

SUDBURY BOARD OF SELECTMEN
 WEDNESDAY NOVEMBER 4, 2020
 6:00 PM, ZOOM

Item #	Time	Action	Item
			Call to Order/Roll Call
EXECUTIVE SESSION			
1.	6:00 PM		Open in regular session and immediately vote to enter executive session to discuss strategy with respect to litigation (proposed Eversource transmission line, SJC-12997, Town of Sudbury & another vs. Energy Facilities Siting Board) if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares, pursuant to General Laws Chapter 30A, §21(a)(3).
2.		<i>VOTE</i>	Continue executive session to review executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).
3.			Vote to close executive session and resume open session.
	7:00 PM		Opening remarks by Chairman/Roll Call
			Reports from Town Manager
			Reports from Selectmen
			Citizen's comments
TIMED ITEMS			
4.	7:15 PM	<i>VOTE</i>	Interview candidates for appointment to the Cultural Council. Following interviews, vote whether to appoint Bethany Shaw, 850 Boston Post Road, Diana Peters, 62 Maynard Road, and Erica O'Brien, 3 Country Village Lane, to the Cultural Council for terms to expire 10/30/23.
5.	7:45 PM		Cynthia Gerry, Director of Assessing, to provide an overview of the Tax Classification process. This is in preparation of the Tax Classification hearing scheduled for 12/1/20.
6.	8:15 PM	<i>VOTE</i>	Discussion and possible vote to authorize the Town Manager to enter/award a contract/agreement for Bruce Freeman Rail Trail (BFRT) contract for the most advantageous firm to complete the 75-100% design work.

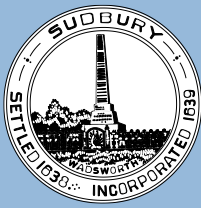
These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Item #	Time	Action	Item
7.	8:45 PM	<i>VOTE</i>	Discussion and vote on the BFRT Advisory Task Force mission. Beth Suedmeyer, Environmental Planner, to attend. John Drobinski, Task Force chair to attend.
8.	9:15 PM	<i>VOTE</i>	Vote whether to approve and accept an Access Easement, Drainage Easement, and Conservation Restriction from Woodward Glen Realty Trust for the Greenscape Park/Woodward Glen Subdivision off of Powers Road (Assessor's Parcel B09-0001). Adam Duchesneau, Director of Planning & Community Development, and Rachel Watsky and Matthew Watsky from Watsky Law to attend.
9.	9:30 PM	<i>VOTE</i>	Vote whether to approve emergency award of contract by the Town Manager to Mobile Emergency Housing Corp. or Farmingdale, NY for the rental of two (2) quarantine bunk units for use by the DPW; the Town Manager to execute all documents related thereto.
10.	9:45 PM	<i>VOTE</i>	Discussion and vote on mission statement and application process for the Sudbury Diversity, Equity, and Inclusion Commission.
11.	10:00		Town Manager 6-month evaluation
12.	10:25		Discussion and preparation for goal setting meeting Monday, 11/16 at 9:00 AM.
13.	10:35	<i>VOTE</i>	Discussion and possible vote on Key Performance Indicators (KPI) as requested by Selectman Schineller.
14.	10:45	<i>VOTE</i>	Review open session minutes of 9/15/20 and 9/25/20 and possibly vote to approve minutes.
15.			Citizen's Comments (cont)
16.			Upcoming agenda items
CONSENT CALENDAR			
17.		<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: Fugakyu Cafe, 621 Boston Post Road; Lavender, 519A Boston Post Road (1AM to 2AM) on Wednesday, November 25, 2020 (Thanksgiving eve) and Thursday, December 31, 2020 (New Year's Eve), on the condition that the kitchen remains open and food is served.
18.		<i>VOTE</i>	Vote to reappoint Ellen Gitelman, 19 Raynor Road, Martha Romanoff, 21 Pokonoket Avenue and Claudia Brandon, 60 Balcom Road to the Sudbury Cultural Council for terms to expire October 30, 2023. Also, vote to accept the resignation of Yael Kupiec-Dar, 77 Hemlock Road, upon completion of two consecutive terms, as a member of the Sudbury Cultural Council, and to send a letter of thanks for her service to the Town.
19.		<i>VOTE</i>	VOTE: That pursuant to G.L. c. 30B s. 16, and the authority under Article 27 of 2019 Annual Town Meeting held on May 6, 2019, the Board of Selectmen declares Assessors' Parcel L08-0010 on

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
			Raymond Road consisting of approximately 8.86 acres available for disposition for water supply protection purposes.
20.		<i>VOTE</i>	VOTE to Ratify the Vote taken in Executive Session regarding the release of Executive Session minutes related to the Lincoln-Sudbury Regional High School Agreement as it pertains to meeting with Lampke Law. There were suggested edits to the minutes provided by Lampke Law.

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
Wednesday, November 4, 2020

EXECUTIVE SESSION

1: Executive Session - Eversource SJC-12997

REQUESTOR SECTION

Date of request:

Requestor: 30 min

Formal Title: Open in regular session and immediately vote to enter executive session to discuss strategy with respect to litigation (proposed Eversource transmission line, SJC-12997, Town of Sudbury & another vs. Energy Facilities Siting Board) if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares, pursuant to General Laws Chapter 30A, §21(a)(3).

Recommendations/Suggested Motion/Vote: Open in regular session and immediately vote to enter executive session to discuss strategy with respect to litigation (proposed Eversource transmission line, SJC-12997, Town of Sudbury & another vs. Energy Facilities Siting Board) if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares, pursuant to General Laws Chapter 30A, §21(a)(3).

Background Information:

Financial impact expected:

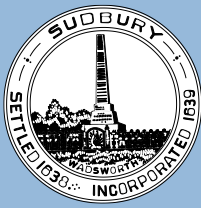
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

EXECUTIVE SESSION

2: Exec Session to review minutes

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Continue executive session to review executive session meeting minutes, pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Recommendations/Suggested Motion/Vote: Continue executive session to review executive session meeting minutes pursuant to G.L. c. 30A, § 21(a)(7) “[t]o comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements” (“Purpose 7”), citing to the Open Meeting Law, G.L. c. 30A, §§ 22(f), (g).

Background Information:

Attached draft executive minutes of 1/3/17 and 7/14/20. Also attached redlined copies of executive minutes of 8/4/20, 8/11/ 20, and 9/8/20 as edited by LampkeLaw.

Financial impact expected:

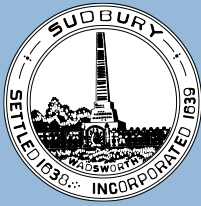
Approximate agenda time requested: 30 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

EXECUTIVE SESSION

3: Close executive session and resume open

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close executive session and resume open session.

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

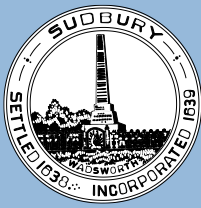
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

4: Interview candidates for Cultural Council

REQUESTOR SECTION

Date of request:

Requestor: Chair Ellen Gitelman

Formal Title: Interview candidates for appointment to the Cultural Council. Following interviews, vote whether to appoint Bethany Shaw, 850 Boston Post Road, Diana Peters, 62 Maynard Road, and Erica O'Brien, 3 Country Village Lane, to the Cultural Council for terms to expire 10/30/23.

Recommendations/Suggested Motion/Vote: Interview candidates for appointment to the Cultural Council. Following interviews, vote whether to appoint Bethany Shaw, 850 Boston Post Road, Diana Peters, 62 Maynard Road, and Erica O'Brien, 3 Country Village Lane, to the Cultural Council for terms to expire 10/30/23.

Background Information:

Attached memo from Ellen Gitelman, chair.

Also attached are applications. This is to fill open seats on the council.

10 minutes each for interviews.

Financial impact expected:

Approximate agenda time requested: 30 minutes

Representative(s) expected to attend meeting: Bethany Shaw, Diana Peters, and Erica O'Brien

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM

Golden, Patricia

From: Ellen Gitelman <ellen.gitelman@gmail.com> on behalf of Ellen Gitelman <elleng@americangraphiti.com>
Sent: Friday, October 9, 2020 1:20 PM
To: Board of Selectmen
Subject: Erica O'Brien Puccio's Sudbury Cultural Council appointment
Attachments: Erica O'Brien_Cultural Council Application.pdf

Hi,

The Sudbury Cultural Council unanimously approved the election of Erica O'Brien Puccio ,Tina McCarthy, Bethany Shlegel Shaw, and Diana Peters's appointment to the Sudbury Cultural Council at its meeting on October 1. I have attached Erica's application and will forward Bethany's and Diana's in separate emails. You already received Tina's application.

I hope the Board can approve these before our next meeting on December 2.

Thanks and please let me know if you have any questions.

Ellen

Attachment4.a: SCC_recommendation_email (4206 : Interview candidates for Cultural Council)

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: Sudbury Cultural Council

Name: Bethany Shaw
Address: 950 Boston Post Rd. Email Address: [REDACTED]
Home phone: _____ Work or Cell phone: [REDACTED]

Years lived in Sudbury: 8 years in January

Brief resume of background and pertinent experience:
I am a graphic designer + fine artist in town. I have been a member of the Sudbury Art Association for 6 years and am currently a co-leader of the SAA with a my term ending in June. I am a graduate of leadership Metrowest (2020).

Municipal experience (if applicable):
n/a

Educational background:
BA/BFA from Tufts University and The School of The Museum of Fine Arts

Reason for your interest in serving:
I think that culture brings such life to a community. I want to see Sudbury's culture thrive, especially in a time when arts + culture aren't always at the forefront. Our residents have so many talents + so much to give, and I want to help make that idea a reality.

Times when you would be available (days, evenings, weekends): T, W, F mornings, all afternoons after 2:30 pm, most evenings + weekends
Do you or any member of your family have any business dealings with the Town? If yes, please explain:
NO

BSS (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: [Handwritten Signature] Date: OCT 27, 2020

Attachment 4.b: SCC_applications_redact (4206 : Interview candidates for Cultural Council)

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: Sudbury Cultural Council

Name: Diana Sheldrick Peters

Address: 62 Maynard Road, Sudbury, MA 01776

Email Address: [REDACTED]

Home phone: N/A

Work or Cell phone: [REDACTED]

Years lived in Sudbury: 2

Brief resume of background and pertinent experience:

Marketing and promotions project management, audio producer, and copywriter for commercial broadcast radio and print. Volunteer board member and broadcaster for LPFM Allston-Brighton Free Radio.

Municipal experience (if applicable):

N/A

Educational background:

BA.- Vassar College, 1992
Ad-hoc graphic design classes at MassArt and Tulane

Reason for your interest in serving:

I'm interested in assisting in showcasing the variety of cultures here in town.

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

Weekdays and evenings. Weekends as-needed.

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

No.

DSP (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 Diana Sheldrick Peters

Digitally signed by Diana Sheldrick Peters
Date: 2020.10.07 14:01:09 -0400

Date 10072020

Attachment4.b: SCC_applications_redact (4206 : Interview candidates for Cultural Council)

**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: Sudbury Cultural Council

Name: Erica Puccio O'Brien

Address: 3 Country Village Lane

Email Address: [REDACTED]

Home phone: ---

Work or Cell phone: [REDACTED]

Years lived in Sudbury: 11

Brief resume of background and pertinent experience:

- International Education Administration (1998-present): Currently employed at Massachusetts College of Art and Design; directed a study abroad program in Paris, France (2002-2004)
- Nixon PTO Secretary (2012-2018): Wrote & received 2 Sudbury Cultural Council grants
- Proficient: MicrosoftOffice, GoogleSuite, Canva, MailChimp; great organizational/writing skills

Municipal experience (if applicable):

No

Educational background:

- MA, New York University, Steinhardt School of Education I Program: International Education
- BA, Dartmouth College I Major: Anthropology I Minor: Italian I Thesis: The Anthropology of Art

Reason for your interest in serving:

After taking a break from other town-based volunteer positions, I am excited to give back again! This role brings together a lot of my interests and abilities.

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

I am flexible based on my work schedule and driving my kids to activities.

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

No.

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

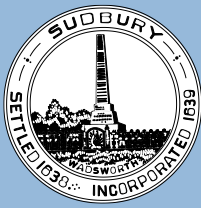
I agree that if appointed, I will work toward furtherance of the committee's mission statement; and further, I agree that I will conduct my committee activities in a manner which is compliant with all relevant State and Local laws and regulations, including but not limited to the Open Meeting Law, Public 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 [Handwritten Signature]

Date 10.8.20

Attachment4.b: SCC_applications_redact (4206 : Interview candidates for Cultural Council)



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

5: Overview of Tax Classification process

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Cynthia Gerry, Director of Assessing, to provide an overview of the Tax Classification process. This is in preparation of the Tax Classification hearing scheduled for 12/1/20.

Recommendations/Suggested Motion/Vote:

Background Information:
See attached background info provided by Cynthia.

Financial impact expected:

Approximate agenda time requested: 30 minutes

Representative(s) expected to attend meeting: Cynthia Gerry, Director of Assessing

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM

Process for Setting the Tax Rate

Each year, prior to the mailing of the actual tax bills, the Selectboard in conjunction with the Board of Assessors hold a Public Hearing to discuss and decide how the distribution of tax burden is to be allocated among the classes of property.

Classification of Assessments and Rates

Classification of property by its use allows municipalities to allocate how much of the tax burden each class shall bear. Annually, at the Public Hearing known as the Classification Hearing (where public input is welcome and encouraged as a means to communicate opinions about the distribution of property taxes), the Selectboard will vote several tax policy decisions. Municipalities have several options when it comes to distributing the tax levy among taxpayers under property tax classification. Use of these options results in multiple tax rates for different property classes because they change the components used to calculate the rate, *i.e.*, the amount of the tax levy being paid by, or the assessed valuation of, the class. The total tax levy remains the same.

See page 8 for a reference of key terms

Single or Split Tax Rate

Municipalities must decide whether to tax all classes of property at their full and fair cash valuation share of the tax levy, which results in a single tax rate, or to reduce the share of the tax levy paid by the residential property owners and shift those taxes to commercial, industrial and personal property taxpayers, which results in a split tax rate. Municipalities with a large commercial/industrial tax base often see fit to shift the tax burden to help maintain lower residential taxes. Sudbury, though having a relative small commercial tax base, has historically adopted a split tax rate (since 1981).

Classification Exemption Options

Municipalities may also consider whether to allow an open space discount, a residential exemption, and a small commercial exemption. The Classification Exemption options are referenced on pages 4-6.

Levy Allocation

The Selectboard will decide on the percentages of the tax levy that each class of real property and personal property will bear. To do so, a residential factor will be adopted. The residential factor governs the percentage of the tax levy to be paid by Class I, Residential properties. The difference is shifted to Class III, Commercial, Class IV, Industrial and, Personal properties (CIP).

The adopted factor cannot be less than the minimum residential factor (MRF) calculated by DOR, which is now done through use of DLS Gateway (the State Tax Rate Setting module). The MRF represents the maximum shift allowed in the tax levy for the year and establishes the parameters for local decision-making.

Before the Classification Hearing takes place, all property must be assessed at its full and fair cash value as of the January 1 assessment date. The FY 2021 assessments once certified will reflect the fair market property value according to the assessment date of January 1, 2020.

The FY 2021 Classification Hearing is scheduled to take place December 1, 2020.

In conjunction with the scheduled Hearing, Assessors produce a Classification Hearing Packet, which includes current assessment data, and information on options to reallocate some tax obligation between or within property classes.

The Massachusetts property classes are defined as:

Class I	RESIDENTIAL	All Residential Property
Class II	OPEN SPACE	Some Vacant Residential Land
Class III	COMMERCIAL	Retail, Office,
Class IV	INDUSTRIAL	Manufacturing, Mining
Class V	PERSONAL PROPERTY	Business Items not permanently affixed to the real estate etc.

The steps necessary to complete the Classification Hearing and Tax Rate Setting are outlined below.

Pre-classification Hearing Steps

- Step 1: Determination of the property tax levy (Budget Process)
- Step 2: Determine assessed valuations (Assessors)
- Step 3: Tabulate assessed valuations by class (Assessors)
- Step 4: Obtain DOR value certification (Assessors)
- Step 5: Obtain certification of new growth revenues (Assessors)

Classification Hearing Steps

Step 6: Classification hearing presentation (Assessors & Selectmen)

Step 7: Review and discuss tax shift options (Selectmen)

Step 8: Voting a tax shift factor (Selectmen)

Post Classification Hearing Steps

Step 9: Sign the LA-5 Classification Form (Selectmen)

Step 10: Send annual recap to DOR for tax rate approval (Assessors)

Step 11: Obtain DOR approval of tax rates (DOR)

Because the FY 2021 values are not yet certified, I am including data from FY 2020. As you review the following, please keep that in mind.

FY 2020 Valuations by Class (prior to Tax Shift)

<u>Major Property Class</u>	<u>Valuation</u>	<u>Percent</u>	
<u>Res vs CIP%</u>			
Residential	4,451,809,500	91.0587%	91.0587%
Commercial	179,424,076	4.9936 %	
Industrial	30,823,000	0.8579 %	8.9413%
Personal Property	111,016,580	3.0898%	
TOTAL	4,773,073,156	100.0000%	

Tax Rates and Options

Sudbury's FY 2020 uniform, single tax rate before applying shift factors was \$18.80 per thousand.

The following chart represents several of the shift option scenarios presented to the Selectmen in FY 2020:

Option	CIP Shift	Res. Shift	CIP Tax Rate	Res. Tax Rate
Single Tax Rate	1.0000	1.000000	18.80	18.80
10% Shift	1.1000	0.9928	20.68	18.66
20% Shift	1.2000	0.9856	22.56	18.53
30% Shift	1.3000	0.9784	24.44	18.39
33% Shift (same % burden as last year)	1.3280	0.9762	24.97	18.35
40% Shift	1.4000	0.9711	26.32	18.26
50% Shift (maximum allowed)	1.5000	0.9639	28.20	18.12

The option above highlighted in yellow represents the FY 2020 Residential Factor as voted by the Sudbury Selectmen. The impact of the vote resulted in a 1.328 shift to the Commercial Industrial Personal Property (CIP) Tax Rate. **Note:** the Res Tax Rates reported in the chart do not take into consideration the 10 cents residential tax rate increase associated with funding Sudbury's Senior Means-Tested

Exemption Program for FY 2019. The actual residential tax rate for FY 2020 was \$18.45.

Optional Exemptions (to be deliberated and voted at the Hearing):

Residential Exemption:

(The FY 2021 data will be provided in the December 2020 Classification Hearing Packet).

The Residential Exemption conferred pursuant to M.G.L. Chapter 59 Section 5C is a local option available to all communities. The intent of this exemption is to promote owner occupancy. Adopting the Residential Exemption would allow the Selectmen to exempt from qualified residential properties a flat percentage of the average assessed value for Class I (Residential) properties. The exemption can be as high as thirty-five (35%) percent of the average assessed value for the residential property class. If adopted a flat, uniform valuation reduction is applied to all qualifying owner-occupied residential home valuations. The tax levy in the community does not change based on adoption of this exemption. However, to compensate for the loss in residential valuation associated with this exemption, the residential tax rate increases. The exemption will reduce property taxes on the lower valued owner occupied residential properties, while increasing property taxes on higher valued properties, and those residential properties, which are not owner-occupied.

In FY 2019, sixteen Massachusetts cities and towns adopted the Residential Exemption. Historically, the exemption has been adopted in those communities with a high percentage of apartments and other investment property or seasonal homes. In general terms, the exemption shifts real estate taxes onto Class I properties that are not occupied as the owner's principal residence and those which may be held for investment.

Small Commercial Exemption:

The FY 2021 updated data will be provided in the December 2020 Classification Hearing Packet.

An exemption of up to 10% of the property valuation can be granted to commercial properties (not industrial) having one or more businesses employing 10 or fewer employees. Implementing this exemption requires increasing the CIP tax rate to offset lost revenues from qualifying properties.

For fiscal year 2020, 34 properties in the Town have been identified as meeting qualifying standards. Sudbury's nominal commercial class for fiscal year 2020 hosts 188 accounts. In addition, there are 8-mixed use/part commercial, 42-chapter land, and 19 industrial properties all of which would be subject to an increased tax rate generated by the adoption of a small commercial exemption. The class 3 value reduction for those qualifying properties if a 10% small commercial exemption is adopted is \$1,141,400 approximated with a corresponding tax rate increase of fourteen cents (for purposes of illustration we used a factor of 1.33 in our analysis). The average tax savings for the 34 accounts is approximately \$843/ account.

Considerations:

- a) The qualifying 34 taxpayers will receive a measurable tax benefit. Other small businesses (not qualifying) will bear the increased burden along with larger commercial and industrial properties.

- b) Twenty-three of the qualifying 34 accounts are commercial condominiums. However, within the same condominium complexes 64 units will not make the cut for different reasons. The properties are otherwise quite similar in size, use, and assessment.
- c) Many of the small businesses appearing on the Department of Unemployment Assistance (DET) list as qualifying will not benefit from the exemption, as they are tenants in larger commercial properties with assessed values exceeding the allowable \$1,000,000 cap.

Based on the foregoing, we can conclude the following:

The vast majority of Sudbury's small businesses will not stand to benefit by adoption of this exemption, as they are tenants in strip malls, and other large commercial buildings. They in fact will be penalized by the increased tax rate. Mill Village is a good example of this. The property consists of 30+ small businesses. Another example are the tenants at the Cummings building on Rte. 117 as well as the tenants in the various strip malls located on Route 20. As evidenced by the small number of eligible accounts this exemption program will provide tax relief to very few of Sudbury's small business properties. The majority of all small businesses will not benefit from the exemption.

Open Space Exemption:

In addition to the above-mentioned options, there is one more option, which must be reviewed, although not applicable in Sudbury at this time. It is known as the Open Space Exemption.

In order for a municipality to utilize an open space exemption, it must first have adopted the Open Space Class. This is an additional Classification created for some vacant land (Class 2). The definition of open space in this context is: *land which is not otherwise classified and which is not taxable under provisions of chapters 61, 61A or 61B, or taxable under a permanent conservation restriction, and which land is not held for the production of income but is maintained in an open or natural condition and which contributes significantly to the benefit and enjoyment of the public.*

The Open Space Class was developed to provide a tax break to land owners, as incentive to preserve open land or at least slow development. Adopting this Classification would result in a discount of the residential tax obligation of up to 25% for those parcels classified as open space. Any tax savings awarded to open space property owners will be subsidized by all other residential property owners. To my knowledge, Bedford is the lone community in the Commonwealth known to have adopted this option. Sudbury currently has over 60 parcels of land enrolled in the various chapter land programs. Accordingly, chapter land enrollment carries certain program withdrawal restrictions; including offering the municipality a right of first refusal to purchase, along with certain recapture tax penalties. If a community were to adopt this open space classification, any property classified as open space (not enrolled in chapter land programs) would receive the benefit of the favorable tax structure without any of the restrictions associated with the existing chapter land programs. If in the future, if Sudbury were to consider adopting this Classification, it takes up to a year to be implemented upon the written request of the Selectmen.

7 Year History of Sudbury'S Classification Hearing Votes

Sudbury's 7 History of Classification Hearing Votes							
	2020	2019	2018	2017	2016	2015	2014
Residential Factor (Vote)	0.9763	0.9751	0.976078	0.974145	0.973356	0.973663	0.97460
CIP Shift (Vote)	1.328	1.330	1.33	1.38	1.38	1.38305	1.38
Single Tax Rate (Calculate)	18.8	18.27	18.27	18.12	18.19	17.99	18.4
CIP Tax Rate following Shift (Vote)	24.97	24.3	24.3	25.01	25.11	24.88	24.9
Residential Tax Rate following Shift including Senior Means Shift	18.45	17.91	17.93	17.74	17.8	17.6	18.0
Small Commercial Exemption (Vote)	No	No	No	No	No	No	No
Residential Exemption **Traditional (Vote)	No	No	No	No	No	No	No
Open Space Classification (Vote)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Average all Residential (not just SFR)	708,436	703,602	679,625	660,704	634,923	616,378	598,51
Nominal Commercial value	170,374,100	179,785,300	163,787,100	152,885,900	145,360,600	138,774,900	138,349,70
Average of Nominal Commercial	906,245	951,245	862,037	817,572	773,195	746,102	743,80
** SMTE Exemption program utilizes the traditional residential exemption module to calculate the tax impact due to the exemption		*	*	*	*	*	*
Nominal Commercial count	188	189	190	187	188	186	18

The chart on the following page represents Sudbury's FY 2020 Assessment Classification Report LA-4

LA-4 FY 2020

Assessment / Classification

	Parcel Count	Class1 Residential	Class2 Open Space	Class3 Commercial	Class4 Industrial	Class5 Pers Prop
101 (single family residential)	5444	4,062,640,634.00				
102 (residential condominiums)	361	204,903,940.00				
109 (multiple houses one parcel)	19	23,791,100.00				
104 (2-family homes)	16	9,937,400.00				
105 (3-family homes)	2	1,546,400.00				
111-125 (apartments & other congregate housing)	7	87,141,400.00				
130-32,106 (residential vacant land & accessory land with improvement)	419	38,319,200.00				
200-231 (open space)	0					
300-393 (all commercial)	188			\$170,374,100.00		
400-442 (industrial)	19				\$30,823,000.00	
CH 61 LAND (forest)	5			\$2,313.00		
CH 61A LAND (agriculture horticulture)	48			\$417,619.00		
CH 61B LAND (recreational)	10			\$1,125,190.00		
012-043 (mixed use residential and commercial)	16	23,529,426.00		\$7,504,854.00		
501 (personal property partnerships LLC's)	83					\$694,110.00
502 (personal property corporations)	83					\$8,408,990.00
504 (personal property utility corporations)	2					\$83,137,830.00
505 (personal property telephone & telegraph companies DOR valued)	3					\$11,932,700.00
506 (personal property pipeline companies)	1					\$5,273,200.00
508(personal property telecommunications)	4					\$1,316,490.00
552 personal property (solar PPA)	1					\$253,260.00
TOTALS	6731	4,451,809,500.00		\$179,424,076.00	\$30,823,000.00	\$111,016,580.00

Real & Personal Property Total value: \$4,773,073,156

Attachment5.a: November 4 2020 Tax Rate Setting Process (4193 : Overview of Tax Classification process)

Key Terms

Levy: The tax levy (or levy) is the amount of **property taxes** to be raised. The budget process determines the levy amount.

Levy Ceiling: The levy ceiling is 2.5 percent of the full value of the town and represent the maximum property tax revenues that can be raised under Proposition 2 ½.

New Growth Revenue: Property taxes derived from newly taxable properties like new construction, additions, renovations, subdivisions, and personal property.

Levy Limit: Also referred to as the "maximum allowable levy", the levy limit is calculated by adding 2.5 percent of the previous year's levy limit, plus new growth revenue, and proposition 2 ½ overrides, capital expenditure exclusions, and debt exclusions.

Excess Levy Capacity: Excess levy capacity is the difference between the levy and the levy limit.

Property Class: There are four taxable classes of real property and one personal property class.

Class I	RESIDENTIAL	All residential property uses including residential vacant land
Class II	OPEN SPACE (N/A in Sudbury currently)	Vacant Land
Class III	COMMERCIAL	Retail, Office, commercial land
Class IV	INDUSTRIAL	Manufacturing, Mining
Class V	PERSONAL PROPERTY	Business Items not permanently affixed to the real estate.

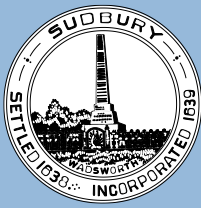
CIP: Common acronym for Commercial, Industrial and Personal Property classes.

Minimum Residential Factor (MRF): The MRF represents the maximum shift allowed in the tax levy for the fiscal year and establishes the parameters for local decision-making.

Residential Factor: The actual selected residential factor can be no less than the calculated MRF. The residential factor adopted by a community governs the percentage of the tax levy to be paid by residential property owners. If local officials choose a low residential factor, (for example, the statutory minimum) residential property owners will pay a proportionately lower share of the total levy. A residential factor of "1" will result in the taxation of all property at the same rate.

Split Tax Rate:

A split tax rate is the result of the selection of a residential factor less than "1". A residential factor less than "1" reduces the share of the tax levy paid by the Residential class and increases the share paid by the CIP classes. The result is two tax rates: one for Residential properties and a second, higher rate for CIP properties.



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

6: BFRT contract

REQUESTOR SECTION

Date of request:

Requestor: Beth Suedmeyer

Formal Title: Discussion and possible vote to authorize the Town Manager to enter/award a contract/agreement for Bruce Freeman Rail Trail (BFRT) contract for the most advantageous firm to complete the 75-100% design work.

Recommendations/Suggested Motion/Vote: Discussion and possible vote to authorize the Town Manager to enter/award a contract/agreement for Bruce Freeman Rail Trail (BFRT) contract for the most advantageous firm to complete the 75-100% design work.

Background Information:

Financial impact expected:

Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM



**Report from the Bruce Freeman Rail Trail Final Design Consultant
Selection Committee**

To: Select Board
From: BFRT Final Design Consultant Selection Committee
RE: Summary of Selection Process and Recommendation
Date: October 30, 2020

The Selection Committee Members appointed by Town Manager Henry Hayes are Maryanne Bilodeau, Assistant Town Manager and HR Director; Bill O'Rourke, Deputy Director of DPW and Town Engineer; Adam Duchesneau, Director Planning and Community Development; Lori Capone, Conservation Coordinator; and Beth Suedmeyer, Environmental Planner.

Selection Process: The Request for Proposals (RFP) for the final design and permitting for the Bruce Freeman Rail Trail Project (MassDOT # 608164), including 75%, 100%, and PS&E (plans, specifications and construction estimate) was released on August 31, 2020 and responses were due September 25, 2020. Five qualified engineering firms submitted responses; they were Fuss & O'Neil, Inc., Greenman-Pederson, Inc. (GPI), Nitsch Engineering, Inc., Pare Corporation, and Stantec Consulting Services, Inc. The five responses were distributed to the Selection Committee and each member reviewed the responses and compiled scores based on the Evaluation Criteria included in the RFP. The Selection Committee met on October 1, 2020, discussed the proposals, compiled scores, and ranked the consultants. It was decided at that meeting interviews would be scheduled with the top three design teams. The Selection Committee conducted interviews with Stantec, Nitsch, and Fuss and O'Neill on October 5th and 6th. The Selection Committee discussed the interviews and selected the top firm on October 7th, subject to reference checks and contract negotiations. Reference checks were performed for the selected firm between October 8th through 16th.

Fuss and O'Neill was selected as the top candidate with unanimous support of the Selection Committee following proposal evaluations, interviews, and reference checks.

Selection Committee members met with the Fuss & O'Neill team on October 20th and 22nd to discuss fine-tuning the contract and revise the scope of work to fully clarify assumptions, meet expectations, and identify efficiencies. A site walk with Fuss & O'Neill was conducted to facilitate this process. Following these meetings, the attached final proposal was developed and agreed upon.

Town Counsel has reviewed and accepted the contract.

Proposal and Qualifications: Fuss & O'Neill was found to be the most advantageous firm, taking into consideration responsiveness to Town requirements, other comparative evaluation criteria, and price. We offer a brief summary of what made them stand out in the evaluations and interviews.

In particular the Fuss & O'Neill team demonstrated:

- Clear experience successfully completing designs for MassDOT constructed and MPO funded rail trail projects.
- Solid environmental permitting credentials. The firm's in-house environmental team appreciates Sudbury's strong commitment to resource protection and is known for their work in environmental restoration and resiliency.
- Expertise in public outreach and community involvement.
- Direct experience with applying the new MassDOT ROW protocols on a rail trail project.
- They assembled a dedicated team seasoned and tested in MassDOT rail trail projects with aggressive schedules, similar to this one, and indicated the team's availability to dedicate the required time to this project.
- Their price proposal was within the project budget and their assumptions demonstrated an understanding of the project and were reasonable.
- They identified mechanisms/strategies to deal with potential uncertainties, keep to the schedule, and deliver the project on time and budget.

Additionally, their references indicated the firm, the identified Project Manager, and key personnel have positively and successfully completed similar, relevant projects on time and within budget. All references indicated they would recommend Fuss & O'Neill, and all municipal representatives have chosen to work with the team on additional municipal projects. One reference spoke to the Team's knowledge and performance on a complicated stream relocation project involving extensive environmental permitting and abutter coordination. MassDOT references indicated they had experience and established relationships with the team and confidence in their ability to succeed in this project.

TOWN OF SUDBURY
AGREEMENT FOR TECHNICAL SERVICES

The Town of Sudbury, acting by and through its Town Manager (the "Town") hereby agrees to pay for and Fuss & O'Neill, Inc. (the "Contractor", the term Contractor is hereby used for convenience purposes only) hereby agrees to provide engineering services related to the Bruce Freeman Rail Trail project (MassDOT Project No. 608164), including design, engineering and permitting services as identified in and reasonably inferable from Contractor's October 30, 2020 Proposal titled "Proposal for Professional Design, Engineering, and Permitting Services Bruce Freeman Rail Trail Sudbury, Massachusetts (MassDOT Project #608164)," (the "Services") which was in Response to a Request for Proposals from the Town, attached hereto as Attachment A, which services Contractor shall perform in accordance with the following terms and conditions, provided that, except as expressly stated otherwise in said terms and conditions, in the event of any conflict between the following terms and conditions, the former (terms and conditions) shall control.

1. COST OF SERVICES For performance of the Services, the Town shall pay the fixed sum of \$797,500. Any additional services shall be mutually agreed upon by both parties and paid on a fixed sum basis, provided that the parties shall negotiate the terms of such additional services and Contractor shall obtain advance written approval of the Town before commencing such additional services.
2. PAYMENT The Contractor shall submit invoices to the Town on a monthly basis according to the percentage of work completed, and the Town shall make payment within thirty days after receipt of an invoice.
3. TIME The Contractor shall complete performance of its services hereunder on or before December 31, 2025, unless extended by the Town.
4. CONTRACTOR RESPONSIBILITIES The Contractor represents that it can and shall perform the Services hereunder in a competent and professional manner, as proposed in the Proposal, and in accordance with that degree of care and skill ordinarily exercised under similar circumstances by members of the Contractor's profession practicing in the Boston metropolitan area, and pursuant to and in accordance with Massachusetts laws applicable to the Services under this Agreement (the "Standard of Care"). The Contractor shall perform its services as expeditiously as is consistent with the Standard of Care and the orderly progress of the project. The Contractor shall at all times be acting as an independent contractor and not as an agent for, partner or joint venturer with the Town.
5. ASSIGNMENT The rights and obligations of the Town and the Contractor hereunder

may not be assigned without the written consent of the other party.

6. ENTRY ONTO PROPERTY If performance of the services described in The Proposal requires the Contractor to make entry onto land or other property, the Town hereby grants (for property it owns) or agrees that it has obtained or will exercise reasonable efforts to obtain (for property it does not own) permission to enter such property for the purpose of performing such services. The Contractor hereby agrees that it shall conduct its activities on such property in such a manner as to minimize any damage, disruption or alteration to the site, and shall, so far as is reasonable and consistent with the nature of the activities conducted thereon, restore the site to its condition prior to entry by the Contractor.

7. PROVISION OF INFORMATION AND EXTENT OF LIABILITY The Town shall, upon written request of Contractor, make available to the Contractor all information in its possession which relates to the subject of the services to be performed hereunder. The Town does not warrant the accuracy or completeness of such information; however, unless stated by the Town in writing, the Contractor shall be entitled to reasonably rely upon such information, subject to the following conditions. The Contractor shall be responsible for reviewing the information for any inaccuracies which are apparent upon a view of the site or discrepancies between such information and any materials, measurements, analysis or data prepared independently by the Contractor which concern the same subject matter; and the Contractor shall not be entitled to rely on information which such review shows, or reasonably should have shown, consistent with professional diligence and generally accepted standards of performance in the Contractor's field of practice, to be incorrect.

The Contractor shall not be liable to the Town in connection with errors, acts or omissions directly resulting from the Contractor's reasonable and justified reliance, in accordance with the requirements of this paragraph, on information furnished to it by the Town. All information provided to the Contractor by the Town shall remain the property of the Town.

8. HAZARDOUS WASTE OR MATERIALS If the services to be performed hereunder involve the detection, exploration or analysis of hazardous waste or materials or contamination of a site, the following provisions shall apply.

- a) Provided it acts within the scope of services set forth in the Proposal and in accordance with the other requirements hereunder, including the following provisions of this section, the Contractor shall not be deemed to be, nor have the responsibilities of a generator, handler, treater, storer, transporter or disposer of hazardous waste or materials;
- b) The Contractor shall comply with all applicable federal, state and local laws and regulations relating to hazardous waste and materials, including, without limitation, the Resource Conservation and Recovery Act of 1976-42 U.S.C. s.690 I et seq., the Comprehensive Environmental Response,

Compensation and Liability Act of 1980 -42 U.S.C. s.9601 et seq., and the Massachusetts Oil and Hazardous Material Release Prevention and Response Act-M.G.L. Ch.21E;

- c) The Contractor shall not be responsible or liable for any violation by the Town of any of such laws and regulations.

9. DISCOVERY OF TOXIC OR HAZARDOUS WASTE OR MATERIALS If, during the course of performing services hereunder, the Contractor discovers or observes at the site any previously unreported, unknown or unidentified toxic or hazardous waste or materials or substances the Contractor suspects or has reason to believe are toxic or hazardous, the Contractor shall immediately notify the Massachusetts Department of Environmental Protection and the Sudbury Board of Health.

10. UNFORSEEN OCCURRENCES If, during the performance of services hereunder, the Contractor encounters any unforeseen conditions or occurrences, including the discovery of toxic or hazardous waste or materials, which affect the Contractor's performance of services hereunder, the Contractor shall promptly notify the Town. After such notification the:

- a) The Town and Contractor may agree to proceed with completion of the services, with or without an adjustment in the cost therefore; or
- b) The Town and Contractor may agree to modify the scope of services and cost therefore to reflect a reduction of or addition to such services on account of the unforeseen occurrence; or
- c) The Town may terminate this agreement, in which case the Town shall pay the Contractor for all services rendered to the Town prior to such termination.

Election of action pursuant to option a) or b) shall be in writing signed by both parties.

11. FORCE MAJEURE The Contractor shall not be responsible for failure to perform or for delay in performance on account of circumstances beyond its control, including strikes, epidemics, pandemics, riots, wars, acts of nature or acts of government preventing performance. In the event of delay in performance on account of such circumstances, the time for performance shall be extended by a period necessary to allow completion; however, the Town may elect to terminate this agreement upon seven days' notice in writing if any such delay exceeds twenty- one days or continuation of the delay would result in the Town being unable to meet a requirement of state or local law for action on any matter pending before it within a certain time.

12. TERMINATION

- a) If the Town fails to make payment hereunder when due or fails to comply with any of its responsibilities hereunder, the Contractor may terminate this agreement upon fourteen days' written notice.
- b) The Town may terminate this agreement upon seven days' written notice if the Contractor fails to materially comply with any of its responsibilities hereunder,

including performance in a timely fashion; fails to perform its services hereunder in accordance with the Standard of Care; or fails to comply with any requirement of law or regulation applicable to this agreement or the services hereunder.

c) The Town may terminate this agreement at any time upon seven days' written notice. If such termination is without the fault of the Contractor, the Town shall pay the Contractor all compensation and reimbursement due to the Contractor up to the date of termination.

13. NOTICE

Notices shall be sent to the Town at:

Beth Suedmeyer, Planning and Community Development 278 Old
Sudbury Road
Sudbury, MA 01776

and to the Contractor at:

Kevin Johnson, PE, PTOE
Executive Vice President
190 High Street, 3rd Floor
Boston, MA 02110

14. OWNERSHIP OF DOCUMENTS Following payment for the same to the Contractor, all documents and materials of whatever kind prepared by the Contractor and delivered to the Town pursuant to this agreement ("Instruments of Service") shall become the property of the Town; provided, that the Contractor may use its copies of such materials for educational or promotional purposes or for required submissions to governmental bodies. The Contractor shall not be responsible for misuse or modification of the Contractor's Instruments of Service by the Town or others for whom the Town is legally liable.

15. INDEMNIFICATION The Contractor shall indemnify and save harmless the Town and all of the Town's officers and employees against all costs, damages, suits and claims of liability of every name and nature (including reasonable attorneys' fees) to the extent caused by the negligence acts, errors, or omissions of the Contractor in the performance of this Contract and shall indemnify the Town for any third-party claim arising out of injuries to the Contractor's employees or others performing services for the Contractor. The foregoing is in addition to and not in limitation of any other rights and remedies available to the Town.

16. LIMITATION OF LIABILITY Neither party shall be responsible or liable to the other for special, indirect or consequential damages. Notwithstanding the foregoing, the limitation of liability set forth in this or any other provision of this Agreement shall not apply to claims by the Town for indemnification of claims of third parties asserted against the Town for which Contractor is liable.

17. CONTRACTOR INSURANCE The Contractor shall provide a certificate of professional liability coverage in the amount of one million dollars, and a certificate evidencing Contractor’s commercial general liability, automobile liability, and workers’ compensation insurance. The \$1,000,000 amount of Contractor’s professional liability policy shall be the limits of ENGINEER’s liability for professional negligence. All liability policies shall be written on an occurrence basis, and shall be primary and non-contributory.

18. AMENDMENT OF AGREEMENT Any amendments to this agreement shall be in writing and signed by both parties.

19. APPLICABLE LAW This agreement shall be deemed to be executed and delivered within the Commonwealth of Massachusetts and shall be governed and construed in accordance with the laws of said Commonwealth. Any litigation arising hereunder shall be brought solely in the state courts of the county in which the Town maintains its principal office.

IN WITNESS WHEREOF the parties hereto have executed copies of this Agreement the day and year first above written.

*If a Corporation, attach to each signed copy of this Agreement an attested copy of the vote of the Corporation authorizing the said signing and sealing.

CONTRACTOR:
By:

Print name: _____
Print Title: _____
Date _____

TOWN OF SUDBURY:
By: Town Manager

Henry L. Hayes, Jr.
Date _____

Attachment 6.b: BFRT Design Eng Services Contract F&O 11-2 (4228 : BFRT contract)

October 30, 2020

Beth Suedmeyer
Planning and Community Development Department
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

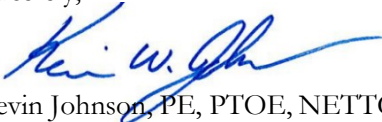
RE: Proposal for Professional Design, Engineering, and Permitting Services
Bruce Freeman Rail Trail Sudbury, Massachusetts (MassDOT Project #
608164)

Dear Ms. Suedmeyer:

As requested, please find attached the Fuss & O'Neill scope of work and fee proposal for final design and permitting services on the Bruce Freeman Rail Trail project. We are excited about this opportunity to partner with the Town of Sudbury and are available to begin work immediately upon written authorization and notice to proceed.

If you should have any questions or require additional information please feel free to contact me on my cell phone at 401-742-9357 or email at kjohnson@fando.com.

Sincerely,



Kevin Johnson, PE, PTOE, NETTCP
Executive Vice President | Principal-in-Charge

Attachments: Scope of Work
Fee Proposal

190 High Street
3rd Floor
Boston, MA 02110
t 617.282.4675
800.286.2469
f 617.481.5885
www.fando.com

California
Connecticut
Maine
Massachusetts
New Hampshire
Rhode Island
Vermont

Attachment 6.c: BFRT_Fuss&O'Neill Final SOW and Fee Proposal_10-30-20 (4228 : BFRT contract)

Bruce Freeman Rail Trail Final Design

10-30-2020

Scope of Work

TASK 100 – PROJECT DEVELOPMENT ENGINEERING
 TASK 150 – ENVIRONMENTAL
 TASK 200 – FUNCTIONAL DESIGN REPORT
 TASK 220 – DESIGN JUSTIFICATION WORKBOOK
 TASK 400 – 75% HIGHWAY DESIGN SUBMISSION
 TASK 440 – PARKING LOT LAYOUT
 TASK 450 – 100% HIGHWAY DESIGN SUBMISSION
 TASK 470 – TOWN MEETINGS
 TASK 500 – RIGHT OF WAY
 TASK 700 – PROJECT DEVELOPMENT – STRUCTURAL
 TASK 750 – FINAL STRUCTURAL DESIGN
 TASK 800 – PS&E SUBMISSION
 TASK 900 – CONSTRUCTION ENGINEERING

Fuss & O'Neill will adhere to the scope provided in the RFP. Any deviation or clarifications from the Town's RFP and the VHB 25% plans are detailed below. These changes have been discussed in detail with the Town through several conversations and a site walk on October 20, 2020.

TASK 100 – PROJECT DEVELOPMENT ENGINEERING

Fuss & O'Neill will adhere to the scope provided in the RFP.

TASK 150 - ENVIRONMENTAL

- Per our discussion with the Town on 10/22/2020, total project wetland impacts will not exceed 5,000 s.f. and/or permitting to fall under limited project status under WPA.
 Fuss & O'Neill assume that any local Stormwater and/or WPA permitting related to the new parking areas identified under Task 440 will be combined with the overall permitting for the trail. Separate reporting, hearings, submissions for these parking areas if they are requested to be segmented from the overall trail permitting is not included.
- Task 179 – NOI. Includes one submittal to Conservation Commission and MassDEP. This submittal shall show and quantify the jurisdictional areas under both the Sudbury Town Bylaw and the MassDEP WPA. The NOI shall categorize the project to meet the WPA standards and regulations and the Town Bylaw to the greatest extent possible. The NOI application materials, alternatives analysis, and categorical thresholds shall meet the performance standards of a limited project.
 - New wetland resource area delineations shall be included in the NOI filing application. A revision to the ORAD is not included.
 - Response and revisions to one round of town staff review comments on DRAFT NOI prior to submission is included.

- Response and revisions to one round of MassDOT review comments on NOI is included. Fuss & O'Neill will submit Draft ENF to MassDOT. Fuss & O'Neill assume MassDOT will finalize and submit to MEPA as required.
- Based on site walk with Town on 10-20-2020, all permitting shall be based on the most recent ANRAD revision filing dated June 15, 2020
- Any repair/replacement of the approximately 23 culvert/cattle crossings shall be included in the overall project permit submissions and shall not be permitted separately. Any culverts within the project limits not shown or assessed in the previous documents prepared by others shall also be inspected and if replacement is necessary a simplified hydrologic assessment shall be used for the design and permitting. Furthermore it is assumed any full replacements that may be required shall be premanufactured structures for which bridge sketch plans or geotechnical investigations will not be required.
- Permitting or filing fees (if needed) are assumed to be paid by the Town or MassDOT.
- Licensed Site Professional services (LSP) are not anticipated
- Task 170 - ACOE PCN assumes one submission to the Corps.
- Task 181 – Chapter 91. At the Town's request Fuss & O'Neill will prepare and file an application for determination and/or authorization (license or permit) for the Hop Brook and Pantry Brook existing crossings locations. The application shall include design details of the crossing and resource area studies and hydrologic assessments previously prepared by others.
- Task 188 – Wetland Replication. This task shall be limited to areas within town and state owned land within the project limits. Replication work shall include expansion of wetlands areas adjacent to the path and one area on town owned property.
- Task 190 – Sudbury Stormwater Application. It is assumed the Town will coordinate with the Sudbury Planning Board for permit filing. Fuss & O'Neill will prepare application materials.
- Additional wetland delineation is assumed to require only on the side path along North Road and delineation at Broadacres/Haynes farm pond where potential wetland replication area is to be located.
- Any permitting for Article 97 related to the Broadacres/Featherland parking lot is not included.

TASK 200 – FUNCTIONAL DESIGN REPORT

TASK 220 – DESIGN JUSTIFICATION WORKBOOK

Fuss & O'Neill will adhere to the scope provided in the RFP.

TASK 440 – PARKING LOT LAYOUT

- Parkinson's Lot: Improvements are limited to providing a spur path connection that meets ADA requirements to the proposed BFRT at the closest point feasible to the parking lot and improvements to the access drive. Improvements to town owned access road to the west will include survey and minimal access without stormwater accommodations. No improvements to the parking lot pavement, layout, stormwater. All work is assumed to be within town of Sudbury and/or MassDOT layout. All plans and documents for this spur connection shall be included with the overall rail trail plan set for MassDOT.
- Broadacres Farm Lot: Will include site survey and design of up to a 30 space parking lot which will include one access driveway on Morse Road and spur path access to BFRT. This includes stormwater management and associated permitting. All work is assumed to be within town of Sudbury and/or MassDOT layout. All plans and documents for this spur connection shall be included with the overall rail trail plan set for MassDOT. A previously considered multiuse path through Featherland

Park will not be included in the scope of work since project development is not in parallel to the rail trail design at 25% and advancement from conceptual development could impact the BFRT project delivery, advertising date and construction funding. In addition, incorporation of this path has not been vetted by MassDOT and it is unknown if MassDOT will approve/fund it as part of the BFRT.

- Davis Field Lot: Improvements are limited to widening the existing 5' wide sidewalk on the south side of North Road to create a variable width (8-10') shared use path connection from BFRT to the Davis Field recreation parking lot. The path will extend along the perimeter of the existing recreation parking lot and terminate at the fields. Improvements to the parking lot are limited to the disturbance area created by removing a portion of the asphalt to create the path. No improvements to North Road, the parking lot pavement, parking layout, stormwater, or other site amenities is included. All work is assumed to be within town of Sudbury and/or MassDOT layout. Topographic field survey and wetland delineation along north road is included to design this spur connection and associated improvements. All plans and documents for this spur connection shall be included with the overall rail trail plan set for MassDOT.

TASK 400 – 75% HIGHWAY DESIGN SUBMISSION

TASK 450 – 100% HIGHWAY DESIGN SUBMISSION

TASK 800 – PS&E SUBMISSION

- Additional survey is required and is include in the scope as follows:
 - Parkinsons Lot Access driveway (Approximate 530 lf.)
 - TI-Sales existing eastern frontage adjacent to MassDOT Layout (to capture stone retaining wall) (Approximate 175 lf.)
 - Parkinsons proposed spur connection to BFRT (Approximate 250 lf.)
 - Peakham Rd. (Approximately 150 lf.)
 - Broadacres Parking Lot, spur connection, and potential park amenities in the area of parking lot (Approximately 30,000sqft.)
 - North Rd and western portion of Davis Field parking lot (Approximately 800 lf.)
 - Windmill Drive (Approximately 30 lf.)
 - Wetland rep area at Broadacres Farm (Approximately 10,000 sf)
 - Missing culverts at Methods Machine
- All CAD files provided by 25% design consultant (VHB) shall be in MassDOT standard format and standards, such as, but not limited to: HZ/VC datum, Civil 3D alignments/surfaces/styles/templates, Survey Topo TIN. Alignments and surfaces shall be free of all breaks and errors.
- Existing conditions survey is assumed to have enough ground survey points to create cross sections every 25'. All physical features within the limit of work shall be appropriately labeled and spatially located (x,y,z).
- This scope assumes only one round of review comments at each design stage. In order to make for an efficient review process, Fuss & O'Neill will request a good faith effort by MassDOT PM to compile comments and be diligent about internal review timeframes in order to reduce the number of "piecemeal" or perpetual commenting that often times results on these type of projects. Fuss & O'Neill will hold a call with MassDOT Chief of Project Development to layout these expectations to help maintain a smooth review process.
- Resubmission or multiple submissions of design plans at any stage is not included. This excludes omissions or errors caused by Fuss & O'Neill.

- It is assumed that after conducting a warrant analysis under Task 200 that a signal will be needed at Hudson Rd./Peakham Rd. Fuss & O'Neill will include full design of traffic signal equipment, timings, and phasing plans for this intersection. Emergency vehicle Pre-emption will be included. It is assumed that video detection (or other form of optical or radar detection) shall be used.
- The proposed new traffic signal at Hudson Rd./Peakham Rd. will include coordination capabilities in the event this location becomes coordinated with the existing signalized intersection at Hudson Rd./Concord Rd. Fuss & O'Neill will evaluate this existing traffic signal cabinet to confirm if coordination is possible. Should coordination be required by the Town and/or MassDOT, Fuss & O'Neill will provide wireless communication between the two locations and identify equipment upgrades at Hudson Rd./Concord Rd. This scope of work does not include a hard wire (conduit run) between the two signals and does not include a full traffic signal plan for Concord Rd./Hudson Rd. Only a time-space diagram with time of day and signal phasing will be provided at Concord Rd./Hudson Rd. along with the necessary equipment upgrades to coordinate the two locations. It is anticipated the existing cabinet, back panel and load switches are capable of supporting coordination at Concord Rd./Hudson Rd. New traffic counts are also not included in this scope at Concord Rd./Hudson Rd. since this information along with existing plans is anticipated to be provided by the Town or MassDOT. A master traffic controller is anticipated to be at the Hudson Rd./Peakham Rd. intersection.
- Fuss & O'Neill will provide two additional soil borings to a depth of 25' at Hudson Rd./Peakham Rd. in order to determine approx. depth of traffic signal foundations.
- No additional traffic signal designs are anticipated other than described above.
- Town of Concord will provide Special Provisions and trail details (relating to historic, wayfinding, landscape features) to incorporate as appropriate in order to maintain trail consistency
- Fuss & O'Neill will adjust the TI Sales access driveway geometry as needed for the new traffic signal installation however additional revisions within the TI Sales parking lot (on the privately owned parcel) is not included.
- Task 430 – Coordination with Concord BFRT.
 - The Town of Concord is responsible for providing PS&E MassDOT approved, engineering/stamped/biddable documents within a timely manner to Fuss & O'Neill as to avoid delays to advertising.
 - All Town of Concord BFRT bid documents will be represented separately of the Town of Sudbury BFRT bid documents. Fuss & O'Neill will compile both projects under one cover sheet stamped by both engineers of record however no other documents shall be combined such as, but not included: Special Provisions, Quantity Calculation Book, Construction Cost Estimate, Highway design plans/cross sections, quantity detail sheets.
 - Fuss & O'Neill accepts no responsibility for Town of Concord BFRT documents.
- If plans are available by others for the MCRT, Fuss & O'Neill will show those limits of work on the plans so the contractor for the BFRT is aware of this adjacent work.

TASK 470 – TOWN MEETINGS

Communications between Fuss and O'Neill and the public, abutters, residents, members of boards and committees will be coordinated with and/or approved prior to commencing by the Town's Project Manager.

- At this time due to the current public health pandemic and COVID-19 social distancing requirements by the Commonwealth of Massachusetts, all meetings under Task 470 are assumed to be held virtually.

- Task 474 – The number of bi-weekly meetings budgeted in the scope assumes a 12 month period for which they will be required.

TASK 500 – RIGHT OF WAY

Prior to submission of any 75% plans to MassDOT, Fuss & O'Neill will ensure that all property ownership is clearly defined on the plans and any fee takings, permanent easements or layout alterations are fully vetted with the Town so Fuss & O'Neill doesn't have to incorporate major rail trail alignment/access point changes in subsequent design phases. Fuss & O'Neill will lead this effort with our subconsultant GCG Associates.

- It is assumed that improvement areas identified under Task 440 will be designed entirely within Town or MassDOT right of way therefore not requiring any permanent easement or layout plans. Temporary easements may be required which Fuss & O'Neill will include on the preliminary ROW plans
- Easement plans shall be prepared for those identified under the 25% ROW plans.
- A stamped Location Plan will likely be needed in order for lease agreements between MassDOT Rail / MassDOT Highway / Town of Sudbury. Preparation of these plans is included in our scope.
- Based on existing survey provided, it appears a full boundary survey is not required in order to establish the existing rail corridor. RR value station mapping and record plans shall be used to prepare lease agreement and easement with Rail Division.
- If establishment of field monumentation and boundaries are deemed necessary at grade crossings, Fuss & O'Neill will perform this work as part of our scope/fee. However a full boundary survey outside of the grade crossings are not included.
- Additional easement plans as result of design changes associated with negotiations with private property owners are not included.
- Disposition of objects and physical features determined by MassDOT Rail Division to be encroachments shall be identified on our Preliminary ROW Plans, however preparation of individual recordable plans that may be required for encroachment agreements between MassDOT Rail Division and private property owners are not included.

TASK 700 – PROJECT DEVELOPMENT – STRUCTURAL

TASK 750 – FINAL STRUCTURAL DESIGN

- Because loading conditions can vary depending on which fabricator/supplier is providing the Arch, Fuss & O'Neill typically provide a preliminary foundation design after coordination with multiple pre-casters. This will allow for development of quantities for bidding and general structural requirements for footings that must be followed by the contractor. As such Fuss & O'Neill assumes that FINAL design of foundations for the proposed arch bridge over Pantry Brook will be provided by contractor during construction via shop drawings for our approval.
- Design of temporary excavation support systems, shoring, or temporary earth stabilization is not included.
- CCTV inspections of cattle crossings/culverts under Task 700 is assumed to not be required based on review of preliminary report. Fuss & O'Neill will use a camera on a rod /tripod to inspect culverts as needed. Our scope excludes physically cleaning or debris removal from culverts. It is assumed that debris will be cleaned during construction by the contractor under appropriate bid item.
- All existing culverts/cattle crossings are anticipated to remain culverts. Design of new structures (If needed) are anticipated to be replaced in kind with prefabricated similar sized structures. A simplified hydrologic assessment shall be used for the design and permitting. No watershed modeling is anticipated due to any potential in-kind replacement.

- It is anticipated that the washed out culvert in the area of the STA. 167+23 will include a design and simplified hydraulic analysis for permitting needs but will not require a MassDOT hydrologic or geotechnical report given the size of the anticipated culvert and existing conditions.
- Additional geotechnical reports and or soil borings (if required) for retaining walls, slope stability, or bridge/culvert structures is not included.
- Based on field visit with Town on 10/20/2020 the structural design of a boardwalk structure is not included in the project scope, however a washed-out culvert was noted in this area and will be addressed with a new structure (type/size to be determined). For the remainder of the area, it will be necessary to re-design the vertical profile and adjust the cross sections in this area to limit impacts to resource areas to the greatest extent practicable.
- Design of retaining walls is limited to the two bridges (including wing walls if required), boardwalk area, walls previously shown on the 25% plans, and new locations assuming that those new walls are less than 4' in height.
- Any walls outside of the bridges that are required are assumed to be proprietary designs for which contractors will submit shop drawings for approval. Additional retaining walls throughout the project area will provide wall elevation, layout, and typical details as well as the required wall type (MSE, Gravity, etc.). This is typical for MassDOT design procedure. The structural design will be limited to preparing feasibility checks to confirm the proposed wall type is appropriate and safe for public use.
- It is assumed the existing retaining wall at TI-Sales parking lot will be retained.

TASK 900 – CONSTRUCTION ENGINEERING

As discussed on 10/22/2020, this task includes Task 901 Pre-Bid Services. All other tasks within section 900 scope of work are not included and will be amended at a future date once the final design details have been established.

