

SUDBURY SELECT BOARD TUESDAY APRIL 6, 2021 6:30 PM, ZOOM

Item #	Time	Action	Item
	6:30 PM		CALL TO ORDER
			EXECUTIVE SESSION
1.		VOTE	Vote to enter executive session to review, approve and possibly release 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).
2.		VOTE	Vote to close Executive Session and resume Open Session
	7:00 PM		Opening remarks by Chair
			Reports from Town Manager
			Reports from Select Board
			Citizen's comments on items not on agenda
			PUBLIC HEARING
3.	7:15 PM	VOTE	VOTE to open continuation of 12/15/20 Public Hearing: Vote whether to approve a request by NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to construct upon, along, under, or across the following public way(s) of the Town of Sudbury, wires, cables, piers, abutments, conduits, or fixtures in accordance with plan(s) made by Eversource dated March 1, 2019, on file with said petition: Dutton Road (at its intersection with the MBTA rail corridor); Peakham Road (at its intersection with the MBTA rail corridor); Union Avenue (at its intersection with the MBTA rail corridor). This work is necessary to construct a new underground electric transmission line.
4.	8:00 PM	VOTE	Vote to close public hearing
	I	l	MISCELLANEOUS

Item #	Time	Action	Item
5.	8:00 PM	VOTE	Discussion and vote whether to grant a Special Permit to the Sudbury Companies of Minute and Militia, to hold the annual Parade to Commemorate Patriot's Day on Monday, April 19, 2021, from 5:30 A.M. through approximately 12:30 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the parade's conclusion.
6.	8:15 PM	VOTE / SIGN	Upon the determination that common convenience and necessity require that said way should be laid out, vote to lay out the following Town Way with the boundaries and measurements as set forth on a plan prepared by Foresite Engineering, dated December 5, 2019, on file in the office of the Town Clerk, to be presented for acceptance at the 2021 Annual Town Meeting: Anthony Drive from North Road/Route 117 to a dead end, a distance of 613 ft. +/-; and further vote that the layout is subject to meeting the conditions and requirements deemed necessary by the Select Board prior to the execution and recording of a Deed or Order of Taking.
7.	8:30 PM		Discussion on Town Manager annual evaluation process.
8.	9:00 PM	VOTE	Vote whether to amend the Diversity, Equity, and Inclusion Commission Mission Statement to increase the number of members from "up to 13" to "up to 14" members.
9.	9:15 PM	VOTE	Vote whether to appoint Sue Abrams, 24 Hudson Rd; Susan Tripi, 23 Belcher Dr; Nuha Muntasser, 193 Dutton Rd; Yana Bloomstein, 84 Carriage Way and Tanisha Tate, 50 Fairbank Circle to the Diversity, Equity and Inclusion Commission for terms to expire May 31, 2022.
10.	9:30 PM	VOTE	Discussion and vote to appoint Select Board member to serve as liaison to the Diversity, Equity and Inclusion Commission.
11.	9:45 PM		Discussion on Housing Choice. Board member Russo to present information.
12.	10:00	VOTE	Review open session minutes of 3/16/21 and possibly vote to approve minutes.
13.			Citizen's Comments (cont)
14.			Upcoming Agenda Items
			CONSENT CALENDAR
15.		VOTE / SIGN	Vote to acknowledge that the month of May is Military Appreciation Month and to sign a proclamation in this regard.
16.		VOTE / SIGN	Vote to sign a Proclamation recognizing May 16-23, 2021 as National Public Works Week (NPWW).
17.		VOTE	Vote to accept a \$4,059 donation of cloth face coverings and surgical masks from TJ Maxx Corp. to be distributed to high risk populations.

Item #	Time	Action	Item
18.		VOTE	Vote to send thank you letter to Jim Marotta for 14 years of service
			to the Town on the Park and Recreation Commission.



SUDBURY SELECT BOARD Tuesday, April 6, 2021

EXECUTIVE SESSION

1: Exec session to review minutes

REQUESTOR SECTION

Date of request:

Requestor: 30 min

Formal Title: Vote to enter executive session to review, approve and possibly release 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: Vote to enter executive session to review, approve and possibly release 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:

3 drafts attached: 3/2/21, 3/23/21, 3/30/21

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
Janie Dretler Pending
Select Board Pending

Pending 04/06/2021 6:30 PM



SUDBURY SELECT BOARD Tuesday, April 6, 2021

EXECUTIVE SESSION

2: Close Executive Session and resume Open Session

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
Janie Dretler Pending

Select Board Pending 04/06/2021 6:30 PM



SUDBURY SELECT BOARD Tuesday, April 6, 2021

PUBLIC HEARING

3: Eversource Transmission line Grant of Location - public hearing

REQUESTOR SECTION

Date of request:

Requestor: Eversource

Formal Title: VOTE to open continuation of 12/15/20 Public Hearing: Vote whether to approve a request by NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to construct upon, along, under, or across the following public way(s) of the Town of Sudbury, wires, cables, piers, abutments, conduits, or fixtures in accordance with plan(s) made by Eversource dated March 1, 2019, on file with said petition: Dutton Road (at its intersection with the MBTA rail corridor); Peakham Road (at its intersection with the MBTA rail corridor); Horse Pond Road (at its intersection with the MBTA rail corridor). This work is necessary to construct a new underground electric transmission line.

Recommendations/Suggested Motion/Vote: <u>VOTE to open continuation of 12/15/20 Public Hearing:</u> Vote whether to approve a request by NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to construct upon, along, under, or across the following public way(s) of the Town of Sudbury, wires, cables, piers, abutments, conduits, or fixtures in accordance with plan(s) made by Eversource dated March 1, 2019, on file with said petition: Dutton Road (at its intersection with the MBTA rail corridor); Peakham Road (at its intersection with the MBTA rail corridor); Union Avenue (at its intersection with the MBTA rail corridor). This work is necessary to construct a new underground electric transmission line.

Background Information:

Financial impact expected:

Approximate agenda time requested: 45 minutes

Representative(s) expected to attend meeting: Eversource staff

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Daniel E Carty Pending
Janie Dretler Pending
Select Board Pending

04/06/2021 6:30 PM



TOWN CLERK SUDBURY, MASS

2020 FEB 12 AM 9: 15

February 12, 2020

Town of Sudbury 322 Concord Road Sudbury, MA 01776 Attn: Beth Klein, Town Clerk

RE: Petition for Grant of Location in Town Ways

Dear Ms. Klein:

Pursuant to MGL Chapter 166 Section 22, NSTAR Electric Company d/b/a Eversource Energy (hereinafter the "Petitioner"), a company incorporated for the transmission of electricity for lighting, heating or power, hereby submits this Petition for a Grant of Location ("GOL") to the Town of Sudbury, MA (see Exhibit A). The Petitioner respectfully requests the Town of Sudbury by order to issue the GOL for the construction of a new electric transmission line within public ways as provided for herein (see Exhibit B).

Project Description

The facilities to be installed within the Town of Sudbury are part of the Sudbury-Hudson Transmission Reliability Project (the "Project"). The Project consists of an approximately 9-mile, 115-kilovolt ("kV") underground electric transmission line (the "New Line") between Eversource's Sudbury Substation located in Sudbury and the Hudson Light & Power Department's Substation in Hudson. The New Line will pass primarily through the Towns of Sudbury and Hudson and will cross short sections of the Town of Stow and the City of Marlborough. In Sudbury, Hudson, Stow and Marlborough, the New Line will be constructed underground along an inactive railroad corridor owned by the Massachusetts Bay Transportation Authority ("MBTA"). In Sudbury, portions of the New Line also will be constructed in public ways.

The Project is needed to ensure the safe and reliable transmission of electric power to customers. The Energy Facilities Siting Board has reviewed the Project, determined that the New Line is necessary, serves the public convenience, and is consistent with the public interest and has granted the Petitioner approval to construct the New Line.

The Project consists of a new subsurface 115-kV electric transmission duct bank with appurtenant communication/signal wires to be installed beneath various public ways in the Town of Sudbury. A locus map of the project is provided on the plan set submitted herewith this petition filing.

Project Route

In the Town of Sudbury, the underground project route commences on the MBTA railroad corridor at the Town of Marlborough town line and continues beneath the railroad corridor in a southeasterly direction approximately 7,945 linear feet (LF) to Dutton Road. The route continues beneath Dutton Road and then in a southeasterly direction approximately 3,070 LF beneath the railroad corridor to Peakham Road. The route continues beneath Peakham Road and then continues southeast approximately 2,525 LF to Horse Pond Road. The route continues beneath Horse Pond Road and then continues in a southeast direction in an underground configuration beneath the railroad corridor 4,650 LF to Union Avenue. The route continues beneath Union Avenue and then continues southeast approximately 1,215 LF to Boston Post Road. The route continues beneath Boston Post Road and progresses southeasterly in an underground configuration approximately 4,630 feet beneath the railroad corridor approximately 965 feet to Eversource's existing Sudbury Substation.

Project Design

The duct bank is comprised of four eight-inch (8") high-density polyethylene (HDPE) conduits to house the high-voltage transmission cable (one conduit will be a spare), two four-inch (4") polyvinyl chloride ("PVC") conduits to house fiber optic communication cables (one conduit will be a spare), and two two-inch (2") PVC conduits to house temperature monitoring/sensing cables (one conduit will be a spare).

The HDPE and PVC conduits will be positioned in two different configurations of duct bank infilled with thermal concrete

material. Configuration 1 will be approximately 41-inches wide by 32-inches tall with the high voltage conductors arranged in a triangular configuration and will have a minimum of 30-inches of cover to finish grade. Configuration 2 will be approximately 68-inches wide by 20-inches tall with the high voltage conductors arranged in a horizontal configuration and will have a minimum of 30-inches of cover to finish grade.

Plan and profile drawings for the proposed duct bank, duct bank cross section data, and trench backfill specifications are provided in Exhibit D.

Municipal Permits

Upon issuance of the requested GOL, Eversource's Contractor shall obtain all required local municipal permits prior to beginning work within the town (e.g. street opening, curb cut, trench permits, etc.). The Contractor shall work with the town's engineering and public works departments to ensure that all disturbances to the public are avoided and/or minimized to the greatest extent possible. As part of the effort to reduce disturbance resulting from the proposed activities in the public way, temporary traffic control plans have been prepared (see Exhibit E). Additionally, Eversource will provide contact information for appropriate Eversource and Contractor personnel for use by town officials and concerned citizens during construction activities. If required by the Town of Sudbury, Eversource will work with town officials to develop a list of abutters to the project route, pay a filing fee and/or reimburse the town for postage and advertising costs associated with this request.

As such, Eversource respectfully requests the Town of Sudbury to issue a Grant of Location as set forth above. If you have any questions or require additional information, please contact me at your earliest convenience.

Sincerely,

Theresa Feuersanger
T & D Rights and Survey
Eversource Energy
247 Station Drive, SE 210

Westwood, MA 02090

Email: Theresa, Feuersanger@eversource.com

Office: (781) 441-8277

Grant of Location Request 115kV Conduit Project

Exhibit A

Grant of Location Petition

PETITION OF NSTAR ELECTRIC FOR LOCATION FOR LINES, WIRES AND CABLES

To the BOARD OF SELECTMEN of the Town of Sudbury, Massachusetts:

The undersigned respectfully represents NSTAR Electric Company d/b/a Eversource Energy (hereinafter known as the PETITIONER), a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct upon, along, under, or across the public way(s) of the Town of Sudbury, wires, cables, piers, abutments, conduits or fixtures as hereinafter specified.

WHEREFORE, the PETITIONER prays that, after due notice and hearing as provided by law, the Board of Selectmen may by Order grant to PETITIONER permission to construct, and a location for, such a line with the necessary wires and cables therein, said line to be located, substantially as shown on the plan(s) filed herewith dated March 1,2019, over the following public way or ways of said Town:

- Dutton Road (at its intersection with the MBTA railroad corridor)
- Peakham Road (at its intersection with the MBTA railroad corridor)
- Horse Pond Road (at its intersection with the MBTA -railroad corridor)
- Union Avenue (at its intersection with the MBTA railroad corridor)

X III I Physica and
Signature: Mille 4 Miller
Name: Theresa Feuersanger
Title: Supervisor, T & D Rights and Survey
Mailing Address: 247 Station Drive, Westwood, MA 02090
Telephone: (781) 441-8277
Date: February 12, 2020
day of February, 2020
Town of Sudbury, Massachusetts
Received and filed

For the PETITIONER

Grant of Location Request 115kV Conduit Project

Exhibit B

Order for Grant of Location

ORDER FOR LOCATION FOR LINES, WIRES AND CABLES

	•
Town of Sudbury, Massachusetts	
WHEREAS, NSTAR ELECTRIC COMPANY d/b//a Eversource E the transmission of electricity for lighting, heating, or power over an specified, and notice has been given and a hearing held on said petition	d under the public way or ways of the Town as hereinafter
It is ORDERED that NSTAR ELECTRIC COMPANY d/b/a/ Ever construct, and a location for, such a line with the necessary wires and car of said Town: • Dutton Road (at its intersection with the MBTA railroad of Peakham Road (at its intersection with the MBTA railroad of Horse Pond Road (at its intersection with the MBTA railroad of Horse Pond Road (at its intersection with the MBTA railroad of Union Avenue Pond Road (at its intersection with the MBTA railroad of Union Avenue Pond Road (at its intersection with the MBTA)	bles, therein over and under the following public way or ways corridor) d corridor) oad corridor)
All construction work under this Order shall be in accordance with the 1. Lines, wires, and cables shall be located as shown on a plan(s) made petition. 2. Said Company shall comply with the requirements of existing by-lacconstruction and maintenance of lines, wires and cables. 3. All work shall be done to the satisfaction of the Board of Selectman work.	by Eversource dated March 1, 2019, on file with said ws and such as may hereafter be adopted governing the
1	
2	Selectmen of the
3	Town of Sudbury
4	
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CERTIFICA	ATE
We hereby certify that the foregoing Order was adopted after due noti 166 of the General Laws (Ter. Ed.) and any additions thereto or amendr of the hearing mailed at least seven days prior to the date of the hearing that part of the way or ways upon, along or across which the line is to preceding assessment for taxation, and a public hearing held on the in said Town.	ce and public hearing as prescribed by Section 22 of Chapter nents thereof, to wit:—after written notice of the time and place ng by the Selectman to all owners of real estate abutting upon to be constructed under said Order, as determined by the last
1	
2	Selectmen of the
3	Town of Sudbury

CERTIFICATE

I hereby certify that the foregoing a	re true copies of the Ord	er of the Boar	d of Selectman of the Town of Sudbury, Massachusetts,
duly adopted on the	day of		, 2020, and recorded with the records of location
Orders of said Town,	Book	, Page	, and the certificate of notice of hearing thereon
required by Section 22 of Chapter 1 appear of record.	66 of the General Laws	(Ter. Ed.), and	d any additions thereto or amendments thereof, as the sam
	Attest:		
	Clerk of the To	own of Sudbur	y, Massachusetts

Grant of Location Request 115kV Conduit Project

Exhibit C

Project Drawings and Specifications

Grant of Location Request 115kV Conduit Project

Exhibit D

Temporary Traffic Control Plans



TOWN OF SUDBURY

PUBLIC WORKS DEPARTMENT

275 Old Lancaster Road, Sudbury, MA 01776 T:(978) 440-5421 F:(978) 440-5404

STREET OPENING / ROADWAY ACCESS / ROAD CLOSURE PERMIT APPLICATION

Permit #:		
Permit Fee: \$50	.00	
Fee Paid:	Cash:	Г
Check #:		
Received by:		

This application must be submitted not less than five (5) business days prior to any construction within a public way.

A \$50.00 non-refundable permit fee must accompany the application request.

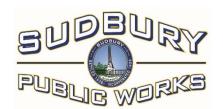
No permits are valid from November 1 – April 1 of each permit year unless granted in writing by Director.

\mathbf{A}	Date: Dig-Safe Number:		Valid thru:
\mathbf{B}	Project Location: Street number (or range) and Street Name		Map/Parcel:
\mathbf{C}	Start Date: Estimated Comple	letion Date:	
\mathbf{D}	Proposed Work: (Check all that apply)		
	New Repair Replace	Remove	Emergency
	Utility Main Service	Other	
	□Water □Sewer □Drain □Telecom □Driveway □Sidewalk	☐Electric ☐Curbing	☐Gas ☐Well/Boring/Pole
	Describe Work: Surface Impacted Paved Road Shoulder	G: 1 11-	Πο ι
\mathbf{E}	Surface Impacted Paved Road Shoulder Length of Cut (feet): Width of Cut (feet):	Sidewalk Dept	Other h of Cut (feet):
\mathbf{F}	Affidavit (Please print clearly): I,	(Title)	of
	(Company Name and Address) do hereby certify that I have read and agree to the Town of Sudbury Ways, dated February 2020 as amended. I have provided the requirement Town of Sudbury may deduct from this amount the cost of any repair or any other features within the right-of-way including replacing be Works Director or his agent in accordance with said Specifications. bylaws, statutes of the Commonwealth of Massachusetts and othe Sudbury; and I hereby agree to exercise the permit herein approved in	ed bond with the Town rs to the roadway surfa ounds if not completed I also certify that I a er laws, regulations ar	n of Sudbury and I understand the ce, shoulders, curbs, walks, walls if to the satisfaction of the Public in familiar with the requirements and specifications of the Town o
	(Signature)	(Date)	-

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Sketch of Proposed Work:

	FOR OFFICE USE ONLY
cial Conditions:	FOR OFFICE USE ONLY Match existing HMA depths Notify Public Works before work commences
cial Conditions:	
cial Conditions:	☐ Match existing HMA depths ☐ Notify Public Works before work commences
cial Conditions:	
ecial Conditions:	Match existing HMA depths Notify Public Works before work commences Grind/inlay patch by: 1 Inspection by Public Works required before backfill 4 Hour Advance Notice of Construction to Director of Public Works.
	Match existing HMA depths Notify Public Works before work commences Grind/inlay patch by: 1 Inspection by Public Works required before backfill 4 Hour Advance Notice of Construction to Director of Public Works.
	Match existing HMA depths Notify Public Works before work commences Grind/inlay patch by: Inspection by Public Works required before backfill 4 Hour Advance Notice of Construction to Director of Public Works. Other:
	Match existing HMA depths Notify Public Works before work commences Grind/inlay patch by: Inspection by Public Works required before backfill 4 Hour Advance Notice of Construction to Director of Public Works. Other:
	Match existing HMA depths Notify Public Works before work commences Grind/inlay patch by: Inspection by Public Works required before backfill 24 Hour Advance Notice of Construction to Director of Public Works. Other:
nments/Special Con	Match existing HMA depths □ Notify Public Works before work commences □ Grind/inlay patch by: □ Inspection by Public Works required before backfill □ 24 Hour Advance Notice of Construction to Director of Public Works. □ Other: □ ditions: □ PPROVED □ APPROVED WITH CONDITIONS (SEE ABOVE) □ DENIED
nments/Special Con	Match existing HMA depths Notify Public Works before work commences Grind/inlay patch by: Inspection by Public Works required before backfill 24 Hour Advance Notice of Construction to Director of Public Works. Other:



SPECIFICATIONS FOR REGULATING CONSTRUCTION WITHIN PUBLIC WAYS

SECTION I: GENERAL REQUIREMENTS

A. Preface

- 1. Any public or private utility company, private contractor, or any person(s) who intends to perform work of any kind within the limits of a town right-of-way in the Town of Sudbury for any reason must first obtain a permit from the Department of Public Works.
- 2. The permit is conditional upon compliance with these specifications.
- 3. Emergency repair work to existing utilities requires immediate notification to the Director of Public Works, Sudbury Police Department and Sudbury Fire Department. Subsequent and/or concurrent to the emergency work all applicable permits are required regardless of the nature of the work.
- 4. Application forms for a permit hereunder are available from the Town of Sudbury at the Department of Public Works' administrative office and on the Town's website www.sudbury.ma.us.
- 5. Plans and/or sketches showing the proposed work require the approval of and shall be in the form specified by the Director of Public Works or their agent.
- 6. The Director of Public Works or their agent will be solely responsible for the interpretation of these specifications and all work hereunder must be completed to their satisfaction.

B. Public Safety

- 1. The permittee, from the time the work commences until the work has been approved in writing by the Director of Public Works or their agent, shall be responsible ensuring the safety of the public.
- 2. All roadways shall be passable at all times unless special permission is granted for a roadway closure by the Director of Public Works or their agent. Notification of a roadway closure shall be provided to the Sudbury Police Department and the Sudbury

Fire Department.

- When required by the nature of the work, lights and barricades erected at the expense
 of the permittee shall be located as directed by the Director of Public Works or their
 agent.
- 4. The Sudbury Police Department and its agents may determine whether and how many police officers are necessary for public safety. If a police officer(s) is deemed necessary the permittee shall pay the expense for the police officer(s).
- 5. Massachusetts General Law (Chapter 82, Section 40A) requires that contractors notify public utility companies in writing at least forty-eight (48) hours before any excavation in a public way. Contractors are required to call "Dig Safe" at 888-DIG-SAFE.

SECTION II: EXCAVATIONS

A. General

- 1. No work shall be performed within the right-of-way <u>between November 1</u> <u>and April 1</u> without prior written approval from the Director of Public Works or their agent.
- 2. Five (5) year Pavement Moratorium: The cutting of <u>newly resurfaced roadways</u> less than five (5) years old will not be permitted, except if necessitated by utility companies for fuel conversion and for emergency repairs. Violating this moratorium will require a 1-1/2 inch Cold Plane and repaving with bituminous surface course material for 50 feet, 25 feet in either direction of the trench, curb to curb. Exposed joints to be sealed with a RS-1 emulsion and coated with stone dust. A resurfaced roadway includes a full-depth reconstruction or a mill and overlay.
- 3. Three (3) year Pavement Moratorium: The cutting of <u>newly preserved roadways</u> less than three (3) years old will not be permitted, except if necessitated by utility companies for fuel conversion and for emergency repairs. Violating this moratorium will require 1-1/2 inch Cold Plane and repaving with bituminous surface course material for 50 feet, 25 feet in either direction of the trench, curb to curb. Exposed joints to be sealed with a RS-1 emulsion and coated with stone dust. A preserved roadway includes a sealing treatment or a micro surfacing treatment.
- 4. All work within the limits of a Town right-of-way will be conducted in a manner which will not damage or disturb such features as stone walls, trees, fences, guardrails, etc. If any of these features is anticipated to be damaged or disturbed the Director of Public Works or their agent shall be notified for evaluation of the matter prior to commencement of work. The Director of Public Works or their agent may impose additional limitations and conditions to safeguard and preserve the integrity of such features.

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- 5. If the work takes place on a Scenic Roadway and requires disturbance of a tree or stone wall additional permitting is necessary through the Town's Planning Department and Planning Board, pursuant to G.L. c.40, §15C and Article VIII.B of the Sudbury Bylaws. A list of the Town's scenic roads may be found on the Town's website www.sudbury.ma.us.
- 6. If the work requires disturbing a road bound or property bound, the bound will be reset in its original location to the new grade and its new location shall be certified in writing by a professional land surveyor registered in the Commonwealth of Massachusetts.

B. Materials

- 1. All materials used within public ways shall be subject to approval by the Director of Public Works or their agent. This will include, but not be limited to, the size, type and quality of pipe, the type of gravel backfill, the quality of the patching material, etc.
- 2. Gravel Subbase Gravel subbase shall consist of inert material that is hard durable stone and coarse sand, free from loam and clay, surface coatings and deleterious materials. MADOT Material Standard M1.03.0 Gravel Borrow as specified the Commonwealth of Massachusetts Department of Transportation Standard Specifications for Highway and Bridges, 2020 Edition, as amended.
- 3. Hot Mix Asphalt Pavements Pavement mixtures shall be within the composition limits of base courses, binder courses, top courses and surface treatment, in accordance with Section M3.11.03 of the Commonwealth of Massachusetts Department of Transportation Standard Specifications for Highway and Bridges, 2020 Edition, as amended.

C. Trenches

1. Backfill Materials: Earth backfill will consist of the excavated material if it is declared suitable by the Director of Public Works or their agent. Backfill will be placed in successive layers of not more than six (6) inches of compacted depth. If in the opinion of the Director of Public Works or their agent the excavated material is unsuitable, the rejected material shall be legally disposed of by the permittee at no cost to the Town, and proof thereof shall be provided to the satisfaction of the Director of Public Works or their agent. Suitable fill material consisting of approved gravel or borrow shall be hauled in at no cost to the Town. Suitable earth backfill materials shall be well graded granular material at least 80-percent of which must be sand and gravel. It shall be free from peat, organic matter and debris and shall not contain any clay lumps or stones in excess of three (6) inches in their greatest dimension. Any materials of whatever description which are too uniformly graded or saturated and not readily compactible to 95-percent of maximum

dry density at optimum moisture content shall not be utilized. Excavated rock or boulder material exceeding three (3) inches in diameter shall not be used for backfilling. A minimum of 12-inches of gravel subbase to be installed above the backfill material in preparation for the bituminous pavement.

- 2. Compaction of Backfill Materials: Backfill materials shall be placed in a maximum loose lift thickness of 9-inches. Backfill material shall be maintained with uniform moisture content with no visible wet or dry streaking. Degree of compaction shall be at least 95-percent of the maximum dry density of the material at optimum moisture content. Maximum lift thickness shall be six (6) inches (loose thickness) where hand operated compaction equipment is used. A minimum of 12-inches of gravel subbase to be installed above the backfill material in preparation for the bituminous pavement.
- 3. Settlement of Trench: If settlement of the trench occurs within a 12-month period following construction where the ride-ability of the roadway is affected (as determined by the Director of Public Works or their agent), the Town reserves the right to direct the permittee to excavate and repave the trench to the proper lines and grades. The limits of the repaving are to be determined by the Director of Public Works or their agent.
- 4. Defect in Bituminous Pavement If the bituminous pavement from the pavement supplier deteriorates excessively within 12-months of installation the permittee will be responsible for replacing the pavement for the limits determined by the Director of Public Works or their agent.
- 5. Temporary Bituminous Trench Patch The decision to pave trenches in existing pavement on a daily basis will be the decision of the Director of Public Works or their agent. Temporary pavement trench patches are allowed for a minimum of 45 days and a maximum of 12-months. Permit applicants are responsible for the integrity of this trench throughout its duration particularly throughout the winter season. Refer to Temporary Pavement Detail attached.
- 6. Permanent Bituminous Trench Patch Refer to Pavement Trench Repair Section Detail.
- 7. Main Line Utility Installs, Upgrades and/or Replacements: Permittees performing any of the aforementioned activities to main line utilities will be responsible for the cost of resurfacing the impacted section area with a 1-1/2 inch cold plane and overlay from edge of pavement to centerline of road. The permittee will be responsible for the section of roadway impacted by construction including striping, if impacted. Time line for this work will be coordinated and approved by the Director of Public Works or their agent.
- 8. Temporary steel road plates are allowable only with written consent of the Director of Public Works or their agent. Under no circumstances will road plates be permitted during an anticipated severe weather event.

Amended: 04/13/2020

9. All driveways to homes and places of business shall be open during periods of construction. When this is not possible 48-hour advance written notice of interruption is required to effected homes, businesses, and the Department of Public Works. In addition notification shall be provided each day prior to driveway closure to afford abutters the opportunity to move vehicles from driveways, if possible.

D. Shoulders

- 1. Disturbed road shoulders will be carefully returned to their original or better than original condition.
- 2. Disturbed lawns will be rebuilt with a minimum of 4-inches of loam, fertilized, rolled and seeded. The permittee will be responsible for a period of 6-months from construction completion for regrading/seeding in case the repair does not become established.

SECTION III: SURETY

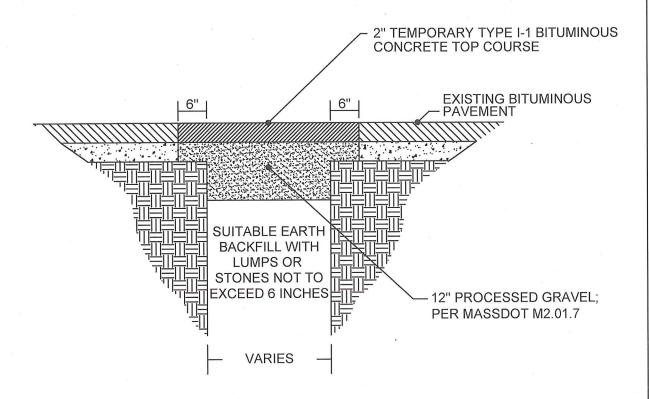
- 1. All permits issued hereunder shall require a check, made payable to the Town of Sudbury, in an amount to be determined by the Director of Public Works or their agent, to be posted with the Town Treasurer as a guarantee to fulfill this agreement.
- 2. Street cuts over 10 square feet or significantly larger in scope may be secured by bond, rather than by cash surety in an amount determined by the Director of Public Works or their agent. However, the minimum bond shall be five thousand (\$5,000) dollars. The guarantee and bond requirements stated herein are for each opening, cut or excavation. However, for projects involving multiple openings, cuts or excavations, the Director of Public Works or their agent may permit a single bond to be posted for the entire project in such amount as they shall deem reasonable to protect the interests of the Town.
- 3. When permanent patching, re-loaming, seeding, and all work required by the permit issued hereunder has been completed and approved in writing by the Director of Public Works or their agent, the Town will return the bond. The Director of Public Works or their agent may extend any time limit in these specifications if weather or other similar conditions have hindered the proper completion of the work. The Town may maintain the surety for a 12-month guarantee period duration, or some portion thereof, after completion of the work.

