

**SUDBURY BOARD OF SELECTMEN**  
**TUESDAY NOVEMBER 5, 2019**  
**7:00 PM, TOWN HALL - LOWER LEVEL**

Item #	Time	Action	Item
	7:00 PM		CALL TO ORDER
			Opening remarks by Chairman
			Reports from Town Manager
			Reports from Selectmen
			Citizen's comments on items not on agenda
<b>TIMED ITEMS</b>			
1.	7:15 PM	<i>VOTE</i>	Vote to open a joint meeting with the Park & Recreation commission to interview candidate for appointment. Following interview, vote whether to appoint Benjamin Carmel, 24 Thornberry Lane, to the Park and Recreation Commission for a term to expire 5/31/20.
2.		<i>VOTE</i>	Vote to close joint meeting with Park & Recreation Commission and resume Board of Selectmen meeting.
3.	7:30 PM	<i>VOTE</i>	Interview applicant for appointment to the Council on Aging. Following interview, vote whether to appoint Robert Lieberman, 23 Old Framingham Road, #41, to the Council on Aging for a term to expire 5/31/22.
4.	7:40 PM		Meet with representatives from the Permanent Building Committee (PBC) to discuss Town Hall renovation. (Elaine Jones and Craig Blake to attend.)
<b>PUBLIC HEARING</b>			
5.	8:00 PM	<i>VOTE / SIGN</i>	As the Local Licensing Authority, vote on whether to approve the application of Paani Indian Cuisine, LCC d/b/a Paani-Pure Cuisine, Meadow Walk Sudbury, Building #5, Sudbury, for a Pledge of License to its License to Sell Alcoholic Beverages on the premises, under G.L.Ch. 138, s.12, Vimlesh Verma, Manager.
<b>MISCELLANEOUS</b>			
6.			Discussion regarding Fall Town Forum (Broadacres Charrette) scheduled for 11/21/19 at Town Hall.
7.			Discussion and update on Fairbank Community Center

*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
8.		<i>VOTE</i>	Review updated Fall 2019 Board of Selectmen Newsletter and approve for distribution.
9.		<i>VOTE / SIGN</i>	Discussion of and possible vote to send a letter to Sudbury State Legislators requesting modifications to Massachusetts House Bill 3507 - Governor Baker's "Housing Choice Initiative."
10.		<i>VOTE / SIGN</i>	Discussion of and possible vote to send a letter of support from the Board of Selectmen to Jeff Dougan/Mass Office for Disability in support of the Town's Planning Grant Application for the ADA Self-Evaluation/Transition Plan.
11.			Citizen's comments (cont.)
12.			Discuss upcoming agenda items
<b>CONSENT CALENDAR</b>			
13.		<i>VOTE</i>	Vote to approve a one-hour extension of the licensed closing hour and serving of alcoholic beverages for licensees who make application in advance to the Town Manager's Office: Lavender, 519A Boston Post Road, (1AM to 2AM) on Wednesday, November 27, 2019 (Thanksgiving eve) and Tuesday, December 31, 2019 (New Year's Eve), on the condition that the kitchen remains open and food is served.
14.		<i>VOTE</i>	Vote to enter into the Town record and congratulate Alex John Kilroy and David John Marchand of Boy Scout Troop 63 for having achieved the high honor of Eagle Scout.
15.		<i>VOTE / SIGN</i>	Vote to approve correction of the appointment of Carmine Gentile to the Sudbury Housing Trust for a two-year term expiring 4/30/21, and to sign the Trustee Certificate.
16.		<i>VOTE / SIGN</i>	Vote whether to grant a 1-day Wine & Malt license to Sudbury Historical Society, to accommodate a Holiday Cocktail fundraiser on Sunday, December 8, 2019 from 6:00 PM to 8:00 PM at the Loring Parsonage, 288 Old Sudbury Rd, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.
17.		<i>VOTE</i>	Vote to approve the installation of a stop sign on Winsor Road, at the intersection of Singletary Lane for southerly traffic, as requested by Police Chief Scott Nix.
18.		<i>VOTE</i>	Vote to accept a gift in the amount of \$3,000 from Mark and Robin Hollyer, 271 Peakham Road, Sudbury, for conservation purposes, said amount to be expended for such purposes by the Town of Sudbury Conservation Commission.

*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, November 5, 2019

**TIMED ITEM****1: Joint meeting with Park & Rec****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Vote to open a joint meeting with the Park & Recreation commission to interview candidate for appointment. Following interview, vote whether to appoint Benjamin Carmel, 24 Thornberry Lane, to the Park and Recreation Commission for a term to expire 5/31/20.

Recommendations/Suggested Motion/Vote: Vote to open a joint meeting with the Park & Recreation commission to interview candidate for appointment. Following interview, vote whether to appoint Benjamin Carmel, 24 Thornberry Lane, to the Park and Recreation Commission for a term to expire 5/31/20.

Background Information:  
attached application

Financial impact expected:

Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting:

**Review:**

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM

## TOWN OF SUDBURY APPLICATION FOR APPOINTMENT

BOARD OF SELECTMEN  
278 OLD SUDBURY ROAD  
SUDBURY, MA 01776

FAX: (978) 443-0756  
E-MAIL: selectmen@sudbury.ma.us

Board or Committee Name: Parks and Recreation

Name: Benjamin Carmel

Address: 24 Thornberry Lane

Home phone: [REDACTED]

Email Address: [REDACTED]

Work or Cell phone: [REDACTED]

Years lived in Sudbury: 17 months

Brief resume of background and pertinent experience:

From a personal perspective, I have been involved in parks and rec activities all of my life. My family owns a business that provides equipment to towns, camps, hospitals, military, etc. (although I have no role or stake in it's success, it was started by my grandfather and I worked there in high school and part of college). Additionally, I was a camper and counselor at a full summer camp in NH from age 10 through 16.

From a professional perspective, I now run the global sales team for a division of a Fortune 500 company in the life sciences space. I work in a client facing perspective (am frequently asked to present at industry conferences), oversee our marketing team and manage our group's financial statements and budgets. Why is this applicable for this commission? I would imagine there is some level of community engagement (being externally facing to the park & rec "clients"), that a portion of the role is communication, messaging and essentially marketing and that of course, there is a financial management component. All of this is directly tied to my current position and strengths.

Municipal experience (if applicable):

None

Educational background:

B.S. Business Administration with concentration in Finance and Marketing from the University of Colorado at Boulder  
Various executive courses at MIT PON School of Business

Reason for your interest in serving:

While I am a recent Sudbury resident, I live next to Haskell field and try to take advantage of that fact as much as possible. I have a 14 month old, we have taken classes at the pool, and my wife takes him to many town sponsored activities. Even in the short time, we have lots of friends with children, all of whom utilize Sudbury Parks and Rec in some capacity. I feel that I would bring a voice to those of us living in Sudbury with young children. I also work within the healthcare space and have a keen interest in the health and well being of our community. I believe that the parks and rec commission is one of the avenues through which our community can provide safe, enjoyable, educational and enriching space and offerings to our town and is therefore somewhere that I would like to spend my time to help grow and expand.

Times when you would be available (days, evenings, weekends):

I travel some for work, but generally try to work from home, so can be flexible. Ideally evenings for availability.  
Do you or any member of your family have any business dealings with the Town? If yes, please explain:

None

BC \_\_\_\_\_ (Initial here that you have read, understand and agree to the following statement)

I agree that if appointed, I will work toward furtherance of the committee's mission statement; and further, I agree that I will conduct my committee activities in a manner which is compliant with all relevant State and Local laws and regulations, including but not limited to the Open Meeting Law, Public Records Law, Conflict of Interest Law, Email Policy and the Code of Conduct for Town Committees.

I hereby submit my application for consideration for appointment to the Board or Committee listed above.

Signature Benjamin Carmel

Digitally signed by Benjamin Carmel  
Date: 2019.09.18 13:27:41 -0400

Date 9/18/19

Attachment1.a: Carmel\_application\_rev (3489 : Joint meeting with Park & Rec)

**SUDBURY BOARD OF SELECTMEN**

Tuesday, November 5, 2019

**TIMED ITEM****2: Close meeting with Park & Rec****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close joint meeting with Park &amp; Recreation Commission and resume Board of Selectmen meeting.

Recommendations/Suggested Motion/Vote: Vote to close joint meeting with Park &amp; Recreation Commission and resume Board of Selectmen meeting.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM

**SUDBURY BOARD OF SELECTMEN**

Tuesday, November 5, 2019

**TIMED ITEM****3: Interview COA candidate****REQUESTOR SECTION**

Date of request:

Requestor: Deb Galloway, Senior Center Director

Formal Title: Interview applicant for appointment to the Council on Aging. Following interview, vote whether to appoint Robert Lieberman, 23 Old Framingham Road, #41, to the Council on Aging for a term to expire 5/31/22.

Recommendations/Suggested Motion/Vote: Interview applicant for appointment to the Council on Aging. Following interview, vote whether to appoint Robert Lieberman, 23 Old Framingham Road, #41, to the Council on Aging for a term to expire 5/31/22.

Background Information:  
attached application and letter of recommendation from Council on Aging.

Financial impact expected:n/a

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM



# SUDBURY SENIOR CENTER

## COUNCIL ON AGING

### Town of Sudbury, Massachusetts

40 Fairbank Road • Sudbury, Massachusetts • 01776-1681  
 Phone: (978) 443-3055 • Fax: (978) 443-6009 • E-mail: [senior@sudbury.ma.us](mailto:senior@sudbury.ma.us)

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October 11, 2019

Sudbury Board of Selectmen  
 Town of Sudbury  
 278 Old Sudbury Road  
 Sudbury, MA 01776

Dear Selectboard,

The Board of the Sudbury Council on Aging has interviewed candidates for appointment to the Council on Aging to fill a Council on Aging vacancy. At their regular meeting Tuesday, October 8, 2019, the Council on Aging unanimously voted to recommend Robert Lieberman to begin a new term on the Sudbury COA (June 1, 2019-May 31, 2022). Please find his application enclosed with this letter. We are very happy to welcome Bob to the Sudbury Council on Aging.

Sincerely,

Debra Galloway, Director

for the Sudbury Council on Aging

Attachments: COA Application for Robert Lieberman

f:\coa board\membership\selectmen letter re board appointee carolyn to fill vacancy 2019.doc

Attachment 3.a: selectmen letter re board appointee Bob Lieberman to fill vacancy 2019 (3539 : Interview COA candidate)

**TOWN OF SUDBURY**  
**APPLICATION FOR APPOINTMENT**

BOARD OF SELECTMEN  
 278 OLD SUDBURY ROAD  
 SUDBURY, MA 01776

FAX: (978) 443-0756  
 E-MAIL: selectmen@sudbury.ma.us

Board or Committee Name: Council On Aging

Name: Robert Lieberman

Address: 32 Old Framingham Rd Unit#41 Sudbury Email Address: [REDACTED]

Home phone: [REDACTED] Work or Cell phone: [REDACTED]

Years lived in Sudbury: 2+

**Brief resume of background and pertinent experience:**

I am an accomplished financial executive with diversified experience in solar renewable energy, multi-national manufacturers, distribution, supply chain management, logistics and service oriented industries. My areas of expertise include the traditional responsibilities of budgeting, forecasting, financial reporting, cash flow modeling, banking relationships, investor relations and business process improvement.

See resume attached

Municipal experience (if applicable):

**Educational background:**

B.B.A Business Administration, Bernard M. Baruch College  
 Certified Public Accountant

Reason for your interest in serving:

Looking for opportunity to enhance the well being of the Sudbury elder community.

Times when you would be available (days, evenings, weekends):

Days

Do you or any member of your family have any business dealings with the Town? If yes, please explain:

N/A

(Signature) (Initial here that you have read, understand and agree to the following statement)

I agree that if appointed, I will work toward furtherance of the committee's mission statement; and further, I agree that I will conduct my committee activities in a manner which is compliant with all relevant State and Local laws and regulations, including but not limited to the Open Meeting Law, Public Records Law, Conflict of Interest Law, Email Policy and the Code of Conduct for Town Committees.

I hereby submit my application for consideration for appointment to the Board or Committee listed above.

Signature Robert Lieberman Date 9/14/19

Attachment 3.b: Lieberman\_Robert\_Application For Appointment COA\_rev (3539 : Interview COA candidate)



**ROBERT LIEBERMAN, CPA**  
**32 Old Framingham Road Unit 41**  
**Sudbury, Massachusetts 01776**

E-Mail: [REDACTED]

#### **BACKGROUND**

Accomplished financial executive with Chief Financial Officer level experience. Diversified financial experience with multi-national manufacturers, commercial printers, service-oriented, supply chain management, logistics and distribution industries. Successful problem solver with strategic planning, organizational, developmental and leadership skills. Hands-on manager with excellent communication skills. CPA with diverse background, including extensive management experience coupled with M&A efforts and private equity financing.

#### **PROFESSIONAL EXPERIENCE**

##### **Chief Financial Officer**

**February, 2015-December, 2015**

UniversalWilde Inc., Westwood, MA. (Revenue \$100 Million)

- Responsible for financial implementation of new ERP platform, EFI Monarch integrating in excess of 40 legacy systems onto a unified platform while delivering an end to end business solution for this data, analytics, personalization and commercial printing enterprise.
- Successfully concluded negotiations with the Mass Bay Transportation Authority with regard to the taking of real property through eminent domain. Finalized the detail budget and funding mechanism to ensure a positive cash flow during the relocation.
- Completed negotiations for an extension of a senior debt refinancing including a revolving credit facility and term loan line of credit. Managed due diligence process for the new target lender.
- Senior member of a facilities optimization initiative which is projected to save substantial operating expenses while improving efficiencies across multiple functional operating departments.
- Secured operating lease financing for two new state of the art heat set and cold set printing presses to support significant top line growth. Initiative will reduce operating expenses resulting in improved contribution margin levels while maximizing EBITDA growth in support of enhanced shareholder value.

##### **Chief Financial Officer and Treasurer**

**2009 - 2015**

Spire Corporation, Bedford, MA. (Revenue \$24 Million - NASDAQ: SPIR)

- Responsible for financial and treasury operations, mergers and acquisitions, investor relations, interfacing with board of directors, banking relationship, SEC reporting and SOX compliance.
- Successfully completed divestiture of Catheter business segment to Bard Access Systems resulting in \$12M sale of non performing asset.
- Completed revolving credit facility line of credit for \$8M and established a \$2.5M stand by letter of credit sub-limit to replace cash collateral requirement.
- Restructured finance department significantly reducing number of days to file regulatory reports (10-K and 10-Q's) eliminating over twenty material weaknesses in internal controls while significantly reducing audit fees.
- Strategic planning initiatives to support business unit growth and margin enhancement of \$8 million to 18.4% gross margin from 9.3% gross margin while reducing operating expenses by 3% on a year over year basis.

Robert Lieberman

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**Partner**

2008-Present

Sandhill Consulting Group, LLC, Brooklyn Hts., MN.

- Management consulting group with a senior executive team of diversified individuals possessing cross functional operating expertise.
- Specialize in implementing a renewal strategy for middle market companies to refocus the business model and return your enterprise to a successful path of growth and profitability.
- Experience with new products and ventures, sales expansion, cost reduction initiatives, programs to realize economies of scale, restructuring, divestitures and retrenchment as well as licensing and business acquisitions.

**SVP and Chief Financial Officer**

2004 - 2008

Millbrook Distribution Services, Leicester, MA. (Revenue \$800 Million -a UNFI subsidiary NASDAQ: UNFI)

- Responsible for implementation of financial modeling tools to ensure operating cash flow requirements are met coupled with three year projections and cost restructuring culminating in sale of company for significant EBITDA multiple.
- Point person responsible for communication to vendor community and lending institution to ensure continued flow of inventory during turnaround program. Reduced company-wide levels from \$50M to \$28M while increasing turns from 1.3 to 2.4 times and maintaining asset based collateral.
- Established an aggressive cost reduction initiative which identified specific opportunities to drive a \$10 million infrastructure rightsizing thereby achieving EBITDA objectives.
- Identified several margin enhancement projects in both the procurement and logistics/ transportation areas that delivered in excess of \$4 million of incremental operating profit.

**Chief Financial Officer and Treasurer**

1999 - 2003

Saleslink Corporation, Charlestown, MA. (Revenue \$500 Million- a CMGI subsidiary NASDAQ: CMGI)

- Responsible for development and oversight of functional areas including accounting, financial reporting, tax, treasury, risk management, and IT of this \$500 million Global Supply Chain Management provider.
- Established cost reduction roadmap initiative resulting in successful implementation of a \$15 million infrastructure rightsizing.
- Responsible for identifying, negotiating, and implementing strategic global acquisitions in Europe and the Far East to enhance company core competencies, and market growth opportunities.
- Served as Steering Committee Chairperson for implementation of Sarbanes-Oxley initiative.
- Successfully implemented Oracle ERP systems project in excess of \$20 million completing on schedule, and within budgeted capital appropriations.