STANDARDIZED SCOPE OF SERVICES AND
WORK HOUR ESTIMATE FORMS
FOR CONSULTANT SERVICES

City/Town	Sudbury	Contract No.:	Fuss & O'Neill, Inc.					
Location:	Bruce Freeman Rail Trail (Final Design) S-31-013 , S-31-007	Date:	10/30/2020					
		ProjInfo No.:	608164					
HOURLY RATE SUMMARY								
		PIC	PM	SE	Eng	AE	ET	
DIRECT HOURLY RATE (\$) (Design) (From HED-640)		\$90.00	\$53.00	\$60.00	\$42.00	\$30.00	\$28.00	
DIRECT HOURLY RATE (\$) (Construction) (From HED-640)		\$90.00	\$53.00	\$60.00	\$42.00	\$30.00	\$28.00	
LOADED HOURLY RATE (\$) (Design)		\$277.20	\$163.24	\$184.80	\$129.36	\$92.40	\$86.24	
LOADED HOURLY RATE (\$) (Construction)		\$277.20	\$163.24	\$184.80	\$129.36	\$92.40	\$86.24	
WORK HOUR AND FEE SUMMARY								
TASK DESCRIPTION	PIC	PM	SE	Eng	AE	ET	Task Hour	Task Fee
100 PROJECT DEVELOPMENT ENGINEERING	0	26	0	14	0	0	40	\$ 6,055.28
150 ENVIRONMENTAL	55	81	158	379	140	60	873	\$ 124,804.68
200 FUNCTIONAL DESIGN REPORT	0	7	8	22	36	0	73	\$ 8,793.40
220 DESIGN JUSTIFICATION WORKBOOK	1	5	4	16	36	0	62	\$ 7,228.76
230 INTERCHANGE JUSTIF./MODIF. REPORT	0	0	0	0	0	0	0	\$ -
300 25% HIGHWAY DESIGN SUBMISSION	0	0	0	0	0	0	0	\$ -
350 DESIGN PUBLIC HEARING	0	0	0	0	0	0	0	\$ -
400 75% HIGHWAY DESIGN SUBMISSION	20	324	221	800	445	187	1997	\$ 260,007.44
440 PARKING LOT LAYOUT	3	42	32	89	135	51	352	\$ 41,986.56
450 100% HIGHWAY DESIGN SUBMISSION	6	97	78	138	157	50	526	\$ 68,582.36
470 TOWN MEETINGS	4	61	9	38	0	8	120	\$ 18,335.24
500 RIGHT OF WAY	4	74	24	112	114	15	343	\$ 43,939.28
600 GEOTECHNICAL DESIGN	0	0	0	0	0	0	0	\$ -
700 PROJECT DEVELOPMENT - STRUCTURAL	0	9	39	23	16	0	87	\$ 13,130.04
710 SKETCH PLANS	0	0	0	0	0	0	0	\$ -
750 FINAL BRIDGE DESIGN	2	32	207	253	321	170	985	\$ 121,080.96
800 PS&E SUBMISSION	10	76	8	66	15	33	208	\$ 29,426.32
900 CONSTRUCTION ENGINEERING	1	12	1	0	8	8	30	\$ 3,850.00
TOTAL WORK-HOURS	106	846	789	1950	1423	582	5696	
								TOTAL FEE \$ 747,220.32
ACTUAL PERCENTAGES	2	15	14	34	25	10		
(TYPICAL PERCENTAGES)	1-3%	10-15%	15-25%	25-35%	10-15%	10-15%		
				DESIGN	CONSTRUCTION		TOTALS	
(a) Salary Costs				\$ 241,354.00	\$ 1,250.00		\$ 242,604.00	
(b) Indirect Costs (%)	180.00%			\$ 434,437.20	\$ 2,250.00		\$ 436,687.20	
(c) Net Fee (%)	10.00%			\$ 67,579.12	\$ 350.00		\$ 67,929.12	
TOTAL LIMITING FEE				\$ 743,370.32	\$ 3,850.00		\$ 747,220.32	
(d) Direct Expenses				\$ 50,318.99	\$ -		\$ 50,318.99	
GCG Associates - Survey & ROW Layout/Easement Plans				\$ 41,000.00				
Seaboard Drilling Co. - Soil Borings				\$ 2,600.00				
Accurate Counts LLC - Traffic Counts				\$ 2,500.00				
Other Direct Costs - travel/printing				\$ 4,218.99				
MAXIMUM PAYMENT AMOUNT				\$ 793,689.31	\$ 3,850.00		\$ 797,539.31	
MAXIMUM OBLIGATION							\$ 797,539.31	
						TOTAL	\$ 797,500.00	

Attachment 6.c: BFRT_Fuss&ONeill Final SOW and Fee Proposal_10-30-20 (4228 : BFRT contract)

STANDARDIZED SCOPE OF SERVICES AND
WORK HOUR ESTIMATE FORMS
FOR CONSULTANT SERVICES

City/Town	Sudbury	Contract No.:	Fuss & O'Neill, Inc.					
Location:	Bruce Freeman Rail Trail (Final Design)	Date:	10/30/2020					
Bridge Number:	S-31-013 , S-31-007	ProjInfo No.:	608164					
SECTION 100								
PROJECT DEVELOPMENT ENGINEERING								
		PIC	PM	SE	Eng	AE	ET	TOTAL
101	Project Concept Preparation (Development of Purpose and Need)				NA			
102	Preliminary Project Area Analysis				NA			
103	Reasonable Alternative(s) Identification				NA			
104	Alternatives Analysis & Report Preparation				NA			
105	Project Design Schedule Development and Monthly Updates		18					18
106	Town of Sudbury Monthly Updates		8		14			22
SUBTOTAL			26		14			40
SECTION 150								
ENVIRONMENTAL								
		PIC	PM	SE	Eng	AE	ET	TOTAL
151	Early Environmental Coordination Design Submission Checklist				NA			
152	Hist./Arch. - Federal Section Section 106 and State Chapter 254				NA			
153	Reserved				NA			
154	Hazardous Materials Research/Review		4					4
155	Project Development Meetings and Hearings	5	16	22	34			77
156	NEPA/MEPA Determination				NA			
157	NEPA - Categorical Exclusion (CE)		2	4	4	16		26
158	NEPA - Environmental Assessment (EA)				NA			
159	NEPA - Draft Environmental Impact Statement (EIS)				NA			
160	NEPA - Final Environmental Impact Statement (EIS)				NA			
161	NEPA - Supplemental Environmental Impact Statement (EIS)				NA			
162	NEPA - Reevaluation				NA			
163	MEPA - Environmental Notification Form (ENF)		4	10	30	40		84
164	MEPA - Draft Environmental Impact Report (DEIR)				NA			
165	MEPA - Final Environmental Impact Report (FEIR)				NA			
166	MEPA - Notice of Project Change (NOPC)				NA			
167	MEPA - Supplemental Environmental Impact Report (SEIR)				NA			
168	Reserved				NA			
169	Reserved				NA			
170	USACE Section 404 General Permit (PCN)	10	2		46			58
171	USACE Individual Section 404 Permit				NA			
172	U.S. Coast Guard Bridge Permit				NA			
173	Programmatic Section 4(f) Evaluation				NA			
174	Draft Individual Section 4(f) Evaluation				NA			
175	Final Individual Section 4(f) Evaluation				NA			
176	Wetland Resource Area Delineation				NA			
177	WPA Abbr. Notice of Resource Area Determination (ANRAD)				NA			
178	WPA Request for Determination of Applicability (RDA)				NA			
179	WPA Notice of Intent (NOI) - Includes parking lots under 440	24	30	55	90	40	20	259
180	WPA Variance		4	2	10			16
181	Chapter 91 License/Permit Application	4	8	2	32		8	54
182	Water Quality Certification		2	4	2	10		18
183	Coastal Zone Management Consistency Review				NA			
184	Wildlife/Rare Species Assessment				NA			
185	Essential Fish Habitat Assessment				NA			
186	Reserved				NA			
187	Impaired Waterbody Assessment and Water Quality Data Form		1	1		2		4
188	Wetland Replication Plan	4	1	8	40			53
189	Stormwater Report			8	8	8	8	32

Attachment 6.c: BFRT_Fuss&O'Neill Final SOW and Fee Proposal_10-30-20 (4228 : BFRT contract)

STANDARDIZED SCOPE OF SERVICES AND
 WORK HOUR ESTIMATE FORMS
 FOR CONSULTANT SERVICES

City/Town	Sudbury	Contract No.:		Fuss & O'Neill, Inc.				
Location:	Bruce Freeman Rail Trail (Final Design)	Date:		10/30/2020				
Bridge Number:	S-31-013 , S-31-007	ProjInfo No.:		608164				
190	Sudbury Stormwater Permit		1	3	3	3		10
191	Invasive Plant Management	2	2	30	40	8		82
192	Compensatory Flood Storage Calculations			1		8	24	33
193	Hydraulic Analysis and Report	6	4	8	40	5		63
SUBTOTAL		55	81	158	379	140	60	873

Attachment 6.c: BFRT_Fuss&ONeill Final SOW and Fee Proposal_10-30-20 (4228 : BFRT contract)

STANDARDIZED SCOPE OF SERVICES AND
WORK HOUR ESTIMATE FORMS
FOR CONSULTANT SERVICES

City/Town	Sudbury	Contract No.:	Fuss & O'Neill, Inc.					
Location:	Bruce Freeman Rail Trail (Final Design)	Date:	10/30/2020					
Bridge Number:	S-31-013 , S-31-007	ProjInfo No.:	608164					
SECTION 200								
FUNCTIONAL DESIGN REPORT (FDR)								
		PIC	PM	SE	Eng	AE	ET	TOTAL
201	Establish Purpose and Need				NA			
202	Public and Agency Outreach				NA			
203	Evaluate Existing Conditions / Context				NA			
204	Prepare Traffic Volumes		4		8			12
205	Conduct Safety Analysis				NA			
206	Evaluate Signal Warrants		1	2	4	8		15
207	Operational Analysis for Existing Conditions			1	4	8		13
208	Establishment of Basic Design Controls and Evaluation Criteria				NA			
209	Development of Alternatives				NA			
210	Operational Analysis for Future Conditions			1	2	4		7
211	Preferred Alternative				NA			
212	Complete Streets				NA			
213	GreenDOT				NA			
214	Traffic Management				NA			
215	Construction Cost				NA			
216	Conclusion and Recommendation				NA			
217	Report Preparation		2	4	4	16		26
SUBTOTAL			7	8	22	36		73
SECTION 220								
DESIGN JUSTIFICATION WORKBOOK								
		PIC	PM	SE	Eng	AE	ET	TOTAL
221	Evaluate Controlling Criteria		2	2	8	12		24
222	Perform Incremental Evaluation		1		8	12		21
223	Complete and Certify the Workbook	1	2	2		12		17
SUBTOTAL		1	5	4	16	36		62
SECTION 230								
INTERCHANGE JUSTIFICATION / MODIFICATION REPORT (IJR / IMR)								
		PIC	PM	SE	Eng	AE	ET	TOTAL
231	Prepare an IJR/IMR							
SUBTOTAL								
SECTION 300								
25% HIGHWAY DESIGN SUBMISSION								
		PIC	PM	SE	Eng	AE	ET	TOTAL
301	Project Initiation and Data Compilation							
302	Utility Coordination							
303	Survey Coordination and Controls							
304	Base Plans, Profiles and Typical Sections							
305	Field Reconnaissance							
306	Plot Existing Layout Lines							
307	Meetings and Liaison							
308	Determine Roadway Cross Section							
309	Preliminary Horizontal Geometry							
310	Preliminary Vertical Geometry							
311	Cross Section Studies							
312	Prepare Cross Sections							

Attachment 6.c: BFRT_Fuss&ONeill Final SOW and Fee Proposal_10-30-20 (4228 : BFRT contract)

STANDARDIZED SCOPE OF SERVICES AND
WORK HOUR ESTIMATE FORMS
FOR CONSULTANT SERVICES

City/Town	Sudbury	Contract No.:	Fuss & O'Neill, Inc.					
Location:	Bruce Freeman Rail Trail (Final Design)	Date:	10/30/2020					
Bridge Number:	S-31-013 , S-31-007	ProjInfo No.:	608164					
SECTION 300 (Cont'd)								
25% HIGHWAY DESIGN SUBMISSION								
		PIC	PM	SE	Eng	AE	ET	TOTAL
313	Plot Proposed Layout and Easements							
314	Pavement Design							
315	Typical Sections							
316	Construction Details							
317	Hydrological Studies and Hydraulics Report							
318	Preliminary Drainage and Utility Studies							
319	Lane Configurations							
320	Traffic Signals							
321	Signs and Pavement Markings							
322	Traffic Management							
323	Preliminary Landscape Design							
324	Constructability Review							
325	Quality Control (QC) Review							
326	Preliminary Construction Estimate							
327	Submission Checklists							
328	Modifications and Revisions							
329	Value Engineering (VE)							
330	Construction Contract Time Determination							
331	Incentives/Disincentives							
SUBTOTAL								
SECTION 350								
DESIGN PUBLIC HEARING								
		PIC	PM	SE	Eng	AE	ET	TOTAL
352	Hearing Preparation							
353	Design Public Hearing							
SUBTOTAL								
SECTION 400								
75% HIGHWAY DESIGN SUBMISSION								
		PIC	PM	SE	Eng	AE	ET	TOTAL
401	Response to 25% Comments	1	8	20	10			39
402	Field Reconnaissance		6	8	16		16	46
403	Meetings, Liaison and Coordination	4	48	8	8			68
404	Utility Coordination		16	16	16		8	56
405	Final Horizontal Design Geometrics		40	10	80	40	20	190
406	Final Vertical Design Geometrics		16	36	80	60	4	196
407	Pavement Design		1	1	4			6
408	Typical Cross Sections		4	4	4	40	16	68
409	Plot Cross Section		16	8	80	20	16	140
410	Plot Proposed Layout and Easements		8	2	20	10		40
411	Construction Plans		1	2	20	24	24	71
412	Grading and Tie Plans		1	8	40	20	2	71
413	Drainage and Water Supply Details	1	4	8	50	50	16	129
414	Traffic Signs		2		28		20	50
415	Guide Sign Design & Overhead Directional (OD) Elevations				N/A			
416	Traffic Signals and Plan Preparation	2	32	30	80	60		204
417	Pavement Markings and Plan Preparation		2	8	24	4		38
418	Traffic Management		2	2	4	16		24
419	Highway Lighting Plans and Details		2	8	16			26

STANDARDIZED SCOPE OF SERVICES AND
WORK HOUR ESTIMATE FORMS
FOR CONSULTANT SERVICES

City/Town	Sudbury	Contract No.:	Fuss & O'Neill, Inc.					
Location:	Bruce Freeman Rail Trail (Final Design)	Date:	10/30/2020					
Bridge Number:	S-31-013 , S-31-007	ProjInfo No.:	608164					
SECTION 400 (Cont'd)								
75% HIGHWAY DESIGN SUBMISSION								
		PIC	PM	SE	Eng	AE	ET	TOTAL
420	Landscape Design and Plan Preparation		6	4	60	60	24	154
421	Construction Phase Erosion and Sediment Control		1	3	5	2		11
422	Miscellaneous Contract Plans	1	8	4	60	24	6	103
423	Quantity & Cost Estimate (Weighted Average Bid Application)		4	4	40			48
424	Special Provisions		30	6	40			76
425	Constructability and Quality Control (QC) Review	8	40	20				68
426	Submission Checklist	2	2					4
427	Bottom Up Estimate and Reconciliation (if required)				NA			
428	Construction Contract Time Determination				NA			
429	Incentives/Disincentives with Road User Calculation				NA			
430	Coordination of BFRT in Concord	1	24	1	15	15	15	71
SUBTOTAL		20	324	221	800	445	187	1997
SECTION 440								
PARKING LOT LAYOUT								
		PIC	PM	SE	Eng	AE	ET	TOTAL
441	Survey Coordination		4					4
442	Parkinsons Driveway and Spur Path		8	4	20	40	8	80
443	Broadacres Farm	2	16	18	40	40	20	136
444	Davis / North Rd Spur	1	8	4	25	40	8	86
444	Permitting coordination into overall submissions		2	2	4			8
445	MassDOT & Town Coordination meetings		4	4				8
446	Incorporation of designs into overall plans / specs / documents					15	15	30
447								
448								
449								
SUBTOTAL		3	42	32	89	135	51	352
SECTION 450								
100% HIGHWAY DESIGN SUBMISSION								
		PIC	PM	SE	Eng	AE	ET	TOTAL
451	Respond to 75% Comments	2	16	30	30			78
452	Finalize Plans		40	40	80	120	50	330
453	Finalize Special Provisions		8	8	8			24
454	Finalize Quantity and Cost Estimate (W.A.B.A. & Calculation Book)				20	20		40
455	Quality Control (QC) Review	2	15			15		32
456	Submission Checklist	2	2			2		6
457	Bottom Up Estimate and Reconciliation (if required)							
458	Construction Contract Time Determination							
459	Incentives/Disincentives							
460	Meetings / Coordination / Liaison		8					8
461	Coordination of BFRT in Concord		8					8
SUBTOTAL		6	97	78	138	157	50	526
SECTION 470								
TOWN MEETINGS								
		PIC	PM	SE	Eng	AE	ET	TOTAL
471	Town Public Meetings		8		8		4	20

Attachment 6.c: BFRT_Fuss&O'Neill Final SOW and Fee Proposal_10-30-20 (4228 : BFRT contract)

STANDARDIZED SCOPE OF SERVICES AND
WORK HOUR ESTIMATE FORMS
FOR CONSULTANT SERVICES

City/Town	Sudbury	Contract No.:				Fuss & O'Neill, Inc.		
Location:	Bruce Freeman Rail Trail (Final Design)	Date:				10/30/2020		
Bridge Number:	S-31-013 , S-31-007	ProjInfo No.:				608164		
472	Meetings with BFRT Design Task Force		9	9			4	22
473	Abutter Meetings		4		30			34
474	Bi-Weekly Coordination Meetings	2	24					26
475	Meetings w/ BOS, Historic District Comm, Historic Comm, Park &	2	16					18
SUBTOTAL		4	61	9	38		8	120
SECTION 500								
RIGHT OF WAY								
		PIC	PM	SE	Eng	AE	ET	TOTAL
501	Preliminary Right of Way Plans	1	50	10	60	90	15	226
502	Layout Plans and Order of Taking	1	8	4	24	8		45
503	Written Instrument	1	8		8	8		25
504	Final Right of Way Plans	1	8	10	20	8		47
SUBTOTAL		4	74	24	112	114	15	343
SECTION 600								
GEOTECHNICAL DESIGN								
		PIC	PM	SE	Eng	AE	ET	TOTAL
601	Research Available Subsurface Data							
602	Field Reconnaissance							
603	Subsurface Investigation Plan							
604	Subsurface Investigation Inspection							
605	Office Studies, Analysis and Testing							
606	Geotechnical Report							
607	Meetings, Reviews and Liaison							
608	Final Plans, Specifications and Estimates							
SUBTOTAL								

Attachment6.c: BFRT_Fuss&ONeill Final SOW and Fee Proposal_10-30-20 (4228 : BFRT contract)

STANDARDIZED SCOPE OF SERVICES AND
WORK HOUR ESTIMATE FORMS
FOR CONSULTANT SERVICES

City/Town	Sudbury	Contract No.:	Fuss & O'Neill, Inc.						
Location:	Bruce Freeman Rail Trail (Final Design)	Date:	10/30/2020						
Bridge Number:	S-31-013 , S-31-007	ProjInfo No.:	608164						
SECTION 700									
PROJECT DEVELOPMENT - STRUCTURAL									
		PIC	PM	SE	Eng	AE	ET	TOTAL	
701	Field Investigation - Cattle Crossings and Culverts			16		16		32	
702	Determine Structure Upgrades - Cattle Crossings and Culverts		8	15	15			38	
703	Memorandum Preparation / reccomendations		1	8	8			17	
SUBTOTAL			9	39	23	16		87	
SECTION 710									
SKETCH PLANS									
		PIC	PM	SE	Eng	AE	ET	TOTAL	
711	Establish Boring Locations								
712	Reserved								
713	Sketch Plan Development								
714	Meetings, Coordination and Liaison								
715	Constructability Review								
716	Submission Checklist								
SUBTOTAL									
SECTION 750									
FINAL BRIDGE DESIGN									
		PIC	PM	SE	Eng	AE	ET	TOTAL	
751	Structural Design -Bridges Supertstructure		7	19	44	76		146	
752	Structural Design - Bridges Substructure		2	28	10	20		60	
753a	Structural Design - Cattle Crossings/Culvers/Grade Beam(s)	2	2	30	20	8		62	
753b	Bridge Layout Geometrics			16	24	48		88	
754	Contract Drawings			25	46	78	134	283	
755	First Review Submission		2	4	8	8	4	26	
756	Quantity Cost Estimates		4	8	20	32		64	
757	Special Provisions			12	24	18		54	
758	Second Review Submission			16	24	24	32	96	
759	FHWA Reviews			NA					
760	Meetings and Liaison		5	13	13	9		40	
761	Constructability and Quality Control (QC) Review		8	32	16			56	
762	Submission Check List		2	4	4			10	
SUBTOTAL			2	32	207	253	321	170	985

Attachment6.c: BFRT_Fuss&ONeill Final SOW and Fee Proposal_10-30-20 (4228 : BFRT contract)

STANDARDIZED SCOPE OF SERVICES AND
WORK HOUR ESTIMATE FORMS
FOR CONSULTANT SERVICES

City/Town	Sudbury	Contract No.:	Fuss & O'Neill, Inc.						
Location:	Bruce Freeman Rail Trail (Final Design)	Date:	10/30/2020						
Bridge Number:	S-31-013 , S-31-007	ProjInfo No.:	608164						
SECTION 800									
PS&E SUBMISSION									
		PIC	PM	SE	Eng	AE	ET	TOTAL	
801	Respond to 100% Comments		20		16			36	
802	Finalize Plans, Specifications and Estimate		16		40	2	20	78	
803	Prepare Detail Sheets						10	10	
804	Combine Highway and Bridge					3	3	6	
805	Quality Control (QC) Review	8	20	8				36	
806	Coordination of BFRT in Concord	2	20		10	10		42	
807	Finalize Construction Contract Time Determination	NA							
808	Finalize Incentives/Disincentives	NA							
SUBTOTAL		10	76	8	66	15	33	208	
SECTION 900									
CONSTRUCTION ENGINEERING									
		PIC	PM	SE	Eng	AE	ET	TOTAL	
901	Pre-Bid Services	1	12	1		8	8	30	
902	Pre-Construction Conference								
903	Highway Shop Drawings and Signal Permit								
904	Bridge and Wall Shop Drawings								
905	Bridge Construction Procedures								
906	Furnishing Advice and Field Visits								
907	Geotechnical Construction Evaluation								
908	Bridge Rating and Photographs								
909	Bi-weekly Coordination								
910	Final Traffic Signal Inspection								
911	Final Site Walk								
SUBTOTAL		1	12	1		8	8	30	

Attachment6.c: BFRT_Fuss&ONeill Final SOW and Fee Proposal_10-30-20 (4228 : BFRT contract)

Request for Proposals for Professional Design, Engineering and Permitting Services

ATTACHMENT A: Scope of Work

SCOPE OF SERVICES

75%/100%/PS&E DESIGN

Bruce Freeman Rail Trail
Sudbury, Massachusetts
MassDOT Project No. 608164

PROJECT LIMITS

The proposed alignment of BFRT in Sudbury will follow the inactive railroad right-of-way owned in its entirety by the Commonwealth of Massachusetts. The existing rail line right-of-way is approximately 65 feet wide and follows a mostly wooded alignment. The right-of-way is primarily a raised embankment that supports a single line of steel rails and wood ties, except where they have been removed at road crossings. The alignment crosses through six roadways and three commercial or residential driveway/access roads. The six roadways include Route 117 (North Road), Pantry Road, Haynes Road, Morse Road, Route 27 (Hudson Road), and Old Lancaster Road and the driveway/access roads include 66-65 Union Avenue (driveway), Codjer Lane (access road), and Fairview Farm (driveway). Additionally, the previously designed (by others) 0.5-mile section of the BFRT in Concord will be incorporated into MassDOT design submissions and constructed as part of this Project.

TASK DESCRIPTIONS

The following summarizes the scope of work for this project; which consists of: providing ground survey, securing all environmental permitting, including the Order of Conditions from the Sudbury Conservation Commission, the preparation of final bridge design, the 75%, 100% and PS&E design, construction estimate, and special provisions submission that complies with MassDOT Highway Division and AASHTO criteria, and DEP Best Management Practices for Controlling Exposure to Soil during the Development of Rail Trails, development of design options for the at-grade crossings at Route 117 (North Road), Pantry Road, Haynes Road, Morse Road, Route 27 (Hudson Road), Old Lancaster Road, and three driveways, parking lot improvements and layout and design, structural design (HS-10 loaded) for two bridges and a boardwalk, community outreach, meetings with the Town, and abutter coordination.

The bridges are at Pantry Brook (S-31-013) and Hop Brook (S-31-007), both perennial streams and regulatory floodways. Completion of the boardwalk section design, specifications, and estimate is included in this scope of work, but the scope of services for the boardwalk is currently under review and that component may be modified or removed from the project.

Copies of all documents submitted for this project, including detailed design, will be filed with the Town's Department of Planning and Community Development.

It is understood that the Scope of Services under this Agreement may be changed by actions of MassDOT and FHWA and the Towns.

For any field work including survey on private property, the Consultant will prepare a description of work for the Town to coordinate with property owner. The Consultant shall not enter onto private property without permission.

The following summarizes the scope of work for this assignment, which has been prepared in accordance with MassDOT's Standardized Scope of Services. MassDOT Scoping Workbook provides a more detailed breakdown of how fees associated with each task below should be allocated.

SECTION 100 PROJECT DEVELOPMENT ENGINEERING

The following scope outlines efforts to be conducted:

101 Project Concept Preparation (Development of Purpose and Need)

N/A

102 Preliminary Project Area Analysis

N/A

103 Reasonable Alternative(s) Identification

N/A

104 Alternatives Analysis and Report Preparation

N/A

105 Project Design Schedule Development and Monthly Updates

The Consultant will develop and submit for approval a project design schedule monthly as required by MassDOT.

106 Sudbury Monthly Updates

The Consultant will provide the Town with monthly update/ progress reports. Reports shall be in the form of technical memoranda or letters, not as e-mail communications.

SECTION 150 ENVIRONMENTAL

- *There will be impacts to the flood plain due to the construction of the path and compensatory floodplain will be required.*
- *MassDOT will be the applicant for the NOI and is therefore exempt from Local Bylaws but the plans will be designed to adhere to the Town's bylaws to the extent practicable.*

- *Hop Brook and Pantry Brook are within Floodway. A hydraulic report has previously been prepared for Pantry Brook and a memorandum has been prepared for Hop Brook. No additional hydraulic reports for the bridges are anticipated.*
- *Wildlife habitat and vernal pool studies are complete.*

The following environmental scope outlines efforts to be conducted:

151 Early Environmental Coordination Design Submission Checklist

N/A – Completed under a separate contract.

152 Historic/Archaeology – Federal Section 106 and State Chapter 254

Historic review will be completed by MassDOT Cultural Resources Unit. The Consultant shall be available for consultation with Cultural Resource Unit staff.

153 Reserved

154 Hazardous Materials Research/Review

Hazardous Materials review will be completed by MassDOT Hazardous Materials Unit. The Consultant shall be available for consultation with MassDOT staff.

155 Project Development Meetings and Public Hearings

The Consultant will attend:

- Pre-application meeting with the Conservation Commission Agent
- Coordination meeting with the Conservation Commission to discuss replication areas
- Site walk with the Conservation Commission representative/Agent to map invasive species
- Meeting and site walk with peer reviewer
- Up to six Conservation Commission public hearings for Sudbury
- Up to two site walks with the Conservation Commission
- USACE pre-application meeting
- Two MEPA meetings: pre-filing meeting and scoping meeting
- Two Planning Board meetings for Stormwater Management Permit

156 National Environmental Policy Act / Massachusetts Environmental Policy Act (NEPA/MEPA) Determination

N/A

157 NEPA – Categorical Exclusion (CE)

The Consultant will prepare a Categorical Exclusion (CE) Determination Checklist for Federal-Aid Actions in accordance with the *Programmatic Agreement For Approval Of Categorical Exclusions Between The Federal Highway Administration And The Massachusetts Highway Department*, dated May 17, 2005, and Federal Highway Administration Regulation 23 CFR § 771.117 (1987).

This will be prepared after the 25% design public hearing comments have been responded to and the final transcript is available.

158 NEPA – Environmental Assessment (EA)

N/A

159 NEPA – Draft Environmental Impact Statement (EIS)

N/A

160 NEPA – Final Environmental Impact Statement (EIS)

N/A

161 NEPA Supplemental Environmental Impact Statement (EIS)

N/A

162 NEPA Reevaluation

N/A

163 MEPA – Environmental Notification Form (ENF)

The Consultant will prepare an ENF and associated correspondence to various agencies, as necessary, in accordance with the Massachusetts Environmental Policy Act and MEPA Regulations 301 CMR 11.00. The Consultant will prepare associated filing attachments, such as a distribution list and prepare and post a public notice; respond to comments, as necessary. An alternatives analysis memo, identifying path design and route alternatives considered shall be prepared and provided as an attachment. Attendance at a MEPA scoping meeting is included under Project Development Meetings and Hearings, Item 155.

164 MEPA – Draft Environmental Impact Report (DEIR)

N/A

165 MEPA – Final Environmental Impact Report (FEIR)

N/A

166 MEPA Notice of Project Change

N/A

167 MEPA Supplemental Environmental Impact Report

N/A

168 Reserved**169 Reserved****170 USACE Section 404 General Permit (PGP)**

The project will include work in wetlands and waterways subject to regulation by the federal Clean Water Act. The project is assumed to require a Pre-Construction Notification (PCN) pursuant to

the General Permits for Massachusetts for impacts to a federal, non-state regulated wetland. The Engineer will verify the project as designed qualifies for a PCN.

Coordination with the U.S. Army Corps of Engineers (USACE) shall be conducted for project review pursuant to federal wetland regulations and include attendance of a pre-filing meeting with the USACE regulatory staff. The PCN application, with narrative and suitable plan set shall be prepared and submitted to MassDOT Environmental Section prior to submission to the USACE pursuant to Section 404 of the Federal Clean Water Act. The USACE Application shall be prepared following completion of the 75 percent design plans.

171 USACE Individual Section 404 Permit

N/A

172 U.S. Coast Guard Bridge (USCG) Permit

N/A

173 Programmatic Section 4(f) Evaluation

Consultant to provide information, but it is assumed MassDOT will handle approval with FHWA. Associated areas are Featherland Park/Broadacres Farm, Parkinsons/Ti-Sales, Davis Field, and Davis Conservation Land.

174 Draft Individual Section 4(f) Evaluation

N/A

175 Final Individual Section 4(f) Evaluation

N/A

176 Wetland Resource Area Delineation

N/A – Completed under a separate contract.

177 WPA Abbreviated Notice of Resource Area Determination (ANRAD)

N/A – Completed by Town and MassDOT

178 WPA Request for Determination of Applicability (RDA)

N/A

179 WPA Notice of Intent (NOI)

The Consultant will prepare and submit at least one NOI with the Sudbury Conservation Commission in accordance with the provisions and regulations of the WPA and the Town of Sudbury Bylaws.

Tasks include preparation of all associated forms, backup documentation, project narrative, alternatives analysis, state and local regulatory compliance, permit plans, stormwater report, stream crossing standards for replacement culverts/bridges, impacts to coldwater fisheries (Hop Brook and unnamed tributary), wetland replication plan, riverfront restoration planting plan, invasive species management plan, Corridor Management Plan for post construction and

an Operation and Maintenance and Long Term Pollution Prevention Plan, and coordination during review. The previous ANRAD did not determine perennial/intermittent stream status under the bylaw.

Pre-filing consultation with the Conservation Commission public hearings and site walks, if necessary are under Task 155.

In addition to the primary NOI for the rail trail construction, the Consultant shall prepare separate permit filings for the culvert cleaning and assessment work, survey, and soil borings for soil testing under Tasks 402 and 701. To the extent possible, one permit filing could be made for these due diligence task and an RDA may be sufficient once the nature of the work is clarified. Conditions of approval on the due diligence work are anticipated.

If impacts to Bordering Vegetated Wetlands exceed 5,000 square feet a Variance from MassDEP will be required. The 25 percent design assumes use of a boardwalk and retaining walls to keep wetland impacts under 5,000 square feet.

180 WPA Variance

N/A

181 Chapter 91 License/Permit Application

The existing bridges over Pantry Brook and Hop Brook are not licensed under Chapter 91. The existing bridge built over Hop Brook will be repaired and reused. The Pantry Brook existing bridge is not functional and will be replaced. Applications for a Chapter 91 License or a Chapter 91 Permit in accordance with the Massachusetts Chapter 91 Waterways Act shall be prepared and acquired by the Consultant for each bridge. Tasks include preparation of the application form, backup documentation, and plans/Mylars in accordance with Chapter 91 submission requirements. Separate applications for separate licenses shall be prepared for each bridge, although the applications may be submitted in a single filing.

182 Water Quality Certification

The Engineer shall evaluate if the project impacts exceed 5,000 square feet of vegetated wetland and waters impact or impact a federal non-state regulated wetland subject to Section 404 of the Clean Water Act. If the Project impacts to state and federal regulated wetlands and waters exceed 5,000 square feet, an individual Water Quality Certificate will be required.

183 Coastal Zone Management Consistency Review

N/A

184 Wildlife/Rare Species Assessment

N/A- Completed under a separate contract.

185 Essential Fish Habitat Assessment

N/A

186 Reserved

187 Impaired Waterbody Assessment and Water Quality Data Form

The Consultant will document the incorporation of Best Management Practices (BMPs) in the stormwater management system by completing the 75% Design portion of the Water Quality Data Form.

188 Wetland Replication

The consultant shall prepare a wetland replacement plan to offset the impacts to vegetated wetlands from the Project in accordance with the WPA and Bylaw regulations. The wetland mitigation area shall be included in the NOI submission for the Rail Trail (Item 179).

189 Stormwater Report

As per 310 CMR 10.05(6)(m)(6), “Footpaths, bike paths and other paths for pedestrian and/or nonmotorized vehicle access” shall meet the Stormwater Standards to the maximum extent practicable. The addition, as a limited project per 310 CMR 10.53(6), the work may be approved under an Order of Conditions provided that adverse impacts are minimized and mitigation measures are proposed in order to contribute to the protection of the interests identified in M.G.L. c. 131. § 40. However, compliance (or to the maximum extent) with the Standards and in particular Standards 2, 3 and 4 must be documented in a Stormwater Management Report. The Stormwater Management Report shall be prepared and submitted with the NOI. See Tasks 190 and 413 for additional information. Full compliance with the Stormwater Standards is expected for any new parking area or connector path.

190 Sudbury Stormwater Permit Application

The Sudbury Stormwater Management Bylaw requires filing for a permit with the Sudbury Planning Board. The Consultant shall prepare a Stormwater Permit Application for review by the Client and submission to the Planning Board. Two meetings with the Planning Board are included under Item 155.

The Consultant shall analyze the rainfall-runoff for the project under the existing and proposed conditions for storm events with recurrence intervals of 2, 10, 25, and 100 years, with rainfall amounts of 3.2”, 4.8”, 6.0”, and 8.6”, respectively, as outlined by the Stormwater Management Bylaw Regulations for the Town of Sudbury. A rainfall depth of one inch (1”) shall also be evaluated. The runoff coefficients and time of concentration for the existing and proposed conditions should be determined using the NRCS Technical Release 55 (TR-55) methodology in HydroCAD. The HydroCAD model is based on the NRCS Technical Release 20 (TR-20) Model for Project Formulation Hydrology.

191 Invasive Plant Management

The Consultant shall prepare a plan identifying invasive species present along the project corridor. An Invasive Species Management Plan shall be prepared documenting construction measures that will be undertaken to prevent the spread of invasive plants through equipment operations or soil movement and handling. The submission shall include construction specifications and long-term measures for control of invasive species after the rail trail is in operation. The Consultant shall

attend a site walk with MassDOT and Town representatives to review and evaluate invasive species along the Project corridor.

192 Compensatory Flood Storage

The rail trail project will cross through the 100-year floodplain. Impacts to floodplain shall be identified and quantified on a 1-foot incremental basis. Compensatory floodplain storage volume shall be proposed on a 1-foot incremental basis to offset the impacts to floodplain storage volume in accordance with the WPA regulations and included in the NOI.

193 Hydraulic Analysis and report

The Consultant will prepare a hydraulic memo presenting the results for the hydraulic analysis as needed, if culvert replacement is warranted. Stream crossing standards will be pursued to the maximum extent practicable. (See Culvert Inventory Memorandum by Tighe & Bond dated April 19, 2018)

SECTION 200 FUNCTIONAL DESIGN REPORT

A Functional Design Report was prepared with the 25% Design Submission assuming a HAWK signal at the intersection of Hudson Rd at Peakham Rd. MassDOT suggests a full traffic signal be evaluated at this location. It is assumed that a technical traffic memorandum regarding the traffic can be provided to supplement the 25% FDR. Evaluation of the adjacent intersections and driveways shall be included (Maynard Road to Concord Road), but the design of any intersection improvements at these locations is outside of this scope of work. The scope in this section includes the following effort:

201 Establish Purpose and Need

N/A

202 Public and Agency Outreach

N/A

203 Evaluate Existing Conditions / Context

N/A

204 Prepare Traffic Volumes

Traffic count data was collected as part of the 25% Design. The Engineer will coordinate with MassDOT to determine requirements for and procure supplemental traffic data for the intersection of Hudson Road at Peakham Road/ Bruce Freeman Rail Trail, and adjacent intersections (including intersections of Hudson Road with Maynard Road and Concord Road). The count program shall consist of Turning Movement Counts (TMCs) for a minimum 8-hour period.

The Consultant will provide an assessment of data to determine factors for background growth and seasonal adjustments. The Engineer will prepare the future design volumes.

205 Conduct Safety Analysis

N/A

206 Evaluate Signal Warrants

The Consultant will collect, tabulate, and analyze traffic count data with respect to the MUTCD Traffic Control Signal Needs (Warrants) based on the existing and future geometric conditions to determine if signals are justified for the intersection of Hudson Road at Peakham Road/ Bruce Freeman Rail Trail. Consideration and a recommendation should be made of potential signalization of the intersection at Maynard and Hudson Roads, which would be done under a separate contract.

207 Operational Analysis for Existing Conditions

The Consultant will determine Peak-Hour Factor, Truck Percentage, and applicability of pedestrian phasing. Determine, tabulate, and discuss Level of Service, volume-to-capacity ratio and vehicle delays in accordance with MassDOT's current approved software packages for the intersection of Hudson Road at Peakham Road/ Bruce Freeman Rail Trail. In addition, average and 95th percentile Queue calculations will be performed.

208 Establishment of Basic Design Controls and Evaluation Criteria

N/A

209 Development of Alternatives

N/A

210 Operational Analysis for Future Conditions

The Consultant will analyze Future Traffic Volumes (in both No-Build and Build) for the intersection of Hudson Road at Peakham Road/ Bruce Freeman Rail Trail. In addition, average and 95th percentile Queue calculations will be performed.

211 Preferred Alternative

N/A

212 Complete Streets

N/A

213 GreenDOT

N/A

214 Traffic Management

N/A

215 Construction Cost

N/A

216 Conclusion and Recommendation

N/A

217 Report Preparation

Using traffic data previously collected a Technical Memorandum will be prepared by the Consultant addressing the following traffic engineering issues for the intersection of Hudson Road at Peakham Road/ Bruce Freeman Rail Trail.

- Signal warrant analysis.
- Capacity and level-of-service analyses of intersection.
- Queuing analysis for peak periods.
- Geometry/lane configuration.

220 DESIGN JUSTIFICATION WORKBOOK

Consistent with Chapter 2, Section 2.11 of the *Project Development and Design Guide* (Guidebook) and Engineering Directive E-20-001, the Design Justification Workbook should follow the workbook template available on mass.gov. Limited effort is involved to determine shared-use path design criteria compliance.

221 Evaluate the Controlling Criteria

The Consultant will compare the recommended values of the controlling criteria of Chapter 2 of the Guidebook and E-20-001 to the proposed values. Revisit those features that do not meet the recommended values and work toward developing a design that is consistent with current recommended design standards.

222 Perform Incremental Evaluation

For each of the controlling criteria that do not meet the current recommended design criteria, the Consultant will prepare the additional documentation as noted in the workbook template. This documentation should include a discussion of alternatives evaluated and an incremental comparison of impacts and costs associated with each alternative.

223 Complete and Certify the Workbook

The Consultant will complete the Design Justification Workbook by including a project description, executive summary, and all supplemental information as noted in the workbook template. Stamp and certify the Design Justification Workbook.

SECTION 230 INTERCHANGE JUSTIFICATION/ MODIFICATION REPORT **(IJR/IMR)**

There is no work anticipated under this Section.

SECTION 300 25% HIGHWAY DESIGN SUBMISSION

There is no work anticipated under this Section.

SECTION 350 DESIGN PUBLIC HEARING

There is no work anticipated under this Section.

SECTION 400 75% HIGHWAY DESIGN SUBMISSION

Upon approval of the 25-percent design and following the design public hearing process, the final design shall be progressed through completion. Project tasks and submittals will follow the MassDOT's Design Guidebook.

The following tasks are included as part of this 75% Design effort:

401 Response to 25% Comments

The Consultant will prepare a formal written response to all comments received regarding the 25% review and address revisions stemming from the Design Public Hearing that MassDOT and the Consultant deem necessary.

402 Field Reconnaissance

The Consultant will perform field review of base plan information. Verify the location of existing features, note legends on all warning, regulatory and route marker signs. Verify that the plans provide sufficient information regarding existing utilities, fences, ledge, apparatus and other features. The Consultant will conduct a field review of the proposed project interface with adjacent properties, streets, drives, drainage, utilities, wetlands, etc.

The Consultant will perform a field survey to locate existing features that were identified with MassDOT 25% comments and parking lot areas identified under Task 430. Control will be based on previous survey by others. All survey work shall be in accordance with the MassDOT Survey Manual.

403 Meetings Liaison and Coordination

The Consultant will attend meetings and provide the liaison necessary to advance the design of a project. More specifically, The Consultant will coordinate, prepare for and attend meetings with MassDOT's Boston and District Offices and planning agencies, as directed by the Town. The Consultant will provide MassDOT and the Town with minutes of the meetings.

404 Utility Coordination

Working with the DUCE, the utility companies affected by the proposed work shall be contacted to discuss project impacts and note the locations of relocated utilities (poles, pipes, etc.) on the plans. Include estimate and special provisions for publicly owned utility work that is to be performed by the construction contractor.

405 Final Horizontal Design Geometrics

The Consultant will adjust the horizontal geometry based on the 25% review comments and comments stemming from the Design Public Hearing. Plans must clearly show all aspects of the horizontal geometry, including curve components such as Point of Curvature (PC), Radius (R), DELTA, Length of Curve (L), Tangent (T) and Point of Tangency (PT) along with a description of roadway widths, station equations and horizontal offsets between survey baseline and design centerline.

406 Final Vertical Design Geometrics

The Consultant will adjust vertical geometry based on 25% review comments and comments stemming from the Design Public Hearing. Plans must clearly show all pertinent aspects of the vertical geometry including Stopping Sight Distance (SSD), Passing Sight Distance (PSD), Grade 1 (G1), Grade 2 (G2), Length of Vertical Curve (L), K (factor), station and elevation of Point of Vertical Curvature (PVC), Point of Vertical Tangency (PVT) and Point of Vertical Intersection (PVI). Profiles are to be prepared in accordance with the Guidebook.

407 Pavement Design

The Consultant will respond to Pavement Design Engineer's review comments.

408 Typical Cross Sections

The Consultant will finalize the typical cross sections ensuring that materials and dimensions are clearly labeled in accordance with the proposed pavement structure approved by the Pavement Management Section.

409 Plot Cross Sections

The Consultant will adjust cross sections to ensure that the slope limits and treatments of each cross section are crafted to suit the specific site locations. Individual cross sections should be evaluated regarding guardrail locations, gravel box detail, pay limits, and the need for subdrains and retaining walls.

410 Plot Proposed Layout and Easements

The Consultant will adjust the plans based on the limits established by the final cross sections to ensure that adequate right of way is available to perform the work. Existing layout lines, proposed alterations and any temporary or permanent easements must be clearly labeled.

411 Construction Plans

The Consultant will prepare the Construction Plans in accordance with the Guidebook. Each item of work within the project limits must be clearly labeled. The drawings will be formatted as described in the Guidebook.

412 Grading and Tie Plans

The Consultant will prepare grading and tie plans as applicable showing detailed information regarding proposed curve geometry and grades.

413 Drainage and Water Supply Details

The design shall include the use of vegetated shoulders and conveyance swales with check dams to promote infiltration and recharge, consistent with standard MassDOT design practices for rail trail facilities. This design for conveyance water quality swales shall be met for the 10-year storm per the MassDEP Stormwater Management Standards (SMS). Additional analyses of existing and proposed flows to vernal pools shall be performed using the TR-20 methodology to confirm that the Project will not adversely affect the hydrologic regime contributing to these pools.

The water quality swales shall be designed in accordance with the Stormwater Management Handbook to provide a longitudinal slope less than 5%. Check dams should be incorporated into the swale design to ensure non-erosive flows in all proposed swales and promote infiltration.

The Consultant shall perform a hydrologic analysis for each design point.

The work shall include but not limited to:

- Sizing of swales
- Spacing of checkdams
- Size low point basins
- Relocated roadway drainage
- Replacement of culverts (Task 702)

414 Traffic Signs

The Consultant will identify locations for all warning, regulatory and route marker signs. The Consultant will also indicate on the plans the status of existing signs and structures.

415 Guide Sign Design and Overhead Directional (OD) Elevations

N/A

416 Traffic Signals and Plan Preparation

The Consultant will include designs for traffic signal modification. Develop traffic signal specifications. Finalize phasing details and prepare the traffic signal plans. This applies to the potential signal at the intersection of Hudson Road and Peakham Road.

417 Pavement Markings and Plan Preparation

The Consultant will design and layout the roadway pavement markings, stop lines, cross walks, gore markings, etc. and prepare pavement marking plans.

418 Traffic Management

The Consultant will prepare the construction staging. Prepare the temporary traffic control construction plans in accordance with the MUTCD such that sufficient information is provided to demonstrate a feasible means of constructing the project. The level of detail shall recognize that the actual traffic management plan implemented by the contractor may vary from that shown on the plans. A more definitive estimate for the use of police will be made based on the finalization of the traffic control plans/traffic management plans.

419 Highway Lighting Plans and Details

Based on 25% comments, lighting may be need at intersections, such as Hudson Road. At other locations, the planned pedestrian activated flashing beacon may be adequate and better accepted by the Town.

420 Landscaping and Plan Preparation

The Consultant will finalize planting locations and species based on review comments. The Consultant will develop planting schedules and tabulate relevant data. This includes creating the following:

- Wayfinding signage
- Entrance Gateway
- Gateways/Roadway crossings
- Planting layout
- Historic elements, including reuse of the historic granite stone abutments from Pantry Brook Bridge within the corridor if not at the bridge site
- Interpretive signage
- Connections to other spurs
- Rest areas (Three)
- Recreational activity and picnic areas (Two)

421 Erosion Control

The Consultant will detail the sequencing, material placement and measures to control the potential damage to adjacent properties, wetlands, bodies of water, etc. The erosion control measures will be shown on the plans.

422 Miscellaneous Contract Plans

The Consultant will prepare miscellaneous full size drawings for presentation of the proposed project. These shall include the following miscellaneous contract plans, as required: Title Sheet, Index, Legend, Key Plan, Typical Sections, Utility Plans, and Special Details.

423 Quantity & Cost Estimate (Weighted Average Bid Application)

The Consultant will prepare a detailed estimate in accordance with the Method of Measurement and Basis of Payment described in the Standard Specifications for Highways and Bridges including the latest supplements and the Standard Special Provisions using MassDOT's Weighted Average Bid Application (WABA). Also prepare a calculation book based on the latest edition of the Standard Nomenclature. Every item of work shown on the plans has a pay item.

424 Special Provisions

The Consultant will prepare draft special provisions based on the latest edition of the Standard Specifications for Highways and Bridges and Supplemental Specifications and verify that every item in the estimate that is listed in the Standard Nomenclature with an asterisk (*) has a special provision. The Consultant will prepare special provisions describe a specific or unique activity to be performed by the contractor that is not adequately addressed in the Standard Specifications.

425 Constructability and Quality Control (QC) Reviews

The Consultant will perform an independent review of the project using an experienced engineer, who is not directly involved in the preparation of the contract documents. The review shall focus on the practicality of constructing the project based on access to site, equipment needs, material properties, etc. Also provide an overall review of the plans, specifications and estimate for conformity to the Guidebook, the Standard Specifications for Highways and Bridges, the latest Supplemental Specifications, the Bridge Manual, the Construction and Traffic Standard Details, and the latest Engineering and Policy Directives.

426 Submission Check List

The Consultant will prepare and submit the 75% Design Check List.

427 Bottom Up Estimate and Reconciliation (if required)

N/A

428 Construction Contract Time Determination

N/A - At this time, it is assumed that a CTD will be completed by MassDOT if required.

429 Incentives/Disincentives with Road User Calculation

N/A

430 Coordination of BFRT in Concord

The final design of the Concord portion (Town line to Powder Mill Rd) of the BFRT has been completed by the Town of Concord's design Consultant. The Consultant shall coordinate with the Concord Consultant about incorporating the plans, special provision and quantities into the Sudbury Documents.

SECTION 440 PARKING LOT LAYOUT

For the following locations, the Consultant will evaluate options and work with the Town to design appropriate parking improvements and expansion to offer parking for users of the rail trail in conjunction with existing town-owned recreational facilities. Tasks will include survey, layout, design, drainage for new Broadacres Farm lot, permitting, coordination with MassDOT, incorporation into plans and, estimate, and specifications. The Town will provide event information and parking count data, as needed. The 2 connector paths (below) are scoped herein, but need to be vetted by the community in coordination with Boards and Committees prior to advancing.

- Davis Field, improve existing gravel lot parking and an 8' path (where a sidewalk currently exists) to connect the parking lot to the rail trail
- Davis Conservation Land, improve existing gravel lot parking, consider an ADA parking space
- Parkinsons/Ti-Sales, improve existing gravel parking and new or existing access road
- Broadacres Farm – create new paved parking area and an 8' path to Concord Road (via Featherland Park). Drainage design should meet the local Stormwater Management Bylaw to the greatest extent possible.

- At Parkinson/Ti_Sales Field need to conduct additional survey of access driveways and work with MassDOT and abutters to determine access route and layout.

SECTION 450 100% HIGHWAY DESIGN SUBMISSION

451 Respond to 75% Comments

The Consultant will prepare a formal written response to all comments received regarding the 75% review. Resolve any further review comments.

452 Finalize Plans

The Consultant will prepare a set of plans addressing all comments received from the 75% review.

453 Finalize Special Provisions

The Consultant will review the special provisions to ensure that the special provisions do not duplicate those with respect to Division I of the Standard Specifications. Review the Method of Measurement and Basis of Payment for every item in order to ensure that the special provisions are clearly defined and not ambiguous.

454 Finalize Quantity and Cost Estimate (W.A.B.A. & Calculation Book)

The Consultant will prepare Detail Sheets, Quantity Sheets, and a Cost Summary Sheet.

455 Quality Control (QC) Review

The Consultant will perform an independent review of the project using an experienced engineer, who is not directly involved in the preparation of the contract documents to perform an independent review of the project. Refer to the MassDOT web site for the latest edition of all reference documents, Engineering Directives and Policy Directives. Verify that the plans, specifications and estimate are prepared in accordance with these documents.

456 Submission Check List

The Consultant will prepare and submit the 100% Highway Design Check List.

457 Bottom Up Estimate and Reconciliation (if required)

N/A

458 Construction Contract Time Determination

N/A - At this time, it is assumed that a CTD will be completed by MassDOT if required.

459 Incentives/Disincentives

N/A

460 Meetings Liaison and Coordination

The Consultant will attend meetings and provide the liaison necessary to advance the design of a project. More specifically, The Consultant will coordinate, prepare for and attend meetings with MassDOT's Boston and District Offices. These meetings are related to clarification regarding the design or comments. All meetings outside of this are under tasks.

461 Coordination of BFRT in Concord

The final design of the Concord portion (Town line to Powder Mill Rd) of the BFRT has been completed by the Town of Concord's design Consultant. The Consultant shall coordinate with the Concord Consultant about incorporating the plans, special provision and quantities into the Sudbury Documents.

SECTION 470 TOWN MEETINGS

In addition to the meetings required with MassDOT, the Consultant will attend meetings with Town boards, commission, departments, residents and abutters and maintain subsequent consultations throughout the duration of the project as needed to advance the project. The Consultant will prepare presentations, meeting handouts, and meeting minutes. Meeting materials shall be prepared prior to the meetings and forwarded to the Town for review and comment. All public meetings shall be documented, and materials shall be forwarded to the Town for posting on the Town website, if requested. The Consultant shall prepare and distribute minutes of all meetings.

It is assumed that the many of these meetings will be held virtually via remote participation. The Town will likely host the virtual public meetings, but the Consultant will be expected to host and facilitate numerous virtual meetings.

471 Town Public Meetings

The Consultant will facilitate two public informational night-time meetings (not including any meetings related to Conservation Commission permitting), throughout the design process. The public meetings shall focus on addressing the Community's concerns and comments associated with the development of the rail trail. The Town will be responsible for advertising and notifications for the public meetings, which will be posted at least two weeks in advance.

472 Town with BFRT Design Task Force

The Consultant will attend monthly meetings with the Task Force.

473 Abutter Meetings

In coordination with the town, the Consultant will meet with abutters to determine privacy and screening needs, as well as resolution to corridor encroachments. It is assumed that there will be up to ten (10) abutter meetings.

474 Bi-weekly Coordination Meetings

Bi-Weekly or as needed. Anticipate most will be conference calls/virtual meetings.

475 Meetings: Board of Selectmen, Historic District Commission, Historical Commission, Park and Recreation Commission

The Consultant will attend up to two meetings with each of the above committees (Sudbury Board of Selectmen, Sudbury Historic Districts Commission, Historical Commission and Sudbury Park and Recreation Commission). Joint meetings will be encouraged when feasible.

SECTION 500 RIGHT OF WAY

- *Preparation of right of way plans shall comply with the MassDOT Guidebook and the current ROW manual, as well as the MassDOT Plan Preparation Guidelines for Consultants Preparing Right of Way Plans.*
- *Abutter's property lines shall be verified with updated deeds and plans.*
- *The Professional Land Surveyor shall maintain and update electronic copies of the research materials throughout the taking document process.*

The Consultant will prepare right of way plans as specified in the Guidebook and the current ROW manual, MassDOT Plan Preparation Guidelines for Consultants Preparing Right of Way Plans, and as noted in applicable FHWA policies and regulations. The following summarizes the sub-sections included as part of this effort:

501 Preliminary Right of Way Plans

The Preliminary ROW plans will be updated based on prior comments and design revisions at the 75%, 100% and PS&E Design Submissions.

502 Layout Plans and Order of Taking

The Consultant will prepare Layout and Easement Plans based on the approved Preliminary Right of Way Plans in accordance with Chapter 18 of the Guidebook, the current ROW manual, and the MassDOT Plan Preparation Guidelines for Consultants Preparing Right of Way Plans, and shall include the proposed layout lines, property lines, corner markers, names of property owners, parcels to be taken, access and non-access points and the locations of all bounds.

503 Written Instrument

The Written Instrument for the Layout, Easement and Order of Taking shall be prepared in accordance with MassDOT Policy. The Written Instrument shall be carefully checked against the Layout Plan and Easement Plan.

504 Final Right of Way Plans

N/A – This is a community compliance project.

505 Title Search

N/A- Anticipated to be performed by others. The designer and the PLS of record should review the title exam and updates and incorporate changes into each Right of Way Plan submittal.

505 Field Reconnaissance

The Consultant and their PLS will perform a field survey to locate existing right-of-way monumentation along the roadway and railroad sidelines with the purpose of determining the existing rail corridor. Control will be based on previous survey by others.

506 Project Initiation and Data Compilation

The Right of Way will be determined from record layout plans, railroad record plans, deeds and record plans. Property Lines abutting said right-of-way will be shown based on plans and deeds of record. Any Easement abutting said ROW will also be shown based on plans and deeds of record.

Updated abutter names will be obtained and revised in existing base plan. Any deed restrictions determined of abutting properties will be labeled on the base plan. Deeds and plans of the abutting property owners shall be used to verify the location of all the abutter's property lines. The designer and PLS should be working together in the preparation of the Right of Way plans.

The Consultant shall identify any ROW encroachments.

507 Plot Existing Layout Lines

The Consultant and their PLS will plot and calculate all existing layout line geometry and railroad record plans and note all property owners. The additional Right-of-Way information added to the based plan will meet current MassDOT English standards and will be drafted in MassDOT current CAD standards.

SECTION 600 GEOTECHNICAL DESIGN

It is assumed that all geotechnical work was completed under a separate contract and there is no work under this Section.

SECTION 700 PROJECT DEVELOPMENT – STRUCTURAL

It is assumed that structural project development work related to the sketch plans of the two bridges and boardwalk was completed under a separate contract. Changes to the boardwalk are possible depending on classification of resource area delineation review underway.

The structural project development work included in this scope is described in the subsections below.

701 Field Investigations – Cattle Crossings and Culverts

Perform hands-on inspections of existing culverts and cattle crossings and document findings. Notable findings may include structural defects, hydraulic capacity issues, and geometric incongruencies with proposed trail design.

There are 4 cattle crossings and a previously completed inventory found 16 culverts within the project limits. Several of the culverts were submerged or blocked with debris. It is expected the Consultant will conduct clean outs, inspections, including CCTV, as needed to assess culverts and develop plans to address deficiencies. (see Culvert Inventory Memorandum by Tighe & Bond dated April 19, 2018)

702 Determine Structure Upgrades – Cattle Crossings and Culverts

Determine the most appropriate repairs, upgrades, replacements, and/or retrofits for cattle crossing and culverts. Coordinate with the trail designer and hydraulics engineer, as required. A wetlands permit filing may be required and stream crossing standards should be met to the greatest extent practicable.

Town staff encountered 20 culverts in the field. Two of these are adjacent to the path, not under the path. An evaluation of 16 of the 18 existing culverts under the path was previously completed.

A summary of that evaluation is listed below for information only. The consultant shall independently evaluate these structures as part of this scope.

- Three of the 16 culverts were submerged and were not inspected
- Eight of 16 inspected are stone and need a detailed inspection of interior to assess gaps in stonework and potential need for repair.
- Remaining eight are varying sizes and materials.
 - Two blocked and need cleaning and repair
 - Two culverts need repairs
 - Two headwalls need repairs
 - One undersized but in good condition. Evaluation needed to repair given hydraulics and potential impacts to abutting wetlands. Need to assess full replacement.
 - One likely undersized. Debris removal and further evaluation is needed to determine if replacement is warranted.
 - One needs to be evaluated for slope stability. If embankment is unstable, repairs or replacement is needed.

Two of the culverts not evaluated in the study, which are adjacent to the path and accommodate spur trails near Featherland Park/Broadacres Farm will need to be updated or replaced.

SECTION 710 SKETCH PLANS

It is assumed that all Sketch Plan work was completed under a separate contract and there is no work under this Section.

SECTION 750 FINAL STRUCTURAL DESIGN

The scope in this section includes the following structures:

- A new 750-foot boardwalk between Stations 166+50 – 174+00
- Replacement of Bridge S-31-013 (Pantry Brook)
- Rehabilitation and retrofit of Bridge S-31-007 (Hop Brook)
- Upgrades of culverts and cattle crossings (as determined in Section 700)
- Grade beam(s) or retaining walls (as needed by trail design)

In this response, the Consultant shall provide the cost breakdown for each of these structural design elements in the scoping workbook.

751 Structural Design – Boardwalk and Bridges

The Consultant will prepare the design calculations, and perform an independent design check of the calculations, for all superstructure and substructure components in accordance with the 2013 LRFD MassDOT Bridge Manual (with 2020 Revisions) and AASHTO LRFD Guide Specification for the Design of Pedestrian Bridges.

The following work is assumed under this section:

- Pantry Brook: There is no superstructure design under this scope section required for the prefabricated concrete arch structure. The Consultant will develop layout plans and performance specifications that outline general and project-specific requirements for the

precast structure. The Consultant will also design the foundations. In order to develop these plans, specs, and foundation design the Consultant will coordinate with civil, geotechnical, and hydraulic engineers. The Consultant will also coordinate with precast manufacturer for foundation loads and design of the foundations. Wingwall design is assumed to be completed by the precast manufacturer. The Consultant will also typically request preliminary design quotes from various manufacturers to help develop and/or validate the layout, specs, and foundation.

- Hop Brook: Design timber floorbeams, decking and railing and connections. Check existing steel beams. Perform comparative analysis between former railroad loading and proposed bikeway loading.
- Boardwalk: Design stringers, decking and railing for a typical boardwalk span. Design timber pile caps, piles and cap to pile connections.
- As applicable: Any cofferdams and permanent excavation support system requirements in accordance with the MassDOT Bridge Manual for any of the three structures above.

752 Structural Design – Cattle Crossings, Culverts, and Grade Beam(s)

The Consultant will prepare the design calculations and perform an independent design check of the calculations for all structural components, proposed repairs and retrofits, including walls and railings, in accordance with the MassDOT Bridge Manual.

753 Structure Layout Geometrics

The Consultant will prepare the design calculations and perform an independent design check of the geometric calculations for all structures being modified or replaced as part of Section 750, including framing, layout, critical clearance and elevation of footings, layout and ties, etc.

754 Contract Drawings

The Consultant will prepare the structural drawings in accordance with the MassDOT Bridge Manual and check the drawings for content and accuracy.

755 First Review Submission

The Consultant will prepare and submit the bridge design plans for MassDOT review and subsequent resolution of the comments and recommendations received from MassDOT.

756 Quantity Cost Estimates

The Consultant will prepare the quantity calculations and perform an independent check of the quantity calculations of the bridge items and related cost estimates.

757 Special Provisions

The Consultant will prepare the bridge special provisions in accordance with the MassDOT Bridge Manual.

758 Second Review Submission

The Consultant will prepare and submit updated final bridge designs plans for MassDOT review and subsequent resolution of MassDOT comments and recommendations.

759 FHWA Reviews

N/A

760 Meetings and Liaison

The Consultant will participate in meetings and coordinate in scheduling and advancing the bridge design.

761 Constructability and Quality Control (QC) Review

The Consultant will perform an independent review of the project by an experienced engineer who is not directly involved in the preparation of the contract documents. Review shall focus on the practicality of constructing the structure based on access to site, equipment needs, material properties, etc. Provide an overall review of the plans, specifications and estimate for conformity to the Guidebook, the Standard Specifications for Highways and Bridges, the latest Supplemental Specifications, the Bridge Manual, the Construction and Traffic Standard Details, and the latest Engineering and Policy Directives.

762 Submission Check List

The Consultant will prepare and submit Bridge Section Check list.

SECTION 800 PS&E SUBMISSION

Upon approval of the plans submitted for the 100 percent design submission, The Consultant shall proceed with the preparation of the contract plans and documents in accordance with the relevant guidelines set forth in the Guidebook, the Standard Specifications for Highways and Bridges, and other related publications. The following summarizes the sub-sections included as part of this effort:

801 Respond to 100% Comments

The Consultant will prepare a formal written response to all comments received regarding the 100% review.

802 Finalize Plans, Specifications and Estimate

The Consultant will check that all comments from 100% review are addressed and reflected in the contract documents.

803 Prepare Detail Sheets

The Consultant will prepare the Detail Sheets in accordance with Chapter 18 of the Guidebook. All items of work not adequately reflected on the plans are to be described in the Detail Sheets.

804 Combine Highway and Bridge

The Consultant will check that the highway plans accurately depict the approved bridge design and that the index correctly identifies the page numbering of the bridge plans. Combine Special Provisions and Estimate into one package that eliminates redundancy and ambiguity.

805 Quality Control (QC) Review

The Consultant will have an experienced engineer who is not directly involved in the preparation of the contract documents perform an independent review of the project. Log on to the MassDOT website for the latest reference documents such as Engineering Directives and Policy Directives, and verify that the Plans, Specifications and Estimate are prepared in accordance with these documents. Review all environmental permits and ensure that the contract documents provide a means of compensating the construction contractor for performing work described in the permits.

806 Finalize Bottom Up Estimate and Estimate Reconciliation (if required)

N/A

807 Finalize Construction Contract Time Determination

N/A - At this time, it is assumed that a CTD will be completed by MassDOT if required.

808 Finalize Incentives/Disincentives

N/A

809 Coordination of BFRT in Concord

The final design of the Concord portion (Town line to Powder Mill Rd) of the BFRT has been completed by the Town of Concord's design Consultant. The Consultant shall coordinate with the Concord Consultant about incorporating the plans, special provision and quantities into the Sudbury Documents.

SECTION 900 CONSTRUCTION ENGINEERING

The following summarizes the sub-sections included as part of this effort:

901 Pre-Bid Services

The Consultant will review and respond to inquiries from MassDOT related to the bid documents. Participate in Pre-Bid Conference. Provide written responses to contractor's questions.

902 Pre-Construction Conference

The Consultant will attend the Pre-Construction Conference. Answer questions and prepare the minutes of the meeting.

903 Highway Shop Drawings and Signal Permit

The Consultant will review various shop drawings as requested by MassDOT.

904 Structural Shop Drawings

The Consultant will review and approve or take other appropriate action upon structural shop drawings for conformance with the contract documents.

905 Structural Construction Procedures

The Consultant will review and approve or take other appropriate action according to the Bridge Manual regarding the conformance of the bridge demolition and erection procedures to the contract documents.

906 Furnishing Advice and Field Visits

The Consultant will provide assistance to MassDOT in interpreting the contract documents. Conduct field visits to the project site during construction as requested by the Engineer to provide consultation on design intent, assistance in addressing unforeseen conditions and /or similar matters, as requested by the Engineer. Attend periodic status and coordination meetings as determined by complexity of the project.

907 Geotechnical Construction Evaluation

N/A

908 Bridge Rating and Photographs

N/A

909 Bi-Weekly Coordination Meeting

The Consultant shall attend or call into weekly project coordination meetings with MassDOT and the Contractor held at the Project Field Office.

910 Traffic Signal Inspection

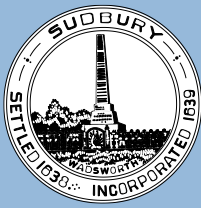
The Consultant will conduct a site visit to observe the traffic signal equipment to determine when the work is substantially complete, completed work generally conforms to the contract documents and is acceptable, generate a punchlist, and conduct a final site visit to determine if the punchlist has been adequately addressed.

911 Final Site Walk

The Consultant will conduct a site walk of the project to determine if the work is substantially complete and is acceptable, generate a punchlist. The Consultant will conduct a final site walk to determine if the punchlist has been adequately addressed.

Tasks Not Included

- Support and defense of the Project in the appeal of any regulatory permitting. If the Project is subject to an appeal, the tasks and fees associated with the appeal will be the subject of a Contract amendment.



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

7: Discussion on BFRT mission

REQUESTOR SECTION

Date of request:

Requestor: Beth Suedmeyer, Environmental Planner

Formal Title: Discussion and vote on the BFRT Advisory Task Force mission. Beth Suedmeyer, Environmental Planner, to attend. John Drobinski, Task Force chair to attend.

Recommendations/Suggested Motion/Vote: Discussion and vote on the BFRT Advisory Task Force mission. Beth Suedmeyer, Environmental Planner, to attend. John Drobinski, Task Force chair to attend.

