

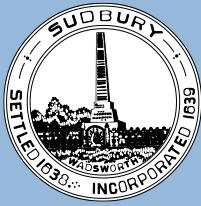
SUDBURY SELECT BOARD
TUESDAY APRIL 30, 2024
7:00 PM, ZOOM

Item #	Time	Action	Item
	7:00 PM		CALL TO ORDER
			Opening remarks by Chair
			Reports from Town Manager
			Reports from Select Board
			Public comments
CONSENT CALENDAR			
1.		<i>VOTE</i>	Vote to enter into the Town record and congratulate Hannah Delaney of BSA Scout Troop 65 for having achieved the high honor of Eagle Scout.
2.		<i>VOTE</i>	Vote to approve execution by the Town Manager of a Charter Transportation Agreement between the Town and First Student, Inc. for Sudbury student transportation services for the period July 1, 2024 through June 30, 2025, with extensions as may be agreed by the parties, said contract subject to approval by Town Counsel.
3.		<i>VOTE</i>	Vote whether to approve an increase in the abatement amount for both veterans and seniors in the Tax Work off program to \$2,000 annually, for a maximum of 133.3 hours of work, effective January 1, 2025.
MISCELLANEOUS			
4.		<i>VOTE</i>	Interview candidate for appointment. Following interview, vote whether to recommend Mary K. Farris, 35 Canterbury Drive, for appointment to the Energy and Sustainability Committee for a term expiring 5/31/27.
5.			Discuss letter regarding Pedestrian Easement in the Tall Pines community.
6.		<i>VOTE / SIGN</i>	As the Licensing Authority for the Town of Sudbury, vote whether to approve a new Class 1 License to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or Parts Thereof for Mercedes Benz of Sudbury, 141 Boston Post Road, as requested in an application dated April 4, 2024.
7.		<i>VOTE</i>	Discussion on Town Meeting Article 28 regarding GLT/Library EV Chargers.

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Some items may be taken out of order or not be taken up at all. The Chair will strive to honor timed items as best as possible. The Chair reserves the right to accept public comment on any item and may establish time limits.

Item #	Time	Action	Item
8.		<i>VOTE</i>	Discussion regarding 2024 Annual Town Meeting: consent calendar, positions on articles; other.
9.			Discussion on Vocational Education.
EXECUTIVE SESSION			
10.		<i>VOTE</i>	Vote to enter Executive Session to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares (exception 3).
11.		<i>VOTE</i>	Continue executive session to conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel, namely the Town Manager, pursuant to General Laws chapter 30A, §21(a)(exception 2).
12.		<i>VOTE</i>	Vote to close Executive Session and resume open session.

These agenda items are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Some items may be taken out of order or not be taken up at all. The Chair will strive to honor timed items as best as possible. The Chair reserves the right to accept public comment on any item and may establish time limits.



SUDBURY SELECT BOARD
Tuesday, April 30, 2024

CONSENT CALENDAR ITEM

1: Eagle scout recognition

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to enter into the Town record and congratulate Hannah Delaney of BSA Scout Troop 65 for having achieved the high honor of Eagle Scout.

Recommendations/Suggested Motion/Vote: Vote to enter into the Town record and congratulate Hannah Delaney of BSA Scout Troop 65 for having achieved the high honor of Eagle Scout.

Background Information:

Financial impact expected:

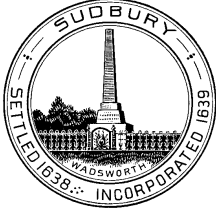
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

04/30/2024 7:00 PM



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 30, 2024

Hannah Delaney
 BSA Troop 65
 48 Shadow Oak Drive
 Sudbury, MA 01776

Dear Hannah:

The Sudbury Select Board has entered in its official Town records its acknowledgment and congratulations to you on achieving the rank of Eagle Scout. We understand this is Scouting's highest award and that you join a select few who have been able to obtain this honor. Your community is proud of you!

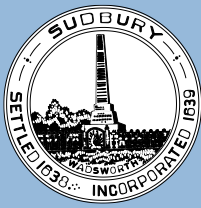
Your dedication, hard work and perseverance in obtaining the Eagle Scout award is worthy of special recognition and we, the Sudbury Select Board, are doing so by way of this letter.

Again, congratulations! We hope this is but one of many significant achievements throughout your life.