SECTION IV: VIOLATIONS

1. If after six (6) months from the date of the permit, the repair to the Town's right-of-way is not completed according to these specifications and to the satisfaction of the

Director of Public Works or their agent, the permittee will be notified in writing by the Director of Public Works or their agent that the permit has expired. The Town of Sudbury reserves the right to complete the necessary work in any manner it may deem appropriate and deduct from the amount of the surety all costs of completing the work.

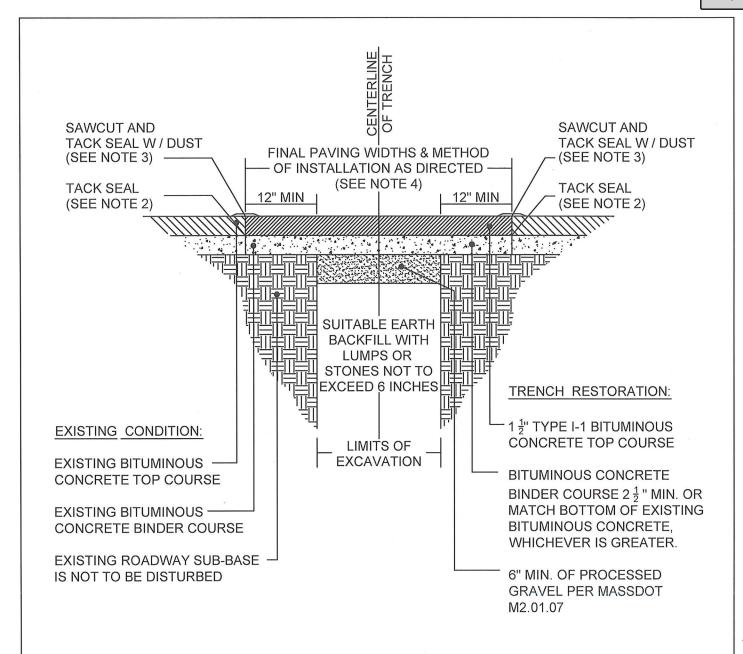
- 2. If any time during the life of the permit the permittee allows the construction to exist in a way dangerous to users or the road, the Director of Public Works or their agent may, upon 24 hours written notice to the permittee, make the necessary arrangements to correct the unsatisfactory condition. The permittee will be responsible for any Town incurred costs to correct the unsafe condition.
- 3. Failure to obtain a permit prior to the start of any construction within a public way shall be subject to a fine of not more than fifty (\$50) dollars per day.
- 4. Failure to abide by these regulations may result in suspension of any current or future permits in the Town of Sudbury for a duration determined by the Director of Public Works.



TEMPORARY PAVEMENT PATCH DETAIL

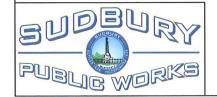
NOT TO SCALE





- ALL INSTALLATION AND MATERIAL SPECIFICATIONS PER COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY AND BRIDGES, 2020 EDITION, AS AMENDED.
- 2. ALL EXPOSED BITUMINOUS CONCRETE IS TO BE TACKED PER MASSDOT PRIOR TO NEW BITUMINOUS CONCRETE INSTALLATION.
- ALL EXPOSED JOINTS ARE TO BE SEALED WITH RS-1 EMULSION AND STONE DUST.
- 4. ANY TOP COURSE APPLIED AT A WIDTH OF 6' WIDE OR GREATER IS TO BE PLACED BY MACHINE/BOX SPREADER WHEN & AS DIRECTED BY THE TOWN OF SUDBURY.

PERMANENT TRENCH PATCH SECTION DETAIL



NOT TO SCALE

PAGE 8

UPDATED: 3/16/20

RE: Eversource/Sudbury - Grant of Location - Prep info Wed 3/10/2021 6:05 PM

To: Sean Lauziere

Sean: As discussed, here are questions/comments from the Board. I went back to them on last week and asked to have any clarifying questions or comments that I can send forward.

I requested feedback on: Questions not addressed in Eversource response

The attached document is what I referenced as the response received from Eversource.

I am working to get language reviewed, again, for conditions identified from a functional responsibility. --Henry

- 1) Is the need for the project getting more or less urgent as time goes on and would a reduction in electric demand ever obviate the need for the project which has been talked about since at least 2011?
- 2) What evidence is there that the placement of the line is compatible with rail operations (restoration of rail service within this right of way?
- 3) Where would Eversource relocate line to, if MBTA ordered Eversource to relocate it?
- 4) How much would it cost to relocate the transmission line? On the order of what it cost to construct in first place?
- 5)How much time would it take to relocate the line?
- 7) Who would pay for relocation?
 - electric ratepayers?
 - Has ISO-NE been informed of electric ratepayers liability for relocating this line?
 - Eversource shareholders?
 - Are shareholders aware of that liability?
- 8) If line had to be relocated, would ISO-NE and Siting Board need to review?
- 9) Please provide multiple examples of energized high voltage line placed this close to where people would walk for hours at a time on a regular basis? (Not in roadways, but directly under pedestrian path for miles)?
- 10) What safety standards, with respect to EMF exposure threshold, are applicable to the scenario of an underground transmission line directly underneath where pedestrians, cyclists, toddlers would be walking over for hours at a time on a daily basis. (longitudinally, not just crossing a street with a

transmission line)? The hours of the day when pedestrians would be walking over the transmission line would be daylight hours, including peak summer daylight hours when electric demand is highest.

For me, it comes down to the MOU. I very much would like to see a copy of it, even if it has "DRAFT" watermarked on every page, before I vote in favor of any kind of permit. To recap:

- I first asked for a copy of the MOU in April 2020 as a member of ConCom
- Eversource/DCR representatives have said it exists, just not signed
- The scenario I laid out at our last meeting with Eversource on GoL, as far as sinkholes and timing and responsible party makes it relevant and within SB purview

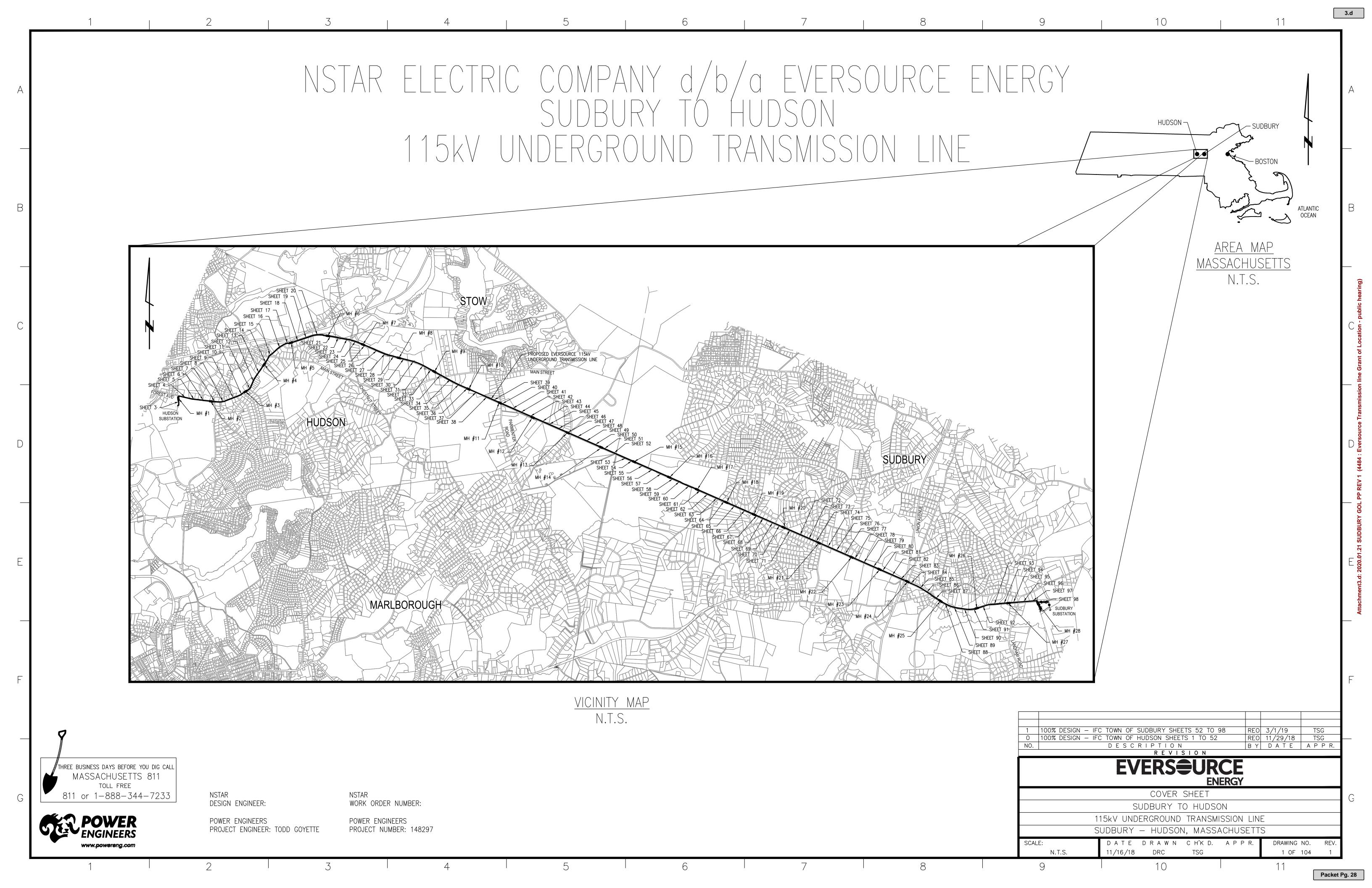
In my experience on ConCom, one of the reasons that a permit denial would be upheld in court is if applicants decline to provide reasonable, readily-available information.

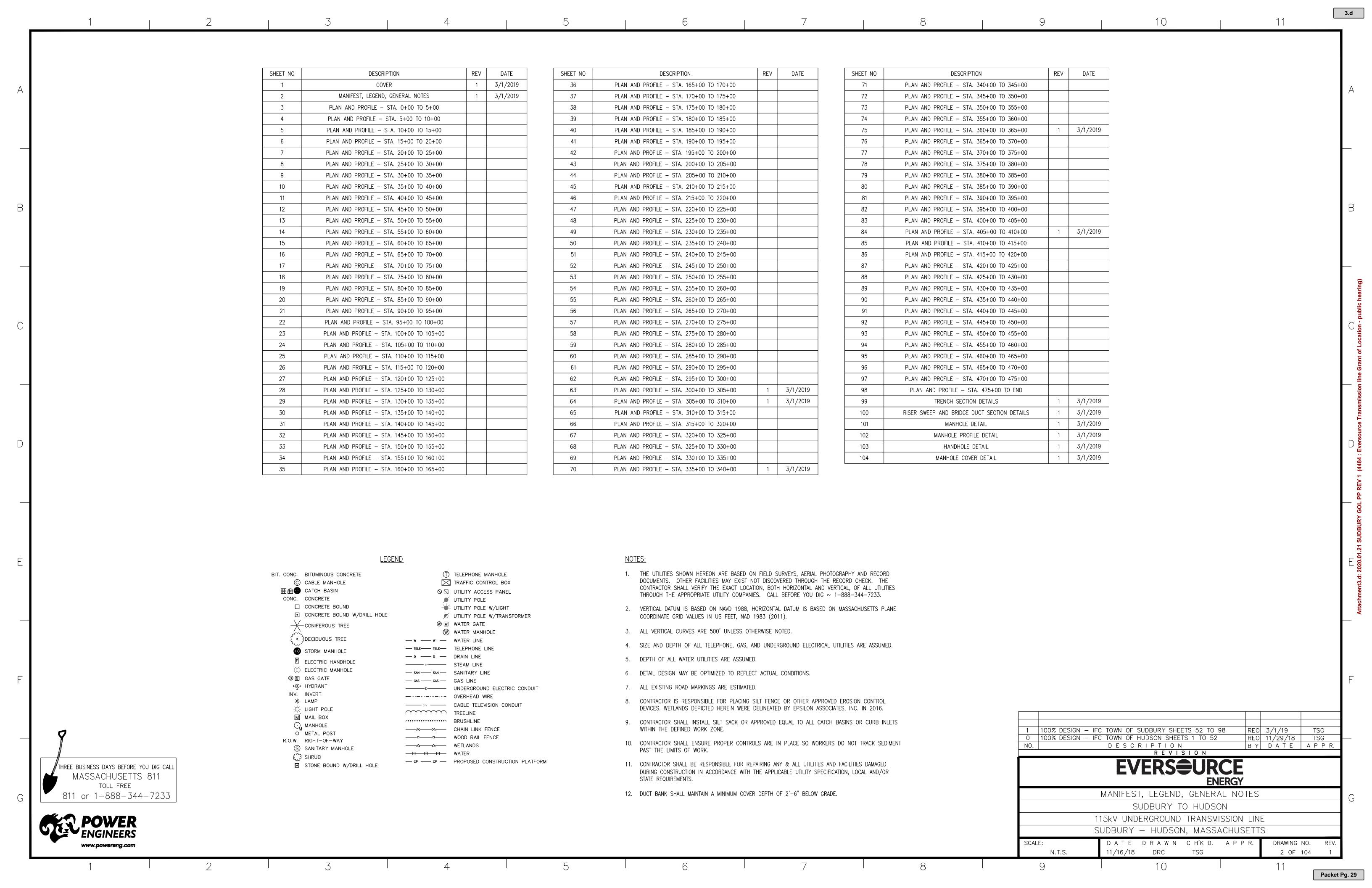
Respectfully, Henry

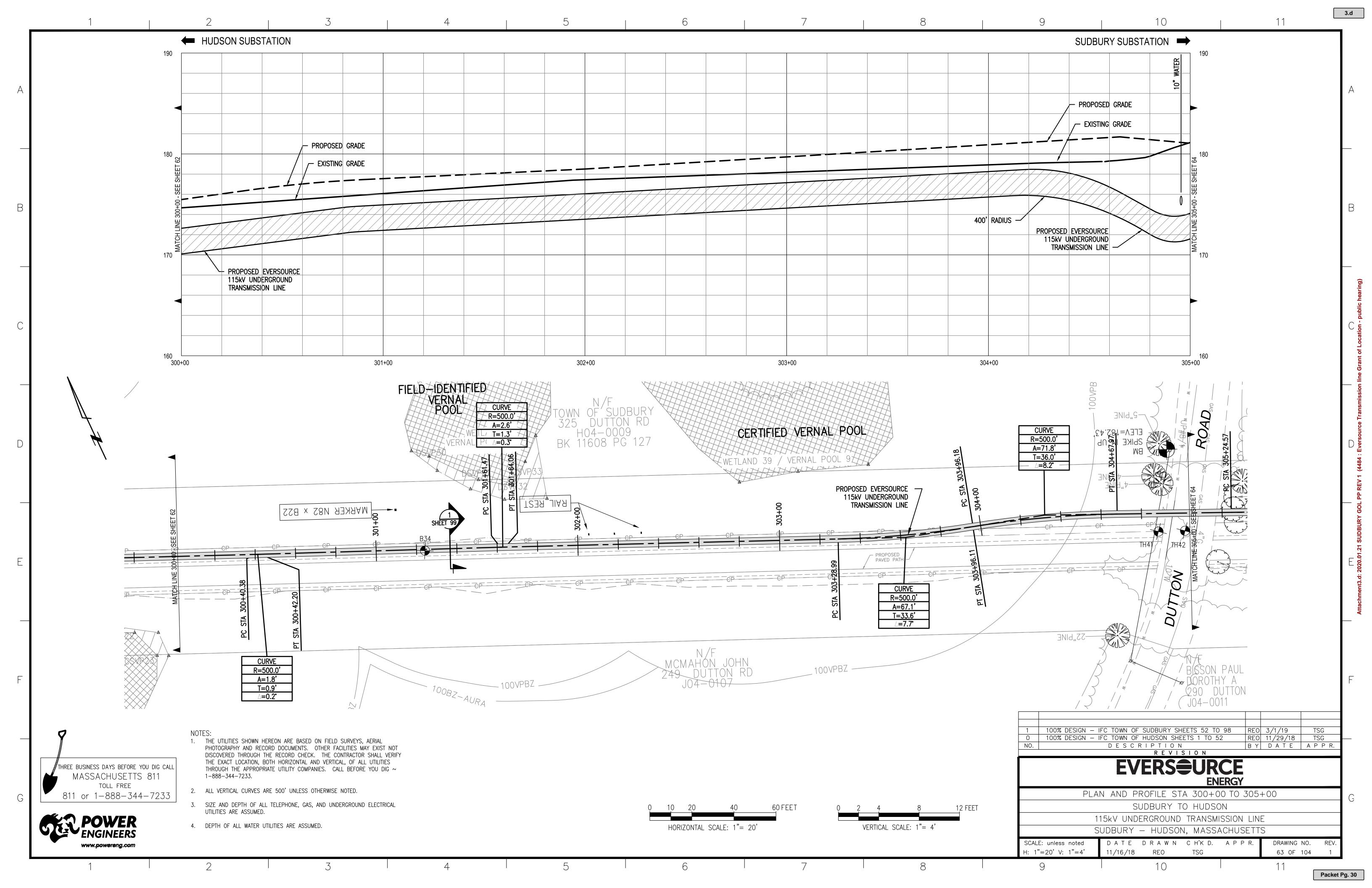
Henry L. Hayes, Jr. (he, him) Town Manager Town of Sudbury Phone: (978) 639-3381

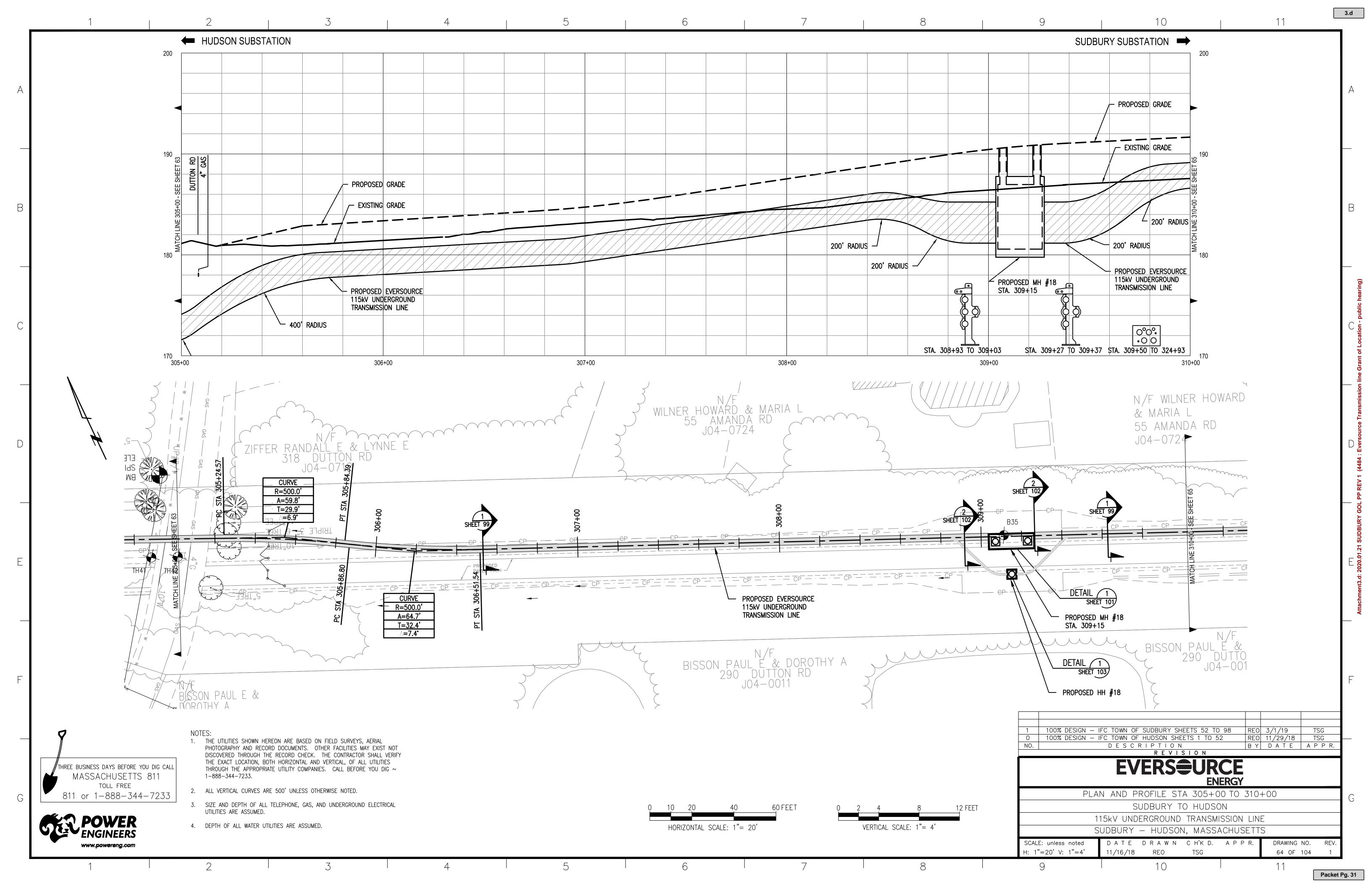
Sustaining a SAFE, SECURE, SERVICED & STRONG SUDBURY!

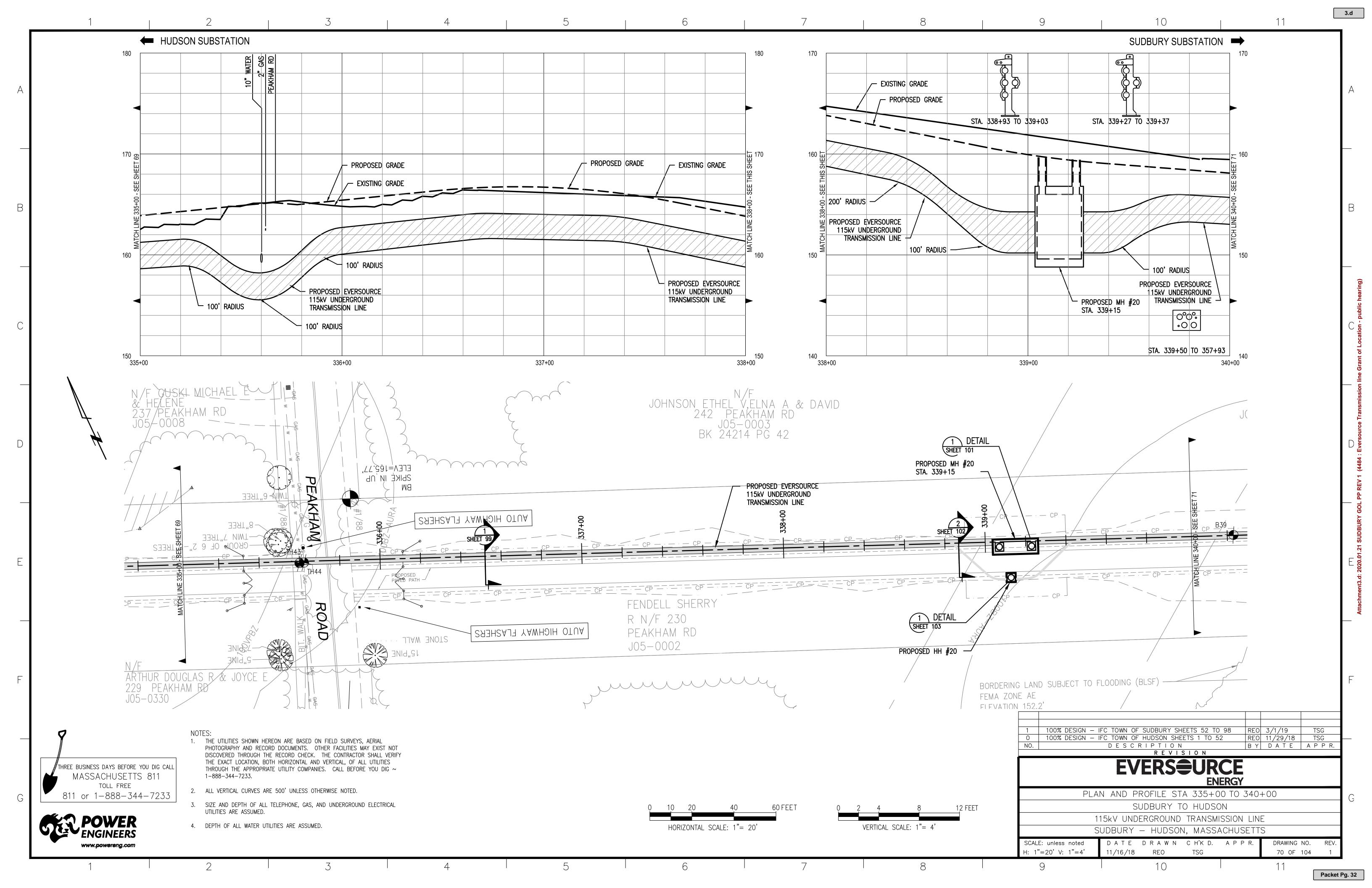
The Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records. Consequently, confidentiality should not be expected.