Background Information:
updated mission statement attached

Financial impact expected:

Approximate agenda time requested: 30 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM

TOWN OF SUDBURY
BRUCE FREEMAN RAIL TRAIL ADVISORY TASK FORCE

Approved by the Board of Selectmen: September 9, 2016

Amended: December 6, 2016 and November 4 2020

DRAFT REVISION

Coding used: **DC comments**
WS comments
CR comments
Beth S.'s Note

Mission Statement

The Bruce Freeman Rail Trail (BFRT) Advisory Task Force (the Task Force) is intended to advise the Board of Selectmen and the Town Manager to assist in advancing the design, development, construction, and long-term maintenance of the Trail. The Board of Selectmen is looking to this Task Force to gather information and thereby help guide the Board and Town staff in making thoughtful decisions that: (1) are respectful and responsive to residents' concerns, including those of abutters, businesses, trail advocates, and future users; (2) support Sudbury's longstanding commitment to protect the natural environment; and (3) result from an open and transparent process. The Town recognizes the partnership with Massachusetts Department of Transportation (MassDOT), for the Trail to be built with State and Federal funding through the Boston Metropolitan Planning Organization (Boston MPO) and through a long-term lease agreement, **as other towns on the BFRT north of Sudbury have done.**

Background

The focus of the Task Force is the 4.6 mile section that runs through Sudbury, from the Concord town line to just North of Route 20 (near Station Road). This corridor is owned by MassDOT and part of a larger, 25-mile railroad right-of-way that was purchased in 1982 by the State, which will continue to own the underlying land even after the rail line has been converted to a rail trail. The Town will enter into a long-term lease agreement with MassDOT to operate the trail.

Rail trails have been developed across the country to serve a variety of purposes, including promoting healthy alternative transportation, recreation, energy conservation, clean air, and enhancement of a community's quality-of-life. The Selectmen support these objectives and recognize the importance of developing a rail trail addressing local concerns with environmental constraints **ALT SUGGESTION: addressing local concerns of respecting applicable environmental standards**, abutter impacts, public safety, and on-going maintenance and up-keep requirements, among other issues.

Current Status

The Town of Sudbury has funded the rail trail design through various Town Meeting appropriations. Construction costs will be covered through state and federal funding allocations. Construction is anticipated to begin in Federal Fiscal Year 2022. The Town of Sudbury contracted with its Design Engineering Firms VHB and Jacobs to advance the design of its portion of the trail to the 25% MassDOT Design approval stage and will contract with another design Engineering Firm for the final design, including MassDOT 75%, 100%, and construction Proposal, Specifications, and Cost Estimate (PSE). The consultant contracts call for an inclusive

design process to ensure that the project benefits from the input and feedback from interested citizens, local and regional groups, and elected officials. With the preliminary design completed, the Task Force will assist with the design development of parking facilities, trail heads, interpretive materials, and other amenities.

Staffing Assistance

The Director of Planning and Community Development or his/her designee will support this Task Force.

Responsibilities and Functions

The Task Force will help the Board advance the design of the trail from the 25% MassDOT Design stage through the next phases of design and ultimately advise on construction coordination, trail operations, and maintenance. The Task Force will not take on any of the Design Engineer's contractual obligations, but will assist the Design Engineer and Town staff by facilitating open and public communications with Town committees, with specific stakeholders including abutters, and with community members generally, and by providing a public record of its data gathering and deliberations. The work of the Task Force shall not unduly delay the work of the Design Engineer or the timeline of the project.

The Task Force will act as an advisory committee and will report (through in meeting presentations and/or written communications) to the Board of Selectmen periodically ALT. SUGGESTION quarterly and as requested by the Board. The Task Force will make recommendations to the Board of Selectmen. The Board of Selectmen and Town staff will direct the Design Engineer concerning implementation of the Board's decisions and will communicate as needed with MassDOT, other towns, and state organizations. These functions are outside the scope of the Task Force.

The responsibilities of the Task Force will include the following:

- Making recommendations to the Town Manager and Selectmen concerning the steps to be followed toward the design, planning, and development of the rail trail, including identifying any issues, concerns and constraints that are likely to arise during the design, permitting and construction phases.
- Gathering input from Town Boards and Committees, including the Conservation Commission, the Community Preservation Committee, and the Park and Recreation Committee;
- Gathering input from the Town's public safety and engineering staff concerning traffic and safety issues with the BFRT, especially where the rail trail intersects with roadways;
- Soliciting community input, including through open and noticed meetings;
- Documenting concerns and requests of abutters, businesses, and other residents and sharing them with the Selectmen;
- Recommending to the Board of Selectmen potential design elements that would advance the goals of the Sudbury Wetlands Administration Bylaw;
- Proposing necessary and appropriate Bylaw changes if existing bylaws cannot be satisfied;
- Recommending to the Board of Selectmen any specific design elements and mitigations to promote harmony between the rail trail and surrounding community and businesses.

- address concerns (including those of abutters), safety concerns, or environmental concerns, along with cost estimates for such design decisions as feasible;
- Coordinating with community efforts to improve, support and maintain the trail and making recommendations for future operations, maintenance and oversight;
 - Considering how:
 - user parking might maximize parking efficiencies and minimize the traffic and neighborhood impacts;
 - access to our town trails and open space should be managed to balance sensitive ecosystem protection and enhancements to connectivity;
 - the rail trail supports and enhances bicycle and pedestrian safety and recreational access in Sudbury;
 - connections with the rail trails in our neighboring communities will work most effectively for Sudbury;
 - amenities and other facilities, such as benches, signs, informational kiosks, scenic viewpoints, bike racks, trash receptacles, etc., will be chosen and located; and
 - Sudbury's agricultural, historical, and open-space heritage should be preserved.

Membership and Officers. [See below for discussion of Membership and Terms]

The Task Force shall have up to seven (7) members. All appointments shall be indefinite, until the Board of Selectmen feels the mission of the Task Force has been accomplished, or that membership needs to be changed in order to keep the work progressing.

The Town Manager or his/her designee shall chair the Task Force until the Task force elects a Chair. The Task Force will elect a Clerk to ensure that all meetings are properly posted and that minutes of each meeting are kept. Minutes of the Task Force's work shall be prepared and promptly posted on the Town website and sent to the Board of Selectmen on a regular basis. The Chair of the Board of Selectmen will act as liaison between the Task Force and the Selectmen.

ALT. SUGGESTION: The Board of Selectmen will vote to choose one of its members to act as liaison between the Task Force and the Selectmen.

The Task Force membership should include representatives from the following, subject to approval by the Selectmen:

1. One member from the Park and Recreation Commission
2. One member from the Conservation Commission
3. One member from the Planning Board
4. **DC, WS Suggest strike this one.** One Sudbury resident member selected by the Board of Selectmen from three recommendations to be provided by the Friends of the Bruce Freeman Rail Trail
5. Up to **three or four (depending on 4. above)** non-committee, at-large citizen members*

*In the event that committee representative positions are not filled, additional non-committee citizen members may be appointed to provide up to seven members in total.

Qualifications sought from at-large members include (a) prior involvement in rail trail development, operations and maintenance, (b) community relations (c) local business perspective (d) abutter perspective.

Compliance with State and Local Laws and Town Policies

The Bruce Freeman Advisory Task Force is responsible for conducting its activities in a manner which is in compliance with all relevant state and local laws and regulations including but not limited to the Open Meeting Law, Public Records Law, and Conflict of Interest Law, as well as all Town policies which affect committee membership. In particular, all appointments are subject to the following:

- The Code of Conduct for Selectmen Appointed Committee - A resident or employee who accepts appointment to a Town committee by the Board of Selectmen agrees that he/she will follow this code of conduct.
- The Town's Email Communication for Committee Members Policy – Anyone appointed to serve on a Town Board, Committee or Task Force by the Board of Selectmen agrees that he/she will use email communication in strict compliance with the Town of Sudbury's email policy, and further understands that any use of email communication outside of this policy can be considered grounds for removal from the committee by the Selectmen.
- Use of the Town's Website - The Task Force will keep minutes of all meetings and post them on the Town's website. The Task Force will post notice of meetings on the Town's website as well as at the Town Clerk's Office.

Membership Comments

- Beth removed the CPC member, as it seemed there was general support for that.
- DC and WS recommend removal of the FoBFRT recommendation bullet instead suggest a 4th BOS appointment without the FoBFRT recommendation involved.
- JR suggests consideration of adding an additional Planning Board member on the Task Force rather than a 4th BOS appointment.

Terms Comments

- DC- Terms should be for a maximum of three years. I do not believe we need to stagger these terms similar to how elected positions are.
- CR- "indefinite" is ok if an expected end date is anticipated. E.g., It is anticipated the work of the Task Force will be completed when the rail trail construction is complete, which is anticipated in FY2024. But if we want to set timeframes for appointments okay with that.
- JR and JD recommend staggered 3-6 year terms leveling out to 3 years after the initial appointments and that current at-large members have an opportunity to continue since they have prior knowledge which is valuable.
 - JR offers details. As I believe continuity at the outset with the 75%/100% design would be helpful, I suggest each member (prior members and new members) start with a 3-year term. At the 3-year mark, the stagger begins. Therefore, initial terms will be 3-6 years.
 - Year 0-3: everyone has 3-year term
 - Year 4: Members 1 and 2 terms up
 - Year 5: Member 3 and 4 terms up
 - Year 6: Member 5, 6, and 7 terms up
 - Members can be reappointed.

-----email below to include-----

Dear Board Members,

For the BFRT Advisor Task Force Mission statement revisions, please find the file entitled, BFRT Task Force Mission Nov 4 – COMPILED COMMENTS, attached which represents the compiled comments. I considered the discussion from the last meeting and made revisions or accepted my previous suggested changes to make the document easier to read and since these seemed to be accepted. Since the meeting packet software does not appear to handle the display of mark up/comments in a document, I have color coded the comments. I tried my best to capture comments in this format and apologize if something didn't convey well. There is a discussion at the end of the document considering the membership and terms of the Task Force, as these are the sections which had more than one comment. The color coding works well when only one member had a comment. If this notation "ALT. SUGGESTION" is used, that means an alternate suggestion for the previous sentence or line has been made.

All 5 Board members submitted comments --three sets of comments were made by email (below) and two as word document mark ups with track changes (attached). I'm sharing these so you can see the raw comments in addition to the compiled document I have sent. Additionally I note the public comment received from Len Simon of which you were copied. Thank you for your input, and I look forward to the discussion at Wednesday night's meeting.

Thanks,

Beth

Comments on BRUCE FREEMAN RAIL TRAIL DESIGN/ ADVISORY TASK FORCE VIA EMAIL

From: "Dretler, Janie" <DretlerJ@sudbury.ma.us>

Things that come immediately to mind are creating staggered terms: 3 yr, 4 yr and 5 yr terms. Possibly longer since there could be value to having longer terms as we have other similar projects poised for Sudbury - not just the BFRT north of Station Road.

I would like to see the current at-large members have an opportunity to continue since they have prior knowledge which is valuable. I would support having a regional rail trail organization recommend a member(s).

I do not believe the Select Board should have a member on the ATF, even through their participation on another board/committee. The Advisory Task Force is to advise the Board and should be independent.

FYI - Here is a link to the Lexington Bicycle Advisory

Committee: <http://records.lexingtonma.gov/WebLink/DocView.aspx?dbid=0&id=223020&page=1&cr=1>

From: "Carty, Daniel" <cartyd@sudbury.ma.us>

- Under current status the sentence “The Town of Sudbury has funded the rail trail design through various Town Meeting appropriations over the past decade” seems necessary. Plus talking about something that happened a decade ago under current status seems out of place. [Beth notes, it was later confirmed that Dan was ok with “The Town of Sudbury has funded the rail trail design through various Town Meeting appropriations.”]
- Under responsibilities:
 - we say “Documenting concerns of requests of abutters, businesses, and other residents” – it should also state that these documents would be presented to the Selectmen – documentation without communication of same isn’t useful
 - “Recommending to the Board of Selectmen any specific design elements and mitigations to address resident concerns (including those of abutters), safety concerns, or environmental concerns, along with cost estimates for such design decisions as feasible – Not just residents, we should also include businesses – many are likely not owned by residents
 - ” Submission of a report of its findings to the Board of Selectmen” is struck out – there needs to be some mechanism for these findings to be presented to the Selectmen – either a report, presentation, or similar. I would recommend that these updates be given quarterly.
- Under Membership:
 - Remove member from CPC – redundant as Planning Board, ConComm, and Park and Rec are already represented on CPC – replace with an at large member
 - Remove member from Friends of Bruce Freeman Rail Trail – replace with an at large member
- Terms should be for a maximum of three ye Terms should be for a maximum of three years. I do not believe we need to stagger these terms similar to how elected positions are.

From: "Roberts, Jennifer" <RobertsJ@sudbury.ma.us>

Terms

I believe we should offer membership to existing members with the knowledge that a number will not return due to a variety of reasons. I would propose some type of terms in the future. As I believe continuity at the outset with the 75%/100% design would be helpful, I suggest each member (prior members and new members) start with a 3-year term. At the 3-year mark, the stagger begins. Therefore, initial terms will be 3-6 years.

Year 0-3: everyone has 3-year term

Year 4: Members 1 and 2 terms up

Year 5: Member 3 and 4 terms up

Year 6: Member 5, 6, and 7 terms up

Members can be reappointed.

Membership

Perhaps instead of a member of CPC there should be two members of the Planning Board or another at-large member. I say this because we cannot use CPA funds in any simple manner currently, and CPC already consists largely of members of different boards. More and more I think the Planning Board will find the rail trail to be a significant factor in their planning (i.e. economic development).

<Task Force Draft Charge Oct 2020_CRUSSO_10.25.2020[1].docx>

<schinellerTask Force Draft Charge Oct 2020-Mark Up[2].docx>

<BFRT Task Force Mission for Nov 4- COMPILED COMMENTS.docx>

<My recommendations for Town Manager Hayes and Beth Suedmeyerre composition of task force for SB meeting 11-4-20.docx>

**TOWN OF SUDBURY
BRUCE FREEMAN RAIL TRAIL ADVISORY TASK FORCE**

Approved by the Board of Selectmen: September 9, 2016

Amended: December 6, 2016 and **October 20, 2020**

DRAFT REVISION

Mission Statement

The Bruce Freeman Rail Trail (BFRT) Advisory Task Force (the Task Force) is intended to advise the Board of Selectmen and the Town Manager to assist in advancing the design, development, construction, and long-term maintenance of the Trail. The Board of Selectmen is looking to this Task Force to gather information and thereby help guide the Board and Town staff in making thoughtful decisions that: (1) are respectful and responsive to residents' concerns, including those of abutters, businesses, trail advocates, and future users; (2) support Sudbury's longstanding commitment to protect the natural environment; and (3) result from an open and transparent process. The Town recognizes the partnership with Massachusetts Department of Transportation (MassDOT), for the Trail to be built with State and Federal funding through the Boston Metropolitan Planning Organization (Boston MPO) and through a long-term lease agreement.

Background

The focus of the Task Force is the 4.6 mile section that runs through Sudbury, from the Concord town line to just North of Route 20 (near Station Road). This corridor is owned by MassDOT and part of a larger, 25-mile railroad right-of-way that was purchased in 1982 by the State, which will continue to own the underlying land even after the rail line has been converted to a rail trail. The Town will enter into a long-term lease agreement with MassDOT to operate the trail.

Rail trails have been developed across the country to serve a variety of purposes, including promoting healthy alternative transportation, recreation, energy conservation, clean air, and enhancement of a community's quality-of-life. The Selectmen support these objectives and recognize the importance of developing a rail trail addressing local concerns with environmental constraints, abutter impacts, public safety, and on-going maintenance and up-keep requirements, among other issues.

Commented [CR1]: I like the addition of this parag

Current Status

The Town of Sudbury has funded the rail trail design through various Town Meeting appropriations over the past decade. Construction costs will be covered through state and federal funding allocations. Construction is anticipated to begin in Federal Fiscal Year 2022. The Town of Sudbury contracted with its Design Engineering Firms VHB and Jacobs to advance the design of its portion of the trail to the 25% MassDOT Design approval stage and will contract with another design Engineering Firm for the final design, including MassDOT 75%, 100%, and construction Proposal, Specifications, and Cost Estimate (PSE). The consultant-contracts call for an inclusive design process to ensure that the project benefits from the input and feedback from interested citizens, local and regional groups, and elected officials. With the preliminary design completed, the Task Force will assist with the design development of parking facilities, trail heads, interpretive materials, and other amenities.

Staffing Assistance

The Director of Planning and Community Development or ~~their~~ his/her designee will support this Task Force.

Responsibilities and Functions

The Task Force will help the Board advance the design of the trail from the 25% MassDOT Design stage through the next phases of design and ultimately advise on construction coordination, trail operations, and maintenance. The Task Force will not take on any of the Design Engineer's contractual obligations, but will assist the Design Engineer and Town staff by facilitating open and public communications with Town committees, with specific stakeholders including abutters, and with community members generally, and by providing a public record of its data gathering and deliberations. The work of the Task Force shall not unduly delay the work of the Design Engineer or the timeline of the project.

The Task Force will act as an advisory committee and will report to the Board of Selectmen periodically and as requested by the Board. The Task Force will make recommendations to the Board of Selectmen. The Board of Selectmen and Town staff will direct the Design Engineer concerning implementation of the Board's decisions and will communicate as needed with MassDOT, other towns, and state organizations. These functions are outside the scope of the Task Force.

The responsibilities of the Task Force will include the following:

- Making recommendations to the Town Manager and Selectmen concerning the steps to be followed toward the design, planning, and development of the rail trail, including identifying any issues, concerns and constraints that are likely to arise during the design, permitting and construction phases.
- Gathering input from Town Boards and Committees, including the Conservation Commission, the Community Preservation Committee, and the Park and Recreation Committee;
- Gathering input from the Town's public safety and engineering staff concerning traffic and safety issues with the BFRT, especially where the rail trail intersects with roadways;
- Soliciting community input, including through open and noticed meetings;
- Documenting concerns and requests of abutters, businesses, and other residents;
- Recommending to the Board of Selectmen potential design elements that would advance the goals of the Sudbury Wetlands Administration Bylaw;
- Recommending to the Board of Selectmen any specific design elements and mitigations to address resident concerns (including those of abutters), safety concerns, or environmental concerns, along with cost estimates for such design decisions as feasible;
- Coordinating with community efforts to improve, support and maintain the trail and making recommendations for future operations, maintenance and oversight.
- Considering how:
 - user parking might maximize parking efficiencies and minimize the traffic and neighborhood impacts;
 - access to our town trails and open space should be managed to balance sensitive ecosystem protection and enhancements to connectivity;

- o the rail trail supports and enhances bicycle and pedestrian safety and recreational access in Sudbury; ~~and~~
- o connections with the rail trails in our neighboring communities will work most effectively for Sudbury; ~~and~~
- o amenities and other facilities, such as benches, signs, informational kiosks, scenic viewpoints, bike racks, trash receptacles, etc., will be chosen and located.

Membership and Officers

The Task Force shall have up to seven (7) members. All appointments shall be indefinite, until the Board of Selectmen feels the mission of the Task Force has been accomplished, or that membership needs to be changed in order to keep the work progressing. The Town Manager or ~~their his/her~~ designee shall chair the Task Force until the Task force elects a Chair. The Task Force will elect a Clerk to ensure that all meetings are properly posted and that minutes of each meeting are kept. Minutes of the Task Force’s work shall be prepared and promptly posted on the Town website and sent to the Board of Selectmen on a regular basis. ~~The Chair of the Board of Selectmen will act as liaison between the Task Force and the Selectmen. The Board of Selectmen will vote to choose one of its members to act as liaison between the Task Force and the Selectmen.~~

Commented [CR2]: I’m okay with “indefinite” but then give an expected end date. E.g., It is anticipate work of the Task Force will be completed when the construction is complete, which is anticipated in FY. But if we want to set timeframes for appointments with that.

Commented [CR3]: Is there a reason the chair is the designated liaison? What if the chair changes but the member remains on the Select Board? The liaison will change even if the member continues serving?

The Task Force membership should include representatives from the following, subject to approval by the Selectmen:

1. One member from the Park and Recreation Commission
2. One member from the Conservation Commission
3. One member from the Community Preservation Committee
4. One Sudbury resident member selected by the Board of Selectmen from three recommendations to be provided by the Friends of the Bruce Freeman Rail Trail
5. One member from the Planning Board
6. Up to ~~two~~ three non-committee, at-large citizen members*

Commented [CR4]: I don’t see a need for a CPC representative. I would delete this and increase the membership by one, to keep total number of members same. Four representatives from other “groups” and “at large” members seems a good balance.

*In the event that committee representative positions are not filled, additional non-committee citizen members may be appointed to provide up to seven members in total.

Compliance with State and Local Laws and Town Policies

The Bruce Freeman Advisory Task Force is responsible for conducting its activities in a manner which is in compliance with all relevant state and local laws and regulations including but not limited to the Open Meeting Law, Public Records Law, and Conflict of Interest Law, as well as all Town policies which affect committee membership. In particular, all appointments are subject to the following:

- The Code of Conduct for Selectmen Appointed Committee - A resident or employee who accepts appointment to a Town committee by the Board of Selectmen agrees that he/she will follow this code of conduct.
- The Town's Email Communication for Committee Members Policy – Anyone appointed to serve on a Town Board, Committee or Task Force by the Board of Selectmen agrees that he/she will use email communication in strict compliance with the Town of Sudbury's email policy, and further understands that any use of email communication

outside of this policy can be considered grounds for removal from the committee by the Selectmen.

- Use of the Town's Website - The Task Force will keep minutes of all meetings and post them on the Town's website. The Task Force will post notice of meetings on the Town's website as well as at the Town Clerk's Office.

TOWN OF SUDBURY
BRUCE FREEMAN RAIL TRAIL ~~DESIGN-ADVISORY~~ TASK FORCE

Approved by the Board of Selectmen: September 9, 2016

Amended: December 6, 2016 and October 20, 2020

DRAFT REVISION

Mission Statement

The Bruce Freeman Rail Trail (BFRT) ~~Design-Advisory~~ Task Force (the Task Force) is intended to advise the Board of Selectmen and the Town Manager to assist in advancing the design, development, construction, and long-term maintenance of the Trail of the project. The Board of Selectmen is looking to this Task Force to gather information and thereby help guide the Board and Town staff in making thoughtful ~~design~~ decisions that: (1) are respectful and responsive to residents' concerns, including those of abutters, businesses, trail advocates, and future users; (2) support Sudbury's longstanding commitment to protect the natural environment; and (3) result from an open and transparent ~~design~~ process. The Town ~~acknowledges and plans~~ recognizes the partnership with Massachusetts Department of Transportation (MassDOT), for the Trail to be built with State and Federal funding through the Boston Metropolitan Planning Organization (Boston MPO) and through a long-term lease agreement, under the oversight of the Massachusetts Department of Transportation (MassDOT).

Background

The focus of the Task Force is the 4.6 mile section that runs through Sudbury, from the Concord town line to just North of Route 20 (near Station Road). This corridor is owned by MassDOT owned rail line: The portion of rail line in Sudbury that is to be addressed by this Task Force is and part of a larger, 25-mile unused railroad right-of-way that was purchased in 1982 by the State, which will continue to own the underlying land even after the rail line has been converted to a rail trail. The Town will enter into a long-term lease agreement with MassDOT to operate the trail, as other towns on the BFRT north of Sudbury have done. ~~The focus of the Task Force is the 4.6 mile section that runs~~

Rail trails have been developed across the country to serve a variety of purposes, including promoting healthy alternative transportation, recreation, energy conservation, clean air, and enhancement of a community's quality-of-life. The Selectmen support these objectives and recognize the importance of developing a rail trail addressing local concerns of ~~with~~ respecting applicable environmental ~~constraints~~ standards, abutter impacts, public safety, and on-going maintenance and up-keep requirements, among other issues.

Current Status

The Town of Sudbury has funded the rail trail design through various Town Meeting appropriations over the past decade. Construction costs will be covered through state and federal funding allocations. Construction is anticipated to begin in Federal Fiscal Year 2022. The Town of Sudbury ~~has~~ contracted with its Design Engineering Firms VHB and Jacobs to advance the design of its portion of the trail to the 25% MassDOT Design approval stage and will contract

with another design Engineering Firm for the final design, including MassDOT 75%, 100%, and construction Proposal, Specifications, and Cost Estimate (PSE). The consultant ~~e. VHB's~~ contracts calls for an ~~very~~ inclusive design process to ensure that the project benefits from the input and feedback from interested citizens, local and regional groups, and elected officials. ~~VHB will seek input regarding the design of the path, the route of the path, roadway crossings, parking~~ With the preliminary design completed, the Task Force will assist with the design and development of ~~facilities~~ parking facilities, trail heads, ~~interpretive materials~~, and other amenities. ~~The contract calls for eight (8) evening public update meetings, and the 25% Design Public Hearing held with MassDOT. VHB is also contracted for up to ten (10) abutter meetings, to determine privacy and screening needs.~~

Staffing Assistance

The ~~Director of Planning and Community Development Town Planner~~ or their designee will support this Task Force.

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Responsibilities and Functions

The Task Force will help the Board advance the design of the trail from ~~conceptual design to the~~ 25% MassDOT Design ~~approved stage through and beyond to~~ the next phases of design and ultimately advise on construction coordination, trail operations, and maintenance. The Task Force will not take on any of the Design Engineer's contractual obligations, but will assist the Design Engineer and Town staff by facilitating open and public communications with Town committees, with specific stakeholders including abutters, and with community members ~~generally~~ generally, and by providing a public record of its data gathering and deliberations. The work of the Task Force shall not unduly delay the work of the Design Engineer or the timeline of the project.

The Task Force will act as an advisory committee and will report to the Board of Selectmen periodically and as requested by the Board. The Task Force will make ~~design~~ recommendations to the Board of Selectmen. The Board of Selectmen and Town staff will direct the Design Engineer concerning implementation of the Board's ~~design~~ decisions and will communicate as needed with MassDOT, other towns, and state organizations. These functions are outside the scope of the Task Force.

The responsibilities of the Task Force will include the following:

- Making recommendations to the Town Manager and Selectmen concerning the steps to be followed toward the design, planning, and development of the rail trail, including identifying any issues, concerns and constraints that are likely to arise during the design, permitting and construction phases.
- Gathering input from Town Boards and Committees, including the Conservation Commission, the Community Preservation Committee, and the Park and Recreation Committee;
- Gathering input from the Town's public safety and engineering staff concerning traffic and safety issues with the BFRT, especially where the rail trail intersects with roadways;
- Soliciting community input, including through open and noticed meetings;

- Documenting ~~Facilitating meetings of the Task Force with trail abutters to discuss design elements of the project that specifically affect them, which will be in addition to the meetings contractually required of VHB;~~
- ~~_~~ concerns and requests of abutters, businesses, and other residents;
- ~~Recommending to the Board of Selectmen potential design elements that would advance the goals of the Sudbury Wetlands Administration Bylaw, and developing alternatives along with cost estimates as feasible;~~
- Proposing necessary and appropriate Bylaw changes if existing bylaws cannot be satisfied;
- ~~Recommending to the Board of Selectmen any specific design elements and mitigations, or realignments to promote harmony between the rail trail and surrounding community and businesses,~~ address resident concerns (including those of abutters), safety concerns, or environmental concerns, along with cost estimates for such design decisions as feasible;
- Coordinating with community efforts to improve, support and maintain the trail and making recommendations for future operations, maintenance and oversight and potential funding mechanisms (including grassroots fundraising);
- Considering how:
 - user parking might maximize parking efficiencies and minimize the traffic and neighborhood impacts;
 - access to our town trails and open space should be managed to balance sensitive ecosystem protection and enhancements to connectivity;
 - the rail trail supports and enhances bicycle and pedestrian safety and recreational access in Sudbury; ~~and~~
 - connections with the rail trails in our neighboring communities will work most effectively for Sudbury;
 - Sudbury’s agricultural, historical, and open-space heritage should be preserved.
- ~~Submission of a report of its findings to the Board of Selectmen;~~

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Membership and Officers

The Task Force shall have up to seven (7) members. All appointments shall be indefinite, until the Board of Selectmen feels the mission of the Task Force has been accomplished, or that membership needs to be changed in order to keep the work progressing. The Town Manager or ~~her~~ their designee shall chair the Task Force until the Task force elects a Chair. The Task Force will elect a Clerk to ensure that all meetings are properly posted and that minutes of each meeting are kept. Minutes of the Task Force’s work shall be prepared and promptly posted on the Town website and sent to the Board of Selectmen on a regular basis. The Chair of the Board of Selectmen will act as liaison between the Task Force and the Selectmen.

The Task Force membership should include representatives from the following, subject to approval by the Selectmen:

1. One member from the Park and Recreation Commission
2. One member from the Conservation Commission
3. One member from the **Community Preservation Committee**

Commented [BS1]: In 2017 the CPC declined to no member to the Task Force and the BOS appointed a additional member.

Attachment7.d: schinellerTask Force Draft Charge Oct 2020-Mark Up[2] (4221 : Discussion on BFRt mission)

~~4. One Sudbury resident member selected by the Board of Selectmen from three recommendations to be provided by the Friends of the Bruce Freeman Rail Trail~~

~~45. One member from the Planning Board~~

~~56. Up to ~~two~~-three non-committee, at-large citizen members*~~

*In the event that committee representative positions are not filled, additional non-committee citizen members may be appointed to provide up to seven members in total. [Qualifications sought from at-large members include \(a\) prior involvement in rail trail development, operations and maintenance, \(b\) community relations \(c\) local business perspective \(d\) abutter perspective](#)

Compliance with State and Local Laws and Town Policies

The Bruce Freeman ~~Design Advisory~~ Task Force is responsible for conducting its activities in a manner which is in compliance with all relevant state and local laws and regulations including but not limited to the Open Meeting Law, Public Records Law, and Conflict of Interest Law, as well as all Town policies which affect committee membership. In particular, all appointments are subject to the following:

- The Code of Conduct for Selectmen Appointed Committee - A resident or employee who accepts appointment to a Town committee by the Board of Selectmen agrees that he/she will follow this code of conduct.
- The Town's Email Communication for Committee Members Policy – Anyone appointed to serve on a Town Board, Committee or Task Force by the Board of Selectmen agrees that he/she will use email communication in strict compliance with the Town of Sudbury's email policy, and further understands that any use of email communication outside of this policy can be considered grounds for removal from the committee by the Selectmen.
- Use of the Town's Website - The Task Force will keep minutes of all meetings and post them on the Town's website. The Task Force will post notice of meetings on the Town's website as well as at the Town Clerk's Office.

October 29, 2020

My recommendations for Town Manager Hayes and Beth Suedmeyer, as the designee of the Director Planning and Community Development, regarding Bruce Freeman Rail Trail Advisory Task Force.

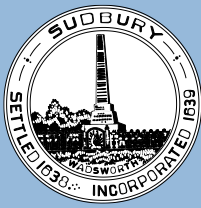
The composition of the Task Force should remain as drafted by the designee with the concurrence of the Task force chair, John Drobinski, with one member being drawn from a list of 3 names provided by the Friends of the Bruce Freeman Rail Trail for the following reasons:

1. The Friends have more than 10 years' experience and expertise in assisting municipalities move their plans for a rail trail forward. It would be counterproductive to reject such dedicated expertise.
2. For at least 6 years the Friends have assisted Sudbury in securing millions of dollars in funding for the construction of the BFRT by appearing at MPO meetings in Boston and testifying in favor of construction funding for Sudbury. The Friends efforts have been cited by Metropolitan Planning Organization officials as an important factor in getting TIP funding for the BFRT in Sudbury.
3. The BFRT is a regional project and the Friends represent a regional group with the same objectives of advancing the trail. Their objectives are not, in any way, inconsistent or in conflict with the Town's objectives.
4. The Friends represent not an 'outside group', but rather a non-profit organization with hundreds of members who live in right here in Sudbury, with the express purpose of advancing the BFRT.
5. The Friends' purpose is identical to the goals voted by the town at annual town meetings and special meetings, and at the ballot box.
6. The friends have donated in excess of \$50,000 to be expended by the town for the design of the BFRT. The town accepted those contributions. This demonstrates the Friends support the town's objectives and the common identity of interests.
7. Individuals nominations by the Friends must be Sudbury residents. They are not agents of the Friends, and not acting on behalf of the Friends, and that is not a condition for their nomination by the Friends. To suggest otherwise is without merit.

8. There has been no time the individual recommended by the Friends on the Task Force has not served in the interests of the town. Rather, the individual has always served the interests of the residents of Sudbury.
9. Mr. Carty's objection to Friends' nominating an individual to serve on the Task force seems to be rooted in his mistaken view of the Friends as being politically hostile to him personally. This is not accurate. Perhaps it is because Mr. Carty, in his capacity as a Selectman, has voted against the Bruce Freeman Rail Trail that he erroneously views the BFRT as being an outside group.
10. The Friends have fully consistently and supported Sudbury's efforts to advance the BFRT. To call them an 'outside group' is inaccurate and divisive. It is insulting to characterize the Friends as such, when in fact, they have been a staunch ally for years. Why would Mr. Carty want to alienate the Friends now? What is his real motive, because his stated motive is not sound?
11. Mr. Carty was unable to cite even one instance of a position taken by the Friends as being at odds with the rail trail goals set by the Board of Selectmen, or the will of the majority of Sudbury residents as it pertains to the Bruce Freeman Rail Trail.
12. It would set an unfortunate precedent to allow a Board member's political perceptions to influence the management of an important civic project that is non-partisan, and which should remain that way.

Len Simon

Meadowbrook Circle



SUDBURY BOARD OF SELECTMEN

Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)**8: Easement and CR for Greenscape Park/Woodward Glen Subdivision off Powers Road**REQUESTOR SECTION

Date of request:

Requestor: Adam Duchesneau, Director of Planning & Community Development

Formal Title: Vote whether to approve and accept an Access Easement, Drainage Easement, and Conservation Restriction from Woodward Glen Realty Trust for the Greenscape Park/Woodward Glen Subdivision off of Powers Road (Assessor's Parcel B09-0001). Adam Duchesneau, Director of Planning & Community Development, and Rachel Watsky and Matthew Watsky from Watsky Law to attend.

Recommendations/Suggested Motion/Vote: Vote whether to approve and accept an Access Easement, Drainage Easement, and Conservation Restriction from Woodward Glen Realty Trust for the Greenscape Park/Woodward Glen Subdivision off of Powers Road (Assessor's Parcel B09-0001). Adam Duchesneau, Director of Planning & Community Development, and Rachel Watsky and Matthew Watsky from Watsky Law to attend.

Background Information:

In April of 2019 the Planning Board approved the Definitive Conventional Subdivision Plan for Greenscape Park/Woodward Glen off of Powers Road. As part of this decision, Conditions 6 through 12 of the decision require the execution of a number of documents (including an Access Easement, Drainage Easement, and Conservation Restriction for the property) before the Planning Board is able to endorse the Definitive Conventional Subdivision Plan. These three particular documents help to achieve compliance with these conditions. The Conservation Commission has already accepted and endorsed the Conservation Restriction, and all three documents now need to be accepted by the Board of Selectmen. The Access Easement provides the Town access over Lots 2 and 3 for maintenance and monitoring purposes of the Conservation Restriction on Parcel B at the rear of the project site. The Drainage Easement allows the Town to access Lots 1 and 2 of the development to inspect, maintain, repair, etc. the stormwater management infrastructure which will be installed. The Conservation Restriction ensures Parcels A and B will be maintained for conservation purposes in a natural, scenic, and undeveloped condition. All of the above referenced areas can most easily be seen on page 3 of 10 of the Definitive Subdivision Plan Set.

Financial impact expected: The Conservation Restriction will need to be monitored by the Conservation Commission. The Access Easement and Drainage Easement will allow access to the private property for infrastructure maintenance purposes, if and when necessary.

Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting: Adam D, and Rachel Watsky (rachel@watskylaw.com) and Matthew Watsky (matt@watskylaw.com) from Watsky Law

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM

ACCESS EASEMENT

I, GEOFFREY CRONIN, also known as Geoff Cronin, as Trustee of Woodward Glen Realty Trust, of 66 Gilcreast Road, Londonderry, New Hampshire, grant, with quitclaim covenants, to the Town of Sudbury, acting by and through its Board of Selectmen, a Massachusetts municipal corporation duly organized and existing under the laws of the Commonwealth of Massachusetts and having a usual place of business at 322 Concord Road, Sudbury, Massachusetts, a perpetual and non-exclusive access easement upon, across, over and through certain land shown on Lots 2 and 3 (the "Premises") and described as "TOWN ACCESS EASEMENT" on a plan entitled "Plan of Land in Sudbury, Massachusetts," Sheets 1 and 2, prepared for Woodward Glen Realty Trust, by Stamski and McNary, Inc, dated September 24, 2019, recorded with the Middlesex South District Registry of Deeds herewith.

The access easement hereby granted shall include the right to prepare, construct, improve, and maintain a way upon, across, over and through the Premises, to provide pedestrian and vehicular access to and from the area described as "PARCEL B" on the above-described Plan including, but not limited to, for the purposes of providing the Town access to Parcel B for maintenance purposes.

For the grantor's title, see quitclaim deed to Geoffrey Cronin, Trustee of Woodward Glen Realty Trust, recorded at Book 72927, Page 480, referencing Powers Road, Sudbury, Massachusetts 01776.

EXECUTED AND SEALED THIS _____ DAY OF _____ 2020.

Geoffrey Cronin, as Trustee of
Woodward Glen Realty Trust

COMMONWEALTH OF MASSACHUSETTS

_____, ss. _____, 2020

On this day before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My Commission expires: _____

ACCEPTED on behalf of the TOWN OF SUDBURY by its BOARD OF SELECTMEN pursuant to Sudbury General Bylaw, Article XII, § 3 and every other authority, this _____ day of _____, 2020. Pursuant to the vote taken by the Board of Selectmen on May 5, 2020, the following signatures are made in accordance with M.G.L. c. 110G and pursuant to said Board’s electronic signature authorization vote recorded on May 21, 2020 with the Middlesex South Registry of Deeds at Book 74722 Page 136.

Janie W. Dretler

Jennifer Roberts

Daniel E. Carty

Charles Russo

William Schineller

COMMONWEALTH OF MASSACHUSETTS

_____, ss. _____, 2020

On this day before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he or she signed it voluntarily for its stated purpose on behalf of the Sudbury Board of Selectmen.

Notary Public
My Commission expires: _____

Attachment8.a: Greenscape Park Woodward Glen - Access Easement 201026 (4225 : Easement and CR for Greenscape Park/Woodward Glen

GRANTOR: Woodward Glen Realty Trust

GRANTEE: Town of Sudbury acting by and through its Conservation Commission

ADDRESS OF PREMISES: Parcels A and B, located off of Woodward Glen, Sudbury, Massachusetts.

FOR GRANTOR'S TITLE SEE: Middlesex South Registry of Deeds, at Book 72927 Page 480

CONSERVATION RESTRICTION

Woodward Glen Realty Trust, of 66 Gilcreast Road, Londonderry, New Hampshire, being the sole owner, for its successors and assigns holding any interest in the Premises as hereinafter defined, (the "Grantor"), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, grants with QUITCLAIM COVENANTS to the Town of Sudbury, with an address of 275 Old Lancaster Road, Sudbury, MA 01776, acting by and through its Conservation Commission by authority of Section 8C of Chapter 40 of the Massachusetts General Laws, its permitted successors and assigns (the "Grantee"), for nominal consideration, IN PERPETUITY AND EXCLUSIVELY FOR CONSERVATION PURPOSES, the following described CONSERVATION RESTRICTION, on land located in Sudbury, containing the entirety of a 0.0406-acre parcel known as Parcel A and the entirety of a 8.5489-acre parcel known as Parcel B, for a total area subject to the Conservation Restriction of 374,158 square feet (8.5895 acres), (the "Premises") which Premises is a portion of a larger parcel of land containing 13.5 acres, more or less, and which Premises is shown on sheets 1 and 2 of a survey plan of land entitled "Plan of Land in Sudbury, Massachusetts," Sheets 1 and 2, prepared for applicant and now record owner Woodward Glen Realty Trust, prepared by Stamski and McNary, Inc., dated September 24, 2019, recorded in the Middlesex South Registry of Deeds in Plan Book _____, Page _____, a reduced copy of which is attached hereto as Exhibit A, which is incorporated herein and attached hereto.

I. PURPOSES:

This Conservation Restriction is defined in and authorized by Sections 31-33 of Chapter 184 of the Massachusetts General Laws and otherwise by law. The purpose of this Conservation Restriction is to assure that the Premises will be maintained in perpetuity for conservation purposes, in a natural, scenic, and undeveloped condition, and to prevent any use or change that would impair or interfere with its conservation and preservation values ("conservation values").

This Conservation Restriction is required by Conditions 7 and 8 of the "Definitive Conventional Subdivision Plan Decision for Greenscape Park (Woodward Glen) Off Powers Road" dated April 10, 2019 and recorded in Middlesex South Registry of Deeds in Book _____, Page _ _ (the "Subdivision Plan Decision").

The conservation values include the following:

- a. Open Space Protection. The Premises contributes to the protection of the scenic and

natural character of Sudbury and the protection of the Premises will enhance the open-space value of these and nearby lands. The Conservation Restriction will preserve, as required by the Sudbury Subdivision Rules and Regulations, natural features, including large trees, water courses, and wetland resources. The Premises abut currently vegetated land, and is located near land already conserved in the neighboring Town of Concord, including 2Y and 3Y High Pine Circle (owned by Town of Concord Water Department), and 16B and 20A Border Road, and 2B, 3B, 4B, 4Y, 5B, 5Y, and 6B High Pine Circle (owned by Town of Concord Department of Natural Resources).

- b. Flood Plain Protection. A portion of the Premises lies within an area of 0.2% Annual Chance of Flooding, the 500-year floodplain. The protection of this floodplain will ensure the continued availability of this flood storage during major storm events.
- c. Soils. The Premises include 4.6 acres of Farmland of Unique Importance, 1.2 acres of Farmland of Statewide Importance, 1.0 acres of Prime Farmland, 2.4 acres of Prime 2 Forest Land, and 2.5 acres of Forest Land of Local Importance.
- d. Wetlands and Resource Area Protection. This Premises contains a perennial stream, bordering vegetated wetlands and Riverfront Area. Preserving the natural, undisturbed environment will provide for groundwater recharge and protect these wetland resource areas.
- e. Water Supply and Quality Protection. The entire Premises is within the Zone II Wellhead Protection Area and within Zone II of the Sudbury Water Resource Protection Overlay District. Protecting the Premises will contribute to protection of the local water supply.
- f. Protection of Natural Areas. The Premises is an undeveloped area, containing a mixture of upland forest, forested wetlands, and a perennial stream. The protection of the Premises will contribute to the potential foraging, sheltering, and over-wintering habitat for amphibians that breed in the mapped potential Vernal Pool just offsite to the north of Parcel B, contiguous with the westerly forested wetland system. The protection of the Premises will also contribute to protection of a natural area that acts as a migratory corridor for various reptiles, amphibians, and mammals that traverse through the Premises to offsite wetland habitats.
- g. Furtherance of Government Policy: Protection of the Premises furthers the goals of the Town of Sudbury Subdivision Rules and Regulations and its Zoning Bylaw.

These and other conservation values of the Premises, as well as its current uses and state of improvement, are described in a Baseline Documentation Report (“Baseline Report”) prepared by Grantor, consisting of maps, photographs, and other documents on file with the Grantee and referenced herein. The Baseline Report is (i) acknowledged by Grantor and Grantee to be a complete and accurate representation of the condition and values of the Premises as of the date of this Conservation Restriction, (ii) is intended to fully comply with applicable Treasury Regulations, and (iii) is intended to serve as an objective information baseline for subsequent monitoring of compliance with the terms of this Conservation Restriction as described herein. Notwithstanding the foregoing, the parties may utilize any evidence of the condition of the Premises at the time of

this grant other than the Baseline Report, should the Baseline Report be unavailable or if it does not adequately address the issues presented.

NOW, THEREFORE, in consideration of the above and the mutual covenants, terms, conditions, and restrictions contained herein, the Grantor and Grantee voluntarily agree that the Conservation Restriction described herein is an appropriate means to ensure compliance with the Subdivision Plan Decision, which helps to achieve the community's goals and objectives to preserve open land and protect the water resources in sensitive areas of the Town, which represents a significant public benefit.

II. PROHIBITED ACTS AND USES, EXCEPTIONS THERETO, AND PERMITTED USES

A. Prohibited Acts and Uses

Subject to the exceptions set forth herein, the Grantor shall not perform or allow others to perform the following acts and uses which are prohibited on, above, and below the Premises:

1. Constructing, placing, or allowing to remain any temporary or permanent building, tennis court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, sign, fence, billboard, or other advertising display, antenna, utility pole, tower, solar panel, solar array, conduit, line, or other temporary or permanent structure or facility on, above, or below the surface of the Premises;
2. Mining, excavating, dredging or removing from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit or otherwise making topographical changes to the area;
3. Placing, filling, storing or dumping of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, tree or other vegetation cuttings generated off-site, waste or other substance or material whatsoever, whether or not generated on the Premises, or the installation of underground storage tanks;
4. Cutting, removing, pruning or otherwise destroying trees, grasses, or other vegetation (native or non-native);
5. The application or use on the Premises of fertilizers, fungicides, herbicides or pesticides in any quantity;

6. The planting, release, cultivation, maintenance, or other activity that would result in the introduction of plant or animal species that pose a substantial risk of being invasive or are otherwise detrimental to the native plant and animal community on the Premises;
7. Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, wildlife habitat, wetland resources, or archaeological resources conservation;
8. The use, parking or storage of motorized or unmotorized vehicles, including, but not limited to, motorcycles, mopeds, all-terrain vehicles, trucks, trail bikes, boats, trailers, and snowmobiles, except as necessary for public safety (i.e. fire, police, ambulance, or other governmental agents) in carrying out their official duties; or as necessary for the mobility impaired;
9. Subdivision or conveyance of a part or portion of the Premises alone, or division or subdivision of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted), and no portion of the Premises may be used towards building or development requirements on any parcel other than the adjacent unrestricted land that is a portion of the 13.5 acre property shown on Exhibit A;
10. The use of the Premises for business, residential, or industrial use, or for more than *de minimis* commercial recreation;
11. The disruption, removal, or destruction on the Premises of any stone walls or granite fences or posts; and
12. Any other use of the Premises or activity thereon which is inconsistent or interferes with, or that would materially impair the purposes or conservation values of this Conservation Restriction, unless necessary in an emergency for the protection of the conservation values that are the subject of this Conservation Restriction.

B. Reserved Rights and Exceptions

The Grantor reserves the right to conduct or permit the following activities and uses on the Premises, but only if such uses and activities do not materially impair the conservation values or purposes of this Conservation Restriction or other significant interests.

1. Vegetation Management. The selective minimal removing of brush, pruning and cutting to prevent, control, or remove hazards, disease, insect or fire damage, or to preserve the present condition of the Premises, including any vistas as documented in the Baseline Report, wood roads, stone walls, and meadows;
2. Non-native or nuisance species. With prior written approval of the Grantee, and in accordance with applicable best management practices, the removal or control of hazardous trees, non-native, exotic, or invasive species, nuisance species like poison ivy, the interplanting of native species, the control of insect infestations, disease, and

other types of pests, and the control of species in a manner that minimizes damage to surrounding, non-target species and preserves water quality.

3. Wildlife Habitat Improvement. With the prior written approval of Grantee, measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, or rare or endangered species including selective planting of native trees, shrubs and plant species.
4. Archaeological Investigations. The conducting of archaeological activities, including without limitation survey, excavation and artifact retrieval, following submission of an archaeological field investigation plan and its approval in writing by Grantee and the State Archaeologist of the Massachusetts Historical Commission (or appropriate successor official).
5. Trails. With prior approval of the Grantee, the construction of new trails, along with such marking, clearing, and maintenance as is necessary, provided that any construction or alteration results in trails that are no wider than 4 feet.
6. Signs. The erection, maintenance, and replacement of signs with respect to trespass, trail access, identity and address of the occupants, sale of the Premises, the Grantee's interest in the Premises, any gift, grant, or other applicable source of support for the conservation of the Premises, the Reserved Rights, and the protected conservation values provided that such signage is consistent with the purposes of this Conservation Restriction and does not identify the location or existence of any specific state-listed species on the Premises;
7. Outdoor Passive Recreational Activities. Fishing, hiking, horseback riding, cross-country skiing and other non-motorized outdoor recreational activities that do not materially alter the landscape, do not degrade environmental quality, and do not involve more than minimal use for commercial recreational activities.
8. Boundary Markers. The repair/replacement of permanent boundary monuments.
9. Site Restoration. Any work undertaken in conjunction with the Reserved Rights described in this Paragraph II(B) shall seek to minimize disturbance to the conservation values and other natural features within the Premises that may be impacted as a result of exercising of any of the Reserved Rights described herein. Upon completion of any site work performed in conjunction with the Reserved Rights described in this Paragraph II(B), any disturbed areas shall be restored substantially to the conditions with respect to soil material, grade, and vegetated ground cover as documented in the Baseline Report, as applicable, or in conformance with the conditions with respect to soil material, grade, and vegetated ground cover that existed prior to said work, if said work is done in any area not documented in the Baseline Report.
10. Permits, Regulations, Laws. The exercise of any right reserved by Grantor under this Paragraph II(B) shall be in compliance with Chapter 40A of the Massachusetts General Laws, the Sudbury Zoning Bylaw, the Wetlands Protection Act, and all other applicable federal, state and local laws, rules, regulations, and permits. The inclusion of any reserved right requiring a permit from a public agency does not imply that the Grantee or the Commonwealth takes any position whether such permit should be issued.

11. Best Management Practices. The exercise of any right reserved by grantor under this Paragraph II(B) shall follow, when available and applicable, established, up to date, and regionally-applicable Best Management Practices or similar standards developed by a governmental agency or other entity with known expertise in the area of practice and designed to protect the natural features potentially affected by the action(s).
12. Restoration in the Event of a Violation. All activities necessary to restore the natural conditions of the Premises in the event of a violation of this Conservation Restriction that materially impairs the conservation values or causes other adverse impacts to the Premises, provided such restorative activities are approved in advance in writing by the Grantee.

III. NOTICE AND APPROVAL

Whenever notice to or approval by Grantee is required, Grantor shall notify Grantee, by a method requiring proof of receipt, in writing not less than 60 days prior to the date Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable, and any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the purposes of this Conservation Restriction. Where Grantee's approval is required, Grantee shall grant or withhold approval in writing within 60 days of receipt of Grantor's request. Grantee's approval shall not be unreasonably withheld, but shall only be granted upon a showing that the proposed activity shall not impair the purposes of this Conservation Restriction.

Subject to any applicable law or regulation, failure of Grantee to respond in writing within 60 days shall be deemed to constitute approval by Grantee of the request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after 60 days in the notice, the requested activity is not prohibited herein, and the activity will not impair the conservation values or purposes of this Conservation Restriction.

IV. LEGAL REMEDIES OF THE GRANTEE

A. Legal and Injunctive Relief

The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Premises to their condition prior to the time of the injury complained of (it being agreed that the Grantee will have no adequate remedy at law). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction. Grantee agrees that, except in the event of an emergency, it shall not take any actions hereunder to remedy or abate any violation hereof or initiate any litigation or enforcement proceedings unless (a) Grantee has given Grantor written notice of the violation, and (b) Grantor has failed to cure the same within thirty (30) calendar days from such notice,

or, if the violation is of such a nature that it cannot reasonably be cured within said thirty (30) calendar day period, Grantor has failed to commence the cure within said thirty (30) day period or failed to pursue it to completion within a reasonable time, not to exceed an additional thirty (30) calendar days provided Grantor ceases objectionable actions and Grantee determines there is no ongoing diminution of the conservation values of the Conservation Restriction.

Grantor covenants and agrees to reimburse to Grantee all reasonable costs and expenses (including reasonable counsel fees) incurred in enforcing this Conservation Restriction or in taking reasonable measures to remedy, abate or correct any violation thereof, provided that a violation of this Conservation Restriction is acknowledged by Grantor or determined by a court of competent jurisdiction to have occurred. In the event of a dispute over the boundaries of the Conservation Restriction, Grantor shall pay for a survey and to have the boundaries permanently marked.

B. Non-Waiver

Enforcement of the terms of this Conservation Restriction shall be at the discretion of Grantee. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

C. Disclaimer of Liability

By acceptance of this Conservation Restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Premises pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws and regulations, or acts not caused by the Grantee or its agents.

D. Acts Beyond the Grantor's Control

Nothing contained in this Conservation Restriction shall be construed to entitle the Grantee to bring any actions against the Grantor for any injury to or change in the Premises resulting from causes beyond the Grantor's control, including but not limited to fire, flood, storm and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Premises resulting from such causes. In the event of any such occurrence, the Grantor and Grantee will cooperate in the restoration of the Premises, if desirable and feasible.

V. ACCESS

The Grantor hereby grants to the Grantee, or its duly authorized agents or representatives, the right to enter the Premises upon reasonable notice and at reasonable times, for the purpose of inspecting the Premises to determine compliance with or to enforce this Conservation Restriction. The Grantor also grants to the Grantee, after notice of a violation and failure of the Grantor to cure said violation, the right to enter the Premises for the purpose of taking any and all actions with respect to the Premises as may be necessary or appropriate to remedy or abate any violation hereof, including but not limited to the right to perform a survey of boundary lines.

This Conservation Restriction does not permit access to the Premises to the public.

VI. EXTINGUISHMENT

A. Procedure for Extinguishing the Conservation Restriction

If circumstances arise in the future such as render the purpose of this Conservation Restriction impossible to accomplish, this restriction can only be terminated or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law after review and approval by the Massachusetts Secretary of Energy and Environmental Affairs. If any change in conditions ever gives rise to extinguishment or other release of the Conservation Restriction under applicable law, then Grantee, on a subsequent sale, exchange, or involuntary conversion of the Premises, shall be entitled to a portion of the proceeds in accordance with Paragraph VI(B), subject, however, to any applicable law which expressly provides for a different disposition of the proceeds and after complying with the terms of any gift, grant, or funding requirements. Grantee shall use its share of the proceeds in a manner consistent with the conservation purpose set forth herein.

B. Proceeds

Grantor and Grantee agree that the donation of this Conservation Restriction gives rise to a real property right, immediately vested in the Grantee, with a fair market value that is at least equal to the proportionate value that this Conservation Restriction bears to the value of the Premises when unrestricted. Such proportionate value of the Grantee's property right shall remain constant. Any proceeds will be distributed only after complying with the terms of any gift, grant, or other funding requirements.

C. Grantor/Grantee Cooperation Regarding Public Action

Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and Grantee in accordance with Paragraph VI(B), after complying with the terms of any law, gift, grant, or funding requirements. If a less than fee interest is taken, the proceeds shall be equitably allocated according to the nature of the interest taken. The Grantee shall use its share of the proceeds like a continuing trust in a manner consistent with the conservation purposes of this grant.

VII. DURATION & ASSIGNABILITY

A. Running of the Burden

The burdens of this Conservation Restriction shall run with the Premises in perpetuity, and shall be enforceable against the Grantor and the successors and assigns of the Grantor holding any interest in the Premises.

B. Execution of Instruments

The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction; the Grantor, on behalf of itself and its successors and assigns, appoints the Grantee their attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the Grantor and its successors and assigns agree themselves to execute any such instruments upon request.

C. Running of the Benefit

The benefits of this Conservation Restriction shall run to the Grantee, shall be in gross and shall not be assignable by the Grantee, except in the following instances:

As a condition of any assignment, the Grantee shall require that the purpose of this Conservation Restriction continues to be carried out; that the Assignee is not an owner of the fee in the Property, and the Assignee, at the time of the assignment, qualifies under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, and is a donee eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the Massachusetts General Laws. Any assignment will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

VIII. SUBSEQUENT TRANSFERS

The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, including a leasehold interest and to notify the Grantee not less than twenty (20) days prior to the execution of such transfer. Failure to do any of the above shall not impair the validity or enforceability of this Conservation Restriction. Any transfer will comply with Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

The Grantor shall not be liable for violations occurring after their ownership. Liability for any acts or omissions occurring prior to any transfer and liability for any transfer if in violation of this Conservation Restriction shall survive the transfer. Any new owner shall cooperate in the restoration of the Premises or removal of violations caused by prior owner(s) and may be held responsible for any continuing violations.

IX. ESTOPPEL CERTIFICATES

Upon request by the Grantor, the Grantee shall, within sixty (60) days execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor's compliance or non-compliance with any obligation of the Grantor contained in this Conservation Restriction.

X. NON MERGER

The parties intend that any future acquisition of the Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and the Grantee agrees that it will not take title, to any part of the Premises without having first assigned this Conservation Restriction to a non-fee owner that is qualified under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder and is eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the Massachusetts General Laws in order to ensure that merger does not occur and that this Conservation Restriction continues to be enforceable by a non-fee owner.

XI. AMENDMENT

If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may jointly amend this Conservation Restriction; provided that no amendment shall be allowed that will affect the qualification of this Conservation Restriction or the status of Grantee under any applicable laws, including Section 170(h) of the Internal Revenue Code of 1986, as amended, or Sections 31-33 of Chapter 184 of the Massachusetts General Laws. Any amendments to this Conservation Restriction shall occur only in exceptional circumstances. The Grantee will consider amendments only to correct an error or oversight, to clarify an ambiguity, or where there is a net gain in conservation value. All expenses of all parties in considering and/or implementing an amendment shall be borne by the persons or entity seeking the amendment. Any amendment shall be consistent with the purposes of this Conservation Restriction, shall not affect its perpetual duration, shall be approved by the Secretary of Energy and Environmental Affairs, and if applicable, shall comply with the provisions of Art. 97 of the Amendments to the Massachusetts Constitution, and any gifts, grants or funding requirements. Any amendment shall be recorded in the Middlesex South District Registry of Deeds.

XII. EFFECTIVE DATE

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the Massachusetts General Laws have been obtained, and it has been recorded in a timely manner in the Middlesex South District Registry of Deeds.

XIII. NOTICES

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either be served personally or sent by first class mail, postage pre-paid, addressed as follows:

To Grantor: Geoffrey Cronin
Trustee of Woodward Glen Realty
Trust 66 Gilcreast Road
Londonderry, NH 03053

To Grantee: Town of Sudbury Conservation Commission
 275 Old Lancaster Rd
 Sudbury MA 01776

or to such other address as any of the above parties shall designate from time to time by written notice to the other or, if notice is returned to sender, to an address that is reasonably ascertainable by the parties.

XIV. GENERAL PROVISIONS:

A. Controlling Law

The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

B. Liberal Construction

Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purposes of Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the purpose of this Conservation Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

C. Severability

If any provision of this Conservation Restriction or the application thereof to any person or circumstance is found to be invalid, the remainder of the provision of this Conservation Restriction shall not be affected thereby.

D. Entire Agreement

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

XV. MISCELLANEOUS

A. Pre-existing Public Rights

Approval of this Conservation Restriction pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws by any municipal officials and by the Secretary of Energy and Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

B. Homestead

The Grantor attests that there is no residence on or abutting the Premises (including exclusions) that is occupied or intended to be occupied as a principal residence by a spouse, former spouse, or children of the grantor, or a spouse, former spouse, or children of a beneficiary of the trust, if Premises is owned by a trust.

C. Subordination

The Grantor shall record at the appropriate Registry of Deeds simultaneously with this Conservation Restriction all documents necessary to subordinate any mortgage, promissory note, loan, lien, equity credit line, refinance assignment of mortgage, lease, financing statement or any other agreement which gives rise to a surety interest affecting the Premises.

D. Prior Encumbrances

At the time of the Effective Date, the Premises was subject to a Right of Way, fifty (50) feet in width, filed in the Middlesex South County Registry of Deeds in Book 9790, Page 465, as shown on Plan No. 1277 of 1974.

E. Attached hereto and incorporated herein by reference are the following:

Signature Pages

Grantor (Along with an Attached Trustee's Certificate): Geoffrey Cronin, as Trustee of Woodward Glen Realty Trust

Grantee: Town of Sudbury Conservation Commission

Approval of Selectmen of the Town of Town of Sudbury

Approval of the Secretary of Energy and Environmental Affairs

Exhibits

Exhibit A: Reduced Copy of Recorded Plan of the Premises

GRANTOR:

WITNESS my hand and seal this ____ day of _____, 2020,

Geoffrey Daniel Cronin, as Trustee of Woodward Glen Realty Trust

See Trustee Certificate Recorded in the Middlesex South Registry of Deeds at Book 72927, Page 477

COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss:

On this ____ day of _____, 2020, before me, the undersigned notary public, personally appeared _____, and proved to me through satisfactory evidence of identification, which was _____ to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he is duly authorized to act on behalf of said Trust and further acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

**ACCEPTANCE OF GRANT BY TOWN OF SUDBURY
CONSERVATION COMMISSION**

We, the undersigned, being a majority of the Conservation Commission of Sudbury, Massachusetts, hereby certify that at a public meeting duly held on _____, 2020, the Conservation Commission voted to approve and accept the foregoing Conservation Restriction from Woodward Glen Realty Trust pursuant to Section 32 of Chapter 184 and Section 8C of Chapter 40 of the Massachusetts General Laws and do hereby accept the foregoing Conservation Restriction.

Town of Sudbury Conservation Commission

Thomas Friedlander

David Henkels

Kenneth Holtz

Richard A. Morse

Bruce Porter

Kathleen Rogers

Mark Sevier

COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss:

On this ____ day of _____, 2020, before me, the undersigned notary public, personally appeared _____, and proved to me through satisfactory evidence of identification which was _____, to be the persons whose name is signed on the proceeding or attached document, and acknowledged to me that he or she signed it voluntarily for its stated purpose.

Notary Public
My commission expires:

APPROVAL OF TOWN OF SUDBURY BOARD OF SELECTMEN

We, the undersigned, being a majority of the Board of Selectmen of the Town of Sudbury, Massachusetts, hereby certify that at a public meeting duly held on _____, 2020, the Board of Selectmen voted to approve the foregoing Conservation Restriction from Woodward Glen Realty Trust to the Town of Sudbury, acting by and through its Conservation Commission, in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws. Pursuant to the vote taken by the Board of Selectmen on May 5, 2020, the following signatures are made in accordance with M.G.L. c. 110G and pursuant to said Board’s electronic signature authorization vote recorded on May 21, 2020 with the Middlesex South Registry of Deeds at Book 74722 Page 136.

TOWN OF SUDBURY BOARD OF SELECTMEN:

Janie W. Dretler

Jennifer Roberts

Daniel E. Carty

Charles Russo

William Schineller

COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss:

On this _____ day of _____, 2020, before me, the undersigned notary public, personally appeared _____, and proved to me through satisfactory evidence of identification which was _____ to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

**APPROVAL BY SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
COMMONWEALTH OF MASSACHUSETTS**

The undersigned, Secretary of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction from Woodward Glen Realty Trust to the Town of Sudbury, acting by and through its Conservation Commission, has been approved in the public interest pursuant to Section 32 of Chapter 184 of the Massachusetts General Laws.