Very truly yours,

SELECT BOARD CHAIR

Janie W. Dretler



SUDBURY SELECT BOARD

Tuesday, April 30, 2024

CONSENT CALENDAR ITEM

2: First Student Bussing Agreement

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to approve execution by the Town Manager of a Charter Transportation Agreement between the Town and First Student, Inc. for Sudbury student transportation services for the period July 1, 2024 through June 30, 2025, with extensions as may be agreed by the parties, said contract subject to approval by Town Counsel.

Recommendations/Suggested Motion/Vote: Vote to approve execution by the Town Manager of a Charter Transportation Agreement between the Town and First Student, Inc. for Sudbury student transportation services for the period July 1, 2024 through June 30, 2025, with extensions as may be agreed by the parties, said contract subject to approval by Town Counsel.

Background Information:
attached agreement

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

04/30/2024 7:00 PM

**EXTENTION AND AMENDMENT OF
CHARTER TRANSPORTATION AGREEMENT**

This Extension and Amendment (the "Amendment") is entered into this ____ day of _____, 2024, by and between The Town of Sudbury ("Customer") with its corporate offices located at 278 Old Sudbury Rd, Sudbury, MA 01776 and First Student, Inc. ("Contractor") with its corporate offices located at 191 Rosa Parks Street, Cincinnati, OH 45202.

WITNESSETH

Whereas, Customer selected Contractor to provide charter bus transportation services as described in the Charter Transportation Services Agreement entered into by the parties on July __, 2023 (the "Agreement"); and

Whereas, the parties desire to extend the term of the Agreement for one year commencing July 1, 2024 and Section 20 of the Agreement provides that the parties may extend or modify the Agreement by mutual written agreement;

Now, therefore, in consideration of the covenants hereinafter contained, the parties agree as follows:

1. Term

The term of the Agreement shall extend for one (1) additional year commencing July 1, 2024 and continuing through June 30, 2025 (the "Extension Period").

2. Compensation, Billing and Penalties

In consideration for services rendered pursuant to the Agreement during the Extension Period, Customer shall pay to Contractor all sums due and owing and calculated in accordance with the rates set forth in Exhibit A attached hereto and made a part hereof.

3. Notice to Parties

All notices to be given by the parties to this Agreement shall be in writing and serviced by depositing same in the United States Mail, certified mail.

Notices to Customer shall be addressed to:

Town of Sudbury
Attn: Andrew Sheehan
278 Old Sudbury Rd,
Sudbury, MA 01776

Notices to Contractor shall be addressed to:

First Student
Attn: Tammy Ward
1800 Rt 34 N, Suite 304
Wall, NJ 07719

With a copy to:

General Counsel
First Student, Inc.
191 Rosa Parks Street
Cincinnati, OH 45202

Except as amended herein, all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment in duplicate the day and year first hereinabove written above.

First Student Inc.

By: _____
Name: _____
Title: _____

The Town of Sudbury

By: _____
Name: _____
Title: _____

Exhibit A

Schedule of Fees

Cost: \$395 per bus per day

Includes: Travel from First Student bus terminal to route and back for all shifts; all maintenance and repairs; general cleaning; back-up buses and driver; and insurance (certificate to be provided prior to commencement of the work). The per bus per day cost is still due even in the event that a bus is sent away before the scheduled end time.

Routes: Routes and times may change over time based upon mutual agreement.

Additional Charges: Additional charges may apply for any time used beyond the schedule listed above and will be billed out at \$75 per each additional hour the bus is used. Additional, reasonable charges ranging from \$75-\$175 per bus may also apply to any excessive cleaning that may be required, provided that Contractor shall take photographs of the condition of the bus before cleaning and provide such photographs to Customer together with any invoice for the charge.

Service Notifications: If service is interrupted for any reason, First Student will notify the customer designee immediately. All buses are radio equipped. In the event of a breakdown while on route, a replacement bus will be driven to the route. Operator "no shows" are replaced by our qualified stand-by drivers or supervisors. Cross-training is done to minimize service disruption due to sick days, vacations, or unexpected absences.

CHARTER TRANSPORTATION AGREEMENT

This Charter Transportation Agreement (the "Agreement") is entered into this July ____, 2023, by and between The Town of Sudbury ("Customer") with its corporate offices located at 278 Old Sudbury Rd, Sudbury, MA 01776 and First Student, Inc. ("Contractor") with its corporate offices located at 600 Vine Street, Ste. 1400, Cincinnati, OH 45202.