**Vice President Finance and Corporate Controller**

1994 - 1999

Quebecor Printing (USA) Corp, Boston, MA. (Revenue \$2.5B - a Quebecor World subsidiary NYSE: IQW)

- Responsible for oversight of selling; general and administrative expenses; corporate benefits; and loss prevention. Drove corporate purchasing initiatives resulting in annual savings of over \$5 million for this \$2.5 billion operating enterprise.
- Developed and implemented condensed operational and financial performance package. Increased the timeliness of reporting for 49 printing and related media services facilities.
- Introduced focus on key balance sheet measurements which maximized shareholder value. Monitored key performance indicators as part of public reporting.
- Implemented cost reduction programs and disposal of non productive assets. Enhanced operating results by \$15 million and operating cash flow by \$16 million.
- Authorized capital expenditure projects in excess of \$95 million while augmenting annual EBIT.

### ADDITIONAL PROFESSIONAL EXPERIENCE

#### Chief Financial Officer

Fleetwood Litho & Letter Corp. /Applied Graphics Technologies, New York, NY (Revenue \$150 Million)

- Responsible for oversight of financial reporting, billing, estimating, and MIS for this \$150 million commercial printer.
- Negotiated and secured \$10 million line of credit with major lending institution.
- Developed and implemented cost reduction programs in excess of \$7 million to increase profits.
- Conducted due diligence procedures culminating in the successful sale of the company.

#### Corporate Controller

Imperial Schrade Corp., New York, NY (Revenue \$100 Million)

- Responsible for financial reporting of domestic operations and consolidation with wholly-owned foreign subsidiaries of this \$100 million manufacturer.
- Secured revolving credit facility and term loan. Chaired monthly financial meetings with lending institutions and managed letter of credit financing in excess of \$6 million.
- Consolidated three divisional accounting departments into one centralized unit which reduced outside accounting costs from over \$200,000 to \$85,000 per year.
- Implemented numerous cost savings projects in excess of \$3 million to reduce overhead and general and administrative expenses while enhancing operating results.

#### Vice President of Finance

The Pure Food Company, Mamaroneck, NY (Revenue \$50 Million)

- Hired as Controller and promoted within 18 months to Financial Vice President, reporting directly to the company President for this \$50 million food service organization.
- Reorganized accounting system while introducing manufacturing standard costs.
- Participated in confidential sales negotiations with a Fortune 100 company.

#### Prior Experience - Public Accounting

Israeloff Trattner & Co., Long Island, NY

- Manager and member of technical review department. Evaluated and documented professional standards of firms work.

Hertz, Herson & Co. New York, NY

- Progressive advancement with audit responsibility of manufacturing, educational and service-oriented clients.

### EDUCATION

B.B.A - Business Administration, Bernard M. Baruch College

### MEMBERSHIPS

American Institute of Certified Public Accountants  
 New York State Society of Certified Public Accountants  
 Chair: Recruitment Committee, Financial Executives International - Boston Chapter  
 Chartered Global Management Accountant



## SUDBURY BOARD OF SELECTMEN

Tuesday, November 5, 2019

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### TIMED ITEM

#### **4: Meet with PBC reps to discuss Town Hall**

##### REQUESTOR SECTION

Date of request:

Requestor: Chairman Carty

Formal Title: Meet with representatives from the Permanent Building Committee (PBC) to discuss Town Hall renovation. (Elaine Jones and Craig Blake to attend.)

Recommendations/Suggested Motion/Vote: Meet with representatives from the Permanent Building Committee (PBC) to discuss Town Hall renovation. (Elaine Jones and Craig Blake to attend.)

Background Information:

In attendance will be Co-chair Elaine Jones member Craig Blake.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM

**ARTICLE 31. COMMUNITY PRESERVATION FUND - TOWN HALL RESTORATION/REHABILITATION**

To see if the Town will vote to appropriate an amount not to exceed \$600,000 of Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purpose of preparing design and construction documents and associated cost estimates for the restoration/rehabilitation of Town Hall. The appropriation is to be allocated to the Historic category, and funded from: \$16,335 from Historic Reserves, \$212,600 from FY18 Revenue, and \$371,065 from Unrestricted Reserves.

Submitted by the Community Preservation Committee.

(Majority vote required)

**COMMUNITY PRESERVATION COMMITTEE REPORT:** This article requests an appropriation to begin the process of transforming the Town Hall, largely through CPA Historic funds, into the anchor facility of Sudbury's newly revitalized Town Center. This is a significant Town-owned asset upon which very little money has been spent in modern times. In addition, for the 26 years since passage of the Americans with Disabilities Act, two of the building's three floors have been closed to the general public. It is hard to love a building that has seen little maintenance and is, in fact, little seen. The eight-member Town Hall Blue Ribbon Committee, representing expertise at the least in design, construction, finance and history, and after much investigation envisioned a restored and rehabilitated Town Hall with a small addition. The Committee felt strongly that "[n]ewly available and appealing, and endowed with modern utility... the Town Hall's varied spaces will grow significantly in their use by both government and community entities."

It is anticipated the bulk of future construction costs, will be eligible for CPA funds. At 85 years old, Town Hall meets national criteria as an historic building. Plus it is an enlarged replica of the town's original Town Hall of 1846, and its design was overseen by three now famous architects who happened to be summer or full time residents of Sudbury in 1930. That original Town Hall burned down, but like the current Town Hall, it was uniquely equipped with a fireproof vault, and together they have kept safe some of the best colonial records in America, thus making them still available to be utilized as the basis for the groundbreaking, 1964 Pulitzer Prize winning history book, "Puritan Village." The current Town Hall, indeed the entirety of the larger area of town center, is listed by the Massachusetts Historical Commission as protected, and locally is under the purview of both the Sudbury Historical Commission and the Sudbury Historic Districts Commission.

Adaptive reuse of the building has been a listed priority of the Board of Selectmen for 20 years. In that time many other priorities have been completed (new/renovated schools and library, new public safety buildings, etc.). An extensive feasibility study of Town Hall was voted in 2012 and completed in 2013. The Town Hall Blue Ribbon Committee used it as they worked diligently on the options, problems and possibilities posed by both the building and by its key location in Town Center. Their Report is available on the Town's website.

**BOARD OF SELECTMEN POSITION:** The Board of Selectmen supports this article.

**FINANCE COMMITTEE REPORT:** The Finance Committee recommends approval of this article.

Town of Sudbury  
CPA Budget Summary  
October 31, 2019

## EXPENDITURES

Article	Project	Category	Carryforward	New Appropriation	Total Appropriation	10/31/2019 Actual Expenditures	Available
ATM 04/27	Revolutionary War Cemetery	Historic	40,178.09	-	40,178.09	-	40,178.09
ATM 06/43	Sudbury Housing Authority Unit Purchases	Housing	180,000.00	-	180,000.00	-	180,000.00
ATM 10/36	CSX Alternative Acquisition Funding	Open Space	210,000.00	-	210,000.00	-	210,000.00
ATM 10/36	CSX Alternative Acquisition Funding	Recreation	210,000.00	-	210,000.00	-	210,000.00
ATM 13/35	Historic Projects	Historic	7,481.35	-	7,481.35	-	7,481.35
ATM 14/32	Bruce Freeman Railtrail Design	Recreation	604.59	-	604.59	-	604.59
ATM 14/33	Melone Property Engineering	Housing	110,639.21	-	110,639.21	-	110,639.21
ATM 15/48	Historic Projects	Historic	22,000.00	-	22,000.00	-	22,000.00
ATM 15/50	Town Center Landscaping	Open Space	2,213.44	-	2,213.44	-	2,213.44
ATM 15/50	Town Center Landscaping	Historic	2,213.44	-	2,213.44	-	2,213.44
ATM 16/40	Town Center Landscaping	Open Space	42,628.00	-	42,628.00	-	42,628.00
ATM 16/40	Town Center Landscaping	Historic	42,628.00	-	42,628.00	-	42,628.00
ATM 16/42	Bruce Freeman Rail Trail Partial 75% Design	Recreation	150,000.00	-	150,000.00	-	150,000.00
ATM 17/29	Featherland Park Court Reconstruction	Recreation	35,459.12	-	35,459.12	7,898.60	27,560.52
ATM 17/31	Town Hall Restoration/Rehabilitation	Historic	232,758.43	-	232,758.43	27,724.00	205,034.43
ATM 17/33	Sudbury Housing Authority Allocation	Housing	212,600.00	-	212,600.00	-	212,600.00
ATM 18/35	Grist Mill, Carding Mill Pond, and Stearns Mill Weed Remova	Open Space	32,085.19	-	32,085.19	-	32,085.19
ATM 19/29	SPS Playground Modernization	Recreation	-	235,000.00	235,000.00	235,000.00	-
ATM 19/30	Feather Park Multisport Court Reconstruction - Phase 2	Recreation	-	220,000.00	220,000.00	220,000.00	-
ATM 19/31	Regional Housing Services Agreement	Housing	-	30,000.00	30,000.00	29,400.00	600.00
ATM 19/32	Coolidge at Sudbury - Phase 2	Housing	-	320,000.00	320,000.00	-	320,000.00
ATM 19/33	Sudbury Newspaper Digitization	Historic	-	25,000.00	25,000.00	18,834.00	6,166.00
ATM 19/34	Smoke and Fire Detection for Loring Parsonage	Historic	-	63,000.00	63,000.00	63,000.00	-
ATM 19/35	Administrative Expense	Administration	-	85,000.00	85,000.00	3,284.01	81,715.99
ATM 19/35	Cutting Field	Open Space	-	185,476.00	185,476.00	-	185,476.00
ATM 19/35	Cutting Field	Recreation	-	22,924.00	22,924.00	-	22,924.00
ATM 19/35	Dickson Land Purchase	Open Space	-	31,260.00	31,260.00	-	31,260.00
ATM 19/35	Dickson Land Purchase	Historic	-	20,840.00	20,840.00	-	20,840.00
ATM 19/35	Libby Property Open Space	Open Space	-	143,462.50	143,462.50	-	143,462.50
ATM 19/35	Nobscot Reservation	Open Space	-	450,150.00	450,150.00	397,562.50	52,587.50
ATM 19/35	Pantry Brook Farm Preservation Restriction	Open Space	-	205,972.50	205,972.50	166,423.75	39,548.75
ATM 19/35	Johnson Farm	Open Space	-	80,125.00	80,125.00	15,062.50	65,062.50
Total Expenditures			1,533,488.85	2,118,210.00	3,651,698.85	1,184,189.36	2,467,509.49

**SUDBURY BOARD OF SELECTMEN**

Tuesday, November 5, 2019

**PUBLIC HEARING****5: Paani Pledge of Alcohol License****REQUESTOR SECTION**

Date of request:

Requestor: Paani Indian Cuisine, LCC d/b/a Paani-Pure Cuisine

Formal Title: As the Local Licensing Authority, vote on whether to approve the application of Paani Indian Cuisine, LCC d/b/a Paani-Pure Cuisine, Meadow Walk Sudbury, Building #5, Sudbury, for a Pledge of License to its License to Sell Alcoholic Beverages on the premises, under G.L.Ch. 138, s.12, Vimlesh Verma, Manager.

Recommendations/Suggested Motion/Vote: As the Local Licensing Authority, vote on whether to approve the application of Paani Indian Cuisine, LCC d/b/a Paani-Pure Cuisine, Meadow Walk Sudbury, Building #5, Sudbury, for a Pledge of License to its License to Sell Alcoholic Beverages on the premises, under G.L.Ch. 138, s.12, Vimlesh Verma, Manager.

Background Information:  
8:30 ish

Financial impact expected:\$75 Application Fee

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting: Vimlesh Verma, Owner/Manager

## Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM

# Dow Law Group, LLC

34 Junction Square | Concord | MA | 01742

Tel: 978-369-9906 | Fax: 978-369-9907

*Via First Class Mailing*

October 9, 2019

Sudbury Selectmen's Office  
Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776

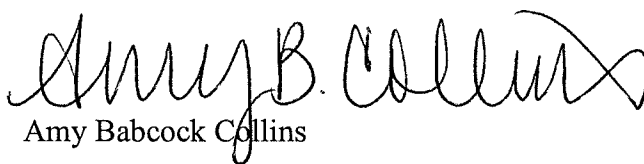
RECEIVED  
BOARD OF SELECTMEN  
SUDBURY, MA  
2019 OCT 15 P 12:29

**RE: Application for Amendment – Pledge of Liquor License  
Paani Indian Cuisine, LLC**

Dear Sir or Madam:

Please find enclosed a completed application, including all additional materials required to supplement said application, for Amendment to Liquor License No.: 00036-RS-1250 held by Paani Indian Cuisine, LLC. Kindly contact our office with any questions or comments. Thank you for your prompt attention to this matter.

Very truly yours,



Amy Babcock Collins

Encl.

cc: Justin Thomas (with enclosures)

Attachment5.a: Paani Pledge of License Application\_BOS (3527 : Paani Pledge of Alcohol License)





*The Commonwealth of Massachusetts*  
**Alcoholic Beverages Control Commission**  
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358  
 www.mass.gov/abcc

### APPLICATION FOR AMENDMENT-Pledge of Collateral

☒ **Pledge of License**      ☐ **Pledge of Stock**      ☐ **Pledge of Inventory**

- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Pledge of License, Stock or Inventory Application
- Pledge documentation
- Promissory note
- Vote of the Entity
- Payment Receipt

#### 1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Paani Indian Cuisine, LLC	Sudbury	00036-RS-1250

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation.

Liquor license to be pledged as collateral for a loan to a Sudbury restaurant.

#### APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Amy Collins	Attorney		

#### 2. AMENDMENT-Pledge Information

##### Pledge of License

To whom is the pledge being made:

##### Pledge of Inventory

Northern Bank & Trust Company

##### Pledge of Stock

#### 3. FINANCIAL DISCLOSURE

##### SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
Northern Bank & Trust Co.	\$280,000.00	Term Loan/SBA Loan	<input type="radio"/> Yes <input checked="" type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

##### FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

Promissory Note, Pledge Agreement, funds from Northern Bank & Trust Company.

Attachment5.a: Paani Pledge of License Application\_BOS (3527 : Paani Pledge of Alcohol License)

**APPLICANT'S STATEMENT**

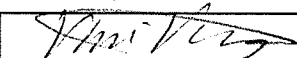
I, Vimlesh Verma the: ☐ sole proprietor; ☐ partner; ☐ corporate principal; ☒ LLC/LLP manager  
 Authorized Signatory  
 of Paani Indian Cuisine, LLC  
 Name of the Entity/Corporation

hereby submit this application (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 statements 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 are in compliance with state and local laws and regulations;
- (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 ownership 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.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:


Date: July 23, 2019

Title:

Manager

Attachment 5.a: Paani Pledge of License Application\_BOS (3527 : Paani Pledge of Alcohol License)



Commonwealth of Massachusetts  
Department of Revenue  
Christopher C. Harding, Commissioner

mass.gov/dor

Letter ID: L1492721536  
Notice Date: October 2, 2019  
Case ID: 0-000-859-167

5.a



## CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



PAANI INDIAN CUISINE  
20 ADAMS RD  
SUDBURY MA 01776-3315

### *Why did I receive this notice?*

The Commissioner of Revenue certifies that, as of the date of this certificate, PAANI INDIAN CUISINE is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

**This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.**

### *What if I have questions?*

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 8:30 a.m. to 4:30 p.m..

### *Visit us online!*

Visit [mass.gov/dor](http://mass.gov/dor) to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief  
Collections Bureau

Attachment5.a: Paani Pledge of License Application\_BOS (3527 : Paani Pledge of Alcohol License)



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT  
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

Charles D. Baker  
GOVERNOR

Karyn E. Polito  
LT. GOVERNOR



165994312

Rosalin Acosta  
SECRETARY

Richard A. Jeffers  
DIRECTOR

Paani Indian Cuisine  
20 ADAMS RD  
SUDBURY, MA 01776-3315

EAN: 22149011  
October 07, 2019

Certificate Id:31318

The Department of Unemployment Assistance certifies that as of 10/7/2019 ,Paani Indian Cuisine is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L.c.149,§189.

This certificate expires in 30 days from the date of issuance.

Richard A. Jeffers, Director

Department of Unemployment Assistance

Attachment5.a: Paani Pledge of License Application\_BOS (3527 : Paani Pledge of Alcohol License)

**PLEDGE, ASSIGNMENT OF AND SECURITY AGREEMENT  
WITH RESPECT TO LIQUOR LICENSE**

This Pledge, Assignment of and Security Agreement with Respect to Liquor License (this "Assignment") is made as of July 23, 2019 by Paani Indian Cuisine LLC, having a principal place of business at 20 Adams Road, Sudbury, Massachusetts 01776 ("**Assignor**") in favor of Northern Bank & Trust Company, having a principal place of business at 275 Mishawum Road, Woburn, MA 01801 ("**Assignee**"). This Assignment is made in connection with a certain loan in the amount of \$280,000.00 (the "**Loan**") evidenced by a Promissory Note of even date herewith given by Assignor in favor of the Assignee.

FOR VALUABLE CONSIDERATION, the receipt and sufficiency whereof is hereby acknowledged, Assignor hereby pledges, assigns, transfers, sets over and, if applicable, delivers to Assignee, and hereby grants to Assignee a continuing security interest in, the "Liquor License" (as defined herein) to secure the "Obligations" (as defined herein). Capitalized terms used herein which are not otherwise specifically defined shall have the same meaning herein as in the Loan Agreement, dated of even date herewith from the Assignor to the Assignee.