Dated: _____, 2020

KATHLEEN A. THEOHARIDES
Secretary of Energy and Environmental Affairs

COMMONWEALTH OF MASSACHUSETTS

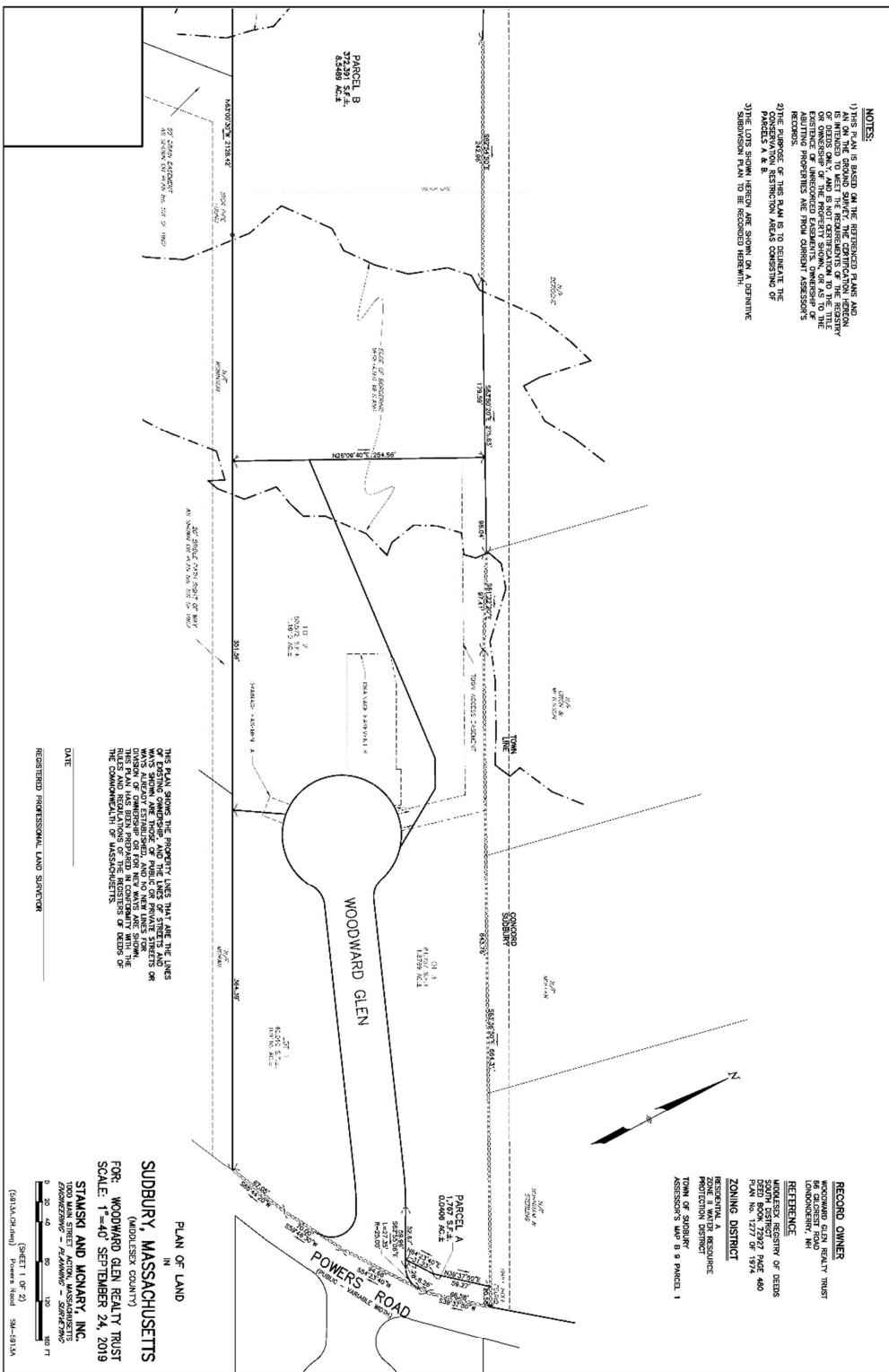
MIDDLESEX, ss:

On this _____ day of _____, 2020, before me, the undersigned notary public, personally appeared KATHLEEN A. THEOHARIDES, and proved to me through satisfactory evidence of identification which was _____ to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

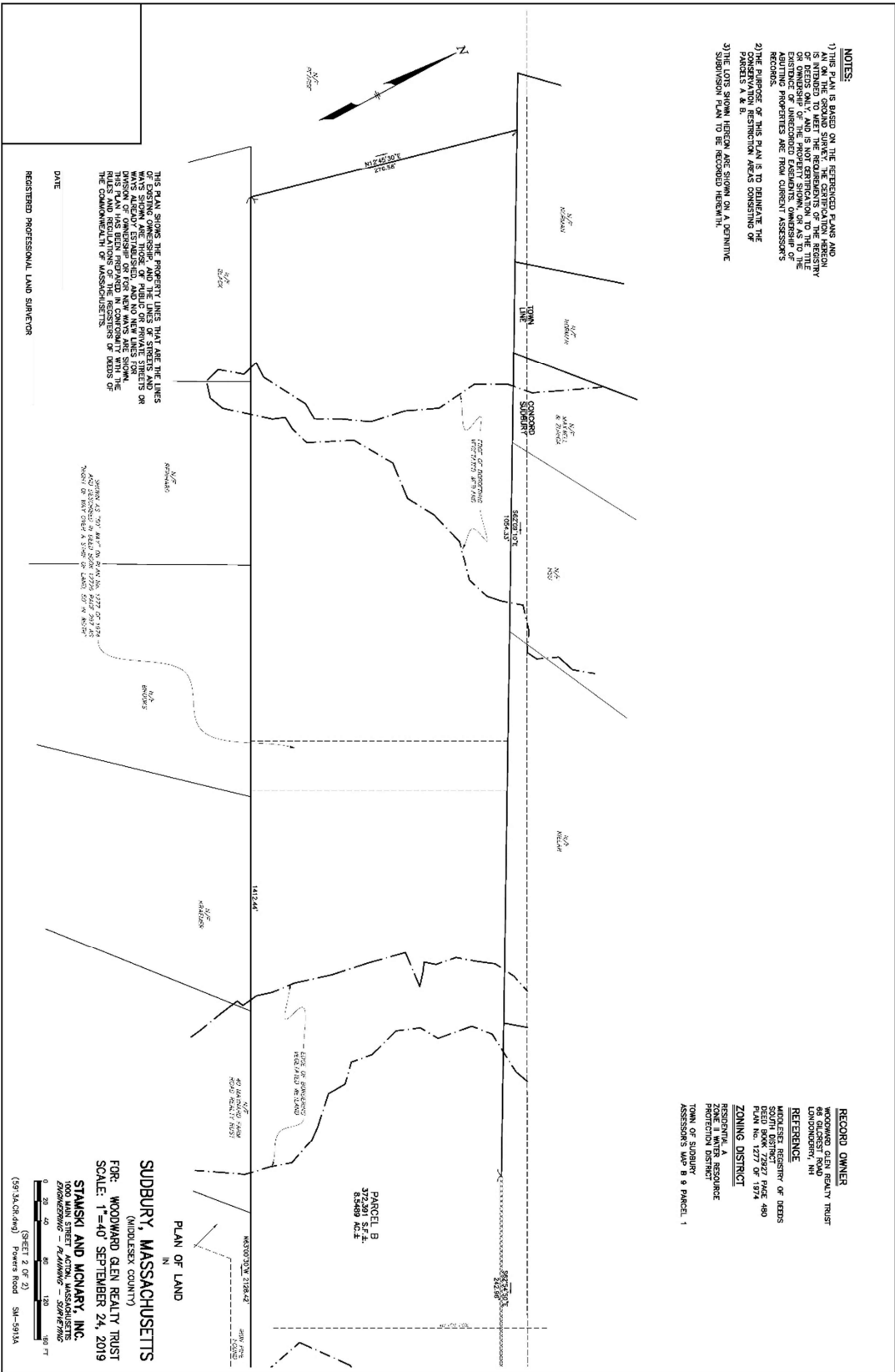
Notary Public
My Commission Expires:

EXHIBIT A - Reduced Copy of Recorded Plan of the Premises

For official full-size plan see Middlesex South Registry of Deeds, Book _____, Page _____.



Attachment 8.b: Greenscape Park Woodward Glen - Conservation Restriction 201026 (4225 : Easement and CR for Greenscape Park/Woodward



DRAINAGE EASEMENT

I, GEOFFREY CRONIN, also known as Geoff Cronin, as Trustee of WOODWARD GLEN REALTY TRUST, of 66 Gilcreast Road Londonderry, New Hampshire, grant to the Town of Sudbury, acting by and through its Board of Selectmen, a Massachusetts municipal corporation duly organized and existing under the laws of the Commonwealth of Massachusetts and having a usual place of business at 322 Concord Road, Sudbury, Massachusetts, the perpetual right and easement for the purpose of protecting public health, safety, and welfare through the proper control of drainage, to enter upon, inspect, maintain, repair, replace, operate, and forever maintain surface and ground water drain or drains with any manholes, pipes, conduits, and their appurtenances, within, under, or over those certain areas, features, and infrastructure within Drainage Easement A, Drainage Easement B located on Lots 1 and 2, and within the Right of Way of the proposed private way to be known as Woodward Glen (the "Premises"), shown on a plan entitled "Plan of Land in Sudbury, Massachusetts," Sheets 1 and 2, prepared for Woodward Glen Realty Trust, by Stamski and McNary, Inc, dated September 24, 2019, and the "Definitive Subdivision Greenscape Park, in Sudbury, Massachusetts, Layout and Utility Plan", sheet 6 of 10, prepared by Stamski and McNary, Inc., revision date March 6, 2019, recorded with the Middlesex South District Registry of Deeds herewith. Reference is hereby made to the Layout and Utility Plan for a more particular description of the easement area. The rights granted herein include the right to place markers delineating the easement areas.

The Grantor acknowledges and agrees that as set forth in that certain "Definitive Conventional Subdivision Plan Decision Greenscape park (Woodward Glen) Off Powers Road" dated April 10, 2019 and recorded in Middlesex South Registry of Deeds in Book _____, Page _____, each and every owner of Lots 1, 2 and 3 as shown on the above-described plan shall be jointly and severally responsible and liable for the costs of the maintenance, repair and reconstruction of roadways, water and drainage facilities and other common utilities and related equipment serving said subdivision. In the event that said owners fail to comply with such obligations following delivery of reasonable notice of such failure by the Town of Sudbury, or in the event of emergency, as soon as is practicable, the Town of Sudbury shall have the right, but not the obligation, to exercise its rights granted herein and the Town shall be promptly reimbursed by said owners for its costs and expenses, including reasonable attorneys' fees, incurred in connection herewith.

For the grantor's title, see quitclaim deed to Geoffrey Cronin, Trustee of Woodward Glen Realty Trust, recorded at Book 72927, Page 480, referencing Powers Road, Sudbury, Massachusetts 01776.

EXECUTED AND SEALED THIS _____ DAY OF _____ 2020.

 Geoffrey Cronin, as Trustee of
 Woodward Glen Realty Trust

COMMONWEALTH OF MASSACHUSETTS

_____, ss. _____, 2020

On this day before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My Commission expires: _____

ACCEPTED on behalf of the TOWN OF SUDBURY by its BOARD OF SELECTMEN under authority of G.L. c. 83, § 1, and the Sudbury General Bylaws Article XII, § 3, and every other authority, this _____ day of _____, 2020. Pursuant to the vote taken by the Board of Selectmen on May 5, 2020, the following signatures are made in accordance with M.G.L. c. 110G and pursuant to said Board’s electronic signature authorization vote recorded on May 21, 2020 with the Middlesex South Registry of Deeds at Book 74722 Page 136.

Janie W. Dretler

Jennifer Roberts

Daniel E. Carty

Charles Russo

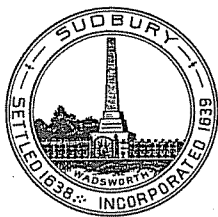
William Schineller

COMMONWEALTH OF MASSACHUSETTS

_____, ss. _____, 2020

On this day before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he or she signed it voluntarily for its stated purpose on behalf of the Sudbury Board of Selectmen.

Notary Public
My Commission expires: _____



Town of Sudbury

Planning Board

PlanningBoard@sudbury.ma.us

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

www.sudbury.ma.us/planning

April 10, 2019

DEFINITIVE CONVENTIONAL SUBDIVISION PLAN DECISION GREENSCAPE PARK (WOODWARD GLEN) OFF POWERS ROAD

2019 APR 18 AM 11:51
TOWN CLERK
SUDBURY, MASS

DECISION of the Planning Board (the Board) on the application of Greenscape Property Building LLC (the Applicant) for a Definitive Conventional Subdivision Plan for property located on the north side of Powers Road in Sudbury, Massachusetts. The subject property, owned by John C. & Doris Norman, and Jill Norman, is located in the Single Residence A-1 Zoning District and Zone II of the Water Resource Protection Overlay District, and is known as Assessor's Parcel ID # Map B09, Lot 0001.

This Decision is in response to an application filed on August 15, 2018 under Massachusetts General Laws, Chapter 41, Sections 81-K through 81-GG, inclusive (the Subdivision Control Law), the Town of Sudbury Zoning Bylaw (the Zoning Bylaw), and the Town of Sudbury Rules and Regulations Governing the Subdivision of Land (the Subdivision Regulations) to subdivide approximately 13.25 acres into three buildable lots and two parcels off a proposed new cul-de-sac road named Woodward Glen off Powers Road.

After causing notice of the time and place of the public hearing and of the subject matter thereof to be published, posted, and mailed to the Applicant/Owner, abutters, and other parties in interest as required by law, the public hearing conducted on September 5, 2018 and continued to September 26, 2018, October 24, 2018, November 14, 2018, March 27, 2019 and April 10, 2019, when it was closed. The Board deliberated on the proceedings on April 10, 2019. The following members of the Board were present throughout the proceedings: Stephen Garvin, Peter Abair, and Nancy Kilcoyne. The record of the proceedings and submissions upon which this Decision is based may be referred to in the office of the Town Clerk or the Board.

After due consideration of the application, the record, Planning staff's reports, the Town's Consulting Engineer's reviews, comments from other Town Boards, Committees, Commissions, and departments, and based upon the findings set forth herein, the Board closed the public hearing on April 10, 2019 and voted 3 to 0 to **GRANT** conditional approval of the Definitive Conventional Subdivision Plan.

FINDINGS

1. The approximately 13.25 acre property is located off Powers Road and is within the Single Residence A-1 Zoning District and Zone II of the Water Resource Protection Overlay District.

Definitive Conventional Subdivision Plan Decision
 Greenscape Park – Powers Road
 April 10, 2019
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2. The Applicant proposes to create three (3) single-family residential building lots.
3. The Board finds the proposed Definitive Conventional Subdivision Plan is in harmony with the purposes and intent of the Zoning Bylaw and the Rules and Regulations Governing the Subdivision of Land.
4. Each of the proposed lots shown on the Definitive Conventional Subdivision Plan will have frontage on an approved way.
5. Each of the proposed lots is of a size and shape that will provide a building site, within which a building may be built which is in harmony with the natural terrain and other features of the property.
6. In reviewing the Definitive Conventional Subdivision Plan, the Board has considered the existing and probable future development of surrounding areas and has imposed conditions relating to these factors.
7. The Definitive Conventional Subdivision Plan, as presented, is designed to take advantage of the natural terrain of the land.
8. The subject property is located within a Single Residence A Zoning District and the proposal provides for the siting of houses in a manner which will preserve the privacy of both existing and new dwellings.
9. The Applicant has offered to place Parcels A and B under a Conservation Restriction held by the Town.
10. The Board has incorporated the recommendations of other Town Boards, Committees, Commissions, and departments into this conditional approval.

CONDITIONS OF APPROVAL

This Definitive Conventional Subdivision Plan Decision is subject to and with the benefits of the following restrictions:

1. Approval is based upon the following Plans and Documents
 - a. Definitive Subdivision Plan for Greenscape Park, Powers Road, Sudbury, Massachusetts (Sheet 1 of 10, Title Sheet; Sheet 2 of 10, Existing Conditions Plan; Sheets 3 and 4 of 10, Record Plan; Sheet 5 of 10, Site Development Plan; Sheet 6 of 10, Layout & Utility Plan; Sheet 7 of 10, Plan and Profile; Sheets 8 and 9 of 10, Details Plans; Sheet 10 of 10, Stormwater Pollution Prevention Plan; and Landscape Plan) prepared by Stamski and McNary, Inc. dated July 16, 2018 revised through March 28, 2019 with a Planning Board date stamp of April 3, 2019.

- b. Stormwater Management Report for Greenscape Park prepared by Stamski and McNary, Inc. dated July 16, 2018 with a revision date through August 27, 2018 and a Planning Board date stamp of September 18, 2018.
 - c. Stormwater Operation and Maintenance Manual for Greenscape Park prepared by Stamski and McNary, Inc. dated July 16, 2018 with a revision date through March 6, 2019 and a Planning Board date stamp of March 11, 2019.
2. The Construction Management Plan dated October 30, 2018 and revised through March 28, 2019 shall be revised to include the following items:
- a. Item B: No work or deliveries shall take place on Sundays or holidays. Construction workers and deliveries shall not arrive any earlier than the specified hours of construction.
 - b. Item D. All dumpsters shall be covered.
 - c. Item E. Construction, delivery, and worker vehicles shall not park or idle on any public ways.
 - d. Item F. Notice of police details shall be given to the Building Commissioner and included in weekly communication with abutters.
 - e. Item G. Maintain regular, weekly, communication (detailing time of expected work within Powers Road, any rock hammering times (not likely), or any other unexpected activity) with abutters designated on email list and the Town.
 - f. Item H. Onsite Project Manager Contact Information.
 - g. Item K. Abutters will be notified any time the public way is to be occupied for more than an hour.
 - h. Item O. No ledge removal is anticipated for the construction of the drive. If ledge were encountered, a rock hammer would be the preferred method for removal. If blasting becomes necessary, an updated plan will be submitted to the Planning Board for review and approval prior to blasting, and abutters shall be notified.
 - i. Item T.vi. Snow Removal – A snow removal plan shall be submitted to the Planning Board for review and approval.
3. This subdivision shall be limited to three (3) residential building lots. Any further subdivision of said property into more than three (3) building lots shall require Board approval pursuant to the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land.

4. The Applicant/Owner shall present the Definitive Conventional Subdivision Plan to the Board for proper endorsement within 90 days of the date of this Decision, unless such time period is extended in writing by the Board. The Board reserves the right to rescind its approval if said Plan is not presented to the Board for endorsement within the time period herein specified. The Applicant/Owner shall further submit the Plan to the Director of Planning and Community Development at least 14 days prior to this deadline to allow the Director of Planning and Community Development adequate time to review the revised Plan for compliance with the conditions of this Decision.
5. **Prior to endorsement of the Definitive Conventional Subdivision Plan**, the Applicant/Owner shall revise the Plan to show the following information, which shall be subject to review and approval of the Board prior to endorsement of the Plan:
 - a. The words “Public Road to be Accepted by the Town” shall be removed from Record Plan Sheet 3 of 10.
 - b. All plans shall be stamped and signed accordingly by a professional engineer and land surveyor. The Landscape Plan shall be stamped by a Landscape Architect.
 - c. Limit of work shall be clearly delineated and coincidental with the construction fence and siltation fence. Call outs shall be amended appropriately on the Site Development Plan (Sheet 5) and the Landscape Plan.
 - d. Construction entrance specifications shall be modified on the Stormwater Pollution Prevention Plan (Sheet 10) to specify a minimum size 2” of natural, clean stone for the construction entrance. Crushed stone is not acceptable.
 - e. Stormwater Pollution Prevention Plan (Sheet 10) notes and plan labels shall be revised to clearly indicate and label the limit of work (not proposed tree line).
 - f. In the Stormwater Pollution Prevention Plan (Sheet 10), Erosion and Sedimentation Control Note #20, the Road name shall be corrected.
 - g. The following language shall replace the text in the call out for the Sight Distance Detail on the Plan and Profile (Sheet 7) after the wording “Removed Stonewall (75+ Linear Feet)” and be added to the Landscape Plan: Any stones which are moved to create the new opening in the stone wall shall be reincorporated throughout the length of the existing and remaining stone wall along Powers Road. Any stones which are moved to create the new opening shall first be used to fill in any existing gaps in the stone wall.
 - h. The Landscape Plan legend should be revised to show the tree protection and tree removal symbology.

- i. Note 1 on the Landscape Plan shall be revised to state: Prior to the release of the Performance Guarantee, the Director of Planning and Community Development shall verify that all plantings shown on the approved Landscape Plan have been installed. Any minor modification or substitutions shall be reviewed and approved by the Director of Planning and Community Development. Plantings shall be guaranteed for a period of 2 years following occupancy. Any plantings deemed to be diseased or dying within a period of 2 years shall be replaced in kind.
6. **Prior to endorsement of the Definitive Conventional Subdivision Plan**, the Applicant/Owner shall submit to the Director of Planning and Community Development an acceptable Performance Guarantee in compliance with Section IV.C.9 of the Rules and Regulations Governing the Subdivision of Land, and have it reviewed and approved by Town Counsel and Town Engineer.
 7. **Prior to endorsement of the Definitive Conventional Subdivision Plan**, the Applicant/Owner shall submit to the Director of Planning and Community Development a perpetual Conservation Restriction to be held by the Town for Parcels A and B, and have it reviewed and approved by Town Counsel.
 8. **Prior to endorsement of the Definitive Conventional Subdivision Plan**, the Applicant/Owner shall submit to the Director of Planning and Community Development an easement over Lots 2 and 3 to allow the Town access to Parcel B for maintenance purposes, and have it reviewed and approved by Town Counsel.
 9. **Prior to endorsement of the Definitive Conventional Subdivision Plan**, a covenant satisfactory to the Board guaranteeing the construction of ways and installation of infrastructure in the subdivision within two (2) years of endorsement of the Plan, shall be reviewed and approved by Town Counsel.
 10. **Prior to endorsement of the Definitive Conventional Subdivision Plan**, the Applicant/Owner shall submit to the Director of Planning and Community Development all drafts of proposed covenants, easements for utility, drainage, and right-of-way purposes, and have them reviewed and approved by Town Counsel.
 11. **Prior to endorsement of the Definitive Conventional Subdivision Plan**, restrictive covenants for this subdivision shall be recorded stating lots within the subdivision are within the Water Resource Protection Overlay District and are subject to restrictions contained in the Zoning Bylaw regulating the amount of impervious surface that can be installed on each lot. Exceeding these limits shall require individual lot owners to apply for a Water Resource Special Permit from the Board. This restriction shall be recited in each deed conveying a lot within the subdivision.
 12. **Prior to endorsement of the Definitive Conventional Subdivision Plan**, restrictive covenants for this subdivision shall be recorded regulating lawn irrigation systems in an attempt to minimize the demand for water, as follows: 1) to prevent excessive loss of

moisture on lawns, each lot shall receive at least 5 to 6 inches of loam before seeding or installing sod; 2) all lawn irrigation system controls shall incorporate and utilize a rain sensor to turn the system off when it is raining and a moisture meter to gauge dryness; 3) an electronic controller with a battery back-up system shall be installed to minimize the risk of losing programming from power interruptions. It shall be the Applicant's/Owner's responsibility to include clear written notice regarding these restrictions on the use of lawn irrigation systems as deed restrictions recited in each deed conveying a lot within the subdivision.

13. **Prior to the commencement of any site work**, the Applicant/Owner shall record the Decision, the Plan, the Performance Guarantee, the Conservation Restriction, and all easements and covenants with the Middlesex South Registry of Deeds and provide verification of recording to the Planning and Community Development Department.
14. **Prior to the commencement of any site work**, the Applicant/Owner shall to submit to the Planning and Community Development Department written confirmation from the Tax Collector that all taxes, including any roll back taxes, have been paid in full for the property.
15. **Prior to the commencement of any site work**, the Applicant/Owner shall, if necessary, receive an Order of Conditions, or Superseding Order of Conditions, issued under the Wetlands Protection Act and be subject to any conditions placed on the project and provide a copy of a recorded Order of Conditions, or Superseding Order of Conditions to the Building Department.
16. **Prior to the commencement of any site work**, the Applicant/Owner shall install erosion control barriers as may be required by an Order of Conditions or Superseding Order of Conditions, and as indicated on the Stormwater Pollution Prevention Plan (Sheet 10 of 10).
17. **Prior to the commencement of any site work**, the Applicant/Owner shall provide to Town Engineer an approved copy of the Stormwater Pollution Prevention Plan as required for the National Pollutant Discharge Elimination System (NPDES) permit.
18. **During construction of the roadway**, the Applicant/Owner shall provide 48 hours notice to the Director of Planning and Community Development and the Town Engineer for the following required inspections:
 - a. Pre-construction meeting with contractor after installation of erosion control, demarcation of the limit of work including the installation of plaques, signage, or bounds every few hundred feet indicating the fencing is the limit of work for the project, provisions to protect stonewalls, and any other site feature identified as to remain.
 - b. After clearing, grubbing, stump removal, excavation to subgrade, and excavation of ditches for utilities. Each utility is responsible for inspections of their respective utility installation.

- c. After drainage system (pipe, manholes, catch basins, and other drainage structures) is installed, but before it is covered. The Town Engineer or designee shall sight drainage pipe runs to adjacent basins. Any defective runs shall be corrected before approval is given.
 - d. Following vegetation clearing sight distance lines at the driveway/ roadway shall be inspected to ensure adequacy.
 - e. Prior to the installation of binder course, the Town Engineer shall inspect and verify the roadway base is adequate. The Town Engineer reserves the right to require any material sample testing and compaction testing (95% Proctor). All sampling, testing, and analysis shall be at the sole expense of the Applicant/Owner.
 - f. The roadway binder course shall be laid within one week of the completion of construction of the roadway base, unless otherwise authorized by the Town Engineer.
 - g. During the installation of binder and finish bituminous concrete. The Town Engineer reserves the right to be on-site during the installation of any pavement for the roadway.
 - h. Periodic inspection of erosion control practices.
 - i. Review of completed As-Built plans for accuracy.
 - j. At other specific times deemed necessary by the Board, Director of Planning and Community Development, Building Inspector, or Town Engineer.
19. The Applicant/Owner shall provide a stone construction entrance to prevent soil from being tracked out onto Powers Road and shall install erosion control (straw bales, wattles, silt and construction fencing, drainage diversion channels, and swales and/or temporary siltation ponds) to prevent wash outs of the subdivision roadway until such time as it is paved.
20. The Applicant/Owner shall be responsible for maintaining the stormwater management structures in the subdivision in conformance with the Department of Environmental Protection Stormwater Guidelines. Regular cleaning and maintenance of the catch basins is critical to proper functioning of the system, especially during construction when siltation is likely to occur. Prior to final release of the Performance Guarantee, the Applicant/Owner shall have the catch basins cleaned, and the Town Engineer shall inspect the structures to determine that the drainage system is functioning properly.
21. Any underground irrigation system installed in this subdivision shall comply with the Town Bylaw regulating in-ground irrigation systems.
22. In the event removal of earth from the site will be required, the Applicant/Owner shall comply with the Town of Sudbury General Bylaws, Article V(A), Removal of Earth.

23. All large healthy trees on the site shall be retained and not disturbed or destroyed during the construction of the subdivision except for those trees which must be removed or disturbed for the construction of the proposed way, driveways, dwellings, and uses accessory thereto.
24. On each lot, approval shall be obtained from the Board of Health for a sewage disposal system.
25. Town water shall be extended to serve all the lots within this subdivision. Installation of water mains and hydrants shall be under the direction of the Sudbury Water District and the Sudbury Fire Chief.
26. The following deed restrictions regarding the roadway and associated subdivision infrastructure shall apply to Lots 1, 2, and 3 in this subdivision:
 - a. The Applicant/Owner agrees as a condition of approval of the Definitive Conventional Subdivision Plan that each and every owner or owners of Lots 1, 2, and 3 shall be jointly and severally responsible and liable for the costs of the maintenance, snow plowing, repair and reconstruction of the roadway shown on the Plan and designated thereon and all services the installation of which is required in connection with this approval, or which may be installed at any time, including, without limitation, maintenance, repair and reconstruction of roadways, water and drainage facilities and other common utilities and related equipment, curbs, monuments, sidewalks and street signs, as and whenever necessary, and including all actions of any kind or nature necessary or appropriate in order to maintain the roadway in a good, safe, and passable condition, providing access from the lots to the public way, as shown on the Plan and to provide adequate services to said lots, all in accordance with these conditions. For purposes thereof, owner shall mean the record owner of the said lots as of the date the maintenance, repair, or reconstruction work, as the case may be, is begun.
 - b. The Applicant/Owner agrees as a condition of approval of the Definitive Conventional Subdivision Plan that all maintenance, snow plowing, repairs and reconstruction required and performed hereunder shall comply with and conform to all requirements of the Town of Sudbury and other requirements imposed by law or governmental authority.
 - c. The Applicant/Owner agrees as a condition of approval of the Definitive Conventional Subdivision Plan the respective owner or owners of Lots 1, 2, and 3 shall neither use nor permit use of the roadway for any purpose other than ingress and egress from the lots, by the residents of the lots and their guests and invitees, such use to be limited to pedestrian and private passenger vehicular traffic, and such other vehicular traffic as is necessary from time to time in cases of emergency, delivery, or customary and usual household services and equipment or in connection with the maintenance, repair, or reconstruction of the roadway and services installed thereon, or thereunder, or other uses specifically approved by the Board in this decision. No owner or owners of the lots shall park or cause to be parked any motor vehicle on the roadway in such a way as to impede or obstruct the passage of pedestrian or vehicular traffic on the roadway.

- d. The Applicant/Owner agrees as a condition of approval of the Definitive Conventional Subdivision Plan that any and all maintenance, repair, or reconstruction work performed on or to the roadway or in connection with services installed thereon or thereunder by or at the direction of any owner or owners of Lots 1, 2, and 3 as provided herein, shall be carried out so as to ensure that no fill material or any products or excavation or erosion resulting from or arising in connection with such work shall be discharged into the storm drainage system, and soil and other material or debris shall be removed from the site only to the extent necessary in connection with such work.
 - e. The Applicant/Owner agrees as a condition of approval of the Definitive Conventional Subdivision Plan that neither the owner nor any successor owner or owners of Lots 1, 2, and 3 shall at any time request that the roadway be laid out or accepted as a public way in the Town of Sudbury.
 - f. The Applicant/Owner agrees as a condition of approval of the Definitive Conventional Subdivision Plan that neither the owners nor any successor owners of Lots 1, 2, and 3 shall at any time request or petition any drainage system, water or sewer pipes, or related equipment or any other improvement within the subdivision, for which design or improvement requirements have been waived by the Board as provided herein, be accepted or maintained by the Town of Sudbury.
 - g. The Applicant/Owner agrees as a condition of approval of the Definitive Conventional Subdivision Plan that the Town of Sudbury and its designees shall have the right to enter upon the roadway for all purposes for which ways are used, constructed, and maintained in the Town of Sudbury.
 - h. The fee in the subdivision roadway shall be owned by the owners of Lots 1, 2, and 3. The right-of-way created as part of this subdivision shall not become part of any adjacent property.
 - i. The Applicant/Owner agrees as a condition of approval of the Definitive Conventional Subdivision Plan that in any sale or transfer by the owners or any successor owners of Lots 1, 2, and 3, the deed or other instrument shall refer to and incorporate condition 27 a) through h) inclusive. To this end, the Applicant/Owner agrees the language of conveyance of the first deeds out of the subdivision shall be subject to the approval of the Board.
27. Any signage or decorative monuments proposed at the entrance to the subdivision shall comply with sections VI.K.2 and VI.L. of the Subdivision Regulations. No signs or structures (other than street signs) shall be located within the right-of-way.
28. All utilities shall be installed underground, including any extensions from existing service lines or poles.

29. No lot shown on this Definitive Subdivision Plan may be further divided so as to reduce the area of any lot for the purpose of creating an additional building lot(s).
30. All required work on the ground shall be completed within two (2) years from the date of endorsement of the Plan, unless a new application is filed with, and approved by, the Board extending such time.
31. All lighting shall be consistent with the provisions of Section 3427.f. of the Zoning Bylaw. Lighting on the premises shall be Dark Sky Compliant per the International Dark Sky Association, such as the Fixture Seal of Approval lighting standard that has a correlated color temperature of less than 3000K (ANSI C. 78.377).
32. No signage shall be erected at the subject property without Design Review Board application, review, and approval.
33. **Prior to the installation of the roadway binder course**, the Director of Planning and Community Development shall confirm the following:
 - a. A maximum roadway width of 24 feet;
 - b. A maximum roadway flare of 81 feet at Powers Road, and;
 - c. A maximum of 75 feet of stone wall removal.
34. **One week prior to the paving of the roadway**, the Applicant/Owner shall contact the Department of Public Works Director to arrange an inspection of the paving.
35. **Prior to the issuance of any Certificate of Occupancy**, the Applicant/Owner shall confirm with the Fire Chief the preferred addresses for these lots. The Applicant/Owner shall install a street sign in conformance with Sudbury Department of Public Works standards at its intersection with Powers Road.
36. **Prior to the issuance of any Certificate of Occupancy**, the Applicant/Owner shall install a split rail fence along the 100-foot wetlands buffer/Adjacent Upland Resource Area.
37. **Prior to the release of the Performance Guarantee**, the Director of Planning and Community Development shall verify that all plantings shown on the approved Landscape Plan have been installed. Any minor modification or substitutions shall be reviewed and approved by the Director of Planning and Community Development. Plantings shall be guaranteed for a period of 2 years following occupancy. Any plantings deemed to be diseased or dying within a period of 2 years shall be replaced in kind.
38. **Prior to the release of the Performance Guarantee**, the Director of Planning and Community Development and/or the Town Engineer shall confirm that all site work has been maintained within the “Limit of Clearing” as defined on the Plan. Should it be determined

- that work has been done outside of the “Limit of Clearing”, the Planning Board will withhold the release of the Performance Guarantee until the area has been restored.
39. The area within the 100-foot wetland buffer and, on Lot 3, the area east of the single-family dwelling which is outside of the limit of work, shall not be disturbed.
 40. All roadways, internal driveways, walkways, parking areas, stormwater management systems, roof drains, snow plowing, landscaping and landscape maintenance, exterior lighting, utilities, wastewater disposal systems, water systems for both domestic use and fire protection, including automatic fire sprinkler systems, hydrants, and other facilities and services for the development, to the extent located on the property, shall be and shall remain forever private, and the Town shall not have, now, or ever, any legal responsibility for operation or maintenance of these items.
 41. The Applicant/Owner shall maintain the road, including plowing and treating, and all other improvements within the subdivision in a condition which meets all the requirements of the Rules and Regulations Governing the Subdivision of Land.
 42. No earth work operation shall be conducted, maintained, and/or left in a condition so as to alter the natural drainage flow beyond the property; or cause dust, silt, soil, or other materials to be deposited on adjacent properties; or to otherwise cause nuisances, hazards, or other objectionable conditions detrimental to health, safety, or property values in adjacent areas.
 43. Any fill to be brought onto the site shall be tested by a certified laboratory and results provided to the Director of Planning and Community Development.
 44. The Applicant/Owner shall provide to the Building Inspector final As-Built plans showing the location of all buildings, structures, and driveways, including the locations of septic systems and leaching areas.
 45. The Applicant/Owner shall pay all outstanding fees incurred for the Board’s consultants including Town Counsel and the Board’s Consulting Engineer, for the performance of any of the review and inspection services contemplated herein, and including any such fees incurred prior to the date of this Decision.
 46. If at any time, the construction of the roadway is not in compliance with this Decision or the Rules and Regulations Governing the Subdivision of Land, the Planning Board may order that work on the construction of the roadway be stopped, and request the Building Inspector defer the issuance of any Building Permits or Certificates of Occupancy until the non-compliance is corrected.

Definitive Conventional Subdivision Plan Decision
 Greenscape Park – Powers Road
 April 10, 2019
 Page 12 of 13

47. Violation of any of the conditions of this Decision, as acknowledged by the permit holder or determined by a court of competent jurisdiction to have occurred, shall be grounds for enforcement of this Decision, or of any Building or Occupancy Permit granted hereunder. The Town may enforce compliance with the conditions of this Decision by any action of injunctive relief before any court of competent jurisdiction.

The authority granted to the Applicant/Owner by this Decision is limited as follows:

APPLICABILITY OF APPROVAL: This Decision applies only to the site which is the subject of this application. All construction to be conducted on the site shall be conducted in accordance with the terms of this Decision and shall be limited to the improvements shown on the plans.

OTHER PERMITS OR APPROVALS: This Decision applies only to the Definitive Conventional Subdivision Plan. Other permits or approvals required by the Sudbury Zoning Bylaw, other governmental boards, agencies, or bodies having jurisdiction shall not be assumed or implied by this Decision.

BYLAW COMPLIANCE: The foregoing conditions are stated for the purpose of emphasizing their importance, but are not intended to be all inclusive or to negate the remainder of the Sudbury Zoning Bylaw or the Rules and Regulations Governing the Subdivision of Land.

AMENDMENT OF THIS DECISION: Under the provisions of the Subdivision Regulations and Massachusetts General Laws, Chapter 41, Sections 81-K through 81-GG inclusive, the Board shall have the power to modify or amend the terms and conditions of this Decision on the application of the owner, lessee, or mortgagee of the premises, or upon its own motion. All the provisions of the Subdivision Control Law applicable to approval shall, where appropriate, be applicable to such modification or amendment. Such power is hereby reserved.

The provisions of this Decision shall be binding upon every owner or owners of each of the lots, as shown on the Plan, and the executors, administrators, heirs, successors and assigns of such owners, and the obligations and restrictions herein set forth shall run with said land in full force and effect for the benefit of and enforceable by the Town of Sudbury.

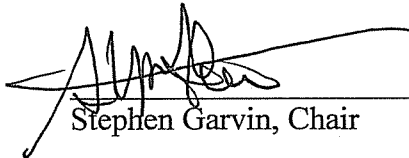
The Applicant/Owner, by acceptance of this Decision and recording thereof, acknowledges the binding effect of the conditions of this Decision.

Appeals, if any, shall be made in accordance with MGL Chapter 41 Section 81BB or MGL Chapter 40A Section 17 within twenty (20) days after this Decision is filed with the Town Clerk.

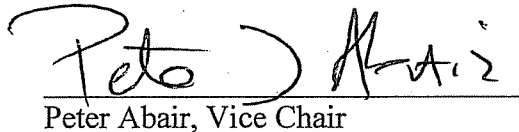
Definitive Conventional Subdivision Plan Decision
Greenscape Park – Powers Road
April 10, 2019
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Witness our hands this 10th day of April, 2019.

SUDBURY PLANNING BOARD




Stephen Garvin, Chair



Peter Abair, Vice Chair

John Hincks, Clerk

Charles Karustis



Nancy Kilcoyne

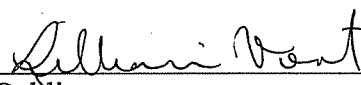
Date: April 10, 2019

TOWN CLERK
SUDBURY, MASS
2019 APR 18 AM 11:52

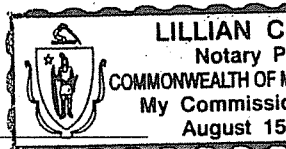
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

On this 10th day of April, 2019, before me, the undersigned notary public, personally appeared the above-named Stephen Garvin, Peter Abair, Nancy Kilcoyne, proved to me through satisfactory evidence of identification, which was one of the following (check applicable box): a driver's license; personal knowledge, to be the person whose name is signed on the preceding document; or other _____, and acknowledged to me that he/she signed it voluntarily for its stated purpose.



Notary Public



My Commission Expires: 8-15-2025

- cc: Town Clerk
- Board of Health
- Department of Public Works Director
- Building Inspector
- Planning & Community Development Department

- Conservation Commission
- Sudbury Water District
- Board of Selectmen
- Fire Chief
- Applicant

A TRUE COPY, ATTEST:


TOWN CLERK

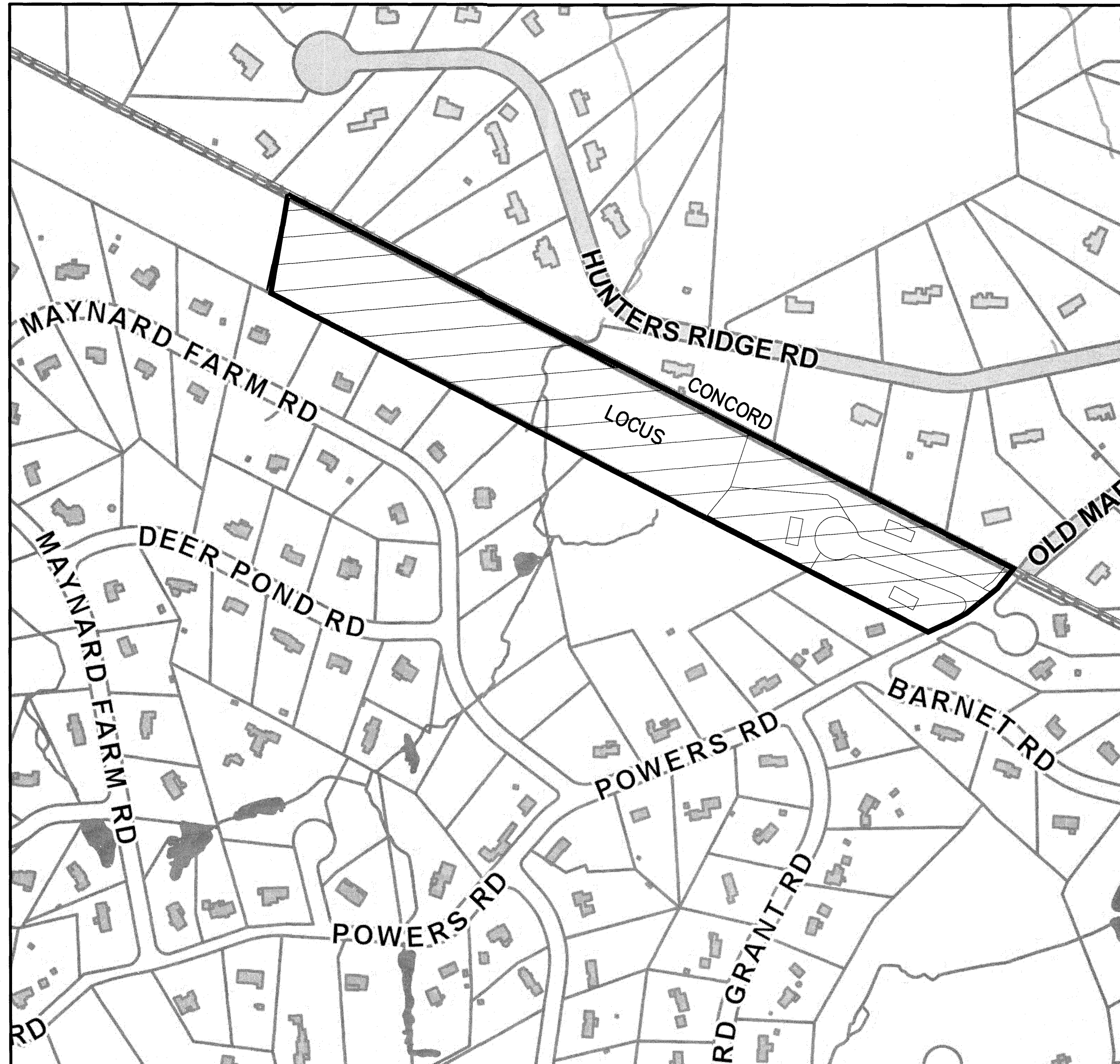
DEFINITIVE SUBDIVISION PLAN FOR GREENSCAPE PARK

POWERS ROAD SUDBURY, MASSACHUSETTS

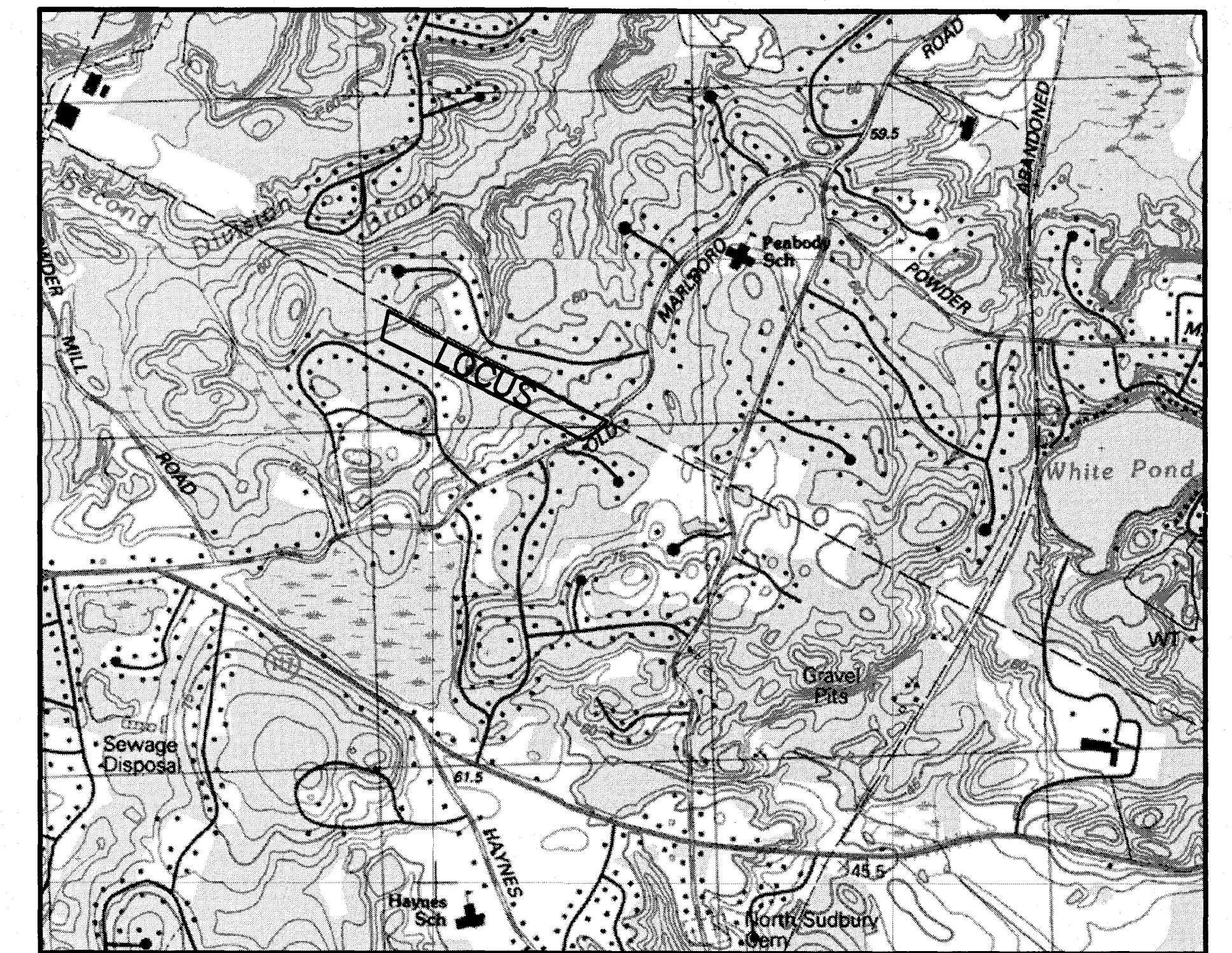
JULY 16, 2018
REVISED AUGUST 27, 2018
REVISED SEPTEMBER 25, 2018
REVISED OCTOBER 17, 2018
REVISED MARCH 6, 2019
REVISED MARCH 28, 2019
REVISED JUNE 25, 2019

PLAN INDEX

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SHEET 2	EXISTING CONDITIONS PLAN
SHEETS 3-4	RECORD PLANS
SHEET 5	SITE DEVELOPMENT AND GRADING PLAN
SHEET 6	LAYOUT AND UTILITY PLAN
SHEET 7	PLAN AND PROFILE
SHEETS 8-9	CONSTRUCTION DETAILS
SHEET 10	STORMWATER POLLUTION PREVENTION PLAN



LOCUS PLAN
SCALE: 1"=200'



LOCUS MAP
SCALE: 1"=1200'

SUBDIVISION APPROVED SUBJECT TO CONDITIONS CONTAINED IN THE COVENANT AND THE DECISION DOCUMENT, BOTH RECORDED HERewith.
SUDBURY PLANNING BOARD

DATE: _____

I, CLERK OF THE TOWN OF SUDBURY, MASSACHUSETTS HEREBY CERTIFY THE NOTICE OF APPROVAL OF THIS PLAN BY THE SUDBURY PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.

DATE _____

TOWN CLERK _____

DATE _____

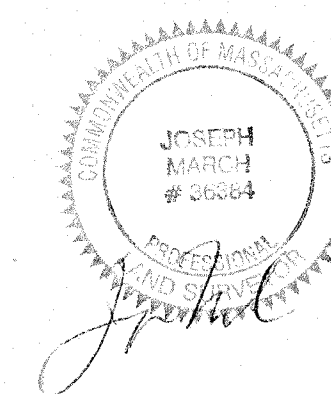
FIRE DEPARTMENT _____

DATE _____

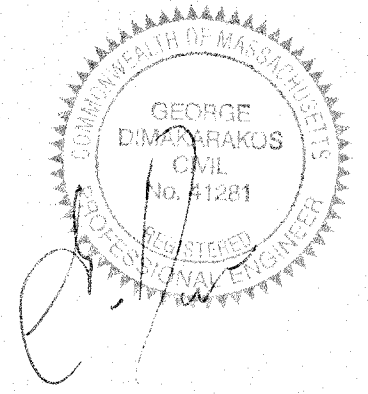
DEPARTMENT OF PUBLIC WORKS _____

DATE _____

SUDBURY WATER DISTRICT _____



SURVEYOR/ENGINEER
STAMSKI AND MCNARY, INC.
1000 MAIN STREET
ACTON, MA 01720



RECORD OWNER
JOHN C. & DORIS NORMAN
JILL NORMAN
261 PONUS RIDGE ROAD
NEW CANAAN, CT 06840

ZONING DISTRICT
RESIDENTIAL A
ZONE II WATER RESOURCE
PROTECTION DISTRICT
SCENIC ROAD: POWERS ROAD

APPLICANT
GREENSCAPE PROPERTY &
BUILDING LLC
66 GILCREAST ROAD
LONDONDERRY, NH 03053

REFERENCE
MIDDLESEX REGISTRY OF DEEDS
SOUTH DISTRICT
DEED BOOK 12726 PAGE 297

DATUM
NGVD 88

SUBDIVISION APPROVED SUBJECT TO CONDITIONS CONTAINED IN THE COVENANT AND THE DECISION DOCUMENT, BOTH RECORDED HEREWITH.

SUDBURY PLANNING BOARD

DATE: _____

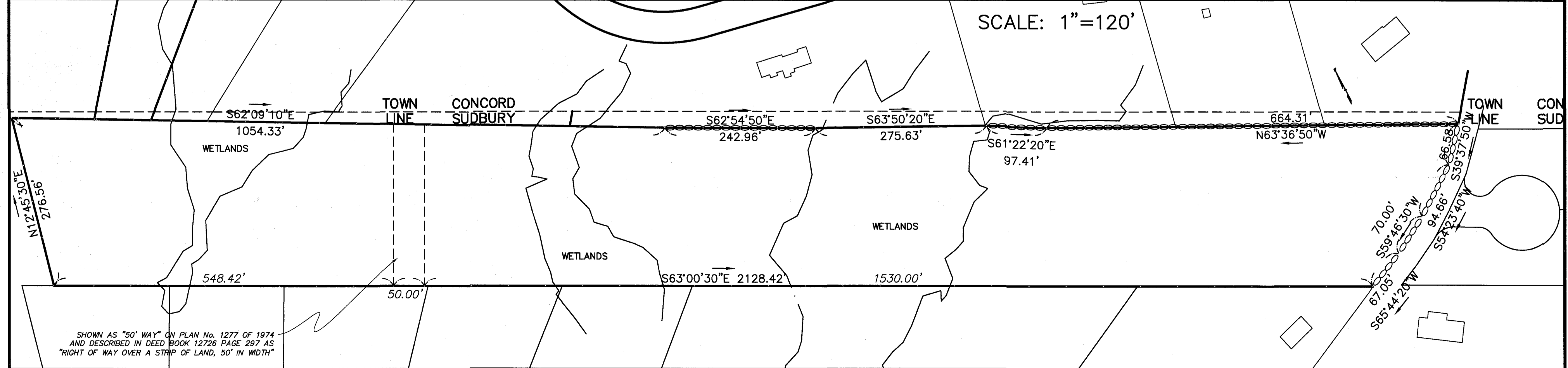
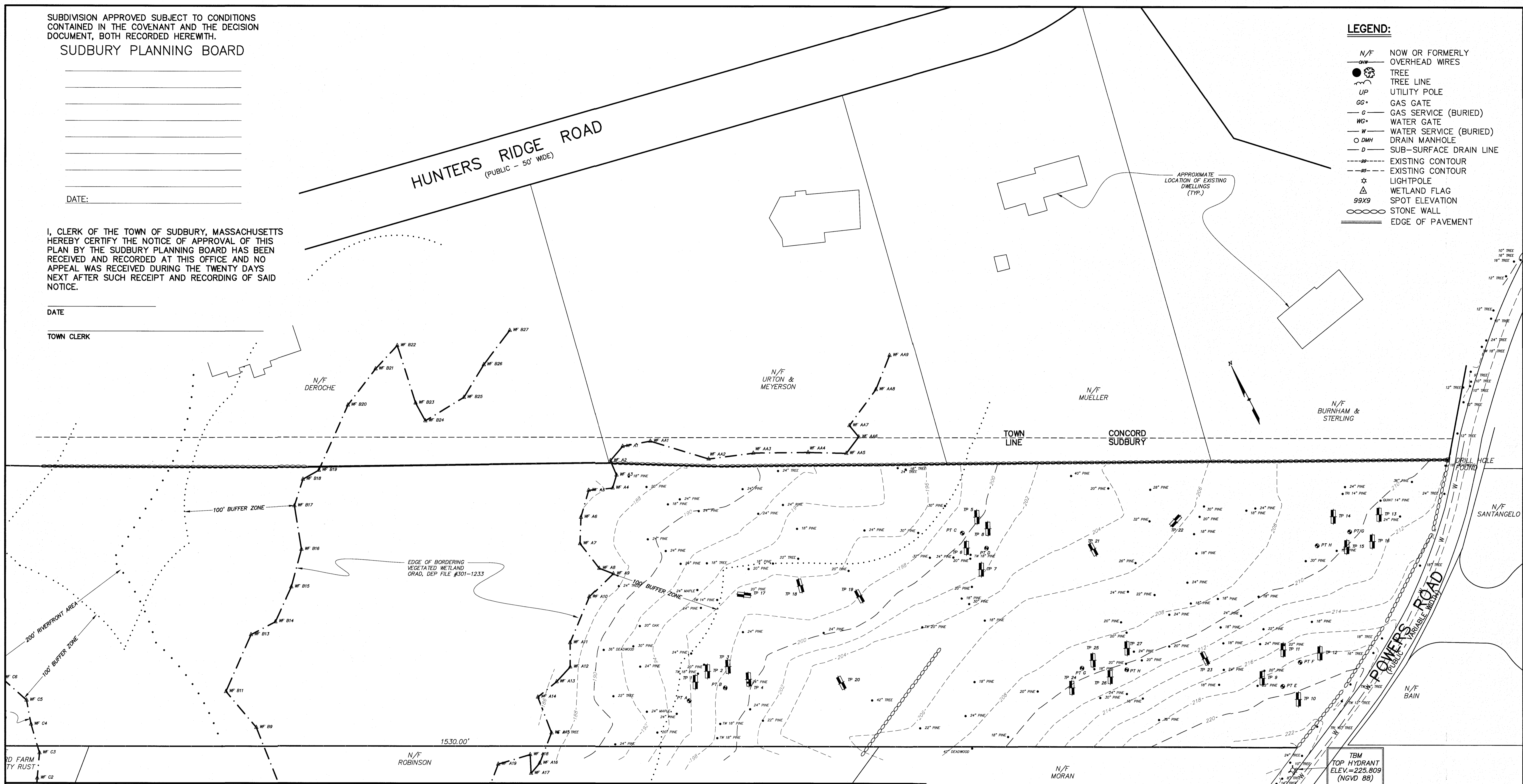
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DATE _____
TOWN CLERK _____

- LEGEND:**
- N/F NOW OR FORMERLY
 - OHW OVERHEAD WIRES
 - TREE
 - TREE LINE
 - UP UTILITY POLE
 - GG GAS GATE
 - G GAS SERVICE (BURIED)
 - WG WATER GATE
 - W WATER SERVICE (BURIED)
 - DMH DRAIN MANHOLE
 - D SUB-SURFACE DRAIN LINE
 - EXISTING CONTOUR
 - - - EXISTING CONTOUR
 - ☆ LIGHTPOLE
 - △ WETLAND FLAG
 - 99X9 SPOT ELEVATION
 - ○ ○ ○ ○ STONE WALL
 - ===== EDGE OF PAVEMENT

HUNTERS RIDGE ROAD
(PUBLIC - 50' WIDE)

APPROXIMATE LOCATION OF EXISTING DWELLINGS (TYP.)



SCALE: 1"=120'

TBM
TOP HYDRANT
ELEV.=225.809
(NGVD 88)

DATE _____

FIRE DEPARTMENT _____

DATE _____

DEPARTMENT OF PUBLIC WORKS _____

DATE _____

SUDBURY WATER DISTRICT _____

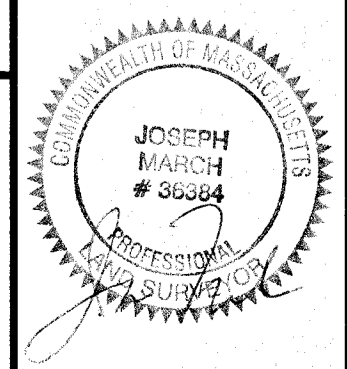
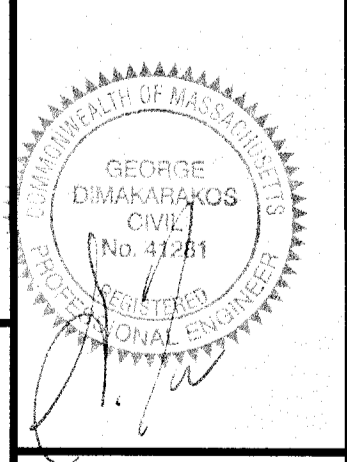
**DEFINITIVE SUBDIVISION
GREENSCAPE PARK
IN
SUDBURY, MASSACHUSETTS**

EXISTING CONDITIONS PLAN

FOR: GREENSCAPE PROPERTY & BUILDING LLC
SCALE: 1"=40' JULY 16, 2018

STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASS.
ENGINEERING - PLANNING - SURVEYING

SM-5913A (5913A DEFSUB.dwg) SHEET 2 OF 10



SHOWN AS "50' WAY" ON PLAN No. 1277 OF 1974 AND DESCRIBED IN DEED BOOK 12726 PAGE 297 AS "RIGHT OF WAY OVER A STRIP OF LAND, 50' IN WIDTH"

Attachment 8.c: Greenscape Park-Powers Road - Definitive Subdivision Plans 190625 (422) : Easement and CR for Greenscape Park/Woodward Glen Subdivision off Powers Road

SUBDIVISION APPROVED SUBJECT TO CONDITIONS CONTAINED IN THE COVENANT AND THE DECISION DOCUMENT, BOTH RECORDED HERewith.
SUDBURY PLANNING BOARD

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RECORD OWNER
JOHN C. & DORIS NORMAN
JILL NORMAN
261 PONUS RIDGE ROAD
NEW CANAAN, CT 06840

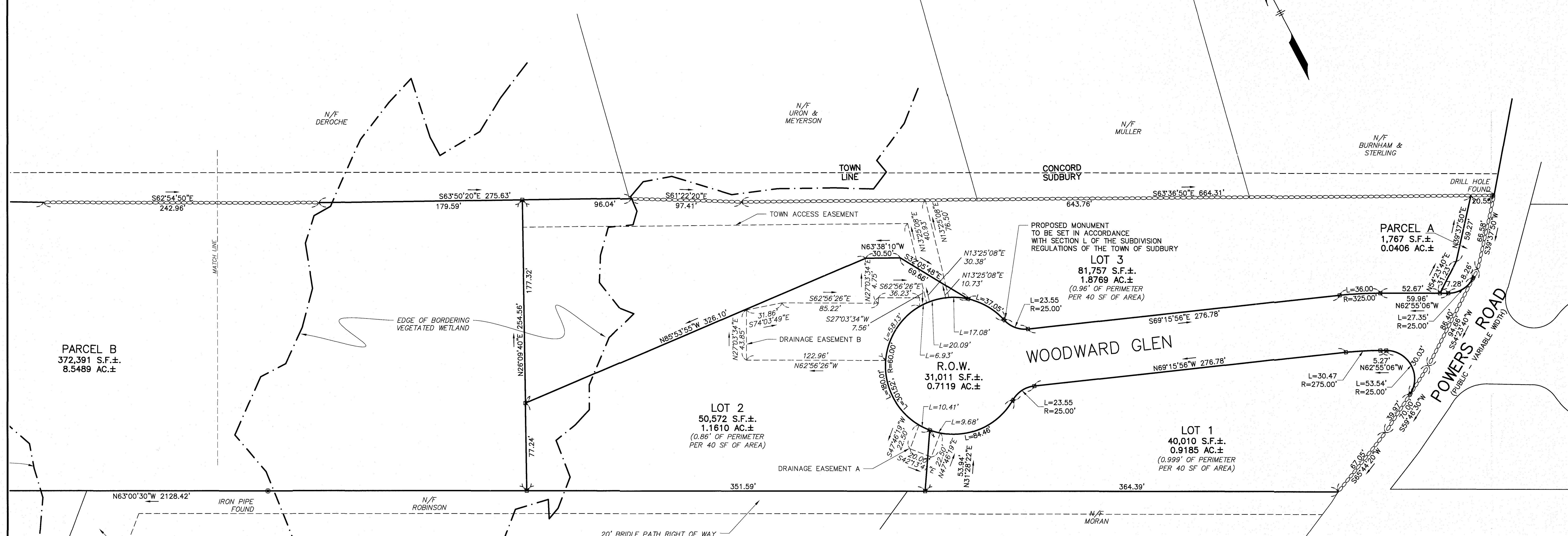
REFERENCE
MIDDLESEX REGISTRY OF DEEDS
SOUTH DISTRICT
DEED BOOK 12726 PAGE 297
PLAN No. 1277 OF 1974

ZONING DISTRICT
RESIDENTIAL A
ZONE II WATER RESOURCE
PROTECTION DISTRICT

TOWN OF SUDBURY
ASSESSOR'S MAP B 9 PARCEL 1

DATE _____
TOWN CLERK _____

DATE: _____



PARCEL B
372,391 S.F.±
8.5489 AC.±

PARCEL A
1,767 S.F.±
0.0406 AC.±

LOT 2
50,572 S.F.±
1.1610 AC.±
(0.86' OF PERIMETER
PER 40 SF OF AREA)

LOT 3
81,757 S.F.±
1.8769 AC.±
(0.96' OF PERIMETER
PER 40 SF OF AREA)

LOT 1
40,010 S.F.±
0.9185 AC.±
(0.999' OF PERIMETER
PER 40 SF OF AREA)

R.O.W.
31,011 S.F.±
0.7119 AC.±

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

DATE: 1/22/20
REGISTERED PROFESSIONAL LAND SURVEYOR

NOTE:
1. THIS SUBDIVISION SHALL BE LIMITED TO THREE (3) RESIDENTIAL BUILDING LOTS. ANY FURTHER SUBDIVISION OF SAID PROPERTY INTO MORE THAN THREE (3) LOTS SHALL REQUIRE PLANNING BOARD APPROVAL PURSUANT TO MGL CHAPTER 41 AND THE TOWN OF SUDBURY PLANNING BOARD RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF THE LAND.