WITNESSETH

Whereas, Customer has selected Contractor to provide the charter bus transportation services described herein; and

Whereas, Contractor desires to provide such transportation services,

Now, therefore, in consideration of the covenants hereinafter contained, the parties agree as follows:

AGREEMENT

1. Term and Termination

- a. **Term.** The term of this agreement shall commence on 8/15/2023 and shall continue through 6/30/2024 (the "Term"), unless otherwise terminated earlier or extended pursuant to the terms contained in this agreement.
- b. **Termination for Breach or Default.** If either party shall default in the performance of or breach any of its obligations specified in this Agreement, the non-defaulting party shall give written notice to the other party, specifying the nature of the default, and if such default is not remedied or substantial efforts are not made to remedy such default within fifteen (15) days from receipt of such notice, the non-defaulting party shall have the right, at its option, either to suspend the performance of its obligations under this Agreement until such default is remedied or to terminate this Agreement by providing the defaulting party with thirty (30) days advance written notice of termination.
- c. **Termination for Bankruptcy.** Either party may terminate this Agreement immediately by written notice to the other party in the event that the other party makes an assignment for the benefit of creditors; or admits in writing inability to pay debts as they mature, or a proceeding is instituted under any provisions of the governing bankruptcy codes and is acquiesced in or is not dismissed within thirty (30) days.

2. Scope and Price of Services Required

Contractor shall, during the term of this Agreement, supply and maintain such number of School Buses and personnel as are required to fulfill the Customer's needs for "Charter Transportation" as defined below.

"Charter Transportation" shall mean the safe and convenient transportation of any and all passengers who are designated by the Customer.

3. Compensation, Billing and Penalties

In consideration for services rendered hereunder, Customer shall pay to Contractor all sums due and owing and calculated in accordance with the rates set forth in Exhibit A attached hereto and made a part hereof.

Contractor will submit to Customer a statement of its services rendered during the prior month. The statement shall contain a reasonably detailed itemization of all services rendered. After verification of the statement, Customer shall pay the amount due and undisputed to Contractor within 30 days of receiving the statement. Contractor shall also provide such other information as may be reasonably requested by Customer to verify the services and the amounts charged for the same.

4. Taxes; Additional Charges

Prices do not include taxes, parking fees, tolls or additional charges for (i) changes in the scope of Services that result in additional mileage or driver hours; (ii) damage to equipment caused by passengers; or (iii) extra cleaning of the equipment due to the nature of Services or the conduct of the passengers (collectively, the "Additional Charges").

5. Notice of Cancellation

Customer shall give First Student notice of cancellation not less than forty-eight (48) hours prior to the scheduled departure time to receive a full refund. FAILURE TO GIVE SUCH NOTICE SHALL RESULT IN THE FULL CHARGE OF THAT DAY'S SERVICE. First Student may cancel services at First Student's convenience with 24 hours' notice prior to date of scheduled event if, within First Student's sole discretion, First Student determines that performing the event in question could be harmful to First Student's public image.

6. Fuel

Contractor shall furnish all fuel to be used in its performance of this Agreement.

7. Routes and Schedules

Contractor shall be solely responsible for determining routes for the charter transportation described herein.

8. Indemnification

To the extent permitted by law, Contractor agrees to indemnify, hold harmless and defend Customer, it's governing board, officers, employees and agents from and against every claim or demand which may be made by any person, firm, or corporation, or any other entity arising from or caused by any act of neglect, default or omission of Contractor in the performance of this Agreement, except to the extent that such claim or demand arises from or is caused by the negligence or willful misconduct of Customer, it's agents, or employees.

To the extent permitted by law, Customer agrees to indemnify, hold harmless and defend Contractor, directors, officers, employees and agents from and against every claim or demand which may be made by any person, firm, or corporation, or any other entity arising from or caused by any act of neglect, default or omission of Customer in the performance of this Agreement, except to the extent that such claim or demand arises from or is caused by the negligence or willful misconduct of Contractor, it's agents or employees.

9. DISCLAIMER

THE SERVICES PROVIDED BY CONTRACTOR ARE PROVIDED ON AN "AS IS", "WHERE IS" BASIS. CONTRACTOR MAKES NO EXPRESS OR IMPLIED WARRANTIES OR REPRESENTATIONS, INCLUDING ANY WARRANTY OR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY WARRANTY ARISING BY USAGE OF TRADE, COURSE OF DEALING OR COURSE OF PERFORMANCE.