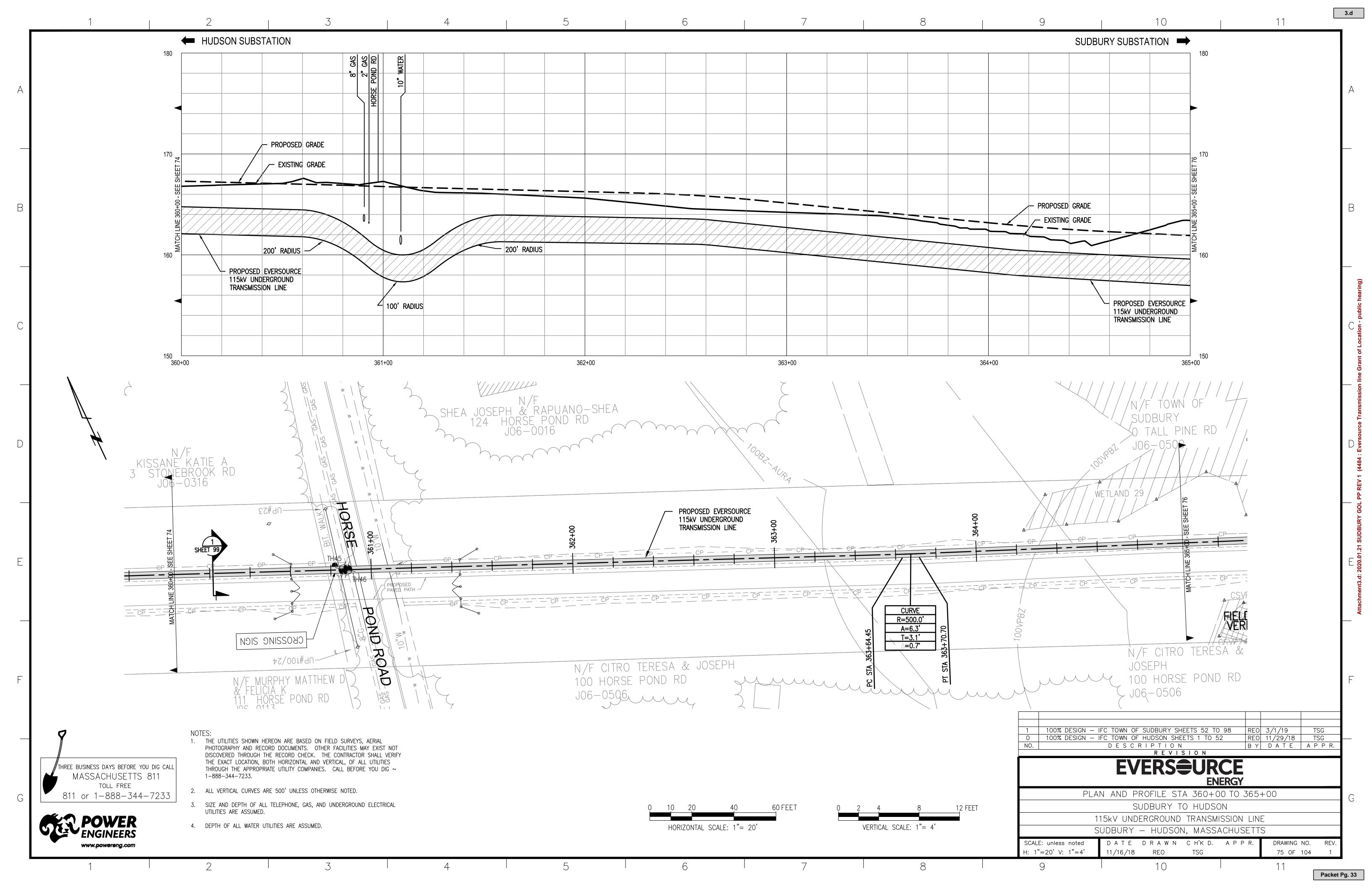


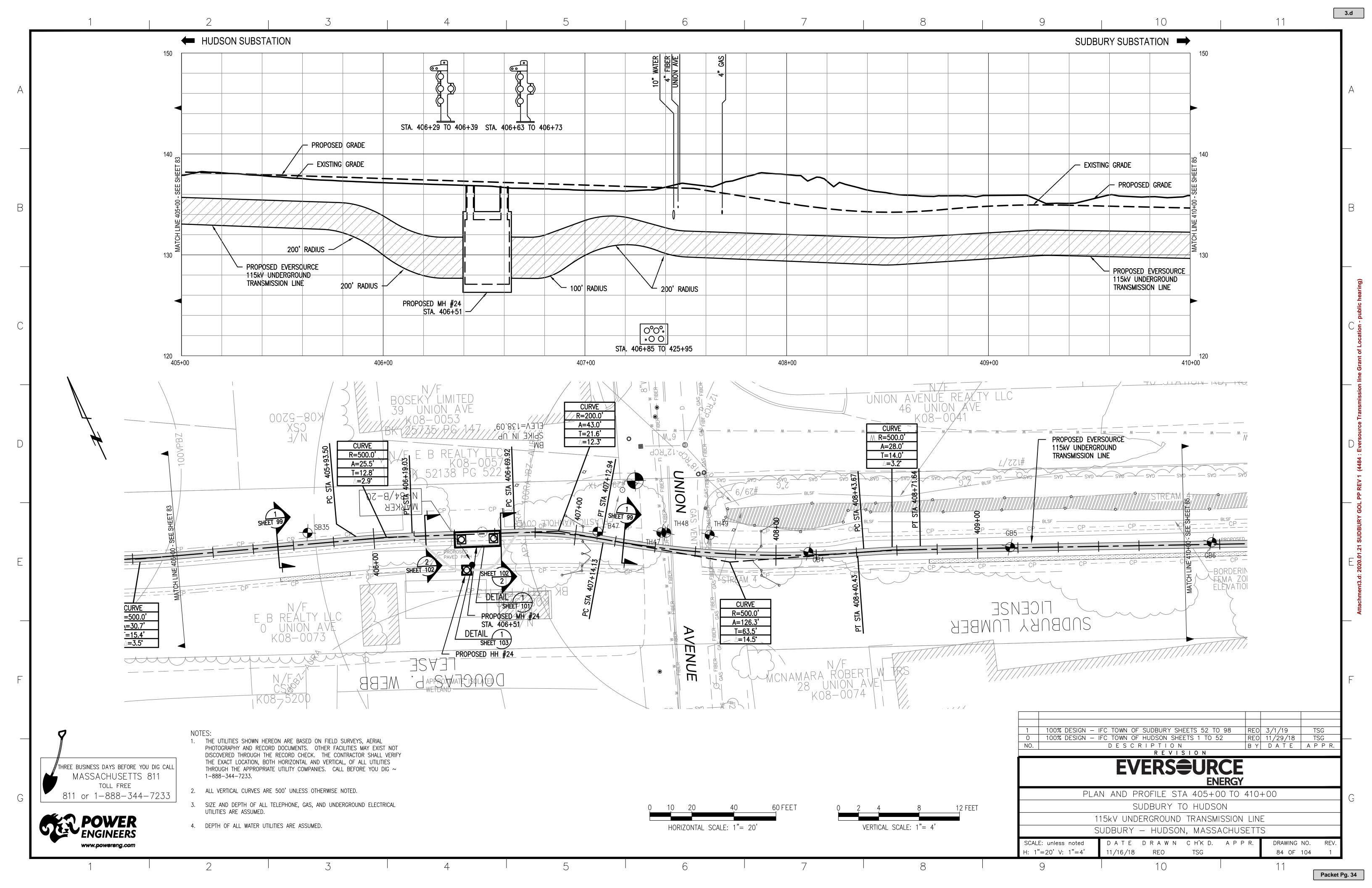


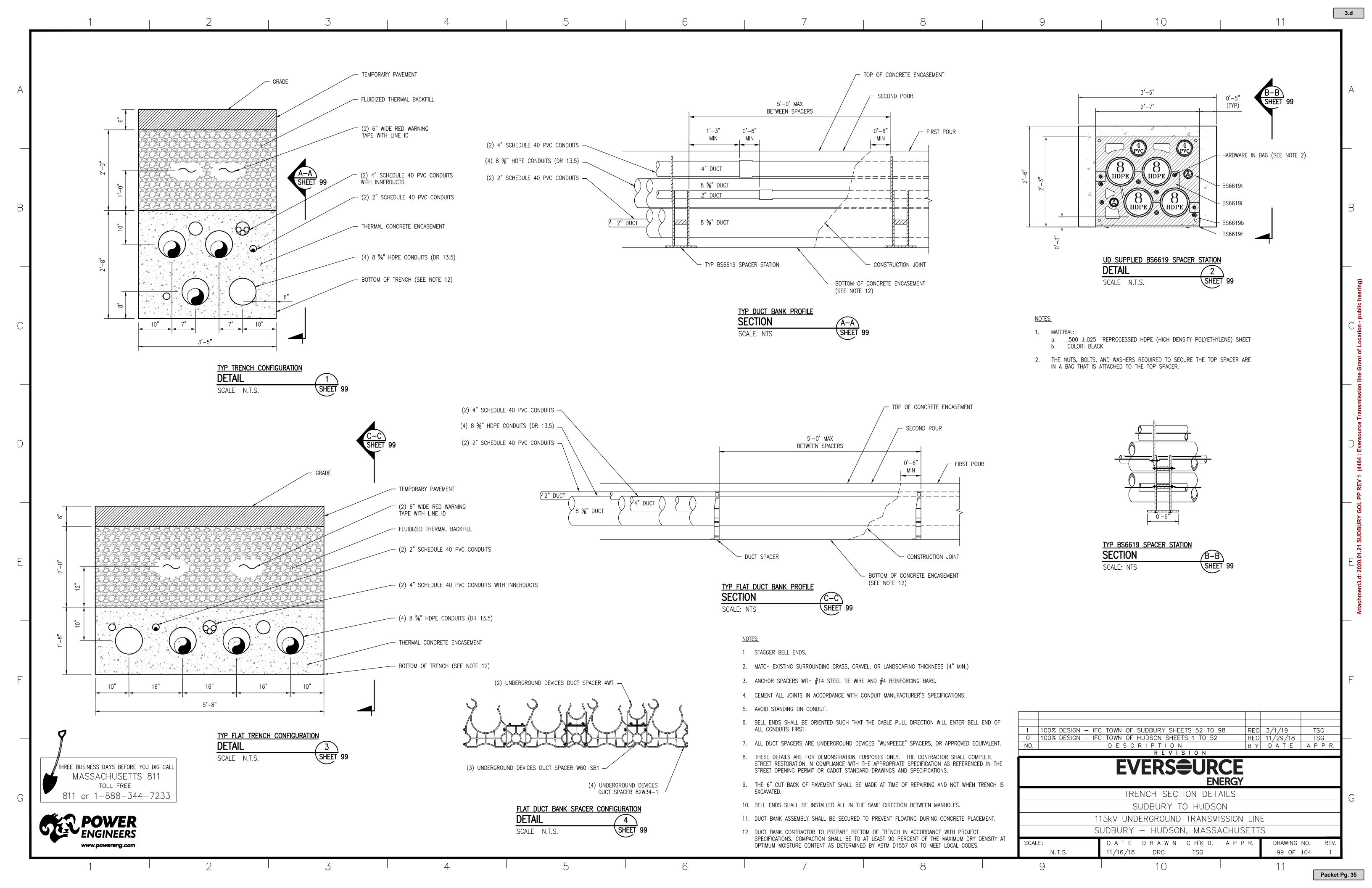


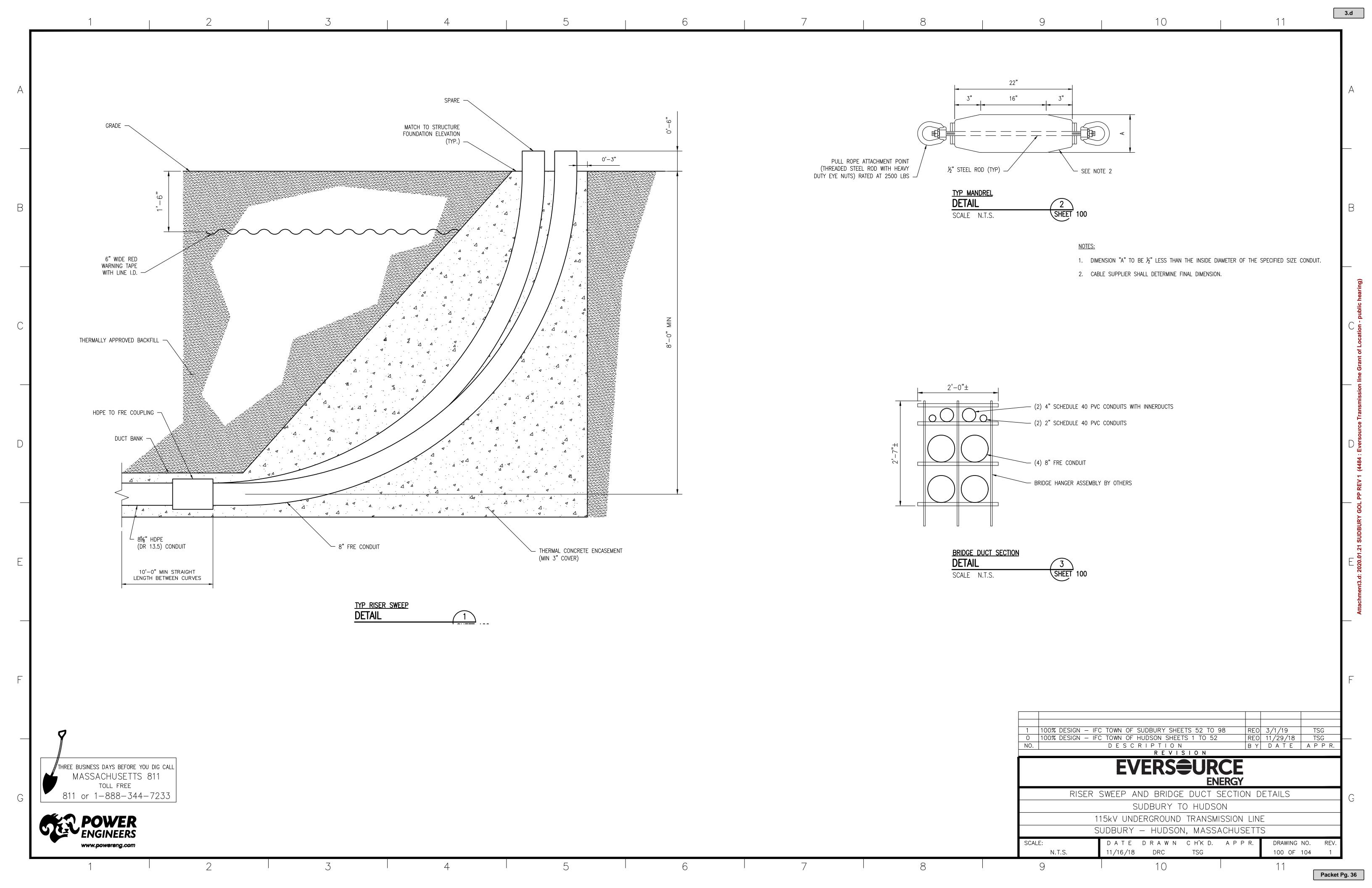


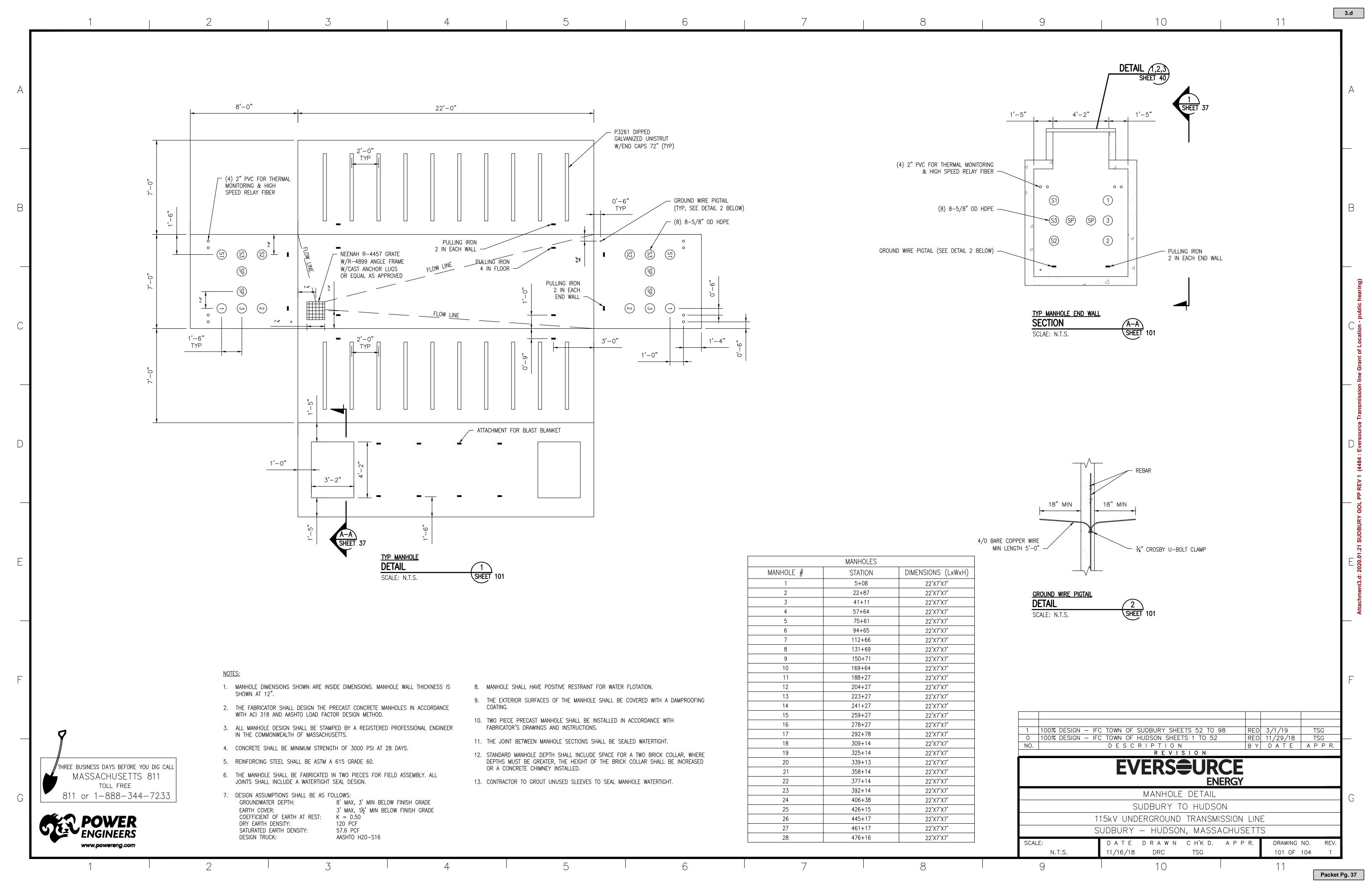


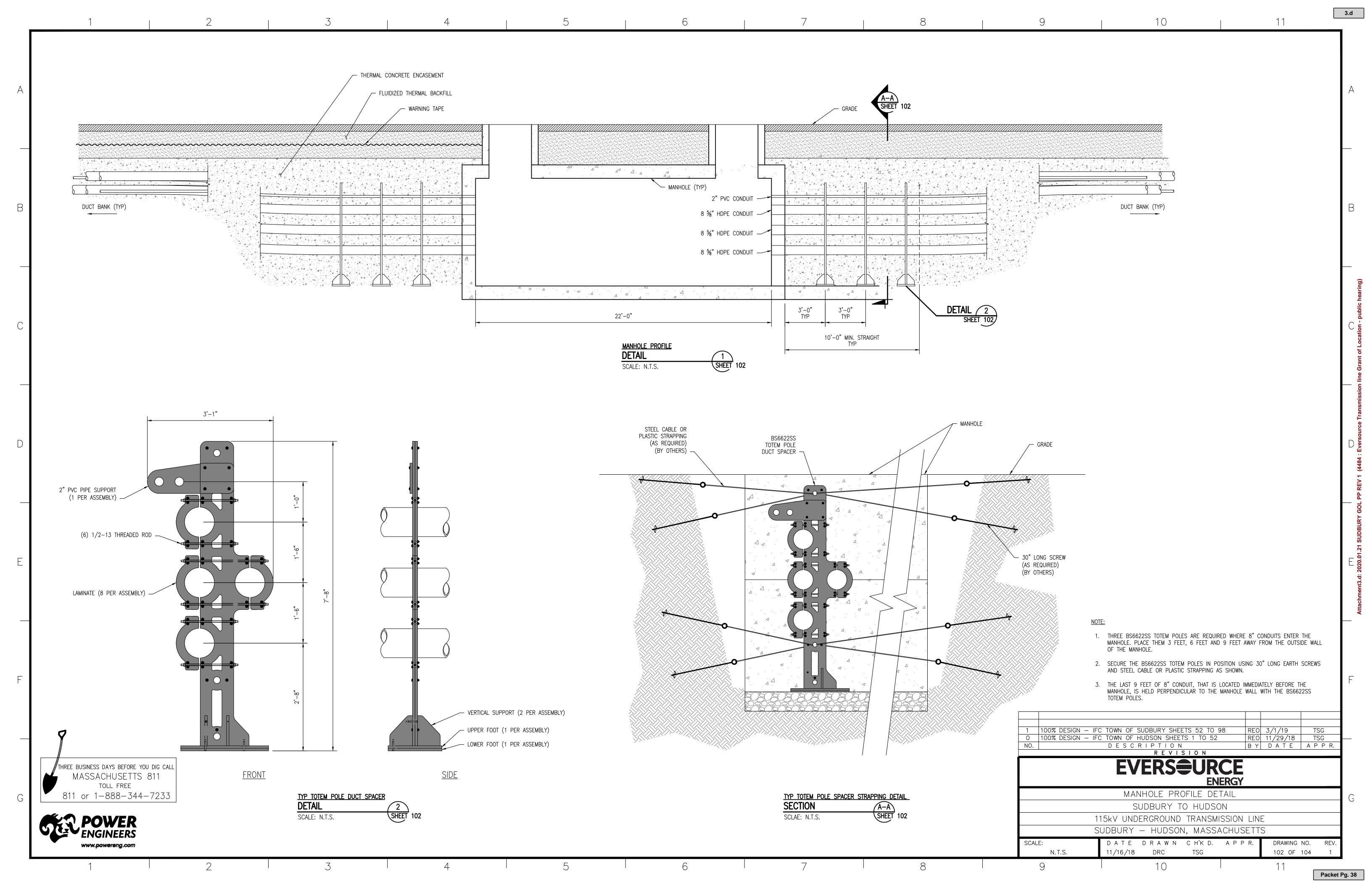


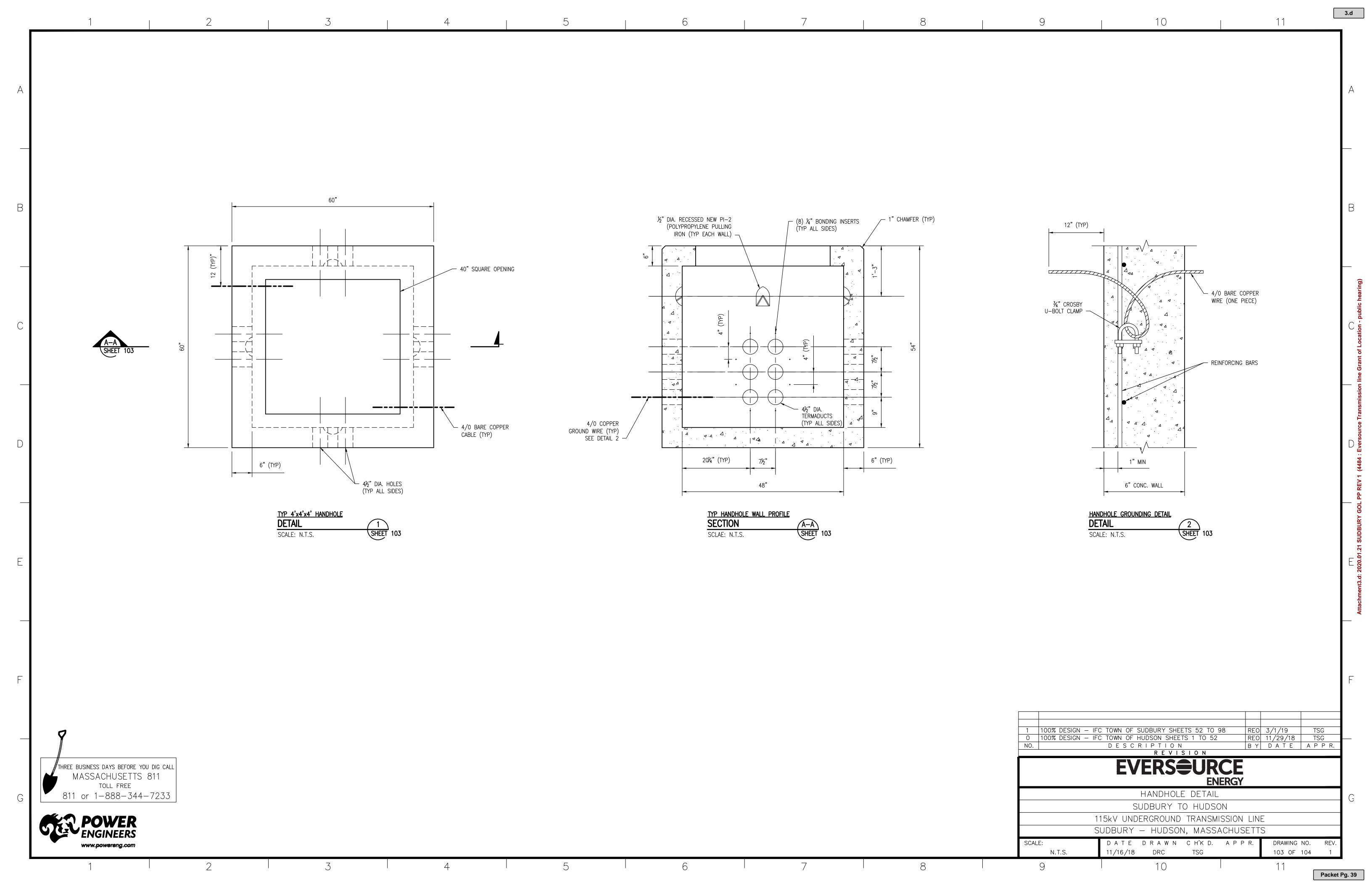


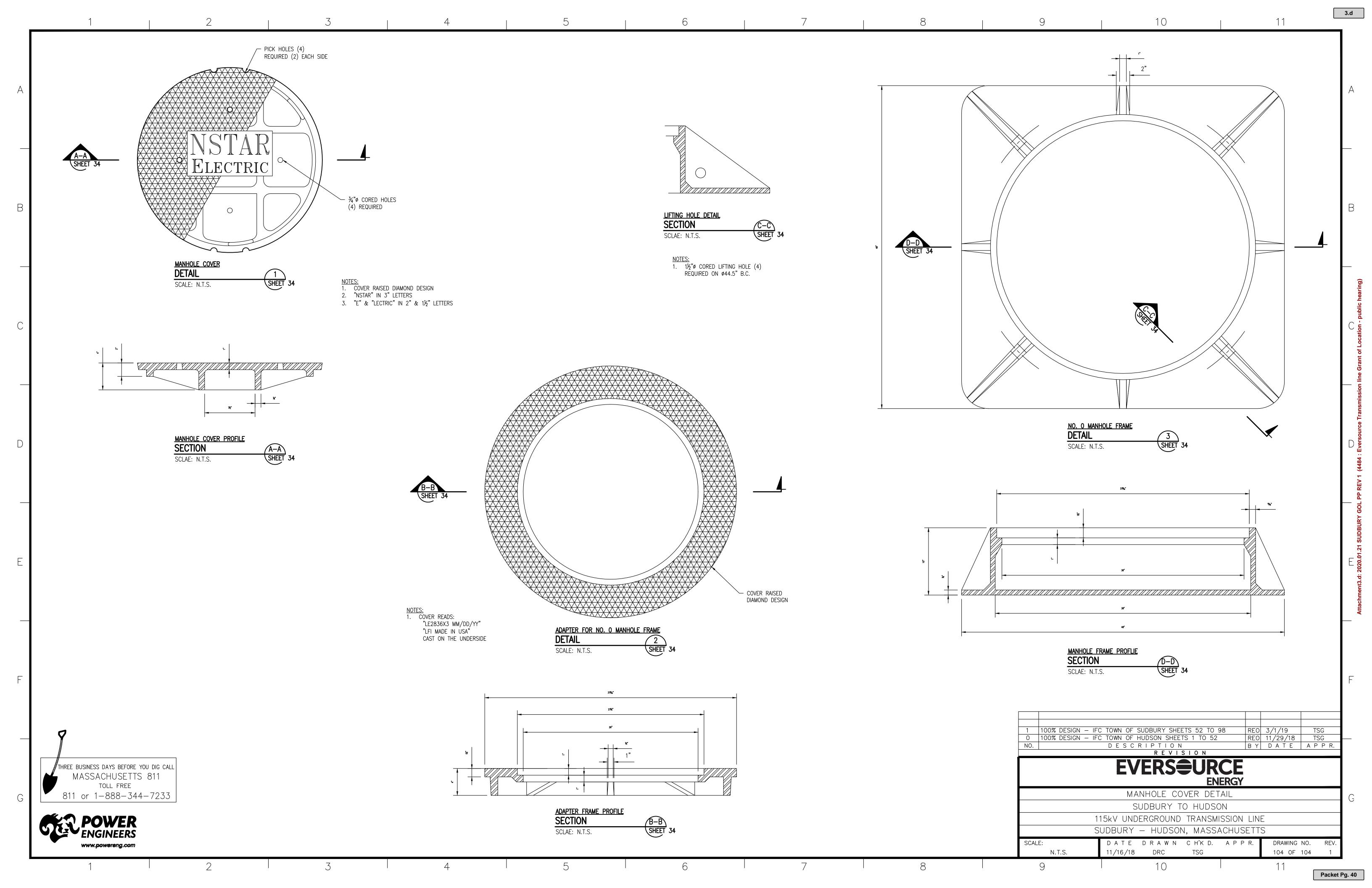












EVERSOURCE

SUDBURY-HUDSON TRANSMISSION RELIABILITY PROJECT SUDBURY GRANT OF LOCATION TEMPORARY TRAFFIC CONTROL PLANS

INDEX

SHEET NO. DESCRIPTION

1 TITLE SHEET & INDEX

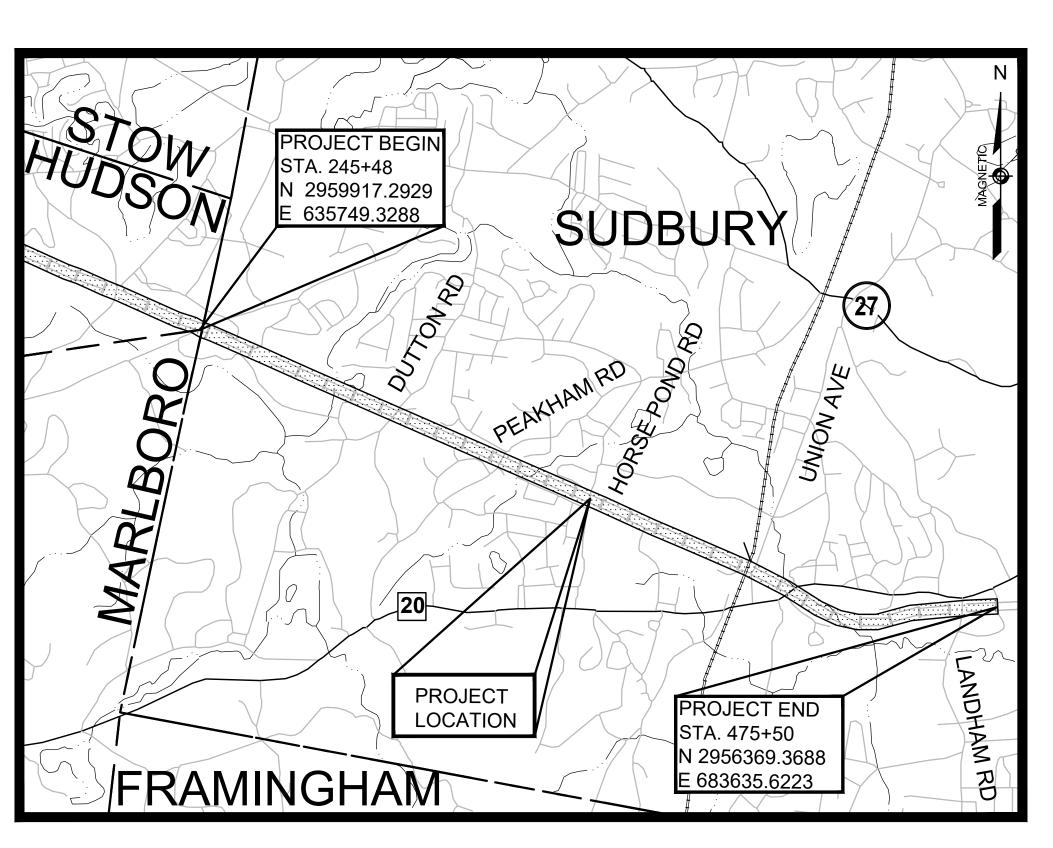
2-3 KEY PLAN AND WORK ZONE ACCESS PLAN

4 GENERAL NOTES AND LEGEND

6 TYPICAL DETAILS

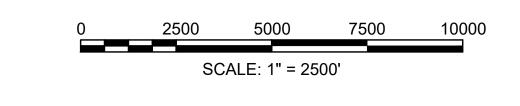
-9 CLOSURE AND DETOUR PLANS

0-11 SIGN SUMMARY





VANASSE HANGEN BRUSTLIN, INC. WATERTOWN, MASSACHUSETTS



NO. DESCRIPTION BY DATE APPR.