1. **LIQUOR LICENSE**. The term "**Liquor License**" shall refer to the Common Victualler License for All Kinds of Alcoholic Beverages, License Number 00036-RS-1250, issued to Assignor by the Licensing Board of Sudbury, Massachusetts and approved by the Massachusetts Alcoholic Beverages Control Commission) (hereinafter collectively referred to as the "**Licensing Authority**"), together with all substitutions, additions arising out of or in respect thereof, all general intangibles relating thereto, and all products and proceeds, both cash and non-cash, arising out of or in respect of any of the foregoing.
2. **POWER OF LICENSING AUTHORITY**. Assignor hereby grants and Assignee hereby accepts this Assignment subject to the approval of the Licensing Authority, and subject to the right, power and authority that the Licensing Authority holds with respect to the issuance, amendment, modification, transfer, cancellation, and/or termination of the Liquor License, as provided in Massachusetts General Laws Chapter 133 and Chapter 140). In addition, the Assignor and Assignee agree to approve and execute any changes within this Assignment as required by the Licensing Authority.
3. **OBLIGATIONS**. The term "**Obligations**" shall mean all indebtedness, obligations and liabilities of Assignor to Assignee, whether now existing or hereafter arising, direct or indirect, joint or several, absolute or contingent, matured or unmatured, liquidated or unliquidated, secured or unsecured, arising by contract, operation of law or otherwise, arising or incurred under the Business Loan Agreement dated of even date herewith, as originally executed, or if varied, supplemented, amended or restated from time to time, as so varied, supplemented, amended or restated or any other loan document executed and delivered pursuant to the Business Loan Agreement (a "**Loan Document**") or in respect of the loan or the note or other instruments at any time evidencing any thereof.

4. **COVENANTS, WARRANTIES AND REPRESENTATIONS.** Assignor covenants with, and warrants and represents to, Assignee that:

- (a) Assignor is and shall be the owner of the Liquor License free and clear of all pledges, liens, attachments, security interests and other encumbrances of every nature whatsoever except in favor of Assignee;
- (b) To the extent assignable under law or pursuant to the terms thereof, Assignor has the full right, power and authority to assign, and to grant the security interest in, the Liquor License as herein provided, subject to the approval of the Licensing Authority;
- (c) The execution, delivery and performance of this Assignment by Assignor will not result in the violation of any mortgage, indenture, material contract, instrument, agreement, judgment, decree, order, statute, rule or regulation to which Assignor is subject or by which it or any of its property is bound;
- (d) Assignor shall not make any other assignment of, or permit any lien or encumbrance to exist with respect to, the Liquor License without the written consent of Assignee;
- (e) The Liquor License is in full force and effect, is valid and enforceable in accordance with its terms, has not been modified, and no notices of violations have been received with respect thereto by the Assignor and to the best knowledge and belief of Assignor, has been received by any other party thereto which violation has a material effect on Assignor's operations;
- (f) The Liquor License shall not be amended, modified or changed in any material respect, or canceled or terminated by Assignor, without Assignee's prior written consent in each instance, and subject to the approval of the Licensing Authority;
- (g) Assignor is in compliance with, and shall comply with, all laws and regulations applying to the sale of alcoholic beverages and shall take all action necessary or desirable to reserve and maintain its rights under the Liquor License and keep the Liquor License in full force and effect;
- (h) Assignor shall promptly give Assignee written notice of the commencement of any legal or administrative proceedings to suspend or revoke the Liquor License;
- (i) Assignor is not on the "Delinquency List" created by and in accordance with M.G.L. Chapter 138, Section 25, and agrees to take all actions necessary to avoid Assignor being placed on such Delinquency List);
- (j) Paani Indian Cuisine LLC (i) is, and at all times shall be duly organized, validly existing, and in good standing under and by virtue of the laws of State of



Massachusetts; (ii) it is duly authorized to transact business in all other states in which it is doing business, having obtained all necessary filings, governmental licenses and approvals for each state in which it is doing business; (iii) It is, and at all times shall be, duly qualified as a foreign entity in all states in which the failure to so qualify would have a material adverse effect on its business or financial condition; (iv) it has the full power and authority to own its property and transact the business in which it is presently engaged or presently proposes to engage; (v) It maintains a principal office at the address specified at the beginning of this Agreement, and unless it has designated otherwise in writing, this principal office is the office at which it keeps its books and records including its records concerning the Collateral; (vi) has duly taken all required organizational actions and proceedings so as to authorize its execution and delivery of the Loan Documents; and (vii) it has filed or recorded all documents or filings required by law.

- (k) Assignor shall pay and perform all of its material obligations under or with respect to the Liquor License and not permit any violation by it to exist with respect thereto, which violation has a material adverse effect on Assignor's operations.

5. **RIGHTS OF ASSIGNOR PRIOR TO DEFAULT.** So long as there is no Event of Default, Licensee shall have the right and may exercise all rights as the owner or holder of the Liquor License which are lawful and are not inconsistent with the provisions of the Loan Documents.
6. **APPROVAL OF LICENSING AUTHORITY.** The Assignor covenants and agrees that it will promptly request approval of this Assignment from the Licensing Authority (pursuant to Massachusetts General Laws Chapter 138 section 23) and obtain such approval within one hundred twenty (120) days of the date hereof, and Assignee covenants to execute and deliver to Assignor instruments effective to allow the Assignor to request said approval of the Licensing Authority, including any and all documents reasonably required to effectuate said approval of the Licensing Authority.
7. **RIGHTS OF ASSIGNEE AFTER DEFAULT.** Upon any Event of Default, the Assignee may enforce its rights under this Assignment to recognize and accept Assignee as the holder of the Liquor License, subject to the approval of the Licensing Authority. It is understood that the obligations undertaken herein by the Assignor may be specifically enforced in equity; provided, however, the foregoing statement of intent is not in derogation of the rights of Assignee, its successors and assigns, herein elsewhere given, to act in accordance with the terms of this Assignment, without recourse to any court.
8. **UCC RIGHTS AND REMEDIES.** Further, and without limitation of the foregoing remedies, upon any Event of Default, Assignee shall have the rights and remedies of a secured party under the Uniform Commercial Code, as enacted in Massachusetts, with respect to the Liquor License, in addition to the rights and remedies otherwise provided for by law or in equity or in any other Loan Document, subject to the approval of the

Licensing Authority. After deducting all expenses incurred in connection with the enforcement of its rights hereunder, Assignee shall cause the proceeds of the Liquor License to be applied to the Obligations in such order as Assignee may determine and Assignor shall remain liable for any deficiency.

9. **INDEMNIFICATION.** Assignor hereby agrees to indemnify and hold Assignee harmless against and from all liability, loss, damage and expense, including reasonable attorney's fees, which it may or shall incur by reason of this Assignment, or by reason of any action taken in good faith by Assignee hereunder, and against and from any and all claims and demands whatsoever which may be asserted against Assignee by reason of any alleged obligation or undertaking on its part to perform or discharge any of the terms, covenants and conditions contained in this Assignment provided, however, the foregoing indemnification shall not apply to any liability, loss, damage or expense incurred by Assignee as a result of its own willful or negligent acts or omissions. Should Assignee incur any such liability, loss, damage or expense, the amount thereof, together with interest thereon at the default rate of interest under the Note, shall be payable by Assignor to Assignee immediately upon demand, or at the option of Assignee, Assignee may reimburse itself therefor out of any receipts, rents, income or profits of the security collected by Assignee before the application of such receipts, rents, income or profits to any other Obligations.
10. **ASSIGNEE NOT OBLIGATED.** Nothing contained herein shall operate to impose any obligation upon Assignee with respect to the Liquor License prior to written notice by Assignee to Assignor of Assignee's election to enforce Assignee's rights under this Assignment. Prior to said election this Assignment shall not operate to place upon Assignee any responsibility for the operation, control, care, management or repair of the security or for the payment of any obligation under the Liquor License or under any agreement in respect to the Liquor License, and the execution of this Assignment by Assignor shall constitute conclusive evidence that all responsibility for the operation, control, care, management and repair of the security as well as the payment of any obligation under the Liquor License is and shall be that of Assignor, prior to such election.
11. **FURTHER ASSURANCES: UCC FILINGS.** Assignor agrees to execute and deliver to Assignee, at any time or times during which this Assignment shall be in effect, such further instruments as Assignee may deem necessary to make effective this Assignment, the security interest created hereby and the covenants of Assignor herein contained. To evidence such security interest, Assignor hereby grants consent for the Assignee to file one or more financing statements, and any continuation thereof, pursuant to the provisions of the Uniform Commercial Code as enacted in Massachusetts, and Assignor pay the cost for filing thereof.
12. **NO WAIVER: CUMULATIVE RIGHTS.** Failure of Assignee to avail itself of any of the terms, covenants, and conditions of this Assignment for any period of time or at any time or times, shall not be construed or deemed to be a waiver of any of its rights hereunder. The rights and remedies of Assignee under this instrument are cumulative and are not in



lieu of, but are in addition to any other rights and remedies which Assignee shall have under or by virtue of the Obligations and the Loan Documents. The rights and remedies of Assignee hereunder may be exercised from time to time and as often as such exercise is deemed expedient by Assignee.

13. LENDER'S RIGHT TO ASSIGN. Assignor agrees that upon any sale or transfer by Assignee of the Loan Documents and the indebtedness evidenced thereby, or upon any person acquiring the security or any interest therein, Assignee may assign to such purchaser or transferee the rights of Assignee hereunder, subject to the approval of the Licensing Authority, which purchaser or transferee shall thereupon become vested with all powers and rights given to Assignee in respect thereto (and subject to Assignee's obligations hereunder), and Assignee shall be forever relieved and fully discharged from any liability or responsibility thereafter accruing in connection therewith. In no event shall Assignee be liable with respect to, or on account of, the Liquor Licenses, except for the safekeeping of any instruments delivered to Assignee pursuant hereto, and Assignee shall specifically have no obligations to enforce any rights against the applicable contractor.
14. TERMINATION AND REASSIGNMENT. Upon full payment and performance of the obligations and liabilities set forth or contained in the Obligations and the Loan Documents, this Assignment shall become and be void and of no effect and, in that event, upon the request of Assignor, Assignee covenants to execute and deliver to Assignor instruments effective to evidence the termination of this Assignment, including any and all documents reasonably required to effectuate the release of the Assignment and the approval of the Licensing Authority, provided, however, that any affidavit, certificate or other written statement of any officer of Assignee, stating that any part of said indebtedness remains unpaid, shall be and constitute conclusive evidence of the then validity, effectiveness and continuing force of this Assignment and any person, firm, or corporation receiving any such affidavit, certificate or statement may, and is hereby authorized, to rely thereon.
15. COPIES OF DEFAULT NOTICES AND LIQUOR LICENSE. Assignor agrees to provide Assignee with copies of any and all notices received by Assignor which allege that Assignor is in default of any material obligation of Assignor under the Liquor License. Further, if requested, Assignor shall deliver to Assignee certified copies of the Liquor License.
16. NO CANCELLATION. Assignor covenants and agrees that without the prior written consent of Assignee, Assignor will not permit or agree to any cancellation, abridgment, or material modification of any of the terms, covenants and conditions of the Liquor License. This section shall not apply to any actions taken by the Licensing Authority regarding the Liquor License.
17. NOTICES. Any notices given pursuant to this Assignment shall be given in the manner provided for in the Loan and Security Agreement.

18. SUCCESSORS AND ASSIGNS. All of the agreements, obligations, undertakings, representations and warranties herein made by Assignor and Assignee shall inure to the benefit of Assignor and Assignee and their respective successors and assigns and shall bind Assignor and Assignee and their successors and assigns.
19. CAPTIONS AND HEADINGS. Captions and headings in this Assignment are intended solely for the convenience of the parties and shall not be considered in the determination of the meaning of any provision hereof.
20. COUNTERPARTS. This Assignment may be executed in several counterparts and all such executed counterparts shall constitute one agreement binding on all parties hereto, notwithstanding that all parties have not signed the original or the same counterpart.
21. GOVERNING LAW. This Assignment shall be governed, construed and interpreted in accordance with the laws of the state of Massachusetts.

Executed as a sealed instrument as of the day and year first-above written.

ASSIGNOR:

**Paani Indian Cuisine LLC**

By: 

Vimlesh Verma, Manager

Signed, acknowledged and delivered in the presence of:

Witness 

Print Name:

ASSIGNEE:

**NORTHERN BANK & TRUST COMPANY**

By: 

Justin Thomas

Assistant Vice President

Signed, acknowledged and delivered in the presence of:

Witness 

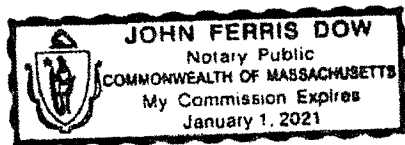
Print Name: Kayla Chen

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF MIDDLESEX

On this 23<sup>rd</sup> day of July 2019, before me, the undersigned notary public, personally appeared Vimlesh Verma, Manager of Paani Indian Cuisine LLC, proved to me through satisfactory evidence of identification, which was MA DRIVER LICENSE, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that [he/she/they] signed it voluntarily for its stated purpose as Manager of Paani-Indian Cuisine LLC a Massachusetts limited liability company.

Notary Public

My commission expires 1/1/2021



**CORPORATE VOTE**

The Board of Directors or LLC Managers of

Paani Indian Cuisine, LLC

Entity Name

duly voted to apply to the Licensing Authority of

Sudbury

and the

City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

July 23, 2019

Date of Meeting

For the following transactions (Check all that apply):

☒ Pledge of License☐ Pledge of Inventory☐ Pledge of Stock☐ Other

"VOTED: To authorize

Vimlesh Verma

Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

For Corporations ONLY

A true copy attest,

A true copy attest,

  
 Corporate Officer /LLC Manager Signature

 \_\_\_\_\_  
 Corporation Clerk's Signature

 VIMLESH VERMA  
 (Print Name)

 \_\_\_\_\_  
 (Print Name)

# Paani Indian Cuisine

## Pledge of License Application

### Department Feedback

Department	Staff	Approve/Deny	Comments
Building Department	Andrew Lewis	Approved	
Fire Department	Asst. Chief Choate	Approved	In compliance with MA Fire Code, the hood ventilation system was cleaned and a table and chair, which were blocking an exit, were moved, as requested.
Health Department	Bill Murphy	Approved	
Police Department	Chief Nix	Approved	The police department does not have an issue with the application. Thank you.

Town Counsel (Brian Riley) reviewed application on 10/22/19. He found no issues.



SUDBURY BOARD OF SELECTMEN  
Tuesday, November 5, 2019

6

**MISCELLANEOUS (UNTIMED)**

**6: Fall Town Forum**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion regarding Fall Town Forum (Broadacres Charrette) scheduled for 11/21/19 at Town Hall.

Recommendations/Suggested Motion/Vote: Discussion regarding Fall Town Forum (Broadacres Charrette) scheduled for 11/21/19 at Town Hall.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM



SUDBURY BOARD OF SELECTMEN  
Tuesday, November 5, 2019

7

**MISCELLANEOUS (UNTIMED)**

**7: Fairbank Community Center**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and update on Fairbank Community Center

Recommendations/Suggested Motion/Vote: Discussion and update on Fairbank Community Center

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM



SUDBURY BOARD OF SELECTMEN  
Tuesday, November 5, 2019

8

**MISCELLANEOUS (UNTIMED)**

**8: Fall 2019 Selectmen Newsletter Approval**

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Review updated Fall 2019 Board of Selectmen Newsletter and approve for distribution.

Recommendations/Suggested Motion/Vote:

Background Information:

Updated newsletter attached.

Financial impact expected:N/A

Approximate agenda time requested:

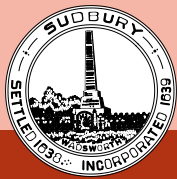
Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM





## BOARD OF SELECTMEN NEWSLETTER

TOWN OF SUDBURY

### COMPLETE STREETS FUNDING PROGRAM: SEEKING ADDITIONAL FUNDING FOR INFRASTRUCTURE PROJECTS

By Selectman Janie Dretler

The Town of Sudbury is exploring opportunities for additional infrastructure funding through the Complete Streets Funding Program. The Complete Streets Funding Program, launched by the Baker-Polito Administration on February 1, 2016, has awarded more than \$38M in construction funding. Complete Streets projects that can be addressed through the program include filling bicycle and pedestrian network gaps, improving transit access, installing street lighting, improving safety of crosswalks and intersections, and building new shared use paths. A "Complete Street" is one that provides safe and accessible options for all travel modes and for all people.

**Program Reward** ([for municipalities that meet the eligibility requirements](#)):

1. Technical Assistance – up to \$50,000 for analysis in support of a Complete Streets Prioritization Plan (funding is not available for



Sudbury recently qualified to receive state funding for projects that make our roadways safer and more accessible.

assistance in developing a Complete Streets Policy)  
2. Construction Funding – up to \$400,000 (Project design is not an eligible expense. Chapter 90 monies can be used to support design.)