DATE _____
FIRE DEPARTMENT _____
DATE _____
DEPARTMENT OF PUBLIC WORKS _____
DATE _____
SUDBURY WATER DISTRICT _____

**DEFINITIVE SUBDIVISION
GREENSCAPE PARK
IN
SUDBURY, MASSACHUSETTS**

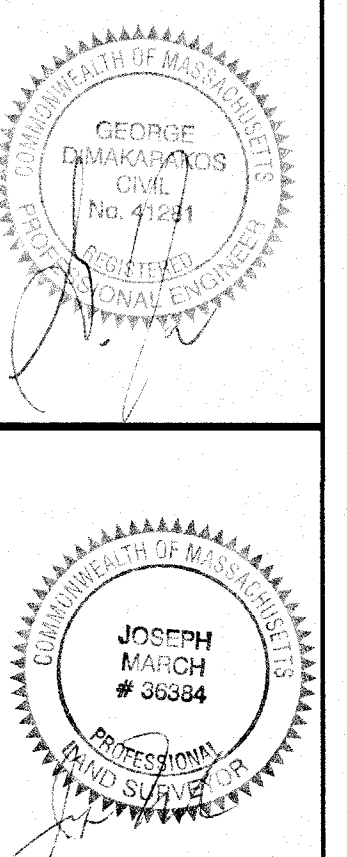
RECORD PLAN

FOR: GREENSCAPE PROPERTY & BUILDING LLC
SCALE: 1"=40' JULY 16, 2018

REV: AUGUST 27, 2018 REV: OCTOBER 17, 2018 REV: MARCH 28, 2019
REV: SEPTEMBER 25, 2018 REV: MARCH 6, 2019 REV: JUNE 25, 2019

STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASS.
ENGINEERING - PLANNING - SURVEYING

SM-5913A (5913A DEFSUB.dwg) SHEET 3 OF 10



Attachment 8.e: Greenscape Park-Powers Road - Definitive Subdivision Plans 190625 (4225 : Easement and CR for Greenscape Park/Woodward Glen Subdivision off Powers Road)

SUBDIVISION APPROVED SUBJECT TO CONDITIONS CONTAINED IN THE COVENANT AND THE DECISION DOCUMENT, BOTH RECORDED HEREWITH.

SUDBURY PLANNING BOARD

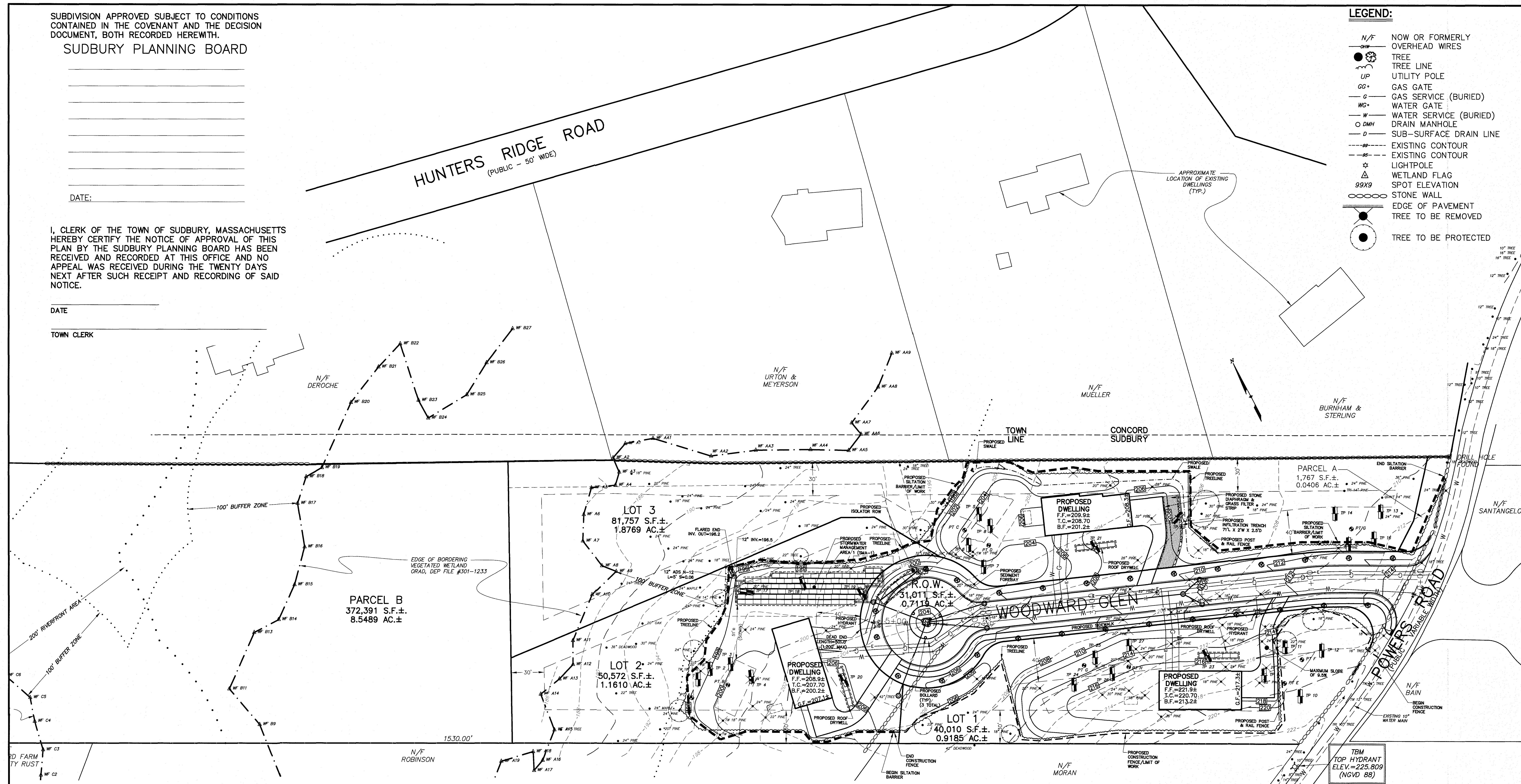
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DATE _____
TOWN CLERK _____

- LEGEND:**
- N/F NOW OR FORMERLY OVERHEAD WIRES
 - TREE
 - TREE LINE
 - UP UTILITY POLE
 - GG+ GAS GATE
 - G GAS SERVICE (BURIED)
 - WG+ WATER GATE
 - W WATER SERVICE (BURIED)
 - DMH DRAIN MANHOLE
 - D SUB-SURFACE DRAIN LINE
 - - - - - EXISTING CONTOUR
 - - - - - EXISTING CONTOUR
 - ☆ LIGHTPOLE
 - △ WETLAND FLAG
 - 99X9 SPOT ELEVATION
 - ○ ○ ○ ○ STONE WALL
 - EDGE OF PAVEMENT
 - TREE TO BE REMOVED
 - TREE TO BE PROTECTED

HUNTERS RIDGE ROAD
(PUBLIC - 50' WIDE)



DATE _____

FIRE DEPARTMENT _____

DATE _____

DEPARTMENT OF PUBLIC WORKS _____

DATE _____

SUDBURY WATER DISTRICT _____

**DEFINITIVE SUBDIVISION
GREENSCAPE PARK
IN
SUDBURY, MASSACHUSETTS**

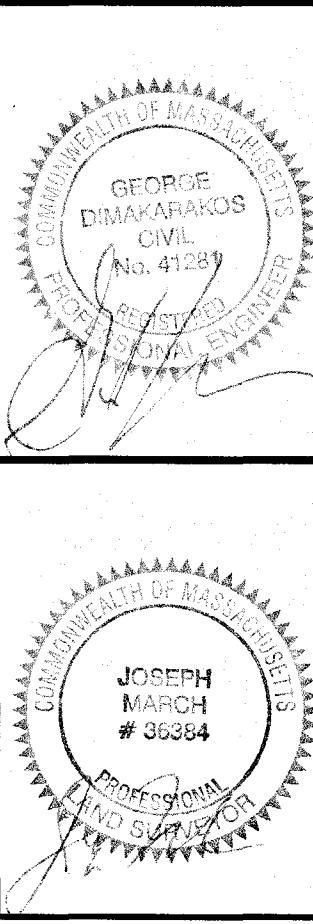
SITE DEVELOPMENT PLAN

FOR: GREENSCAPE PROPERTY & BUILDING LLC
SCALE: 1" = 40'
JULY 16, 2018

REV: AUGUST 27, 2018
REV: SEPTEMBER 25, 2018
REV: OCTOBER 17, 2018
REV: MARCH 28, 2019
REV: JUNE 23, 2019

STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASS.
ENGINEERING - PLANNING - SURVEYING

SM-5913A (5913A DEFSUB.dwg) SHEET 5 OF 10



Attachment 8: Greenscape Park-Powers Road - Definitive Subdivision Plans 190625 (422) : Easement and CR for Greenscape Park/Woodward Glen Subdivision off Powers Road

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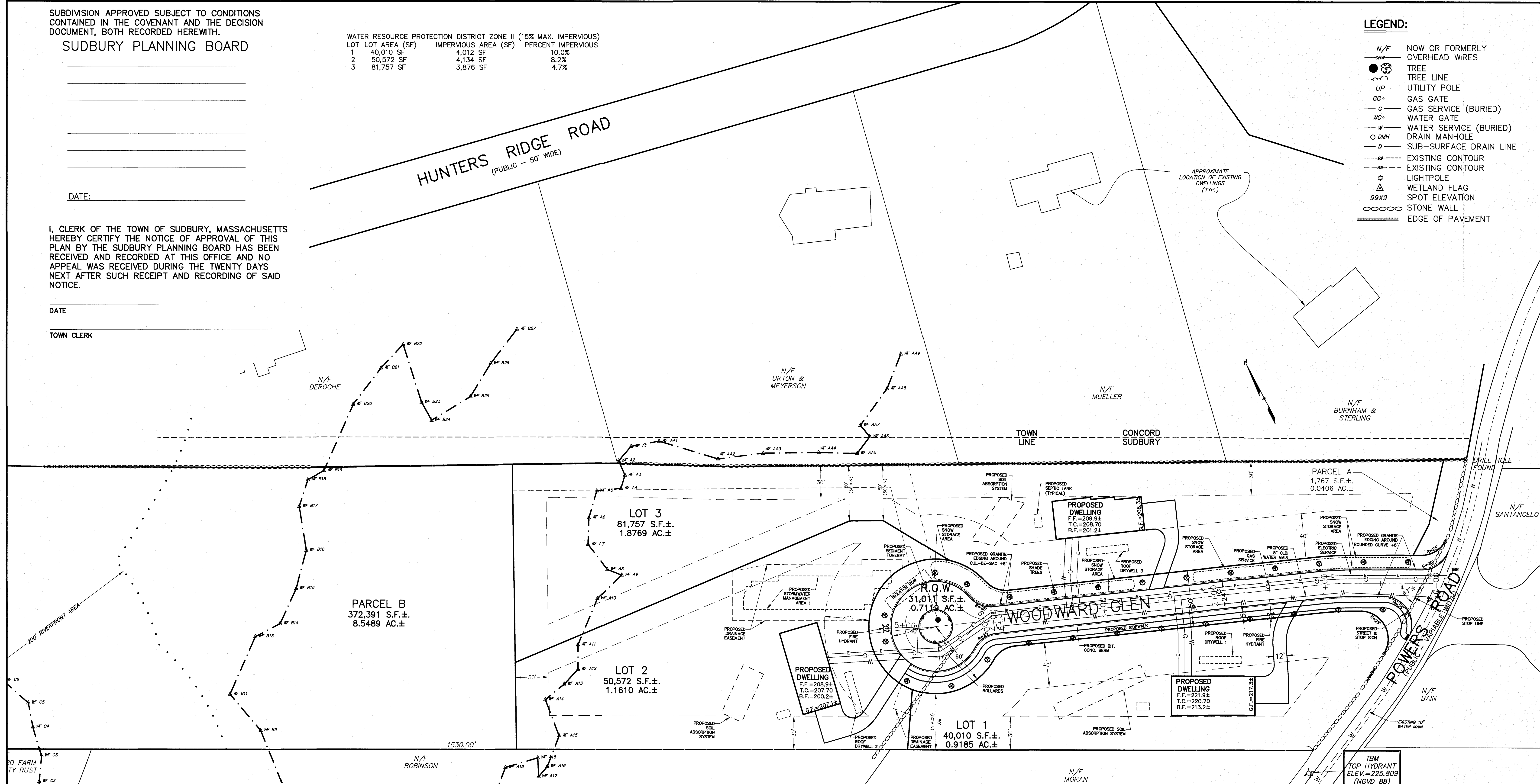
TOWN CLERK _____

LOT	LOT AREA (SF)	IMPERVIOUS AREA (SF)	PERCENT IMPERVIOUS
1	40,010 SF	4,012 SF	10.0%
2	50,572 SF	4,134 SF	8.2%
3	81,757 SF	3,876 SF	4.7%

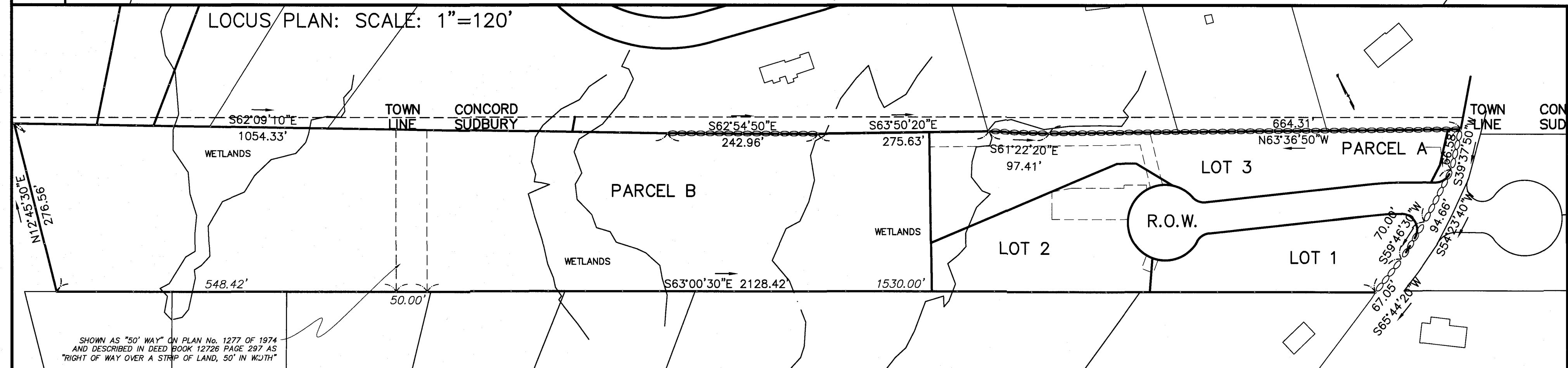
- LEGEND:**
- N/F NOW OR FORMERLY
 - OVERHEAD WIRES
 - TREE
 - TREE LINE
 - UP UTILITY POLE
 - GG GAS GATE
 - G GAS SERVICE (BURIED)
 - WG WATER GATE
 - W WATER SERVICE (BURIED)
 - DMH DRAIN MANHOLE
 - D SUB-SURFACE DRAIN LINE
 - EXISTING CONTOUR
 - - - EXISTING CONTOUR
 - ☆ LIGHTPOLE
 - △ WETLAND FLAG
 - 99X9 SPOT ELEVATION
 - ○ ○ ○ STONE WALL
 - ===== EDGE OF PAVEMENT

HUNTERS RIDGE ROAD
(PUBLIC - 50' WIDE)

TOWN LINE
CONCORD SUDBURY



LOCUS PLAN: SCALE: 1"=120'



SHOWN AS "50' WAY" ON PLAN No. 1277 OF 1974 AND DESCRIBED IN DEED BOOK 12726 PAGE 297 AS "RIGHT OF WAY OVER A STRIP OF LAND, 50' IN WIDTH"

DATE _____

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DATE _____

DEPARTMENT OF PUBLIC WORKS _____

DATE _____

SUDBURY WATER DISTRICT _____

**DEFINITIVE SUBDIVISION
GREENSCAPE PARK
IN
SUDBURY, MASSACHUSETTS
LAYOUT & UTILITY PLAN**

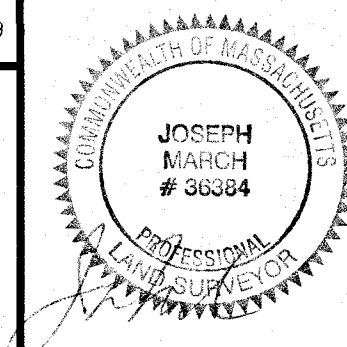
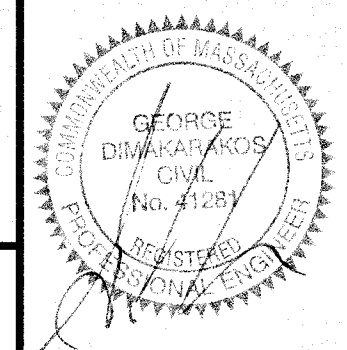
FOR: GREENSCAPE PROPERTY & BUILDING LLC
SCALE: 1"=40' JULY 16, 2018

REV: AUGUST 27, 2018 REV: OCTOBER 17, 2018 REV: MARCH 28, 2019
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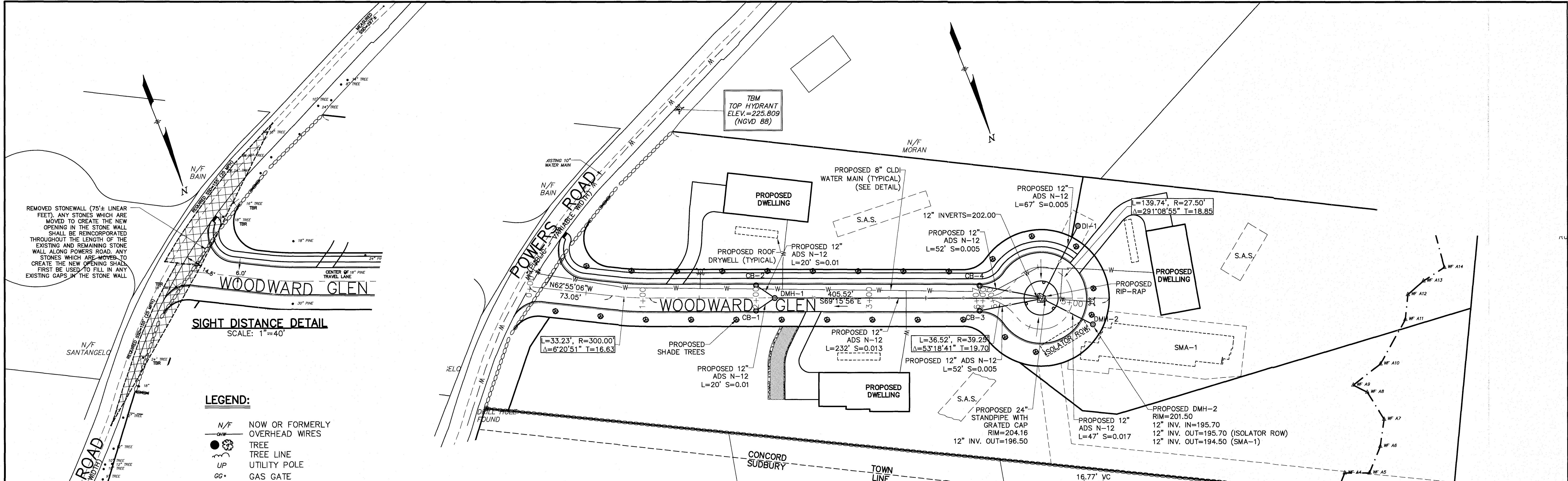
STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASS.
ENGINEERING - PLANNING - SURVEYING



SM-5913A (5913A DEFSUB.dwg) SHEET 6 OF 10



Attachment 8.e: Greenscape Park-Powers Road - Definitive Subdivision Plans 190625 (4225 : Easement and CR for Greenscape Park/Woodward Glen Subdivision off Powers Road)



- LEGEND:**
- N/F NOW OR FORMERLY OVERHEAD WIRES
 - OHV OVERHEAD WIRE
 - TREE
 - TREE LINE
 - UP UTILITY POLE
 - GG+ GAS GATE
 - G GAS SERVICE (BURIED)
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 - W WATER SERVICE (BURIED)
 - DMH DRAIN MANHOLE
 - D SUB-SURFACE DRAIN LINE
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 - ☆ LIGHTPOLE
 - △ WETLAND FLAG
 - 99X9 SPOT ELEVATION
 - ○ ○ ○ ○ STONE WALL
 - EDGE OF PAVEMENT
 - SMA STORMWATER MANAGEMENT AREA
 - SAS SOIL ABSORPTION SYSTEM
 - TREE TO BE REMOVED

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DATE _____

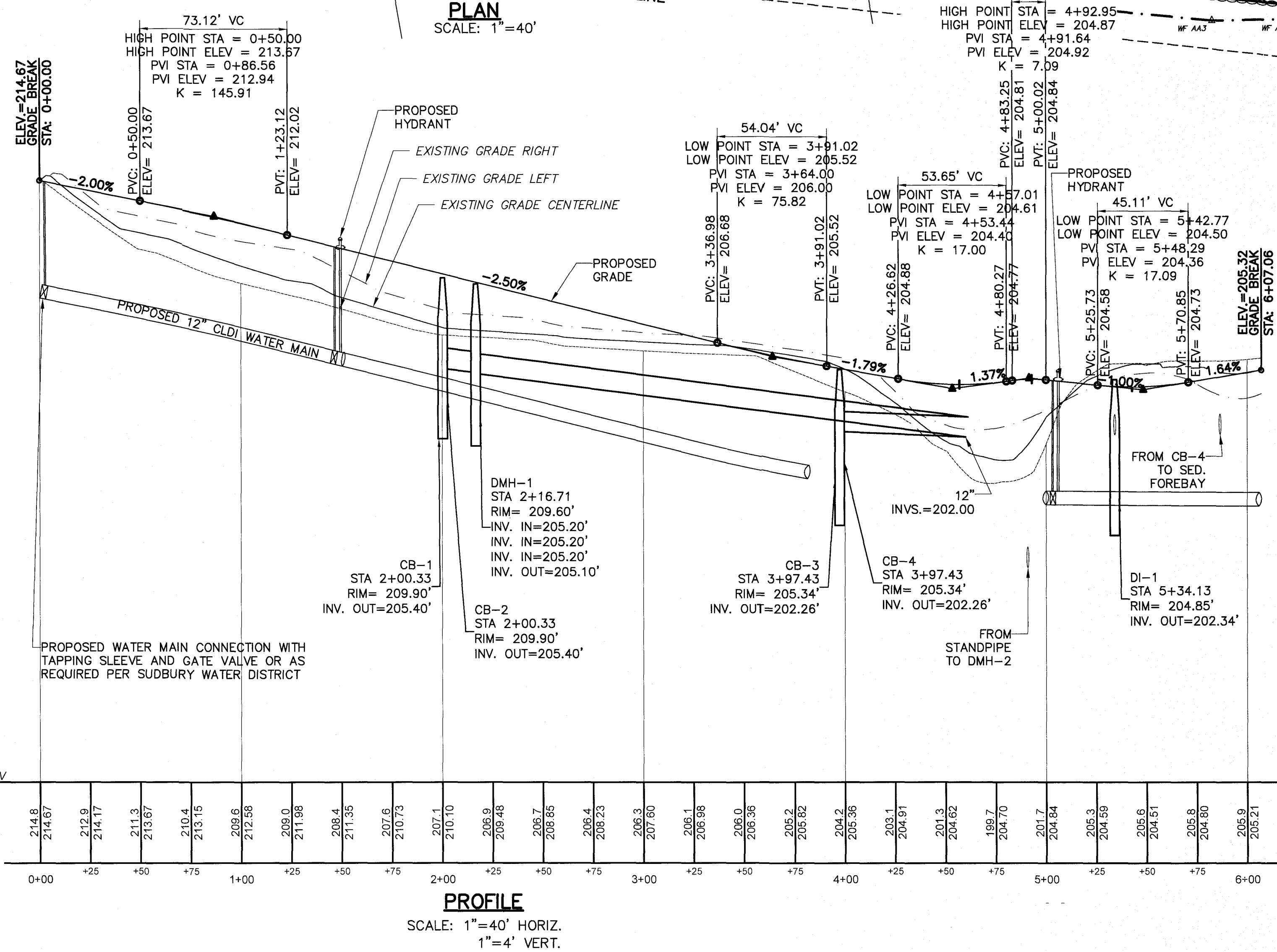
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DATE _____

DEPARTMENT OF PUBLIC WORKS _____

DATE _____

SUDBURY WATER DISTRICT _____

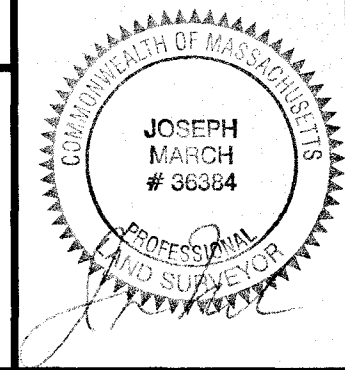
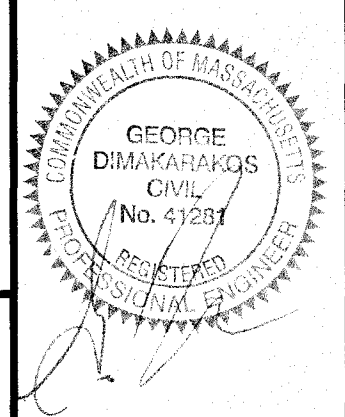


**DEFINITIVE SUBDIVISION
GREENSCAPE PARK
IN
SUDBURY, MASSACHUSETTS
PLAN & PROFILE**

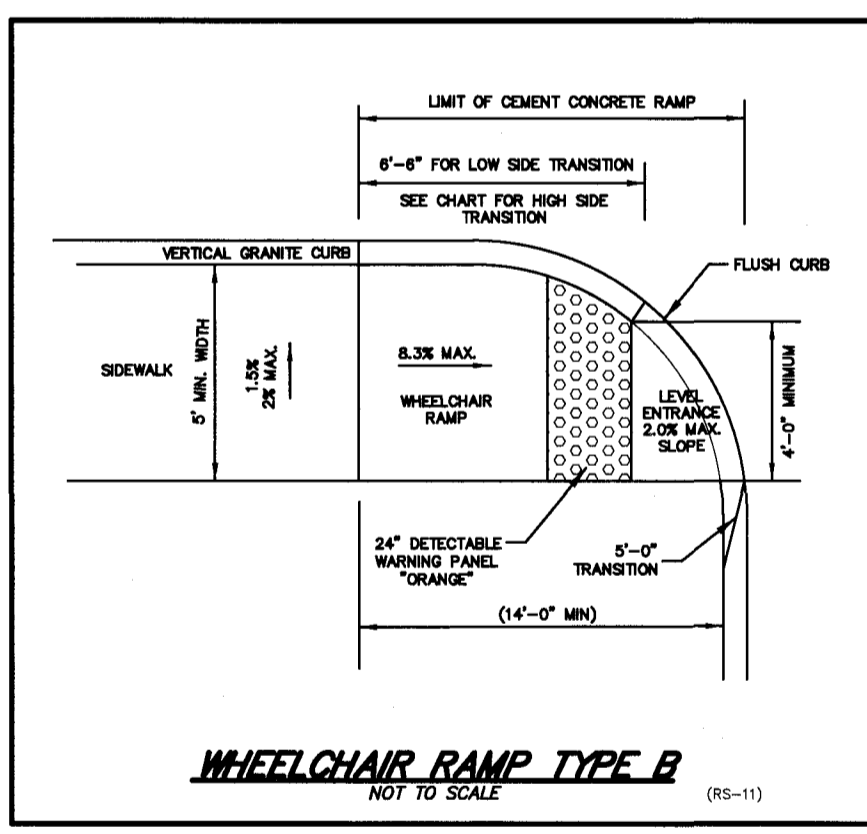
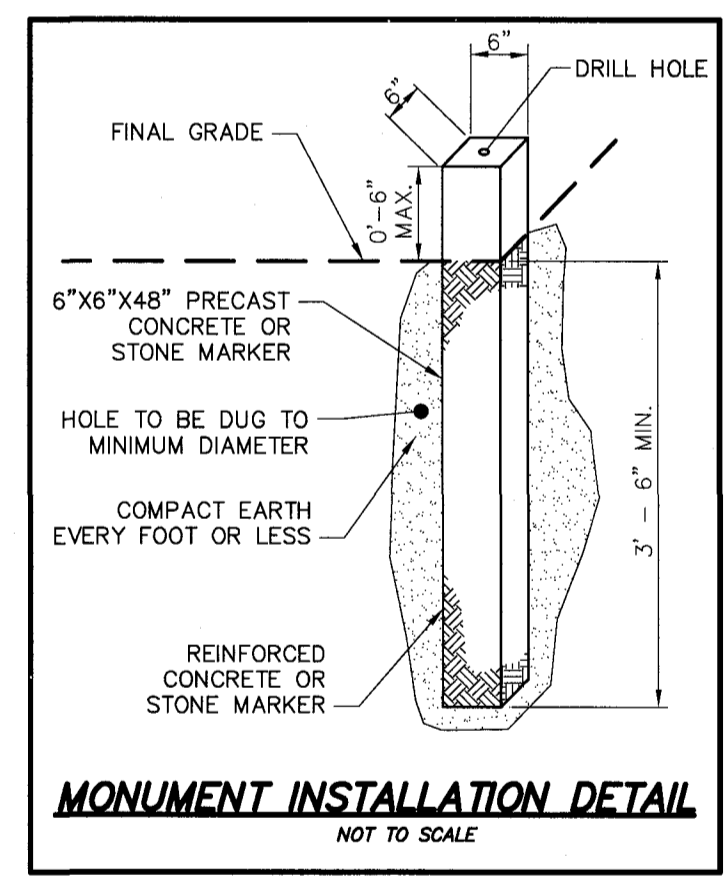
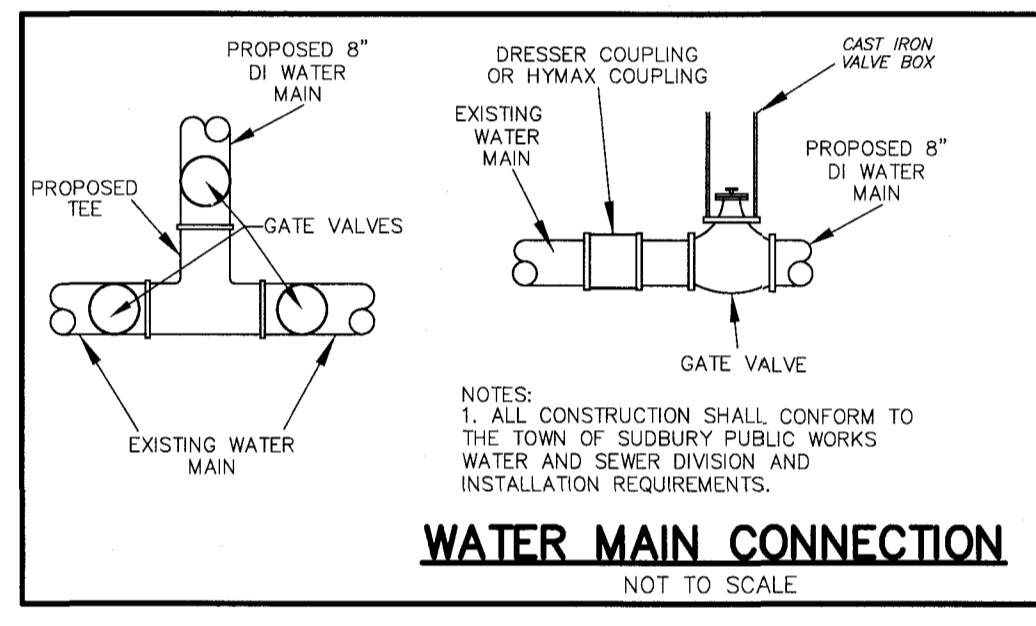
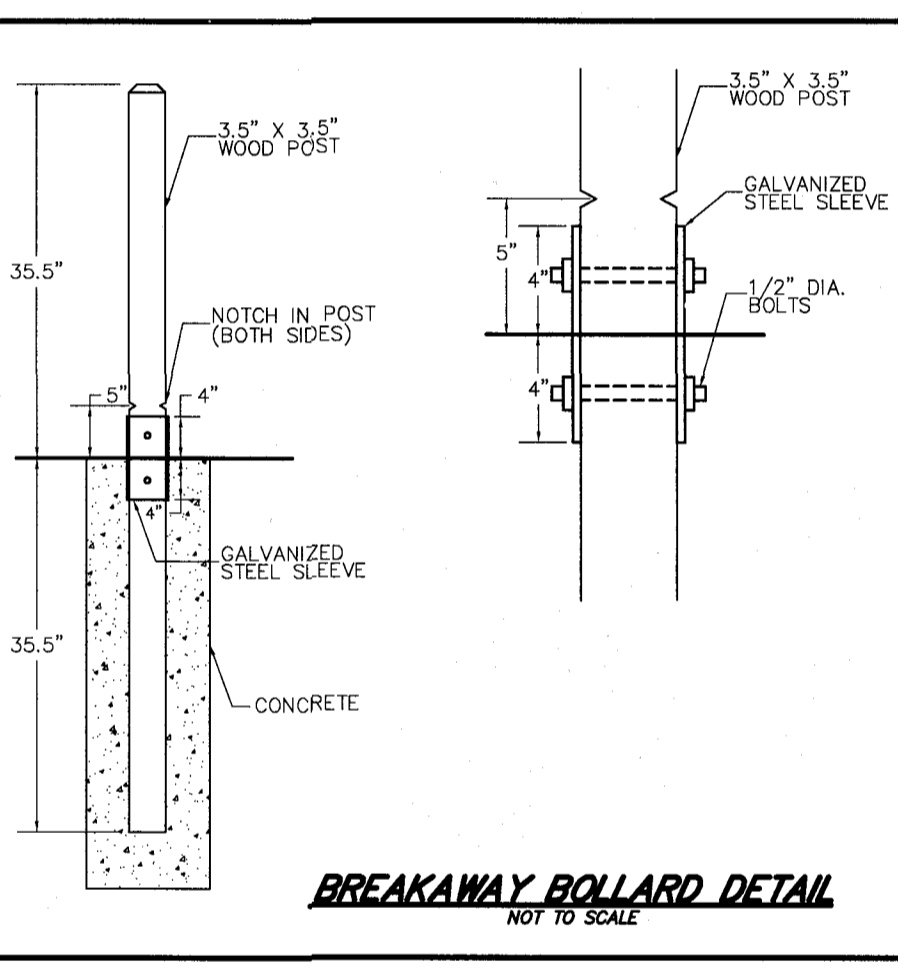
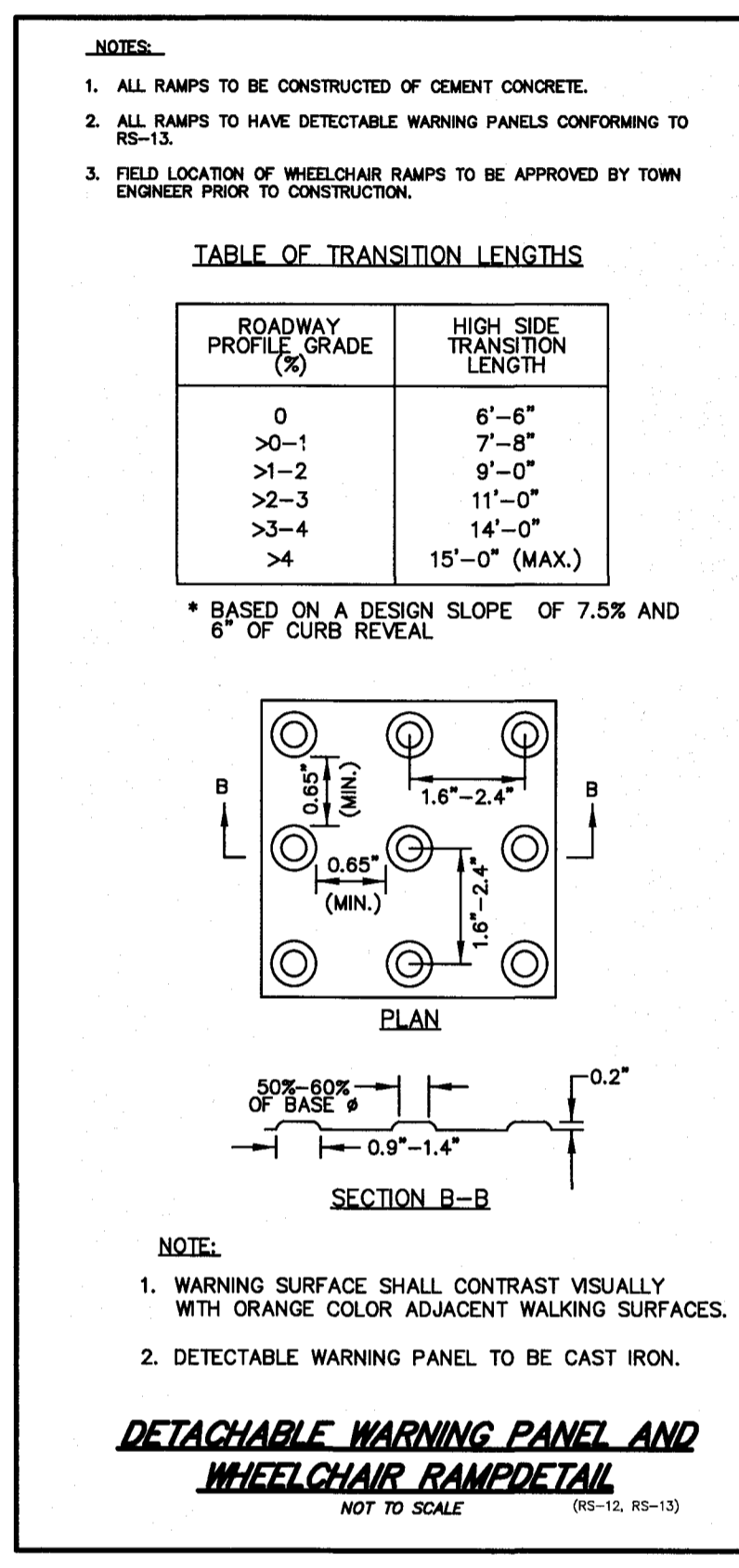
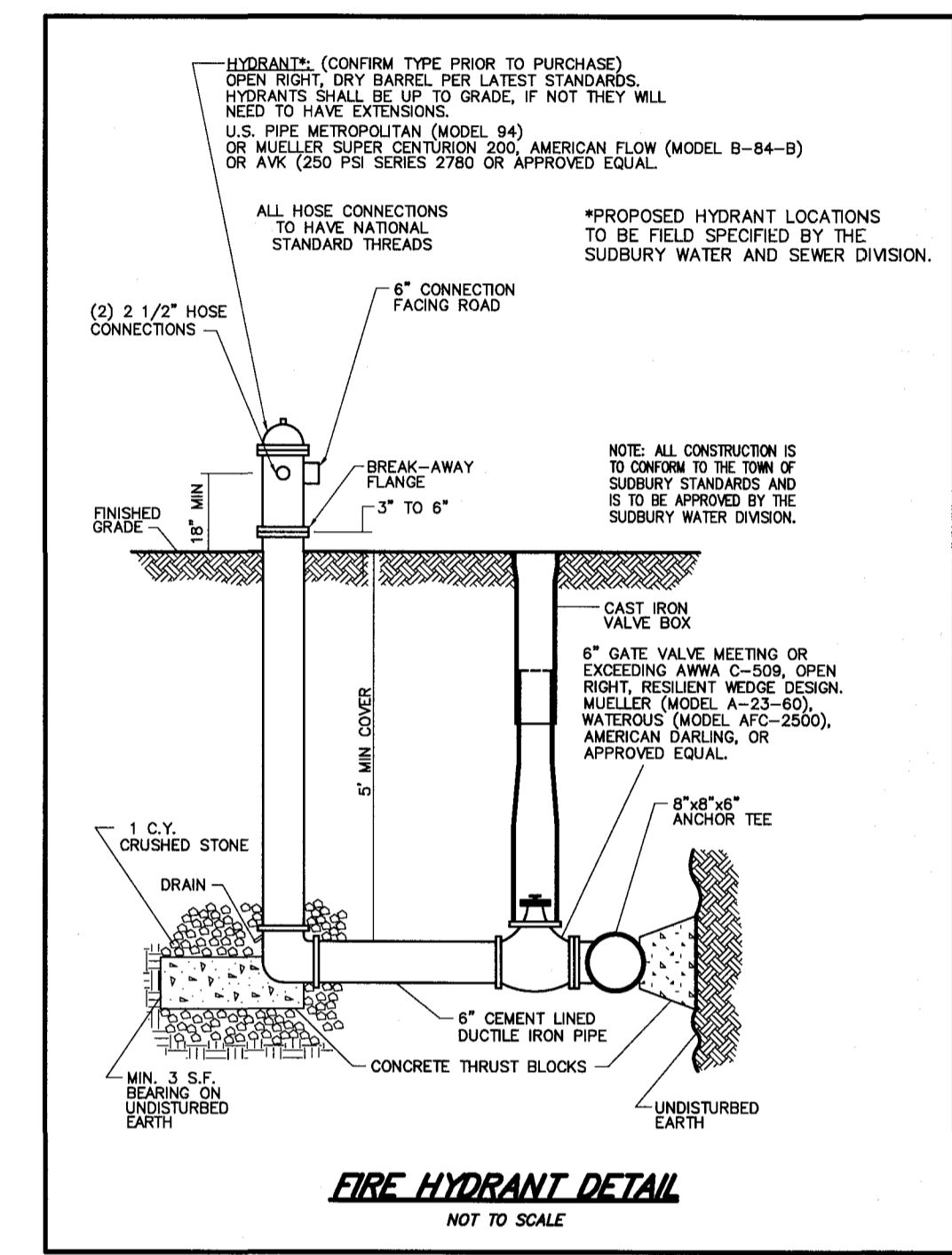
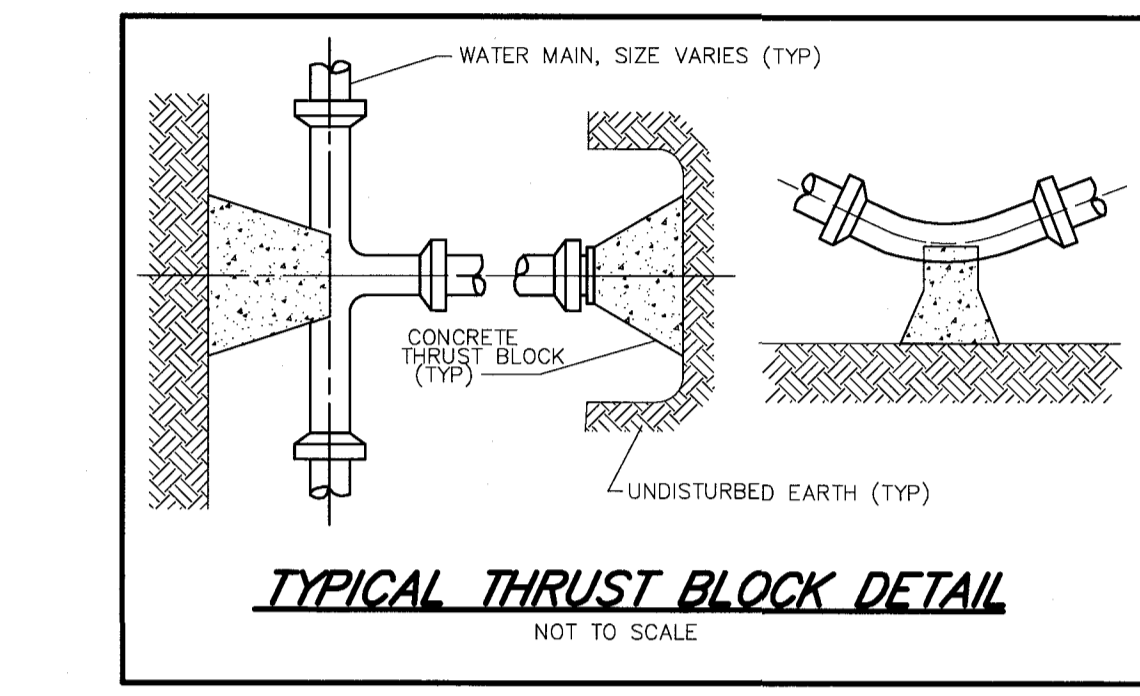
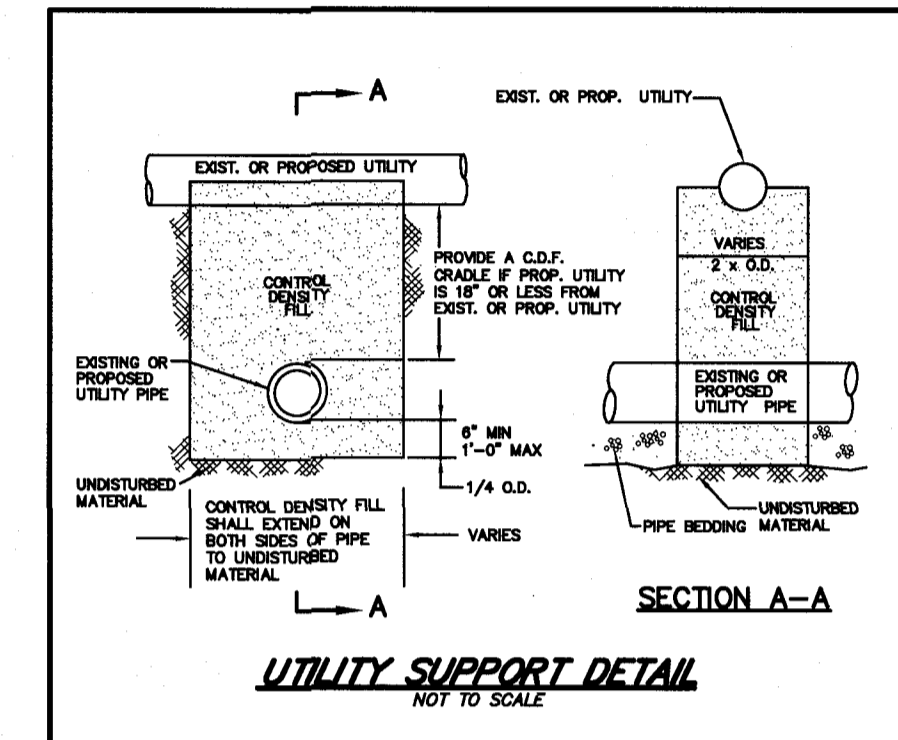
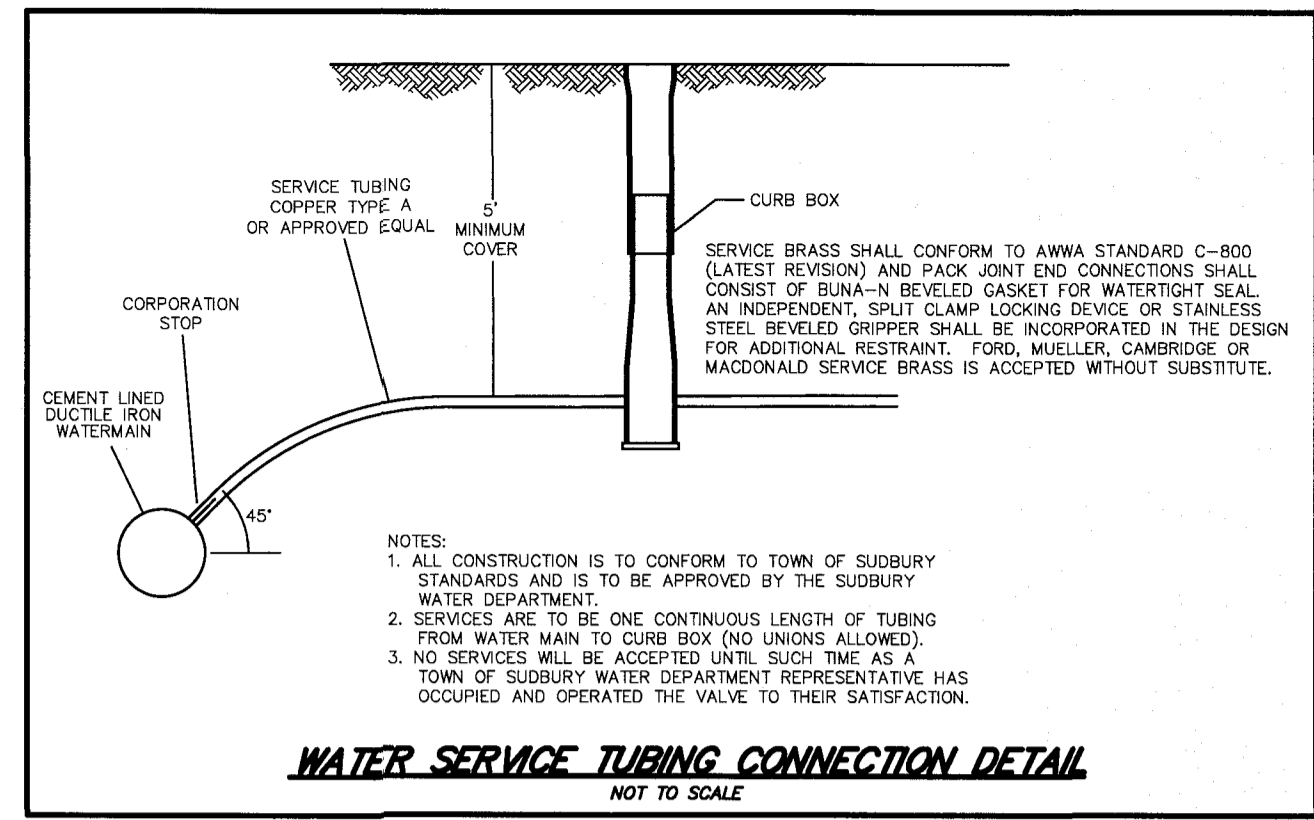
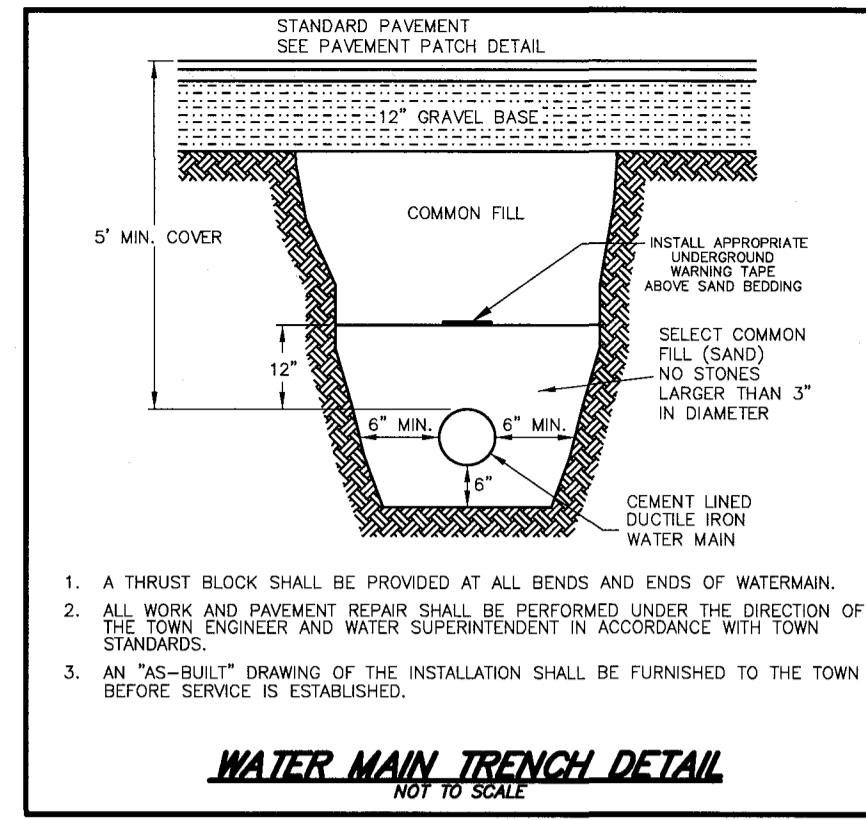
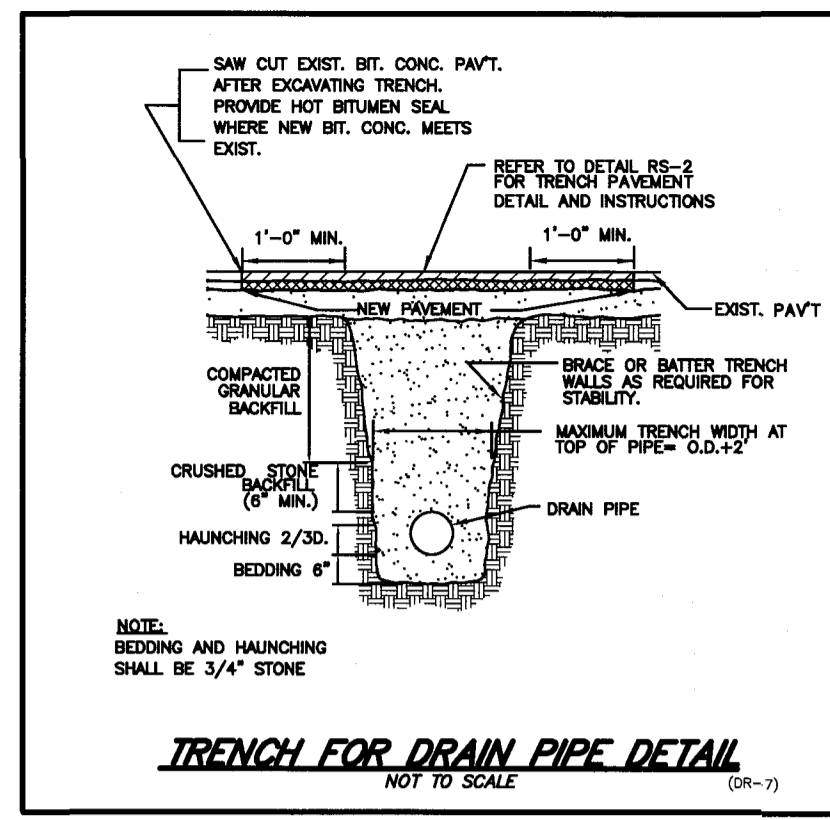
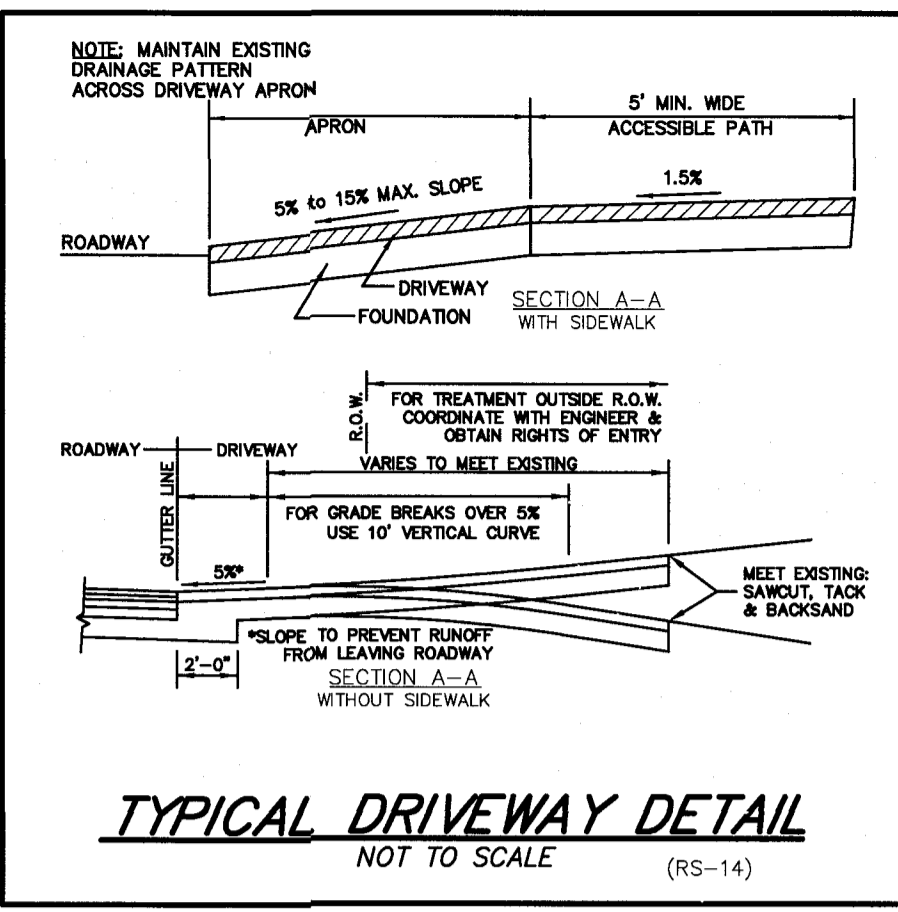
FOR: GREENSCAPE PROPERTY & BUILDING LLC
SCALE: 1"=40' JULY 16, 2018

STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASS.
ENGINEERING - PLANNING - SURVEYING

SM-5913A (5913A DEFSUB.dwg) SHEET 7 OF 10



Attachment 8.e: Greenscape Park-Powers Road - Definitive Subdivision Plans 190625 (4225 : Easement and CR for Greenscape Park/Woodward Glen Subdivision off Powers Road)



WATER SERVICE NOTES:

- SERVICE LINES SHALL NOT BE PLACED WITHIN 10 FEET OF PIPES CARRYING WASTEWATER OR ASSOCIATED INFRASTRUCTURE, OR WITHIN 3 FEET OF ANY OTHER UTILITIES EXCEPT UNDER SPECIAL CONDITIONS AND WITH THE PRIOR APPROVAL OF THE SUPERINTENDENT.
- CARE SHALL BE EXERCISED IN THE PLACING AND LAYING OF TUBING TO BE SURE THAT THE PIPE DOES NOT HAVE KINKS OR IS NOT PLACED ON SHARP STONES OR LEDGE WHICH WOULD CAUSE DAMAGE TO THE PIPE.
- MINIMUM BURIED DEPTH OF SERVICE SHALL BE 5'-FT.
- PLACE AT LEAST SIX INCHES OF SAND, ADJACENT TO, ABOVE AND BELOW THE TUBING.
- NO STONE SHALL BE DROPPED ON THE TUBING UNTIL THE DEPTH OF BACKFILL ABOVE THE TUBING IS IN EXCESS OF ONE FOOT.
- WATER SERVICE PIPE SHALL BE DENOTED USING TRACER TAPE WITH MARKING OF "WATER PIPE BELOW".
- SERVICE LINE: UNLESS OTHERWISE SPECIFIED, SERVICE MATERIALS SHALL BE ULTRA-HIGH MOLECULAR WEIGHT POLYETHYLENE (PE) BLACK TUBING WITH A PRESSURE RATING OF 200 PSI AND SHALL CONFORM TO AWWA C901-POLYETHYLENE TUBING, ASTM D-1248, ASTM D-2737. COPPER TUBE SIZES SHALL BE USED TO ALLOW THE USE OF COMPRESSION FITTINGS WITHOUT SPECIAL ADAPTERS.
- SERVICE BRASS: ALL FITTINGS, CONNECTIONS, CORPORATIONS, CURB STOPS, AND SERVICE APPURTENANCES SHALL CONFORM TO AWWA STANDARD C-800 (LATEST REVISION) AND PACK JOINT END CONNECTIONS SHALL CONSIST OF BUNA-N BEVELED GASKET FOR WATERTIGHT SEAL. AN INDEPENDENT, SPLIT CLAMP LOCKING DEVICE OR STAINLESS STEEL BEVELED GRIPPER SHALL BE INCORPORATED IN THE DESIGN FOR ADDITIONAL RESTRAINT. FORD, MUELLER, CAMBRIDGE OR MACDONALD SERVICE BRASS IS ACCEPTED WITHOUT SUBSTITUTE.
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- CURB BOX: THE CURB BOX SHALL BE CAST IRON OR STAINLESS STEEL.
- METER INSTALLATION: NEW METER INSTALLATIONS SHALL INCLUDE APPROVED WIRING TO CONNECT THE WATER METER REGISTER TO A TOUCH PAD LOCATED OUTSIDE THE BUILDING IN THE IMMEDIATE VICINITY OF THE ELECTRIC METER, UNLESS OTHERWISE SPECIFIED. ALL METERS SHALL BE INSTALLED AT THE NEAREST POINT PRACTICAL TO WHERE THE SERVICE CONNECTION ENTERS THE PREMISES, UNLESS THE SUPERINTENDENT REQUIRES THE INSTALLATION OF A METER PIT. A SHUTOFF VALVE AT THE METER INLET SHALL BE THE FIRST FITTING INSIDE A SERVICED BUILDING. A STOP VALVE SHALL BE INSTALLED NEAR THE OUTLET OF THE METER TO PERMIT REMOVAL OF THE METER WITHOUT BACKFLOW FROM THE PREMISES' INTERNAL WATER SYSTEM. THE LOCATION OF ALL METERS AND ASSOCIATED PIPING SHALL PROVIDE SUFFICIENT ROOM FOR FUTURE SERVICE/REPAIR WORK AND REQUIRES THE APPROVAL OF THE SUPERINTENDENT.

SUBDIVISION APPROVED SUBJECT TO CONDITIONS CONTAINED IN THE COVENANT AND THE DECISION DOCUMENT, BOTH RECORDED HEREWITH.

SUDBURY PLANNING BOARD

DATE: _____

TOWN CLERK _____

I, CLERK OF THE TOWN OF SUDBURY, MASSACHUSETTS HEREBY CERTIFY THE NOTICE OF APPROVAL OF THIS PLAN BY THE SUDBURY PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.