REVISION

EVERSEURCE

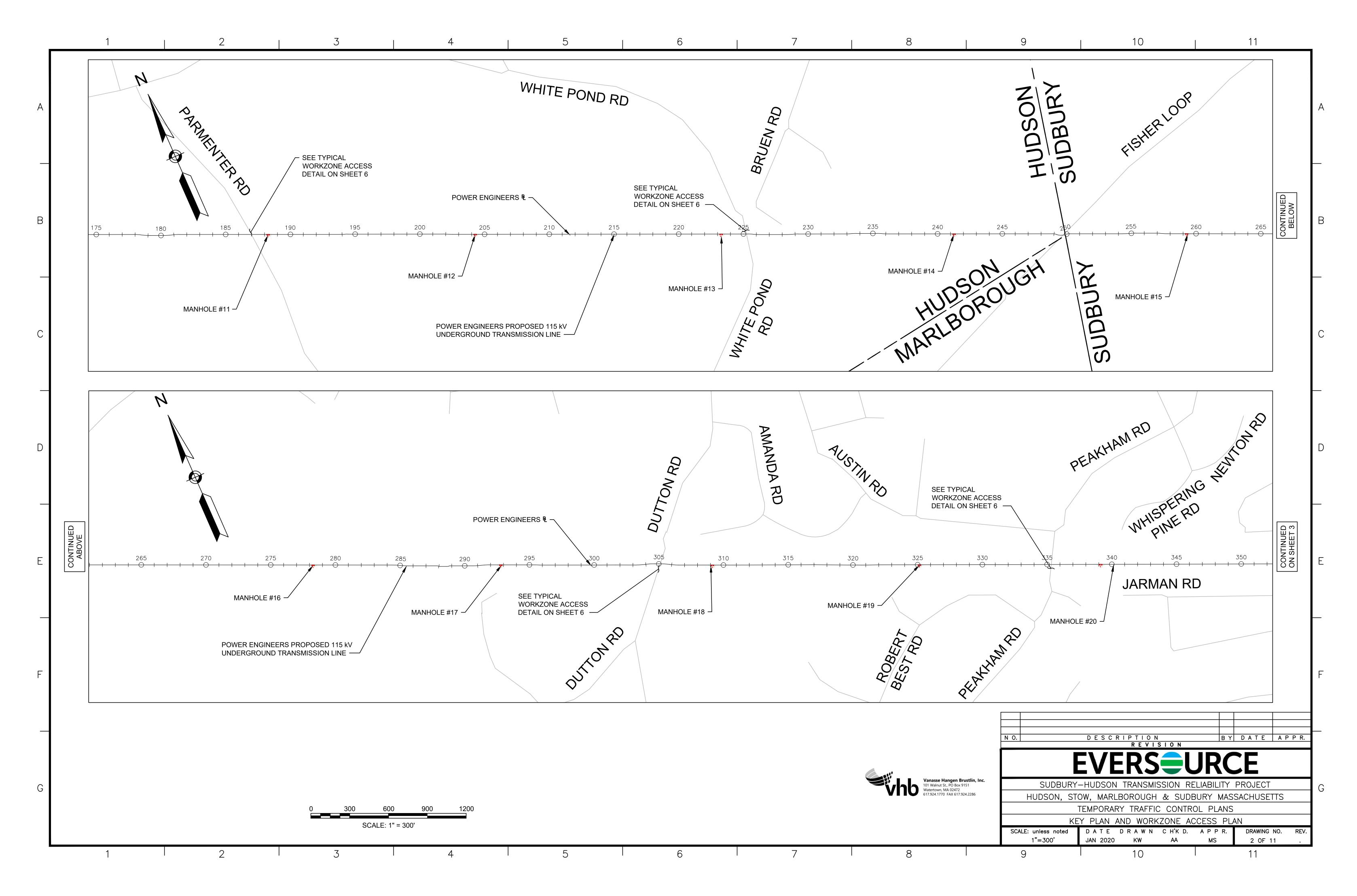
SUDBURY-HUDSON TRANSMISSION RELIABILITY PROJECT
HUDSON, STOW, MARLBOROUGH & SUDBURY MASSACHUSETTS
TITLE SHEET & INDEX

SCALE: unless noted DATE DRAWN CH'K D. APPR. DRAWING NO. REV.
JAN 2020 KW AA MS 1 OF 11 .

AMENDMENTS, THE 1968 STANDARD DRAWINGS FOR TRAFFIC SIGNALS AND HIGHWAY LIGHTING, AND THE LATEST EDITION OF THE AMERICAN

STANDARD FOR NURSERY STOCK, WILL GOVERN.

Packet Pg. 41



		l .	L			
ENERAL NOTES						
1. ALL CONSTRUCTION SIGNING, TEMPORARY TRAFFIC CONTROL DEVICES, AND ROADSIDE ELEMENTS SHALL CONFORM WITH THE 2009 MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AS AMENDED, THE MASSDOT STANDARD DETAILS AND DRAWINGS FOR THE DEVELOPMENT OF			SUGGESTED WORK ZO	NE SETUP TABLE		
TEMPORARY TRAFFIC CONTROL PLANS, THE LATEST REVISIONS OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS, (AASHTO) ROADSIDE DESIGN GUIDE, AASHTO POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS, AND NATIONAL COOPERATIVE HIGHWAY RESEARCH PROGRAM (NCHRP) REPORT 350 OR THE AASHTO MANUAL FOR ASSESSING SAFETY HARDWARE (MASH).	ROADWAY	POWER & STATION (SEE NOTE 1)		RY TRAFFIC CONTROL SETUPS	SHEET NU	JMBER
2. WORK HOURS SHALL BE AS STIPULATED BY THE ENERGY FACILITIES SITING BOARD (EFSB) AND AS APPROVED BY THE TOWN OF SUDBURY.	DUTTON RD	304+90 ± TO 305+20 ±	CLOSURE	AND DETOUR PLAN- DUTTON RD	SHEET	Γ 7
3. NO WORK SHALL OCCUR WITHIN THE PUBLIC WAY ON STATE RECOGNIZED HOLIDAYS UNLESS OTHERWISE APPROVED BY THE ENGINEER.	PEAKHAM RD	335+60 ± TO 335+90 ±		DESTRIAN BYPASS DETAIL RE AND DETOUR- PEAKHAM RD	SHEET SHEET	
4. ALL TEMPORARY PEDESTRIAN PATHWAYS SHALL COMPLY FULLY WITH ALL REQUIREMENTS OF THE MUTCD AND ALL APPLICABLE MASSACHUSETTS ARCHITECTURAL ACCESS BOARD (MAAB) AND AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) REQUIREMENTS AND PUBLIC RIGHTS-OF WAY ACCESSIBILITY GUIDELINES (PROWAG).	HORSE POND RD	360+90 ± TO 361+10 ±	PEI CLOSURE	DESTRIAN BYPASS DETAIL E AND DETOUR- HORSE POND RD	SHEET SHEET	Г 6 Г 9
5. ALL DRUMS OUTSIDE TAPERS SHALL BE SET AT 20' ON CENTER MAX. UNLESS OTHERWISE NOTED OR ADJUSTED BY THE ENGINEER.	UNION AVE BOSTON POST RD (ROUTE 20)	407+30 ± TO 407+60 ± 419+50 ± TO 419+90 ±	TYPICAL TWO-WAY ST	SEE NOTE 2	SHEET	1 5
6. ALL DRUMS SHALL BE APPROXIMATELY PLACED AND MOVED AS NECESSARY TO MAINTAIN SAFE AND REASONABLE ABUTTER ACCESS. WORK MAY REQUIRE ADDITIONAL SIGNS, DRUMS AND OTHER TRAFFIC CONTROL DEVICES, GRADING AND TEMPORARY PAVEMENT FOR PASSAGE OF PEDESTRIAN, VEHICULAR AND EMERGENCY TRAFFIC THROUGH THE WORK AREAS, BOTH DURING AND AFTER WORKING HOURS, TO MAINTAIN SUCH ACCESS.	PROFILE FOR ADDITIONAL			SEE NOTE 2 W. SEE POWER ENGINEERS UNDERGROUND T	RANSMISSION LINE PLAI	N AND
 REFLECTORIZED CONES SHALL BE A MINIMUM OF 36 INCHES IN HEIGHT. CONES MAY BE USED IN LIEU OF DRUMS OUTSIDE OF TAPER AREAS. 						
9. THE CONTRACTOR SHALL NOTIFY EACH ABUTTER AT LEAST 2 WEEKS IN ADVANCE OF THE START OF ANY WORK THAT WILL REQUIRE THE TEMPORARY CLOSURE OR RESTRICTION OF ACCESS.						
10. FOR DROP-OFFS 3" OR LESS WITHIN THE CLEAR ZONE, CONDITION MAY BE MITIGATED WITH W8-9 (LOW SHOULDER) SIGN OR TEMPORARY CHANNELIZATION DEVICES.	LEGEND		I ANE TAPER	LENGTH FORMULAS	BUFFER S	SPACING
11. CONTRACTOR SHALL STAGE WORK SUCH THAT A DROP-OFF OF NO MORE THAN 3" AT THE END OF EACH WORK DAY EXISTS WITHIN THE CLEAR ZONE AT ANY TIME AND ENSURE DROP-OFF IS MITIGATED WITHOUT BARRIER PER NOTE 12.	FLAGGER		L= TAPER LENGT		SPEED	DISTAN
12. CONSTRUCTION CLEAR ZONE SHALL BE IN ACCORDANCE WITH MASSDOT BOSTON TRAFFIC GUIDELINES AS FOLLOWS: 4' IF POSTED SPEED IS LESS THAN 35 MPH	POLICE OFFICER		W= WIDTH OF RO. SHIFTED OR F	ADWAY TO BE REDIRECTED IN FEET	(MPH) 15	(FEET
8' IF POSTED SPEED IS 35 MPH 15' IF POSTED SPEED IS 40 MPH	TRAFFIC SIGNAL		S= POSTED SPEE		20	115
13. 11' MINIMUM LANE WIDTHS SHALL BE MAINTAINED UNLESS OTHERWISE NOTED.	REFLECTORIZED DRUM			POSTED SPEED		
14. NON-ESSENTIAL TRAFFIC CONTROL DEVICES AND SIGNS SHALL BE COVERED OR REMOVED DURING NON-WORKING HOURS WHEN NOT IN USE.	TEMPORARY CONSTRUCT	TON SIGN	40 MPH OR L	ESS	25	155
15. SIGNS INSTALLED ON PORTABLE STANDS REQUIRE 12 INCH MINIMUM MOUNTING HEIGHT FROM THE ROADWAY SURFACE TO THE BOTTOM OF THE SIGN.		TON SIGN	$L = \frac{WS^2}{60}$		30	200
16. SIGNS INSTALLED ON PORTABLE STANDS PLACED AMONG CHANNELIZATION DEVICES REQUIRE A 36 INCH MINIMUM MOUNTING HEIGHT FROM THE ROADWAY SURFACE TO THE BOTTOM OF THE SIGN.	TRAFFIC CONE TYPE III BARRICADE				35	250 305
17. SIGNS MOUNTED ON POSTS REQUIRE A MINIMUM 84 INCH MOUNTING HEIGHT FROM THE ROADWAY OR SIDEWALK SURFACE TO THE BOTTOM OF THE SIGN.	WORK AREA (PUBLIC ACC	ESS RESTRICTED)	ADVANCE SIG	GN SPACING	40	300
18. ALL SIGNS SHALL BE MOUNTED ON THEIR OWN NCHRP 350 AND/OR MASH CRASH TESTED SIGN SUPPORTS AND INSTALLED IN ACCORDANCE WITH THE MUTCD.	ROAD CLOSED, LOCAL ACC	CESS ONLY	ROADWAY	DISTANCE BETWEEN SIGNS (FEET) A B C D		
19. MA-W20-7b SIGNS SHALL BE REPLACED BY W20-7 SIGNS WHEN FLAGGERS ARE USED IN LIEU OF POLICE OFFICER DETAILS.	← TRAFFIC FLOW		ALL ROADS	350 150 350 350		
20. CONTRACTOR SHALL SECURE WORK AREAS BY APPROPRIATE MEANS TO PREVENT UNAUTHORIZED ACCESS AT ALL TIMES.	PEDESTRIAN ROUTE					
21. THERE IS NO DESIGNATED BICYCLE LANE ON THE ROADWAY WITHIN THE PROJECT LIMITS. BICYCLES ARE EXPECTED TO SHARE THE ROAD WITH GENERAL VEHICULAR TRAFFIC.	CONSTRUCTION FENCE					
22. TEMPORARY CONSTRUCTION FENCING IS TO BE USED AS NEEDED WHEN WORKING ADJACENT TO PRIVATE PROPERTY TO DELINEATE WORK ZONE LIMITS AND PREVENT UNAUTHORIZED ACCESS.	TEMPORARY PEDESTRIAN	I BARRICADE				
	NTS NOT TO SCALE					

Vanasse Hangen Brustlin, Inc.
101 Walnut St., PO Box 9151
Watertown, MA 02472
617.924.1770 FAX 617.924.2286

DRAWING NO. REV.

4 OF 11

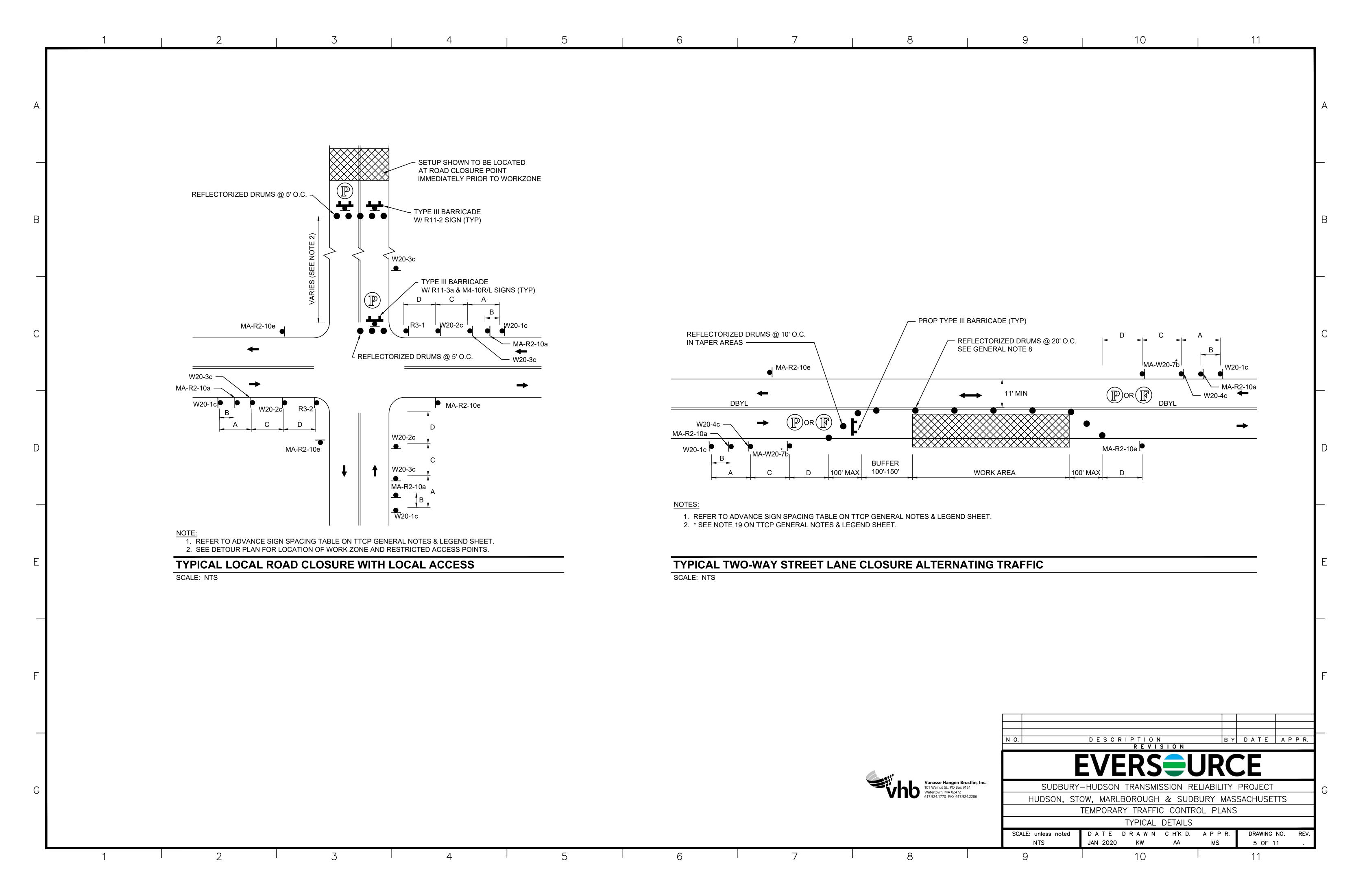
SUDBURY-HUDSON TRANSMISSION RELIABILITY PROJECT

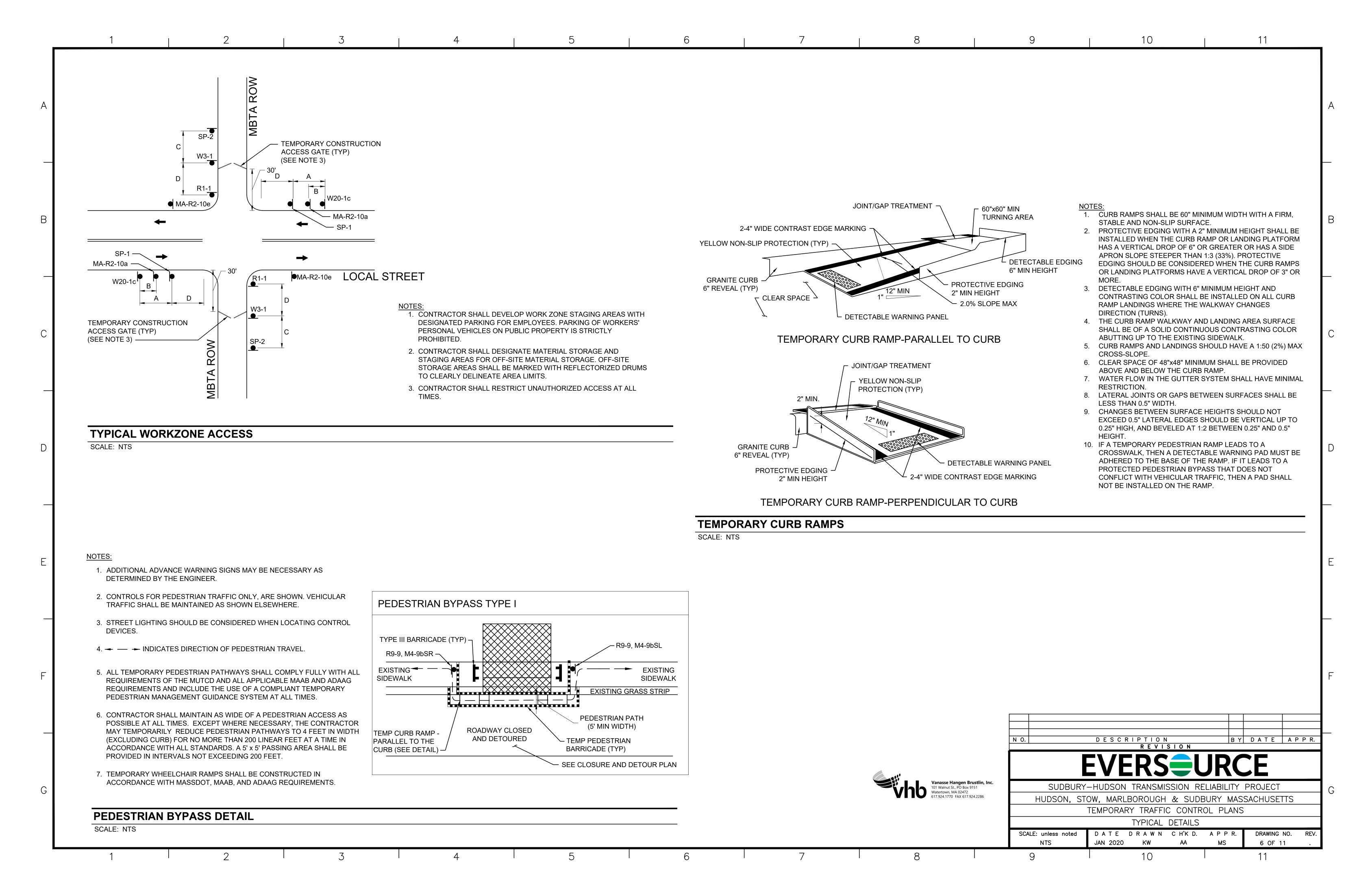
HUDSON, STOW, MARLBOROUGH & SUDBURY MASSACHUSETTS

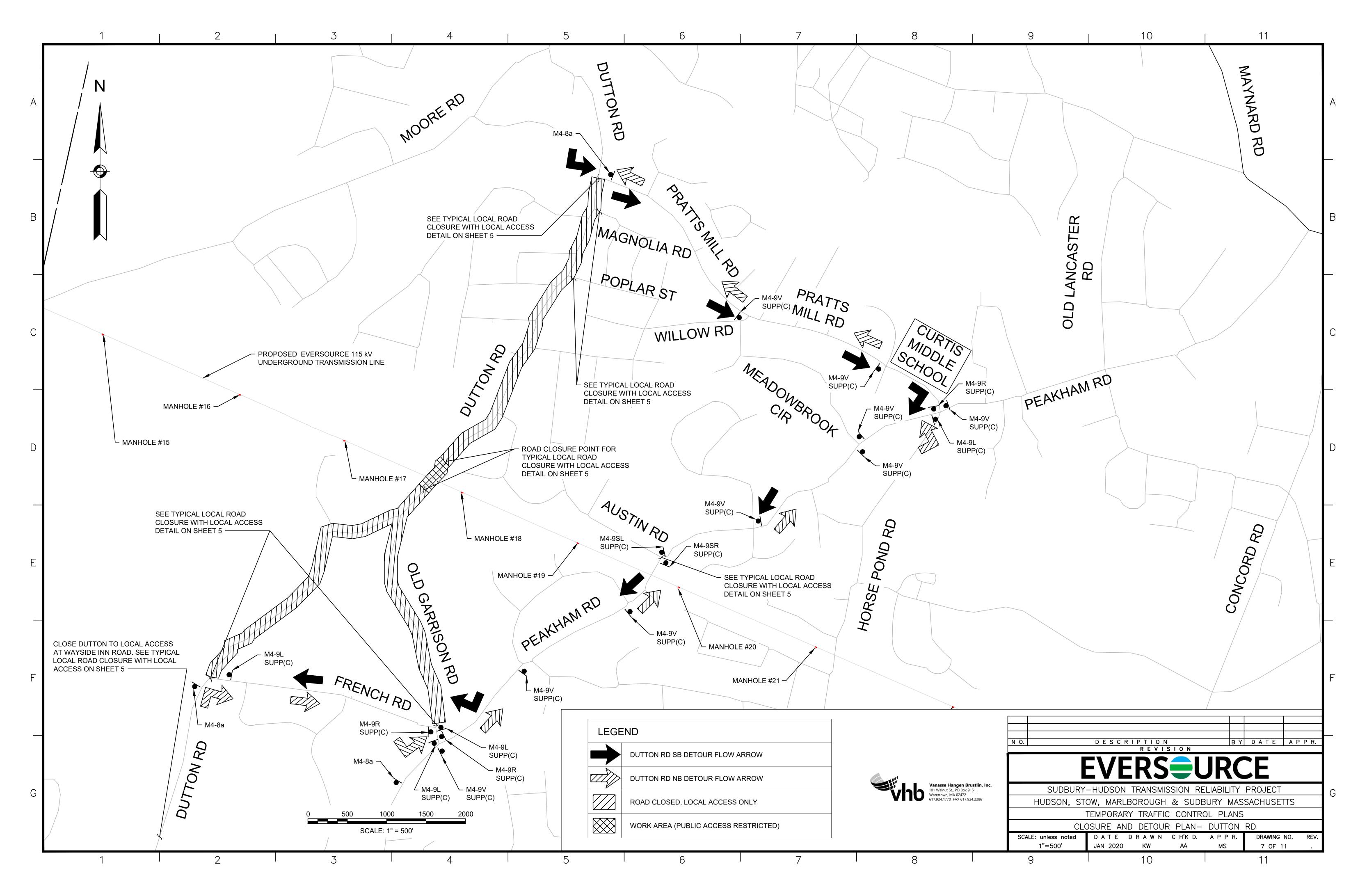
TEMPORARY TRAFFIC CONTROL PLANS

GENERAL NOTES AND LEGEND

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Company Comp																			
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Second S	IDENTIFI- CATION NUMBER			TEXT				BORDER	CATION			TEXT		,		"STANDARD HIGH	HWAY SIGNS, 2004 EDITION" I	FOR TEXT DIMENSIO	ONS, AS AMENDED
No. 10 11 10 10 10 10 10 1	MA-R2-10a	48"	36"	WORK ZONE SPEEDING FINES DOUBLED	AS PER MASSDOT	FLUOR- ESCENT ORANGE			W20-2c	36"	36"	DETOUR	SEE FHWA "ST HIGHWAY S	ANDARD IGNS,	FLUOR- ESCENT BLACK BLACK	DEPARTMENT SIC UNIFORM TRAFFI 2017 MassDOT ST 2. ALL SIGNS SHOW	GN LISTINGS 1993 EDITION, A IC CONTROL DEVICES FOR M FANDARD SIGNS BOOK, AS AN VN GRAPHICALLY FOR INFORI	S AMENDED; THE 200 OUNTING REQUIREM MENDED. MATION ONLY. SIGN	009 MANUAL ON MENTS; AND THE I VENDOR SHALL
Second S	MA-R2-10e	36"	48"	END ROAD WORK DOUBLE FINES END		FLUOR- ESCENT ORANGE	BLACK	BLACK	W20-3c	36"	36"	ROAD CLOSED AHEAD			ESCENT BLACK BLACK	FABRICATE ALL S	SIGNS IN ACCORDANCE WITH	THE APPLICABLE ST	ANDARDS.
10 10 10 10 10 10 10 10	R1-1	36"	36"	STOP	HIGHWAY SIGNS,	RED	WHITE	WHITE	W20-4c	36"	36"	ONE LANE ROAD AHEAD			ESCENT BLACK BLACK				
	3-1	24"	24"			WHITE	RED/ BLACK	BLACK	W20-7	36"	36"				ESCENT BLACK BLACK				
Marie Back	13-2	24"	24"			WHITE		BLACK	MA-W20-7b	36"	36"	POLICE OFFICER AHEAD			ESCENT BLACK BLACK ORANGE				
12 12 13 15 15 15 15 15 15 15	4-7b	24"	30"			WHITE	BLACK	BLACK	W24-2 (MOD)	36"	36"	LANE SHIFT AHEAD	STANDA	RD	ESCENT BLACK BLACK				
March 100 10	J-9	24"	12"	CLOSED		WHITE	BLACK	BLACK	M4-4	24"	12"	TRUCK	HIGHWAY S	IGNS,					
March Marc	1-2	48"	30"			WHITE	BLACK	BLACK	M4-8a	24"	18"				ESCENT BLACK BLACK ORANGE				
ORANGE 148 36'	11-3a	60"	30"	AHEAD LOCAL TRAFFIC ONLY			BLACK	BLACK	M4-9L	30"	24"				ESCENT BLACK BLACK ORANGE				
SCENT BLACK BLACK MA-99L 30" 24"	1-4L	36"	36"			ESCENT ORANGE	BLACK	BLACK	M4-9R	30"	24"	—			ORANGE FLUOR-				
SOUND REDUCK RE	1-4R					ESCENT ORANGE FLUOR-	BLACK								ORANGE FLUOR-				
SACRE BLACK BLAC	3-1					FLUOR-	BLACK								ORANGE FLUOR-				
ORANGE 1-8 36" 36" SOUTH STANSMISSION RELIABILITY PROJECT	9 1					ORANGE FLUOR-									ORANGE FLUOR-				
ORANGE ORANGE ORANGE ORANGE ORANGE FLUOR- ESCENT ORANGE ORANGE FLUOR- REVISION FLUOR- REVISION FLUOR- REVISION FLUOR- REVISION FLUOR- FRANCE ORANGE SUDBURY-HUDSON TRANSMISSION RELIABILITY PROJECT						ORANGE FLUOR-									ORANGE				
ORANGE 20-1c 36" 36" ORANGE NO. DESCRIPTION BY DATE A REVISION EVERSURE BLACK BLACK BLACK DRANGE SUDBURY—HUDSON TRANSMISSION RELIABILITY PROJECT	8-9					ORANGE FLUOR-			IVI4-TUK	48" 	18"	DETOUR			ORANGE BLACK				
Walandania MAN (17A7')						FLUOR- ESCENT									101 Walnut St., PO Box 9151		EVERS	URC	CE