10. LIMITATION OF LIABILITY

IN NO EVENT SHALL CONTRACTOR BE LIABLE UNDER ANY LEGAL THEORY FOR ANY SPECIAL, INDIRECT, INCIDENTAL, PUNITIVE, TREBLE OR CONSEQUENTIAL DAMAGES OF ANY KIND EVEN IF CONTRACTOR HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES OR CONTRACTOR COULD HAVE REASONABLY FORESEEN SUCH DAMAGES. CONTRACTOR'S AGGREGATE LIABILITY SHALL NOT EXCEED THE AMOUNT OF FEES RECEIVED FROM THE CUSTOMER UNDER THIS CONTRACT.

11. Insurance

Contractor shall, at its expense, procure and keep in force during the entire term of this Agreement, General Liability and Automobile Liability Insurance to protect Contractor, its drivers and other personnel. Contractor shall provide General Liability limits of not less than \$5,000,000 each occurrence and aggregate bodily injury and property damage and \$5,000,000 Personal Injury each occurrence and aggregate; automobile liability limits of not less than \$5,000,000.00 combined single limit for bodily injury and damage to property for all owned, hired and non-owned autos, and umbrella coverage of not less than \$10,000,000.00 in addition to the limits listed above. Customer shall be named as an additional insured on the foregoing insurance policies, which shall be primary and non-contributory, and shall be written on an occurrence basis. In addition, Contractor shall maintain workers' compensation insurance in accordance with applicable law.

Contractor agrees to provide to Customer a certificate of insurance evidencing such coverage upon execution of this Agreement.

12. Force Majeure

In the event Contractor is unable to provide the transportation services as specified in this Agreement because of any act of God, civil disturbance, fire, riot, war, terrorism, picketing, strike, labor dispute, unusual road or traffic conditions, governmental action or any condition or cause beyond Contractor's control, Customer shall excuse Contractor from performance under this Agreement, but only for so long as such cause(s) continue to prevent Contractor from providing the affected services, and provided Contractor makes reasonable efforts to overcome the effects of such causes.

13. Equipment

All school buses supplied by Contractor in performance of this Agreement shall meet or exceed the standards established by the laws and regulations of the State of Massachusetts. Contractor shall maintain the bus used to provide transportation services under this Agreement in accordance with law and accepted industry maintenance standards.

14. Rider Discipline

Contractor's drivers are responsible only for such discipline as is required to properly and safely operate Contractor's buses. Contractor shall have the right to refuse service for disruptive passengers

and/or passengers who are not eligible for charter transportation by the Contractor as defined in this Agreement.

15. Management Personnel

Contractor shall employ management personnel who shall be responsible for the efficient operation of the transportation services furnished hereunder and who shall be Contractor's liaison to the Customer. Contractor shall inform Customer of the names and work addresses of such management personnel.

16. Operations Personnel/Driver Qualifications

Contractor shall employ a sufficient number of drivers and support personnel to assure Customer of continuous and reliable service.

Contractor shall be solely responsible for hiring and discharging personnel employed by Contractor to perform its obligations hereunder.

Contractor shall perform or, at the election of Customer, assist Customer in conducting any legally required and/or Customer-requested checks for Criminal History Record Information for all such personnel, including but not limited to those personnel who may have direct and unmonitored contact with children. Contractor shall promptly provide such information as may be required to conduct such checks. Contractor shall not employ, under this Agreement, any drivers or support personnel who may have direct and unmonitored contact with children whom Contractor has determined, upon reasonable inquiry, may pose a risk of harm to children.

Contractor shall provide qualified drivers, trained and licensed in accordance with the laws of the Commonwealth of Massachusetts and the rules and regulations of Customer.

17. Status of Contractor

In the interpretation of this Agreement and the relations between Contractor and Customer, Contractor shall be construed as being an independent Contractor employed to provide transportation services only. Neither Contractor nor any of its employees shall be held or deemed in any way to be an agent, employee or official of Customer. Contractor shall be responsible for, and hold Customer harmless from any liability for unemployment taxes or contributions, payroll taxes or other federal or state employment taxes.

18. Place of Contract

All references in this contract to the "state" shall mean the Commonwealth of Massachusetts. All regulations, laws and requirements of the state shall mean the regulations, laws or requirements of the Commonwealth of Massachusetts.

19. Severability

In the event any provision specified herein is held or determined by a court of competent jurisdiction to be illegal, void or in contravention of any applicable law, the remainder of the Agreement shall remain in full force and effect.