The Sudbury Board of Selectmen, at its [March 12, 2019](#) meeting, voted to authorize the Town Manager's endorsement of a Letter of Intent to the Massachusetts Department of Transportation (MassDOT) to become a Complete Streets

municipality within one year. Former Town Manager Rodrigues stated Complete

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November 5, 2019

Streets projects ensure accommodations for pedestrian, cyclist, and vehicle safety. The Letter of Intent was submitted to MassDOT on April 8, 2019. As a result, Sudbury received a technical assistance award for \$35,935.69 in late May 2019.

Adam Duchesneau, Director of Planning & Community Development, presented the Tier 1 Complete Streets Policy to the Board of Selectmen at its [September 24, 2019](#) meeting. The Complete Streets Policy was drafted by the Complete Streets Advisory Group which includes staff from the Department of Public Works, the Planning & Community Development Department, Police Chief, Fire Chief, and a member of the Board of Selectmen. The Board of Selectmen voted to approve

and adopt the Tier 1 Complete Streets Policy, and to authorize submission of the policy to MassDOT for approval pursuant to the Complete Streets Program.

The Complete Streets Advisory Group's next steps include working with BETA Group, the consultant, to create a Tier 2 Prioritization Plan for potential projects in Sudbury. The Town recently utilized FlashVote to survey residents to help the Advisory Group and consultant develop the Complete Streets Prioritization Plan with projects that may be eligible for program funding. Results of the FlashVote survey can be found at <https://bit.ly/2BD9gUc>. The Prioritization Plan will then be submitted for approval to MassDOT. The Prioritization Plan may include several small

projects and/or larger projects.

Once the Tier 1 Policy and Tier 2 Prioritization Plan are completed and approved by MassDOT, Sudbury will apply for Tier 3 – Project Construction Funding for several of the project listed in the Plan. Please stay tuned for more information.

To learn more about the Complete Streets Funding Program and to view what other communities have received in funding, go to the [Massachusetts Complete Streets Funding Portal](https://masscompletestreets.com/Home/participationreport) at <https://masscompletestreets.com/Home/participationreport>.

Thank you to Adam Duchesneau, Director of Planning & Community Development, for his contributions to this article.

## Complete Streets Stats

### Program Participation to date

- 234 municipalities have registered for the program
- 204 municipalities have approved Complete Streets Policies
- 170 have approved Prioritization Plans

### Grants Awarded as of August 23, 2019

- 124 Tier 3 Construction awards (\$38M) have been issued to municipalities and over 80% of applicants have been funded.
- 167 Tier 2 Technical Assistance Grants (\$6M) have been issued allowing communities to prioritize Complete Streets investments.



## TOWN MANAGER SEARCH

By Chairman Dan Carty

In July, we on the Board of Selectmen were notified that Town Manager Melissa Murphy-Rodrigues was resigning her post to take a similar job in North Andover. Melissa was well liked and respected by both our Board and the public in general, but seeing how hiring a Town Manager is one of the more important tasks the Selectmen have, and how competitive the market is for a quality Town Manager, we quickly took action to find her replacement. Shortly after receiving her notice our Board discussed our strategy to move forward, including asking Assistant Town Manager Maryanne Bilodeau to fill the role on an interim basis as well as putting out an RFP to hire a search firm to find us our next Town Manager. We also agreed that while we certainly were not going to cut corners, we were going to move swiftly to fill the seat. Working together with Maryanne and Melissa, we began putting the pieces in place, and at our July 24th meeting, we announced that we had put out an RFP to find the right search firm.

As we entered August, we made Maryanne's Interim Town Manager title official at our August 6th meeting and by our next meeting, August 20th, which also happened

to be our last one with Melissa, we discussed the interview questions we would ask our prospective search firms. Continuing our swift pace, we interviewed search firms at our next meeting, September 10, and a week later coming with glowing recommendations, and having recently filled Town Manager/Administrator roles in Weston, Wayland, Boxborough, and Natick among others, we decided to move forward with Community Paradigm Associates. Community Paradigm presented to us at our October 1st meeting their plan to move forward and an accompanying timeline. Core to their success is the concept of active engagement of community stakeholders and together we determined that a three-pronged approach would work best for us.

First, we scheduled community discussion sessions to provide residents the opportunity to share their thoughts on the qualifications and characteristics they believe Sudbury's next Town Manager should possess. These sessions were held on Thursday, October 17th from 2:00PM – 3:00PM and again 6:30PM to 7:30PM that same evening at Sudbury Town Hall, Lower level. In addition, Community Paradigm representatives were available at Town Hall between 3:00PM and



Assistant Town Manager  
Maryanne Bilodeau is Sudbury's  
Interim Town Manager.

5:00PM that same day for residents interested in stopping by to share their thoughts outside of the community discussions. Residents are also encouraged to send comments via email to: [citizeninput@communityparadigm.com](mailto:citizeninput@communityparadigm.com) with "Sudbury TM" in the Subject line. Second, over the next few weeks, Community Paradigm will meet with Town Department Heads and Selectmen to understand issues facing the Town and specific attributes that should be sought in our next Town Manager. And third, we are in the process of forming a Screening Committee consisting of one member each from the Planning Board, Finance Committee, Sudbury Public School Committee, L-S School Committee, Chamber of Commerce, Council on Aging,

Historical Commission, and Sudbury Housing Trust. Community Paradigm will recruit candidates and present approximately 8 to 10 to the Screening Committee. The mission of the Screening Committee is to review and interview candidates then narrow the field to be presented to the

Board of Selectmen down to three or four.

The task at hand again is one of the most important things we as Selectmen do, but we are moving quickly. We hope to have this field identified and narrowed by December of this year and a

finalist identified by year end. For questions or more information on the Town Manager search process, please contact the Sudbury Selectmen's Office at 978-639-3381 or email us at [selectmensoffice@sudbury.ma.us](mailto:selectmensoffice@sudbury.ma.us).

## EEE AND SUDBURY

By Selectman Jennifer Roberts

During the past couple months, Sudbury found itself facing the difficult challenges presented by the Eastern Equine Encephalitis (EEE) virus. Our community was added to the list of many others in Massachusetts with a high or critical risk for the infection. A young child in Sudbury contracted the virus leading to an outpouring of concern and support from within Sudbury and beyond. Sudbury officials quickly took action to prevent further transmission of the virus while seeking to understand what the future might hold.

EEE is a rare but dangerous mosquito-borne infection without a broad-scale treatment or vaccine. It typically occurs in cycles with two to three-year outbreaks occurring every decade or so. Often found in Southeastern



The Health Department has set up EEE prevention stations with informational brochures and repellent towelettes around town.

Massachusetts, the virus has become more wide-spread this year. As of October 2nd, 35 Massachusetts communities were at critical risk (including Sudbury), 53 at high risk, and 121 at moderate risk. There have been 12 cases in humans

and nine confirmed cases in animals in the state<sup>1</sup>.

To combat EEE, state agencies undertook multiple rounds of aerial spraying in high-risk communities. Sudbury itself was sprayed over the course of several weeks in September.

<sup>1</sup> Massachusetts Department of Public Health, Press Release "State officials

announced 8th EEE horse case in Massachusetts," October 2, 2019.



State agencies also worked with municipal public health departments to share the message that prevention is critical. Citizens throughout the Commonwealth have been encouraged to apply insect repellent, wear long-sleeves and pants, and to avoid activities during peak mosquito hours from dusk to dawn.

Sudbury officials aggressively took their own actions to protect citizens against EEE. An ongoing effort that has proven beneficial is the town's participation in the East Middlesex Mosquito Control Project (EMMCP) that monitors and treats mosquito activity within Sudbury. This partnership led to truck-spraying that occurred throughout town and around the periphery of schools. Sports and other activities were terminated before dusk, and school recesses were temporarily moved indoors.

On September 17, Sudbury Board of Health Director Bill

Murphy and Selectwomen Roberts and Dretler (Board of Health liaisons) proactively attended an update at the MetroWest Medical Center in Framingham with key state officials on the EEE-threat. We had the opportunity to learn more about EEE and the state's efforts to curb it; additionally, we expressed our questions and concerns for the present and future.

The Board of Selectmen, with the support of the Board of Health Chair, have sent a communication to a variety of state officials, including Governor Baker, our legislators, and the Commissioner of Public Health. In this letter, we emphasize the need to research the future trajectory of EEE and the impact it will have on communities such as ours. We ask how the state will support municipalities both logistically and financially in their own efforts. Lastly, we request that resources be directed towards seeking a treatment or even a vaccine for

the dangerous virus. The letter can be read at <https://wp.me/a5uhbS-1cs>.

With cooler temperatures, mosquito populations will decline; however, it is advised that citizens remain vigilant with recommended protective measures throughout the Fall months. As EEE tends to occur in cycles, 2020 may bring similar challenges.

The Board of Selectmen are grateful to Town employees for their efforts during this period. In particular, we would like to highlight the dedicated work of Health Director Bill Murphy and his team. We will continue to support town departments who help protect Sudbury citizens now and moving forward.

For further questions on EEE in our community, you can reach out to the Sudbury Health Department at [health@sudbury.ma.us](mailto:health@sudbury.ma.us).

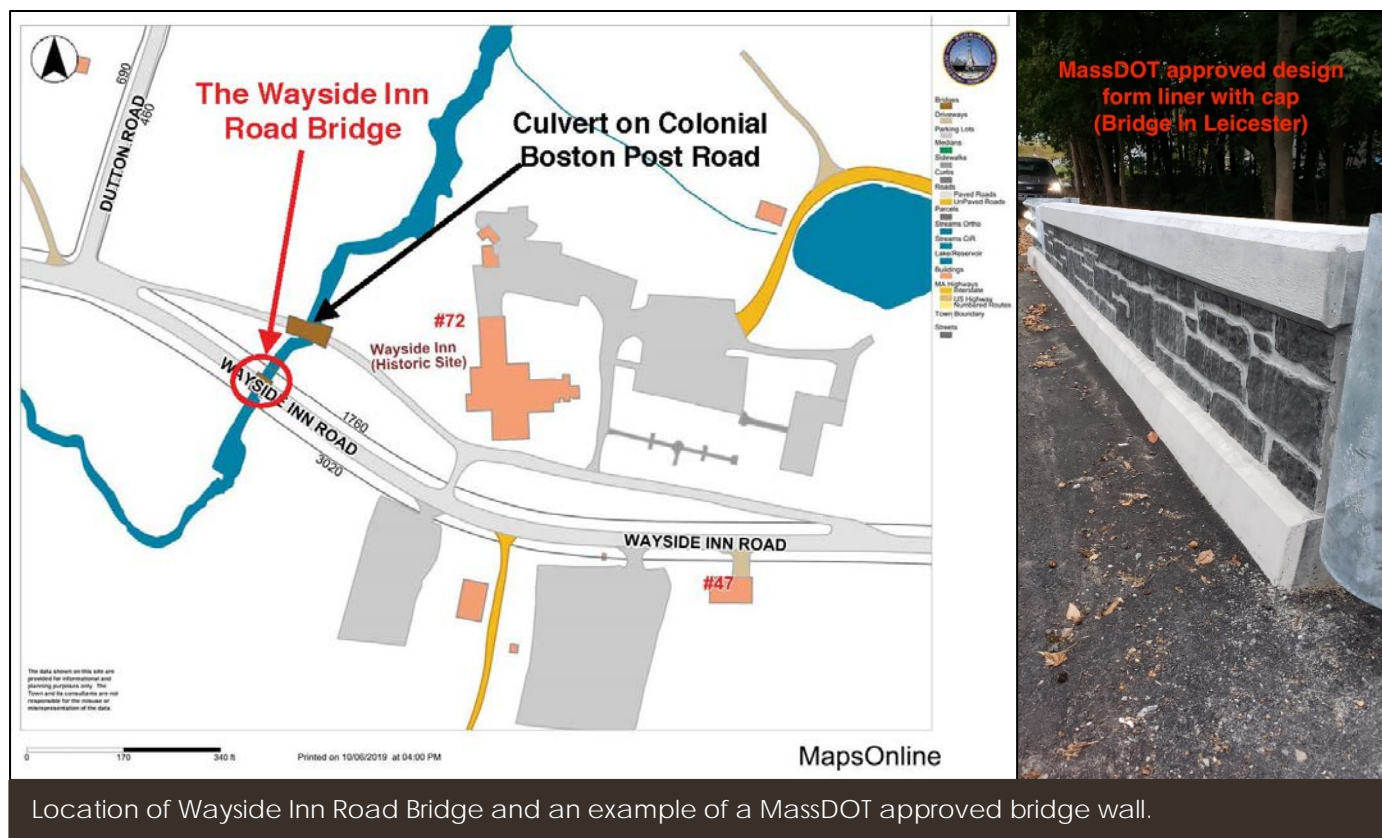
## UPDATE ON THE WAYSIDE INN ROAD BRIDGE

By Vice-Chairman Pat Brown

The Wayside Inn Road Bridge, originally built in the 1890's, was last reconstructed in 2003. (The accompanying map shows which bridge we're talking

about.) Traffic crosses Hop Brook on Wayside Inn Road using the Wayside Inn Road Bridge. The culvert further north carrying the gravel cart path is

part of the actual historic Boston Post Road. The Wayside Inn Road Bridge is not a colonial structure but resides within the Wayside Inn Historic District.



Last July 4, a car hit the parapet wall on the north side of Wayside Inn Road Bridge, destroying the wall. Sudbury Department of Public Works (DPW) placed temporary jersey barriers along the edge of the bridge as a safety measure. The design of any bridge ten feet or longer and the associated guard rails must be approved by MassDOT (MGL Chapter 85 Section 35). This applies to either immediate “emergency” replacement of the bridge, or the construction of a temporary bridge to keep the road open during the multi-year design/approval/construction process for replacing the bridge using standard procurement.

Closing the bridge would require public safety (police cruisers customarily on Route 20 or fire equipment at the route 20 Fire Station) to travel either to Marlborough or up Peakham and down Dutton to reach neighborhoods north of Wayside Inn Road in the southwest corner of Sudbury, adding to emergency response time. This is a public safety concern.

Last summer DPW proposed moving forward quickly with a MassDOT off-the-shelf pre-approved design, like that in the above photo, in the expectation of reallocating available funds to proceed with

emergency reconstruction to be completed before the end of construction season this fall. The exceedingly rough estimate for this was several hundreds of thousands of dollars. A custom design to address esthetic concerns about the bridge requires (1) a temporary (at least two years) solution more robust than jersey barriers to meet MassDOT requirements and (2) a final solution, for which Town Meeting 2020 would be presented with a request for design funding; Town Meeting 2021 would be presented with a request for construction funding. We estimate that construction

would actually commence in the fall of 2021 or spring of 2022.

The Wayside Inn Road Bridge is a structure within the Wayside Inn Historic District, which is under the jurisdiction of the Sudbury Historic Districts Commission (SHDC). The SHDC was established by special act of the legislature—Chapter 40 of the Acts of 1963. The SHDC opened a hearing on August 1 to consider whether to issue a “certificate of appropriateness”

permitting one of the pre-approved MassDOT designs to replace the damaged bridge superstructure. This hearing was continued to August 8 and again to August 29. On August 29, the commission did not grant the certificate of appropriateness on a vote of 0 in favor to 5 opposed. This requires the multi-year planning and construction process.

The temporary solution will require single lane traffic, with

traffic signals, only while the construction of this temporary repair is being performed. Once the construction of the temporary repair is complete, two-way traffic will be reinstated. Then DPW must prepare one or more articles for Town Meeting requesting design funds this spring. The town will have the opportunity to discuss what historical, esthetic, financial and functional aspects we want in the new bridge.

## FALL AT SEWATARO

By Selectman Bill Schineller

This October, the Town takes ownership of the 44 acre Sewataro property and donated camp assets. Residents of all ages can soon enjoy the property for outdoor leisure activities including tennis, basketball, picnicking, games, walking, jogging, biking, catch-and-release fishing, and cross-country skiing. This exciting new phase for the 60 year old camp follows the retirement of its former owners, the Taylors, affirmative Town Meeting and ballot votes last Spring to acquire the land, a competitive RFP process for a camp operator and property manager, and award of a three year management contract to Scott Brody. Under the agreement, Brody's new Camp Sewataro, LLC will insure and

maintain the property year-round at no cost to the Town, and operate the revenue-generating day camp in the summer. The Town will receive a base \$120K annual payment, plus a net revenue share, totaling an estimated \$345K per year. (The estimate assumes historical Sewataro financials; to date, the new operator has retained Sewataro's staff and reports strong 2020 camper enrollments. Capital improvements if deemed necessary by the Town could impact net revenue.) Pending Town approval, Sewataro will offer 50 discounted camper slots per two-week session to financially eligible Sudbury residents.



Kristen Drummey is Sewataro's Community Liaison.

Mr. Brody took the opportunity to address the BOS on September 10 on the topic of public access, stating “I do not want anyone whose property taxes are going up because of this to feel like they are not getting incredible value.” An essential part of the



arrangement, he said, is the appointment of one of Sewataro's staff members to be community-facing, working with the public school system, Parks & Recreation Department, the Council on Aging, and any other community group, to be good program partners and figure out how Sewataro can serve them.

### Open House

On Saturday, November 16 from 1PM-3PM, Sewataro will be hosting an Open House. Residents are invited to stop by to take a tour, play some basketball or tennis, or drop a line in the fishing pond! Remember to bring your own balls, rackets and poles, and please note that pets are not permitted on the property.