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A				TEMPOR	ARY TRAF	FIC CONT	ROL SIGN SUMMA	RY (CONT	INUED)									
				IDENTIFI- CATION	SIZE OF		TEXT		IMENSIONS (COLOR BACK-							
1				NUMBER	WIDTH	HEIGHT		LETTER HEIGHT	SPACING 3"	RTE. MKR.	BACK- GROUND LEGEND BORDE	:R 						
				SUPP(C)	42"	12"	DUTTON RD	6"C	3"	N/A	ESCENT BLACK BLACK ORANGE							
В				SUPP(H)	48"	12"	PEAKHAM RD	6"C	3" 3"	N/A	FLUOR- ESCENT BLACK BLACK ORANGE							
				SUPP(J)	60"	12"	HORSE POND RD	6"C	3"	N/A	FLUOR- ESCENT BLACK BLACK ORANGE	(
				SP-1	36"	36"	CAUTION VEHICLES ENTERING	6"C 6"C 6"C	3.5" 3.5"	N/A	FLUOR- ESCENT BLACK BLACK ORANGE	(
С				SP-2	36"	36"	ROAD CROSSING AHEAD	6"C 6"C 6"C	3.5" 3.5"		FLUOR- ESCENT BLACK BLACK ORANGE SIGNS, 2004 EDITION" FOR	ζ						
D				AMENDED ON UNIFOI AMENDED 2. ALL SIGNS	, FOR SIGNS AI RM TRAFFIC CO	ND SUPPORTS ONTROL DEVIC CHICALLY FOR	977 MASSHIGHWAY DEPAR THE MASSHIGHWAY DEPAR ES FOR MOUNTING REQUIRI NFORMATION ONLY. SIGN V	TMENT SIGN L EMENTS; AND ⁻	ISTINGS 1993 ΓΗΕ 2017 Mas	EDITION, A SDOT STAN	S AMENDED; THE 2009 MANUA DARD SIGNS BOOK, AS	L						
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G												Vanasse Hange 101 Walnut St., PO E Watertown, MA 024 617.924.1770 FAX 6	3ox 9151 	SUDBURY- HUDSON, STO	-HUDSON TRAN DW, MARLBOROU TEMPORARY TRA	SEU SMISSION RELIA JGH & SUDBUR AFFIC CONTROL	ABILITY PROJECT RY MASSACHUSE	
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KEEGAN WERLIN LLP

ATTORNEYS AT LAW

99 High Street, Suite 2900

BOSTON, MASSACHUSETTS 02110-3113

TELECOPIER: (617) 951-1354

(617) 951-1400

DAVID S. ROSENZWEIG E-mail: drosen@keeganwerlin.com

January 13, 2021

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

Re: Request by NSTAR Electric Company d/b/a Eversource Energy for Grants of Location Response to Outstanding Questions

Dear Chairman Dretler and Board Members:

This letter responds to questions posed during the December 15, 2020 public comment hearing conducted by the Sudbury Board of Selectmen ("Board") regarding the February 12, 2020 Petition of NSTAR Electric Company d/b/a Eversource Energy ("Eversource" or "the Company") for grants of location pursuant to G.L. c. 166, § 22. The grants of location ("GOLs") are required for four short street crossings (Dutton Road, Peakham Road, Horse Pond Road, Union Avenue) in connection with the Company's construction of a 115-kilovolt ("kV") underground electric transmission line (the "New Line") along a disused right-of-way ("ROW") owned by the Massachusetts Bay Transportation Authority ("MBTA") ("MBTA ROW") in Sudbury.

Before addressing the questions and comments from the GOL hearing, the Company notes its disagreement with the timing of the Board's next scheduled hearing for the GOL, which was set by the Board for April 6, 2021. The Company filed its GOL application on February 12, 2020 and the first hearing was delayed for ten months until December 15, 2020. While the Company understands and appreciates the challenges of conducting business during the pandemic, we are also aware of the accommodations made by Sudbury and other cities and towns to perform many permit reviews during this timeframe. As examples, it appears that other town agencies in Sudbury, such as the Conservation Commission, the Planning Board and the Board of Appeals, have been processing various permit requests over the past year in typical fashion (albeit with virtual hearings). Notably, prior to the pandemic, the Company obtained GOLs from the Town of Hudson on January 27, 2020 for construction of the New Line along 1.5 miles of public roads, only three weeks after the application was filed with the Hudson Board of Selectmen. For these reasons, the Board's decision to delay the next GOL hearing until April 6th is insupportable given the limited scope of the requested GOLs. We, therefore, believe that prompt action on the Company's GOL application, without undue delay as has already been experienced, is warranted. Accordingly, the Company respectfully requests timely review of its GOL application, specifically setting the date for the next hearing in January 2021 and completion of the GOL process expeditiously thereafter.

Following below are the Company's responses to the questions and comments from the December 15th hearing that are within the relevant scope of the GOL process.

The Town's Director of Public Works, Daniel Nason, commented and asked questions regarding the Company's petition for a GOL. The following summarizes Mr. Nason's statements and provides a response.

- Mr. Nason notes that road closures in Sudbury are authorized by the Department of Public Works, not the Police Department.
 - The Company will coordinate road closures with the Department of Public Works ("DPW"), as directed by Mr. Nason, and other relevant Town officials.
- Mr. Nason asked about the timeline for the work proposed by Eversource on Dutton Road so that it does not conflict with the Town's plan for construction on the Dutton Road bridge.
 - Eversource will work with the DPW director to schedule Project work on Dutton Road to avoid conflicts with the Town's bridge project. Eversource expects the Project work at Dutton Road to take approximately 1-2 weeks to complete.
- Mr. Nason noted that all signage and detail officers will be the responsibility of Eversource. The Company, through its Contractor, will provide reasonable signage as provided in the Temporary Traffic Control Plans provided in Exhibit E to the GOL Application and will pay the expense of reasonable police details.
- Mr. Nason noted that road plates cannot be used during the winter months.
 - The Company and its Contractor will schedule the work such that road plates will not be needed during winter months. Eversource notes that Section I(A)(1) of the Town's Road Opening Rules allows for work to be performed between November 1 and April 1 with the written permission of the DPW director. Eversource expects the work at each road to take 1-2 weeks to complete.
- Mr. Nason notes that curb-to-curb paving 25 feet in each direction will be required upon completion of the construction.

Eversource will comply with the Town's Road Opening Rules and Regulations and the Massachusetts Department of Public Utilities' Road Restoration Standards as set forth in D.T.E. 98-22.

Board members, other Town officials and members of the public asked numerous questions about the Company's GOL petition during the public hearing. The following summarizes those questions and provides a response from the Company.

➤ What happens if the GOL is approved?

A GOL will provide Eversource the legal right to place its duct bank within the four roadways, in accordance with the plans submitted with Eversource's GOL application. Nevertheless, Project construction will not begin until all applicable permits are obtained.

➤ What happens if the GOL is not approved?

If the GOLs are not approved, Eversource will seek recourse through other legal means available to it.

Why does the Petition ask for permission to place the wires and cables "over" the roadways? Will the Project be overhead at these crossings?

No, the New Line will be not be constructed overhead. But for three bridge crossings, it will be constructed entirely underground, including at the road crossings, in accordance with the plans submitted by the Company with its GOL application.

Why would Eversource seek this the GOL when there are other permits needed for the Project and the Project is still under appeal?

It is common practice to seek permits in parallel with each other, especially when permits are independent of each other. This is the only way that projects that require a multitude of federal state and local permits, such as the one proposed by the Company, can be permitted and ultimately constructed in a timely manner. The scope covered by this GOL permit is independent of all other permits for the Project and, thus, cannot and should not be delayed until other permits are issued. In any event, construction of the Project will not begin until all relevant permits are received; thus, the granting of any single permit does not authorize the Project to proceed.

While the final decision of the Energy Facilities Siting Board ("EFSB") approving the Project pursuant to G.L. c. 164, §§ 69 and 72 and the Certificate of the Secretary of the Executive Office of Energy and Environmental Affairs on the Company's Final Environmental Impact Report under the Massachusetts Environmental Policy Act have been appealed, those appeals do not affect local permitting for the Project. Notably, those decisions are in full force and effect despite the pendency of the appeals. Moreover, the timing of the receipt of other permits is not pertinent to the Board's review of the Company's GOL application.

> Shouldn't the Board wait until all other permits are issued to see what how those permits may impact the granting of this permit?

No. None of the other permits being sought is applicable to the granting of the right to place the transmission line under the four public ways covered by the application. The GOL permit is independent of all other permits applicable to the Project. The Board is required to review the Company's GOL application in a timely manner regardless of the status of other permits.

➤ Will the proposed work interfere with school bus routes?

No. Eversource will coordinate the work with the DPW so as to not interfere with school bus routes along the affected roadways.

➤ What equipment will be stored in the area during construction? Where are the proposed lay down areas?

Lay down areas will not be established until a Contractor is selected and the work can be planned. Such areas will comply with all permits and permit conditions. Eversource would agree to a condition that no equipment will be stored within the public way at the four road crossings.

Who is responsible for fixing potholes or other damage in the excavated areas six months down the road? What happens if there is a problem three years down the road?

Roads will be restored in accordance with the Town's regulations as set forth in the Town's Road Opening Rules and Regulations and the Massachusetts Department of Public Utilities' Road Restoration Standards as set forth in D.T.E. 98-22; thus, there is no reason to expect future repairs will be required. Should a repair be required, Eversource will be responsible for the repair if required by the applicable regulations.

➤ Will there be additional tree removal needed on either <u>side of the road for the roadwork?</u>

No. Although some small diameter woody brush and other low growing vegetation will be removed, no public shade trees or stone walls are expected to be removed within the Town's right-of-way to install the duct bank at the four road crossings covered by the GOL application.

What are the 200-foot poles at each road section that were mentioned?

There are no poles proposed within the GOL area or anywhere along the Project route. The New Line is entirely underground.

Any vote to approve this permit should be conditioned on the outcome of the Appeals and receipt of all other permits.

The GOL should not be conditioned on the outcome of either pending appeal. The approvals that are the subject of those appeals are in effect unless they are remanded or overturned by the reviewing court. The Company is entitled to have its permit applications reviewed and acted on in a timely manner independent of appeals or the status of other permits.

It is premature to issue this permit before all other permits have not been issued.

It is not premature to grant the GOL. As noted above, the scope covered by this GOL permit is independent of all other permits for the Project and, thus, cannot be delayed until other permits are issued. Construction of the Project will not begin until all applicable permits are received; thus, the granting of the GOL does not authorize the Project to proceed.

➤ <u>Is there a concern for soil contaminants, such as perfluoroalkyl substances ("PFAS")?</u>

The Company conducted a due diligence investigation for the Project that included the standard evaluation of potential impacts to soil and groundwater associated with former operations in a railroad right-of-way, as well as evaluation of sites adjacent to the ROW that have been identified as oil and/or hazardous waste sites pursuant to G.L. c. 21E. The evaluation did not identify any significant potential for impacts to soil or groundwater in the project work zone (including both the MBTA ROW and public ways) that would be subject to special handling requirements. A Soil and Groundwater Management Plan is being developed to establish protocols for evaluating and addressing soil or groundwater encountered during construction if the material exhibits signs of contamination (e.g., odor, sheen, etc.).

In addition to the questions and comments above, a number of questions and comments posed by Board members and the public at the hearing were not within the subject matter of the GOL petition and are, therefore, outside of the scope of the Board's review. In the spirit of cooperation and information sharing, the Company will provide brief responses to these comments. However, these questions/comments and related responses should not be a factored into the Board's decision to grant, condition, or otherwise deny the GOL petition. The Company's responses are for informational purposes only.

Would Eversource provide a grant or other compensation to support installation of solar panels at the schools as a condition of receiving this permit?

The Company assumes that this question is unrelated to its GOL request because the standards and provisions of GOLs have no such requirement and cannot be conditioned in this manner.

➤ Is the entire project underground, with the exception of the bridges?

The Project consists of the New Line and work at the Sudbury and Hudson Light & Power Department substations. The New Line will be entirely underground except where it attaches to the bridges at each of the three bridge locations.

The Project raises concerns of contamination of water supply and irreparable damages to historical resources.

Excavation of the public ways that are the subject of this GOL application will not adversely impact water supplies and historic resources. Potential impacts to water supply and historical resources were thoroughly examined by the EFSB in its review and approval of the Project. In addition, potential impacts to water supplies and historic resources from construction of the Project as a whole, if any, are being addressed under other permit applications being considered by the Town of Sudbury Conservation Commission, the Town of Sudbury Planning Board, and the United States Army Corp of Engineers.

Concerns that Eversource won't do what it says it will do.

Eversource will be obligated to construct the Project in accordance with the plans approved by the various permitting agencies and in accordance with all permit conditions and requirements. The Project, as approved by the EFSB, is for the construction of an underground transmission line and related station upgrades.

What are the mitigation plans to protect the environmental resources?

There is no impact to environmental resources and thus no mitigation is required for the work covered under the requested GOL. Mitigation plans for wetland and stormwater for the entire Project are the subject of the permit applications under consideration by the Town of Sudbury Conservation Commission, the Town of Sudbury Planning Board, and the United States Army Corp of Engineers and will be included in the final orders issued by those permitting authorities.

To what degree is the MBTA ROW compatible with rail trail activity?

The MBTA granted a lease to DCR for construction of the rail trail along a portion of the MBTA ROW. Rail trails are a common amenity on disused MBTA rights-of-way.

We understand that the MBTA agreement says if the MBTA requests it, Eversource would have to relocate its transmission line. Is this true? What would the process be? Who would pay for it?

Eversource and the MBTA are parties to an Option Agreement under which the MBTA agrees to grant Eversource the right to acquire a permanent, non-exclusive, subsurface easement along the MBTA ROW for the purpose of constructing, operating, and maintain the New Line. The MBTA reserved the right to relocate all or any portion of the New Line to another location within the easement after the expiration of 20 years. If the MBTA were to execute this right, the cost to relocate the New Line within the easement would be subject to regulatory approval.

➤ Will the Project deter the MBTA from building a railroad?

The Company assumes that MBTA has retained any right it expects to need to use the MBTA ROW for rail service or other transportation use in the future.

The status of the MBTA ROW is uncertain. It is referred to as an "inactive railroad ROW" yet MassDOT does not use such a term. What is the real legal status of the ROW at the federal and state levels?

The MBTA ROW is owned in fee by the MBTA. It has not been used for active rail service for over 40 years.

- What is the current in-service date for the Project? The current in-service date for the Project is December 2023. Because the Project continues to be needed to ensure reliable operation of the regional transmission system, Eversource is committed to completing the Project as soon as possible and in advance of the December 2023 date.
- Provide an example of an underground 115-kV line where pedestrians regularly walk on top of it and are exposed to EMF levels.

Underground transmission and distribution lines are located in cities and towns throughout our service territory and meet all applicable safety guidelines provided by recognized health organizations. The guidelines applicable to EMF established by world health organizations are designed to be protective of human health with an adequate margin of safety.

Why isn't DCR at this hearing when they have been present at all other hearings? Why is DCR not a party to this permit when all other permits have been joint permits?

The GOLs are required for the sole purpose of allowing Eversource to place the New Line within the four public roadways identified in the Company's GOL petition. DCR has no role in the construction of the transmission line and, thus, is not a joint applicant.

➤ <u>Is the BOS concerned with the final state of the Project?</u> Is the BOS concerned with public <u>safety?</u>

The EFSB is the lead agency within the state with the full authority to review the safety of the proposed transmission line and to authorize its construction. For all of its transmission projects, Eversource also works closely with federal, state and local regulatory and permitting authorities, town/city officials and the community to ensure public safety and fulfillment of all related permit requirements.

➤ I heard in another meeting that the project will have an EMF level of 99 mG which exceeds the safe level of 85 mG set by the state. What is the difference between peak loading and average loading? I have calculated the EMF level at peak loading vs. average loading as used in the EFSB proceeding. Because 33% of the trail will have the line beneath it, will the milligauss level be higher than the state standard? How will Eversource address this?

As noted above, the EFSB is the lead agency within the state with the full authority to review the safety of the proposed transmission line and to authorize its construction. Please refer to New England Power Company v. Board of Selectmen of Amesbury, 389 Mass 69, 76-78 (1983) for a discussion of the EFSB's and its sister agency, the Department of Public Utilities', broad and, indeed, exclusive, authority to oversee the safety of proposed transmission line projects. In accordance with EFSB precedent, the Company modeled magnetic field values in milligauss ("mG") based on average annual loading and peak loading projected along the route. The best estimate of the magnetic field on any day is provided by calculations based on the annual average load. The maximum modeled magnetic field value is 24 mG along the ROW and 28 mG at manholes. These modeled

values for the Project are far below (and a small fraction of) well-established national and international guidelines for public exposure to EMF.

➤ What is the largest crane weight and height that will be used for the project? Will it cross the road?

There is no need for a crane to install the duct bank covered by this GOL application. Any cranes used for other parts of the Project will comply with all applicable state and local rules and regulations.

➤ Shouldn't the MOU with DCR be shared ahead of time?

The MOU between Eversource and DCR will not be finalized until all permits have been issued. Eversource and DCR have committed to share the MOU once it is executed.

- The Project cannot meet the wetland replication requirements of the Town's bylaws; therefore, it is not allowed to be constructed.
- ➤ The Project meets the requirement in the Town's wetland regulations for wetland replication. The specific details of that compliance are currently under review before the Conservation Commission.
- There hasn't been adequate testing of soil and groundwater along the project route to ensure the safety of the Project.

The small amount of soil that will be excavated to install the duct bank in the road crossings will be direct loaded onto trucks and taken to licensed off-site soil facilities. Standard best management practices will be in place to manage soil from the excavations in public ways.

Eversource's investigation of soils within the MBTA ROW and due diligence evaluation of Chapter 21E sites adjacent to the MBTA ROW along the Project route did not indicate any contamination that would require further investigation prior to construction. A Soil and Groundwater Management Plan is being developed to establish protocols for evaluating and addressing soil or groundwater encountered during construction that exhibits signs of contamination (e.g., odor, sheen, etc.).

Eversource claimed in the EFSB proceeding that excavating in the road posed a greater risk of contamination than the ROW and said there was lead in the soil from the automobiles that used gasoline. Since Eversource thinks these pose a threat, additional testing should be at the street crossings in the interest of public safety.

The comment made during the EFSB proceeding was referring to the general recognition that soil along public roads inevitably contains background materials from automobile exhaust, just as soils along former railroad ROWs may contain low levels of residual materials from former railroad operations. However, neither public roads nor railroad ROWs are typically found to contain significant levels of contamination absent a known substantial release of oil or hazardous materials from an event such as an accident or tank

failure. The potential existence of background materials in soils along public roads or the MBTA ROW will not pose a threat to public safety during construction of the Project.

The Town should investigate the \$300,000 offer made to the Conservation Commission by Eversource.

The proposed funding was offered by Eversource as a mitigation measure to improve conditions on wetlands adjacent to the ROW by removing large areas of invasive species. The Conservation Commission is evaluating the proposal.

The Historical Commission thinks there is historical stuff in the road and along the route that need further exploring.

Eversource and DCR have met several times with the Sudbury Historical Commission to review and discuss the historical elements of the railroad ROW in the context of obtaining the Sudbury Historical Commission's consultation under Section 106 process for the Army Corps' permitting for the bridge replacement work. In any event, we are unaware of any historical artifacts in the roadways along the route.

The Company hopes the responses provided to the Board are helpful in addressing the inquiries made at the December 15th public hearing. As stated above, the Company looks forward to continuing to work with the Board to finalize its requested GOL. However, the Company renews its request for a timely follow-up hearing in January 2021 to facilitate the expeditious completion of the GOL permitting process in the Town.

If you have any questions on the above information and/or would like to discuss a more timely schedule for the next GOL hearing, please contact me.

Very truly yours,

David S. Rosenzweig

cc: Sean Southworth, Eversource Sean Lauziere, Eversource Megan Aconfora, Eversource Mike Hager, Eversource

ORDER FOR LOCATION FOR LINES, WIRES AND CABLES

ORDERT OR EGORITION TORREST, WIRES IN & CIDERS
Town of Sudbury, Massachusetts
WHEREAS, NSTAR ELECTRIC COMPANY d/b//a Eversource ENERGY has petitioned for permission to construct a line for the transmission of electricity for lighting, heating, or power over and under the public way or ways of the Town as hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.
It is ORDERED that NSTAR ELECTRIC COMPANY d/b/a/ Eversource ENERGY be and hereby is granted permission to construct, and a location for, such a line with the necessary wires and cables, therein over and under the following public way or ways of said Town:
 Dutton Road (at its intersection with the MBTA railroad corridor) Peakham Road (at its intersection with the MBTA railroad corridor) Horse Pond Road (at its intersection with the MBT A railroad corridor) Union Avenue Pond Road (at its intersection with the MBTA railroad corridor)
All construction work under this Order shall be in accordance with the following conditions:
1. Lines, wires, and cables shall be located as shown on a plan(s) made by Eversource dated March 1, 2019, on file with said petition.
2. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of lines, wires and cables.
3. All work shall be done to the satisfaction of the Select Board or such officer or officers as it may appoint to supervise the work.
 4. Work is subject to the following conditions: Require a 1-1/2 inch Cold Plane and repaving with bituminous surface course material for a total of 50 feet, 25 feet in either direction of the trench, curb to curb. Exposed joints shall be sealed with a RS-1 emulsion and coated with stone dust. Seek and acquire the appropriate Road Opening/Access permit from the Public Works Department for work being proposed in the public right-of-way.
Select Board of the

Town of Sudbury

CERTIFICATE

We hereby certify that the foregoing Order prescribed by Section 22 of Chapter 166 of thereto or amendments thereof, to wit:aft mailed at least seven days prior to the date real estate abutting upon that part of the way	f the General Laws (Ter. Ed ter written notice of the time of the hearing by the Select	and any additions and place of the hearing Board to all owners of
be constructed under said Order, as determ	•	
a public hearing held on the at in said Town.	aay or	, 2021.
Select Board of the Town of Sudbury		
CI	ERTIFICATE	
I hereby certify that the foregoing are true Sudbury, Massachusetts, duly adopted on t and recorded with the records of location (thec Orders of said Town,	day of, 2021,Book
thereon required by Section 22 of Chapter thereto or amendments thereof, as the same	166 of the General Laws (T	
Attest:	yn of Cudhury Magaahyaat	t o
Clerk of the Tow	n of Sudbury, Massachusett	ıs



SUDBURY SELECT BOARD Tuesday, April 6, 2021

PUBLIC HEARING

4: Close public hearing

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to close public hearing

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
Janie Dretler Pending

Select Board Pending 04/06/2021 6:30 PM



SUDBURY SELECT BOARD Tuesday, April 6, 2021

MISCELLANEOUS (UNTIMED)

5: Patriot's Day Parade 2021

REQUESTOR SECTION

Date of request:

Requestor: Tim Tonner, Sudbury Companies of Militia and Minute

Formal Title: Discussion and vote whether to grant a Special Permit to the Sudbury Companies of Minute and Militia, to hold the annual Parade to Commemorate Patriot's Day on Monday, April 19, 2021, from 5:30 A.M. through approximately 12:30 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the parade's conclusion.

Recommendations/Suggested Motion/Vote: Discussion and vote whether to grant a Special Permit to the Sudbury Companies of Minute and Militia, to hold the annual Parade to Commemorate Patriot's Day on Monday, April 19, 2021, from 5:30 A.M. through approximately 12:30 P.M., subject to Police Department safety requirements, Proof of Insurance Coverage and the assurance that any litter will be removed at the parade's conclusion.

Background Information:

- https://www.mass.gov/news/baker-polito-administration-announces-transition-to-phase-iv-of-reopening-plan
- https://www.mass.gov/info-details/reopening-when-can-my-business-reopen#phase-iv,-step-2- https://www.mass.gov/info-details/reopening-when-can-my-business-reopen#phase-iv,-step-2- https://www.mass.gov/info-details/reopening-when-can-my-business-reopen#phase-iv,-step-2-

Financial impact expected: N/A

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Pending
Pending

Select Board

Pending

04/06/2021 6:30 PM

From: Tim Tonner

Sent: Monday, January 4, 2021 3:31 PM

Board of Selectmen Flynn Building 278 Old Sudbury Road Sudbury, MA 01776

Re: March to the Old North Bridge on April 19, 2021

Dear Members of the Board of Selectmen:

On behalf of the Sudbury Companies of Militia and Minute, I am writing to request permission to conduct our annual parade to commemorate Patriot's Day. As has been the tradition, we will march on April 19th from Sudbury Center to the Old North Bridge.

Our route will follow the same path as last year starting in Sudbury Center at 6:15 am.

We have contacted the Sudbury Police Department to request a patrol car to escort us from Sudbury Town Center to the Concord town line.

Please note that our Company has been, and will continue to be, 100% compliant with all safety requirements, as ordered by the Governor.

We sincerely appreciate your help. Should you have any comments or questions, please do not hesitate to contact me at our address: Sudbury Companies of Militia and Minute PO Box 187 Sudbury MA 01776

or via my personal contact information below.

Your Humble and Obedient Servant, Tim Tonner Route Committee mobile: email:

From: Tim Tonner

Sent: Sunday, January 10, 2021 1:04 PM

Greetings Leila,

Enclosed please find the requested certificate of liability insurance for our 2021 march.

Regarding other requested information, we expect to field 20-25 patriots, with no changes to the aforementioned map route and route list with time table that you currently have on file.

Best regards,

Tim Tonner

SUDBURY COMPANIES OF MILITIA & MINUTE

March to the Old North Bridge on April 19, 2020

Route and Timetable

East Sudbury / Wayland

04:30 AM	Assembly of Troops at ye First Parish Church, Wayland
05:00 AM	Depart First Parish Church
05:05 AM	Grout-Heard House – Fire Salute
05:10 AM	Continue March North on Old Sudbury Rd.
05:25 AM	Wayland North Cemetery/First Town Center (1630) – Fire Salute
05:30 AM	Depart by carriage and coach to Sudbury Center

Sudbury

05:30 AM	Sudbury Town Hall: Assembly of Troops & Music
06:15 AM	Combined forces begin March on Concord
06:20 AM	Olde Town Cemetery – Fire Salute
06:25 AM	Proceed along Concord Rd. to Pantry Rd.
07:00 AM	North Cemetery – Fire Salute
07:05 AM	Continue on Pantry Rd. towards Old Dakin Rd.