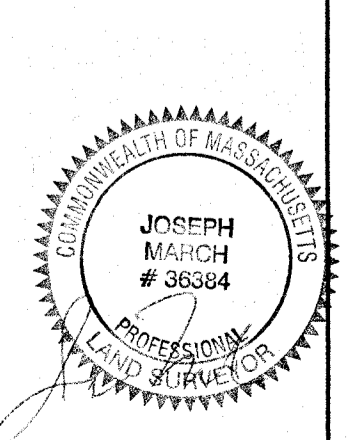
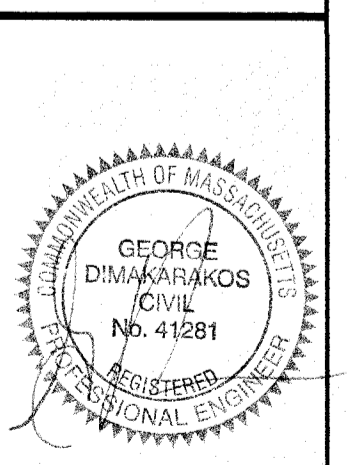
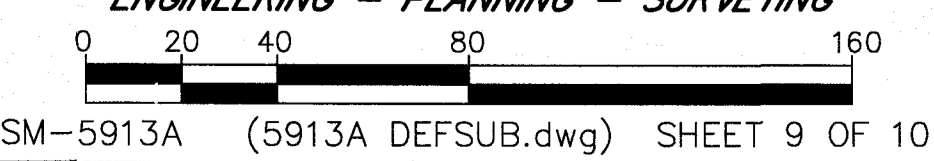
DATE _____

TOWN CLERK _____

**DEFINITIVE SUBDIVISION
GREENSCAPE PARK
IN
SUDBURY, MASSACHUSETTS
DETAILS PLAN**

FOR: GREENSCAPE PROPERTY & BUILDING LLC
SCALE: 1"=40' JULY 16, 2018

STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASS.
ENGINEERING - PLANNING - SURVEYING



- GENERAL NOTES**
- ALL UNDERGROUND UTILITIES SHOWN HERE WERE COMPILED ACCORDING TO AVAILABLE RECORD PLANS FROM VARIOUS UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. ACTUAL LOCATIONS MUST BE DETERMINED BEFORE EXCAVATING, BLASTING, INSTALLING, BACK FILLING, GRADING OR PAVEMENT RESTORATION OR REPAIR. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE MUST BE CONTACTED, INCLUDING THOSE IN CONTROL OF UTILITIES. SEE CHAPTER 370, ACTS OF 1963 MASS. WE ASSUME NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACURATELY SHOWN. BEFORE PLANNING FUTURE CONNECTIONS, THE APPROPRIATE UTILITY ENGINEERING DEPT. MUST BE CONSULTED. THE CONTRACTOR SHALL NOTIFY PUBLIC UTILITY COMPANIES AT LEAST 72 HOURS PRIOR TO DIGGING OR EXCAVATING ON PUBLIC OR PRIVATE PROPERTY. DIG SAFE TEL. NO. 1-888-344-7233
 - ALL WATER LINE VALVES, ETC. SHALL MEET ALL SPECIFICATIONS OF THE TOWN OF SUDBURY WATER DEPARTMENT.
 - ALL STUMPS AND OTHER CONSTRUCTION DEBRIS SHALL BE PROPERLY REMOVED FROM THE SITE.
 - ANY FILL MATERIAL USED SHALL BE FREE OF HAZARDOUS MATERIALS, WASTE, AND CONSTRUCTION DEBRIS.
 - RIP RAP SHALL CONSIST OF HARD DURABLE STONE, ANGULAR IN SHAPE, THAT IS WELL GRADED WITHIN THE 25# TO 125# RANGE. THE RIP RAP SHALL BE PLACED OVER A 12" BASE OF COARSE BANK RUN GRAVEL. RIP RAP SHOWN SCHEMATICALLY AT DRAINAGE OUTFALLS SHALL BE PLACED FOR A 3' WIDTH AND 6' LENGTH UNLESS OTHERWISE SPEC'D.
 - THE LIMITS OF WORK SHALL BE CLEARLY MARKED IN THE FIELD PRIOR TO THE START OF CONSTRUCTION OR SITE CLEARING PER THE STORMWATER POLLUTION PREVENTION PLAN.
 - EXISTING TOPSOIL SHALL BE STRIPPED, STOCKPILED, SCREENED AND SPREAD TO REQUIRED DEPTHS SHOWN ON THE PLAN.
 - CATCHBASIN SUMPS AND STORM WATER BASINS SHALL BE CLEANED FOLLOWING COMPLETION OF CONSTRUCTION AND ANNUALLY THEREAFTER PER O & M PLAN.
 - THE ENTIRE WORK AREA SHALL BE CLEARED OF BUILDINGS TO BE RAZED, PAVEMENT, DEBRIS, BOULDERS, BRUSH, TREES, STUMPS, UNSUITABLE MATERIALS AND LIKE MATERIAL.
 - ALL TOP AND SUBSOIL WITHIN WORK AREA SHALL BE REMOVED AND STOCKPILED ON SITE AS DIRECTED BY THE OWNER. LOAM SHALL BE SCREENED AND STOCKPILED ON-SITE FOR RE-USE IN AREAS OF GENERAL LOAM AND SEED.
 - THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE CONDITION THROUGHOUT THE CONTRACT PERIOD. THE CONTRACTOR SHALL FULLY COMPLY WITH ALL STATE, FEDERAL, AND LOCAL REGULATIONS PERTAINING TO SAFETY.
 - STREET TREES SHALL BE PROVIDED IN ACCORDANCE WITH TOWN PLANNING BOARD SUBDIVISION RULES AND REGULATIONS.
 - THE PROPOSED SIGNS SHALL BE DESIGNED AND INSTALLED IN CONFORMANCE WITH THE U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES 2009 EDITION FOR STREETS AND HIGHWAYS OR AS MOST RECENTLY AMENDED. EXISTING SIGNS TO BE RELOCATED WHERE NECESSARY.
 - THE ELECTRICAL POWER DISTRIBUTION SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE SUDBURY ELECTRIC DEPARTMENT IN EFFECT AT THE TIME. ELECTRICAL REQUIREMENTS AND LOCATION TO BE DETERMINED BY OTHERS AND CONFIRMED WITH OWNER.

DATE _____

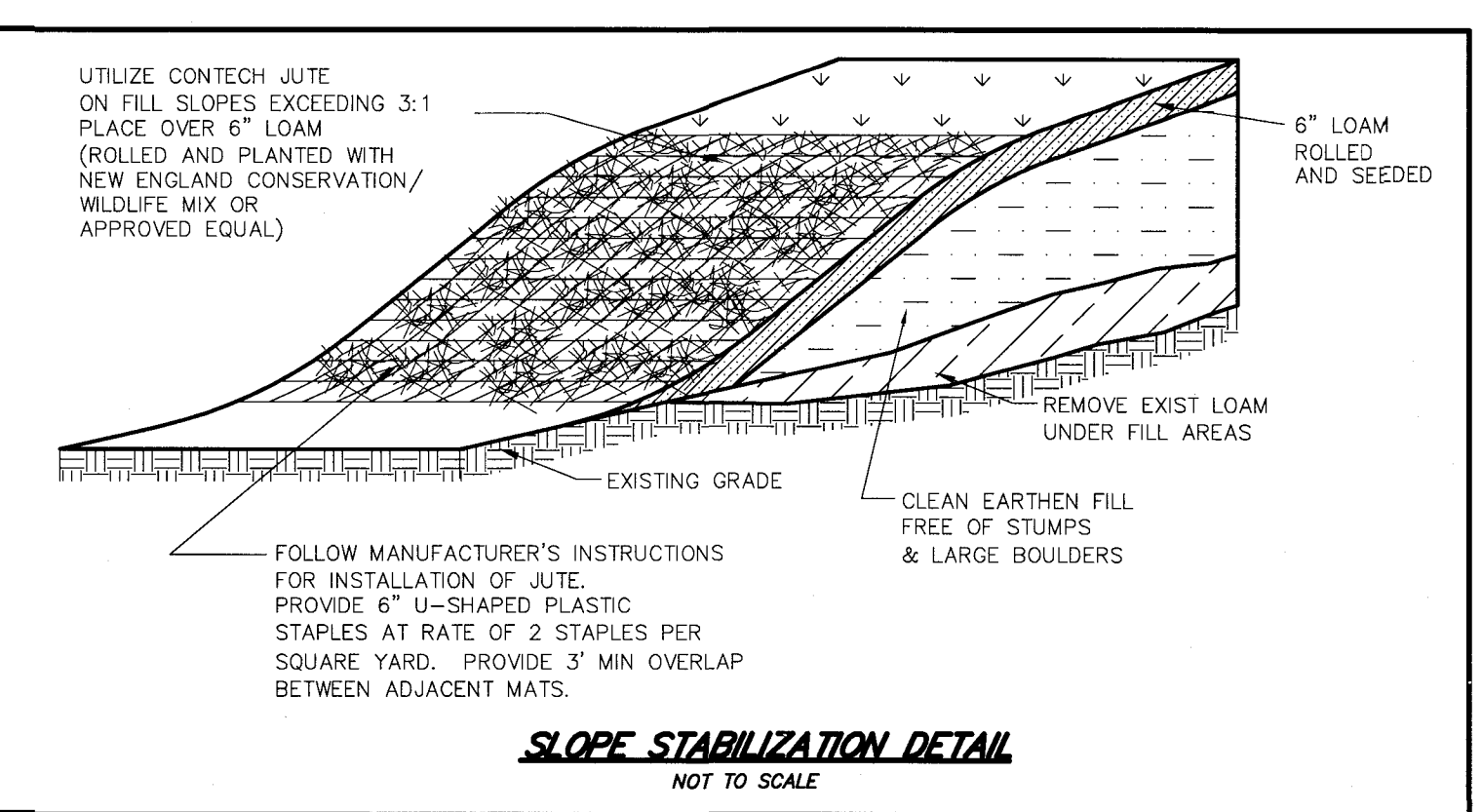
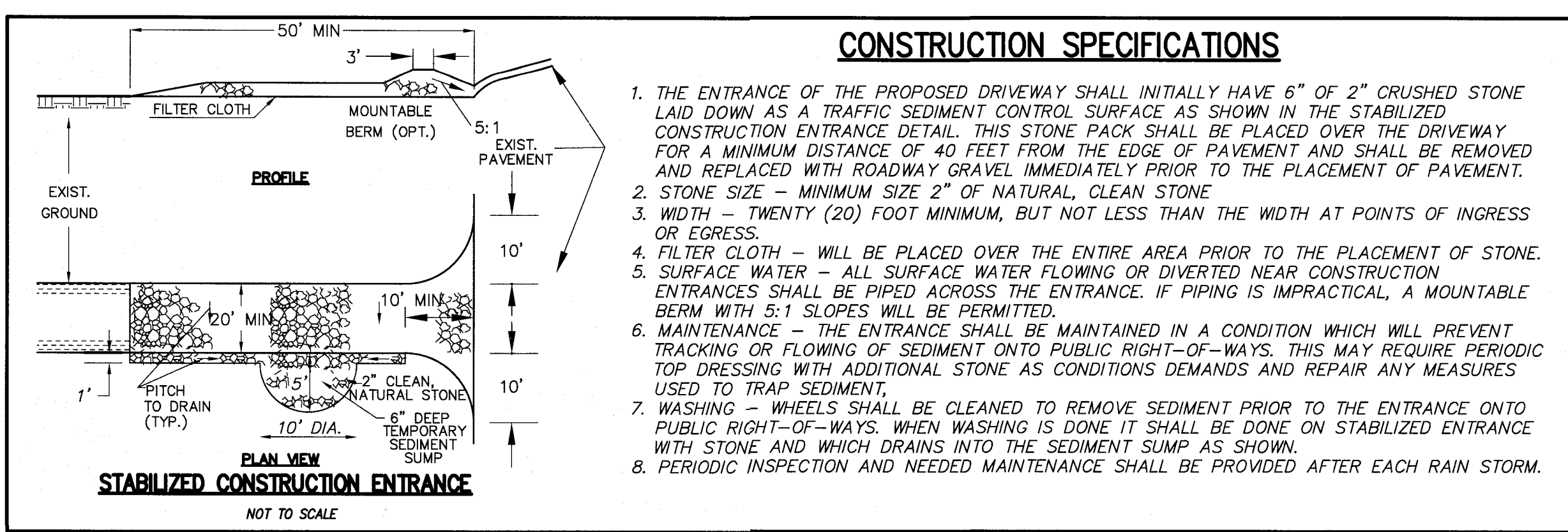
FIRE DEPARTMENT _____

DATE _____

DEPARTMENT OF PUBLIC WORKS _____

DATE _____

SUDBURY WATER DISTRICT _____

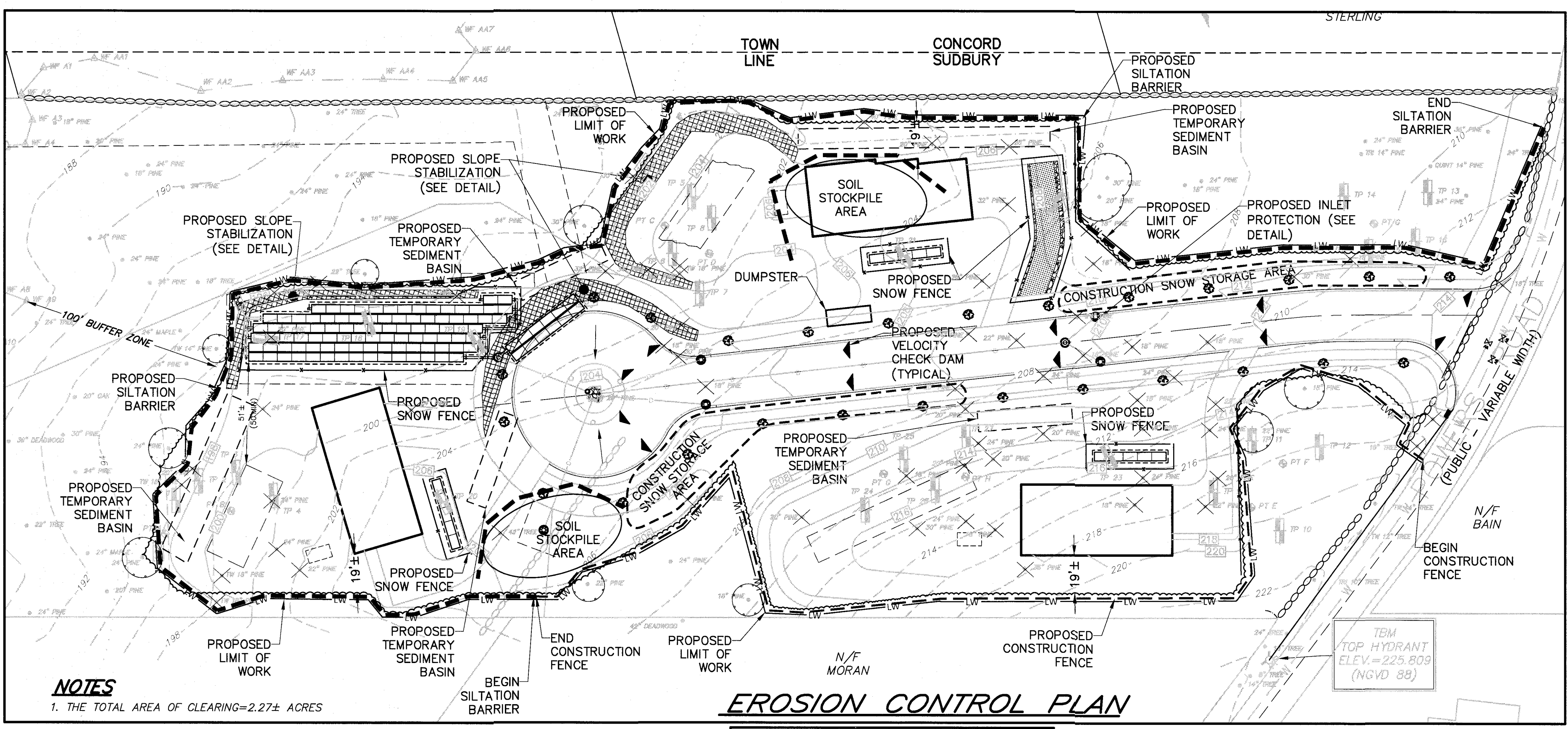


- ### EROSION AND SEDIMENTATION CONTROL NOTES
- THE LIMIT OF WORK LINE SHALL BE CLEARLY MARKED IN THE FIELD BY FIELD SURVEY PRIOR TO CONSTRUCTION WITHIN DESIGNATED AREA. LIMIT OF WORK LINE SHALL NOT EXCEED THE LINE SHOWN, DEPICTED AS A DASHED LINE, LABELED "LIMIT OF WORK" APPROXIMATELY FIVE (5) FEET OFF THE PROPOSED TREE LINE, LABELED "PROPOSED TREE LINE".
 - EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED FOR EACH PHASE PRIOR TO ANY CONSTRUCTION ON THE SITE. CONTRACTOR IS ENCOURAGED TO USE "FILTERMATT" IN LIEU OF STRAW BALE/SILTATION BARRIER.
 - DURING DEVELOPMENT AND CONSTRUCTION, ADEQUATE PROTECTIVE MEASURES SHALL BE PROVIDED TO MINIMIZE DAMAGE FROM SURFACE WATER TO THE CUT FACE OF EXCAVATIONS OR THE SLOPING SURFACE OF FILLS.
 - LAND SHALL BE DEVELOPED IN INCREMENTS OF WORKABLE SIZE WHICH CAN BE COMPLETED DURING A SINGLE CONSTRUCTION SEASON. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE COORDINATED WITH THE SEQUENCE OF GRADING, DEVELOPMENT, AND CONSTRUCTION. OPERATIONS CONTROL MEASURES SUCH AS HYDROSEEDING, BERMS, INTERCEPTOR DITCHES, TERRACES, AND SEDIMENT TRAPS SHALL BE PUT INTO EFFECT PRIOR TO THE COMMENCEMENT OF EACH INCREMENT OF THE DEVELOPMENT/CONSTRUCTION PROCESS.
 - THE CONTRACTOR SHALL INSPECT AND REPAIR ALL EROSION CONTROL DEVICES, WHEN INTENSE RAINFALL IS PREDICTED. THE CONTRACTOR'S REPRESENTATIVE SHALL INSPECT THE CONSTRUCTION SITE AT LEAST EVERY 7 DAYS AND WITHIN 24 HOURS OF A RAINFALL OF 0.5 INCHES OR MORE. AREAS WITH SITES THAT HAVE BEEN FINALLY STABILIZED MUST BE INSPECTED AT LEAST ONCE A MONTH.
 - STOCK PILES SHALL BE SET BACK A MINIMUM OF 5 FEET FROM THE EDGE OF PAVEMENT. ALL STOCK PILES SHALL BE CONTAINED WITH SILT FENCES OR STRAW BALES TO PREVENT EROSION FROM ENTERING THE STREET DRAINAGE. NPDES PERMITS REQUIRE THE STOCKPILES TO BE STABILIZED WITH SEED OR MULCH IF NOT BEING USED WITHIN 21 DAYS. SOIL STOCK PILES SHALL BE COVERED WITH TEMPORARY VEGETATION OR FASTENED WITH TARPULIN SHEETS. STOCKPILES SHALL AVOID ALL SOIL ABSORPTION AREAS.
 - DURING CONSTRUCTION, THE CONTRACTOR SHALL MAINTAIN A ONE FOOT HIGH BY TWO FOOT WIDE EARTHEN BERM ALONG THE EDGES OF THE ROAD TO DIVERT RUNOFF TO SEDIMENT BASINS. STRAW BALES MAY BE UTILIZED TO DIVERT RUNOFF FROM THE DRIVEWAY LOW POINTS TO THE SEDIMENT BASIN DURING CONSTRUCTION UNTIL THE DRAINAGE SYSTEM IS INSTALLED.
 - SEDIMENT BASINS (BERMS, BASINS, DE-SILTING BASINS, OR SILT TRAPS) SHALL BE INSTALLED IN CONJUNCTION WITH THE INITIAL GRADING OPERATIONS AND MAINTAINED THROUGH THE DEVELOPMENT PROCESS TO REMOVE SEDIMENT FROM RUNOFF WATERS DRAINING FROM LAND UNDERGOING DEVELOPMENT. SEDIMENT BASINS SHALL BE INSTALLED OUTSIDE OF INFILTRATION PORTION OF INFILTRATION BASIN AND PROPOSED SEPTIC LEACHING AREAS.
 - THE DEVELOPER IS REQUIRED TO CLEAN UP ANY SAND, DIRT, OR DEBRIS WHICH ERODES FROM THE SITE ONTO ANY PUBLIC STREET OR PRIVATE PROPERTY, AND TO REMOVE SILT OR DEBRIS THAT ENTERS ANY EXISTING DRAINAGE SYSTEM INCLUDING CATCH BASIN SUMPS, PIPE LINES, MANHOLES AND DITCHES.
 - ALL CUT AND FILL SLOPES SHALL BE IMMEDIATELY COVERED WITH 6" LOAM AND SEEDING DURING THE GROWING SEASON (MARCH THROUGH MAY AND AUGUST TO OCTOBER 15) OR COVERED WITH A HAY MULCH DURING THE NON-GROWING SEASON (NOVEMBER 1 TO APRIL 1 AND JUNE AND JULY). PERMANENT SEEDING MAY BE DONE IN PEAK SUMMER MONTHS WITH PROPER MULCHING AND WATERING.
 - DISTURBED AREAS WHERE CONSTRUCTION HAS PERMANENTLY OR TEMPORARILY CEASED MUST BE STABILIZED WITHIN 14 DAYS OF THE LAST DISTURBANCE. AREAS WHICH WILL BE REDEVELOPED WITHIN 21 DAYS DO NOT HAVE TO BE STABILIZED.
 - ADDITIONAL EROSION CONTROL MEASURES SHALL BE STOCK-PILED ON-SITE, INCLUDING BUT NOT LIMITED TO CRUSHED STONE, STRAW BALES, SILT FENCE AND EROSION CONTROL MATS.
 - THE SEDIMENT SHALL BE REMOVED BEHIND ALL STRAW BALES AND SILT FENCES IF DEPTH EXCEEDS 6". SEDIMENT SHALL BE REMOVED TO OUTSIDE THE BUFFER ZONE OF THE WETLANDS WHERE APPLICABLE.
 - THE EROSION CONTROL DEVICES SHALL BE MAINTAINED UNTIL ALL TRIBUTARY SURFACES ARE STABILIZED.
 - REMOVAL OF EXISTING VEGETATION SHALL BE WITHIN THE CLEARING LIMIT OF WORK AREA DEPICTED AS THE PROPOSED TREE LINE.
 - DISTURBED SOIL RESULTING FROM THE REMOVAL OF TEMPORARY MEASURES SHALL BE PERMANENTLY STABILIZED WITHIN 30 DAYS OF REMOVAL.
 - VELOCITY CHECK DAMS - STRAW BALES WILL BE USED AROUND THE CATCH BASIN ON THE PROPOSED ROAD TO PROTECT THEM FROM THE ERODING SOILS AND PROVIDE A CHECK DAM* TO SLOW THE RUNOFF DURING THE CONSTRUCTION. THE DEVELOPER SHALL PROVIDE VELOCITY CHECK DAMS* IN ALL UNPAVED STREET AREAS AT THE INTERVALS INDICATED BELOW:

GRADE OF ROAD	INTERVALS BETWEEN CHECKDAMS
LESS THAN 4%	100 FEET
4% TO 9%	50 FEET
OVER 9%	25 FEET

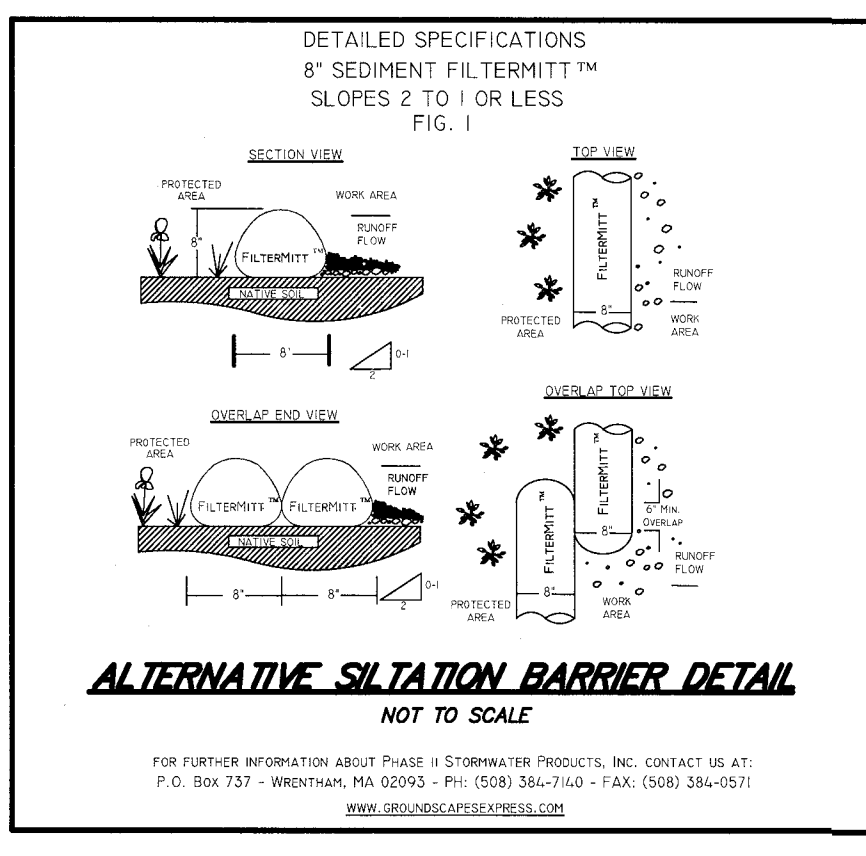
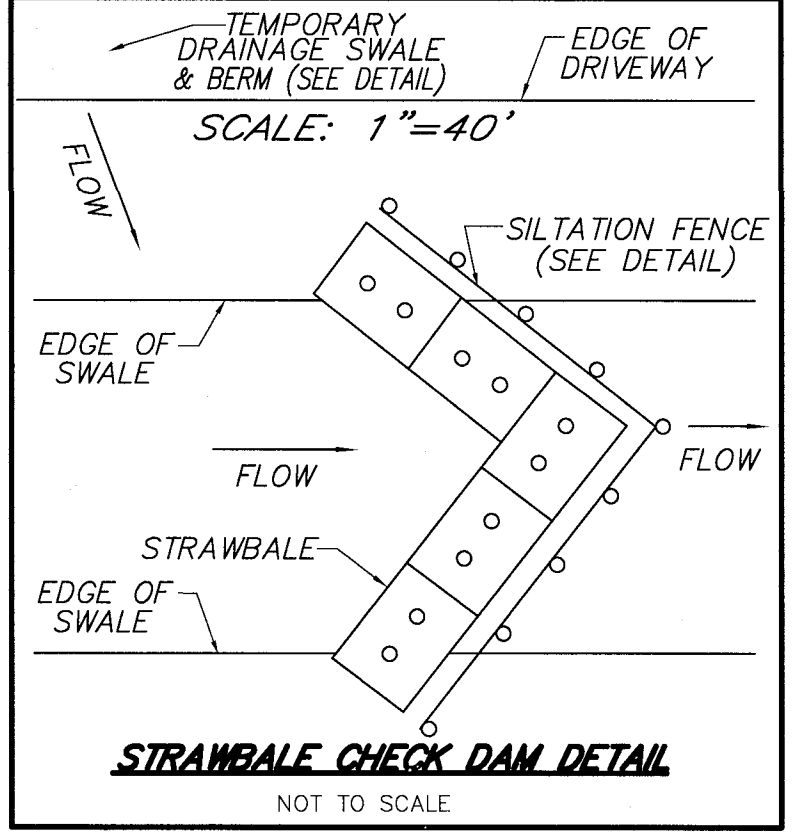
 THE DEVELOPER SHALL PROVIDE VELOCITY CHECK DAMS* IN ALL UN-VEGETATED OR UNPAVED CHANNELS AT THE INTERVALS INDICATED BELOW:

GRADE OF CHANNEL	INTERVALS BETWEEN CHECK DAMS
LESS THAN 3%	100 FEET
3% TO 6%	50 FEET
OVER 6%	25 FEET
 - *CHECK DAMS IN UNPAVED DRIVES AND UN-VEGETATED OR UNPAVED GRADED CHANNELS SHALL BE CONSTRUCTED OF STAKED STRAW BALES OR OTHER EROSION RESISTANT MATERIALS APPROVED BY THE BOARD. THE CHECK DAMS SHALL BE INSTALLED AT THE END OF EACH WORKING DAY, AND IN THE EVENT OF RAINFALL BEING PREDICTED, THE STRAW BALES SHOULD BE SECURELY STAKED TO PREVENT OVERTURNING, FLOATATION, OR DISPLACEMENT. THEY SHALL EXTEND COMPLETELY ACROSS THE STREET OR CHANNEL AT RIGHT ANGLES TO THE CENTERLINE. ALSO, A VELOCITY CHECK DAM SHALL BE PROVIDED ALONG THE ENTRANCE OF THE LOT TO PROTECT THE PUBLIC STREETS AND ADJACENT PROPERTIES FROM THE HAZARDS OF EROSION. ALL CHECK DAMS SHALL BE CLEANED OF DEBRIS AND SILT PERIODICALLY.
 - ADDITIONAL EROSION CONTROL MEASURES FROM COMPACTING INFILTRATION AREAS TO PREVENT HEAVY INFILTRATION AREAS TO PREVENT HEAVY INFILTRATING SOILS. DIVERSION BERMS SHALL BE PLACED AROUND PERIMETER OF INFILTRATION AREA DURING ALL PHASES OF CONSTRUCTION. SEDIMENT AND EROSION CONTROLS SHOULD BE USED TO KEEP RUNOFF AND SEDIMENT AWAY FROM INFILTRATION AREA. ALL EXCAVATED MATERIALS SHALL BE PLACED DOWN GRADIENT OF ALL INFILTRATION AREAS.
 - INSPECTION/MAINTENANCE:
 - THE CONTRACTOR IS RESPONSIBLE TO CLEAN UP ANY SEDIMENT OR DEBRIS WHICH ERODES FROM THE SITE INTO THE WETLANDS IMMEDIATELY UPON DISCOVERY.
 - THE CONTRACTOR IS RESPONSIBLE TO CLEAN UP ANY SEDIMENT OR DEBRIS WHICH ERODES FROM THE SITE INTO POWERS ROAD OR PRIVATE PROPERTY AND TO REMOVE SEDIMENT OR DEBRIS THAT ENTERS ANY EXISTING DRAINAGE SYSTEM INCLUDING CATCH BASIN SUMPS, PIPE LINES, MANHOLES, AND DITCHES.
 - THE CONTRACTOR SHALL FOLLOW STANDARD PRACTICE AND LOAM AND SEED ALL DISTURBED AREAS FOLLOWING CONSTRUCTION. A MAINTENANCE AND OPERATION PLAN SHALL BE IN PLACE AT ALL TIMES ON THE SITE.
 - OPERATOR PERSONNEL MUST INSPECT THE CONSTRUCTION SITE AT LEAST EVERY 7 DAYS AND WITHIN 24 HOURS OF RAINFALL OF 0.5 INCHES OR MORE. DISTURBED AREAS THAT HAVE BEEN STABILIZED MUST BE INSPECTED AT LEAST ONCE PER MONTH.
 - THE HAYBALES AND SILT FENCE SHALL BE MAINTAINED UNTIL A VEGETATIVE COVER HAS BEEN ESTABLISHED.



STORMWATER OPERATION & MAINTENANCE PLAN

- BMP OWNER: GREENSCAPE PROPERTY & BUILDING LLC (DURING CONSTRUCTION) HOMEOWNERS (POST CONSTRUCTION)
- PARTIES RESPONSIBLE FOR MAINTENANCE: OWNERS OF INDIVIDUAL LOTS ARE RESPONSIBLE FOR DRYWELLS AND TRENCHES ON LOT.
- SCHEDULE FOR INSPECTION AND MAINTENANCE:
 - STREET SWEEPING: IT IS RECOMMENDED THAT THE PAVEMENT SHALL BE PROPERLY SWEEPED TWICE A YEAR, WITH CONCENTRATIONS IN THE SPRING AND FALL.
 - INFILTRATION TRENCH: INFILTRATION TRENCH SHALL BE INSPECTED ANNUALLY. THE FILTER FABRIC SHALL BE INSPECTED FOR EXCESSIVE SEDIMENT BUILD UP. IF APPRECIABLE AMOUNTS OF SEDIMENT ARE OBSERVED THE TOP LAYER OF STONE SHALL BE MOVED ASIDE AND THE FILTER FABRIC CLEANED OR REPLACED. THE TOP LAYER OF STONE SHALL THEN BE WASHED AND PLACED OVER THE FILTER FABRIC.
 - STONE DIAPHRAGM AND VEGETATIVE FILTER STRIP: THE STONE DIAPHRAGM AND VEGETATIVE FILTER STRIP SHALL BE INSPECTED ANNUALLY. INSPECT THE CRUSHED STONE FOR SEDIMENT BUILDUP AND THE FILTER STRIP FOR STABLE VEGETATION. MOW GRASS, REMOVE SEDIMENT AND RESEED BARE SPOTS AS NEEDED.
 - ROOF DRYWELLS & SMA-1: INSPECT DRYWELLS AFTER EVERY MAJOR STORM FOR THE FIRST FEW MONTHS TO ENSURE PROPER STABILIZATION AND FUNCTION. THEREAFTER, INSPECT AND CLEAN IT AT LEAST ONCE PER YEAR. WATER LEVELS SHOULD BE RECORDED OVER SEVERAL DAYS TO CHECK THE DRYWELL DRAINAGE.
 - DEEP SUMP AND HOODED CATCH BASIN: DURING CONSTRUCTION, CATCH BASIN GRATES SHALL BE WRAPPED IN FILTER FABRIC. CATCH BASINS SHALL BE CLEANED UPON THE COMPLETION OF CONSTRUCTION. AFTER CONSTRUCTION, THE DEEP SUMPS FOR ALL CATCH BASINS AND DRAIN MANHOLES SHALL BE INSPECTED AND CLEANED FOUR TIMES A YEAR. SEDIMENT REMOVED SHALL BE DISPOSED OF IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, AND FEDERAL GUIDELINES AND REGULATIONS.
 - THE DEPTH OF THE SEDIMENT IN A BASIN SHALL NOT EXCEED A DEPTH OF 18 INCHES AS DETERMINED BY PROBING WITH A STICK. IF THE STICK HITS THE BOTTOM WITHIN 30 INCHES OF THE WATER LEVEL, MORE THAN 18 INCHES HAS ACCUMULATED AND MUST BE REMOVED. LICENSED PERSONS SHOULD REMOVE AND DISPOSE OF THE CONTENTS OF THE SUMP IN ACCORDANCE WITH APPLICABLE REGULATIONS.
 - DRAIN MANHOLES: THE DRAIN MANHOLES SHALL BE INSPECTED FOUR TIMES A YEAR. ANY CAUSE OF OR POTENTIAL FOR CLOGGING SHALL BE ADDRESSED.
 - SEDIMENT FOREBAY: THE FLOOR AND SIDEWALLS OF THE SEDIMENT FOREBAY MUST BE STABILIZED BEFORE USE. SEDIMENT FOREBAYS SHALL BE INSPECTED MONTHLY AND CLEANED A MINIMUM OF FOUR TIMES PER YEAR AND WHEN MOVED ASIDE AND INCHES. AFTER SEDIMENT REMOVAL, ANY DAMAGED VEGETATION MUST BE REPLACED. GRASS IN THE FOREBAY SHALL NOT EXCEED 6 INCHES IN LENGTH AND SCOURING AND GULLING SHALL BE REPAIRED AS NECESSARY.
 - EMERGENCY CONTACTS: IN THE EVENT OF A HAZARDOUS SPILL ON THE SITE THE FOLLOWING PARTIES SHALL BE CONTACTED:
 - FIRE DEPARTMENT: (978) 443-2239
 - RECORDS: THE OWNER SHALL MAINTAIN AN INSPECTION LOG OF ALL ELEMENTS OF THE STORM WATER MANAGEMENT PLAN. THE OWNER SHALL MAINTAIN A MAINTENANCE LOG DOCUMENTING THE INSPECTION AND MAINTENANCE OF THE DRAINAGE STRUCTURES UNDER HIS CONTROL. A COPY OF THE EROSION CONTROL AND STORMWATER MAINTENANCE PLAN AND INSPECTION LOGS SHALL BE KEPT ON SITE AT ALL TIMES.
 - INSPECTIONS: MEMBERS OF THE SUDBURY PLANNING BOARD OR ITS DESIGNEE SHALL BE ALLOWED TO ENTER THE PROPERTY AT REASONABLE TIMES AND IN A REASONABLE MANNER FOR THE PURPOSES OF INSPECTION, IN ACCORDANCE WITH THE TOWN'S STORMWATER REGULATIONS.



SUBDIVISION APPROVED SUBJECT TO CONDITIONS CONTAINED IN THE COVENANT AND THE DECISION DOCUMENT, BOTH RECORDED HERewith.

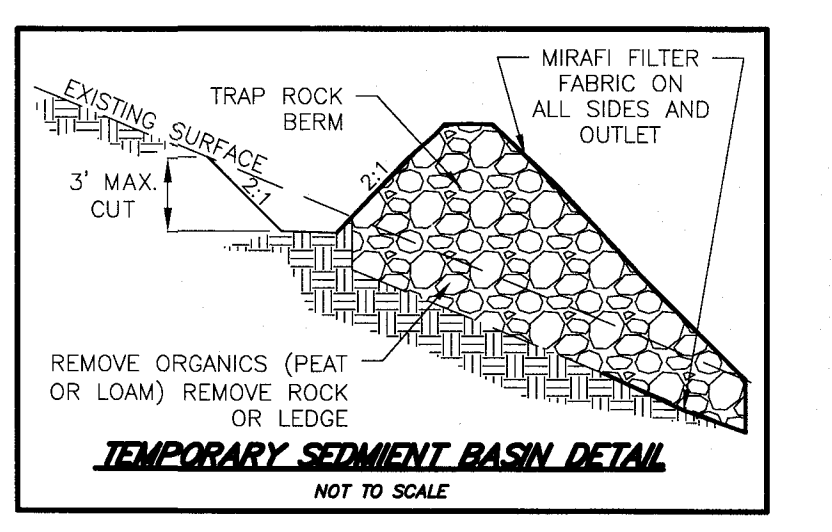
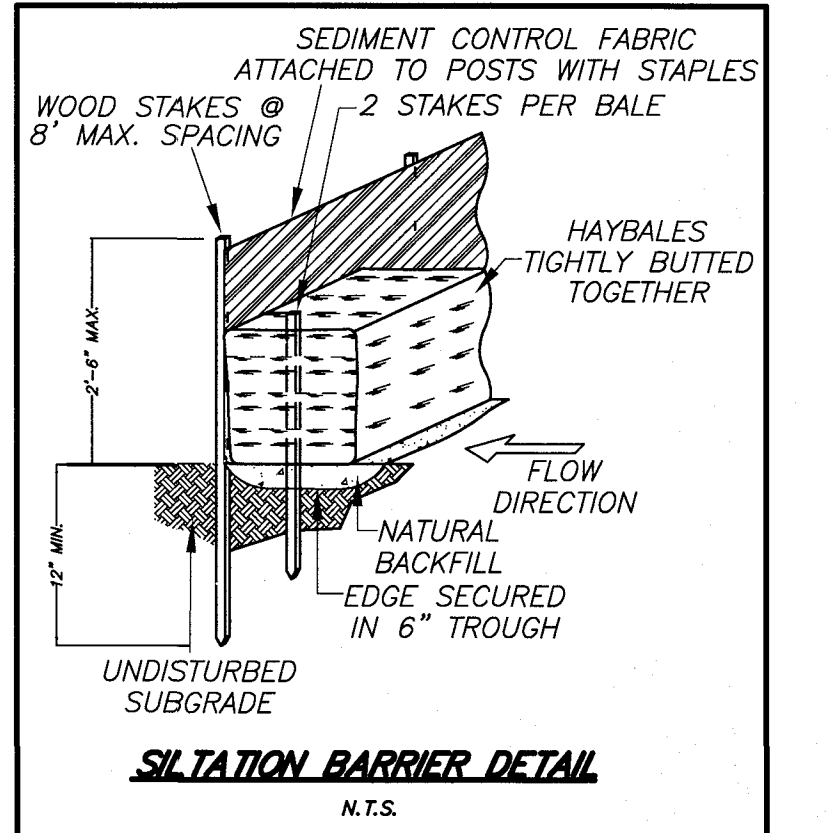
SUDBURY PLANNING BOARD

DATE: _____

TOWN CLERK

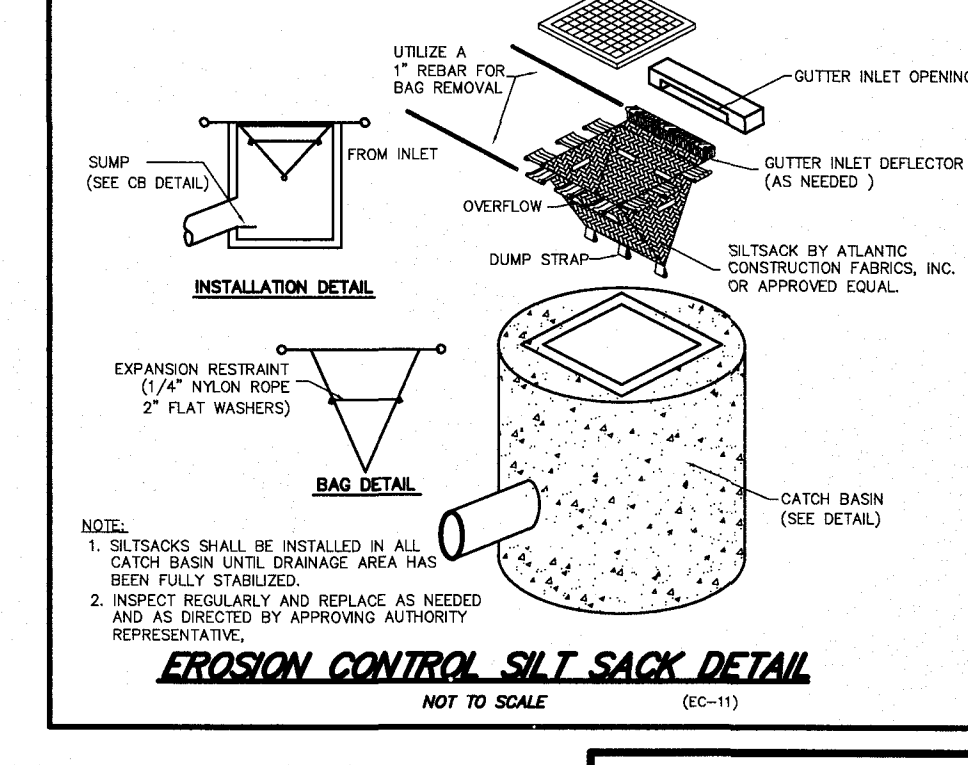
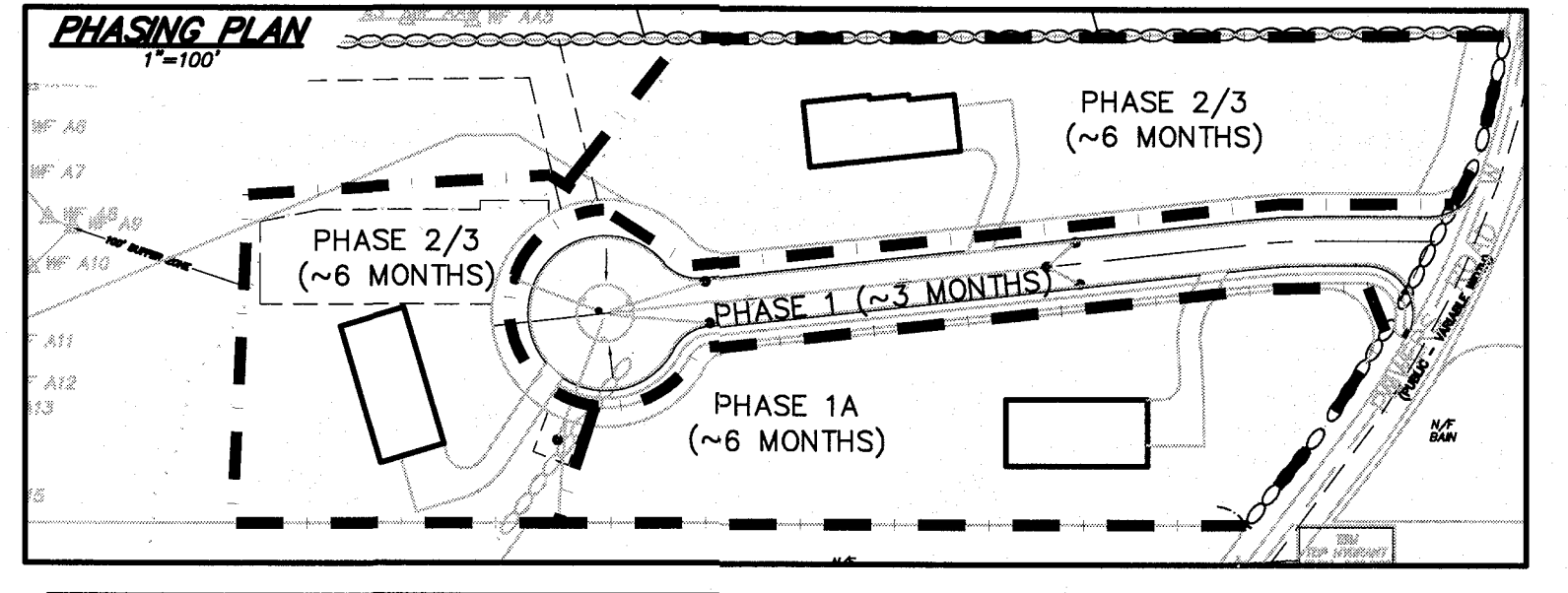
I, CLERK OF THE TOWN OF SUDBURY, MASSACHUSETTS HEREBY CERTIFY THE NOTICE OF APPROVAL OF THIS PLAN BY THE SUDBURY PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.

DATE: _____



PLANTING NOTES

- ALL SLOPES 3:1 OR GREATER SHALL BE SEEDING WITH NEW ENGLAND EROSION CONTROL SEED MIX.
- ANY PLANT SPECIES USED ON SITE SHALL BE NATIVE TO MIDDLESEX COUNTY OR CULTIVARS OF THESE NATIVE SPECIES.
- THE USE OF WILDFLOWER AND MEADOWS AND SHRUBS IS ENCOURAGED.
- CROSSHATCHED AREAS ON SLOPES THAT ARE GREATER THAN 2:1, NOT EXCEEDING 2:1. JUTE NETTING SHALL BE USED TO STABILIZED GROUND SURFACE IN THESE DEPICED AREAS (SEE DETAIL).



DATE _____

FIRE DEPARTMENT _____

DATE _____

DEPARTMENT OF PUBLIC WORKS _____

DATE _____

SUDBURY WATER DISTRICT _____

DEFINITIVE SUBDIVISION GREENSCAPE PARK

IN SUDBURY, MASSACHUSETTS

STORMWATER POLLUTION PREVENTION PLAN

FOR: GREENSCAPE PROPERTY & BUILDING LLC

SCALE: 1"=40' JULY 16, 2018

REV: AUGUST 27, 2018 REV: OCTOBER 17, 2018 REV: MARCH 28, 2019

REV: SEPTEMBER 25, 2018 REV: MARCH 6, 2019 REV: JUNE 25, 2019

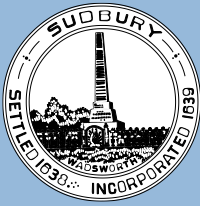
STAMSKI AND McNARY, INC.

1000 MAIN STREET ACTON, MASS.

ENGINEERING - PLANNING - SURVEYING

20 40 80 160

SM-5913A (5913A DEFSUB.dwg) SHEET 10 OF 10



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

9: Rental of 2 DPW trailers as quarantine bunk units

REQUESTOR SECTION

Date of request:

Requestor: Dan Nason DPW Director

Formal Title: Vote whether to approve emergency award of contract by the Town Manager to Mobile Emergency Housing Corp. or Farmingdale, NY for the rental of two (2) quarantine bunk units for use by the DPW; the Town Manager to execute all documents related thereto.

Recommendations/Suggested Motion/Vote: Vote whether to approve emergency award of contract by the Town Manager to Mobile Emergency Housing Corp. or Farmingdale, NY for the rental of two (2) quarantine bunk units for use by the DPW; the Town Manager to execute all documents related thereto.

Background Information:

As we approach winter season and the threat of COVID-19 still looming (in fact, cases are again rising significantly), I propose as an emergency measure that the Town invest in quarantine bunk units for use by the Public Works Department. These units will ensure the staff has a compartmentalized bunk area to safely rest during-duration events typical for winter operations. The Sudbury Health Director and Building Inspector both confirmed the current bunk area is considered close-quarters and too confined to be utilized as a bunking space during the pandemic. If a Public Works staff member were to contract the Coronavirus, the entire team in the bunk space would be lost due to quarantine. Losing a number of members to the virus poses a major threat to the Town’s snow removal functions, paralyzing the operations and severely diminishing the level of service Town-wide. If approved, the quarantine bunk units will be utilized for approximately 5 months of the winter season (November through March). The rental of these units will be offset by CARES Act funds (accounting for the monthly rental of 2 units during November and December).

Financial impact expected:\$154,090 (\$43,920 CARES Act + \$110,170 S&I)

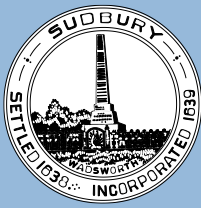
Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting: Dan Nason

Review:

- Patty Golden Pending
- Henry L Hayes Pending
- Jonathan Silverstein Pending
- Daniel E Carty Pending
- Board of Selectmen Pending

11/04/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

10: Discussion on Diversity, Equity and Inclusion Commission

REQUESTOR SECTION

Date of request:

Requestor: Selectman Dretler

Formal Title: Discussion and vote on mission statement and application process for the Sudbury Diversity, Equity, and Inclusion Commission.

Recommendations/Suggested Motion/Vote: Discussion and vote on mission statement and application process for the Sudbury Diversity, Equity, and Inclusion Commission.

Background Information:
attached updated draft as of 9/30/20

Financial impact expected:

Approximate agenda time requested: 15 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM

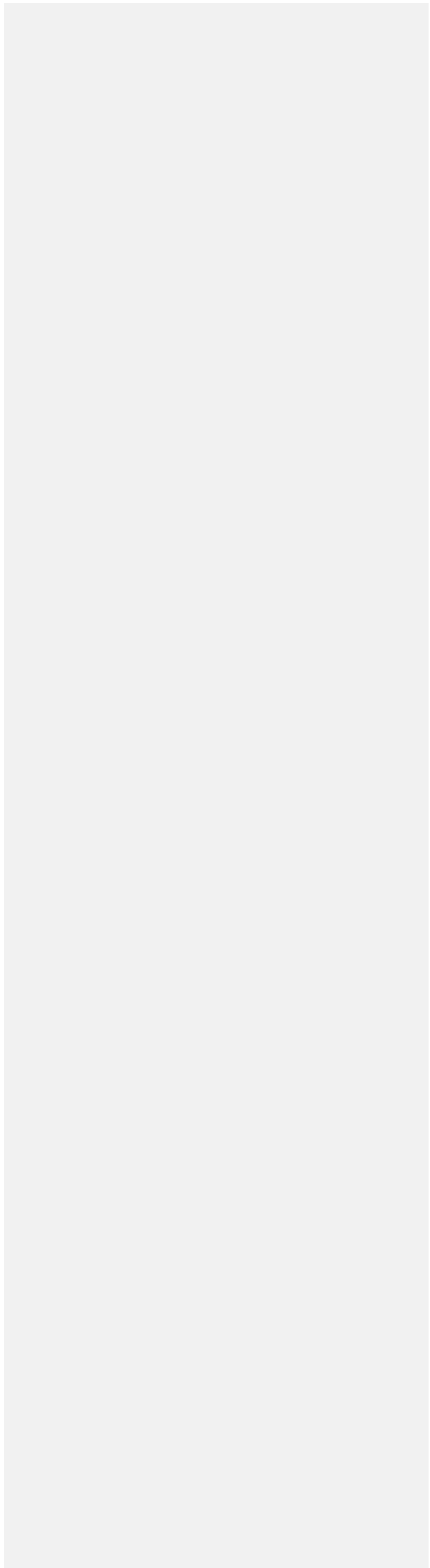
Sudbury Board of Selectmen Statement on Racial Justice

We, the Sudbury Select Board, mourn the killing of George Floyd and numerous others who fell victim to excessive force and brutality, after centuries of ongoing injustice. We staunchly uphold the American values of life, liberty, and the pursuit of happiness for all our citizens. We share the anger and sadness of those who are standing up to say enough is enough and agree that the time has come for meaningful change.

As elected leaders we recognize our responsibility to understand racial inequality in Sudbury and help foster any needed change. It is our desire for Sudbury to be a place where all individuals can live happily, free of fear, and with equal access to opportunities, regardless of race. Better understanding and action in our own community can contribute to greater systemic change at a regional, state, and national level. In upcoming days and weeks, we will engage in conversation with leaders and citizens to comprehend the current state of racial equality in Sudbury. Then importantly, we will seek to identify concrete actions that can be taken to address any areas of concern and opportunity. We look forward to the conversation and ensuing steps to advance racial equality and justice in Sudbury. We also request that our Governor and Legislators pursue a similar path to understanding and change. *Voted June 9, 2020 by Sudbury Board of Selectmen*

<https://s3-us-west-2.amazonaws.com/cdn.sudbury.ma.us/wp-content/uploads/sites/260/2020/06/BOS-Racial-Justice-6.9.20.pdf?version=600422ef3b82119aafda9f40999408dd>

DRAFT



Sudbury Diversity, Equity, and Inclusion Commission

Mission:

The Board of Selectmen is creating the Sudbury Diversity, Equity, and Inclusion Commission (Commission) to support diversity, achieve equity, and foster inclusion for every member of this community, respecting all aspects of identities. The Commission shall also critically consider intersections among these groups to facilitate learning, understanding, and unity.

The Commission will post, conduct, and record its meetings in compliance with the Massachusetts Open Meeting Law.

The Commission shall consist of up to thirteen members and a Select Board liaison. The Commission shall make recommendations on a quarterly (minimum) basis to the Sudbury Select Board on policies and programs to identify and eliminate conscious or unconscious biases and prejudices, to reject discrimination, and to measure, promote, and increase diversity, equity, and inclusion of Sudbury’s historically disenfranchised populations. Within the first year, the commission will present an action plan to move the town toward the following goals.

Goals:

- 1. The Commission will meet at least monthly to hear testimony from towns people, deliberate on those discussions and submit a report within the first year, including an action plan, to the Select Board which will then oversee the implementation of the recommended actions. To accomplish this goal, the commission will:
 - a. Provide training for the members to self-examine and recognize their own experience with historically disenfranchised populations and unconscious bias.
 - b. Gather first-hand experiences in Sudbury from historically disenfranchised populations.
 - c. Solicit feedback from town departments, boards, and committees.
 - d. Collaborate with groups operating in town that are focused on related issues.
 - e. Facilitate discussions and education forums for town residents about issues of diversity, equity, and inclusion.
 - 2. The Commission will identify ways to promote awareness, engagement, and community building around diverse experiences and to create a more inclusive community, including:
 - a. Brainstorm possible actions that can be taken to address any problems/issues found.
 - b. Leverage final report as presented to the Select Board documenting the state of diversity, equity, and inclusion in town and in the schools, to make appropriate recommendations and address any problems found.
- c. Board of Selectmen to present findings of Commission to town.

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Membership:

The *Sudbury Diversity, Equity, and Inclusion Commission* shall be appointed by the Sudbury Board of Selectmen according to the following list. All appointments shall expire on June 30, 2022 but may be extended by the Board of Selectmen. Members will be reflective of the diversity of the Sudbury community. The membership will be established through an open request to all residents of the town. The Board of Selectmen will send notice of the application process to all faith communities, local civic organizations, town boards and committees, local media (including print and digital and social media) and any other outlet that will help to reach the broadest range of residents.

The Commission shall elect a Chair and Vice-Chair or Co-Chairs, and a Clerk from among its members. The Chair will run the meetings, be the designated communications link with the Board of Selectmen, and schedule meetings.

Membership will include:

- Sudbury resident(s) At-Large.....(up to 7 members)
 - Currently enrolled student at Lincoln-Sudbury Regional High School (1)
 - Parent/Caregiver of METCO student..... (1)
 - Two members nominated by SPS and LSRHS Committees (one each) (2)
 - One member nominated by Sudbury Housing Trust/Sudbury Housing Authority (1)
 - One member nominated by the Sudbury Clergy Association (1)
- Total membership (up to 13)
- Sudbury Police Chief or delegate from Sudbury Police Department (Advisory Member)..... (1)
 - Town of Sudbury Town Manager (Advisory Member)..... (1)
 - Board of Selectmen liaison (1)

Areas of expertise for members may include but not limited to:

- Business representatives
- Human Resources
- Immigration law
- Medical and healthcare skills and experience
- Minority affairs
- Real estate/Affordable Housing
- Social Work

Meetings will be open to the public, recorded, and will include community wide surveys and discussion groups.

Compliance with State and Local Laws and Town Policies

The members of the Diversity, Equity, and Inclusion Commission are responsible for conducting their activities in a manner which is in compliance with all relevant state and local laws and regulations including but not limited to the Open Meeting Law, Public Records Law, and Conflict of Interest Law, as well as all Town policies which affect commission membership. In particular, all appointments are subject to the following:

The Code of Conduct for Selectmen Appointed Committee

The Town's Email Communication for Committee Members Policy

- Anyone appointed to serve on a Town committee by the Board of Selectmen agrees that he/she will use email communication in strict compliance with the Town of Sudbury's email policy, and further understands that any use of email communication outside of this policy can be considered grounds for removal from the committee by the Selectmen.

Use of the Town's Web site

- The Committee will keep minutes of all meetings and post them on the Town's web site. The Committee will post notice of meetings on the Town's website as well as at the Town Clerk's Office.

DRAFT

Diversity/Equity/Inclusion/Human Rights Committee Comparisons from other Towns in Massachusetts

October 29, 2020

Community	# of DEI Committee Members	All Members appointed by BoS?
1. Acton	11 (currently 10+3 associate)	Y
2. Belmont	9	Y?, Founded 2004
3. Chelmsford	13	Y
4. Lexington	9-15 (currently 9)	N – Town Mger and School Supt., 2017
5. Marblehead	9	Y, founded 1989
6. Natick	11	N – Select Board & School Com
7. Sharon	9	Y
8. Shrewsbury	“No more than 30” – 30 listed	N – some committees nominate
9. Wayland	8	N – Town Administrator
10. Westford	9 (24 listed)	N – Select Board & School Com

- Lincoln: Several BoS led forums, no committee
- Concord: did not see one
- Wayland: in the process of forming a Town Administrator’s 8-member Advisory Committee on Racial Justice, which is anticipated to lead into a Human Rights Committee

Acton

<https://www.acton-ma.gov/719/Diversity-Equity-Inclusion-Commission>

See the Commission Charge below.

Members

[View the Diversity, Equity, & Inclusion Commission Membership List](#)

Charge

View the Diversity, Equity, & Inclusion Commission is charge [here](#).

Sharing Your Experiences

The DEIC is trying to understand the experiences of people with a variety of backgrounds, coming-to and living-in Acton. We hope that you will share your experiences at one of our meetings [<https://www.acton-ma.gov/calendar.aspx?CID=123>] during occasional Community Conversations, or during the public comment periods at every meeting.

If you would prefer not to relate your experience publicly, please reach out one-on-one to [any member of the DEIC](#) that you feel comfortable with. Any member can make your experience part of the DEIC record, without exposing your personal information. To contact any DEIC member, send an email to DEIC@ActonMA.gov with the name of the DEIC member that you would like to contact you.

DEIC Vision

The Acton Diversity, Equity, and Inclusion Commission envisions an equitable and anti-racist community where all residents and employees can thrive, free of racism, homophobia, xenophobia, ableism, and all other systems of oppression. Everyone will have equitable access to opportunities and resources, regardless of race, ethnicity, age, disability, veteran status, socioeconomic status, sexual orientation, national origin, gender identity, religious affiliation, or the intersection of these identities.

DEIC Mission

The Town of Acton has established and charged the Diversity, Equity, and Inclusion Commission with assessing the state of diversity and inclusion in Acton. Our aim is to dismantle structural and cultural barriers, and offer recommendations to improve equity and empower underrepresented groups, especially racial, ethnic, and religious groups.

Definitions

Diversity: Reflecting a range of backgrounds, including but not limited to, ethnicity, sexuality, gender, socio-economic status, race, nationality, ability/disability, and other ideologies

Inclusion (Action-Oriented): Not only accepting but actively inviting people to a group or collective, explicit to background and making sure individuals feel accepted and supported

Equity: Creating systems proportional to citizens' needs in order to lift up all members of the town to an equal level. Rests on the basis of being fair and impartial to all groups.

Diversity, Equity, & Inclusion Commission

Charge - August 13, 2020

Approved by the Board of Selectmen

The Diversity, Equity, & Inclusion Commission is charged with assessing diversity, equity, and inclusion in Acton, and suggesting ways to improve any problems found. The DEIC shall consist of between nine and eleven members, plus up to two associate members.

- At least 70% of members must be Black or immigrant residents.
- One or more members should be a current student at ABRHS at the time that they become a member.
- The Commission will be chaired by a member of the Board of Selectmen with a vice-chair elected by the Commission.

The Commission's tasks are targeted at increasing communication with under-represented racial, ethnic, and religious groups.

- Facilitate discussion among town residents about issues of diversity and equity.
- Gather first-hand experiences in Acton from under-represented racial, ethnic, and religious groups.
- Hear from groups operating in town that are targeted at related issues.
- Hear from town departments that work directly with the public.
- Brainstorm possible actions that can be taken to address any problems found.
- Produce a report for the Board of Selectmen documenting the state of diversity, equity, and inclusion in town, and make appropriate recommendations to address any problems found.

The Diversity, Equity, & Inclusion Commission shall file its report with the Board of Selectmen within a year of its first meeting. The Diversity, Equity, & Inclusion Commission shall sunset one meeting after the Board of Selectmen accepts the report.

Belmont

<https://www.belmont-ma.gov/human-rights-commission>

The charge to the Commission from the Select Board is to:

- Address the full range of discrimination in the areas of commerce, education, public accommodation, housing, employment, and access to municipal services.
- Serve as a resource to the citizenry, the business community, and public agencies on issues regarding diversity and discrimination.
- Give visibility to and increase awareness of issues related to diversity and discrimination through educational activities.
- Assist the citizenry and town agencies in informally resolving disputes on issues relating to discrimination.
- Receive allegations of violations of human rights laws and related legislation, and refer matters to relevant Town, State, and Federal authorities for disposition of matters within their respective jurisdictions.
- Report annually on its activities to the Select Board.

E-mail the Human Rights Commission: belmont.hrc@gmail.com

Board Members

Member Name	
Carl Brauer	Expiring 2021
Ye Pogue	Expiring 2022
Fran Yuan	Expiring 2022
Kathleen Kayta Gajdos	Expiring 2023
Kimberly Haley-Jackson - Vice Chair	Expiring 2022
Jess Hicks	Expiring 2021
Bryan Nadeau - Chair	Expiring 2022
Gaye Ozpinar	Expiring 2023
Rodmina Abellard	Expiring 2023
Justin Dong	Belmont High School Liaison
Kathryn Bonfiglio	Belmont Against Racism Liaison
Dana Bickelman	Belmont Council on Aging Liaison
Chief James MacIsaac	Belmont Police Department Liaison

Chelmsford

Chelmsford Select Board on Sept. 14 appointed all 13 applicants to its Diversity, Equity, and Inclusion Committee.

<https://www.lowellsun.com/2020/09/17/chelmsford-forms-diversity-equity-and-inclusion-committee/>

Attachment 10.b: DEI Committee Comparisons 2_10.29.2020 (4229 : Discussion on Diversity, Equity and Inclusion Commission)



DIVERSITY, RACIAL EQUITY, AND INCLUSION COMMITTEE APPLICATION

The Board of Selectmen invites all interested parties to apply for a position on the new Diversity, Racial Equity, and Inclusion Committee. In the remarks section of the application, please include information that describes your personal background, which segment(s) of the community you represent, and any other information you would like the Board to know regarding your perspective.