### Community Liaison

Introducing Sewataro's first Community Liaison: Sudbury resident Kristen Drummey. Kristen received her PhD in Sociology from Boston College in 2007 (her dissertation: the Impact of Intergenerational Community Engagement on Educational Outcomes), has been a Sewataro counselor for several years, and has worked for Parks and Recreation. Kristen is actively arranging event and program-based community access. "I'm reaching out now



One of the ponds on the Sewataro property.

to groups like the Council on Aging "not to tell them what we will do for them, but to work with them to develop programs they want at Sewataro", she told me.

Sewataro is available for supervised programming starting this Fall. Soon, after the new operator adds signage, and makes the property safe and secure for public access, residents will be able to explore and enjoy for themselves. The handicapped accessible "Longhouse" Pavilion (capacity 600) will be available for larger gatherings.

During the school year, the Sewataro property will be open from dawn until dusk. From June 1 to August 31 (camp season), hours are 6pm-dusk on

weekdays, and 9am to dusk weekends and holidays, with public access to the front part of the parcel, including the large fields, the "Grassy Bowl" picnic areas, and the fishing and boating pond.

Kristen is excited to facilitate community programming. Already planned are a free "Ageless Grace Brain Health Fitness" series this spring, a Spring Kickoff Event, and a July 3rd celebration with music and entertainment for all ages, plus food trucks. For your programming needs, seniors, schools, Adult Ed, Parks & Rec, clubs, teams, playgroups, and other community organizations are encouraged to email [kristen@sewataro.com](mailto:kristen@sewataro.com).



**SUDBURY BOARD OF SELECTMEN**

Tuesday, November 5, 2019

**MISCELLANEOUS (UNTIMED)****9: Letter to Legislators regarding housing choice initiative****REQUESTOR SECTION**

Date of request:

Requestor: Chairman Dan Carty

Formal Title: Discussion of and possible vote to send a letter to Sudbury State Legislators requesting modifications to Massachusetts House Bill 3507 - Governor Baker's "Housing Choice Initiative."

Recommendations/Suggested Motion/Vote: Discussion of and possible vote to send a letter to Sudbury State Legislators requesting modifications to Massachusetts House Bill 3507 - Governor Baker's "Housing Choice Initiative."

Background Information:  
attached documents

Financial impact expected:N/A

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM



**TOWN OF NEEDHAM**  
TOWN HALL  
Needham, MA 02492-2669

Office of the  
**SELECT BOARD**

TEL: (781) 455-7500  
FAX: (781) 449-4569

October 22, 2019

Board of Selectmen  
Town of Sudbury  
278 Old Sudbury Road  
Sudbury, MA 01776-1843

Dear Board Members:

The Select Board of Needham has been closely following the progress of House Bill 3507 – Governor Baker’s “Housing Choices Initiative.” While increased availability and affordability of housing in Massachusetts are important goals, the bill as drafted eliminates the longstanding requirement of a two-thirds local legislative majority to amend city or town zoning. We believe that this requirement is important to sound and community-supported municipal land use planning.

Many communities, including Needham and Sudbury, have successfully worked within the existing structure to achieve the ten percent housing goal established under MGL Chapter 40B. We have proposed that the current provisions of the bill that would change the quantum of vote required to approve housing-related zoning amendments and special permits be amended to apply only in municipalities that have not achieved a Subsidized Housing Inventory (SHI) percentage of ten percent or more.

This approach would allow our towns to maintain what we believe are the proven benefits of the two-thirds majority rule. At the same time, it would incentivize municipalities that have not achieved ten percent SHI to move forward.

The Needham Select Board and Planning Board sent the attached letter to our legislative delegation. We encourage you to consider joining Needham and sending a similar letter to your representatives.

If you have any questions or need additional information please contact Kate Fitzpatrick, Town Manager.

Very truly yours,

John A. Bulian, Chair  
Select Board of Needham

cc: Select Board  
Kate Fitzpatrick, Town Manager  
Lee Newman, Director of Planning and Community Development

RECEIVED  
BOARD OF SELECTMEN  
SUDBURY, MA  
2019 OCT 24 P 2:58



Office of the  
SELECT BOARD

**TOWN OF NEEDHAM**  
TOWN HALL  
Needham, MA 02492-2669

TEL: (781) 455-7500  
FAX: (781) 449-4569

October 3, 2019

Representative Denise Garlick  
State House Room 238  
Boston, MA 02133

Senator Michael Rush  
State House Room 109C  
Boston, MA 02133

Senator Becca Rausch  
State House Room 218  
Boston, MA 02133

RE: House Bill 3507

Dear Representative Garlick, Senator Rush and Senator Rausch:

The Select Board and Planning Board are writing to provide further comment on House Bill 3507 – Governor Baker’s “Housing Choice Initiative.”

Increased availability and affordability of housing in Massachusetts are important goals. However, we believe that the longstanding requirement of a two-thirds local legislative majority to amend city or town zoning is important to sound and community-supported municipal land use planning. That requirement should only be restricted as minimally necessary to advance the housing policy goals of H3507.

To that end, our boards recommend that the current provisions of the bill, which would change the quantum of vote required to approve housing-related zoning amendments and special permits to a simple majority, be amended to provide that such lesser majority provisions only apply in municipalities which have not achieved a countable Subsidized Housing Inventory (SHI) percentage of ten percent or more.

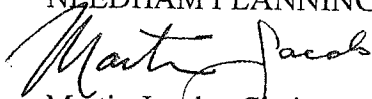
Many communities, including Needham and others, have successfully and in good faith worked within the existing structure to achieve the ten percent state policy goal established under MGL Chapter 40B, and continue to encourage the development of appropriate affordable housing units. This approach would allow them to maintain the benefit of what we believe are the proven benefits of the two-thirds majority rule. At the same time, it would incentivize municipalities which have not achieved ten percent SHI

to move forward on these issues and help remove excessive barriers to moderate income and affordable housing in communities across Massachusetts.

Thank you for your consideration of this matter. If you have any questions or need additional information, please contact Kate Fitzpatrick, Town Manager.


Sincerely,

NEEDHAM PLANNING BOARD



Martin Jacobs, Chair

~~SELECT~~ BOARD OF NEEDHAM



John Bulian, Chair

Department of Housing and Community Development  
Chapter 40B Subsidized Housing Inventory (SHI)  
as of September 14, 2017

Community	2010 Census Year Round Housing Units	Total Development Units	SHI Units	%
Abington	6,364	518	485	7.6%
Acton	8,475	1,144	568	6.7%
Acushnet	4,097	127	97	2.4%
Adams	4,337	321	321	7.4%
Agawam	12,090	556	505	4.2%
Alford	231	0	0	0.0%
Amesbury	7,041	898	738	10.5%
Amherst	9,621	1,130	1,083	11.3%
Andover	12,324	2,000	1,637	13.3%
Aquinnah	158	41	41	25.9%
Arlington	19,881	1,429	1,121	5.6%
Ashburnham	2,272	144	29	1.3%
Ashby	1,150	0	0	0.0%
Ashfield	793	2	2	0.3%
Ashland	6,581	514	410	6.2%
Athol	5,148	310	310	6.0%
Attleboro	17,978	1,155	1,155	6.4%
Auburn	6,808	251	251	3.7%
Avon	1,763	70	70	4.0%
Ayer	3,440	454	299	8.7%
Barnstable	20,550	1,763	1,462	7.1%
Barre	2,164	83	83	3.8%
Becket	838	0	0	0.0%
Bedford	5,322	1,174	972	18.3%
Belchertown	5,771	418	392	6.8%
Bellingham	6,341	733	551	8.7%
Belmont	10,117	675	365	3.6%
Berkley	2,169	103	24	1.1%
Berlin	1,183	254	109	9.2%
Bernardston	930	24	24	2.6%
Beverly	16,522	2,153	1,919	11.6%
Billerica	14,442	1,766	1,118	7.7%
Blackstone	3,606	165	123	3.4%
Blandford	516	1	1	0.2%
Bolton	1,729	192	62	3.6%
Boston	269,482	54,409	51,283	19.0%
Bourne	8,584	1,198	660	7.7%
Boxborough	2,062	325	268	13.0%
Boxford	2,730	72	31	1.1%

Boylston	1,765	26	26	1.5%
Braintree	14,260	1,679	1,382	9.7%
Brewster	4,803	306	255	5.3%
Bridgewater	8,288	645	546	6.6%
Brimfield	1,491	71	71	4.8%
<b>Brockton</b>	<b>35,514</b>	<b>4,619</b>	<b>4,619</b>	<b>13.0%</b>
Brookfield	1,452	19	19	1.3%
Brookline	26,201	3,151	2,454	9.4%
Buckland	866	3	3	0.3%
<b>Burlington</b>	<b>9,627</b>	<b>1,707</b>	<b>1,283</b>	<b>13.3%</b>
<b>Cambridge</b>	<b>46,690</b>	<b>7,102</b>	<b>6,911</b>	<b>14.8%</b>
<b>Canton</b>	<b>8,710</b>	<b>1,195</b>	<b>1,090</b>	<b>12.5%</b>
Carlisle	1,740	57	51	2.9%
Carver	4,514	146	146	3.2%
Charlemont	615	3	3	0.5%
Charlton	4,774	83	83	1.7%
Chatham	3,460	180	174	5.0%
Chelmsford	13,741	1,591	1,072	7.8%
<b>Chelsea</b>	<b>12,592</b>	<b>2,439</b>	<b>2,434</b>	<b>19.3%</b>
Cheshire	1,481	0	0	0.0%
Chester	585	13	13	2.2%
Chesterfield	524	17	17	3.2%
<b>Chicopee</b>	<b>25,074</b>	<b>2,637</b>	<b>2,601</b>	<b>10.4%</b>
Chilmark	418	3	3	0.7%
Clarksburg	706	9	9	1.3%
Clinton	6,375	549	549	8.6%
<b>Cohasset</b>	<b>2,898</b>	<b>325</b>	<b>311</b>	<b>10.7%</b>
Colrain	731	0	0	0.0%
<b>Concord</b>	<b>6,852</b>	<b>926</b>	<b>804</b>	<b>11.7%</b>
Conway	803	0	0	0.0%
Cumington	426	16	16	3.8%
Dalton	2,860	159	159	5.6%
<b>Danvers</b>	<b>11,071</b>	<b>1,565</b>	<b>1,149</b>	<b>10.4%</b>
Dartmouth	11,775	1,001	971	8.2%
<b>Dedham</b>	<b>10,115</b>	<b>1,149</b>	<b>1,104</b>	<b>10.9%</b>
Deerfield	2,154	33	33	1.5%
Dennis	7,653	338	324	4.2%
Dighton	2,568	420	144	5.6%
Douglas	3,147	140	140	4.4%
Dover	1,950	69	18	0.9%
Dracut	11,318	861	585	5.2%
Dudley	4,360	104	104	2.4%
Dunstable	1,085	0	0	0.0%
Duxbury	5,532	441	410	7.4%
East Bridgewater	4,897	230	176	3.6%
East Brookfield	888	0	0	0.0%
East Longmeadow	6,072	513	445	7.3%

Eastham	2,632	63	54	2.1%
Easthampton	7,567	1,021	522	6.9%
Easton	8,105	979	787	9.7%
Edgartown	1,962	94	89	4.5%
Egremont	596	0	0	0.0%
Erving	778	0	0	0.0%
Essex	1,477	40	40	2.7%
Everett	16,691	1,061	1,061	6.4%
Fairhaven	7,003	486	486	6.9%
Fall River	42,650	4,847	4,751	11.1%
Falmouth	14,870	1,230	959	6.4%
Fitchburg	17,058	1,680	1,486	8.7%
Florida	335	0	0	0.0%
Foxborough	6,853	869	859	12.5%
Framingham	27,443	2,871	2,871	10.5%
Franklin	11,350	1,814	1,352	11.9%
Freetown	3,263	104	86	2.6%
Gardner	9,064	1,356	1,356	15.0%
Georgetown	3,031	352	352	11.6%
Gill	591	24	24	4.1%
Gloucester	13,270	1,009	972	7.3%
Goshen	440	5	5	1.1%
Gosnold	41	0	0	0.0%
Grafton	7,160	732	365	5.1%
Granby	2,451	67	67	2.7%
Granville	630	0	0	0.0%
Great Barrington	3,072	378	306	10.0%
Greenfield	8,325	1,173	1,155	13.9%
Groton	3,930	343	217	5.5%
Groveland	2,423	137	80	3.3%
Hadley	2,200	264	264	12.0%
Halifax	2,971	28	28	0.9%
Hamilton	2,783	124	84	3.0%
Hampden	1,941	60	60	3.1%
Hancock	326	0	0	0.0%
Hanover	4,832	575	575	11.9%
Hanson	3,572	270	157	4.4%
Hardwick	1,185	9	8	0.7%
Harvard	1,982	247	113	5.7%
Harwich	6,121	335	335	5.5%
Hatfield	1,549	52	52	3.4%
Haverhill	25,557	2,770	2,555	10.0%
Hawley	137	0	0	0.0%
Heath	334	0	0	0.0%
Hingham	8,841	2,798	1,005	11.4%
Hinsdale	918	0	0	0.0%
Holbrook	4,262	440	440	10.3%



Holden	6,624	514	407	6.1%
Holland	1,051	13	13	1.2%
Holliston	5,077	447	236	4.6%
Holyoke	16,320	3,278	3,253	19.9%
Hopedale	2,278	119	119	5.2%
Hopkinton	5,087	842	724	14.2%
Hubbardston	1,627	49	49	3.0%
Hudson	7,962	1,051	892	11.2%
Hull	4,964	84	84	1.7%
Huntington	919	44	44	4.8%
Ipswich	5,735	564	511	8.9%
Kingston	4,881	359	204	4.2%
Lakeville	3,852	590	274	7.1%
Lancaster	2,544	223	140	5.5%
Lanesborough	1,365	28	28	2.1%
Lawrence	27,092	4,076	4,057	15.0%
Lee	2,702	173	176	6.5%
Leicester	4,231	176	176	4.2%
Lenox	2,473	178	178	7.2%
Leominster	17,805	1,493	1,456	8.2%
Leverett	792	2	2	0.3%
Lexington	11,946	1,500	1,321	11.1%
Leyden	300	0	0	0.0%
Lincoln	2,153	310	238	11.2%
Littleton	3,443	649	444	12.9%
Longmeadow	5,874	272	272	4.6%
Lowell	41,308	5,253	5,180	12.5%
Ludlow	8,337	293	293	3.5%
Lunenburg	4,037	195	195	4.8%
Lynn	35,701	4,435	4,435	12.4%
Lynnfield	4,319	744	495	11.5%
Malden	25,122	2,607	2,542	10.1%
Manchester	2,275	137	115	5.1%
Mansfield	8,725	1,035	939	10.8%
Marblehead	8,528	399	333	3.9%
Marion	2,014	204	156	7.7%
Marlborough	16,347	1,962	1,866	11.4%
Marshfield	9,852	775	572	5.8%
Mashpee	6,473	363	337	5.2%
Mattapoisett	2,626	70	70	2.7%
Maynard	4,430	398	380	8.6%
Medfield	4,220	358	304	7.2%
Medford	23,968	2,243	1,694	7.1%
Medway	4,603	468	284	6.2%
Melrose	11,714	1,425	932	8.0%
Mendon	2,072	77	40	1.9%
Merrimac	2,527	397	141	5.6%



Methuen	18,268	1,931	1,641	9.0%
Middleborough	8,921	979	589	6.6%
Middlefield	230	2	2	0.9%
Middleton	3,011	173	151	5.0%
Milford	11,379	976	708	6.2%
Millbury	5,592	244	221	4.0%
Millis	3,148	181	118	3.7%
Millville	1,157	26	26	2.2%
Milton	9,641	737	481	5.0%
Monroe	64	0	0	0.0%
Monson	3,406	138	138	4.1%
Montague	3,926	408	376	9.6%
Monterey	465	0	0	0.0%
Montgomery	337	0	0	0.0%
Mount Washington	80	0	0	0.0%
Nahant	1,612	48	48	3.0%
Nantucket	4,896	179	121	2.5%
Natick	14,052	1,798	1,458	10.4%
Needham	11,047	1,503	1,397	12.6%
New Ashford	104	0	0	0.0%
New Bedford	42,816	5,144	5,110	11.9%
New Braintree	386	0	0	0.0%
New Marlborough	692	0	0	0.0%
New Salem	433	0	0	0.0%
Newbury	2,699	94	94	3.5%
Newburyport	8,015	713	599	7.5%
Newton	32,346	2,543	2,425	7.5%
Norfolk	3,112	218	128	4.1%
North Adams	6,681	866	866	13.0%
North Andover	10,902	1,389	931	8.5%
North Attleborough	11,553	306	294	2.5%
North Brookfield	2,014	142	142	7.1%
North Reading	5,597	652	540	9.6%
Northampton	12,604	1,586	1,356	10.8%
Northborough	5,297	719	610	11.5%
Northbridge	6,144	468	453	7.4%
Northfield	1,290	27	27	2.1%
Norton	6,707	897	533	7.9%
Norwell	3,652	452	297	8.1%
Norwood	12,441	1,047	1,035	8.3%
Oak Bluffs	2,138	158	146	6.8%
Oakham	702	0	0	0.0%
Orange	3,461	405	405	11.7%
Orleans	3,290	334	304	9.2%
Otis	763	0	0	0.0%
Oxford	5,520	404	404	7.3%
Palmer	5,495	310	269	4.9%