Concord

07:30 AM	Concord Line – Becomes Old Picard Rd. – Fire LAST salute till ONB
08:00 AM	Concord Middle School – refreshment stop
08:30 AM	Proceed on Marlboro Rd., left onto Old Bridge Rd. ¹
09:00 AM	Left onto Main St., bare right onto Commonwealth Ave.
09:30 AM	Cross Rt. 2 at Rotary (w/ MA SP escort), continue onto Barrett's Mill Rd.
10:00 AM	Proceed to Honorable Col. Barrett's home – refreshment stop
10:30 AM	Proceed on to Buttrick Mansion

Old North Bridge

11:00 AM	Arrive at the North Bridge Visitor Center
11:15 AM	Inspection of Muskets by the NHP Park Ranger
11:30 AM	Ceremonies on North Bridge Honoring the Brave Souls of our Ancestors

Wayside Inn

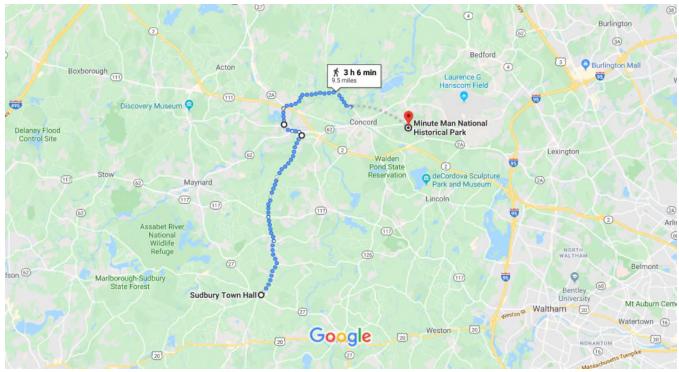
12:00 Noon	Return to the Wayside Inn for Flag Ceremony & refreshment
12:30 PM	Flag Changing Ceremony over the Front Door of the Wayside Inn
12:45 PM	Lunch on the Terrace at the Wayside Inn

¹ Alternatively, we may enter the Bruce Freeman Bike Trail at Williams Rd. and, after one mile, exit onto Main St.



Sudbury Town Hall to Minute Man National Historical Park

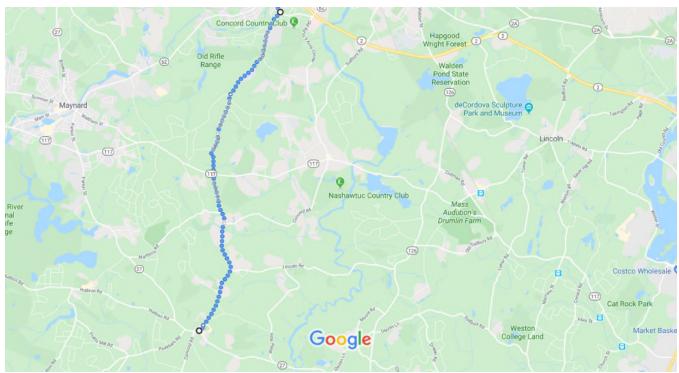
Walk 9.5 miles, 3 h 6 min





Sudbury Town Hall to Minute Man National Historical Park

Walk 9.5 miles, 3 h 6 min



2021 Patriot's Day Parade

Monday, April 19, 2021

Department Feedback

Department	Staff	Approve/Deny	Comments
Fire Department	Asst Chief Choate	Approved	FD has no issues.
Health Department	Bill Murphy		Governor's Orders #59 and #60 would probably prevent something like this if the event was held today but the Orders expire on January 24 th (they may get extended). Very difficult to approve an April event without knowing guidelines. Currently max outdoor gathering is 25. How many marchers? Will there be spectators? Will instruments be played? Spacing? Again hard to "approve".
Response to Health Department	Tim Tonner, Applicant		It is our intention to field 20-25 patriots for the April march, which may include a few fifers and drummers. As for spectators, all I can say is that we assemble 20-25 patriots in front of Sudbury Town Halland then march to North Bridge in Concord. We don't come with spectators in tow But I would add that from my experience, it is at North Bridge where we might see some curious history buffs. Not so much en route. As for spacing, again, we have every intention to abide by any and all of the prevailing Massachusetts rules and regulations related to the pandemic, inclusive of fully embracing the Governor's safety recommendations, for the duration of our event.

Highway Department	Dan Nason	Approved	The Public Works Department does not have an issue with this proposal assuming there is no need for resources (barricades, barrels, cones, vehicles, personnel, etc.) from us.
Park & Recreation	Dennis Mannone	Approved	No issues thanks.
Police Department	Chief Nix	Approved	COVID protocols aside, participants have been respectful during events the past number of years with no issues. We provide a cruiser for safety as noted.

From: Tim Tonner

Sent: Sunday, March 14, 2021 9:59 PM

To: Frank, Leila

Subject: Update on Patriot's Day route

Greetings Leila,

I recently met with Lt Bob Grady and, after some discussion, we, including Chief Nix, are in agreement that the best route for our march will be the original one I forwarded to you in January. Both the Chief and Lt Grady officially gave us their blessing for that route this past week.

As you know, Minuteman National Park in Concord will be closed, and we will thus be abbreviating our yearly route.

That said, we will depart Town Hall between 6:30-7AM, and march to North Cemetery, pay respects, then continue on for another half mile, finishing at the Leap School parking lot, at 123 Dakin Road, allowing us to safely congregate while we await shuttle service back to Town Hall. The Leap School has enthusiastically welcomed us to use their lot.

Also, I was reminded by my colleagues to request of you that the rest room facilities be available (5 AM) at Town Hall, prior to our departure.

Best regards,

Tim Tonner Lt Colonel Sudbury Companies of Militia and Minute



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

KARYN E. POLITO LIEUTENANT GOVERNOR

ORDER ADVANCING ALL COMMUNITIES TO PHASE IV, STEP 1 OF THE COMMONWEALTH'S RE-OPENING PLAN AND TRANSITIONING TO A TRAVEL ADVISORY POLICY

COVID-19 Order No. 66

Rescinding Order No. 45

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19");

WHEREAS, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

WHEREAS, the Federal Centers for Disease Control and Prevention ("CDC") have advised that COVID-19 is spread mainly by person-to-person contact and that the best means of slowing the spread of the virus is through practicing social distancing and by minimizing personal contact with large groups and with environments where this potentially deadly virus may be transmitted including, in particular, spaces that present enhanced risks because of the large number of persons present or passing through the area who may spread the virus through respiratory activity or surface contacts;

WHEREAS, on March 23, 2020, in order to restrict all non-essential person-to-person contact and movement outside the home and to reduce opportunities for spreading the COVID-19 virus within the Commonwealth, I issued COVID-19 Order No. 13, which temporarily closed the brick-and-mortar premises of businesses and organizations that do not provide COVID-19 Essential Services;

WHEREAS, in response to gradual improvements in the public health data, on May 18, 2020, June 6, 2020, and July 2, 2020, I issued COVID-19 Orders No. 33, 37, and 43, respectively, which designated certain businesses and other organizations as Phase I, II, III, or IV enterprises and initiated a progressive, phased plan for re-opening workplaces and other facilities across the Commonwealth;

WHEREAS, on December 13, 2020 and December 27, 2020, in response to a sharp increase in COVID-19 case growth and the resulting pressure placed on hospital capacity, I issued COVID-19 Orders Nos. 58 and 62, respectively, which returned all communities in the Commonwealth to Phase III, Step 1 of the re-opening plan and temporarily tightened capacity limits on Phase I, II, and III enterprises open to the public;

WHEREAS, following sustained improvements in the public health data, those stricter, short-term capacity limits were lifted as of February 8, 2021 and, with the issuance of COVID-19 Order No. 65, all communities in the Commonwealth have advanced to Step 2 of Phase III as of March 1, 2021;

WHEREAS, improvements in the public health data have continued since the beginning of March, including a decline in the 7-day average of confirmed COVID-19 cases from 1,536 on March 1, 2021 to 1,431 on March 17, 2021 and a decline in the 7-day average of hospitalizations from 815 to 673 over the same period;

WHEREAS, at the same time, the Commonwealth has continued to administer vaccinations to targeted populations at a steady pace, and as of March 16, 2021, a total of 2,671,928 vaccination doses have been administered, which has resulted in 972,103 persons receiving full vaccination;

WHEREAS, these sustained positive trends in the public health data permit a phased relaxation of restrictions on businesses and other organizations, provided, however, that such adjustments can only be maintained or expanded on the basis of continuing favorable developments in the public health data; and

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting the state of emergency, including but not limited to authority over assemblages in order to protect the health and safety of persons, transportation and travel by any means or mode, regulating the sale of articles of food and household articles, variance of the terms and conditions of licenses and permits issued by the Commonwealth or any of its agencies or political subdivisions, and policing, protection, and preservation of public and private property;

NOW, THEREFORE, I hereby Order the following:

1. Advancement to Phase IV, Step 1

Effective at 12:01 am on March 22, 2021 in all municipalities in the Commonwealth, businesses and other organizations that are designated as Phase IV, Step 1 enterprises on the attached <u>Schedule A</u> may open their brick-and-mortar premises to workers, customers, and the public.

Businesses and other organizations that are designated as Phase IV, Step 2 enterprises on the chart attached as <u>Schedule A</u> must keep their brick-and-mortar premises closed to the public and may not conduct Phase IV activities except as remote means permit until Step 2 of Phase IV is commenced by subsequent executive order.

2. Capacity Limits and Safety Requirements for Large Capacity Venues

Indoor and outdoor stadiums, arenas, ballparks, and similar facilities used for spectator sports, entertainment, or similar performances that have capacities of 5,000 persons or more as specified in a certificate of occupancy or other, equivalent authorization are defined as "large capacity venues" for the purposes of this Order and for the Step 1 designation marked on Schedule A. The provisions below specify the COVID-19 sector-specific rules under which large capacity venues shall be required to operate. Similar facilities with capacities of fewer than 5,000 persons must follow sector-specific rules issued by the Director of the Department of Labor Standards (DLS) that are applicable to any activity conducted at the facility.

Large capacity venues may open to the public on the commencement of Step 1, Phase IV subject to the following conditions:

- a. Submission of COVID-19 Safety Plan: At least 10 business days prior to opening to the public, an operator of a large capacity venue must submit a COVID-19 safety plan for review by the Department of Public Health (DPH). A COVID-19 safety plan must include measures for maintaining social distance and capacity limitations, staffing and operations plans, hygiene protocols, and cleaning protocols, all as applied to the unique conditions of the operator's facility and planned activities. DPH may require an operator to make revisions to a proposed safety plan as a condition of opening of the venue to the public and may at any time order revisions to a safety plan where actual operations result in a finding of unsafe conditions. No large capacity venue may open to the public without submitting a safety plan for DPH review in accordance with this subsection.
- b. *Overall Capacity Limitations*: Large capacity venues may operate at 12 percent of permitted capacity as specified in a certificate of occupancy or other, equivalent authorization. Occupancy counts must include all spectators and attendees but may exclude workers and staff employed by the venue. The

Director of DLS shall from time to time and at my direction publish adjustments to this capacity limitation based on developments in the public health data.

Following review by DPH, a large capacity venue's COVID-19 safety plan as specified in subsection (a) together with the then current capacity limitation issued pursuant to subsection (b) and any additional clarifications issued by the Director DLS to interpret and apply certain COVID-19 safety rules to large capacity venues generally shall collectively constitute the "sector-specific COVID-19 safety rules" applicable to a large capacity venue for purposes of Section 3 of this Order. Large capacity venues operating in compliance with the requirements of this Order and these sector-specific rules shall not be subject to the gathering limitations set forth in Section 3 of COVID-19 Order No. 63.

Effective with the commencement of Step 1 of Phase IV, professional sports organizations may open their large capacity venues to admit spectators subject to the requirements and limitations specified above. The provisions of COVID-19 Orders No. 35 and 43 prohibiting professional sports organizations from admitting spectators or other members of the public to any training, practice, scrimmage, game, or tournament or other competition or exhibition are hereby rescinded for sports organizations operating in compliance with the requirements of this Order.

3. COVID-19 Workplace Safety Rules for Phase IV, Step 1

The Director of DLS shall issue, subject to my approval, sector-specific COVID-19 workplace safety rules for certain Phase IV, Step 1 enterprises permitted to open their brick-and-mortar premises pursuant to Section 1 of this Order; provided, however, that sector-specific rules for large capacity venues shall consist of the elements specified in Section 2 of this Order. Additionally, the Director of DLS and the Secretary of the Executive Office of Energy and Environmental Affairs may issue revised sector-specific COVID-19 workplace safety rules for Phase I, III, and III enterprises that may provide for increased capacity and other adjustments.

The provisions of Sections 4 and 5 of COVID-19 Order No. 43 (and Section 4 of COVID-19 Order No. 37 as incorporated in COVID-19 Order No. 43), which set requirements for compliance with generally applicable and sector-specific COVID-19 safety rules and mechanisms for enforcement shall apply equally to Phase IV, Step 1 enterprises that are authorized to open their premises pursuant to this Order. Any penalty issued in an enforcement action shall be administered as provided in COVID-19 Order No. 48.

4. Replacement of Mandatory Travel Order with DPH Travel Advisory

COVID-19 Order No. 45, which instituted a 14-day quarantine requirement for travelers arriving in Massachusetts, is rescinded effective at 12:01 am on March 22, 2021. The Department of Public Health shall issue in its place an Advisory for Travelers to Massachusetts to inform the public of appropriate safety measures to reduce the risk of transmission of COVID-19 through travel.

This Order is effective at 12:01 am on March 22, 2021 and shall remain in effect until rescinded or until the state of emergency is ended, whichever occurs first.

Given in Boston at /: AM/PM this 18th day of March, two thousand and twenty-one

CHARLES D. BAKER

GOVERNOR

Commonwealth of Massachusetts

Schedule A to COVID-19 Order No. 66 effective March 22, 2021

Phase I	All Phase I, II, III, and IV enterprises are required to comply with general and, where applicable, sector-specific COVID-19 workplace safety rules administered by DPL, DPH, EEA, and local boards of health. Workplace safety rules include a variety of mandatory context-specific COVID-19 safety measures such as occupancy limitations, operational modifications, social distancing rules, and specialized cleaning requirements. As specified in COVID-19 Order No. 33: Businesses and other organizations providing products and services identified as "COVID-19 Essential Services" in COVID-19 Order No. 13 Manufacturing
	 Construction Places of Worship Firearms retailers and shooting ranges General Use Offices Car Washes Hair Salons and Barber Shops Pet Groomers
	 Drive-In Movie Theaters Laboratories Certain Outdoor Recreational Facilities and Activities as specified in <u>Exhibit 1</u> to COVID-19 Order No. 33
Phase II	As specified in COVID-19 Order No. 37 and including specifically: Retail Stores including stores in enclosed shopping malls Restaurants providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000, including beer gardens/wineries/distilleries meeting these criteria Step 1: outdoor table service Step 2: indoor table service Hotels, motels, inns, and other short-term lodgings (no events, functions, or meetings) Limited organized youth and adult amateur sports activities and programs—no contact and no games or scrimmages, and indoor facilities limited to youth programs Professional sports practice and training programs—no inter-team games and no admission for the public Personal Services provided at a fixed place of business or at a client location Step 1: Services involving no close personal contact (photography, window washers, individual tutoring, home cleaning, etc.) Step 2: Services involving close personal contact (massage, nail salons, personal training for individuals or no more than 2 persons from same household, etc.) Non-athletic instructional classes in arts/education/life skills for youths under 18 years of age in groups of fewer than 10 Driving schools and flight schools Outdoor historical spaces—no functions or gatherings and no guided tours Funeral homes
	 Warehouses and distribution centers Golf facilities including outdoor driving ranges Other outdoor recreational facilities pools, playgrounds and spray decks mini golf, go karts, batting cages, climbing walls, ropes courses

	 Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools for the limited purposes of permitting students to complete a degree, program, or prerequisite for employment, or other similar requirement for completion, for summer youth programming including athletic facilities, and any necessary supporting services Day Camps including sports and arts camps Public libraries
Phase III	Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools—general operations Casino gaming floors Horse racing tracks and simulcast facilities Indoor recreational and athletic facilities for general use (not limited to youth programs) Fitness centers and health clubs including cardio/weight rooms/locker rooms/inside facilities fitness studios (yoga, barre, cross-fit, spin classes, general fitness studios) indoor common areas indoor swimming pools excluding saunas, hot-tubs, steam rooms Museums Indoor historic spaces/sites Aquariums Outdoor theatres and other outdoor performance venues not designated as Phase IV enterprises Movie theatres Sightseeing and other organized tours (bus tours, duck tours, harbor cruises, whale watching) Motion picture, television, and video streaming production Fishing and hunting tournaments and other amateur or professional derbies Outdoor event spaces used for gatherings and celebrations including those in parks, reservations, and other outdoor spaces not designated as Phase IV enterprises Indoor event spaces used as meeting rooms, ballrooms, and private party rooms—only when used for functions or events permitted under Sector-Specific Rules for Indoor and Outdoor Events Indoor non-athletic instructional classes in arts/education/life skills for persons 18 years or older Indoor recreational activities with low potential for contact: batting cages, driving ranges, go karts, bowling alleys, rock-climbing walls Indoor and outdoor gaming arcades and associated gaming devices Step 2 Indoor performance venues used for live performances such as concert halls, theaters, and other indoor performance spaces not designated as Phase IV enterprises Indoor recreational activities with greater potential for contact: laser tag, roller skating, trampolines, obstacle courses
Phase IV	Step 1 Stadiums, arenas, and ballparks, and other large capacity venues (indoor and outdoor) used for spectator sports, entertainment, or similar performances Exhibition and convention halls Overnight camps (Summer 2021)

Dance floors at events only

Step 2

- Amusement parks, theme parks, indoor or outdoor water parks and indoor or outdoor ball pits
- Saunas, hot-tubs, steam rooms at fitness centers, health clubs, and other facilities
- Bars, dance clubs, and nightclubs—venues offering entertainment, beverages, or dancing and not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000
- Beer gardens/breweries/wineries/distilleries not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000
- Dance floors not at events
- Street festivals and parades and agricultural festivals
- Road races and other large, outdoor organized amateur or professional group athletic events

This Schedule is subject to amendment.

2021 Patriot's Day Parade

Monday, April 19, 2021

Department Feedback – Updated March/April 2021

Department	Staff	Approve/Deny	Comments
Fire Department	Chief Whalen	Approved	The Fire Department has no issues with this event.
Health Department	Bill Murphy		(Please see below.)
Highway Department	Dan Nason	Approve	No issues from Public Works relative to the changes proposed understanding there are still no resources (staff, barricades, barrels, cones, etc.) needed by the Public Works Department.
Park & Recreation	Dennis Mannone	Approve	Fine with us.
Police Department	Chief Nix	Approve	Lieutenant Grady indeed worked out the logistics as outlined and we concur with the event continuing. Thank you.

Health Department Feedback

4/2/21 - Health Dept

The burden is on the applicant to demonstrate they do not meet the definition of a "parade." My main concern is people congregating to observe. Do people line the street? Are there crowds to watch beginning and end? The gathering limit is 150 at one location. Is there an expectation that more than 150 will attend to watch any ceremonial events at the beginning or end?

3/31/21 – Patriots Day Requestor

Hello Leila,

As we strive to reenact the events of April 19, 1775, probably the best description of what we are doing is engraved on the plaque in Sudbury Common (pictured below).

"From this place MARCHED the Militia and Minute Companies of this town to Concord".

Sincerely,

Tim Tonner



3/30/21 - Health Dept

I am struggling with all things within the "gray area". This is within that area. Is this a march or a parade?

A <u>parade</u> is a procession of people, usually organized along a street, often in costume, and often accompanied by marching bands, floats, or sometimes large balloons.

This "march" is a procession of people (yes), often in costume (yes), usually organized along a street (yes), accompanied by marching band (yes, fife and drum?), floats and balloons (no).

Preponderance of evidence is the march is a parade.

3/30/21 - Health Dept

This was originally proposed as a "march" not a "parade". If this is turning into a parade or has potential to be observed by large groups, it can only be done in Phase 4 Step 2.

The following Phase IV enterprises must continue to remain closed until Phase IV, Step 2:

- Amusement parks, theme parks, indoor and outdoor waterparks and ball pits
- Street festivals and parades and agricultural festivals

We are currently in Phase 4 Step 1. Step 2 has not been announced.



SUDBURY SELECT BOARD Tuesday, April 6, 2021

MISCELLANEOUS (UNTIMED)

6: Vote to layout Anthony Drive

REQUESTOR SECTION

Date of request:

Requestor: Town Counsel

Formal Title: Upon the determination that common convenience and necessity require that said way should be laid out, vote to lay out the following Town Way with the boundaries and measurements as set forth on a plan prepared by Foresite Engineering, dated December 5, 2019, on file in the office of the Town Clerk, to be presented for acceptance at the 2021 Annual Town Meeting: Anthony Drive from North Road/Route 117 to a dead end, a distance of 613 ft. +/-; and further vote that the layout is subject to meeting the conditions and requirements deemed necessary by the Select Board prior to the execution and recording of a Deed or Order of Taking.

Recommendations/Suggested Motion/Vote: Upon the determination that common convenience and necessity require that said way should be laid out, vote to lay out the following Town Way with the boundaries and measurements as set forth on a plan prepared by Foresite Engineering, dated December 5, 2019, on file in the office of the Town Clerk, to be presented for acceptance at the 2021 Annual Town Meeting: **Anthony Drive** from North Road/Route 117 to a dead end, a distance of 613 ft. +/-;

and further vote that the layout is subject to meeting the conditions and requirements deemed necessary by the Select Board prior to the execution and recording of a Deed or Order of Taking.

Background Information:

In accordance with statute, on January 26, 2021, the Board voted its intention to lay out Anthony Drive. The matter was referred to the Planning Board for consideration and a report recommending conditional acceptance has been received. The next action needed is for the Select Board to lay out the way at a public meeting. Notices have been mailed rrr to owners of abutting properties and to the Developer, Distinctive Acton Homes, Inc. The plan and notice were filed with the Town Clerk for posting.

Financial impact expected:Town to maintain street indicated when deeded or taken by eminent domain.

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Janie Dretler Pending
Select Board Pending

04/06/2021 6:30 PM

PROCESSS FOR SELECT BOARD RE LAYOUT OF ANTHONY DRIVE

While this is a public meeting for the purpose of voting to lay out Anthony Drive pursuant to statute, it is not a public hearing. However the following process should be employed:

- 1) Report on process to date. (See Agenda Request Background section)
- 2) Ask if there are any comments from the public.
- 3) Vote in the wording of the Agenda vote section.
- 3) Execute the Layout document for filing with the Town Clerk.



Town of Sudbury

Office of Select Board

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

selectboard@sudbury.ma.us

NOTICE

of

INTENTION TO LAY OUT TOWN WAYS

Notice is hereby given of the intention of the Select Board of the Town of Sudbury to lay out, relocate and/or alter the following way:

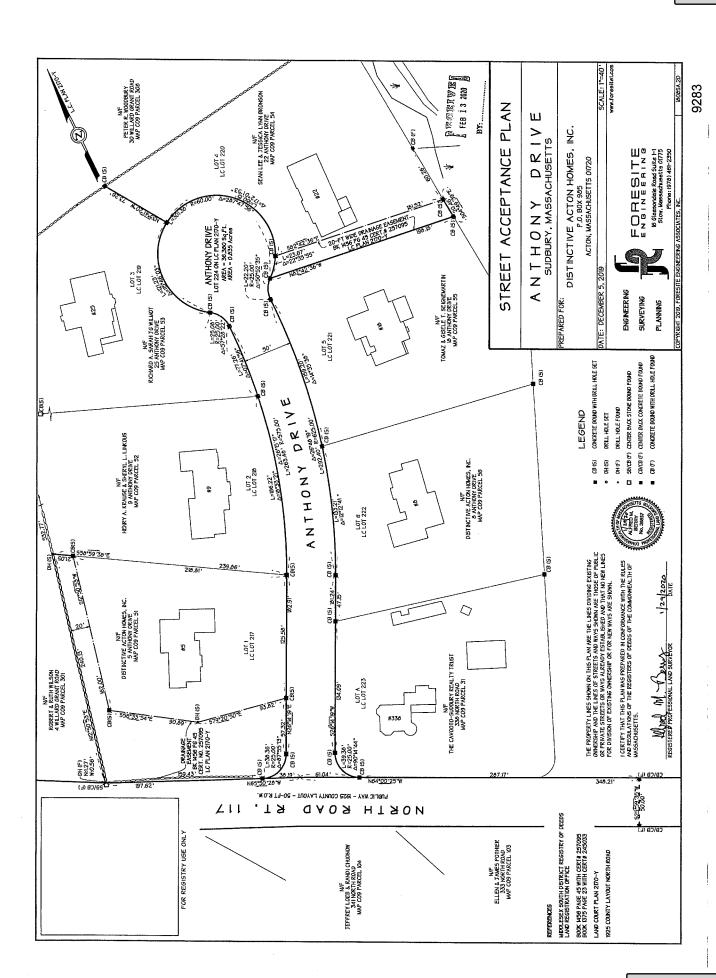
ANTHONY DRIVE

as shown on a plan prepared by Foresite Engineering, a copy of which is on file for public inspection at the Office of the Town Clerk, Town Hall, Sudbury, Massachusetts, which plan is incorporated herein by reference, at a regular meeting of the Select Board to be held Tuesday, April 6, 2021, at 7:00 p.m., local time, at the Lower Town Hall, 322 Concord Road, Sudbury, Massachusetts, or as a Virtual Meeting.

SELECT BOARD

Henry L, Hayes, Jr. Town Manager

NOTE: This action is required by statute as part of the street acceptance procedure. Acceptance of the above way by the 2021 Annual Town Meeting, and subsequent statutory action, will allow the Town to maintain this street as public ways. Such maintenance may include plowing, sweeping, resurfacing, and the cleaning of catch basins.





Town of Sudbury

Planning Board

PlanningBoard@sudbury.ma.us

Flynn Building 278 Old Sudbury Road Sudbury, MA 01776 978-639-3387 Fax: 978-639-3314

www.sudbury.ma.us/planning

March 25, 2021

Ms. Janie W. Dretler, Chair Select Board Flynn Building 278 Old Sudbury Road Sudbury, MA 01776

RE: Anthony Drive Street Acceptance for 2021 Annual Town Meeting

Dear Chair Dretler,

At its meeting on March 10, 2021, the Planning Board voted unanimously to recommend acceptance of Anthony Drive at the 2021 Annual Town Meeting, pending final completion of a few items prior to the Town Meeting vote.

This street was approved as part of the North Ridge Farm subdivision in April of 2014. The roadway was constructed in general conformance with the Planning Board rules and regulations and the subdivision decision under which it was approved. However, Deputy Director of Public Works/Town Engineer William O'Rourke has identified a few items which need to be addressed before the May 2021 Annual Town Meeting and the Town taking over responsibility of this roadway. These items are as follows:

- Cleaning the storm drain system with a vacuum truck.
- Grass stabilization in the vicinity of the infiltration basin along North Road/Route 117.

If the above items are not completed to the satisfaction of the Department of Public Works and/or the Planning Board, a further report will be made at the 2021 Annual Town Meeting.

Additionally, the Planning Board would like to take this opportunity to highlight some comments that were received from the Department of Public Works regarding the stormwater management system for this roadway. This system contains components which are located on private property and are only accessible via easements which have been granted by the developer. For the near term, this situation may be fine, but as time goes on this will likely become a burdensome issue for the Town for two reasons.

First, as these properties which contain these drainage access easements change hands, the future property owners may not be aware these easements exist, and they may infringe upon them in one manner or another. This could lead to undesirable property access disputes between a

Anthony Drive Street Acceptance for 2021 Annual Town Meeting Planning Board Comments March 25, 2021 Page 2 of 2

property owner and the Town when staff needs to access the property to maintain the components of the stormwater management system.

Second, it is not advisable for the Town to continue to accept projects with these types of stormwater management systems, which require fairly significant extra work for the Town to maintain. If the Town continues to proceed forward in this fashion, the already thinly stretched Department of Public Works will not be able to keep up with the maintenance of all of these stormwater management systems across the entire community which could lead to the failure of these systems over time.

Therefore, moving forward, the Planning Board, the Department of Public Works, and the Planning and Community Development Department will be working together to require these types of stormwater management systems with components on private property be maintained privately through entities such as homeowners' associations. This will be helpful to eliminate possible awkward confrontations with property owners and most importantly ensure that these systems are well maintained for years to come without placing an additional burden on Town staff and funds.

Please let us know if you have any questions.