20. Extension and Modification

Contractor and Customer may extend or otherwise modify the terms of this Agreement in whole or in part as circumstances may justify by mutual written agreement executed by the duly authorized representatives of the parties.

21. Social Distancing

If after the date hereof there are enacted additional laws or regulations that require more stringent social distancing, such applicable laws or regulations may dictate a need to alter capacity allowances. Any such capacity changes may result in the need for additional buses, which may result in a change of price and will be subject to the availability of any additional buses. Customer acknowledges receiving First Student's social distancing guidance information (the "COVID-19 Guidance") referred to in Addendum A hereto.

22. Notice to Parties

All notices to be given by the parties to this Agreement shall be in writing and serviced by depositing same in the United States Mail, certified mail.

Notices to Customer shall be addressed to:

Town of Sudbury
Attn: Andrew J.
Sheehan
278 Old Sudbury Rd
Sudbury, MA 01776

Notices to Contractor shall be addressed to:

First Student
Attn: Tammy Ward
1800 Rt. 34 N, Suite 304
Wall, NJ 07719

With a copy to:

General Counsel
First Student, Inc.
600 Vine Street
Suite 1400
Cincinnati, OH 45202

23. Dispute Resolution

The parties shall negotiate in good faith in an attempt to resolve any dispute that may arise. If a dispute cannot be resolved, the parties may pursue their remedies as they choose.

24. Assignment

This Agreement may not be assigned by either party without the express written consent of the other.

25. CHOICE OF LAW AND SELECTION OF VENUE

This Agreement is governed by the laws of the Commonwealth of Massachusetts. The parties agree that any action at law or equity instituted against either party to this Agreement must be commenced only in the Middlesex County Superior Court, Massachusetts or the United States District Court in Boston, Massachusetts. Contractor and Customer irrevocably consent to the personal jurisdiction of the state and federal courts of Massachusetts as set forth above.

26. Miscellaneous

THIS AGREEMENT CONSTITUTES THE FINAL AGREEMENT BETWEEN THE PARTIES. IT IS THE COMPLETE AND EXCLUSIVE EXPRESSION OF THE PARTIES' AGREEMENT ON THE MATTERS CONTAINED IN THIS AGREEMENT. ALL PRIOR AND CONTEMPORANEOUS NEGOTIATIONS AND AGREEMENTS BETWEEN THE PARTIES ON THE MATTERS CONTAINED IN THIS CONTRACT ARE EXPRESSLY MERGED INTO AND SUPERSEDED BY THIS AGREEMENT. THE PROVISIONS OF THIS AGREEMENT MAY NOT BE EXPLAINED, SUPPLEMENTED OR QUALIFIED THROUGH EVIDENCE OF TRADE USAGE, COURSE OF PERFORMANCE OR A PRIOR COURSE OF DEALINGS. IN ENTERING INTO THIS AGREEMENT, NEITHER PARTY HAS RELIED UPON ANY STATEMENT, REPRESENTATION, WARRANTY NOR AGREEMENT OF THE OTHER PARTY EXCEPT FOR THOSE EXPRESSLY CONTAINED IN THIS AGREEMENT. THERE ARE NO CONDITIONS PRECEDENT TO THE EFFECTIVENESS OF THIS AGREEMENT, OTHER THAN THOSE EXPRESSLY STATED IN THIS AGREEMENT. In the event of a conflict between the terms of the Agreement and any other document or agreement between Customer and First Student, the terms and conditions of this Agreement shall control. If any portion of this Agreement is found to be void or unenforceable, the remaining portions of this Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate the day and year first hereinabove written above.

FIRST STUDENT, INC.

CUSTOMER

By: [Signature]
Name: Jessica Quint
Title: Co/No/23

By: _____
Name: _____
Title: _____

**ADDENDUM A - TO CHARTER TRANSPORTATION AGREEMENT
COVID-19 WAIVER AND RELEASE OF LIABILITY**

Please read thoroughly and carefully.

Customer and First Student acknowledge that the Novel Coronavirus/COVID-19 (“COVID-19”), is a worldwide pandemic, is extremely contagious, and is known to spread mainly through person-to-person contact. Customer and First Student acknowledges that it is very difficult to know who may have COVID-19.