Paxton	1,590	62	62	3.9%
Peabody	22,135	2,174	2,051	9.3%
Pelham	564	0	0	0.0%
Pembroke	6,477	771	616	9.5%
Pepperell	4,335	197	130	3.0%
Peru	354	0	0	0.0%
Petersham	525	0	0	0.0%
Phillipston	658	8	8	1.2%
Pittsfield	21,031	2,057	1,936	9.2%
Plainfield	283	0	0	0.0%
Plainville	3,459	619	572	16.5%
Plymouth	22,285	976	721	3.2%
Plympton	1,039	63	51	4.9%
Princeton	1,324	26	26	2.0%
Provincetown	2,122	256	208	9.8%
Quincy	42,547	4,096	4,096	9.6%
Randolph	11,980	1,280	1,280	10.7%
Raynham	5,052	604	489	9.7%
Reading	9,584	1,341	831	8.7%
Rehoboth	4,252	99	27	0.6%
Revere	21,956	1,790	1,780	8.1%
Richmond	706	4	4	0.6%
Rochester	1,865	8	8	0.4%
Rockland	7,030	645	450	6.4%
Rockport	3,460	135	135	3.9%
Rowe	177	0	0	0.0%
Rowley	2,226	179	94	4.2%
Royalston	523	3	3	0.6%
Russell	687	8	8	1.2%
Rutland	2,913	86	86	3.0%
Salem	18,998	2,467	2,425	12.8%
Salisbury	3,842	797	592	15.4%
Sandisfield	401	0	0	0.0%
Sandwich	8,183	605	307	3.8%
Saugus	10,754	808	732	6.8%
Savoy	318	0	0	0.0%
Scituate	7,163	360	315	4.4%
Seekonk	5,272	96	87	1.7%
Sharon	6,413	741	683	10.7%
Sheffield	1,507	30	30	2.0%
Shelburne	893	51	51	5.7%
Sherborn	1,479	41	34	2.3%
Shirley	2,417	57	57	2.4%
Shrewsbury	13,919	957	860	6.2%
Shutesbury	758	2	2	0.3%
Somerset	7,335	273	273	3.7%
Somerville	33,632	3,278	3,250	9.7%

South Hadley	7,091	424	424	6.0%
Southampton	2,310	44	44	1.9%
Southborough	3,433	808	472	13.7%
Southbridge	7,517	499	499	6.6%
Southwick	3,852	164	164	4.3%
Spencer	5,137	268	267	5.2%
Springfield	61,556	10,458	10,192	16.6%
Sterling	2,918	269	68	2.3%
Stockbridge	1,051	113	113	10.8%
Stoneham	9,399	501	495	5.3%
Stoughton	10,742	1,495	1,240	11.5%
Stow	2,500	337	185	7.4%
Sturbridge	3,759	357	209	5.6%
Sudbury	5,921	887	669	11.3%
Sunderland	1,718	0	0	0.0%
Sutton	3,324	176	50	1.5%
Swampscott	5,795	218	212	3.7%
Swansea	6,290	247	236	3.8%
Taunton	23,844	1,720	1,529	6.4%
Templeton	3,014	516	238	7.9%
Tewksbury	10,803	1,312	1,044	9.7%
Tisbury	1,965	123	109	5.5%
Tolland	222	0	0	0.0%
Topsfield	2,157	173	155	7.2%
Townsend	3,356	199	160	4.8%
Truro	1,090	28	25	2.3%
Tyngsborough	4,166	853	447	10.7%
Tyringham	149	0	0	0.0%
Upton	2,820	223	178	6.3%
Uxbridge	5,284	434	264	5.0%
Wakefield	10,459	1,276	758	7.2%
Wales	772	43	43	5.6%
Walpole	8,984	497	485	5.4%
Waltham	24,805	2,724	1,834	7.4%
Ware	4,539	387	387	8.5%
Wareham	9,880	894	764	7.7%
Warren	2,202	101	101	4.6%
Warwick	363	0	0	0.0%
Washington	235	0	0	0.0%
Watertown	15,521	1,745	1,072	6.9%
Wayland	4,957	370	254	5.1%
Webster	7,788	722	722	9.3%
Wellesley	9,090	663	573	6.3%
Wellfleet	1,550	36	30	1.9%
Wendell	419	5	5	1.2%
Wenham	1,404	186	118	8.4%
West Boylston	2,729	413	223	8.2%

West Bridgewater	2,658	175	121	4.6%
West Brookfield	1,578	68	68	4.3%
West Newbury	1,558	116	39	2.5%
West Springfield	12,629	429	429	3.4%
West Stockbridge	645	0	0	0.0%
West Tisbury	1,253	38	23	1.8%
Westborough	7,304	1,265	974	13.3%
Westfield	16,001	1,166	1,158	7.2%
Westford	7,671	1,028	635	8.3%
Westhampton	635	17	17	2.7%
Westminster	2,826	274	87	3.1%
Weston	3,952	285	167	4.2%
Westport	6,417	498	232	3.6%
Westwood	5,389	810	576	10.7%
Weymouth	23,337	1,908	1,771	7.6%
Whately	654	2	2	0.3%
Whitman	5,513	200	200	3.6%
Wilbraham	5,442	306	305	5.6%
Williamsburg	1,165	51	51	4.4%
Williamstown	2,805	249	201	7.2%
Wilmington	7,788	1,067	799	10.3%
Winchendon	4,088	331	331	8.1%
Winchester	7,920	292	244	3.1%
Windsor	387	0	0	0.0%
Winthrop	8,253	638	638	7.7%
Woburn	16,237	1,587	1,419	8.7%
Worcester	74,383	10,076	9,977	13.4%
Worthington	553	22	22	4.0%
Wrentham	3,821	485	485	12.7%
Yarmouth	12,037	634	527	4.4%
<b>Totals</b>	<b>2,692,186</b>	<b>297,863</b>	<b>262,223</b>	<b>9.7%</b>

\*This data is derived from Information provided to the Department of Housing and Community Development (DHCD) by individual communities and is subject to change as new information is obtained and use restrictions expire.

**HOUSE . . . . . No. 3507****The Commonwealth of Massachusetts**CHARLES D. BAKER  
GOVERNOR

OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
 STATE HOUSE · BOSTON, MA 02133  
 (617) 725-4000

KARYN POLITO  
LIEUTENANT GOVERNOR*February 27, 2019*

To the Honorable Senate and House of Representatives,

In December 2017, the Baker-Polito Administration launched the Housing Choice Initiative. This program encourages cities and town to plan and build the additional housing that is vital to the success of our Commonwealth. By providing incentives, rewards and technical assistance to municipalities, the Housing Choice Initiative has put us on a path to produce 135,000 new units of housing by 2025. We are proud that nearly seventy communities have been designated Housing Choice communities and are participating in the program. Last fall we announced \$5 million in capital grants for thirty-one communities to assist them address crucial infrastructure needs to support local housing production efforts.

At the same time that we announced the Housing Choice Initiative, I filed legislation to address a significant barrier to housing production that the state has created. State law bars cities and towns in Massachusetts from adopting changes to zoning laws unless the municipality is able to secure a 2/3 “supermajority” vote of its legislative body. Only a handful of other states have similar requirements. None of our neighbors in New England place this sort of restriction on local decision making. This self-inflicted wound has damaged our ability to build the housing our residents need.

Our bill received widespread, bi-partisan support. Therefore, I am re-filing this legislation in the form in which it was reported favorably by the Joint Committee on Housing as “An Act to Promote Housing Choices.” As was the case with the original bill, this legislation

allows cities and towns to adopt the following local zoning by majority vote of their legislative bodies:

- Reducing dimensional requirements, such as minimum lot sizes, to allow homes to be built closer together
- Adopting smart growth zoning districts and starter home zoning districts
- Allowing multi-family housing as of right or by special permit in locations such as town centers, near transit and in other locations that would be eligible for a smart growth zoning district
- Allowing mixed-use developments by special permit in town and city centers, commercial districts and rural village districts
- Allowing a small accessory dwelling unit or “in-law” apartment in the same building or on the same lot as an existing home
- Providing for “Natural Resource Protection Zoning,” “Open Space Residential Development” and transfers of development rights to allow the clustering of new development while protecting open space or conservation land
- Allowing special permits to enable developments that have more density or fewer parking spaces.

When a majority of a city or town legislative body wants to adopt zoning that will encourage housing production, state law should not stand in the way. Each year that passes means another season of town meetings that come and go with the supermajority requirement in place. Each year is a missed opportunity to build needed housing in accordance with local decision-making governed by majority rule. Time is of the essence as we join together to meet our urgent housing needs. I urge your prompt enactment of this legislation.

Respectfully submitted

Charles D. Baker,  
*Governor*

# HOUSE . . . . . No. 3507

A message from His Excellency the Governor recommending legislation relative to promoting housing choices (House, No. 3507). February 28, 2019.

## The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court  
(2019-2020)

An Act to promote housing choices.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 4A of chapter 40 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following paragraph:-

By a majority vote of their legislative bodies, and with the approval of the mayor, board of selectmen or other chief executive officer, any contiguous cities and towns may enter into an agreement to allocate public infrastructure costs, municipal service costs and local tax revenue associated with the development of an identified parcel or parcels or development within the contiguous communities generally, provided that said agreement is approved by the department of revenue.

SECTION 2. Section 1A of chapter 40A of the General Laws, as so appearing, is hereby amended by inserting after the introductory paragraph the following 7 definitions:-

“Accessory dwelling unit”, a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly

from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in floor area than 1/2 the floor area of the principal dwelling or 900 square feet, whichever is smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality, including but not limited to additional size restrictions, owner-occupancy requirements, and restrictions or prohibitions on short-term rental of accessory dwelling units.

“As of right”, development may proceed under a zoning ordinance or by-law without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

“Lot”, an area of land with definite boundaries that is used or available for use as the site of a building or buildings.

“Mixed-use development”, development containing a mix of residential uses and non-residential uses, including, without limitation: commercial, institutional, industrial or other uses; all conceived, planned and integrated to create vibrant, workable, livable and attractive neighborhoods.

“Multi-family housing”, a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.

“Natural resource protection zoning”, zoning ordinances or by-laws enacted principally to protect natural resources by promoting compact patterns of development and concentrating development within a portion of a parcel of land so that a significant majority of the land remains permanently undeveloped and available for agriculture, forestry, recreation, watershed management, carbon sequestration, wildlife habitat or other natural resource values.



“Open space residential development”, a residential development in which the buildings and accessory uses are clustered together into one or more groups separated from adjacent property and other groups within the development by intervening open land. An open space residential development shall be permitted only on a plot of land of such minimum size as a zoning ordinance or by-law may specify which is divided into building lots with dimensional control, density and use restrictions for such building lots varying from those otherwise permitted by the ordinance or by-law and open land. Such open land may be situated to promote and protect maximum solar access within the development. Such open land shall either be conveyed to the city or town and accepted by it for park or open space use, or be made subject to a recorded use restriction enforceable by the city or town or a non-profit organization the principal purpose of which is the conservation of open space, providing that such land shall be kept in an open or natural state and not be built for residential use or developed for accessory uses such as parking or roadway.

SECTION 3. Said section 1A of said chapter 40A, as so appearing, is hereby further amended by inserting after the definition of “Special permit granting authority” the following 2 definitions:-

“TDR zoning”, zoning that authorizes transfer of development rights by permitting landowners in specific preservation areas identified as sending areas to sell their development rights to landowners in specific development districts identified as receiving areas.

“Transfer of development rights”, the regulatory procedure whereby the owner of a parcel may convey development rights, extinguishing those rights on the first parcel, and where

the owner of another parcel may obtain and exercise those rights in addition to the development rights already existing on that second parcel.

SECTION 4. Section 5 of said chapter 40A, as so appearing, is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:-

Except as provided herein, no zoning ordinance or by-law or amendment thereto shall be adopted or changed except by a two-thirds vote of all the members of the town council, or of the city council where there is a commission form of government or a single branch, or of each branch where there are two branches, or by a two-thirds vote of a town meeting; provided, however, the following shall be adopted by a vote of a simple majority of all members of the town council or of the city council where there is a commission form of government or a single branch or of each branch where there are two branches or by a vote of a simple majority of town meeting:

(1) An amendment to a zoning ordinance or by-law to allow any of the following as of right: (a) multifamily housing or mixed-use development in a location that would qualify as an eligible location for a smart growth zoning district under section 2 of chapter 40R of the general laws; (b) accessory dwelling units; or (c) open-space residential development.

(2) An amendment to a zoning ordinance or by-law to allow by special permit: (a) multifamily housing or mixed-use development in a location that would qualify as an eligible location for a smart growth zoning district under section 2 of chapter 40R of the general laws; (b) an increase in the permissible density of population or intensity of a particular use in a proposed development pursuant to section 9 of chapter 40A of the general laws; or (c) a diminution in the

amount of parking required for residential or mixed-use development pursuant to section 9 of chapter 40A of the general laws;

(3) Zoning ordinances or by-laws or amendments thereto that (a) provide for TDR zoning or natural resource protection zoning in instances where the adoption of such zoning promotes concentration of development in areas that the municipality deems most appropriate for such development, but will not result in a diminution in the maximum number of housing units that could be developed within the municipality; or (b) modify regulations concerning the bulk and height of structures, yard sizes, lot area, setbacks, open space, parking and building coverage requirements to allow for additional housing units beyond what would otherwise be permitted under the existing zoning ordinance or by-law.

(4) The adoption of a smart growth zoning district or starter home zoning district in accordance with section 3 of chapter 40R of the general laws.

Provided, further, that any amendment that requires a simple majority vote shall not be combined with amendments that require a two-thirds majority vote. provided, further, that if in a city or town with a council of fewer than 25 five members there is filed with the clerk prior to final action by the council a written protest against a zoning change under this section, stating the reasons duly signed by owners of 50 per cent or more of the area of the land proposed to be included in such change or of the area of the land immediately adjacent extending 300 feet therefrom, no change of any such ordinance shall be adopted except by a two-thirds vote of all members.

SECTION 5. Section 9 of said chapter 40A, as so appearing, is hereby amended by inserting after the word “interests,” in line 34, the following words:- ; provided, however, that

100 nothing herein shall prohibit a zoning ordinance or by-law from allowing transfer of  
101 development rights to be permitted as of right, without the need for a special permit or other  
102 discretionary zoning approval.

103 SECTION 6. Said section 9 of said chapter 40A, as so appearing, is hereby further  
104 amended by striking out, in line 35, the word “cluster” and inserting in place thereof the  
105 following words:– open space residential.

106 SECTION 7. Said section 9 of said chapter 40A, as so appearing, is hereby further  
107 amended by striking out, in line 39, the word “cluster” and inserting in place thereof the  
108 following words:– open space residential.

109 SECTION 8. Said section 9 of said chapter 40A, as so appearing, is hereby further  
110 amended by inserting, after the word “control,” in line 43, the following words:- ; provided,  
111 however, that nothing herein shall prohibit a zoning ordinance or by-law from allowing open  
112 space residential developments to be permitted as of right, without the need for a special permit  
113 or other discretionary zoning approval.

114 SECTION 9. Said section 9 of said chapter 40A, as so appearing, is hereby further  
115 amended by striking out the 7th paragraph and inserting in place thereof the following  
116 paragraph:-

117 Zoning ordinances or by-laws may also provide that special permits may be granted for  
118 reduced parking space to residential unit ratio requirements after a finding by the special  
119 permit granting authority that the public good would be served and that the area in which the  
120 development is located would not be adversely affected by such diminution in parking.

SECTION 10. Said section 9 of said chapter 40A, as so appearing, is hereby further amended by inserting after the 12th paragraph the following paragraph:-

However, a special permit issued by a special permit granting authority shall require a simple majority vote for any of the following: (a) multifamily housing that is located within .5 miles of a commuter rail station, subway station, ferry terminal, or bus station, provided, not less than 10 per cent of the housing is affordable to and occupied by households whose annual income is less than 80 per cent of the area wide median income as determined by the United States Department of Housing and Urban Development and affordability is assured for a period of not less than 30 years through the use of an affordable housing restriction as defined in section 31 of chapter 184; (b) mixed-use development in centers of commercial activity within a municipality, including town and city centers, other commercial districts in cities and towns, and rural village districts, provided, not less than 10 per cent of the housing is affordable to and occupied by households whose annual income is less than 80 per cent of the area wide median income as determined by the United States Department of Housing and Urban Development and affordability is assured for a period of not less than 30 years through the use of an affordable housing restriction as defined in section 31 of chapter 184; or (c) A reduced parking space to residential unit ratio requirement, pursuant to this section, provided that a reduction in the parking requirement will result in the production of additional housing units.