On behalf of the Planning Board,

Stephen Garvin, Chair

cc: Dan Nason, Director of Public Works

William O'Rourke, Deputy Director of Public Works/Town Engineer

Lori Capone, Conservation Coordinator

COMMONWEALTH OF MASSACHUSETTS

Middlesex: ss Town of Sudbury

BOARD OF SELECTMEN OF THE TOWN OF SUDBURY

ANTHONY DRIVE

LAYOUT OF A TOWN WAY

At a duly called and properly constituted virtual meeting of the Board of Selectmen of the Town of Sudbury, a Municipal Corporation located in Middlesex County, Massachusetts, held on April 6, 2021, in said Sudbury, in accordance with a duly posted notice filed with the Sudbury Town Clerk, at which a majority of the members were present and voting throughout the meeting, it was unanimously voted and ordered that:

WHEREAS, the Board of Selectmen gave written notice, as required by law, of its intention to lay out, relocate and/or alter a Town Way at its meeting on April 6, 2021, aforesaid, to be known as

ANTHONY DRIVE

and such notice was given to the owners of the land which will be taken, or otherwise acquired for such purpose by deposit or delivery, and by posting, as required by General Laws, Chapter 82, Section 22, seven days at least before the time established for said meeting and layout, relocation and/or alteration;

WHEREAS, the proposed layout, relocation and/or alteration has been referred to the Planning Board of the Town of Sudbury, and the Planning Board has filed its report with the Board of Selectmen;

WHEREAS, pursuant to said notice, the Board of Selectmen met at the time and place appointed for the meeting and received all evidence submitted by those persons who desired to be heard:

WHEREAS, the layout of the said Town Way is shown on a plan entitled: "STREET ACCEPTANCE PLAN ANTHONY DRIVE, SUDBURY, MASSACHUSETTS", dated December 5, 2019, by Foresite Engineering, 16 Gleasondale Road Suite 1-1, Stow, Massachusetts 01775, a copy of which plan is on file in the Town Clerk's Office, which plan is made a part hereof and incorporated herein by reference, hereinafter called the plan;

WHEREAS, the Board of Selectmen of the Town of Sudbury have determined and adjudged that common convenience and necessity require that said way should be laid out as a Town Way;

NOW THEREFORE, we, the Board of Selectmen of the Town of Sudbury, having reviewed and considered all of the remarks, objections and evidence submitted to us, HEREBY DETERMINE AND ADJUDGE, under and by virtue of the power and authority vested in us by General Laws, Chapter 82, and all acts in amendment thereof and in addition thereto, and of every other power and authority

vested in us and hereto enabling, THAT COMMON CONVENIENCE AND NECESSITY REQUIRE THAT SAID WAY BE LAID OUT A TOWN WAY, to be known as

ANTHONY DRIVE

and we do hereby lay out said way as a Town Way, with the boundaries and measurements of said way all set forth on the plan, which is a part of this layout.

No betterments are to be assessed for the improvements this layout will provide. The names of all property owners affected by this layout are set forth on the plan and, if in any instance, the name of a property owner is not correctly stated, the name of the supposed owners being given as of the date of this instrument, it is to be understood that in each such instance the land referred to is owned by an owner or owners unknown.

A copy of this layout will be filed with the Sudbury Town Clerk.

IN WITNESS WHEREOF WE, THE UNDERSIGNED, BEING DULY ELECTED AND QUALIFIED MEMBERS OF THE BOARD OF SELECTMEN OF THE TOWN OF SUDBURY, HEREUNTO SET OUR HANDS AND SEALS THIS 6TH DAY OF APRIL, 2021.

BOARD OF SELECTMEN OF THE TOWN OF SUDBURY

Janie W. Dretler

Jennifer S. Roberts

Daniel E. Carty

Charles G. Russo

William J. Schineller

forms/street4



SUDBURY SELECT BOARD Tuesday, April 6, 2021

MISCELLANEOUS (UNTIMED)

7: Town Manager evaluation

REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: Discussion on Town Manager annual evaluation process.

Recommendations/Suggested Motion/Vote:

Background Information:

attached documents:

Town Manager Evaluation Process and Town Manager Evaluation checklist

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
Janie Dretler Pending

Select Board Pending 04/06/2021 6:30 PM

TOWN OF SUDBURY EVALUATION PROCESS FOR THE TOWN MANAGER

Approved 4/5/16

PREFACE

The Sudbury Board of Selectmen is committed to an evaluation process that is positive, constructive, and measurable in assessing performance. The BOS seeks to provide sound and regular feedback to the Town Manager throughout the year. The purpose of the evaluation instrument is to formally appraise the Town Manager's performance on an annual basis. The BOS will assess the Town Manager's performance in management practices and in the accomplishment of goals. The evaluation process should be implemented with mutual respect for all involved, to assist the Town Manager in reviewing her effectiveness and to work toward the common goal of improving the Town of Sudbury.

PROCESS

The evaluation shall consist of:

SECTION 1: A narrative self-evaluation completed by the Town Manager, addressing major areas of responsibility and progress in meeting the goals agreed upon by the BOS and the Town Manager.

SECTION 2: A composite evaluation based on a checklist of the Town Manager's major areas of responsibilities. Each Selectman will complete an individual checklist review form to evaluate each area. The composite evaluation scoring for each area will be an average of the Selectmen's individual ratings, with each Selectman's score weighted equally. The Town Manager Evaluation Subcommittee will provide a draft summary of the comments provided by the Selectmen for each area, to be approved by the BOS.

SECTION 3: A composite evaluation concerning the Town Manager's progress in meeting the goals agreed upon by the BOS and the Town Manager. Each Selectman will complete an individual narrative concerning the Town Manager's progress in meeting these goals. The Town Manager Evaluation Subcommittee will provide a draft summary of the comments provided by the Selectmen for each goal, to be approved by the BOS.

PROCEDURE AND SCHEDULE

By October 15 each year, the BOS will establish or update goals for the Town of Sudbury that may be annual or multi-year objectives, with a focus on the following calendar year. Within the context of these goals, the BOS and Town Manager together will outline specific annual goals, for the upcoming calendar year, to assist the Town Manager in identifying her role in implementing the Town goals. The BOS will establish a Town Manager Evaluation Subcommittee to draft these goals. The Town Manager's goals will be established by the end of November. The Town Manager also may establish administrative goals for the Town staff.

Throughout the year, individual Selectmen should identify any performance concerns or recommendations and discuss these directly with the Town Manager. Substantial concerns, including any that require corrective action, should be discussed by the BOS in an open session. In any event, the BOS will conduct an informal discussion concerning the Town Manager's performance in **July or August** each year.

To initiate the formal review process, the Town Manager will submit a narrative self-evaluation to the BOS by **March 1** each year, addressing the prior calendar year. Each Selectman will complete an individual Section 2 checklist form and a Section 3 goal narrative and submit these to the Town Manager Evaluation Subcommittee by **March 15**, evaluating the Town Manager's performance for the prior calendar year.

These individual evaluations, combined with information from the Town Manager's self-evaluation, will be compiled by the Subcommittee into a draft composite evaluation. The Subcommittee will then meet with the Town Manager to discuss the draft evaluation. The Subcommittee will submit the draft evaluation to the board by the first BOS meeting in **April**. The BOS will review and approve the evaluation by **April 30** to ensure that those members who have supervised the Town Manager during the preceding calendar year vote on the evaluation. All BOS discussion of the evaluation will occur in an Open Meeting and both individual and composite written evaluations will be available as public records.

The BOS will generally conduct the salary review for the Town Manager in **June** of each year.

FOR 2016: The process for 2016 will be different given that the Town Manager commenced employment on December 1, 2015. In the summer of 2016, the BOS will conduct an informal evaluation discussion with the Town Manager concerning the Town Manager's performance since December 1, 2015. Then, starting in March 2017, the BOS will follow the process described above to evaluate the Town Manager's performance from December 1, 2015, through December 31, 2016.

TOWN OF SUDBURY TOWN MANAGER EVALUATION FORM

Instructions

A space has been provided for each statement within the performance areas. Check the number which most accurately reflects the level of performance for the factor. If you did not have an opportunity to observe or make a determination on a particular factor, please indicate so in the N/A space. Selectemen are encouraged to provide comments and suggestions, especially concerning significant areas of strength or weakness.

Rating Scale (1-5)

(1) Below Expectations/Unsatisfactory:

The Town Manager's work performance is inadequate and inferior to the standards of performance required for the position.

(2) Meets Some Expectations/Improvement Needed:

The Town Manager's work performance does not consistently meet the standards of the position.

(3) Meets Expectations/Satisfactory/Proficient:

The Town Manager's work performance consistently meets the standards of the position.

(4) Exceeds Expectations/Highly Effective:

The Town Manager's work performance is frequently or consistently above the level of a satisfactory employee.

(5) Excellent/Highly Commendable:

The Town Manager's work performance is consistently excellent when compared to the standards of the job.

Draft for 1.19.16 meeting

1.	Vision and Community Leadership	1	2	3	4	5	N/A
	Demonstrates an understanding of the importance of mission and vision. Takes a leadership role in developing and communicating a vision for the Town.						
b.	Works with the Board of Selectmen to develop goals to protect and improve the quality of life of the Town of Sudbury and its core values.						
	Ensures that the Board's goals are translated into strategies and action steps leading toward implementation on a timely basis.						
d.	Creates and facilitates an environment where Town government is open to input and participation, an exchange of ideas, creativity, and responsible experimentation.						
Coi	mments:						
2.	Communications/Public Relationships	1	2	3	4	5	N/A
	Communications/1 ubite Relationships				•		1 1/11
	Projects a positive image in the community.						
a.							
a. b.	Projects a positive image in the community. Communicates the Town's vision, goals, and accomplishments effectively. Expresses ideas in a logical, forthright manner in written and oral presentations. Communicates effectively with a variety						
a. b.	Projects a positive image in the community. Communicates the Town's vision, goals, and accomplishments effectively. Expresses ideas in a logical, forthright manner in written and oral presentations. Communicates effectively with a variety of audiences (e.g., staff, community, media). Develops a positive relationship with the press and uses						
a. b. c. d.	Projects a positive image in the community. Communicates the Town's vision, goals, and accomplishments effectively. Expresses ideas in a logical, forthright manner in written and oral presentations. Communicates effectively with a variety of audiences (e.g., staff, community, media). Develops a positive relationship with the press and uses various media, including social media, effectively. Demonstrates an open and transparent approach to sharing information with the community. Is reasonably available to the public and responsive to citizen						
a. b. c. d. f.	Projects a positive image in the community. Communicates the Town's vision, goals, and accomplishments effectively. Expresses ideas in a logical, forthright manner in written and oral presentations. Communicates effectively with a variety of audiences (e.g., staff, community, media). Develops a positive relationship with the press and uses various media, including social media, effectively. Demonstrates an open and transparent approach to sharing information with the community. Is reasonably available to the public and responsive to citizen complaints and requests. Encourages community involvement in Town government and supports the efforts of volunteer						

3.	Board of Selectmen Support/Relations	1	2	3	4	5	N/A
a.	Offers professional advice, including appropriate recommendations and alternatives, based on thorough study and analysis.						
b.	Implements the Board of Selectmen's policies and directives.						
c.	Maintains a professional working relationship with the Board of Selectmen, promoting a climate of mutual respect and trust.						
d.	Keeps Board members informed of issues and activities in Town government and in the community.						
e.	Works with the Chair to establish an agenda that addresses issues in a timely manner. Provides support materials and sufficient lead time to allow for informed decision-making and policy formation.						
f.	Helps the Board use Town Counsel to effectively achieve Town goals.						
1	Parsannal Managamant	1	2	3	4	5	N/A
	Personnel Management Fatablishes presedures and prestices for bining	1		3	4	3	IN/A
a.	Establishes procedures and practices for hiring, supervision, promotion, and termination that support the Town and are implemented in a consistent and fair manner.						
b.	Effectively leads collective bargaining. Informs and advises the Board of Selectmen as appropriate in matters of collective bargaining and grievance proceedings.						
c.	Recognizes, develops, and utilizes the abilities of staff. Encourages participation and shared decision-making with appropriate staff. Develops strong, open, and honest relationships with staff. Effectively delegates tasks and assignments.						
d.	Develops a meaningful staff evaluation process and						
e.	opportunities for professional development that contribute to professional growth.	Ш	Ш				

Draft for 1.19.16 meeting

Comments:							
5.	Financial Management	1	2	3	4	5	N/A
a.	Employs a comprehensive and transparent process of business planning and budgeting. Employs sound fiscal management procedures, techniques, and methods. Develops and maintains a long-term financial plan.						
b.	Employs budget forecasting, accounting, and control systems to protect the Town's financial health. Effectively monitors and controls expenditures.						
c.	Prepares the annual budget in a timely manner with input from department heads and the Finance Director, in accordance with adopted goals and town-wide needs.						
d.	Presents budget information to the Board of Selectmen, Finance Committee, the community, and Town Meeting in a manner which promotes full understanding.						
e.	Pursues alternative funding sources to supplement programs and accomplish established goals. Creatively manages available resources to increase efficiency, productivity, and effectiveness.						
Comments:							
		_	_	_	_	_	
6.	General Management and Planning	1	2	3	4	5	N/A
a.	Provides leadership, motivation, and support within the organization. Creates and facilitates an environment for long-range and strategic planning.						
b.	Monitors and plans for maintenance, repairs, and improvement of Town facilities, including plans for long-range capital needs.						
c.	Supervises and maintains in good order financial, personnel, and other records and documents.						
d.	Administers the Town in accordance with state and federal laws, rules, and regulations, with Town By-laws, and with Board of Selectmen policies and procedures.						

Draft for 1.19.16 meeting

Comments:						
7. Personal Qualities and Characteristics	1	2	3	4	5	N/A
a. Maintains high standards of ethics, honesty, integrity, and sound professional judgement.						
b. Represents the Town in a professional manner at all times.						
c. Displays the ability to be flexible, to manage conflict, to handle crisis, and to adjust to varying situations.						
d. Displays creativity and innovation.						
e. Maintains a high level of ongoing professional development.						
Comments:						
8. Overall Rating	1	2	3	4	5	N/A
Overall, the Town Manager performs at the following level.			3		<u>3</u>	1 N ///
Comments:						



SUDBURY SELECT BOARD Tuesday, April 6, 2021

MISCELLANEOUS (UNTIMED)

8: Amend Diversity, Equity, and Inclusion Commission Mission Statement

REQUESTOR SECTION

Date of request:

Requested by: Leila S. Frank

Formal Title: Vote whether to amend the Diversity, Equity, and Inclusion Commission Mission Statement to increase the number of members from "up to 13" to "up to 14" members.

Recommendations/Suggested Motion/Vote: Vote whether to amend the Diversity, Equity, and Inclusion Commission Mission Statement to increase the number of members from "up to 13" to "up to 14" members.

Background Information: attached current mission statement

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
Janie Dretler Pending

Select Board Pending 04/06/2021 6:30 PM

TOWN OF SUDBURY SUDBURY DIVERSITY, EQUITY, AND INCLUSION COMMISSION

Approved by the Board of Selectmen: November 17, 2020

Mission:

The Board of Selectmen is creating the Sudbury Diversity, Equity, and Inclusion 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 shall consist of up to thirteen members-and Advisory members. The Commission shall make recommendations on a quarterly (minimum) basis to the Sudbury Board of Selectmen 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 Board of Selectmen 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 Board of Selectmen documenting the state of diversity, equity, and inclusion in town to make appropriate recommendations and address any problems found.
- 3. The Board of Selectmen, in partnership with the Commission, to present findings to the town.

Membership:

The *Sudbury Diversity, Equity, and Inclusion Commission* shall be appointed by the Board of Selectmen according to the following list. All appointments shall expire on May 31, 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 or Co-Chairs will run the meetings, be the designated communications link with the Board of Selectmen, and schedule meetings. Commission members will be initially appointed to serve until May 31, 2022.

Membership (voting members) will include:

Sudbury resident(s), including Students or Parents of Students attending Sudbury schools....(up to 13 members)

Advisory (non-voting members):

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

- Business representatives
- Education
- Parent or caregiver
- Student
- Human Resources
- Immigration law
- Medical and healthcare
- Minority affairs
- Real estate/Affordable Housing
- Social Work

The Commission consists of a group of Commission members and a small group of Advisory members. Commission members are voting members and must be available and willing to attend the majority of scheduled meetings. They may draw upon the expertise of Advisory members, who will be requested to attend meetings and/or discuss topics for which their expertise is needed. The Chair or Co-Chairs will run meetings, be the designated communications link with the Town Manager and other Town staff, and schedule committee meetings. The Commission may internally select a Clerk who will ensure that full minutes and a list of members in attendance are kept of each meeting and promptly submitted to the Commission for approval, filing with the Town Clerk, posting to the Town's website, and disseminating to the Advisory membership.

The Board of Selectmen shall determine by March 31, 2022 whether to modify the mission statement, Commission charge, or Commission composition, and act to establish duration of term effective June 1, 2022.

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 Sudbury 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 Commission by the Selectmen.

Use of the Town's Web site

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



SUDBURY SELECT BOARD Tuesday, April 6, 2021

MISCELLANEOUS (UNTIMED)

9: Appointments to Diversity, Equity and Inclusion Commission

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote whether to appoint Sue Abrams, 24 Hudson Rd; Susan Tripi, 23 Belcher Dr; Nuha Muntasser, 193 Dutton Rd; Yana Bloomstein, 84 Carriage Way and Tanisha Tate, 50 Fairbank Circle to the Diversity, Equity and Inclusion Commission for terms to expire May 31, 2022.

Recommendations/Suggested Motion/Vote: Vote whether to appoint Sue Abrams, 24 Hudson Rd; Susan Tripi, 23 Belcher Dr; Nuha Muntasser, 193 Dutton Rd; Yana Bloomstein, 84 Carriage Way and Tanisha Tate, 50 Fairbank Circle to the Diversity, Equity and Inclusion Commission for terms to expire May 31, 2022.

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
Janie Dretler Pending
Salast Based

Select Board Pending 04/06/2021 6:30 PM

TOWN OF SUDBURY APPLICATION FOR APPOINTMENT

FAX:

E-MAIL:

(978) 443-0756

Date_

selectboard@sudbury.ma.us

SELECT BOARD 278 OLD SUDBURY ROAD SUDBURY, MA 01776

Signature __

SUDBURY, MA 01776	
Board or Committee Name:	
Name:	
Name: Address: Em	nail Address:
Home phone: Wo	ork or Cell phone:
Years lived in Sudbury:	
Municipal experience (if applicable):	
Educational background:	
Reason for your interest in serving:	
Times when you would be available (days, evenings, we	eekends):
Do you or any member of your family have any busines	ss dealings with the Town? If yes, please explain:
(Initial here that you have read, understand as	nd agree to the following statement)
I agree that if appointed, I will work toward furtherance I agree that I will conduct my committee activities in a rand Local laws and regulations, including but not limite Conflict of Interest Law, Email Policy and the Code of	manner which is compliant with all relevant State ed to the Open Meeting Law, Public Records Law,
I hereby submit my application for consideration for application	pointment to the Board or Committee listed above.

TOWN OF SUDBURY APPLICATION FOR APPOINTMENT

FAX:

E-MAIL:

(978) 443-0756

selectboard@sudbury.ma.us

SELECT BOARD 278 OLD SUDBURY ROAD SUDBURY, MA 01776

Nama	
Address:	Email Address:
Home phone:	Work or Cell phone:
Years lived in Sudbury:	
Brief resume of background and pertine	ent experience:
Municipal experience (if applicable):	
Educational background:	
Reason for your interest in serving:	
Times when you would be available (da	ays, evenings, weekends):
Do you or any member of your family	have any business dealings with the Town? If yes, please explain:
(Initial here that you have re	ead, understand and agree to the following statement)
I agree that if appointed, I will work to I agree that I will conduct my committe and Local laws and regulations, includi	ward furtherance of the committee's mission statement; and further, ee activities in a manner which is compliant with all relevant State ing but not limited to the Open Meeting Law, Public Records Law, and the Code of Conduct for Town Committees.
I hereby submit my application for con	sideration for appointment to the Board or Committee listed above.
Signature	Date

TOWN OF SUDBURY APPLICATION FOR APPOINTMENT

SELECT BOARD 278 OLD SUDBURY ROAD SUDBURY, MA 01776

Signature ____

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

Date_

Roard or Committee Name	
Name:	Email Address:
Home phone:	Work or Cell phone:
Was as the disc Conflored	
Years lived in Sudbury:	ent experience:
Brief resume of ouekground and permie	on experience.
Municipal experience (if applicable):	
Educational background:	
_	
Reason for your interest in serving:	
reason for your interest in serving.	
Times when you would be available (do	ave avanings vyaakands).
Times when you would be available (da	iys, evenings, weekends):
Do you or any member of your family h	have any business dealings with the Town? If yes, please explain:
(Initial here that you have rea	ad, understand and agree to the following statement)
I agree that if appointed, I will work to	ward furtherance of the committee's mission statement; and further,
•	the activities in a manner which is compliant with all relevant State
	ng but not limited to the Open Meeting Law, Public Records Law, and the Code of Conduct for Town Committees.
,	
I hereby submit my application for cons	sideration for appointment to the Board or Committee listed above.

Attachment9.d: Yana Bllomstein_DEI_rd (4525 : Appointments to Diversity, Equity and Inclusion Commission)

TOWN OF SUDBURY APPLICATION FOR APPOINTMENT

FAX:

E-MAIL:

(978) 443-0756

Date_

selectboard@sudbury.ma.us

SELECT BOARD 278 OLD SUDBURY ROAD SUDBURY, MA 01776

Signature __

SUDBURY, MA 01776	
Board or Committee Name:	
Name:	
Address:	Email Address:
Home phone:	Work or Cell phone:
Years lived in Sudbury:	
Brief resume of background and pertinent expe	
Municipal experience (if applicable):	
Educational background:	
Reason for your interest in serving:	
Times when you would be available (days, eve	enings, weekends):
Do you or any member of your family have any	y business dealings with the Town? If yes, please explain:
(Initial here that you have read, under	erstand and agree to the following statement)
I agree that I will conduct my committee activi	rtherance of the committee's mission statement; and further, ities in a manner which is compliant with all relevant State not limited to the Open Meeting Law, Public Records Law, Code of Conduct for Town Committees.
I hereby submit my application for consideration	on for appointment to the Board or Committee listed above.

Attachment9.e: Tanisha Tate_DEI_rd (4525 : Appointments to Diversity, Equity and Inclusion Commission)

TOWN OF SUDBURY APPLICATION FOR APPOINTMENT

FAX:

(978) 443-0756

SELECT BOARD 278 OLD SUDBURY ROAD SUDBURY, MA 0177

Signature _

278 OLD SUDBURY ROAD SUDBURY, MA 01776	E-MAIL: selectboard@sudbury.ma.us
Board or Committee Name:	
Name:	
Address:	Email Address:
Home phone:	Work or Cell phone:
Years lived in Sudbury:	ce:
Municipal experience (if applicable):	
Educational background:	
Reason for your interest in serving:	
Times when you would be available (days, evening	ss, weekends):
Do you or any member of your family have any bus	siness dealings with the Town? If yes, please explain:
(Initial here that you have read, understand	
I agree that I will conduct my committee activities	rance of the committee's mission statement; and further, in a manner which is compliant with all relevant State imited to the Open Meeting Law, Public Records Law, e of Conduct for Town Committees.
I hereby submit my application for consideration for	or appointment to the Board or Committee listed above.

Date



MISCELLANEOUS (UNTIMED)

10: Appoint liaison to DEI commission

REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: Discussion and vote to appoint Select Board member to serve as liaison to the Diversity, Equity and Inclusion Commission.

Recommendations/Suggested Motion/Vote: Discussion and vote to appoint Select Board member to serve as liaison to the Diversity, Equity and Inclusion Commission.

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
Janie Dretler Pending



MISCELLANEOUS (UNTIMED)

11: Housing Choice discussion

REQUESTOR SECTION

Date of request:

Requestor: Select Board member Russo

Formal Title: Discussion on Housing Choice. Board member Russo to present information.

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
Janie Dretler Pending

A BRIEF OVERVIEW OF THE ZONING REFORMS IN THE ECONOMIC DEVELOPMENT LEGISLATION HOUSING CHOICE & MBTA COMMUNITIES

495 METROWEST PARTNERSHIP, HOUSING COMMITTEE

MARCH 25, 2021



DRAFT FOR POLICY AND PROGRAM DEVELOPMENT

3/24/2021



OVERVIEW OF HOUSING CHOICE

- Targeted changes to M.G.L c. 40A to reduce the threshold of votes needed to adopt certain zoning measures that promote housing production from 2/3 to simple majority.
 - These changes apply to all cities and towns in Massachusetts, except the City of Boston (which has its own zoning enabling act).
 - This change applies to all cities and towns in Massachusetts (except Boston). There is no "opt in".
- The goal is to make it easier for local governments to approve housing supportive zoning and development.
- The new law outlines a series of housing best practices that can be enacted by simple majority vote (e.g. reducing residential dimensional requirements, adopting 40R "Smart Growth" or "Starter Home" zoning, allowing accessory dwelling units or "in-law" units by right, etc.)





HOUSING CHOICE: QUALIFYING AMENDMENTS

Zoning that allows for certain kinds of housing developments "as of right"

- Multi-family (3 or more units) and Mixed Use in an Eligible Location
- Accessory Dwelling Units
- Open Space and Residential Development (OSRD)

Zoning that allows for certain kinds of housing developments by Special Permit

- Multi-family and Mixed Use in an Eligible Location
- Accessory Dwelling Units that are not attached to the primary home
- Allows an increase in the number of units on property if the Special Permit is approved in accordance with c40A Section 9
 - Reduction of parking requirements for residential or mixed-use development



HOUSING CHOICE: QUALIFYING AMENDMENTS

Zoning that allows for:

- Changes to dimensional standards that allow for additional units (e.g., FAR, height, lot area, setbacks, open space, parking).
- Amendments that adopt Smart Growth or Starter home districts per c. 40R
- Natural resource protection zoning (similar to Open Space Residential Development)
- Transfer of development rights



HOUSING CHOICE: SPECIAL PERMIT DECISIONS

The 2/3 supermajority threshold of vote is reduced to a simple majority for the special permit board when:

 a special permit would enable a project to reduce parking spaces to allow for the creation of additional units;

OR

• in a city or town that allows for multi-family by special permit within ½ mile of a transit station OR mixed use development within centers of commercial activity; the special permit application is for a multi-family or mixed-use project that meets these parameters includes at least 10% affordable units (80% area median income)



HOUSING CHOICE: SPECIAL PERMITS DECISIONS

One example of how this works. A Town allows for multifamily projects to be approved by Special Permit in its Town Center District which has a commuter rail station. Such projects require a Special Permit review by the 5member Planning Board.

A developer submits a project located ¼ mile from the commuter rail station for a 100 unit building with 12 affordable units. Instead of requiring 4 affirmative votes from the Planning Board, the project only needs 3 affirmative votes.



HOUSING CHOICE: ZONING "PROTESTS"

- Housing Choice modifications to c. 40A § 5 make it more difficult for affected landowners to stop zoning amendments that are eligible to be enacted with a simple majority.
- Prior to the enactment of the Housing Choice legislation:
 - o a written protest made by the owners of **20**% of the affected land area or abutting land, would increase the required voting threshold to change the zoning, and
 - The threshold increased from a 2/3 super majority to an even larger ¾ super majority.
- Under the law as amended:
 - a protest will only change the voting threshold if it is made by owners of 50% of the affected land area or abutting land, and
 - A successful protest changes the voting threshold from a simple majority to a 2/3 super majority.
- This provision applies only in a city or a town with a town council of fewer than 25 members.



DETERMINING THE VOTING THRESHOLD

- The new law does not specify who determines whether a proposed zoning ordinance or bylaw is the kind that can be approved by a simple majority vote.
- We recommend that proponents, planning boards, and legislative bodies clarify the voting threshold that applies to any zoning proposal:
 - The proponent of a zoning ordinance or bylaw should include in the petition a statement explaining how it meets any of the criteria for being approved by a simple majority vote.
 - After holding the public hearing required under the Zoning Act, and after consultation with municipal legal counsel, the planning board should include in its report a determination on the voting threshold for the zoning proposal.
 - The legislative body's vote consistent with that recommendation will affirm the voting threshold.
- All zoning bylaws adopted by towns must be submitted to the Attorney General for review and approval. If the Attorney General finds an inconsistency between the proposed bylaw and state law, the bylaw or portions of it may be disapproved.



MBTA COMMUNITIES

- New section 3A of the Zoning Act provides that an MBTA community shall have at least one zoning district of reasonable size in which multi-family housing is permitted as of right and meets other criteria set forth in the statute:
 - Minimum gross density of 15 units per acre
 - Not more than ½ miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.
 - No age restrictions
 - Suitable for families with children.
- The statute requires DHCD to issue guidelines that define compliance with this new section of the Zoning Act.
- DHCD issued preliminary guidance on January 29th.



