order, and she announced no citizens had requested time for comments tonight.

Future Board of Selectmen Agenda Items - Discussion

At 10:46 p.m., Chairman Iuliano opened a discussion regarding future agenda items.

Selectman Brown stated a future agenda time will be needed to have a joint meeting with the Park and Recreation Commission to interview candidates. She also stated a future agenda item will be to evaluate Special Municipal Employee status. She also stated members for the Minuteman committee need to be solicited.

Boy Scout Troop 60 – Eagle Scout

It was on motion unanimously

VOTED: To enter into the Town record and congratulate Nick Glaser, Daniel Finnegan, Cameron Kinney and William Sarnie of Troop 60, for having achieved the high honor of Eagle Scout.

Fairbank Community Center – Cleaning Contract

It was on motion unanimously

VOTED: To approve the award of a contract by the Town Manager for cleaning services at the Fairbank building and any subsequent renewal options, subject to review by Town Counsel, as requested by Jim Kelly, Combined Facilities Director.

Council on Aging – Resignation

Selectman Simon asked that Ms. Bially's thank you letter include a note from the Town thanking her for her suggestion to implement remote participation at meetings, and letting her know the Board implemented her idea tonight.

It was on motion unanimously

VOTED: To accept the resignation of Phyllis Bially, 30 Nobscot Road, from the Council on Aging, effective May 31, 2016, and to send a letter of thanks for her service to the Town.

Minutes

It was on motion unanimously

VOTED: To approve the Regular Session Meeting Minutes of May 17, 2016.

Park and Recreation Summer Concert Series – Donations

It was on motion unanimously

VOTED: To accept, on behalf of the Town, various donations to support Park and Recreation's Summer Concert Series totaling \$1,601 to the Contributions and Donations Account 191448/483100 (as requested by Kayla McNamara, Director of Parks, Recreation & Aquatics, in memos dated May 16 and May 20, 2016), said funds to be expended under the direction of Kayla McNamara.

Park, Recreation & Aquatics – Accept Donation

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a \$1,000 donation from Lucinda Lagasse to the Pool Donations ACCOUNT 191748/483100 (as requested by Kayla McNamara, Director of Parks, Recreation & Aquatics, in a memo dated May 16, 2016), said funds to be expended under the direction of Kayla McNamara.

Sudbury Historical Society – Accept Donations for the Repurposing of the Loring Parsonage

It was on motion unanimously

VOTED: To acknowledge receipt of \$145,000 in donations from the Sudbury Historical Society for use by the Town of Sudbury in connection with the proposed repurposing of the Loring Parsonage for a Sudbury History Center and Museum under the direction of the Permanent Building Committee.

July 4th Road Race - Signage

It was on motion unanimously

VOTED: To approve the placement of seven signs announcing the July 4th Road Race at the following locations: West side of Concord Road at Featherland Park; Northwest corner of Hudson and Fairbank Roads; Southwest corner of Peakham and Old Lancaster Roads, Fire Headquarters, 77 Hudson Road (with permission of Fire Chief), 221 Goodman's Hill Road, and 46 Union Ave. (Precourt Stone Co. with permission); and Northeast corner of Morse and Ridge Hill Road, from June 18th to July 5, 2016, as requested by Graham R. Taylor, 221 Goodman's Hill Road, in a letter dated May 31, 2016.

Planning Consultant Services – Allow Signing of Contract- Ciccolo Group LLC

It was on motion unanimously

VOTED: To allow the Town Manager to sign a contract with Ciccolo Group LLC for planning consultant services. The contract would encompass contracted planning services as well as supply an interim planner.

There being no further business, the meeting adjourned at 10:53 p.m.

Attest: _____
Melissa Murphy-Rodrigues
Town Manager-Clerk

Documents & Exhibits

1. As the Local Licensing Authority, vote on whether to approve the application of Villa TBR Corp, d/b/a Craft Beer Cellar Sudbury, 365 Boston Post Rd, for a Change of d/b/a to Sudbury Craft Beer, under G. L. Ch. 138, s.15, Gustavo Villatoro, Manager.

Attachments:

- 1.a Craft Beer Cellar DBA_BOS
- 1.b Dept Feedback_Craft Beer DBA
- 1.c Alcohol License Quotas

2. Public Hearing pursuant to M.G.L. c.140, s.157 to determine whether the dog owned and/or kept by Beverly Whitcomb at 53 Highland Ave., Sudbury, is a Nuisance Dog or Dangerous Dog as those terms are defined in the statute.