SECTION 11. Section 3 of chapter 40R of the General Laws, as so appearing, is hereby amended by inserting after the figure “40A,” in line 10, the following words:- ; provided, however, that a smart growth zoning district or starter home zoning district ordinance or by-law shall be adopted by a simple majority vote of all the members of the town council, or of the city

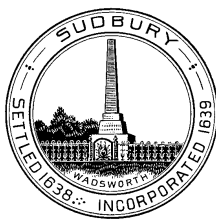
council where there is a commission form of government or a single branch, or of each branch where there are two branches, or by a simple majority vote of a town meeting.

SECTION 12. Section 1 of chapter 40S of the General Laws, as so appearing, is hereby amended by striking out the word “properties” in line 51 and inserting in place thereof the following word:- buildings.

SECTION 13. Said section 1 of said chapter 40S, as so appearing, is hereby further amended by inserting after the figure “40R,” in line 61, the following words:- including without limitation smart growth zoning districts and starter home zoning districts as defined in section 1 of said chapter 40R.

SECTION 14. The secretary of housing and economic development shall report annually to the clerks of the house of representatives and the senate, who shall forward the report to the house of representatives and the senate, the chairs of the joint committee on housing, and the chairs of the senate and house committees on ways and means, on the activities and status of the Housing Choice Initiative, as described by the governor in a message to the general court dated December 11, 2017, including progress made towards the production of 135,000 new units by 2025. The report also shall include a list of all cities and towns that qualify as “housing choice” communities and a list and description of grant funds disbursed to such cities and towns and a description of how the funds were used to support the production of new housing.





# Town of Sudbury

Office of Selectmen

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November 5, 2019

Representative Carmine Gentile  
State House Room 167  
Boston, MA 02133

Senator James Eldridge  
State House Room 511-C  
Boston, MA 02133

Senator Michael Barrett  
State House Room 109-D  
Boston, MA 02133

RE: House Bill 3507

Dear Representative Gentile, Senator Eldridge, and Senator Barrett:

The Sudbury Board of Selectmen is writing to provide comment on House Bill 3507 – Governor Baker’s “Housing Choice Initiative.”

Increased availability and affordability of housing in Massachusetts are important goals. However, we believe that the longstanding requirement of a two-thirds legislative majority to amend city or town zoning is important to sound and community-supported municipal land use planning. That requirement should only be restricted as minimally necessary to advance the housing policy goals of H3507.

To that end, we recommend that the current provisions of the bill, which would change the quantum of vote required to approve housing-related zoning amendments and special permits to a simple majority, be amended to provide that such lesser majority provisions only apply in municipalities which have not achieved a countable Subsidized Housing Inventory (SHI) of ten percent or more.

Many communities, including Sudbury and others, have successfully and in good faith worked within the existing structure to achieve the ten percent state policy goal established under MGL Chapter 40B, and continue to encourage the development of appropriate affordable housing units. This approach would allow them to maintain what we believe are the proven benefits of the two-thirds majority rule. At the same time, it would incentivize the significant majority of municipalities within the Commonwealth which have not yet achieved ten percent SHI to move forward on these issues and help remove excessive barriers to moderate income and affordable housing in communities across Massachusetts.

November 5, 2019  
Representative Carmine Gentile  
Senator James Eldridge  
Senator Michael Barrett  
Page 2

Thank you for your consideration in this matter.

Sincerely,

Sudbury Board of Selectmen

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Daniel E. Carty, Chairman

---

Patricia A. Brown, Vice- Chairman

---

Janie W. Dretler

---

Jennifer S. Roberts

---

William J. Schineller

Attachment9.d: Draft\_Itr\_Housing (3553 : Letter to Legislators regarding housing choice initiative)

**SUDBURY BOARD OF SELECTMEN**

Tuesday, November 5, 2019

**MISCELLANEOUS (UNTIMED)****10: ADA letter of support****REQUESTOR SECTION**

Date of request:

Requestor: Selectman Bill Schineller

Formal Title: Discussion of and possible vote to send a letter of support from the Board of Selectmen to Jeff Dougan/Mass Office for Disability in support of the Town's Planning Grant Application for the ADA Self-Evaluation/Transition Plan.

Recommendations/Suggested Motion/Vote: Discussion of and possible vote to send a letter of support from the Board of Selectmen to Jeff Dougan/Mass Office for Disability in support of the Town's Planning Grant Application for the ADA Self-Evaluation/Transition Plan.

Background Information:  
attached documents

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

**Review:**

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM

**Bilodeau, Maryanne**

**From:** Dougan, Jeff (OHA) <jeff.dougan@mass.gov>  
**Sent:** Wednesday, July 31, 2019 4:56 PM  
**To:** Dougan, Jeff (OHA)  
**Cc:** Bryan, Karl (OHA)  
**Subject:** Municipal Americans with Disabilities Act (ADA) Improvement Grant Program - FY20 Cycle Announcement

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Red Category

Dear Applicant:

The Massachusetts Office on Disability (MOD), is pleased to announce the [Municipal Americans with Disabilities Act \(ADA\) Improvement Grant Program](#) application and selection process for FY20. Eligible applicants include any Massachusetts city or town, (hereinafter referred to as "Applicants.")

These grants will support capital improvements specifically dedicated to improving programmatic access and/or removing barriers encountered by persons with disabilities in Applicant facilities throughout the Commonwealth.

**Project Grants** of up to \$250,000 will be awarded to successful Applicants to remove barriers and create and improve accessible features and programmatic access for persons with disabilities throughout the Commonwealth.

**Planning Grants** will also be awarded to assist a community in creating or updating a Self-Evaluation or Transition Plan required under Title II of the ADA.

Examples include but are not limited to increasing both physical access and programmatic access through the addition of features such as: ramps, elevators, power lifts and Limited Use/Limited Application (LULAs), signage, communication access devices, curb cuts and/or any other features that are designed to improve architectural access and/or programmatic access. Grants will be awarded on a competitive basis to projects that demonstrate real and tangible positive impacts to persons with disabilities.

In order to determine an accurate cost estimate for applications, we encourage applicants to reach out to qualified consultants to obtain an RFP or other proposals in anticipation of an award. This will not only assist applying communities in outlining total cost for their project or planning grants but it will also assist the Application and Selection Committee in selecting a diverse and wider pool of awardees as well as giving awarded communities more time to perform the work.

Municipalities that have selected the "[Public Accessibility Best Practice](#)" option (related to the development of a Self-Evaluation and Transition Plan) of the [Community Compact Cabinet](#) (CCC) will receive additional points to their application score. Every City or Town in the Commonwealth is eligible to apply. Furthermore, project grant applicants that link their projects to specific areas of concern outlined in their Transition Plans will receive additional points to their application score.

**Application Process and Deadlines;** FY20 Application period is from **August 1, 2019 through October 8, 2019**. All FY20 grants must be submitted using the online application portal. For grant related instructions and the online application portal, please visit our website at <https://www.mass.gov/mod/adagrant>.

Attachment10.a: Email\_dougan (3554 : ADA letter of support)



Please read through the "[Learn about the Municipal Americans with Disabilities Act \(ADA\) Improvement Grant Program](#)" webpage carefully as some sections of the Grant Application have been amended from previous years. We have removed the matching funds questions from Section 2 as well as added a question under Section 3 (Project Grants Only) to indicate how the project links to the existing Self-Evaluation and Transition Plan.

Thank you for your interest in improving access for persons with disabilities. We look forward to working with you. **Please share this with your department heads.**

Sincerely,

*Jeffrey L. Dougan*

Jeffrey L. Dougan  
Assistant Director for Community Services

Massachusetts Office on Disability  
One Ashburton Place, Room 1305  
Boston, MA 02108  
**Direct Phone:** 617-979-7316  
**Fax:** 617-727-0965  
[www.mass.gov/mod](http://www.mass.gov/mod)

**Please Note:** If you are trying to reach me by phone, our automated phone system is only available during normal business hours (9am-5pm). Please note my extension – **27316** - When dialing in, press "1", then "1" again to enter my extension. This will allow you quick access to my phone without having to listen to all of the voice prompts. If you call outside of normal business hours, you will have to call back as you will not be able to leave a message for me.

Sincerely,

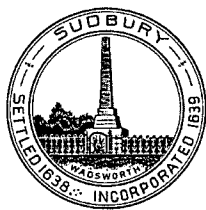
*Jeffrey L. Dougan*

Jeffrey L. Dougan  
Assistant Director for Community Services

Massachusetts Office on Disability  
One Ashburton Place, Room 1305  
Boston, MA 02108  
**Direct Phone:** 617-979-7316  
**Fax:** 617-727-0965  
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Attachment10.a: Email\_dougan (3554 : ADA letter of support)



# Town of Sudbury

## Facilities Department

275 Old Lancaster Road  
Sudbury, MA 01776  
978-440-5466; Fax 978-440-5404  
[facilities@sudbury.ma.us](mailto:facilities@sudbury.ma.us)

William Barletta, Facilities Director

### Additional Planning Information

The planning grant program is an opportunity for Sudbury to receive technical assistance to reassess its

compliance with accessibility, and to conduct a comprehensive ADA self-evaluation that will identify gaps in compliance and lead to the development of an ADA Transition Plan. This assistance provides necessary funds to hire professional, knowledgeable and capable design services to guide the town through the process, and provide the plan and budget to follow up with recommendations.

The Town's Building Department is very active and involved with the Architectural Access Board and the codes promulgated by the Board. They review all plans and documents pertaining to renovations and new construction and are insure compliance to the architectural access code. The purpose of 521 CMR (Architectural Access Board) is to make public buildings and facilities accessible, functional, and safe for use by persons with disabilities.

The Town has supported many opportunities for seminars, conferences and educational classes for the building inspectors to insure a thorough knowledge of the AAB code. The staff in the building department often communicates with the staff at the AAB to assist them in any plan review or technical questions.

For example, while conducting periodic inspections at places of assembly and worship, the town's inspectors would also make owners aware of violations with the AAB code. Oftentimes, simply by communicating with and educating the private facility managers led to improved compliance and better understanding of the needs for those with a disability.

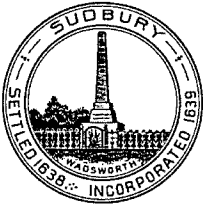
If we are successful earning this grant, Sudbury's team to complete the planning grant phase will include its ADA coordinator who is Assistant Town Manager, the Facilities Director, Building Inspector, Sudbury Public Schools Buildings Manager, Board of Health Director and the Sudbury Commission on Disability. It is important to note that the small team will reach out to all staff and the community as a whole, while moving through



the evaluation and transition planning. The Sudbury community is very active and we look forward to a very inclusive process with input from all.

The team will work collaboratively with the selected consultant firm to insure success with the project.

The funds, if awarded, will greatly assist Sudbury in its efforts to remove barriers, create, and improve accessible features and accessibility for all residents.



# Town of Sudbury

## Facilities Department

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Sudbury, MA 01776  
978-440-5466; Fax 978-440-5404  
[facilities@sudbury.ma.us](mailto:facilities@sudbury.ma.us)

William Barletta, Facilities Director

### Construction and Renovation History

Sudbury was incorporated in 1639, with a population of approximately 130 people. Sudbury is located along the Boston Post Road (Route 20), exactly half way between Boston and Worcester. Sudbury, located in Middlesex County, is 24.7 square miles with a population of 18,274. The Town of Sudbury is primarily a residential community, known for its excellent public schools and a friendly family community.

As with many communities in Massachusetts, Sudbury has buildings, roads, paths and parks dating back hundreds of years. In fact, Sudbury's building inventory includes the earliest built Loring Parsonage, 1738 to the most recently constructed Police Station Headquarters in 2015.

The age of many buildings in Sudbury pre-date any consideration of access or occupation for those with a disability. However newer buildings, including all public school buildings, have been reconstructed or rebuilt within the last three decades.

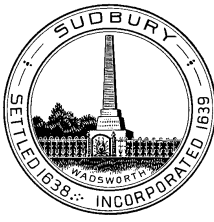
Sudbury's building inventory contains over twenty buildings, totaling approximately 400,000 square feet. The buildings range from the antique Loring Parsonage farmhouse of approximately 3,300 square feet, renovated in 2019 and in full compliance, to the over 155,000 square foot Middle School built in 2000.

Over the years, many additions and renovations have been made to the old and newer buildings, as needs changed. The newer building stock is expected to be conforming to most ADA and state building code regulations for accessibility; however, even new buildings should be assessed.

Many improvements specifically related to ADA and accessibility have been made to the town buildings, and generally, Sudbury is compliance with access. The grant however, will allow Sudbury to hire a professional evaluator, assess and evaluate the new and old buildings, walks, ramps, parks and playgrounds and detail the inadequacies of the existing conditions. In addition, the grant will allow the consultants to estimate the cost associated with improvements, and allow Sudbury to begin planning and budgeting to address the deficiencies.

Even with a new building, we find areas or systems that do not provide the level and quality of equal access. With financial assistance provided with this grant, Sudbury

administrators, staff and residents can identify barriers to the town's programs and services. The resulting ADA self-assessment and transition plan will provide Sudbury with a scheduled approach to removing architectural and infrastructure barriers as well as modifying operations and policies to ensure equal access to all of its residents and guests.



# Town of Sudbury

Office of Selectmen

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

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

November 5, 2019

Mr. Jeffrey L. Dougan  
Assistant Director for Community Services  
Massachusetts Office on Disability  
One Ashburton Place, Room 1305  
Boston, MA 02108

Dear Mr. Dougan:

The Town of Sudbury is committed to serving people of all abilities in our community. This includes people born with physical disabilities, anyone who has experienced a debilitating accident, or developed a condition leading to physical limitations including the aging process. Sudbury Public Schools also strive to provide quality education and opportunity to all students without barriers.

Our senior population has grown at a much faster rate than the national average, representing an increasing significant percentage of our residents. This is not only a result of people living longer, but also due to new housing developments. Sudbury is one of very few Massachusetts municipalities to have exceeded 10% affordable housing, including the successful Coolidge at Sudbury senior residences now in phase 2. Also, recently opened is Bridges by Epoch, a highly specialized memory assisted living community care unit.

Our Livable Sudbury study and report, completed in 2019, highlights the need for inclusion and potential danger of isolation.

Many of our facilities have not been upgraded in decades, and even safely crossing the street can be dangerous for those with disabilities. Getting out to vote can be a challenge as well as participating in educational and recreational activities.

Our town and our citizens demonstrate our commitment to doing the right thing for people of all abilities by combining taxpayer and CPA dollars with grassroots fundraising to replace playgrounds, upgrade facilities, and improve intersections.

We lack a current, comprehensive plan to identify and eliminate barriers to those with a range of disabilities.

We know making modifications costs money but do not view this as an optional expense. We firmly believe accessibility is a fundamental requirement for providing equitable, quality services to enhance the lives of all in our community.

Sudbury is currently in the process of updating our Master Plan, contemplating how to best utilize our properties, facilities, and resources to serve our current and future citizens. We are engaged in a plan to modernize and expand our outdated and outgrown Fairbank Community Center. As we

Mr. Jeffrey L. Dougan  
November 5, 2019  
Page 2

embark on these overdue and forward-looking investments, we need a comprehensive assessment of where we must improve our accessibility. We recently issued an RFP for experienced consultants to conduct an Americans with Disabilities Act Self-Evaluation and prepare a Transition Plan. We received competitive bids and seek help funding this study.

We, the Board of Selectmen, are united on behalf of our citizens in our desire to work towards accessibility for all. We need to partner with the Massachusetts Office on Disability (MOD) in this endeavor, and strongly support the Town of Sudbury's application for the Municipal Americans with Disabilities Act (ADA) Improvement Grant Program. We urge the MOD to look favorably upon our application to assist us in advancing our shared goal of accessibility.

Sincerely,

Sudbury Board of Selectmen

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Daniel E. Carty, Chairman

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Patricia A. Brown, Vice-Chairman

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Janie W. Dretler

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Jennifer S. Roberts

---

William J. Schineller

Attachment 10.c: MOD Letter draft (3554 : ADA letter of support)



## SUDBURY BOARD OF SELECTMEN

Tuesday, November 5, 2019

11

### MISCELLANEOUS (UNTIMED)

#### 11: Citizen's comments

##### REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Citizen's comments (cont.)

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

##### Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM



SUDBURY BOARD OF SELECTMEN  
Tuesday, November 5, 2019

12

**MISCELLANEOUS (UNTIMED)**

**12: Upcoming agenda items**

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discuss upcoming agenda items

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM



## POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS

MEETING	DESCRIPTION
Nov. 19	Tax Classification Hearing
	Update with architect regarding Fairbank Center cost estimate with Park & Rec
Thurs, Nov. 21, 6:30 PM, Town Hall	Town Forum – Broadacres Charrette
Dec. 3	Joint meeting with Finance Committee: DLS discussion/presentation, Budget Strategies Task Force discussion; Financial policies update
	Sudbury Foundation letter of support re: SHA
Dec. 17	Open 2020 Annual Town Meeting Warrant
Date to be determined	Quarry North MEPA letter
	Town Counsel 3-year evaluation
	Financial Policies update (or joint with FinCom)
	Update from BOS Policy Subcommittee
	BOS social media policy
	Town meeting recap – year in review
	Liquor License request - Whole Foods
	Route 20 empty corner lot – former gas station
	Update on traffic policy (Chief Nix)
	Update on crosswalks (Chief Nix/Dan Nason)
	Annual alcohol license renewals (December)
	Citizen Leadership Forum
	Town-wide traffic assessment and improve traffic flow
	Temporary Trailer permit - 150 Boston Post Road
	Wayside Inn Bridge
	Carding Mill joint visit with Historical Commission (scheduled for 11/22)
	Legal opinion on Bond Counsel
	Eversource double pole discussion
	Transportation Committee extension (January 2020)
STANDING ITEMS FOR ALL MEETINGS	BOS requests for future agenda items at end of meeting
	Citizens Comments, continued (if necessary)
	Fairbank Community Center update (ongoing)
	Bruce Freeman Rail Trail (BFRT) update (quarterly)



## SUDBURY BOARD OF SELECTMEN

Tuesday, November 5, 2019

**CONSENT CALENDAR ITEM****13: Serving Extensions: Thanksgiving and New Year's Eve 2019**REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote to approve a one-hour extension of the licensed closing hour and serving of alcoholic beverages for licensees who make application in advance to the Town Manager's Office: Lavender, 519A Boston Post Road, (1AM to 2AM) on Wednesday, November 27, 2019 (Thanksgiving eve) and Tuesday, December 31, 2019 (New Year's Eve), on the condition that the kitchen remains open and food is served.