The application can be found on the Town's website at www.chelmsfordma.gov. Additional pages may be included if needed.

Please submit applications by Wednesday, September 9th to the Town Manger's Office at 50 Billerica Road, Room 201, or by email at kbruce@chelmsfordma.gov.

Lexington

<https://www.lexingtonma.gov/diversitytaskforce>

Diversity Advisory Task Force

The Diversity Advisory Task Force is a working group appointed by the Town Manager and the Superintendent of Schools.

Purpose

To be a body of experts that will advise the Town Manager and Superintendent of Schools on potential municipal and school actions and activities to:

- Promote a culture that embraces the richness of Lexington's ethnic diversity as an important element of a healthy and vibrant community
- Foster civic engagement of all residents and mutual respect for the contributions that every individual or group makes toward community goals
- Ensure equitable access to resources and opportunities for all
- Suggest programs or activities that will promote a culture of respect for all persons regardless of age, ethnicity, race, sexual orientation, gender identity, religious beliefs and mental or physical ability

Diversity Advisory Task Force

August 28, 2017

Background: For the past five years the 20/20 Vision Committee and its subcommittees have been examining the demographic changes that have been occurring in Lexington and making recommendations to the Board of Selectmen, School Committee and Planning Board on how these demographic changes may impact civic involvement, Town and School programs and community life in Lexington.

Given that a primary role of the Town Manager and Superintendent of Schools is to advise the Board of Selectmen and School Committee on those community issues that may intersect with our Town government, it is recommended that a Diversity Advisory Task Force be created by the Town Manager and Superintendent of Schools to consider the findings and recommendations of the 20/20 Vision Committee and, more specifically, the Subcommittee on Asian Communities.

Purpose of Diversity Advisory Task Force: To become a body of experts that will advise the Town Manager and Superintendent of Schools on potential municipal and school actions and activities to:

- Promote a culture that embraces the richness of Lexington’s ethnic diversity as an important element of a healthy and vibrant community;
- Foster civic engagement of all residents and mutual respect for the contributions that every individual or group makes toward community goals;
- Ensure equitable access to resources and opportunities for all; and
- Suggest programs or activities that will promote a culture of respect for all persons regardless of age, ethnicity, race, sexual orientation, gender identity, religious beliefs and mental or physical ability.

Membership: Sufficient number of members (9-15 range) to meet the purpose of the Task Force and the work plan for the coming year. Membership will be largely from the community and include Town and School staff. The regular addition of new members is encouraged to meet the purpose and work plan of the Task Force. The Chair of the Task Force will be selected by the Town Manager and Superintendent of Schools. The Task Force may include members of the Lexington Human Right Committee (HRC). The Task Force will seek the advice of the HRC. It is anticipated that the Task Force will work with a trained facilitator who will assist at meetings, prepare materials as necessary, and act as a liaison between the Task Force and Town Manager and Superintendent.

Work Plan-Years 1-3:

1. Undertake the activities necessary to become Lexington’s body of experts on diversity and inclusion and create a plan for increasing Town leaders’ expertise in and commitment to these issues.

2. Advise the Town Manager and Superintendent of School regarding the recommendations of the Subcommittee on Asian Communities report, [Lessons on Integration of Residents of Asian Ancestry Offered by California and New Jersey Communities](#) (December 16, 2016) and identify 1-2 priority actions for the coming year.
3. Recommend a three-year plan of Town and School programs that will foster diversity and inclusion in the community.
4. Provide mid-year status reports at a joint meeting of the Board of Selectmen, School Committee and Human Rights Committee.

Meeting Schedule: The Task Force will preferably meet monthly, at a mutually agreed time determined by the members, but may meet more frequently during the initial stages.

Marblehead

<https://www.marblehead.org/task-force-against-discrimination>

What We Do:

The Task Force Against Discrimination was formed to address the issue of prejudice and bigotry following an anti-Semitic incident in 1989.

The Commission, consisting of nine members, includes a member of the clergy, a law enforcement officer, an attorney or educator, and concerned citizens appointed yearly by the Board of Selectmen. The commission's goal is to maintain a community where all individuals are welcome regardless of race, religion, sexual orientation or ethnic background. The Task Force meets throughout the year in open sessions to discuss concerns raised by the residents of the Town and to create ongoing programs that will celebrate diversity within the Town.

The Task Force Against Discrimination was instrumental in making the Town of Marblehead a No Place for Hate community, a project sponsored by the Anti-Defamation League, Massachusetts Municipal Association and Blue Cross-Blue Shield. Marblehead has been awarded membership in No Place for Hate for the past three years.

When We Meet:

The Task Force Against Discrimination meets on an as-needed basis and is available to citizens at any time. Meetings are posted.

To reach the Commission, contact the [Selectmen's Office](#).

Members

Name	Title
Helaine R. Hazlett	Co-Chair
Anne Marie Hunter	Co-Chair
Deacon John E. Whipple	Member
Loren Weston	Member
Christopher Bruell	Member
Stephen Hamelburg	Member
Scott Marcus	Member
Esther Darling Mulroy	Member
Robert O. Picariello	Ex-Officio Member
Mable Sliney	Student Representative
Alexis Earp	Student Representative
Christopher Thompson	Student Representative

Natick

<https://patch.com/massachusetts/natick/natick-may-create-new-committee-focused-diversity-equity>

BY NEAL MCNAMARA, PATCH STAFF JUL 14, 2020 8:58 AM ET

NATICK, MA — The Natick Board of Selectmen on Wednesday will discuss moving toward creating a town committee that would handle issues related to diversity, equity and inclusion.

Select Board members Karen Adelman-Foster and Sue Salamoff have proposed setting up a task force to study creating a Diversity, Equity, and Inclusion Committee. The task force would report back with a recommendation on how to create the new committee within four months.

The task force would be comprised of one Select Board member, two people picked by the School Committee, and six town members who either work in Natick government, have professional or life experience related to racial justice, or have experience in community engagement.

If created, the Diversity, Equity, and Inclusion Committee would be available to hear about incidents of racial discrimination in Natick.

The idea of a racial justice committee comes as cities and towns across the U.S. grapple with protests related to police violence, and the disproportionate impact of [coronavirus on people of color](#). In Framingham, Mayor Yvonne Spicer and the Board of Health released a joint statement declaring racism a public health crisis. Boston made a similar declaration.

In moving toward the creation of a Diversity, Equity, and Inclusion Committee, Adelman-Foster and Salamoff referenced a 2016 Board of Selectmen vote opposing discrimination — that fall following the election of President Donald Trump, a Natick man received racist letters demanding he stop bringing Black people into a local neighborhood.

The Board of Selectmen could vote on creating the task force idea as soon as the July 15 meeting.

Memo

Date: 7/29/2020

To: Natick Select Board

From: Karen Adelman-Foster and Susan Salamoff

Subject: Create a Task Force to Develop a Plan to Advance Diversity, Equity, and Inclusion in Natick

The Natick Select Board believes in the inherent dignity of everyone who lives or spends time in Natick. In order to affirm and advance that dignity, we call for the creation of a Task Force to develop a framework to advance equity in Natick (in the course of our inquiry, we have been advised that equity encompasses the concept of diversity and inclusion. We use the word “equity” in that sense).

We call for the Task Force to recommend to the board the structure, composition, and mission of a town entity to advance equity in the town government and community, and to recommend a set of responsibilities for any professional staff needed to help the town pursue this aim. We urge that the Task Force be charged with seeking extensive input from the Natick community and town government, and that the Task Force provide an update to the Select Board within 60 days of its establishment and every 60 days thereafter. We recommend charging the Task Force with providing preliminary recommendations within 150 days of its establishment, providing final recommendations within twelve months of its establishment, and dissolving, unless it requests an extension, after it provides its final report.

Motion I

Move that the Natick Select Board appoint an eleven-member Task Force for the purpose of recommending to the Select Board the mission, scope, charge, composition, term of service, and authority of a town entity to advance equity in the Natick community and town government, and to recommend a set of responsibilities for any professional staff needed to help the town pursue this aim. The Task Force shall, if possible, work with a professional consultant the town engages for the purpose.

The Task Force appointed by the Select Board shall include the Town Administrator or designee, two Select Board members, the Human Resources Director, the Superintendent of Schools or designee, a member of the School Committee or designee, and five members at large with any or all the following qualifications:

1. Professional or life experience related to equity.
2. Experience in community engagement.
3. Experience in municipal government.

4. The Select Board shall strongly endeavor to ensure that the at-large appointees are members of historically marginalized communities.

The Task Force shall research the experience of other municipalities' equity-related government entities, as well as what the town and community are doing in the equity sphere.

The Task Force shall recommend a set of responsibilities for any professional staff needed to help the town advance equity.

The Task Force shall provide an update to the Select Board within 60 days of its establishment as an appointed Task Force and every 60 days thereafter. The Task Force shall provide preliminary recommendations within 150 days and final recommendations within twelve months. The task force shall, unless it requests an extension, dissolve after it provides its final report.

The Task Force shall seek the advice of Town Counsel through the Task Force Chair.

The text of this motion shall serve as the charge of the Task Force.

Motion II

The Town Administrator shall, in collaboration with the Task Force, engage or arrange for appropriate professional consulting support to aid the work of the Equity Task Force.

Goals of the proposed voting method:

- Appointment of a productive combination of five highly-qualified at-large ETF members
- Transparency of individual SB votes
- Independence of SB votes from colleagues' influence
- Ability of SB to balance composition of ETF over several voting rounds
- Fewest possible rounds

Process:

- No debate on candidates except in the event of several rounds of ties, as described below, so the SB members should have read and digested the application materials. SB members may make general comments concerning objectives/intent/goals and general qualities of desired candidates.
- Voting progresses in rounds.
- Voting must take place by roll call vote, consistent with the Open Meeting Law. The Chair will devise a rotating vote, so for each round, a different SBM leads off.
- For each round of voting, the Chair will call the Roll Call vote and each member will list their top 5 candidates. The selections will be noted by the Executive Secretary and the Chair, who will tally the votes and confer on the final totals. Any candidate who receives at least three votes is seated.
- First round: each SBM votes for a slate of five. Top vote getter/s (who get at least 3 votes) are seated.
- Subsequent round/s: each SBM votes for a slate of the number of remaining open seats. Top vote getter/s (receiving at least 3 votes) are seated. In the subsequent rounds, Board members may vote for any of the remaining candidates – that is, they are not compelled to vote for a candidate for whom they have previously voted.

Ties:

Ties for most votes result in all top vote-getters who get three or more votes being seated, unless there are more top vote-getters than seats. In that eventuality, there will be a run-off round amongst only the top vote-getters with each SBM allowed as many votes as there are seats. If a tie persists, a run-off is held with each SBM allowed a single vote. If a tie still persists, debate may be held before a subsequent run-off vote.

Examples:

- Example 1: In the first round, each SBM votes for five. A, B, and C each get four votes, and all are seated. In the second round, each SBM votes for two. D gets five votes, others get fewer than 3 votes. D is seated. In the next round, each SBM votes for one candidate. E and F are tied with two votes each. E and F have a run off, and whichever wins the run-off is seated.
- Example 2: In the first round, each SBM votes for five. No one gets three votes, but A, B, C, each get two votes. No one is seated. There is a second round vote amongst candidates A, B, and C only, and each SBM votes for one. Whoever gets at least 3 votes

is seated. The third round reverts to the original pattern, and each SBM votes for four. Further run-offs are held as needed.

Sharon

<https://www.townofsharon.net/diversity-equity-inclusion-committee-0>

Diversity, Equity & Inclusion Committee

MISSION STATEMENT

The mission of the Sharon Diversity, Equity & Inclusion Committee is to foster a welcoming and inclusive community by encouraging cooperation and respect among all persons by advocating for the human and civil rights of all residents through understanding and eradicating barriers to equity and inclusion and promoting community awareness and understanding of cultural difference. While diversity is a demographic condition of our town, we mean to not only teach tolerance and respect for one another, but also to celebrate and embrace the traditions and values of the groups within our community. Inclusion is a core community value; we aspire to be a community characterized by the value of equality.

The Diversity, Equity, and Inclusion Committee can be reached by email at DEIC@townofsharon.org.

Diversity, Equity & Inclusion Committee

MISSION STATEMENT

The mission of the Sharon Diversity, Equity & Inclusion Committee is to foster a welcoming and inclusive community by encouraging cooperation and respect among all persons by advocating for the human and civil rights of all residents through understanding and eradicating barriers to equity and inclusion and promoting community awareness and understanding of cultural difference. While diversity is a demographic condition of our town, we mean to not only teach tolerance and respect for one another, but also to celebrate and embrace the traditions and values of the groups within our community. Inclusion is a core community value; we aspire to be a community characterized by the value of equality.

COMMITTEE CHARGE

The Select Board, at its meeting on June 23, 2020, voted to establish the Diversity, Equity & Inclusion Committee to advise the Select Board and other town boards on matters related to inclusion in programs and policies and to be instrumental in achieving both broad and specific goals reflective of a welcoming and inclusive community. In voting to establish this advisory committee, the Select Board condemns racism and discrimination in all its forms and commits to eradicating bias in the administration of policies and programs and in the recruitment and employment of staff.

The charge to and duties of the Sharon Diversity, Equity & Inclusion Committee include, but are not limited to, the following tasks:

- Embrace, support and promote the cultural richness of Sharon's diversity as a critical element that characterizes a healthy and vibrant community.
- Provide a welcoming environment by encouraging cooperation among all residents and groups through community awareness, education, and outreach.
- Promote training for all elected and appointed officials and all Town and School employees that recognizes and works to eliminate unconscious or implicit bias in the implementation of programs and policies and in the actions of officials and employees.
- Foster civic engagement of all citizens with the goal of increasing participation of underrepresented groups in the governance of the Town as members of boards and committees and at town meeting.
- Ensure equitable access to resources, programs and opportunities for all residents.
- Suggest programs or activities that will promote a culture of mutual respect and equal treatment for all persons regardless of age, ethnicity, color, race, ancestry national origin, religious beliefs, mental or physical ability, gender, sexual orientation, or gender expression or identity.
- Be instrumental in the elimination of discriminatory barriers to employment, education, housing and other opportunities within the Town of Sharon and to suggest meaningful steps that will increase the diversity of the Town's workforce to better reflect the demographic composition of the residents for whom employees serve.

The committee shall make reports to the Select Board of its activities at least three (3) times each fiscal year.

COMMITTEE COMPOSITION

The committee shall be comprised of nine (9) voting members appointed by and serving at the pleasure of the Select Board who represent a cross-section of community organizations and individuals engaged in efforts to advance, promote and advocate for the human and civil rights of all persons through awareness and education. Committee members will be initially appointed to serve until June 30, 2021 such that:

- One (1) member shall be from among the members of the Sharon Pluralism Network;
- One (1) member shall be from among the members of the Sharon Interfaith Clergy Council;
- One (1) member shall be from among the members of the Sharon Racial Equity Alliance;
- One (1) member shall be an employee of the Sharon Police Department;
- Four (4) residents of the Town, one (1) of whom shall be a student between the ages of 16 and 19 years of age at the time of appointment and one (1) of whom shall be someone who is a member of the Sharon school community, such school community representative to be designated by the School Committee for appointment by the Select Board; and,
- One (1) member of the Select Board.

The Select Board shall determine by May 31, 2021 whether to modify the mission statement, committee charge, or committee composition, and act to establish duration of term effective July 1, 2021.

Shrewsbury

<https://shrewsburyma.gov/956/Diversity-Equity-and-Inclusion-Task-Forc>

Shrewsbury Diversity, Equity and Inclusion Task Force

On August 11, 2020, The Board of Selectmen established a Diversity, Equity and Inclusion Task Force comprised of an intentionally diverse cohort of Shrewsbury residents representing a cross section of the population and numbering no more than 30 individuals. Each board or committee listed below is invited to appoint one designee to serve as part of the membership of this newly formed task force:

- Board of Selectmen
- School Committee
- Board of Health
- Council on Aging
- Commission on Disabilities

The remaining members will be appointed by the Board of Selectmen and responsible for organizing themselves in a way that allows for the completion of the following charge:

- Examine and evaluate existing policies and procedures currently in place within the Town of Shrewsbury related to diversity, equity and inclusion
- Complete this work by offering many opportunities for extensive community engagement employing a variety of means including but not limited to interviews, public listening sessions, surveys, programs and social media
- Identify potential areas for improvement based on relevant local, state and national research determining best practices
- Provide quarterly written updates to the Board of Selectmen highlighting work done and progress made
- Submit a written report detailing the findings and recommendations of the committee to the Board of Selectmen within 12 months from the creation of the committee

The Diversity, Equity and Inclusion Task Force will be supported by a staff member from the Town Manager's Office. Requests for information from town staff or departments shall be made through the support staff rather than directly by task force members.

At any point during their work, the Diversity, Equity and Inclusion Task Force may seek support of Town Staff or other bodies the committee deems appropriate, including but not limited to those listed below:

- Library
- Police
- Fire
- Town Manager or Assistant Town Manager
- Shrewsbury Youth and Family Services
- Shrewsbury Housing Authority
- Shrewsbury Ecumenical Council
- India Society of Worcester

Membership of the Shrewsbury Diversity, Equity & Inclusion Task Force

Beth Casavant- Board of Selectmen	Lynsey Heffernan- School Committee	Jennie Fishman- Board of Health	Zoya Mehta- Council on Aging	Deb DelDotto- Commission on Disabilities
Kelly Joseph	Adeola Mbaneme	Donna Jarrell	Elizabeth Hylton	Gene Buddenhagen
Helene Winn	Janine Sands	Leonora Ryan	Louise Garone	Richard Petrucci
Roop Jyot Kaur	Allen Jarrell	Juan Acosta	Marion Buricatu	Maura Egan
Mia Alvarez Lombardi	Milind Kanitkar	Navjeet Singh	Noor Ali	Paula Collins
Priya Rathnam	Rajesh Velagapudi	Ruth Febo	Shima Khan	

Office of the
BOARD OF SELECTMEN



TELEPHONE: (508) 841-8508
FAX: (508) 842-0587
Selectmen@shrewsburyma.gov

TOWN OF SHREWSBURY

Richard D. Carney Municipal Office Building
100 Maple Avenue
Shrewsbury, Massachusetts 01545-5338

Diversity, Equity and Inclusion Task Force- Charge

On August 11, 2020, The Board of Selectmen established a Diversity, Equity and Inclusion Task Force comprised of an intentionally diverse cohort of Shrewsbury residents representing a cross section of the population and numbering no more than 30 individuals. Each board or committee listed below is invited to appoint one designee to serve as part of the membership of this newly formed committee:

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- Identify potential areas for improvement based on relevant local, state and national research determining best practices
- Provide quarterly written updates to the Board of Selectmen highlighting work done and progress made
- Submit a written report detailing the findings and recommendations of the committee to the Board of Selectmen within 12 months from the creation of the committee

The Diversity, Equity and Inclusion Task Force will be supported by a staff member from the Town Manager's Office. Requests for information from town staff or departments shall be made through the support staff rather than directly by task force members.

At any point during their work, the Diversity, Equity and Inclusion Task Force may seek support of Town Staff or other bodies the task force deems appropriate, including but not limited to those listed below:

- | | |
|--|--|
| • Library | • Shrewsbury Youth and Family Services |
| • Police | • Shrewsbury Housing Authority |
| • Fire | • Shrewsbury Ecumenical Council |
| • Town Manager or Assistant Town Manager | • India Society of Worcester |

Wayland

Charge for Town Administrator's Advisory Group on Race

Subsequent to the killing of George Floyd in May 2020, as well as too many other Black lives unnecessarily extinguished over the years, ongoing demonstrations in Wayland have been organized to protest racial injustice and inequity throughout our country. Our community is not immune from issues involving racism as recent heartbreaking posts on social media have brought examples of such injustice closer to home. In an effort to provide a Town-wide forum for the Wayland community to convene and engage in education and dialogue around issues involving race, equity, and racial justice, the Town Administrator will assemble an advisory group comprised of up to eight Wayland residents who will assemble for the purpose of discharging the following tasks.

Community Conversations on Race

- Gather information from surrounding communities to determine different models for convening Town-wide forums focused on issues around race, equity, and racial justice;
- Draft a set of recommendations to the Board of Selectmen indicating which two or three models would most appropriately meet the needs of the Wayland community;
- Present the set of recommendations to the Board of Selectmen at a public meeting; and
- Subsequent to approval of a particular model by the Board of Selectmen, serve as the lead body in organizing the initial community event.
- Explore the Concept of a Human Rights Committee
- Gather information from surrounding communities to determine different models for standing up a Human Rights Committee; and
- Draft a set of recommendations to the Board of Selectmen indicating
 - i. if a Human Rights Committee would serve a necessary and beneficial role in Wayland, and if so,
 - ii. what appropriate model for a Human Rights Committee would best serve Wayland's needs.

<https://patch.com/massachusetts/wayland/wayland-seeks-members-racial-justice-committee>

WAYLAND, MA — Wayland has created a new advisory group that will explore issues related to race and justice, and the town is seeking eight local volunteers to serve on the committee.

The Racial Justice Advisory Committee will have a variety of tasks, including organizing town-wide forums on race. The specific duties of the committee are as follows, according to a town bulletin:

Gather information from surrounding communities to determine different models for convening Town-wide forums focused on issues around race, equity, and racial justice

Draft a set of recommendations indicating which two or three models would most appropriately meet the needs of the Wayland community

Assist the Town Administrator with the presentation of the set of recommendations to the Board of Selectmen at a public meeting

After approval of a particular model, work with the Town Administrator as the lead body in organizing the initial community event

Gather information from surrounding communities to determine different models for setting up a Human Rights Committee

Work with the Town Administrator to draft a set of recommendations indicating i) if a Human Rights Committee would serve a necessary and beneficial role in Wayland, and if so, ii) what appropriate model for a Human Rights Committee would best serve Wayland's needs

To apply, email Town Administrator Louise Miller (lmliller@wayland.ma.us) with a brief statement about why you want to serve.

WESTFORD

<https://westfordma.gov/1338/Diversity-Equity-and-Inclusion-Committee>

Diversity, Equity, and Inclusion Committee

At the Select Board Meeting on 8/25/2020, the Board voted to approve the following charge:

Select Board's Charge to the Committee

The Diversity, Equity and Inclusion (DEI) Committee will serve as an advisory committee to the Town of Westford and whose duties shall be to provide advice and recommendations to the Select Board and School Committee.

The Committee will identify needs around fostering acceptance and valuing diversity; and discourage prejudice and discrimination against any person, group, or any other status protected by law on account of race, creed, color, income, religion, national origin, ancestry, gender, sexual orientation, veteran status, age, or disability.

The Committee will review Town and school policies and procedures and make recommendations to ensure that they advance equity and diversity where the committee has identified deficiencies.

The Committee will first report to the Select Board and School Committee on the progress of its work by the end of 2020.

At their meeting on 7/14/20, the Select Board invited members of our community to express their interest in being appointed to a new working group, the Diversity, Equity, and Inclusion Working Group. Interested residents may fill out a Citizen's Activity Form at: <https://data.westfordma.gov/bc/newcaf.php>

Committee Member Selection Criteria:

Extensive exposure and/or experience with at least one of the following: is a member of a community where issues of diversity, equity and inclusion exist, has been trained in the dynamics of diversity and how organizations have brought effective and positive change, and/or is professionally involved with human resources. These are not meant to be all inclusive but represent the kinds of exposures being sought.

Skills beneficial to performing the work of the Committee would include demographic analysis, finance/accounting, law, project management, social services/sciences, survey design and analysis.

Possible Methods of Appointing New Committee Members

October 2020

Methods adapted from Robert's Rules of Order

1. One name, One vote (ballot election)

Select Board members list one name for each open spot on the committee (e.g., Committee has seven open spots, each Select Board member list seven names). Each time a person is named, it counts as one point (e.g., someone listed by all five Select Board members receives five votes. Someone listed by four Select Board member receives four votes, etc.). The highest point winners are appointed.

Pro: Simple

Con: potential for ties. Timing: appointees may not know until the next Select Board meeting if they are appointed, unless BoS members vote in advance and/or someone counts the votes during a recess.

2. One name, weighted vote (weighted ballot election)

As above, except each appointer lists their preferred candidates in rank order, with a weighting (e.g., on a committee with seven openings, the top choice would receive 7 points, the second choice 6 points, etc.). The highest point winners are appointed.

Pro: Simple

Con: More complicated. Timing: appointees may not know until the next Select Board meeting if they are appointed, unless Select Board members vote in advance and/or someone counts the votes during a recess.

3. Round robin nominations (open floor nominations)

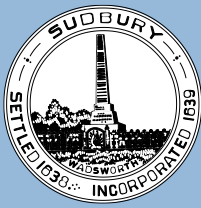
Select Board members nominate appointees. Then the standard process of seconding and voting applies for each committee opening.

Pro: simple, immediate results

Con: Could take time for discussion. Could leave off qualified members.

Other options explained in Robert's Rules that do not seem applicable:

- Chair appoints all committee members
- Chair nominates full committee subject to Select Board confirmation vote
- Sub-committee forms to nominate individuals



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

11: Town Manager 360 evaluation

REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: Town Manager 6-month evaluation

Recommendations/Suggested Motion/Vote: Town Manager 6-month evaluation

Background Information:
attached evaluations from all 5 board members

Financial impact expected:

Approximate agenda time requested: 30 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM

From: Carty, Daniel
Sent: Sunday, October 25, 2020 9:41 PM
To: Bilodeau, Maryanne; Dretler, Janie
Subject: Town Manager Henry Hayes 6 month review comments

Town Manager Henry Hayes 6 month review comments

DCarty 10/25/2020

Feedback from 360 Evaluations

- Interesting comment from respondent #2 regarding the distinction between Senior Staff and department heads. Direct communications with “Senior Staff” may be helpful to ensure they do not feel slighted with the expansion of staff meetings to all department heads. I can see from their perspective how their role may seem a bit “watered down” as others are invited to the table.
- Response #3 under stop mentions the amount of time staff spends with Henry and how it impacts their workload. I do not take this as a negative as Sr Staff/Department Heads should expect to *temporarily* assist with onboarding a new leader. The key here is temporarily; I am confident that Henry will rely on staff less as he gets fully up to speed.
- I’d be very curious to know who Response #4 is; If it was a Superintendent it will be critical that Henry establish a relationship. I believe that going through one full budget cycle will enable this relationship.
- All in all very positive and constructive comments. There was nothing here that I was particularly surprised with and I believe my positive perception of Henry and his leadership skills are shared by his staff. Town-specific issue knowledge will come with time, and there has been great progress thus far.

General Feedback

- Henry did a very good job laying out entry level tasks and goals for himself and I believe he has performed very well against the same
- He has a good grasp on important multi-year goals; Fairbank center, Cleargov, Town Center, Regional and Tech High Schools, Cemetery, capital funding, complete streets, MVP, work with various committees, and staff enhancement are all tangible and appropriate areas of focus, and I like that he realizes these are not "low hanging fruit" or quick turnaround items yet do need to be addressed.
- Henry has shown a zeal for ongoing personal development. In coming into this role we as a Board assigned much of this to Henry as he came from a “non-traditional” background for a Town Manager. He acknowledged this development with professionalism and grace and is showing great progress in working towards addressing each.

- As a Board we are relatively inexperienced; Henry has quickly proved to be a reference source for us with regards to policies and procedures and is quick to let us know if we are heading of course with regards to the same. I have found that Henry anticipates questions or issues very well and I suspect that Henry does quite a bit of research accordingly.
- I have found Henry to be a very effective communicator and calming force within Town. Watching how he put together our outdoor Town Meeting when no playbook for such existed, how he put together our Community Conversation after the killing of George Floyd, watching him balance resident concerns while advocating for his staff (e.g. Police staff and complaints about them not wearing masks) and how he inherited a state of emergency due to the Covid epidemic yet continues to keep Sudbury “safe, secure, serviced, and strong” has been, in my opinion, extremely impressive.
- During my tenure as Chairman I checked in with probably a dozen department heads to see how Henry was doing. The feedback I got was for the most part all positive. Constructive feedback I heard included Henry should continue to get to know staff members at all levels, not just the department heads. I believe this will come with time, and it is critical to mention that Henry has been managing in the era of social distancing so it may not be as easy as walking into a department and introducing himself.
- I would like to see Henry continue to establish working relationships with our two Superintendents but again I think this will come once a full budget cycle is under his belt.
- I am aware that Henry meets and talks with other Town Managers and Administrators, in particular Tim Higgins of Lincoln. Bravo! I think this is fantastic as he can learn from them, and vice versa.
- Henry walked into a tough situation when he became Town Manager of Sudbury. Apart from the Covid epidemic already mentioned and the challenges it has afforded us our Board is not the easiest to work with as evidenced by the length of our meetings (after Henry has already put in a full day). Yet he handles us with grace and seems to say the right thing at the right time as we work through our differences.
- Keep up the good work Henry; I look forward to watching your sphere of influence expand over time. Thank you for all of your efforts.

Town Manager Six-Month Evaluation

October 28, 2020

Charlie Russo

Overall, I believe, based on my own observations and the 360 reviews, that Henry is doing a very good job as Sudbury's Town Manager, and he should keep doing what he's doing. Henry's managerial and organizational skills from his previous military roles have translated well. His growth in the areas new to him – specialized municipal knowledge – has been impressive. I encourage him to continue these efforts.

Some of the times I have been most impressed by Henry and he has gained my respect the most is when he has said 'no' in a firm but polite way to various town boards that have made requests that are impractical or incorrect for one reason or another. As he gains knowledge specific to the municipal realm, his guidance in such matters as processes and procedures will only improve.

That he was able to successfully manage a municipal election and a Town Meeting during COVID just a few months into the job—when there was no established playbook from prior years on how to do so during a pandemic—is all the evidence anyone needs to know that Henry can handle the logistical and organizational demands of the job.

Henry has a natural steadiness and ease of command that has been a real asset for the town. His outreach efforts, including the Municipal Minute, Town Manager newsletter, and meetings with various town boards and organizations, are great and I hope he continues these efforts. His general end-of-week email updates to the Select Board are very helpful.

The concerns raised in the 360 review about overburdened staff should be recognized. I suspect some of this predates Henry's start, and some is the natural result of a new leader drawing heavily upon the knowledge of all staff as he acclimates to the position. As Henry grows in the role, he'll decide to either streamline the process or the staff will adjust to his collaborative decision-making process.

Great leaders not only get the job done, but also support and sometimes shield their staff. I have seen Henry act as a support and shield for his staff and – this is reflected in positive 360 comments – and I encourage him to continue this approach. Not only is it the right thing to do, but it could help to defray some of the concerns about demands on staff time.

In reviewing the 30-day and 90-day and six-month goals, Henry is well on track with all the items I have knowledge of. Some of items more related to internal operations, such as handling personnel and benefits, I don't have as much personal knowledge of, and will take the 360 reviews as a proxy for his performance in those areas.

I hope as the COVID-19 emergency passes and Henry gains experience in Sudbury, he takes an even more proactive approach toward prioritizing and developing projects and processes. As he closes out legacy projects and initiates his own, I am sure this will occur. I am excited to see what the future has in store for Sudbury with Henry as its Town Manager.

5918

Town Manager Henry Hayes – 6 Month Evaluation
Janie Dretler
October 27, 2020

360 Assessment – Direct Reports

Overall, the 360 evaluations were very positive. As noted in one of the direct report responses, Mr. Hayes came to the Town Manager role without having prior municipal government experience. This lends itself to relying heavily on employees for knowledge. My expectation is that Mr. Hayes's reliance on staff for their expertise and knowledge will reduce significantly over the next six months as he becomes more comfortable and ideally more independent in his role as Town Manager. Mr. Hayes has been extremely calm and highly focused in leading the town throughout the pandemic. I appreciate that he has a growth mindset and appears to apply this in his management style.

Town Manager Evaluation Comments

Vision and Community Leadership

I am pleased with Town Manager Hayes' leadership in important areas including his ability to work with the Board and staff. Mr. Hayes demonstrated significant leadership in organizing Sudbury's outdoor Annual Town Meeting during the COVID-19 pandemic. Mr. Hayes provided an environment where employees and volunteers worked together in a respectful and efficient way.

Every year, the Town has numerous capital projects that need to be moved forward. This requires the Town Manager (and Select Board) to provide a clear, well communicated vision to inform and educate residents. It would be helpful to have Mr. Hayes present a forward-looking plan to the Board, providing his thoughts on long-range planning and critical issues facing the town. Sudbury recently made two large land purchases. I would like Mr. Hayes to provide more information to the Board about the short-term and long-term impact of these acquisitions to town services and finances.

Communications/Public Relations

Town Manager Hayes has a professional and positive attitude. This attitude reflects well on our community. Mr. Hayes has initiated a short video series called Municipal Minute. This has helped town residents better understand the Town's various departments and their roles. Mr. Hayes has also started to hold Town Manager office hours and is continuing to publish the Town Manager newsletter.

Mr. Hayes has a transparent approach in the sharing of information with the Board. I appreciate the Select Board/Town Manager email updates. I would like to receive them weekly, perhaps not always in such detail however a weekly update would be helpful and appreciated. I would like to see the updates become better organized with sources referenced for information that has been cut/paste into the update. We sometimes receive information without context.

An area for improvement is Mr. Hayes' timely response to inquiries from other boards and committees as well as residents. This will go a long way to ensure confidence as well as help minimize uncertainty.

Board of Selectmen Support/Relations

I appreciate that Town Manager Hayes is accessible and approachable. He is gaining knowledge about issues that come before the Select Board. He is available to meet (via Zoom/phone) as needed to provide information and recommendations. I would like to see Mr. Hayes become more adept at proactively offering solutions to complex situations. I have started to see this develop and anticipate this will increase as he becomes more familiar with municipal management. Overall, Mr. Hayes works well with the Board.

The Board held numerous meetings this year, with many weekly meetings during the months leading up to Town Meeting. Over the past number of months our meetings have gone very late which is not ideal when making important decisions. I would like to see Mr. Hayes help improve the process for establishing agendas for Select Board meetings by dealing with as much as possible at the Town Manager level before bringing it to the Chair for approval for the agenda. As Chair, it is critical to prepare agendas that are legally accurate and specific. I would like to see Mr. Hayes take more of an active role in helping to provide clear and accurate language for motions. We should always ensure that we are abiding by Open Meeting Law with respect to holding executive sessions. Part of this knowledge will come as Mr. Hayes becomes more knowledgeable about legal matters and rules of procedure. I would also like to see better organization so that we have an agenda packet that includes only relevant information. We often have last minute additions to the agenda which require revised packets which leave little time for adequate preparation by Board members.

Personnel Management

Town Manager Hayes appears to have a positive working relationship with Town staff. He is inclusive and respectful.

Financial Management

Prudent financial management is a critical component of the role of Town Manager. This is an area that will require more time to be able to evaluate effectively. Mr. Hayes has demonstrated a desire to become more proficient in this area through his work with Finance Director Dennis Keohane and his outreach to the Division of Local Services. The role of the Town Manager requires significant knowledge and competence in this complicated area. I look forward to seeing Mr. Hayes take on more of an upfront role in financial management and offering his recommendations to the Board based on his institutional knowledge.

General Management and Planning

Town Manager Hayes guided our town through a very difficult time since April 1, 2020 due to the pandemic. I appreciate that he has embraced his leadership role in this area.

We need continued leadership and effective planning going forward [See Vision and Community Leadership]. I have confidence that Mr. Hayes will shift from emergency management and focus on the day-to-day management of the business operations of the town while maintaining a long-term strategic vision.

Personal Qualities and Characteristics

Town Manager Hayes has a positive, can-do attitude. He has integrity, is honest and takes pride in his role as Town Manager. It has been a pleasure for me to work with Mr. Hayes.

Golden, Patricia

From: Schineller, Bill
Sent: Wednesday, October 28, 2020 8:54 AM
To: Golden, Patricia; Bilodeau, Maryanne
Subject: Re: Town Manager - 6 month evaluation

Here is my 6 month evaluation:

I am very satisfied with Henry Hayes' performance during his first six months as Sudbury's new Town Manager. In the face of the Covid pandemic state of emergency, he has met key entry goals of quickly getting to know staff and department functions and successfully delivering a budget for Town Meeting. Under his leadership, core services and month-to-month "1/12" budget details were delivered while Town Meeting and the FY2021 budget approval was delayed from May to September. Outdoor Annual Town Meeting held in September was a challenge to plan; he and staff executed safely and successfully. He introduced "Municipal Minutes" (short videos) which connect with and inform the public, and demonstrate Henry's involvement with each department as he ramped up. Henry appears to have leaned on staff appropriately to gather information, and from my observations comes well prepared to public meetings with facts, including financial and legal details. The "360 degree" anonymous reviews from his direct reports were overwhelmingly positive. One piece of feedback suggested that Henry has been overly inclusive of staff beyond department heads in meetings and decision making, cutting into staff work time, perhaps inefficient. I interpret this behavior as understandable and appropriate as a new town manager ramps up and seeks to gather the big picture from feet on the ground. In his first six months, Henry has worked well with the Select Board and staff to advance Board goals set prior to his arrival. I look forward to working with him to execute on 2021 goals.

From: Golden, Patricia
Sent: Tuesday, October 27, 2020 4:05:27 PM
To: Selectmen
Subject: Town Manager - 6 month evaluation

Good afternoon Board,
 For those of you who haven't yet submitted a Town Manager evaluation, this is a reminder to please submit your evaluations to me and Maryanne Bilodeau by the end of today.

Thanks.

Patty Golden
 Senior Admin. Assistant to the Town Manager
 Town of Sudbury
 278 Old Sudbury Road
 Sudbury, MA 01776
 Ph: 978-639-3382
 Fax: 978-443-0756
www.sudbury.ma.us

The Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records. Consequently, confidentiality should not be expected.

Sudbury Town Manager 6-Month Evaluation – Henry Hayes Jr.

Select Board Member Jennifer Roberts 10/27/20

Vision and Community Leadership

Town Manager Hayes hit the ground running providing strong community leadership during the COVID-19 pandemic. He took a safe and responsible approach toward ongoing Town operations with permitted virtual work and in-person work precautions. His experience in emergency management became clear as he navigated the best manner in which to protect Sudbury citizens and staff while still carrying out the services of the Town.

As Town Manager Hayes started his role mid-year and during the pandemic, I believe there has been less opportunity to consider broad Town goals for the future. Much time has been required to ensure the safety of citizens and staff as well as continue the core processes for the budget and Town Meeting. The Town Manager has inherited the goals of his predecessor as well as the Board of Selectmen. In time, it would be valuable to learn more about the Town Manager’s vision regarding topics such as economic development, historic preservation, recreation, and more.

Town Manager Hayes does express that his goal is to maintain a “safe, secure, and serviced” Sudbury. I have appreciated this recognition of the service levels residents are accustomed to and the day to day trade-offs that must be weighed related to budgetary decisions.

Communication/Public Relationships

An area of strength for Town Manager Hayes is communication to the public. In an era of COVID-19 and social distancing, this is an even more impressive accomplishment. Through regular recorded “Municipal Minutes,” Town Manager Hayes educates Sudbury about different Town departments and ongoing events before the Town. He regularly offers virtual office hours and has continued to produce the Town Manager newsletter.

It is my sense that Town Manager Hayes seeks to form relationships with public officials in other communities and at the state level. Less known to me is the extent to which Town Manager Hayes is creating relationships with members of the public and organizations within Sudbury.

One area of opportunity may be handling difficult conversations with the public. Recently a citizen approached the Town Manager and the Board of Selectmen with concerns about use of face masks by select staff members and related safety. In my view the ongoing conversation appeared to “spiral,” and I would have preferred that a successful resolution and outcome be sought earlier possible. As it pertains, in part, to a staff policy, I also would have valued a clearer understanding of Town Manager Hayes’ position on the overall matter.

Board of Selectmen Support/Relations

Town Manager Hayes provides solid support to the Board of Selectmen. He is responsive to direct outreach, questions, and conversation. He shares relevant information and provides helpful email updates. He also encourages the Board to sort through discord and to set examples of productive working relationships for citizens, committees, and other future leaders in the community.

One opportunity for improvement exists in the area of the meeting information packet which can approach 200-300 pages. This length (plus periodic last-minute additions) can make it more difficult for Board members to prepare for Board of Selectmen meetings. Less, more focused information may sometimes be warranted.

Personnel Management

Town Manager Hayes received strong reviews in his 6-month 360-evaluation by his direct reports. He was described as a thoughtful leader who seeks consensus-based decision-making. He was said to encourage growth and development in his staff, providing both praise and, as needed, constructive feedback. He was described as respectful and friendly to all. In particular, staff appreciated his calm demeanor when faced with difficult situations related to the COVID-19 pandemic or other challenges.

One direct report did express that they had had minimal contact with Town Manager Hayes, indicating that there may be opportunity to broaden his outreach and relationship with all employees. Two staff members suggested that the time necessary to provide Town Manager Hayes information can detract from time needed to carry out their other job responsibilities. It is my hope that in time, Town Manager Hayes can face appropriate decisions and new situations with even more independence as he gains experience.

Financial Management

Financial Management was an area of concern for me as a Selectperson when Town Manager Hayes started his role. In particular, I suggested that this would be a prime area for his professional development programs. The Town Manager is fortunate to have a strong Finance Director who I believe partners successfully with him on budgetary matters. It is my sense that Town Manager Hayes is learning many of the fundamentals of municipal financial management.

The FY2021 budgetary process was challenging due to the surprise of COVID-19 which required late budget adjustments. I thought the Town Manager managed these budgetary changes quite well despite being new to the job. In working with the Finance Committee there were a few initial communication hiccups, but the information flow and overall communication appears to be improving.

General Management and Planning

I believe that Town Manager Hayes has strong general management skills with a strong focus on process. I cannot yet speak to his planning procedure within Town operations, but I have appreciated his proactive nature towards Board of Selectmen deliverables and processes.

One particular feat for Town Manager Hayes was organizing and executing Sudbury's 2020 Annual Town Meeting. This meeting was unique in that it was to be held outdoors and required significant social distancing due to COVID-19. In addition to these factors, it needed to be accessible to citizens of all abilities and stages of life. With a strong team, the Town Manager's leadership in logistics and resourceful nature helped him set the stage for a successful Town Meeting.

Personal Qualities and Characteristics

Town Manager Hayes is personable and highly respectful of others. He brings valuable life perspective that he shares from his many years in the military and his personal life. He has a sense of humor and is

able to make people feel at ease. He encourages corporation and respect amongst Town committee members.

Professional Development

As Town Manager Hayes did not have formal municipal experience at the outset, he was tasked with an ambitious schedule of professional development requirements. It is not fully known to me how many of these requirements he has been able to fulfill due to the COVID-19 pandemic (either through cancellations or due to increased job time required to manage the state of emergency). It is my sense that at least some (if not more) of these professional development opportunities are still being pursued in spite of the pandemic.

I thank Town Manager Henry Hayes for his strong leadership to date, particularly in light of the challenges of the COVID-19 pandemic and resulting impact on Town operations.

TOWN MANGER GOALS, EVALUATIONS, AND PROFESSIONAL DEVELOPMENT, Town Manager Goals, Objectives, Reviews, Assessments/Ratings for HENRY HAYES JR. Aas of _____

Goals and Evaluation Timeline

1. Within First thirty (30) days of the Town Manager's employment
 - 1- Select Board and Town Manager will create :- ~~E~~entry plan goals and objectives including:s
 - a. Complete on-boarding processing as a Town employee
 - b. Meet with and establish professional relationships with the Department Heads and senior Town employees with regard to positions held
 - c. Become familiar with and review overarching operations of the Town by major functional areas, ~~and review~~
 - d. Become familiar with Town policy needs
 - e. Become familiar with various Boards, Commissions, Committees, Working Groups and the like across the Town
 - f. Become familiar with sources to access Town data, including but not limited to: network drives, Town websites
 - g. Gain access to municipal management systems and be listed on applicable registries
 - h. Conduct initial training requirements as a municipal employee
 - i. Apply for MMA-Suffolk Certificate in Local Leadership & Management program
 - j. Establish a professional working relationship with the Select Board/Board of Selectmen (Board) members
 - k. Provide quality feedback and information to the Board regarding Town impacting matters relevant to the function of community leadership

2. After NNinety (90) days of the Town Manager's employment

~~r~~Select Board and Town Manager will review the onboarding process and experience and ~~to~~ discuss priorities and any resources needed to facilitate full immersion into the position of Town Manager.

~~2-~~ This will include:

 - a. Review of the onboarding process and status
 - b. Discuss priorities and any resources needed to facilitate full immersion into the position of Town Manager
 - c. Provide feedback regarding performance as the Chief Executive of the Town
 - i. Leadership of Town employees and provision of service to the Town
 1. Vision casting for Town employees
 2. Handling personnel and benefits
 3. Financial management and budgetary oversight feedback
 4. Administration

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Attachment 11.f: Goals and evals - 30 90 6months - Hayes v1 JR edits (4216 : Town Manager 360 evaluation)

- 5. Hiring and firing of personnel
- 6. Employee performance reviews
- 7. Collective bargaining
- 8. Purchase of supplies, materials, and equipment
- 9. Inventory of all Town property, to include maintenance and use of all Town facilities
- 10. Coordinating the activities of all town agencies serving under the office of the Town Manager and the office of the Board
 - ii. Feedback regarding support to the Board
 - iii. Civic engagement feedback
- d. Continue to enhance professional development activities

3. ~~In the first year, six (6)~~After six (6) months of the Town Manager's employment Select Board to conduct ~~month~~ evaluation of Town Manager performance:

- a. ~~360 degree~~360 degree assessment with solicited input from others
- b. Subjective feedback from one of the Town's School Superintendents and
- c. Subjective feedback from at least four direct reports of the Town Manager chosen randomly in a process conducted by the Town Manager and Board

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4. Annually throughout the duration of the Town Manager's employment
a. Select Board will conduct rReview and evaluation of Town Manager's accomplishment of:

- i. Established goals and objectives
- ii. Credentials and professional development status and progress

 b. The Board and the Town Manager shall

- i. Review and define goals and performance objectives ,for proper operation of the Town
- ii. Review and establish strategy or anticipatory actions to further the Board's policy objectives
- iii. Establish a relative priority among the various goals and objectives

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Town Manager Multi-Year Goals

- 1. Fairbank Community Center: Work with Town Staff and other interested parties to sustain and operate the Fairbank Community Center and execute any future / new facility plans
- 2. Cleargov: Continue to work with Cleargov to evaluate new features and implement those new features when they become available
- 3. Town Center: Continue to work toward protecting the land in town center, including working with Developer on permitting and working with the Board to finalize future plans and protections for the property
- 4. Regional and Technical High School: Work to establish clearer relationships, processes, budgeting, bussing and predictions as best as able

Attachment 11.f: Goals and evals - 30 90 6months - Hayes v1 JR edits (4216 : Town Manager 360 evaluation)

- 5. Cemetery: Work with DPW on plan to create future cemetery space, including increased number of plots and access
 - 6. Continue to work on funding sources for routine capital, as well as finding capacity for larger projects
 - 7. Complete Streets: Conduct Implementation
 - 8. Municipal Vulnerability Preparedness Hazard Mitigation Plans: Strive toward Implementation
 - 9. Ongoing Work with Various Committees/Commissions: regarding master plans, including, town-wide, fields and senior needs
 - 10. Staff enhancement
 - a. Update Employee Handbook
 - b. Discover and implement additional training and development opportunities
- iii.

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Ongoing Professional Development:

- 1. Conference attendance and participation
 - ~~4.~~ The Town shall pay the Town Manager's registration fee(s) and related expenses for:
 - a. International City and County Management Association's (ICMA) Annual Conference
 - b. Massachusetts Municipal Association Annual Conference (MMA)
 - c. Massachusetts Municipal Management Association Annual Spring and Fall conferences (MMMA).
- 2. Memberships: The Town agrees to budget and pay for the professional dues and subscriptions for the Town Manager necessary for membership in the:
 - a. International City/County and Management Association (ICMA)
 - b. American Society for Public Administration (ASPA)
 - c. Massachusetts Municipal Management Association (MMMA)
 - d. 495/MetroWest Partnership
 - e. Any other professional organizations deemed necessary and desirable for his continued professional participation, growth, and advancement for the good of the Town
 - f. The Town Manager shall throughout the term of this agreement be a member in good standing
 - ~~—Regularly —attend meetings of organizations and any regional municipal management organizations and report to the Board on information relevant to the Town~~
- 3. Certifications
 - The Town Manager shall during the term of this agreement work toward certification as and attendance of:
 - a. ICMA Credentialed Manager

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~~b. Massachusetts Certified Public Purchasing Official through the Office of the Massachusetts Office of the Inspector General~~

~~c. MMA Bootcamp~~

~~d. MMA-Suffolk Municipal Finance Management Seminar~~

~~e. MMA-Suffolk Certificate in Local Leadership & Management Program~~

~~2-~~

~~a. International City/County and Management Association (ICMA)~~

~~b.a. American Society for Public Administration (ASPA)~~

~~c.a. Massachusetts Municipal Management Association (MMMA)~~

~~d.a. 495/MetroWest Partnership~~

~~e.a. Any other professional organizations deemed necessary and desirable for his continued professional participation, growth, and advancement for the good of the Town~~

~~f.a. The Town Manager shall throughout the term of this agreement be a member in good standing~~

~~g. Regularly attend meetings of organizations and any regional municipal management organizations and report to the Board on information relevant to the Town~~

~~h. The Town Manager shall during the term of this agreement work towards certification as and attendance of~~

~~ICMA-Credentialed Manager~~

~~i. Massachusetts Certified Public Purchasing Official through the Office of the Massachusetts Office of the Inspector General~~

~~ii. MMA Bootcamp~~

~~iii. MMA-Suffolk Municipal Finance Management Seminar~~

~~iv. MMA-Suffolk Certificate in Local Leadership & Management program~~

Town Manager Multi-Year Goals:

~~1. Fairbank: Work with Town Staff and other interested parties to sustain and operate the Fairbank Community Center and execute any future / new facility plans~~

~~2. Cleargov: Continue to work with Cleargov to evaluate new features and implement those new features when they become available~~

~~3. Town Center: Continue to work toward protecting the land in town center, including working with Developer on permitting and working with the Board to finalize future plans and protections for the property.~~

~~4. Regional and Technical High School: Work to establish clearer relationships, processes, budgeting, bussing and predictions as best as able~~

~~5. Cemetery: Work with DPW on plan to create future cemetery space, including increased number of plots and access~~

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6. ~~Work with various committees and commissions regarding master plans, including, town-wide, fields and senior needs~~

7. ~~Continue to work on funding sources for routine capital, as well as finding capacity for larger projects.~~

8. ~~Implementation of Complete Streets~~

~~Strive towards implementation of the Municipal Vulnerability Preparedness Plan and Hazard Mitigation plan~~
~~Work with various committees and commissions regarding master plans, including, town-wide, fields and senior needs~~

9.

10. ~~Staff enhancement~~

a. ~~Update Employee Handbook~~

b. ~~Discover and implement additional training and development opportunities~~

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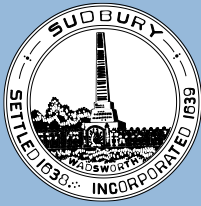
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Board Goals:

BOS GOALS 2020						
Goal	Primary Category	Total Score	Priority Level	Board Liaison	Staff Liaison	2020 deliverable
Town Manager Search Completion	Effective Governance and Communication	15	High	Dan Carty	Maryanne Blodeau	New Town Manager hired.
Fairbank Community Center	Town Services and Infrastructure	14	High	Jan Roberts	Town Manager/Bill Barletta/Deb Galloway/P&R Director/Dennis Keohane	New Fairbank Center - Warrant Article at May 2020 Town Meeting and Special Election.
Regional High School Agreement/Budgeting	Effective Governance and Communication	8	High	Pat Brown	Town Manager/Dennis Keohane	Secure Counsel to review agreement; Meeting between Sudbury BOS and Lincoln BOS. Dialogue with Legislators regarding regional budgeting.
Develop Project Management Review, Control, and Reporting Process	Effective Governance and Communication	7	High	Bill Schieler	Town Manager	Development of BOS policy. Project Key Performance Indicators and identification of metrics & milestones.
Upgrade Fire Station 2 (Advanced Life Support Ambulance, Living Quarters)	Town Services and Infrastructure	6	High	Pat Brown	John Whalen/Bill Barletta	Fire Station 2 Upgrade to accommodate 3rd ambulance - Warrant Article at May 2020 Town Meeting and Special Election.
Bruce Freeman Rail Trail	Open Space, Recreation, and Historic Assets	5	High	Janie Dreter	Beth Suedmeyer/Town Manager	Complete 25% Design, hire consultant for 75/100% Design.
CSX Rail Acquisition	Open Space, Recreation, and Historic Assets	4		Jan Roberts	Beth Suedmeyer/Town Manager	CSX Rail Acquisition - Warrant Article at May 2020 Town Meeting.
School Administration Space Needs (Fairbank)	Town Services and Infrastructure	4		Bill Schieler	Town Manager/Bill Barletta/Deb Galloway/P&R Director	Contingency plan for SPS Adm. needs (if the Fairbank Community Center Warrant Article doesn't pass).
Capital Funding Capacity	Financial Management & Economic Resilience	3		Bill Schieler	Town Manager/Dennis Keohane	FY21 capital funding within tax levy, exceeds \$800,000; approve BOS Financial Policy that addresses sound capital funding strategies.
Council on Aging Space Needs (Fairbank)	Town Services and Infrastructure	3		Bill Schieler	Town Manager/Bill Barletta/Deb Galloway/P&R Director	Contingency plan for Senior Center needs (if the Fairbank Community Center Warrant Article doesn't pass)
Transportation and Traffic (plans to reduce travel times across Town)	Transportation, Mobility, and Housing	2		Jan Carty	Dan Nason/Scott Nix/Adam Duchesneau	Reduce traffic congestion throughout Sudbury.
Housekeeping (Approval of Minutes, etc.)	Effective Governance and Communication	1		Pat Brown	Town Manager	Approve Ex. Session minutes and review for release quarterly; review/disband defunct committees.
Revenue Diversification (Commercial Base as a component of the Tax Levy, economic development, user fees, etc.)	Financial Management & Economic Resilience	1		Jan Roberts	Town Manager/Adam Duchesneau/Dennis Keohane	Assess if we are maximizing opportunities to diversify town revenue streams.
Membership in Vocational Education	Town Services and Infrastructure	1		Jan Carty	Town Manager/Dennis Keohane	Define who is responsible for Voc Ed and choose membership school.
Improve Communication Effectiveness	Effective Governance and Communication	1		Janie Dreter	Town Manager	Conduct communications survey; continue to expand upon communication channels so as to reach maximum amount of citizens. Push out agendas to subscribers of various committees. Periodically review communication metrics and results. Timely updating of department webpages. Survey effectiveness of new newsletter delivery. Strive to post public agendas on Fridays.
Sidewalks & Prioritization Thereof	Town Services and Infrastructure	0		N/A	N/A	N/A
Comprehensive Stormwater Management Plan	Town Services and Infrastructure	0		N/A	N/A	N/A
Complete Streets Project	Transportation, Mobility, and Housing	0		N/A	N/A	N/A
Implementation of Municipal Vulnerability Plan	Environmental, Health, and Wellness	0		N/A	N/A	N/A

BOS GOALS 2020						
Goal	Primary Category	Total Score	Priority Level	Board Liaison	Staff Liaison	2020 deliverable
Implementation of Recreation and Open Space Plan	Open Space, Recreation, and Historic Assets	0		N/A	N/A	BOS Support
Master Plan	Effective Governance and Communication	0		N/A	N/A	BOS Support
Inclusionary Zoning	Effective Governance and Communication	0		N/A	Planning Board Goal	N/A
Solar By-Law	Effective Governance and Communication	0		N/A	Planning Board Goal	N/A
Vigilante Fire Stations 3 (Additional Sleeping Quarters)	Town Services and Infrastructure	0		N/A	N/A	N/A
Parks & Recreation Indoor Programming Space (Fairbank)	Town Services and Infrastructure	0		N/A	N/A	N/A
Community Shelter (Fairbank)	Town Services and Infrastructure	0		N/A	N/A	N/A
Committee Management (review committees and disband unused or unneeded committees)	Effective Governance and Communication	0		N/A	N/A	N/A
3 Year Calendar Development (document Governmental "Life Cycle" - everything required of BOS over a 3 year period; i.e. Senior Tax Exemption Required to TM Approval every 3 years)	Effective Governance and Communication	0		N/A	N/A	N/A
Update/Review Policies and Procedures	Effective Governance and Communication	0		N/A	N/A	N/A
Transparency in Government (audit reports, training, etc.)	Effective Governance and Communication	0		N/A	N/A	N/A
Key Performance Indicators Dashboard ("what do we get for what we spend")	Effective Governance and Communication	0		N/A	N/A	N/A
Discuss potential development of Blight or Nuisance Bylaw (Nobscot and Route 20 Intersection - abandoned property)	Financial Management & Economic Resilience	0		N/A	N/A	N/A
Nobscot and Route 20 Intersection - abandoned property)	Environmental, Health, and Wellness	0		N/A	N/A	N/A
Town Hall Renovation/Execute Design	Town Services and Infrastructure	0		N/A	N/A	N/A
Eversource Litigation	Environmental, Health, and Wellness	0		N/A	N/A	N/A
Historic Preservation Plan	Open Space, Recreation, and Historic Assets	0		N/A	N/A	BOS Support
Route 20 Beautification and redevelopment (walkability, vitality, traffic, sewer, etc.)	Financial Management & Economic Resilience	0		N/A	N/A	N/A
ADA Transition Plan	Town Services and Infrastructure	0		N/A	N/A	N/A
Lanctham Road/Rt 20 Intersection	Transportation, Mobility, and Housing	0		N/A	N/A	N/A
Complete Transaction of Quarry North and Sudbury Station Transfer	Transportation, Mobility, and Housing	0		N/A	N/A	N/A
Change name of BOS to Select Board	Effective Governance and Communication	0		N/A	N/A	N/A
Complete Playgrounds	Open Space, Recreation, and Historic Assets	0		N/A	N/A	N/A



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

12: Discussion on goal setting meeting 11/16 9AM

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion and preparation for goal setting meeting Monday, 11/16 at 9:00 AM.

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM

Golden, Patricia

From: Hayes, Henry
Sent: Monday, November 2, 2020 12:37 PM
To: Golden, Patricia
Subject: FW: Sudbury BOS - Goal Setting 2020 - conversation and planning
Attachments: 2020 BOS Goal Setting Contract.pdf; BOS-Goals-2020-11-1-19-FINAL.pdf

From: Robert J Halpin <Robert.Halpin@umb.edu>
Sent: Wednesday, October 21, 2020 1:00 PM
To: Hayes, Henry <HayesH@sudbury.ma.us>; Michael Ward <Michael.Ward@umb.edu>
Cc: Golden, Patricia <GoldenP@sudbury.ma.us>; Bilodeau, Maryanne <BilodeauM@sudbury.ma.us>; Town Manager <TownManager@sudbury.ma.us>
Subject: RE: Sudbury BOS - Goal Setting 2020 - conversation and planning

This will confirm me for the 16th from a little before 9 until Noon for the goal session.

Henry, The broad categories appear as column 2 in the spreadsheet "BOS Goals 2020". They are:

1. Effective Governance and Communication
2. Town Services and Infrastructure
3. Open Space, Recreation and Historic Assets
4. Financial Management and Economic Resilience
5. Environmental Health and Wellness
6. Transportation, Mobility, and Housing

These are the categories which I think warrant a short mission statement or strategic goal and perhaps one or more accountable 'owners' or managers. In my opinion, a bit of a drag on the session last year was the placement of a single project or initiative in multiple categories. I think we should aim for the most logical fit and charge the accountable manager to manage across the appropriate departments. I mention this as possible follow-on work after the session if we can budget enough hours.

I had thought that maybe the Whiteboard function within Zoom would be useful – you will find it as a choice within "Share Screen". What I would need to explore for this meeting is whether we can open multiple boards for each category area and switch readily between them. This would closely approximate the posters we employed last year.

I am not familiar with Google Jamboard but when I looked into it I was intrigued. Let me explore it a little further. I am not quite certain yet as to how it works within the Zoom call format but I suspect there are videos on YouTube. So standby on that.

Once I get up to speed on that we can plan another call – I'll be interested in the questions about voting and scoring. This process was changed last year and I thought it went well. So let's talk.

I assume you will work with Mike Ward to execute the contract and how many hours we have to work with.

Looking forward to working with you all.