NEXT STEPS ON MBTA COMMUNITIES

- The Baker-Polito Administration wants to work with stakeholders, including towns and cities, to develop thoughtful compliance criteria and timelines so that the end result is good policy.
- We believe that stakeholder engagement is essential in order to implement this section effectively.
- To that end, municipalities (i.e. MBTA Communities) will be deemed to be in compliance with this new section until more detailed compliance criteria is established.
 - Communities seeking to pursue MassWorks or the Housing Choice Capital Grants Program in the upcoming 2021 grant cycle will remain fully eligible to apply to these programs.
- We will have more information on the stakeholder process in the coming weeks.



GUIDANCE AND SUPPLEMENTAL INFORMATION

- Guidance & supplemental information can be found via:
 - Mass.gov/housingchoice
- Contact Information:
 - housingchoice@mass.gov



APPENDIX



ELIGIBLE LOCATION (1/2)

- The proponent of a zoning ordinance or bylaw should explain in the petition if the land area affected meets any of the criteria for an eligible location.
- Planning board should make a determination about eligible location during the public hearing process when applicable.
- Additional guidance for determining eligible locations:
 - Regulations implementing Chapter 40R (760 CMR 59) set forth detailed criteria that DHCD applies when it determines if a land area is an eligible location under that statute may be useful as guidance.
 - Locations should be deemed eligible if within 0.5 miles of the kind of transit station listed in the statutory definition.
 - The Planning Board can make other eligible location determinations during its hearing process.
 - If there is uncertainty, the municipality can request an advisory opinion from EOHED.



ELIGIBLE LOCATION (2/2)

- If there is uncertainty about whether a zoning proposal affects an eligible good location, the municipality may request an advisory opinion from EOHED.
 - Such a request must be made by the mayor, city council, board of aldermen, or planning board (when the zoning amendment is proposed in a city); or by the select board or planning board (when the zoning amendment is proposed in a town).
 - The request should be made by completing the application at the following website: https://www.mass.gov/forms/request-an-advisory-opinion-on-ch40a-eligible-locations
 - EOHED will endeavor to provide a written advisory opinion within 30 days of receipt of a complete request.



MISCELLANEOUS (UNTIMED)

12: Minutes review

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Review open session minutes of 3/16/21 and possibly vote to approve minutes.

Recommendations/Suggested Motion/Vote: Review open session minutes of 3/16/21 and possibly vote to approve minutes.

Background Information:

attached redline draft from 3/30 meeting.

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
Janie Dretler Pending
Salast Based

SUDBURY SELECT BOARD TUESDAY MARCH 16, 2021

(Meeting can be viewed at www.sudburytv.org)

Present: Chair Janie Dretler, Vice-Chair Jennifer Roberts, Select Board Member Daniel E. Carty, Select Board Member William Schineller, Select Board Member Charles Russo, Town Manager Henry L. Hayes, Jr.

The statutory requirements as to notice having been complied with, the meeting was convened at 7:03 p.m., via Zoom telecommunication mode.

Chair Dretler announced the recording of the meeting and other procedural aspects included in the meeting. She acknowledged that the Board had just adjourned in Executive Session.

Call to Order/Roll Call

Select Board Roll Call: Roberts-aye, Schineller-aye, Russo-aye, Carty-aye, Dretler-aye

Opening remarks by Chair

- Melone property sale and Town Center land was finalized; in addition to the 40 acres in Town Center the
 Town will be receiving \$1 million in connection with the Melone property sale, and \$1 million for
 mitigation funds for the Town to use at its discretion; \$100,000 in permitting fees and other associated
 fees to the Town when the Cold Brook Crossing project is completed.
- MA DOT has awarded Sudbury \$387,274.06 for the Complete Streets Program; more information to follow
- Annual Town Election on Monday, March 29; voting information on the Town website
- Attended MA Selectmen's Association webinar on Civil Discourse in Public Meetings
- Hoping to learn more about the American Rescue Plan Act recently signed by the President. MA Municipal Association (MMA) released an eligibility list by city and towns

Reports from Town Manager

- Institution for Human Centered Design (IHDC) representatives will attend the Select Board meeting on April 27 and join in reviewing public responses to the draft ADA Self-Evaluation Plan
- Town is seeking community input to assist in addressing and prioritizing current and future accessibility needs; submission must be received by April 14, 2021.
- Town ADA Self-Evaluation Plan posted on the Town website
- Scheduling of outdoor programming/meetings for local groups now available at Camp Sewataro. Camp Sewataro calendar posted on the Town website

Reports from Select Board

Vice-Chair Roberts:

· Reiterated the importance of community input to the Sudbury ADA-Self Assessment project

- Attended MA Selectmen Association webinar regarding "Civil Discourse in Public Meeting," posted on the MSA website for viewing
- Attended the Sustainable Middlesex Carbon Countdown 2021 which included presentations and updates by State Legislators
- Attended Net Zero Community breakout sessions and detailed that communities including Concord, Acton, Arlington and Lexington, have committed to attain Net Zero status

Board Member Russo:

- Attended the MSA "Civil Discourse in Public Meeting" and found it to be most relevant
- · BFRT Design Task Force has been meeting frequently, and presenting to other Town Boards/Committees
- The Planning Board supporting conditional approval of the Anthony Drive Article and three 2021 zoning Town Meeting Articles
- Recognized the Camp Sewataro Calendar on the Town webpage, and thanked Town Manager Hayes for that implementation

Board Member Carty:

- Announced that he and Board Member Schineller will be hosting Select Board's Office Hours on Wednesday, March 31 at 12:00 p.m.
- Transportation Committee met on Friday and will hear more about that later tonight
- Planning Board endorsed inclusion of their three Articles on Consent Calendar

Board Member Schineller:

 Acknowledged and he and Vice-Chair Roberts will be sharing their work on Financial Policies and Procedures Subcommittee later in the meeting.

Citizen's comments on items not on agenda

There were no citizen's comments.

Interview candidate for appointment to the Diversity, Equity and Inclusion Commission

Present: Susan Rushfirth

Ms. Rushfirth provided detail regarding her <u>Physical Therapywork</u> assignments in Roxbury, her work with Roxbury teens, involvement with Sudbury METCO and volunteerism with the community Domestic Violence Round Table.

Board Members acknowledged Ms. Rushfirth's contributions in the related areas.

Chair Dretler read in the words of the motion. Board Member Schineller moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

It was on motion 5-0; Roberts-aye, Russo-aye, Schineller-aye, Carty-aye, Dretler-aye

VOTED: To appoint Susan Rushfirth, 48 Harvard Drive, to the Diversity, Equity and Inclusion Commission for a term to expire May 31, 2022.

<u>Update and possible vote on Bruce Freeman Rail Trail (BFRT) project update - Task Force Recommendations for 75% Design</u>

Present: John Drobinski, BFRT Advisory Task Force Chair; Beth Suedmeyer, Environmental Planner

Ms. Suedmeyer provided a PowerPoint presentation dated March 16, 2021. She confirmed the BFRT Advisory Task Force has been involved in many meetings and outreach over the past few weeks in efforts to meet the BFRT 2022 construction date.

Ms. Suedmeyer maintained the BFRT was not just a rail trail, but also a prime connection with community services and recreational activities. She reviewed 75% Design Recommendations: Connections to Town-owned properties, Amenities at various BFRT locations, and Specific Amenity Product Selection.

The BFRT Advisory Task Force Meetings began 2/23/21. She noted that various groups were involved: Historical Commission, Park & Recreation Commission, Commission on Disability, Historic Districts Commission, Planning Board, and abutters.

75% Design Recommendations involve: Connections to town-owned properties, Amenities – Locations, Amenities – Product Selections.

She reviewed proposed parking and amenities at Broadacres Farm:

Broadacres Parking and Amenities

- · Parking lot
- Information kiosk/trail head signage
- · Bike racks
- Benches
- Bike repair station
- Hydration station
- Recycling/trash receptacles
- Pet waste bag dispenser
- Restroom facility (composting toilet)
- Picnic area
- Pavilion
- Natural play space
- Natural play space (made of historic bridge artifacts)
- Foundation for art installation
- Interpretive panel

Parkinson's (Ti-Sales) Field

- Bike racks
- Bench
- Welcome signage
- · Recycling/trash receptacles

North Road Spur to Davis Recreation Field

- Bench
- · Welcome signage

Davis Field

- Bike racks
- Bench
- Hydration station
- Concrete pad for portable toilet
- Recycling/trash receptacles
- Play area
- Welcome signage
- Kiosk

Station Road/MCRT

- · Bike racks
- Benches
- Hydration station
- Bike repair station
- Rest room (composting)
- Recycling/trash receptacles
- Seating with reused stone
- Play area
- Welcome signage
- Interpretive signage

Board Member Carty inquired about why there might be a Fall Town Meeting. Member Carty advocated for vehicle charging stations at Broadacre, asked for a connecting path through to lower Featherland park, asked if the State would be paying for all of this and asked about plan for the southern terminus because that is private property and noted that the abutter outreach especially to Cavicchio and Method Machines was critical. Ms. Suedmeyer responded that the easements were temporary construction easements.

Chair Dretler read in the words of the motion. Board Member Russo moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

Resident Len Simon, 40 Meadowbrook Circle, asked if the BFRT project was still on schedule for construction to begin in summer of 2022. Ms. Suedmeyer responded in the affirmative.

It was on motion 5-0; Russo-aye, Roberts-aye, Schineller-aye, Carty-aye, Dretler-aye

VOTED: To approve the BFRT Advisory Task Force Recommendations as presented.

<u>Vote to open joint meeting with Finance Committee to present/discuss recommendations on annual budget and Annual Town Meeting warrant articles</u>

Present: FinCom Members: Eric Poch, Blair Caple, Scott Smigler, Michael Joachim, Susan Berry, Howard Feng, Sonny Parente, Jean Nam, Ron Brumback, and Finance Director Dennis Keohane

Vice-Chair Roberts motioned to open joint meeting with Finance Committee to present/discuss recommendations on annual budget and Annual Town Meeting Warrant Articles. Board Member Russo seconded the motion.

It was on motion 5-0; Roberts-aye, Russo-aye, Carty-aye, Schineller-aye, Dretler-aye

VOTED: To open joint meeting with the Finance Committee (FinCom)

Mr. Poch motioned to open the joint meeting with the Select Board. Mr. Smigler seconded the motion.

It was on motion 9-0; Smigler-aye, Caple-aye, Joachim-aye, Berry-aye, Feng-aye, Parente-aye, Nam-aye, Brumback-aye, Poch-aye

VOTED: To open joint meeting with the Select Board

Mr. Smigler reviewed Finance Committee Goals for FY22 Budget year, reviewed the FinCom process and various FinCom Article recommendations: Article 4 – FY22 Capital Budget - 7-1; Article 13 – Capital Stabilization Fund – 6-2; Article 15 – Melone Stabilization Fund Repurpose – 0-9 (FinCom voted to delay vote).

Mr. Poch indicated that the Committee appreciated the financial work being done by the Policies and Procedures Subcommittee, Town Manager Hayes and Finance Director Dennis Keohane.

Chair Dretler commented that she wanted Mr. Keohane and Town Manager Hayes to provide additional information on the American Rescue Plan. It was agreed that additional information would be shared.

There was extensive discussion regarding Article 16 – Construction of addition at Fire Station #2 and possible funding scenarios, phasing options and the structural condition of the existing building.

Fire Station Town Meeting article - funding sources and debt impact to residents

Mr. Smigler indicated that additional information to address questions posed at this meeting would be preferable. Board Members agreed that questions brought up at this meeting might be addressed by Facilities Director Bill Barletta, Town Manager Hayes, and Finance Director Dennis Keohane at a future meeting.

Ms. Berry stated the funding from the Cold Brook Crossing project could support the Fire Station project. Several funding options were discussed at this time.

Resident Manish Sharma, 77 Colonial Road, confirmed that it made sense to consider the perspectives of Town Manager Hayes and Mr. Barletta. He indicated that increasing taxes for the senior population was unfair.

Vote to close joint meeting with FinCom and resume Select Board meeting

Mr. Poch motioned to close the joint meeting with the Select Board. Ms. Berry seconded the motion.

It was on motion 9-0; Smigler-aye, Caple-aye, Joachim-aye, Berry-aye, Feng-aye, Parente-aye, Nam-aye, Brumback-aye, Poch-aye

VOTED: To close the joint meeting with the Select Board

Vice-Chair Roberts motioned to close the joint meeting with FinCom and resume Select Board meeting. Board Member Russo seconded the motion.

It was on motion 5-0; Carty-aye, Schineller-aye, Roberts-aye, Russo-aye, Dretler-aye

VOTED: To close the joint meeting with FinCom and resume Select Board meeting.

Chair Dretler motioned to take a five-minute recess. Vice-Chair Roberts seconded the motion.

It was on motion 5-0; Schineller-aye, Roberts-aye, Carty-aye, Russo-aye, Roberts-aye

VOTED: To take a five-minute recess

Board Members returned from recess at approximately 10:08 p.m.

<u>Vote to take positions on any 2021 Town Meeting articles, designate articles for placement on consent calendar, and vote which Board members will make motions and present articles</u>

Article 3 - FY22 Budget

Vice-Chair Roberts moved to support Article 3. Board Member Schineller seconded the motion.

It was on motion 5-0; Russo-aye, Schineller-aye, Roberts-aye, Carty-aye, Dretler-aye

VOTED: To support Article 3 – FY22 Budget

Article 4 - FY22 Capital Budget

Vice-Chair Roberts moved to support Article 3. Board Member Russo seconded the motion.

It was on motion 5-0; Schineller-aye, Roberts-aye, Russo-aye, Carty-aye, Dretler-aye

VOTED: To support Article 4 - FY22 Capital Budget

<u>Article 7 – FY22 Recreation Field Maintenance Enterprise Fund Budget</u>

Vice-Chair Roberts moved to support Article 3. Board Member Russo seconded the motion.

It was on motion 5-0; Schineller-aye, Roberts-aye, Russo-aye, Carty-aye, Dretler-aye

VOTED: To support Article 7 – FT22 Recreation Field Maintenance Enterprise Fund Budget

Article 15 - Melone Stabilization Fund Repurpose

Board Member Russo motioned to Indefinitely Postpone (IP) Article 15. Vice-Chair Roberts seconded the motion.

It was on motion 5-0; Carty-aye, Roberts-aye, Schineller-aye, Russo-aye, Dretler-aye

VOTED: To IP Article 15 - Melone Stabilization Fund Repurpose

Article 18- Front End Loader with Plow

Vice-Chair Roberts motioned to support Article 18. Board Member Schineller seconded the motion.

It was on motion 5-0; Carty-aye, Schineller-aye, Russo-aye, Roberts-aye, Dretler-aye

VOTED: To support Article 18- Front End Loader with Plow

<u>Article 19 – Multi-purpose Sidewalk Tractor</u>

Vice-Chair Roberts motioned to support Article 18. Board Member Schineller seconded the motion.

It was on motion 5-0; Carty-aye, Schineller-aye, Russo-aye, Roberts-aye, Dretler-aye

VOTED: To support Article 19 - Multi-purpose Sidewalk Tractor

Article 20 - Six-Wheel Combo Dump Truck with Plow and Wing

Vice-Chair Roberts motioned to support Article 18. Board Member Schineller seconded the motion.

It was on motion 5-0; Carty-aye, Schineller-aye, Russo-aye, Roberts-aye, Dretler-aye

VOTED: To support Article 20 - Six-Wheel Combo Dump Truck with Plow and Wing

<u>Article 24 – Sudbury Public Schools Peter Noyes School Fire Alarm Replacement</u>

Vice-Chair Roberts motioned to support Article 18. Board Member Schineller seconded the motion.

It was on motion 5-0; Carty-aye, Schineller-aye, Russo-aye, Roberts-aye, Dretler-aye

VOTED: To support Article 24 - Sudbury Public Schools Peter Noyes School Fire Alarm Replacement

Article 25 - LSRHS Stadium Field

Board Members requested more information before taking a vote on Article 25, and agreed to the following Town Meeting Article presentation assignments:

Article 11 - Stabilization Fund
 Article 13 - Capital Stabilization Fund
 Board Member Schineller
 Article 12 - FY22 Revolving Fund Limits
 Article 2 - FY21 Budget Adjustments
 Article 1 - Hear Reports
 Vice-Chair Roberts
 Board Member Carty
 Board Member Russo
 Chair Dretler

Discussion, review, and vote on Appointment Policy

Boards Members provided edits. Vice-Chair Roberts motioned to approve the Appointment Policy as amended on March 9, 2021. Board Member Schineller seconded the motion.

It was on motion 5-0; Carty-aye, Roberts-aye, Carty-aye, Schineller-aye, Dretler-aye

VOTED: To approve the Appointment Policy as amended on March 9, 2021.

Discussion and vote whether to ratify the vote taken in Executive Session on 3/16/21, regarding collective bargaining matters related to negotiations between the Town of Sudbury and the Sudbury Supervisory Association, dated 3/16/21.

Chair Dretler read in the words of the motion. Board Member Carty moved in the words of the Chair. Board Member Russo seconded the motion.

Town Manager Hayes confirmed the vote taken in Executive Session regarding Memorandum of Agreement between the Town of Sudbury and the Sudbury Supervisory Association dated March 1, 2021.

It was on motion 5-0; Carty-aye, Roberts-aye, Russo-aye, Schineller-aye, Dretler-aye

VOTED: To ratify the vote taken in Executive Session on 3/16/21, regarding collective bargaining matters related to negotiations between the Town of Sudbury and the Sudbury Supervisory Association, dated 3/16/21.

Discussion and vote whether to ratify the vote taken in Executive Session on 3/9/21 between the Town of Sudbury and the Town Manager related to the employment contract dated 3/3/20 and resulting agreement between the Town of Sudbury and the Town Manager, dated 3/9/21

Chair Dretler read in the words of the motion. Vice-Chair Roberts moved in the words of the Chair. Board Member Russo seconded the motion.

Chair Dretler confirmed that the motion reflected the extension of Town Manager vacation days to September 1, 2021.

It was on motion 5-0; Russo -aye, Roberts-aye, Schineller-aye, Carty-aye, Dretler-aye

VOTED: To ratify the vote taken in Executive Session on 3/9/21 between the Town of Sudbury and the Town Manager related to the employment contract dated 3/3/20 and resulting agreement between the Town of Sudbury and the Town Manager, dated 3/9/21.

Update from Policies & Procedures subcommittee (Board members Roberts and Schineller)

Vice-Chair Roberts provided update and noted that she and Board Member Schineller had met in subcommittee three times over the past several weeks and would be meeting again on Thursday evening.

She detailed that the Subcommittee would be reviewing the DLS Report and plans to meet with Dennis Keohane. Vice-Chair Roberts confirmed that she and Board Member Schineller would be presenting a more detailed report to the Board on April 27.

Discuss April and May 2021 Board meeting dates, and make necessary adjustments

Vice-Chair Roberts motioned to schedule Select Board meetings on April 6, 2021; April 27, 2021; May 4, 2021; May 18, 2021; May 22, 2021; May 23, 2021; and May 25, 2021. Board Member Russo seconded the motion.

It was on motion 5-0; Russo-aye, Carty-aye, Schineller-aye, Roberts-aye, Dretler-aye

VOTED: To meet on April 6, 2021; April 27, 2021; May 4, 2021; May 18, 2021; May 22, 2021; May 23, 2021; and May 25, 2021.

Discussion on Statehouse Earmarks and grant applications

The Board discussed potential grant items:

- Transportation micro-transit programs
- ADA Improvement
- Park & Recreation summer programs
- Culvert repairs
- Master Plan aspects walkways
- Economic development funds post-COVID

<u>Vote to authorize the Chair to sign the joint municipal comment letter regarding the Massachusetts 2030</u> <u>Clean Energy and Climate Plan</u>

Chair Dretler presented the one edit to the comment letter.

Chair Dretler read in the words of the motion. Vice-Chair Roberts moved in the words of the Chair. Board Member Russo seconded the motion.

It was on motion 5-0; Roberts-aye, Russo-aye, Schineller-aye, Carty-aye, Dretler-aye

VOTED: To authorize the Chair to sign the joint municipal comment letter regarding the Massachusetts 2030 Clean Energy and Climate Plan

Review open session minutes of 3/2/21 and possibly vote to approve minutes

Chair Dretler read in the words of the motion. Board Member Carty moved in the words of the Chair. Vice-Chair Roberts seconded the motion.

It was on motion 5-0; Carty-aye, Russo-aye, Roberts-aye, Schineller-aye, Dretler-aye

VOTED: To approve the open session minutes of 3/2/21, as edited

Citizen's Comments (cont.)

There were no Citizen's Comments

Upcoming Agenda Items

- Joint Meeting with Transportation Committee 3/23
- Executive Session Eversource and Support Sudbury 3/23
- Voting on Articles 3/23
- Town Forum Topic Discussion 3/23
- Sewataro Update 3/23
- Town Manager Evaluation Discussion– 3/30
- Policies and Procedures Subcommittee 4/27
- OARS Funding future meeting

Vote to Adjourn Meeting

Board Member Schineller motioned to adjourn the meeting. Board Member Carty seconded the motion.

It was on motion 5-0; Carty-aye, Roberts-aye, Schineller-aye, Russo-aye, Dretler-aye

VOTED: To adjourn the meeting

There being no further business, the meeting was adjourned at 11:41 p.m.





MISCELLANEOUS (UNTIMED)

13: 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
Janie Dretler Pending



MISCELLANEOUS (UNTIMED)

14: 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
Janie Dretler Pending

POTENTIAL UPCOMING AGENDA ITEMS/MEETINGS

MEETING	DESCRIPTION
April 27	IHDC to present summary of ADA responses
	Commission on Disability appointment
	Joint meeting with Commission on Disability
	Town Forum discussion
	Financial Policies update
	Key Performance Indicators (KPI) discussion
May 22-23; rain date of	Annual Town Meeting at LSRHS field; start time 12:30 PM Sat, 5/22
June 12-13	
Date to be Determined	Budget Strategies Task Force
	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
	Citizen Leadership Forum
	Fairbank Community Center update (ongoing)
	Financial policy review (ongoing)
	Health/COVID-19 update (as of 3/18/20)
	Housing Choice discussion
	Invite Commission on Disability Chair to discuss Minuteman High School
	Local receipts – fee schedule review
	Projects to track using form (KPIs)
	Quarterly review of approved Executive Session Minutes for possible release (February, May,
	August and November). Consider separate meeting solely for this purpose.
	Quarterly update on Bruce Freeman Rail Trail (BFRT) (March, June, September, December)
	Quarterly update on CSX (January, April, July, October)
	Route 20 empty corner lot – former gas station
	Sewataro Financial Statement review
	Sewataro Future planning
	Sidewalks discussion
	Town meeting recap – year in review
	Town-wide traffic assessment and improve traffic flow
	Update from SB Policy Subcommittee
	Update on crosswalks (Chief Nix/Dan Nason)
	Update on traffic policy (Chief Nix)
	Work Session with Town Counsel: Select Board/Town Manager Code of Conduct and other
	procedural training
Standing Items for All Meetings	Select Board requests for future agenda items at end of meeting
<u> </u>	Citizens Comments, continued (if necessary)



CONSENT CALENDAR ITEM

15: Proclamation - May Military Month

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to acknowledge that the month of May is Military Appreciation Month and to sign a proclamation in this regard.

Recommendations/Suggested Motion/Vote: Vote to acknowledge that the month of May is Military Appreciation Month and to sign a proclamation in this regard.

Background Information:

attached document

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Patty Golden Pending
Henry L Hayes Pending
Jonathan Silverstein Pending
Janie Dretler Pending
Salast Based



TOWN OF SUDBURY

Office of Select Board www.sudbury.ma.us

Flynn Building 278 Old Sudbury Rd Sudbury, MA 01776-1843

Military Appreciation Month Proclamation

WHEREAS, The freedom and security that citizens of the United States enjoy today are direct results of the bloodshed and continued vigilance given by the United States Armed Forces over the history of our great nation; and

WHEREAS, the sacrifices that such members of the United States Armed Forces and of the family members that support them, have preserved the liberties that have enriched this nation making it unique in the world community; and

WHEREAS, the United States Congress, in two thousand and four, passed a resolution proclaiming May as National Military Appreciation Month, calling all Americans to remember those who gave their lives in defense of freedom and to honor the men and women of all of our Armed Services who have served and are now serving our Country, together with their families; and

WHEREAS, the month of May was selected for this display of patriotism because during this month, we celebrate Victory in Europe (VE) Day, Military Spouse Day, Loyalty Day, Armed Forces Day/Week, National Day of Prayer, and Memorial Day;

NOW, THEREFORE, WE, the Select Board of Sudbury, Massachusetts do hereby proclaim the period May 1, through May 31, 2021 as a special time to show appreciation for our Military and proclaim it as

MILITARY APPRECIATION MONTH

We encourage all Sudbury citizens to join us in showing our gratitude by the appropriate display of flags and ribbons during the designated period.

IN WITNESS WHEREOF, We hereunto set our hands and the Seal of Sudbury, Massachusetts to be affixed this 6th day of April, 2021.

SELECT BOARD

Janie W. Dretler, Chair

Jennifer E. Roberts, Vice-Chair

Daniel E. Carty

Charles G. Russo

William J. Schineller



CONSENT CALENDAR ITEM

16: Proclamation - National Public Works Week

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to sign a Proclamation recognizing May 16-23, 2021 as National Public Works Week

(NPWW).

Recommendations/Suggested Motion/Vote: Vote to sign a Proclamation recognizing May 16-23, 2021 as National Public Works Week (NPWW).

Background Information:

see attached

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
Janie Dretler Pending



TOWN OF SUDBURY

Office of Select Board www.sudbury.ma.us

Flynn Building 278 Old Sudbury Rd Sudbury, MA 01776-1843

National Public Works Week Proclamation May 16 – 23, 2021

"Stronger Together"

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the citizens of the Town of Sudbury; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's critical infrastructure and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the Town of Sudbury to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2021 marks the 61st annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

RESOLVED, we, the Sudbury Select Board, do hereby designate the week May 16 – 22, 2021 as National Public Works Week; we urge all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, We hereunto set our hands and the Seal of Sudbury, Massachusetts to be affixed this 6th day of April, 2021.

SELECT BOARD

Janie W. Dretler, Chair

Jennifer E. Roberts, Vice-Chair

Daniel E. Carty

Charles G. Russo

William J. Schineller



CONSENT CALENDAR ITEM

17: Accept donation from TJ Maxx

REQUESTOR SECTION

Date of request:

Requestor: Bill Murphy, Health Director

Formal Title: Vote to accept a \$4,059 donation of cloth face coverings and surgical masks from TJ Maxx Corp. to be distributed to high risk populations.

Recommendations/Suggested Motion/Vote: Vote to accept a \$4,059 donation of cloth face coverings and surgical masks from TJ Maxx Corp. to be distributed to high risk populations with an emphasis on low income families and Sudbury schools.

Background Information:

attached letter from Bill Murphy, Health Director

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
Janie Dretler Pending
Select Board Pending



Town of Sudbury

Board of Health

DPW Office Building 275 Old Lancaster Road Sudbury, MA 01776 978 440-5479

3/22/2021

Sudbury Select Board c/o Henry Hayes, Town Manager 278 Old Sudbury Road Sudbury, MA 01776

Re: Acceptance of Donation from TJ Maxx Corp.

Dear Select Board:

The Board of Health requests the Select Board accept a donation of cloth face coverings and surgical masks for adults and children from TJ Maxx Corp. The total value of the donation is \$4,059.00. The face coverings will be distributed to high risk populations with an emphasis on low income families and Sudbury schools.

Contact: Matt Palazio, Manager, Sudbury Store

Email: mpalazio81@gmail.com

978-443-7361

437 Boston Post Rd, Sudbury, MA 01776

TJ Maxx Headquarters, 770 Cochituate Rd, Framingham, MA 01701

Thank you in advance for your consideration regarding this matter.

Sincerely

Bill Murphy Health Director



CONSENT CALENDAR ITEM

18: Thank you letter to Jim Marotta for P&R service

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to send thank you letter to Jim Marotta for 14 years of service to the Town on the Park and Recreation Commission.

Recommendations/Suggested Motion/Vote: Vote to send thank you letter to Jim Marotta for 14 years of service to the Town on the Park and Recreation Commission.

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
Janie Dretler Pending



Town of Sudbury

Office of Select Board www.sudbury.ma.us

Flynn Building 278 Old Sudbury Rd Sudbury, MA 01776-1843 978-639-3381

Fax: 978-443-0756

Email: selectboard@sudbury.ma.us

April 6, 2021

Mr. James J. Marotta 231 Goodman's Hill Road Sudbury, MA 01776

Dear Mr. Marotta,

On behalf of the Sudbury Select Board and Town Manager, I would like to thank you for your 14 years of service as a valuable member on the Park and Recreation Commission. Your involvement with the Commission has allowed the town to provide year-round recreation activities and programs to the children and adults in the community.

Sudbury is fortunate to have committed residents like yourself, who willingly give their time and effort in making their community a better place to live. We thank you again for your service and we wish you well.

Sincerely,

Janie W. Dretler Chair, Select Board