Recommendations/Suggested Motion/Vote: Vote to approve a one-hour extension of the licensed closing hour and serving of alcoholic beverages for licensees who make application in advance to the Town Manager's Office: Lavender, 519A Boston Post Road, (1AM to 2AM) on Wednesday, November 27, 2019 (Thanksgiving eve) and Tuesday, December 31, 2019 (New Year's Eve), on the condition that the kitchen remains open and food is served.

Background Information:

Financial impact expected:N/A

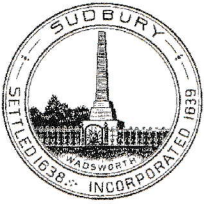
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 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](mailto:selectmen@sudbury.ma.us)

## APPLICATION FOR SERVING HOURS EXTENSION 2019

Please complete this application form and return to the Selectmen's Office by **Thursday, October 24, 2019**. You will be notified of request approval via email.

TO THE LICENSING AUTHORITY  
SUDBURY, MASSACHUSETTS

Restaurant Name: Lavender  
Restaurant Address: 519 Boston Post Road  
Name of applicant: Tim Fong  
Phone: 508-843-5004 Email: tfong28@yahoo.com

### **Serving Hours Extension(s) Requested**

Please check all that apply.

☒ Night Before Thanksgiving: Wednesday, November 27, 2019

☒ New Year's Eve: Tuesday, December 31, 2019

10/3/19  
Date

[Signature]  
Applicant Signature

**Please submit completed application to:**

BOSadmin@sudbury.ma.us

Board of Selectmen, 278 Old Sudbury Rd, Sudbury, MA 01776  
Fax: (978) 443-0756



## SUDBURY BOARD OF SELECTMEN

Tuesday, November 5, 2019

**CONSENT CALENDAR ITEM****14: Eagle Scout recognitions**REQUESTOR SECTION

Date of request:

Requestor: Troop 63 contact Ojas Tamhane

Formal Title: Vote to enter into the Town record and congratulate Alex John Kilroy and David John Marchand of Boy Scout Troop 63 for having achieved the high honor of Eagle Scout.

Recommendations/Suggested Motion/Vote: Vote to enter into the Town record and congratulate Alex John Kilroy and David John Marchand of Boy Scout Troop 63 for having achieved the high honor of Eagle Scout.

Background Information:  
attached request

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

## Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM

**Golden, Patricia**

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**From:** Ojas Tamhane <ojast@hotmail.com>  
**Sent:** Saturday, October 5, 2019 8:01 PM  
**To:** Board of Selectmen  
**Subject:** Eagle Award Letter

Dear Selectmen,

On behalf of the Scouts, Leaders and Committee of Troop 63 Sudbury, Massachusetts, it is my pleasure to announce that:

**Alex John Kilroy and  
 David John Marchand  
 have achieved the rank of Eagle Scout  
 and will be recognized at a Court of Honor  
 on November 30, 2019 at 1PM.**

Alex Kilroy's project was to build three book shelves units for the Framingham Court House in Framingham, MA. The book shelves will be displayed in the main area by the offices. David Marchand's project involved the construction of a storage shed for the Girls' Softball team in Sudbury, MA. The shed was much needed by the team for the storage of their equipment.

Would you be willing to send these worthy Eagle Scouts individual letters of greeting, along with any other items you wish to be presented to them during the Court of Honor? All letters and certificates received for them will be read and displayed for the guests and then presented to them.

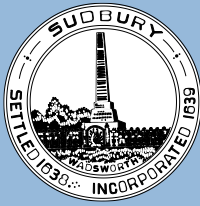
You are cordially invited to attend the Eagle Court of Honor which will be assembled to celebrate their achievement. The Eagle Court of Honor will be held at Goodnow Library at 21 Concord Road, Sudbury, MA on Sunday, November 30, 2019 at 1:00 pm.

Please address letters to the Eagle Scouts listed above and send them in care of the address below. Thank you for helping us to acknowledge these very worthy Scouts.

Sincerely,

Ojas Tamhane  
 Troop 63 Sudbury  
 106 Powder Mill Road  
 Sudbury, MA 01776

Attachment14.a: Eagle Scout letter request (3528 : Eagle Scout recognitions)



## SUDBURY BOARD OF SELECTMEN

Tuesday, November 5, 2019

**CONSENT CALENDAR ITEM****15: Sudbury Housing Trust - term correction**REQUESTOR SECTION

Date of request:

Requestor: Liz Rust, RHSO and Adam Duchesneau, Director of Planning &amp; Community Dev.

Formal Title: Vote to approve correction of the appointment of Carmine Gentile to the Sudbury Housing Trust for a two-year term expiring 4/30/21, and to sign the Trustee Certificate.

Recommendations/Suggested Motion/Vote: Vote to approve correction of the appointment of Carmine Gentile to the Sudbury Housing Trust for a two-year term expiring 4/30/21, and to sign the Trustee Certificate.

## Background Information:

*This appointment made at the 10/11/19 meeting had an incorrect date. This item is to correct the appointment term of Carmine Gentile to 4/30/21.*

See attached

Financial impact expected:n/a

Approximate agenda time requested:

Representative(s) expected to attend meeting:

## Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM

SUDBURY HOUSING TRUST  
 CERTIFICATE OF APPOINTMENT  
 OF TRUSTEE AND ACCEPTANCE

We, Daniel E. Carty, Patricia A. Brown, Janie W. Dretler, Jennifer S. Roberts, and William J. Schineller, the duly elected and serving members of the Sudbury Board of Selectmen pursuant to Article IV of the SUDBURY HOUSING TRUST recorded at the Middlesex South District Registry of Deeds at Book 49096, Page 353, do hereby certify that we, having accepted the resignations of Trustee Andrew Kaye

appointed and designated Carmine Gentile

to serve as Trustee for a term of two years, expiring on April 30, 2021, or until his/her successor is appointed and qualified.

EXECUTED as a sealed instrument this \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2019

\_\_\_\_\_  
 Daniel E. Carty

\_\_\_\_\_  
 Patricia A. Brown

\_\_\_\_\_  
 Janie W. Dretler

\_\_\_\_\_  
 Jennifer S. Roberts

\_\_\_\_\_  
 William J. Schineller

COMMONWEALTH OF MASSACHUSETTIS

Middlesex, ss \_\_\_\_\_, 2019

On this \_\_\_\_\_, Daniel E. Carty, Patricia A. Brown, Janie W. Dretler, Jennifer S. Roberts, and William J. Schineller who proved to me through satisfactory evidence of identification, to wit, personal knowledge, to be the signers of the foregoing document, and acknowledged to me that they signed same voluntarily for its stated purpose.

\_\_\_\_\_  
 Notary Public  
 My Commission expires:



I, the undersigned, hereby accept appointment as successor Trustee of the above-captioned Trust.

EXECUTED as a sealed instrument this      day of      , 2019

\_\_\_\_\_  
Carmine Gentile

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss      , 2019

On this      day of      , 2019, personally appeared before me Carmine Gentile, who proved to me through satisfactory evidence of identification, to wit, personal knowledge, to be the signer of the foregoing document, and acknowledged to me that he signed same voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission expires:



## SUDBURY BOARD OF SELECTMEN

Tuesday, November 5, 2019

**CONSENT CALENDAR ITEM****16: Sudbury Historical Society Cocktail Fundraiser One-Day Wine & Malt License**REQUESTOR SECTION

Date of request:

Requestor: Rebecca Weeks, Sudbury Historical Society

Formal Title: Vote whether to grant a 1-day Wine & Malt license to Sudbury Historical Society, to accommodate a Holiday Cocktail fundraiser on Sunday, December 8, 2019 from 6:00 PM to 8:00 PM at the Loring Parsonage, 288 Old Sudbury Rd, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

Recommendations/Suggested Motion/Vote: Vote whether to grant a 1-day Wine & Malt license to Sudbury Historical Society, to accommodate a Holiday Cocktail fundraiser on Sunday, December 8, 2019 from 6:00 PM to 8:00 PM at the Loring Parsonage, 288 Old Sudbury Rd, subject to the use of a TIPS-trained bartender and a receipt of a Certificate of Liability.

## Background Information:

Please see attached application and department feedback.

Financial impact expected:\$25 application fee

Approximate agenda time requested:

Representative(s) expected to attend meeting:

## Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 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: [BOSSadmin@sudbury.ma.us](mailto:BOSSadmin@sudbury.ma.us)

## APPLICATION FOR ONE-DAY LIQUOR LICENSE (NON-PROFIT)

Non-profit organizations hosting an event in Sudbury are eligible to apply for a one-day liquor license. All licensees must purchase their alcoholic beverages from a licensed Massachusetts wholesaler, manufacturer, winery shipment licensee, farmer brewery, farmer distillery or holder of a Special Permit issued by the ABCC.\*

Application processing can take up to four weeks as approval from the Fire, Police, Building and Board of Health departments are required prior to Board of Selectmen approval. Processing begins after all required materials are received, so please plan accordingly.

Name of Responsible Manager: Rebecca Weeks for the SHS

Address of Responsible Manager: 272 Concord Rd, Sudbury MA

Phone: [REDACTED]

Non-Profit Organization Name: Sudbury Historical Society

Name & Purpose of Event: Holiday Cocktail Fundraiser

Name(s) of Brewery/ Distillery/Winery/Wholesaler/Manufacturer to provide alcohol: Ruby Wines, Inc.

License Type Requested: ☒ \$25 Wine & Malt – OR – ☐ \$35 All Alcohol

Event Date: Sunday, Dec. 8, 2019 Event Time: 6-8 pm

Event Venue: Loring Parsonage

Event Address: 288 Old Sudbury Road

Documents Enclosed:

- ☒ Certificate of Liquor Liability
  - a. \$1,000,000 minimum amount
  - b. "Town of Sudbury" listed as additional insured
- ☒ Proof of bartender(s) training/certification. (For example, a TIPS certificate.)
- ☒ Application fee: \$25 W&M or \$35 All Alcohol. Check payable to Town of Sudbury.

Please submit completed application and materials to:  
Board of Selectmen's Office, 278 Old Sudbury Rd., Sudbury, MA 01776

Oct 15, 2019  
Date

R Weeks  
Applicant Signature

\*For a complete list of Authorized Alcohol Providers for 1-Day licenses, please visit <https://elicensing.state.ma.us/CitizenAccess/GeneralProperty/PropertyLookUp.aspx?isLicensee=Y>. Under Licensing Entity select "Alcoholic Beverages Control Commission" and under License Type select either Wholesaler, Manufacturer, Direct Wine Shipper, Farmer Brewer, Farmer Distiller and/or Farmer Winery.

RECEIVED  
BOARD OF SELECTMEN  
SUDBURY, MA  
2019 OCT 21 P 1:50

# Sudbury Historical Society – One Day Wine & Malt License

## *Holiday Cocktail Fundraiser*

***December 8, 2019***

### **Department Feedback**

<b>Department</b>	<b>Staff</b>	<b>Approve/Deny</b>	<b>Comments</b>
Building Department	Mark Herweck	Approve	The Building Department has no issues with the event.
Facilities Department	Bill Barletta	Approve	
Fire Department	Chief Whalen	Approve	The Fire Department has no issues with this application.
Health Department	Bill Murphy	Approve	A temporary food permit was obtained.
Police Department	Chief Nix	Approve	The police department does not have an issue with the event.

-There will be no more than 44 attendees at the event, in order to comply with the building's maximum occupancy requirements.

-Although the event is called a "Cocktail" fundraiser, only wine and malt beverages will be served.

**SUDBURY BOARD OF SELECTMEN**

Tuesday, November 5, 2019

**CONSENT CALENDAR ITEM****17: Stop Sign request****REQUESTOR SECTION**

Date of request:

Requestor: Police Chief Scott Nix

Formal Title: Vote to approve the installation of a stop sign on Winsor Road, at the intersection of Singletary Lane for southerly traffic, as requested by Police Chief Scott Nix.

Recommendations/Suggested Motion/Vote: Vote to approve the installation of a stop sign on Winsor Road, at the intersection of Singletary Lane for southerly traffic, as requested by Police Chief Scott Nix.

Background Information:  
Attached memo and map

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM



# Sudbury Police Department

## Office of the Chief of Police

75 Hudson Road  
Sudbury, MA 01776  
Business (978) 443-1042  
Fax (978) 443-1045  
nixs@sudbury.ma.us

**Scott Nix**  
*Chief of Police*

October 29, 2019

To: Maryanne Bilodeau, Town Manager  
From: Scott Nix, Chief of Police  
RE: Stop Sign Request, Winsor Road at Singletary Lane

Maryanne,

On behalf of a number of residents in the Winsor Road/Singletary Lane neighborhood a resident expressed concern regarding both pedestrian and motor vehicle safety. In surveying the area, it was apparent the intersection is confusing, particularly to those not from the area. As you can see on the attached map, the intersection is very expansive and not typical of most intersections in town. There is not a clear delineation of which road actually continues to Boston Post Road. One might think Winsor Road continues to Boston Post Road where it is actually Singletary Lane that does so.

Vehicles arriving at the intersection simultaneously may be uncertain of which one has the right of way. During high traffic times this phenomenon becomes compounded with vehicles seeking alternate routes to avoid the congestion on Boston Post Road, among other commuting routes. In order to increase safety surrounding the intersection I would recommend the installation of a stop sign on Winsor Road prior to entering the expansive intersection with Singletary Lane.

Therefore, I respectfully request the Board of Selectmen consider approving the installation of a stop sign on Winsor Road at the intersection of Singletary Lane for southerly traffic. Thank you for your consideration. If you have any further questions please let me know.

Respectfully,

Scott Nix  
Chief of Police

Attachment17.a: Winsor Road Stop Sign Request 10-29-19 (3550 : Stop Sign request)



**17.b**

**BOX 83**

**Attachment 17.b: Sudbury Street Maps 94 (3550 : Stop Sign request)**

Packet Pg. 90

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**SUDBURY BOARD OF SELECTMEN**

Tuesday, November 5, 2019

**CONSENT CALENDAR ITEM****18: Accept gift for conservation purposes****REQUESTOR SECTION**

Date of request:

Requested by: Patty Golden

Formal Title: Vote to accept a gift in the amount of \$3,000 from Mark and Robin Hollyer, 271 Peakham Road, Sudbury, for conservation purposes, said amount to be expended for such purposes by the Town of Sudbury Conservation Commission.

Recommendations/Suggested Motion/Vote: Vote to accept a gift in the amount of \$3,000 from Mark and Robin Hollyer, 271 Peakham Road, Sudbury, for conservation purposes, said amount to be expended for such purposes by the Town of Sudbury Conservation Commission.

Background Information:

This gift is being made by the Hollyers for conservation purposes and the Hollyers recently agreed to resolve outstanding litigation.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Maryanne Bilodeau	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/05/2019 7:00 PM

Mark and Robin Hollyer  
271 Peakham Road  
Sudbury, MA 01776

Att: Maryanne Bilodeau  
Interim Town Manager  
Town of Sudbury  
278 Old Sudbury Road  
Sudbury MA 01776

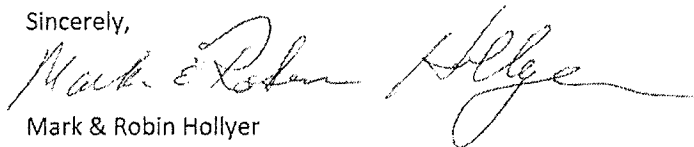
Dear Ms. Bilodeau

Enclosed please find our check for \$3,000 following the Town's execution of our Settlement Agreement and Agreement for Judgement.

We consider this a charitable contribution for the Town's conservation activity in lieu of our installing a beaver deceiver.

Please send us acknowledgement of your receipt of this check.

Sincerely,



Mark & Robin Hollyer  
Long-time Sudbury Residents

Cc: Walter Foster  
ECKERT SEAMANS CHERIN & MELLOTT, LLC  
Two International Place • 16th Floor • Boston, MA 02110  
Direct (617) 342.6853

Attachment 18.a: Hollyer letter (3551 : Accept gift for conservation purposes)