BOS GOALS 2020						
Goal	Primary Category	Total Score	Priority Level	Board Liason	Staff Liason	2020 deliverable
Town Manager Search Completion	Effective Governance and Communication	15	High	Dan Carty	Maryanne Bilodeau	New Town Manager hired.
Fairbank Community Center	Town Services and Infrastructure	14	High	Jen Roberts	Town Manager/Bill Barletta/Deb Galloway/P&R Diector/Dennis Keohane	New Fairbank Center - Warrant Article at May 2020 Town Meeting and Special Election.
Regional High School Agreement/Budgeting	Effective Governance and Communication	8	High	Pat Brown	Town Manager/Dennis Keohane	Secure Counsel to review agreement; Meeting between Sudbury BOS and Lincoln BOS. Dialogue with Legislators regarding regional budgeting.
Develop Project Management Review, Control, and Reporting Process	Effective Governance and Communication	7	High	Bill Schineller	Town Manager	Development of BOS policy. Project Key Performance Indicators and identification of metrics & milestones.
Upgrade Fire Station 2 (Advanced Life Support Ambulance, Living Quarters)	Town Services and Infrastructure	6	High	Pat Brown	John Whalen/Bill Barletta	Fire Station 2 Upgrade to accommodate 3rd ambulance - Warrant Article at May 2020 Town Meeting and Special Election.
Bruce Freeman Rail Trail	Open Space, Recreation, and Historic Assets	5	High	Janie Dretler	Beth Suedmeyer/Town Manager	Complete 25% Design; hire consultant for 75/100% Design.
CSX Rail Acquisition	Open Space, Recreation, and Historic Assets	4		Jen Roberts	Beth Suedmeyer/Town Manager	CSX Rail Acquisition - Warrant Article at May 2020 Town Meeting.
School Administration Space Needs (Fairbank)	Town Services and Infrastructure	4		Bill Schineller	Town Manager/Bill Barletta/Deb Galloway/P&R Director	Contingency plan for SPS Adm. needs (if the Fairbank Community Center Warrant Article doesn't pass).
Capital Funding Capacity	Financial Management & Economic Resilience	3		Bill Schineller	Town Manager/Dennis Keohane	FY21 capital funding within tax levy, exceeds \$800,000; approve BOS Financial Policy that addresses sound capital funding strategies.
Council on Aging Space Needs (Fairbank)	Town Services and Infrastructure	3		Bill Schineller	Town Manager/Bill Barletta/Deb Galloway/P&R Director	Contingency plan for Senior Center needs (if the Fairbank Community Center Warrant Article doesn't pass)
Transportation and Traffic (plans to reduce travel times across Town)	Transportation, Mobility, and Housing	2		Dan Carty	Dan Nason/Scott Nix/Adam Duchesneau	Reduce traffic congestion throughout Sudbury.
Housekeeping (Approval of Minutes, etc.)	Effective Governance and Communication	1		Pat Brown	Town Manager	Approve Ex. Session minutes and review for release quarterly; review/disband defunct committees.
Revenue Diversification (Commercial Base as a component of the Tax Levy, economic development, user fees, etc.)	Financial Management & Economic Resilience	1		Jen Roberts	Town Manager/Adam Duchesneau/Dennis Keohane	Assess if we are maximixing opportunities to diversify town revenue streams.
Membership in Vocational Education	Town Services and Infrastructure	1		Dan Carty	Town Manager/Dennis Keohane	Define who is responsible for Voc Ed and choose membership school.
Improve Communciation Effectiveness	Effective Governance and Communication	1		Janie Dretler	Town Manager	Conduct communications survey; continue to expand upon communication channels so as to reach maximum amount of citizens. Push out agendas to subscribers of various committees. Periodically review communication metrics and results. Timely updating of department webpages. Survey effectiveness of new newsletter delivery. Strive to post public agendas on Fridays.
Sidewalks & Prioritization Thereof	Town Services and Infrastructure	0		N/A	N/A	N/A
Comprehensive Stormwater Management Plan	Town Services and Infrastructure	0		N/A	N/A	N/A
Complete Streets Project	Tranpsportaion, Mobility, and Housing	0		N/A	N/A	N/A
Implementation of Municipal Vulnerability Plan	Environmental, Health, and Wellness	0		N/A	N/A	N/A

Attachment 12.b: BOS-Goals-2020-11-1-19-FINAL (4220 : Discussion on goal setting meeting 11/16 9AM)

BOS GOALS 2020						
Goal	Primary Category	Total Score	Priority Level	Board Liason	Staff Liason	2020 deliverable
Implementaion of Recreation and Open Space Plan	Open Space, Recreation, and Historic Assets	0		N/A	N/A	BOS Support
Master Plan	Effiective Governance and Communication	0		N/A	N/A	BOS Support
Inclusionary Zoning	Effiective Governance and Communication	0		N/A	Planning Board Goal	N/A
Solar By-Law	Effiective Governance and Communication	0		N/A	Planning Board Goal	N/A
Upgrade Fire Stations 3 (Additional Sleeping Quarters)	Town Services and Infrastructure	0		N/A	N/A	N/A
Parks & Recreation Indoor Programming Space (Fairbank)	Town Services and Infrastructure	0		N/A	N/A	N/A
Community Shelter (Fairbank)	Town Services and Infrastructure	0		N/A	N/A	N/A
Committee Management (review committees and disband unused or unneeded committees)	Effiective Governance and Communication	0		N/A	N/A	N/A
3 Year Calendar Development (document Governmental "Life Cycle" - everything required of BOS over a 3 year period; i.e. Senior Tax Exemption Required to TM Approval every 3 years)	Effiective Governance and Communication	0		N/A	N/A	N/A
Update/Review Policies and Procedures	Effiective Governance and Communication	0		N/A	N/A	N/A
Transparency In Government (audit reports, training, etc.)	Effiective Governance and Communication	0		N/A	N/A	N/A
Key Performance Indicators Dashboard ("what do we get for what we spend").	Effiective Governance and Communication	0		N/A	N/A	N/A
Discuss poetential development of Blight or Nuisance Bylaw (Nobscot and Route 20 Intersection - abandoned property)	Financial Management & Economic Resilience	0		N/A	N/A	N/A
Nobscot and Route 20 Intersection - abandoned property)	Environmental, Health, and Wellness	0		N/A	N/A	N/A
Town Hall Renovation/Execute Deign	Town Services and Infrastructure	0		N/A	N/A	N/A
Eversource Litigation	Environmental, Health, and Wellness	0		N/A	N/A	N/A
Historic Preservation Plan	Open Space, Recreation, and Historic Assets	0		N/A	N/A	BOS Support
Route 20 Beautification and redevelopment (walkability, vitality, traffic, sewer, etc.)	Financial Management & Economic Resilience	0		N/A	N/A	N/A
ADA Transition Plan	Town Services and Infrastructure	0		N/A	N/A	N/A
Landham Road/Rt 20 Intersection	Transportation, Mobility, and Housing	0		N/A	N/A	N/A
Complete Transaction of Quarry North and Sudbury Station Transfer	Transportation, Mobility, and Housing	0		N/A	N/A	N/A
Change name of BOS to Select Board	Effiective Governance and Communication	0		N/A	N/A	N/A
Complete Playgrounds	Open Space, Recreation, and Historic Assets	0		N/A	N/A	N/A

Attachment 12.b: BOS-Goals-2020-11-1-19-FINAL (4220 : Discussion on goal setting meeting 11/16 9AM)

Goal setting with Select Board 2020 November

This is to confirm the 2021 Goal-setting meeting with the Selectmen for Monday, Nov. 16, from 9:00 am – 12 Noon.

With: Nix, Scott; Whalen, John; Duchesneau, Adam; Capone, Lori; Barletta, William; Bilodeau, Maryanne; Galloway, Debra; Keohane, Dennis; Thompson, Mark; Nason, Dan

Good call today, Henry. I will look forward to hearing from you soon and also to the project itself sometime in November.

As I mentioned this has been an 8-hour project in the past. Those hours over the past 2 years have broken down as follows:

Pre-meeting engagement and prep: 2 hours
 Meeting Facilitation: 4 hours
 Post meeting wrap up with Manager: 2 hours

Assuming there is no need to redesign or talk through changes to the actual meeting, I think I could work up a pre-meeting worksheet to prime discussion of the “Why” of projects (*Analysis or the Why: Needs, challenges, Ideas, large headers, brainstorming, Short- and long-term goals*)

If we want to talk about capturing the individual projects within better communicated mission driven areas that better described the values/vision driving how the town is managed (For Instance “*Sudbury will manage its affairs in a responsive, open and transparent manner. We will earn the trust of residents and taxpayers every day*”) then I think we will need to add four hours to the 8 for a total of 12.

During the meeting the Facilitator should be authorized to Share Screen for the purpose of capturing projects on what would otherwise be the White Board and displaying for the benefit to the participants in the session.

Lastly, I’ll look over the BFRT doc and discuss it with Mike to see where it fits into what we have – this will also require additional conversation but is also something which be discussed as a follow-on project after the goal session.

I will largely wait to hear from you after the 20th. Good Luck

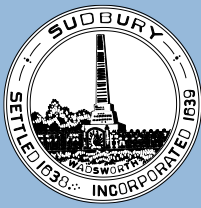
Collins Center: Bob (Robert J Halpin) & Mike (Michael Ward)

Mike and Bob: It was great talking with you two today.

As a follow-up, I intend to reach back out to you after Oct 20, to set up a date (before Thanksgiving) to conduct the Goal Setting meeting with the Select Board.

- Collins Center, Michael (Mike) Ward and Robert (Bob) Halpin: 9-11:30 AM (8 hr contract total – possible 2-4 additional hours for mission/vision/goals/values)
 - What do we want in advance? How did we do last year?
 - Analysis or the Why: Needs, challenges, Ideas, large headers, brainstorming, Short- and long-term goals
 - Strategic alignment, economic development, Project list, anticipated defined outcomes
 - Accountability, KPIs, Data Dashboard
 - Voting on priorities
 - Department Head attendance
 - Open & Transparent Government: mission, vision, values and goals
 - Prior to Thanksgiving meeting desired
 - **Zoom**: enable Q&A (need to assign a person to monitor and run zoom functions), record & transcript

Please see the attached sample of the KPI dashboard the Select Board is favoring at this time. This sample was in the most recent public meeting.



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

13: Discussion on Key Performance Indicators

REQUESTOR SECTION

Date of request:

Requestor: Selectman Schineller

Formal Title: Discussion and possible vote on Key Performance Indicators (KPI) as requested by Selectman Schineller.

Recommendations/Suggested Motion/Vote: Discussion and possible vote on Key Performance Indicators (KPI) as requested by Selectman Schineller.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM

Select Board Project Tracking Policy

(DRAFTED by Bill Schineller 2020-07-28)

Proposed language

Select Board Project Tracking Policy

On a quarterly basis, the Select Board shall revisit a current list of ongoing, significant Projects with the Town Manager.

The current list of significant Projects shall be determined by vote of the Select Board. In general, designation as a significant Project shall be a function of factors such as:

- Financial impact (including direct and indirect expense and revenue impact)
- Impact on town services (including public safety, education, recreation, housing)
- Impact on town character and natural resources (including historic, open space, water)

Triggers for consideration of adding a project to the list of ongoing, significant Projects shall include but are not limited to:

- Appropriations voted at Town Meeting exceeding a dollar threshold (e.g. the dollar threshold above which Select Board approval is required to approve contracts)
- Litigation whose outcome could have significant impact on the town
- Large items in the 5 year capital forecast

The goals, status, and timeline of each ongoing, significant Project shall be concisely summarized and made easily available for public inspection (such as posted in a prominent location on the town website). Non-public details which may have a detrimental effect on the negotiating position of the public body (as determined by the Board in Executive Session) may be omitted or redacted.

The most recent, concise summary per project shall be posted near the top of the Project “page” to include:

- Date project was first voted “Significant” by the Board
- Goal statement of the project
- Target completion date (original target, current target)
- Sequenced list of project milestones / dates
 - Original estimates
 - Current estimates
- Estimated costs to complete
 - Original estimates
 - Current estimates

- Sequenced list of funding sources
 - Current summary of expenditures against those funds
- Risk statement (what could cause project to not be successfully completed on time, on budget)
- Risk mitigation statement (what is being done to minimize the likelihood of each risk)

The project page for each significant Project shall also include organized links and attachments to relevant public documents and materials created or received by the Town.

KPIs and Project Status

2020 Select Board Goal

BOS 2020 Goal #4

Goal: Develop Project Management Review, Control, and Reporting Process

Deliverable: Development of BOS policy. Project Key Performance Indicators and identification of metrics & milestones.

BOS GOALS 2020						
Goal	Primary Category	Total Score	Priority Level	Board Liason	Staff Liason	2020 deliverable
Town Manager Search Completion	Effective Governance and Communication	15	High	Dan Carty	Maryanne Bilodeau	New Town Manager hired.
Fairbank Community Center	Town Services and Infrastructure	14	High	Jen Roberts	Town Manager/Bill Barletta/Deb Galloway/P&R Director/Dennis Keohane	New Fairbank Center - Warrant Article at May 2020 Town Meeting and Special Election.
Regional High School Agreement/Budgeting	Effective Governance and Communication	8	High	Pat Brown	Town Manager/Dennis Keohane	Secure Counsel to review agreement; Meeting between Sudbury BOS and Lincoln BOS. Dialogue with Legislators regarding regional budgeting.
Develop Project Management Review, Control, and Reporting Process	Effective Governance and Communication	7	High	Bill Schineller	Town Manager	Development of BOS policy. Project Key Performance Indicators and identification of metrics & milestones.
Upgrade Fire Station 2 (Advanced Life Support Ambulance, Living Quarters)	Town Services and Infrastructure	6	High	Pat Brown	John Whalen/Bill Barletta	Fire Station 2 Upgrade to accommodate 3rd ambulance. Warrant Article at May 2020 Town Meeting and Special Election.
Bruce Freeman Rail Trail	Open Space, Recreation, and Historic Assets	5	High	Janie Dretler	Beth Suedmeyer/Town Manager	Complete 25% Design; hire consultant for 75/100% Design. CSX Rail Acquisition - Warrant Article at May 2020 Town Meeting.
CSX Rail Acquisition	Open Space, Recreation, and Historic Assets	4		Jen Roberts	Beth Suedmeyer/Town Manager	
School Administration Space Needs (Fairbank)	Town Services and Infrastructure	4		Bill Schineller	Town Manager/Bill Barletta/Deb Galloway/P&R Director	Contingency plan for SPS Adm. needs (if the Fairbank Community Center Warrant Article doesn't pass).

	Component of the Tax Levy, economic development, user fees, etc.)	Financial Management & Economic Resilience	1	Jen Roberts	Town Manager/Adam Duchesneau/Dennis Keohane	Assess if we are maximizing opportunities to diversify town revenue streams.
	Membership in Vocational Education	Town Services and Infrastructure	1	Dan Carty	Town Manager/Dennis Keohane	Define who is responsible for Voc Ed and choose membership school.
	Improve Communication Effectiveness	Effective Governance and Communication	1	Janie Dretler	Town Manager	Conduct communications survey; continue to expand upon communication channels so as to reach maximum amount of citizens. Push out agendas to subscribers of various committees. Periodically review communication metrics and results. Timely updating of department websites. Survey effectiveness of new newsletter delivery. Solve to post public agendas on Fridays.

Are These Projects On Track?

The screenshot shows the Sudbury Town website with the following content:

- Navigation: About Sudbury, Calendars, Committees, Departments, Schools, Payments, Email Lists, Jobs, Contact, Search, Social Media icons.
- Announcements: "Selectmen's Meeting on Tuesday, June 9", "COVID-19 Information & Updates", "Annual Town Election Rescheduled for Tuesday, June 23, 2020".
- Menu: Town Meeting, Budget, Bylaws, Records Request, Elections, Newsletters, Archives, Maps, Sudbury TV, Water District, Events.
- Image: A group of people in winter gear, possibly at a community event.
- Recent News:
 - Community Garden Update. Plots Full 2020** (Published June 8, 2020 | Conservation Commission): As of 6/7/2020 all Community Garden Plots have been assigned. There currently is a wait list. Should you want to be added to the list, please email: sudburycommunitygarden@yahoo.com [More](#) →
 - Raccoon Tests Positive For Rabies** (Published June 8, 2020 | Health Department): This is a Public Health Announcement that a raccoon (found in Sudbury) tested positive for rabies. Learn more about prevention and mitigating the spread of Rabies by reading this article.
 - COVID-19 Emergency Rental Assistance Program** (Published June 3, 2020 | Sudbury Housing Trust): Funded by the Sudbury Housing Trust, the Emergency Rental Assistance Program (ERAP) provides temporary monthly rental assistance in the form of a grant to eligible households who have a loss of income due to the... [More](#) →
 - Race Amity Day – Sunday, June 14, 2020** (Published June 3, 2020 | Selectmen's Office): The Board of Selectmen have proclaimed the second Sunday in June, annually, as Race Amity Day. [More](#) →
 - Town Manager's Newsletter – June 2, 2020** (Published June 2, 2020 | Town Manager): Newsletter containing Highlights of Department Projects and Events. To have the newsletter delivered to your email inbox, sign up at: <https://sudbury.ma.us/email-lists/mmail/> [More](#) →
 - Sudbury Municipal Minute** (Published June 2, 2020 | Town Manager): [More](#) →
- Town Events: Senior Events, Library Events, Today's Town Events (1:00 PM - Council on Aging Meeting, 4:00 PM - Board of Health Meeting, 4:00 PM - Sudbury Housing Authority Meeting, 6:00 PM - Board of Selectmen Meeting).
- COVID-19 Section: CORONAVIRUS COVID-19 with PREVENT, IDENTIFY, and CARE icons.
- Projects List:
 - Broadacres Farm – Property Acquisition
 - Camp Sewataro – Property Acquisition
 - Cold Brook Crossing – Former Quarry North
 - Eversource – Transmission Line Proposal
 - Fairbank Community Center – Future Plans
 - Master Plan Update – Shaping Our Future
 - Quarry North – Melone Reuse
 - Rail Trail – Bringing BFRt to Sudbury
 - Stone Farm – Project Proposal on Rt. 20
 - Sudbury Station – Proposed Town Center 40B
- Legal Notices

Projects

- Broadacres Farm – Property Acquisition
- Camp Sewataro – Property Acquisition
- Cold Brook Crossing – Former Quarry North
- Eversource – Transmission Line Proposal
- Fairbank Community Center – Future Plans
- Master Plan Update – Shaping Our Future
- Quarry North – Melone Reuse
- Rail Trail – Bringing BFRt to Sudbury
- Stone Farm – Project Proposal on Rt. 20
- Sudbury Station – Proposed Town Center 40B

Attachment 13.b: Project Status and KPIs (4212 : Discussion

Example: Bruce Freeman Rail Trail

Bruce Freeman Rail Trail (BFRT) Design Project (BFRT, Phase 2D, MassDOT ID 608164)

Budget Summary

To date, the Town has appropriated (through Town Meetings) \$1,182,492.15 towards the BFRT design. Once the current contracts with VHB and Jacobs are completed, the estimated remainder of 2016 TM and 2018 STM funding will remain to complete the final design phase.

BFRT Project Design Account Balances and Contracts

Active BFRT Accounts		
Funding Source	Appropriation	Note
2014 Town Meeting (for 25%)	\$202,492.15	25% Design
Donation Friends of BFRT (for 25%)	\$58,700.00	25% Design
2016 Town Meeting (for advancing design)	\$330,000.00	Jacobs Contract of \$146,700, which leaves \$183,300 for 75/100% Design
2018 Special Town Meeting (for advancing design)	\$650,000.00	75/100% Design
TOTAL	\$1,241,192.15	
Contracts		Amount
25% VHB Original		\$261,000.00
25% VHB Amendments		\$30,550.00
25% Structural - Jacobs		\$146,700.00
25% Jacobs Amendment		\$36,675.00
Anticipated 75/100% Contract		\$833,300.00
Funding source for amendments were Planning, DPW, and Town Manager Budgets.		

As you know, the Project is on the Boston MPO Transportation Improvement Program (TIP) for construction funding in federal fiscal year 2022. In May of 2019, the revised construction funding amount approved by the MPO was \$9,334,137. The current estimated advertising date, our target final design date, is in December 2021. The project design must be "shovel ready" by October 2022 to take advantage of the state and federal funds for construction.

25% Design

Jacobs Engineering was contracted in August 2018 to prepare the 25% structural design and Bridge Sketch Plans. They have developed the geotechnical data collection plan (approved by MassDOT and the Conservation Commission), contracted with the boring sub-consultant, submitted the draft type selection worksheet for the boardwalk to MassDOT for comment, and are developing the sketch plans for Hop Brook. Additionally, a hydrological survey was conducted at Pantry Brook to inform the flood analysis and structural design. The boring work will begin and be completed in August resulting in the Geotechnical Report and Sketch Plans being submitted to MassDOT in September. A brief estimated schedule is outlined below.

Jacobs Structural Design Schedule

GEOTECHNICAL TASKS	Approximate Schedule
Preconstruction Meeting	Week of July 29
Geotechnical Borings Start	Week of August 5
Geotechnical Borings End	Week of August 19
Soil Samples Analyzed and Tested and Final Environmental Monitoring Report submitted	Week of September 14
Geotechnical Report Submitted	Week of September 23
STRUCTURAL TASKS	
Sketch Plans Prepared	Week of September 14
Sketch Plans Submitted to MassDOT	Week of September 23
MassDOT REVIEW (could take 3 – 6 months)	End of 2019
MassDOT DESIGN PUBLIC HEARING	Early 2020

Final Design

The remaining phases of the design, as designated for a MassDOT project, are the 75% design and the 100% phases. The 75% design activities include development of the special provision and itemized cost

Next Topic: Key Performance Indicators (KPIs)

Problem to be Solved: What Services is Sudbury delivering for our tax dollars?

GENERAL FUND BUDGET SUMMARY

	FY19	FY20	FY21	Percentage
EXPENDITURES	Actual	Budgeted	Recommended	Increase
Education - Sudbury Public Schools (SPS)	38,309,355	38,535,653	39,608,834	2.78%
Education - LS Regional High School (LS)	24,762,716	25,808,881	26,712,280	3.50%
Education - Vocational	461,426	615,000	550,000	-10.57%
General Government	3,085,214	3,143,637	3,175,064	1.00%
Public Safety	8,472,123	8,924,924	9,199,461	3.08%
Public Works	5,146,416	5,460,288	5,607,520	2.70%
Human Services	746,973	871,110	906,383	4.05%
Culture & Recreation	1,327,814	1,422,707	1,462,889	2.82%
Town-Wide Operating and Transfers	212,237	483,845	486,352	0.52%
Total Town Departments	82,524,274	85,266,045	87,708,783	2.86%
Town Debt Service	3,100,625	3,110,425	3,613,379	16.17%
Employee Benefits (Town and SPS)	11,718,431	12,716,315	13,672,255	7.52%
OPEB Trust Contribution (Town and SPS)	540,249	610,249	680,249	11.47%
Total Operating Budget	97,883,579	101,703,034	105,674,666	3.91%
Capital Budget (Tax Levy)	403,224	800,000	947,076	18.38%
TOTAL EXPENDITURES:	98,286,802	102,503,034	106,621,742	4.02%

Performance Measures:

Description	2017	2018	2019
Number of Students	1,667	1,633	1,588
Number of Faculty	165	165	
Percentage of Class of 2017 Attending a 2 or 4 year College	94%	98%	
Percentage of Students participating in co-curricular activities.	85%	85%	

Consolidated Financial Information:

	FY19	FY20	FY21
	Actual	Appropriated	Recommended
LS Regional High School			
Sudbury Operating Assessment	23,864,710	24,923,953	25,846,224
Sudbury Debt Assessment	564,892	549,861	529,571
Sudbury OPEB Normal Cost Assessment	333,114	335,067	336,485
Total LS Regional High School	24,762,716	25,808,881	26,712,280

Date of this Update

Project URL on town website

Project Name

Staff Lead

- Goal statement of the project

- Risk statement (what could cause project to not be successfully completed on time, on budget)
 - Risk mitigation statement (what is being done to minimize the likelihood of each risk)

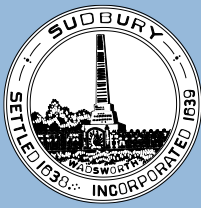
- Target completion date **13.c**
(original target, current target)
- Estimated costs to complete
 - Original estimates
 - Current estimates

Milestone	Original Date	Current Target Date	Notes
<ul style="list-style-type: none"> • Sequenced list of project milestones / dates <ul style="list-style-type: none"> ○ Original estimates ○ Current estimates 			

Funding Source	Original Amount	Remaining
<ul style="list-style-type: none"> • Sequenced list of funding sources <ul style="list-style-type: none"> ○ Current summary of expenditures against those funds 		

Attachment 13.c: Project Status Template (4212 : Discussion

- Date project was first voted "Significant" by the Board



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

14: Minutes review/approval

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review open session minutes of 9/15/20 and 9/25/20 and possibly vote to approve minutes.

Recommendations/Suggested Motion/Vote: Review open session minutes of 9/15/20 and 9/25/20 and possibly vote to approve minutes.

Background Information:

attached draft minutes of 8/25/20 and 9/8/20. ADD NEW DATES HERE SEPT???

Financial impact expected:

Approximate agenda time requested: 20 minutes

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM

SUDBURY BOARD OF SELECTMEN

TUESDAY SEPTEMBER 15, 2020

(Meeting can be viewed at www.sudburytv.org)

Present: Chairman Daniel E. Carty, Selectman Janie Dretler, Selectman Jennifer Roberts, Selectman William Schineller, Selectman Charles Russo, Town Manager Henry L. Hayes, Jr., Assistant Town Manager/HR Director Maryanne Bilodeau

The statutory requirements as to notice having been complied with, the meeting was convened at 7:02 p.m., via Zoom telecommunication mode.

Chairman Carty called the meeting to order.

Roll Call and Opening Remarks by Chairman

Chair Carty performed a roll call and made announcement about the meeting being recorded.

Roll Call: Carty-aye, Dretler-aye, Roberts-aye, Schineller-aye, Russo-aye

Chair Carty:

- Welcomed Charlie Russo to the Board of Selectman
- Announced that 490 residents attended Annual Town Meeting and thanked Town Manager Hayes, Town Moderator Quirk, and Staff for their work with Town Meeting.
- Was happy to see school buses out and about this morning and cautioned all to drive carefully now that school is in session.
- Explained that LSRHS (Lincoln-Sudbury Regional High School) was being delayed in opening due to a student gathering event in access of COVID-19 gathering regulations. He added that the Sudbury Public School (SPS) were now conducting classes with a hybrid learning model.
- Noted that the Transportation Committee launched the Go Sudbury! Taxi on the day of Town Meeting and drive several residents to Town Meeting. There are now 12 to 15 residents reserving rides with Go Sudbury! Taxi.

Reports from Town Manager

Town Manager Hayes:

- The Sudbury Flu Clinic appointment slots have been filled, and asked that residents refer to the Town website for additional information
- Recommended that everyone be vigilant with maintaining safe distancing, hand washing and wearing of masks as the temperatures continue to drop
- Camp Sewataro would be making tennis courts and smaller basketball court more accessible and open to the public from 8 a.m. to dusk
- There were four human cases of EEE in MA and recommended that everyone be careful when outdoors
- Holding Town Manager meeting on September 28th from 3:00 p.m. to 4:00 p.m. via ZOOM
- Appeared on Channel 4 news yesterday related to another topic on the agenda

Reports from Selectmen

Chairman Dretler welcomed Selectman Russo to the Board.

Selectman Dretler thanked everyone for a great Annual Town Meeting.

Selectman Dretler stated that she attended the MMA (Mass. Municipal Association) meeting today and the main topics included Mass. DESE (Department of Elementary and Secondary Education) rapid response, and safety officials wearing masks.

Selectman Dretler mentioned that RFPs (Request for Proposals) for the BFRT (Bruce Freeman Rail Trail) project are expected by September 25.

Selectman Roberts welcomed Selectman Russo to the Board, and acknowledged that everything went well at Annual Town Meeting.

Selectman Schineller extended welcoming remarks to Selectman Russo. He also thanked Town staff, Town Moderator and the many attendees at Annual town Meeting. He also gave a shout out to the food trucks who provided service at Town Meeting.

Selectman Schineller mentioned that the Historical Commission received a grant and suggested that staff expedite the process.

Selectman Russo expressed his appreciation to all who were involved in the operation of a successful Town Meeting including the Select Board.

Selectman Russo maintained that Sudbury schools were dependent on how everyone complies with COVID-19 safety measures. He added that he wished to discussion smart phone usage to wait until grade 8.

Selectman Russo commented about new signage at Heritage Park.

Selectman Russo thanked Pat Brown for her years of service as a Selectman.

Citizen's comments on items not on agenda

Resident Chris Densel, 109 Austin Road, expressed her support for review of Eversource transmission lines and signed the related petition, which now has some 94 signatures. Chair Carty confirmed that the Board received the petition with mentioned endorsement.

Resident Ralph Tyler, One Deacon Lane, asked when the Town Transfer Station would be accepting bulk items. He maintained that a payment process should be in place for such items. Town Manager Hayes detailed that the software for the electronic payment process is being worked on and there is a plan.

Mr. Tyler asked about the Senior Tax Work-off program during the current State of Emergency. Town Manager Hayes responded that election work is being offered in connection with the Senior Tax Work-off Program and individual assessments will be made if involved seniors lack work-off hours.

Discussion and vote whether to approve extension of Sudbury Rug storage trailer permit at 15 Union Ave. Permission was granted in March for a 6 months, and this permit expires end of September

Present: Ken Salvin, Owner of Sudbury Rug; Building Inspector Andrew Lewis; Assistant Fire Chief Tim Choate

Mr. Lewis affirmed he and Assistant Fire Chief Choate would endorse extension of the permit for an additional twelve months.

Selectman Dretler inquired about long-term plans. Mr. Salvin replied he would hope to renew the permit after twelve months. Mr. Lewis noted that special permitting for such usage had not been finalized by the ZBA (Zoning Board of Appeals).

Selectmen Roberts and Dretler requested additional information about the possible Special Permit being issued.

Selectman Russo commented that the site appeared to be in order now, and noted that he might have additional questions after the granting of the twelve month extension period.

Selectman Schineller motioned and Selectman Roberts seconded the motion.

It was on motion 5-0; Carty-aye, Dretler-aye, Roberts-aye, Schineller-aye, Russo-aye

VOTED: To approve extension of Sudbury Rug storage trailer permit at 15 Union Ave for an additional twelve months.

Discussion with Health Department and Police Department regarding an unauthorized gathering on Sept. 11 in violation of the Massachusetts Revised Gatherings COVID-19 Order #46 of August 7, 2020.

Present: Chief Scott Nix, Susan Sama, Board of Health Member

Town Manager Hayes confirmed there was a gathering of 50 to 60 LSRHS students gathering at a private home and the majority of attendees fled when Sudbury Police arrived. He stated that some of the few who remained at the site did not provide proper names.

Town Manager Hayes supported the postponement of in-class session and reliance on the remote learning at LSRHS, in consideration of the gathering.

Chief Nix stated that the violation of Emergency Status gathering presented a difficult situation in light of underage drinking, marijuana use and threats to police at the site. He added that the department connected as many students as possible with their parents.

Ms. Sama concurred with the decision made by LSRHS, Town Manager, Board of Health (BOH).

Selectman Schineller inquired about protocol for those students who provided false identity. Chief Nix explained that the students either provided false identity, or refused to identify themselves, and Police could not conduct further search for technical reasons. He noted that those who did provide identity are working with the BOH.

Selectman Roberts asked if the involved students were wearing masks. Chief Nix responded that he did not see masks being worn. Selectman Roberts confirmed the gathering limit was well-over the State emergency status mandate.

Selectman Roberts opined about Sudbury considering additional enforcement regarding masks not being worn. Chief Nix indicated that those in attendance violated the emergency order in several areas, including illegal consumption, underage driving consumption violations, and threats to the Police.

Chief Nix stated that the involved homeowners made poor decisions, as did the attendees.

Ms. Sama acknowledged that students make mistakes and mask mandates are in place along with social distancing. She indicated that mandates in private homes is another matter. Selectman Roberts commented that enforced fines for such activities might deter similar incidence.

Selectman Dretler commented that penalty should be presented to the homeowner, and indicated that such event presents an opportunity to educate all residents. She suggested increased prevention signage in town might help reinforce the PEE message and remind all of their responsibility to others.

Selectman Russo supported the related decision made by BOH and LSRHS, and hoped that people realize the severity of the incident, and the associated consequences. Selectman Russo asked about the administration of the \$500 penalty fine. Town Manager Hayes responded the Police Department and the Health Department administered the penalty.

Chair Carty commented that the right decision was made regarding the delayed opening of LSRHS.

Ms. Sama detailed that a LSRHS student attends BOH meetings and is circulating the prevention message to LSRHS students. She suggested reaching out to LSRHS School Superintendent Bella Wong, for additional outreach. Chair Carty suggested that the BOS liaison for LSRHS might recommend this additional outreach recommendation.

Chief Nix acknowledged that the Police Department had received communication regarding police not wearing masks, including such complaint about himself. He affirmed that all patrol staff have been instructed regarding the wearing of masks if a six foot distance cannot be maintained. He explained that more serious vehicle-related police intervention might not be easily enforced with masks, such substance influences and other emergent situations.

Selectman Dretler recognized the importance of police procedure/protocol, and mentioned providing the Board with a better understanding of such protocol.

Ms. Sama confirmed that the safety of police and others cannot be underestimated.

Selectman Dretler mentioned that Officer Hutchinson was effective as an COVID-19 prevention educator. She stated she did not want to interfere with public safety personnel doing their job, and also understood the concerns of the population who felt uncomfortable about unmasked police.

Selectman Roberts suggested Police wear masks around the neck for convenience, and provide example of good safety practices. Chief Nix noted the younger kids sometime seem to understand the safety aspect better than the older kids.

Selectman Roberts recommended that the Police Department provide a statement in response to resident concerns. Chief Nix responded that such statement has been discussed with Town Manager Hayes.

Citizen's Comments

Resident Ann Rettman, 65 Colonial Road, stated she was concerned about the event with her father being pulled over by an unmasked patrolman who was not maintaining a six foot distance. She indicated that a statement of protocol must be drafted. Chief Nix responded that Ms. Rettman's concern was duly noted, and he had a related conversation with the officer involved. Chair Carty suggested that Chief Nix and Ms. Rettman continue dialogue off-line.

Resident Len Simon, 40 Meadowbrook Circle, read the statement about what happened on the mentioned gathering. He confirmed the seriousness of the incident, and stated that the actions of a few had adversely affected hundreds of students who would have to postpone school entry. He stressed that this action was more than a rowdy gathering, and did not feel it was reflective of a lack of awareness. Mr. Simon mentioned the "no

tolerance posture” of Northeastern University, and felt that the LSRHS violators must face the consequences of their actions.

Vote to elect the Chairman and Vice-chairman of the Board of Selectmen. Also discussion and vote on 2020-21 liaison assignments

The Board agreed to appoint a chair and vice-chair and perhaps to appoint 2020-21 liaison assignments later in the meeting.

Selectman Roberts motioned to nominate Janie Dretler as Chair of the Board of Selectmen. Selectman Schineller seconded the motion. Selectman Dretler accepted the nomination.

It was on motion 5-0; Carty-aye, Russo-aye, Roberts-aye, Schineller-aye, Dretler-aye.

VOTED: To appoint Selectman Janie Dretler as Chairman of the Board of Selectmen.

Selectman Russo stated that Chair Carty did a good job as chair during the critical COVID-19 emergency period.

Selectman Dretler motioned to nominate Selectman Jennifer Roberts as Vice-Chair of the Board of Selectmen. Selectman Russo seconded the motion. Selectman Roberts accepted the nomination.

It was on motion 5-0; Carty-aye, Russo-aye, Schineller-aye, Dretler-aye, Roberts-aye

VOTED: To appoint Selectman Jennifer Roberts as Vice-Chair of the Board of Selectmen.

Selectman Dretler noted that Selectman Roberts had a productive year on the Board, and led the charge in many areas. Selectman Roberts commented that rotation within the Board is beneficial.

Discussion and vote on Historical Commission request for support regarding expert reviews and peer reviews related to NSTAR Electric Company d/b/a Eversource Energy (“Eversource”) Sudbury-Hudson Transmission Reliability Project (115-kV underground transmission line). The Commission is seeking support to fund three professionals (historic preservation, structural engineer and civil engineer consultant) to support the Historical Commission's review of the Section 106 permit with the Army Corps of Engineers. Also ratify a vote taken at the 9/8/2020 meeting where the Select Board took a Motion, that was seconded, "To authorize the Town Manager to negotiate and execute a contract not to exceed \$3,000 for a Historic Preservationist to support the Historic Commission's review of the Section 106 permit with the Army Corps of Engineers." The Board approved with three in favor and two abstaining.

Present: Diana Warren, Vice-Chair – Sudbury Historical Commission

Selectman Carty stated he would recuse himself from any Eversource conversation, in consideration of the rule of necessity.

Selectman Schineller read a disclosure statement and stated that he had no personal/conflicting interest in this matter. He affirmed that any appraisal would not have any effect to the worth of his property.

Selectman Russo opined if the Rule of Necessity has been invoked earlier, the Board must be extremely cautious. Selectman Roberts asked if Town Counsel had been consulted. Selectman Schineller responded affirmatively, adding that the statement was filed with the Town Clerk’s Office. Selectman Russo reiterated that the Board must

proceed cautiously, in regard to this aspect. Selectman Dretler and Selectman Roberts agreed with proceeding with caution.

Town Manager Hayes affirmed that official documents were filed on September 19 by Selectman Schineller. Selectman Dretler asked if the Ethics Commission supported the property appraisal and concurred that this did not represent a conflict of interest. Selectman Roberts indicated that the concern was timing. Related discussion took place.

Selectman Dretler mentioned the Historical Commission request had been previously approved by the Board.

Town Manager Hayes affirmed the vote was taken at the 9/8/20 BOS meeting, and KP Law recommended ratification of the vote due to venue (open session/executive session) when the vote was taken. He added that the vote had reflected two abstains and one member recused. Selectman Dretler noted that one of the voting members is no longer on the Board.

Selectman Dretler motioned and Selectman Roberts seconded the motion.

It was on motion 4-0; Roberts-aye, Russo-aye, Schineller-aye, Dretler-aye

VOTED: To rescind the vote taken on September 8, 2020, to "authorize the Town Manager to negotiate and execute a contract not to exceed \$3,000 for a Historic Preservationist to support the Historic Commission's review of the Section 106 permit with the Army Corps of Engineers."

Selectman Dretler asked if the \$3,000 funding was available. Town Manager Hayes responded that any funding dollar amount would have to be presented to the Finance Committee (FinCom). Selectman Dretler maintained that best practices protocol must be utilized when seeking bids, and indicated that the funding process should be followed through the Town Manager. Related discussion took place.

Selectman Roberts stated that she would support the funding of all consulting services requested by the Historical Commission. Town Manager Hayes reiterated that such funding process was critical, and stated that the FY '22 budget preparations begin next week. The Board mentioned related Conservation Commission funding.

Selectman Schineller asked about the possible use of litigation funding. Selectman Dretler asked the Board members if they were comfortable with going thru FinCom. Selectman Russo indicated that he had some concerns. Selectman Dretler stated that she was not comfortable, and invited the Historical Commission and Attorney Pucci to a joint meeting with the Board of Selectmen, in attempt to better understand the situation.

Selectman Roberts stated she would be supportive of approving the \$3,000 request at this meeting, and indicated additional conversation in joint session could help with the remaining requests. Selectman Russo agreed.

Ms. Warren commented that the vote had been taken and pointed out that under the jurisdiction of Section 40, the Historical Commission could enter into contracts, but did not have the required budget.

Ms. Warren explained that the US Army Corps of Engineers would determine the fate of the matter; the Historical Commission was the consulting body, and the interests of the Historical Commission overlapped with those of ConCom and the Planning Board.

Ms. Warren emphasized that this situation had never been handed to the Historical Commission before, and expert guidance was very much needed. She reiterated that going forward is not about stopping the project, but about maintaining the historical character of the Town.

Selectman Dretler motioned to authorize Town Manager Hayes to execute a contract not to exceed \$3,000 for the historical preservationist consultation, only. Selectman Roberts seconded the motion.

Selectman Russo asked if the goal was to obtain related peer review. Ms. Warren confirmed that the Historical Commission was seeking such a peer review.

It was on motion 4-0; Roberts-aye, Schineller-aye, Russo-aye, Dretler-aye

VOTED: To authorize Town Manager Hayes to execute a contract not to exceed \$3,000 for the historical preservationist consultation, only

Selectman Dretler confirmed the scheduling of a joint meeting between BOS and the Historical Commission in October.

Selectman Schineller asked about the use of litigation funds. Town Manager Hayes responded not, and stated he was only aware of possible FinCom transference of funds.

Discuss Board of Selectmen notice seeking parties to write arguments supporting or opposing ballot questions on CSX Rail Corridor and Fairbank Community Center

Town Manager Hayes spoke of pro and con arguments and reaching out to the public on September 18th, in time for citizens to write their arguments. He explained the 45-day process, which include final wording to be send to Town Counsel and submission to the printer.

Selectman Dretler stated that the 45-day process was based on normal times, and asked if this schedule really would be efficient and give voters enough time. Selectman Roberts stated that the process could be expedited to allow voters enough time in consideration that many voters would be voting by mail. Board members agreed with accelerating the schedule.

Resident Len Simon commented that the argument determination could be made on September 29th. Town Manager Hayes mentioned that such notice would likely have to go through the Town Clerk's Office.

The Board proceeded to make the appropriate changes to the pro/con schedule.

Selectman Dretler asked Town Manager Hayes to review the proposed schedule with Town Clerk.

Citizen's Comments

There were no citizen's comments.

Discussion and vote on 2020-21 liaison assignments

Selectman Dretler motioned to vote on the 2020-21 Board of Selectmen liaison assignments and with Jennifer Roberts as liaison and member of CPC (Community Preservation Commission) as indicated on the drafted spreadsheet. Selectman Roberts seconded the motion.

Selectman Schineller commented that as senior member of the Board, Selectman Carty should be appointed CPC liaison and member. Selectman Russo affirmed that Selectman Carty had a lot on his plate.

It was on motion 3-2; Roberts-aye, Carty-no, Russo-aye, Schineller-no, Dretler-aye

VOTED: To approve the 2020-21 Board of Selectmen liaison assignments and appoint Jennifer Roberts as liaison and member of CPC (Community Preservation Commission) as indicated on the drafted spreadsheet.

BOARD OF SELECTMEN LIAISON AND COMMITTEE ASSIGNMENTS 2020-2021:

Selectman Dretler: Board of Health, Capital Improvement Advisory Committee (CIAC), Lincoln Board of Selectmen, Memorial Day Parade Committee, Town Historian, Town Manager/Town Departments, Town Moderator, Traffic Safety Committee.

Membership: Sudbury Housing Trust, member of the Master Plan Steering Committee (MPSC), M.A.G.I.C (Minuteman Advisory Group on Interlocal Coordination).

Selectman Roberts: Board of Health, Chamber of Commerce, Commission on Disability, Council on Aging, Cultural Council, Finance Committee, Park & Rec Commission, Sudbury Housing Authority.

Membership: CPC (Community Preservation Committee).

Selectman Carty: Board of Assessors, Goodnow Library Trustees, L-S Regional High School, Park & Rec Commission, Sudbury Public Schools, Sudbury Water District.

Membership: Master Plan Steering Committee (MPSC), Transportation Committee, MBTA, Budget Strategies Task Force.

Selectman Russo: Agricultural Commission, Conservation Committee, Design Review Board, Earth Removal Board, Land Acquisition Review Committee, Medical Review Corp, Planning Board, Zoning Board (ZBA).

Membership: 9/11 Memorial Garden Committee, Community Emergency Response Team.

Selectman Schineller: Design Review Board, Energy Committee, Finance Committee, Historical Commission, Historical Districts Commission, Permanent Building Committee, Planning Board, Ponds and Waterways.

Membership: Budget Strategies Task Force, Military Support Network.

Upcoming Agenda Items:

- Diversity Committee
- Heritage Park Sign Donation
- Broadacres upkeep and status of buildings
- Update on Cold Brook Crossing and Town Center land
- BFRT – RFP responses update
- PBC Candidate interviews
- Pro and Con statements for ballot questions
- KPIs
- Goal Setting

- LS Agreement

Consent Calendar

Accept donation in the amount of \$292 from the Sudbury United Methodist Church to the Town Social Worker

Selectman Dretler motioned and Selectman Carty seconded the motion.

It was on motion 5-0; Roberts-aye, Carty-aye, Russo-aye, Schineller-aye, Dretler-aye

VOTED: To accept donation in the amount of \$292 from the Sudbury United Methodist Church to the Town Social Worker to be used to counsel Lincoln-Sudbury Regional High School students.

Vote to adjourn meeting

Selectman Russo motioned to adjourn the meeting. Selectman Roberts seconded the motion.

It was on motion 5-0; Roberts-aye, Carty-aye, Russo-aye, Schineller-aye, Dretler-aye.

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 10:41 p.m.

SUDBURY BOARD OF SELECTMEN

FRIDAY SEPTEMBER 25, 2020

(Meeting can be viewed at www.sudburytv.org)

Present: Chairman Janie Dretler, Vice-Chairman Jennifer Roberts, Selectman William Schineller, Selectman Charles Russo, Town Manager Henry L. Hayes, Jr., Assistant Town Manager/HR Director Maryanne Bilodeau, Legal Counsel George Pucci, KP Law

Absent: Selectman Daniel E. Carty

The statutory requirements as to notice having been complied with, the meeting was convened at 10:48 a.m., via Zoom telecommunication mode.

CALL TO ORDER/ROLL CALL

Chair Dretler conducted roll call and made an announcement regarding the recording of the meeting and other procedural aspects included in the meeting.

Roll Call: Roberts-aye, Schineller-aye, Russo-aye, Dretler-aye

Authorize Town Manager to work with Town Counsel regarding Eversource litigation to address Chapter 91 permit with the Army Corps of Engineers as it relates to the Section 106 permit as a subcategory

Mr. Pucci explained that Eversource had made application to MA DEP (Department of Environmental Protection) requesting a waterways license from MA DOT. He stressed that this discussion did not concern the Eversource litigation matter with the Town, as it was a separate matter though part of the project subject to litigation. He stated that the litigation aspect was not being discussed at this meeting. Mr. Pucci confirmed that the formal request triggered a Public Hearing response to be held in Sudbury.

Chair Dretler requested that members of the Board would not have to recuse themselves from the presented matter. Roll Call, 4-0: Roberts-no, Russo-no, Dretler-no, Schineller-no.

Mr. Pucci noted that several application deadlines were coming up – the Chapter 91 license from MA DEP and stated that the public and interested parties have the right to file comments. The Historical Commission has done so in a timely manner, which maintains standing for appellate rights.

Mr. Pucci presented two similar draft letters, one referencing Bridge 128 and the other letter referencing Bridge 127 within the project area.

Mr. Pucci detailed that in regard to Section 106, The National Historic Act provides the local Historic Commission the ability provide comment to the MA Historic Commission, the State agent for the National Act. He relayed that such process is ongoing and not completed.

Mr. Pucci recommended that the Board agree to have such a Public Hearing with regard to this topic and sign the related letter drafted by Rebecca Cutting.

Mr. Pucci presented the two letters involving Bridges 127 and 128 in relation to the Eversource license request, drafted by Environmental Attorney Rebecca Cutting (on behalf of Protect Sudbury) to Christine Hopps of the Waterways Regulation Program requesting Board signatures, and requesting that such a hearing be scheduled.

Chair Dretler inquired about the “Protect Sudbury” relationship. Mr. Pucci confirmed that he reviewing the letters composed by Ms. Cutting and determined the letters were legally appropriate.

Vice-Chair Roberts asked when the Town received notice of the Eversource application. Ms. Bilodeau noted that the requested came through the Planning Board. Town Manager Hayes indicated that the application was received sometime late in August and was forwarded to the Historical Commission.

Vice-Chair Roberts commented that little time was provided for the Board to consider such action.

Selectman Schineller affirmed that taking appropriate action now made sense, and suggested that in the future, the Board be afforded more time to consider actions to be executed.

Selectman Russo agreed and emphasized the significance of anything related to Eversource and the Town of Sudbury. He strongly recommended that any third party not put the Town letterhead on communications.

Chair Dretler also affirmed that the Board and Counsel shall review anything related to Eversource, NSTAR, and government agencies should be shared immediately. She asked who would be hosting the Public Hearing. Mr. Pucci responded MA DEP would be hosting the Public Hearing and would be in touch with the Town shortly. He added that no expense to the Town would be expected.

Mr. Pucci reiterated that the purpose of the Public Hearing was to allow everyone to consider and comment about adverse effects on waterways which might also effect the wellbeing of the two bridges.

Chair Dretler asked if Town Counsel would be present at the Public Hearing. Mr. Pucci responded that Town Counsel could be present if the Board wished.

Chair Dretler asked if the Eversource application would impact the future of the Rail Trail. Mr. Pucci spoke of the joint application between DCR (Department of Conservation and Recreation) and Eversource, in consideration with NRC (Natural Resources Commission) to promote “relaxed requirements” for the bike path.

Chair Dretler acknowledged errors in Ms. Cutting’s letter, including the mistitling of the bridges. She stressed the public comment deadline of September 26, 2020. Mr. Pucci confirmed that edits would be made, and as soon as Board members provided signatures, the letters would be electronically submitted.

Mr. Pucci noted that it was not unusual for the Board not to be the deciding body/voting body at such hearings.

Chair Dretler motioned and Selectman Schineller seconded the motion.

It was on motion 4-0; Roberts–aye, Schineller-aye, Russo-aye, Dretler-aye

VOTED: To authorize that Town Manager Hayes work with Town Counsel on the letter to the Waterways Regulation Program – MA DEP, requesting related Public Hearing for Eversource license application, with edits to Bridge 127 and 128 and no other changes.

Citizen’s Comments

There were no citizen’s comments

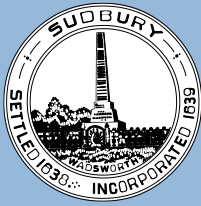
Vote to adjourn meeting

Chair Dretler motioned to adjourn the meeting. Selectman Schineller seconded the motion.

It was on motion 4-0; Roberts-aye, Schineller-aye, Russo-aye, Dretler-aye.

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 11:26 a.m.



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

15: Citizen's Comments (cont)

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Citizen's Comments (cont)

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

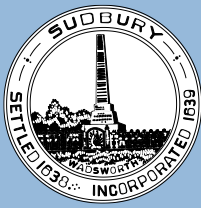
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

MISCELLANEOUS (UNTIMED)

16: Upcoming agenda items

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Upcoming agenda items

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

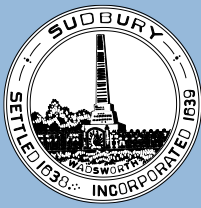
Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM

POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS

MEETING	DESCRIPTION
Monday, Nov. 16, 9:00 AM-12 Noon	2021 Goal-setting discussion with department heads and consultant from UMass Boston
Nov. 17	Fall 2020 Newsletter approval Social Media Policy
Dec. 1	Open 2021 Annual Town Meeting Warrant Annual Tax Classification Hearing - 7:30 PM Annual update with state legislators (Gentile, Eldridge, Barrett)
Date to be Determined	Eversource public hearing - Grant of Location related to Sudbury Transmission Project (date TBD) Work Session: Select Board/Town Manager Code of Conduct and other procedural training Invite Commission on Disability Chair to discuss Minuteman High School Update from BOS Policy Subcommittee Town meeting recap – year in review BFRT Committee Mission Statement update and member reappointment Route 20 empty corner lot – former gas station Update on traffic policy (Chief Nix) Update on crosswalks (Chief Nix/Dan Nason) Citizen Leadership Forum Town-wide traffic assessment and improve traffic flow Future planning of Sewataro Annual alcohol and common victualler license renewals - December By-law items to examine - Special Events & Demonstration Permits; Common Victualler License Holders (Related to Farm Act exemptions, citizen request); Nuisance / Blight Bylaw; Removal Authority of members from appointments Fairbank Community Center update (ongoing) Bruce Freeman Rail Trail (BFRT) update (quarterly: March, June, September and December) CSX Quarterly Update (January, April, July, October) Approved Executive Session Minutes review for possible release (February, May, August and November). Consider separate meeting solely for this purpose. Health/COVID-19 update (as of 3/18/20)
Standing Items for All Meetings	BOS requests for future agenda items at end of meeting Citizens Comments, continued (if necessary)

Attachment16.a: POTENTIAL UPCOMING AGENDA ITEMS_11_04_20 (4219 : Upcoming agenda items)



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

CONSENT CALENDAR ITEM

17: Serving Extensions: Thanksgiving and New Year's Eve 2020

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: Fugakyu Cafe, 621 Boston Post Road; Lavender, 519A Boston Post Road (1AM to 2AM) on Wednesday, November 25, 2020 (Thanksgiving eve) and Thursday, December 31, 2020 (New Year’s Eve), on the condition that the kitchen remains open and food is served.

Recommendations/Suggested Motion/Vote:

Background Information:

Feedback from Police Chief Nix:

Fugakyu: Parking is the only concern. Is there an agreement to allow parking at 615 Boston Post Rd?

Lavender: We have not had any issues in previous years relative to the same request, therefore we are good with same.

Financial impact expected:N/A

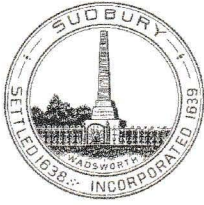
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM



Town of Sudbury

Office of Selectmen
www.sudbury.ma.us

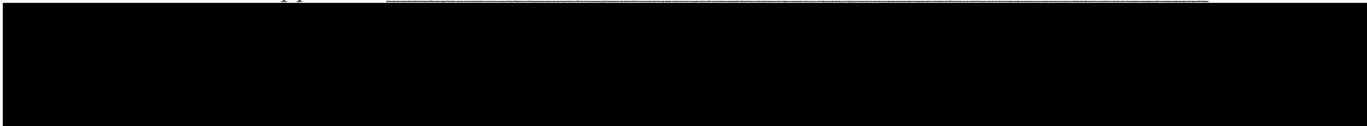
Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756
Email: selectmen@sudbury.ma.us

APPLICATION FOR SERVING HOURS EXTENSION 2020

Please complete this application form and return to the Selectmen's Office by **Monday, November 9, 2020**. 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: Christy Fong




Serving Hours Extension(s) Requested

Please check all that apply.

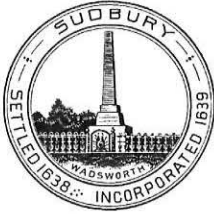
- Night Before Thanksgiving: Wednesday, November 25, 2020
- New Year's Eve: Thursday, December 31, 2020

10/29/20
Date


Applicant Signature

Please submit completed application to:
BOAdmin@sudbury.ma.us
Board of Selectmen, 278 Old Sudbury Rd, Sudbury, MA 01776
Fax: (978) 443-0756

Attachment 17.a: Lavender Serving Hours Extension 2020 (4230 : Serving Extensions: Thanksgiving and New Year's Eve 2020)



Town of Sudbury

Office of Selectmen
www.sudbury.ma.us

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776-1843
978-639-3381
Fax: 978-443-0756
Email: selectmen@sudbury.ma.us

APPLICATION FOR SERVING HOURS EXTENSION 2020

Please complete this application form and return to the Selectmen's Office by **Monday, November 9, 2020**. You will be notified of request approval via email.

TO THE LICENSING AUTHORITY
SUDBURY, MASSACHUSETTS

Restaurant Name: Fugakyu Cafe

Restaurant Address: 621 Boston Post Road Sudbury, MA 01776

Name of applicant: Erica Leung



Serving Hours Extension(s) Requested

Please check all that apply.

Night Before Thanksgiving: Wednesday, November 25, 2020

New Year's Eve: Thursday, December 31, 2020

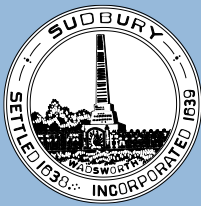
10/29/2020
Date

Erica Leung
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

Attachment 17.b: Fugakyu serving extension 2020 (4230 : Serving Extensions: Thanksgiving and New Year's Eve 2020)



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

CONSENT CALENDAR ITEM

18: Sudbury Cultural Council Reappointments and Resignation 2020

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote to reappoint Ellen Gitelman, 19 Raynor Road, Martha Romanoff, 21 Pokonoket Avenue and Claudia Brandon, 60 Balcom Road to the Sudbury Cultural Council for terms to expire October 30, 2023. Also, vote to accept the resignation of Yael Kupiec-Dar, 77 Hemlock Road, upon completion of two consecutive terms, as a member of the Sudbury Cultural Council, and to send a letter of thanks for her service to the Town.

Recommendations/Suggested Motion/Vote: Vote to reappoint Ellen Gitelman, 19 Raynor Road, Martha Romanoff, 21 Pokonoket Avenue and Claudia Brandon, 60 Balcom Road to the Sudbury Cultural Council for terms to expire October 30, 2023.

Also, vote to accept the resignation of Yael Kupiec-Dar, 77 Hemlock Road, upon completion of two consecutive terms, as a member of the Sudbury Cultural Council, and to send a letter of thanks for her service to the Town.

Background Information:

Financial impact expected:N/A

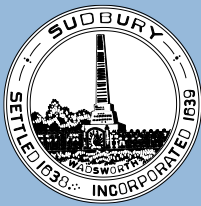
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

- Patty Golden Pending
- Henry L Hayes Pending
- Town Counsel Pending
- Jonathan Silverstein Pending
- Daniel E Carty Pending
- Board of Selectmen Pending

11/04/2020 6:00 PM



SUDBURY BOARD OF SELECTMEN

Wednesday, November 4, 2020

CONSENT CALENDAR ITEM**19: Conveyance of land to Sudbury Water District**REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: VOTE: That pursuant to G.L. c. 30B s. 16, and the authority under Article 27 of 2019 Annual Town Meeting held on May 6, 2019, the Board of Selectmen declares Assessors' Parcel L08-0010 on Raymond Road consisting of approximately 8.86 acres available for disposition for water supply protection purposes.

Recommendations/Suggested Motion/Vote: VOTE: That pursuant to G.L. c. 30B s. 16, and the authority under Article 27 of 2019 Annual Town Meeting held on May 6, 2019, the Board of Selectmen declares Assessors' Parcel L08-0010 on Raymond Road consisting of approximately 8.86 acres available for disposition for water supply protection purposes.

Background Information:

VOTE regarding the conveyance of land to Sudbury Water District as it relates to the 3 way deal between the Town, Quarry North, and the District in preparation for Cold Brook Crossing Closing.

Background: Please find the attached MassDEP approval letter for the Raymond Road parcel transfer from the Town to the Water District. The transfer is compensation land under Article 97 for disposal of District land on North Road within Zone 2, which is part of the 3 way deal between the Town, Quarry North, and the District.

This is not to authorize the conveyance itself. It is a vote needed in order to post notice of the sale in the Central Register which we have to do next week. It simply declares the parcel "available for disposition". We need to post notice of the transaction in the Central Register for at least 30 days before closing. We are planning to close around December 15. The notice will state that the Select Board declared that the property is available for disposition as required by Chapter 30B section 16(a). The next publication date is November 11, 2020.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden

Pending

Henry L Hayes
Jonathan Silverstein
Daniel E Carty
Board of Selectmen

Pending
Pending
Pending
Pending

11/04/2020 6:00 PM



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

October 7, 2020

Vincent Roy
Sudbury Water District
P.O. Box 111
Sudbury, MA 01776

RE: City/Town: Sudbury
PWS Name: Sudbury Water District
PWS-ID No.: 3288000
Program: Land Acquisition
Action: Approval—Sudbury Assessors
Parcel L08-0010
Transmittal No.: X285369

Dear Mr. Roy :

Please find attached the following information:

Approval for the Sudbury Water District to acquire a parcel of land in Sudbury, Massachusetts, with an area of approximately 8.86 acres, for water supply protection purposes, following a public hearing that was held on September 9, 2020. The parcel is referenced by the Town of Sudbury Assessors Office as Parcel L08-0010.

If you have any questions regarding this letter, please contact James Persky at (978) 694-3227.

Sincerely,

Sincerely,

James H. Persky
Environmental Analyst
Drinking Water Program

Amy Lachance
Drinking Water Section Chief
Northeast Regional Office

cc: DWP/Boston Office (no attachment)
Catherine Hamilton, MassDEP, Drinking Water, Boston
Jillian B. Bargar, Esq., Anderson & Kreiger, LLP, 50 Milk Street, 21st Floor, Boston, MA 02109

File Name: Y:\DWP Archive\NERO\ Sudbury-3288000-Land Acquisition-2020-10-07

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

Attachment 19.a: Sudbury.Raymond Road.Land Acquisition (4232 : Conveyance of land to Sudbury Water District)

City/Town: Sudbury
 PWS: Sudbury Water District
 PWS ID: 3288000

- 2 -

Land Acquisition Approval
 Parcel L08-0010
 October 7, 2020

On September 9, 2020, the Massachusetts Department of Environmental Protection (MassDEP) held a public hearing via Zoom on the acquisition of a parcel of land in Sudbury, Massachusetts. The public hearing was held in accordance with the provisions of Chapter 40, Section 41 of the General Laws as amended, in response to a January 30, 2020 application received from the Sudbury Water District. The public hearing had previously been scheduled for March 31, 2020, but was postponed due to the coronavirus emergency.

The land under consideration has an area of approximately 8.86 acres. The parcel is referenced by the Town of Sudbury Assessors Office as Parcel L08-0010. The proposed use of the land is for the water supply protection of the Sudbury Water District's public supply wells. The parcel is within the Zone II wellhead protection area for the District's Wells Nos. 2A, 4, 6, 7, and 9. The proposed acquisition is part of a land swap between the District and the Town of Sudbury, in which about 3.7 acres of District land in the Zone II of Well No. 5 will be conveyed to the Town for inclusion in a planned affordable housing development — MassDEP approved the release of this land on August 30, 2019.

A plan by the Town of Sudbury Engineering Department, identified by the title "Property to Be Conveyed to Sudbury Water District, Raymond Road" and dated January 10, 2020, was entered into the hearing as Exhibit 1. A plan prepared using the MassDEP geographic information system (GIS), showing the subject property in relation to nearby property lines on an orthophotograph base, was entered into the hearing as Exhibit 2. A plan prepared by the MassDEP GIS Program showing the Zone II delineation for Wells Nos. 2A, 4, 6, 7, and 9, with the location of the subject parcel denoted on it, was entered into the hearing as Exhibit 3.

Vincent Roy of the Sudbury Water District testified that the pending land swap would transfer 3.7 acres of land off of North Road to Quarry North Road, LLC, where it would be combined with a much larger parcel of adjacent Town land for the construction of affordable housing, in return for the conveyance of the 8.86-acre subject parcel. The subject parcel directly abuts the parcel containing the 400-foot Zone I protective radius around Well No. 6, and is also adjacent to Well No. 4, and would provide protection for the wells. By having a larger property at Well No. 6, the District would have more flexibility if a replacement well someday needs to be sited.

Testimony presented at the hearing illustrated the need for land acquisition for water supply protection purposes. No person appeared in opposition to the land acquisition, and MassDEP has not received any written comments opposing the land acquisition. After reviewing the testimony offered and the exhibits entered into the hearing, MassDEP is of the opinion that acquisition of the land in question by the Sudbury Water District will serve to protect the water quality of the wells in the Raymond Road aquifer, particularly Well No. 6 and Well No. 4.

MassDEP hereby **approves** the acquisition of Sudbury Parcel L08-0010 for water supply protection purposes, with the following provisions:

1. A copy of the plan depicting the land and the deed transferring title to the Sudbury Water District must be recorded at the Registry of Deeds.

City/Town: Sudbury
PWS: Sudbury Water District
PWS ID: 3288000

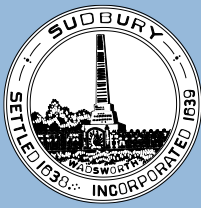
- 3 -

Land Acquisition Approval
Parcel L08-0010
October 7, 2020

2. The following Notes, which already appear properly on the draft plan, must also be added to the deed language:
 - This property is acquired for public water supply protection pursuant to M.G.L c.40 s.38, 39B and 41. This property is under the control of the Board of Water Commissioners pursuant to M.G.L c.40, s.39B of the Sudbury Water District.
 - Pursuant to M.G.L c.40, s.15B MassDEP approval is required before any portion of this property can be transferred to a different ownership or control, changed to a different use, or used for activities other than for the purpose it was acquired.
3. The plan must include a notation that MassDEP has approved the acquisition for water supply protection in a letter dated October 7 2020.
4. The Applicant must notify MassDEP in writing when the acquisition is completed and must provide MassDEP with a certified copy of the recorded plan and recorded deed with the Registry of Deeds book and page for each document.
5. MassDEP approval of this acquisition is effective for a period of two years from the date of this approval letter. The acquisition must be completed by October 7, 2022.

According to the District's counsel, the Town of Sudbury's counsel reviewed whether approval under Article 97 of the Massachusetts Declaration of Rights would be required for the proposed land conveyance, and concluded that such approval was not required.

No Environmental Notification Form is required to be submitted for this land acquisition since it is categorically exempt under the Environmental Protection Regulations of Executive Office of Energy and Environmental Affairs and the acquisition of the lands, as proposed, has therefore been determined to cause no significant damage to the environment.



SUDBURY BOARD OF SELECTMEN
Wednesday, November 4, 2020

CONSENT CALENDAR ITEM

20: Lampke Law - ratify vote re: exec session minutes

REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: VOTE to Ratify the Vote taken in Executive Session regarding the release of Executive Session minutes related to the Lincoln-Sudbury Regional High School Agreement as it pertains to meeting with Lampke Law. There were suggested edits to the minutes provided by Lampke Law.

Recommendations/Suggested Motion/Vote: VOTE to Ratify the Vote taken in Executive Session regarding the release of Executive Session minutes related to the Lincoln-Sudbury Regional High School Agreement as it pertains to meeting with Lampke Law. There were suggested edits to the minutes provided by Lampke Law.

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden	Pending
Henry L Hayes	Pending
Jonathan Silverstein	Pending
Daniel E Carty	Pending
Board of Selectmen	Pending

11/04/2020 6:00 PM