Attachments:

- 2.a Evans J. Carter Letter- Mrs. Whitcomb's Dog Sophie
- 2.b exhibits 1 - 21

3. Discussion with Planning Board regarding Conformance Recommendation regarding Master Development Plan

Attachments:

- 3.a Conformance Recommendation Meadow Walk v.6

4. Discussion and possible vote to sign Development Agreement between BPR Sudbury Development LLC and the Town of Sudbury.

Attachments:

- 4.a Development Agreement - Meadow Walk Sudbury (6-1-16)
- 4.b Development Agreement Power Point

5. Preparation for Special Town Meeting June 13; discussion and possible vote on Special Town Meeting articles

6. Coolidge at Sudbury Phase 2, 40B Application for Project Eligibility: discussion and possible vote on comments to Department of Housing and Community Development. Jody Kablack, Director of Planning and Community Development, and Holly Grace, Senior Project Manager, B'nai B'rith to attend.

Attachments:

- 6.a Coolidge memo
- 6.b BOS Letter to MH

7. Discussion and vote whether to extend appointments for the Strategic Financial Planning Committee for Capital Funding to a date to be determined.

Attachments:

- 7.a Strategic Financial Planning_Capital Funding Committee MissStatement (4)

8. Vote to accept the following grants for highway and walkway purposes from 4 Maynard Rd. Sudbury LLC, for property located at 4 Maynard Road, Sudbury as shown on the recorded plan entitled "4 Maynard Road Sudbury, Mass. for Walker Development", dated November 22, 2015, and drawn by Rose Land Sudbury: Deed of grant of 463 s.f. for highway purposes, and Walkway Easement for grant of 10' wide walkway easements on Parcels 1 and 3.

Attachments:

- 8.a Walkway_Easement_Maynard_Rd
- 8.b 4 MaynardRd_deed_easement

9. Citizen's Comments (Cont)

10. Discuss Future Agenda Items

11. Vote to enter into the Town record and congratulate Nick Glaser, Daniel Finnegan, Cameron Kinney and William Sarnie of Troop 60 for having achieved the high honor of Eagle Scout.

Attachments:

- 11.a Boy Scout Troop 60 Request_05.24.16

12. Vote to approve award of a contract by the Town Manager for cleaning services at the Fairbank building and any subsequent renewal options, subject to review by Town Counsel, as requested by Jim Kelly, Combined Facilities Director.

13. Vote to accept the resignation of Phyllis Bially, 30 Nobscot Rd, from the Council on Aging, effective May 31, 2016. Also to send a letter of thanks for her service to the Town.

Attachments:

- 13.a Bially_Resignation_COA

14. Vote to approve the regular session minutes of 5/17/16.

Attachments:

- 14.a BOS 05-17-16_minutes

15. Vote to accept, on behalf of the Town, various donations to support Park & Recreation's Summer Concert Series totaling \$1,601 to the Contributions and Donations Account 191448/483100 (as requested by Kayla McNamara, Director of Parks, Recreation, & Aquatics, in memos dated May 16 and May 20, 2016), said funds to be expended under the direction of Kayla McNamara.

Attachments:

- 15.a Consent_Summer_Concert_Donation
- 15.b Consent_Summer_Concert_Donation2

16. Vote to accept, on behalf of the Town, a \$1,000 donation from Lucinda Lagasse to the Pool Donations Account 191748/483100 (as requested by Kayla McNamara, Director of Parks, Recreation & Aquatics, in a memo dated May 16, 2016), said funds to be expended under the direction of Kayla McNamara.

Attachments:

- 16.a Consent_Pool_Donation

17. Vote to acknowledge receipt of \$145,000 in donations from the Sudbury Historical Society for use by the Town of Sudbury in connection with the proposed repurposing of the Loring Parsonage for a Sudbury History Center and Museum under the direction of the Permanent Building Committee.

18. Vote to approve the placement of seven signs announcing the July 4th Road Race at the following locations: west side of Concord Road at Featherland Park; northwest corner of Hudson and Fairbank Roads; southwest corner of Peakham and Old Lancaster Roads; Fire Headquarters, 77 Hudson Road (with permission of Fire Chief); 221 Goodman's Hill Road; and 46 Union Avenue (Precourt Stone Co. with

permission); And Northeast Corner Of Morse and Ridge Hill Road; from June 18th to July 5th, 2016, as requested by Graham R. Taylor, 221 Goodman's Hill Road, in a letter dated May 31, 2016.

Attachments:

18.a July4_Road_Race_signs

19. Vote to allow the Town Manager to sign a contract with Ciccolo Group LLC for planning consultant services. The contract would encompass contracted planning services as well as supply an interim planner.

Attachments:

19.a TCG_Sudbury_Proposal-06.03.16