Customer, for itself, and on behalf of the passengers, desires to be transported by charter bus operated by First Student as set out in the STUDENT TRANSPORTATION AGREEMENT, and First Student desires to provide such transportation. Customer and First Student acknowledge doing so may expose the passengers to COVID-19. Customer and First Student acknowledge and agree that while First Student will comply with applicable laws, orders and regulations relating to COVID-19 and has and will continue to put in place reasonable measures to try to reduce the spread of COVID-19, those measures cannot and do not guarantee the passengers will not contract COVID-19. Customer and First Student acknowledge and understand that the risk of persons becoming exposed to and/or infected by COVID-19 may result from the actions, omissions, or negligence of passengers and others, including, but not limited to, First Student, staff, and other customers, their families and other passengers. Customer nonetheless voluntarily seeks, and First Student nonetheless voluntarily agrees to furnish, the services to be provided by First Student under the Student Transportation Agreement entered into by Customer and First Student, and each acknowledges that in doing so, the risk of passengers’ exposure to COVID-19 cannot, despite reasonable precautions, be eliminated.

Customer agrees and acknowledges at the time of booking the fare, the Customer was fully informed and understands all current State and local health guidance, advisories and/or mandates. Customer acknowledges and agrees that prior to departure that Customer has made the passengers aware of any current COVID-19 Guidance and furthermore the Customer agrees and consents to request that its passengers abide by said COVID-19 Guidance.

Customer agrees and acknowledges First Student is not responsible or required to enforce whether passengers and others are adhering to guidance. Customer agrees and acknowledges First Student is not responsible or required to remove passengers or others from the charter bus who do not adhere to guidance. First Student agrees and acknowledges that since Customer will not be travelling on any charter bus with passengers, it will be unable to enforce the COVID-19 Guidance while passengers are travelling on the charter bus, provided that Customer’s absence from the charter bus does not relieve it of its agreement set forth above to make passengers aware of the COVID-19 Guidance and to request that its passengers abide by the COVID-19 Guidance.

BY ACCEPTING ANY AND ALL SERVICES FROM FIRST STUDENT, AND FOR SUCH OTHER GOOD AND VALUABLE CONSIDERATION, AND TO THE GREATEST EXTENT PERMITTED BY LAW, CUSTOMER AND FIRST STUDENT EACH AGREES TO

RELEASE, NOT TO SUE, AND HOLD HARMLESS THE OTHER FROM AND AGAINST ANY AND ALL CAUSES OF ACTION, CLAIMS, COSTS, DEMANDS, LIABILITIES, COMPENSATION FOR DAMAGES, AND EXPENSES OF EVERY KIND (INCLUDING BUT NOT LIMITED TO TESTING, MONITORING, AND TREATMENT, COLLECTIVELY, "CLAIMS") ARISING FROM COVID-19 AND TO THE EXTENT CAUSED BY ITS NEGLIGENCE OR WILLFUL MISCONDUCT, PROVIDED THAT, FOR AVOIDANCE OF DOUBT, NOTHING HEREIN SHALL REQUIRE CUSTOMER OR FIRST STUDENT TO RELEASE, NOT SUE, OR HOLD HARMLESS THE OTHER FOR CLAIMS CAUSED BY THE OTHER'S NEGLIGENCE OR WILLFUL MISCONDUCT

Exhibit A: Schedule of Service and Fees

Cost: \$380.00 per vehicle per day for a 7D Van

Includes: Travel from First Student bus terminal to route and back for all shifts; all maintenance and repairs; general cleaning; back-up buses and driver; and insurance (certificate to be provided prior to commencement of the work). The per bus per day cost is still due even in the event that a bus is sent away before the scheduled end time.

Routes: Routes and times may change over time based upon mutual agreement and prior written authorization.

Additional Charges: Additional charges may apply for any time used beyond the schedule listed above and will be billed out at \$59.98 per each additional hour the bus is used. Additional, reasonable charges ranging from \$75 - \$175 per bus may also apply to any excessive cleaning that may be required, provided that Contractor shall take photographs of the condition of the bus before cleaning and provide such photographs to Customer together with any invoice for the charge. Cancellation fees of the full cost of the bus will apply if the bus is cancelled with less than one week's notice.

Service Notifications: If service is interrupted for any reason, First Student will notify the customer designee immediately. All buses are radio equipped. In the event of a breakdown while on route, a replacement bus will be driven to the route. Operator "no shows" are replaced by our qualified stand-by drivers or supervisors. Cross-training is done to minimize service disruption due to sick days, vacations or unexpected absences.



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
06/15/2023

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

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

PRODUCER Aon Risk Services Central, Inc. Chicago IL Office 200 East Randolph Chicago IL 60601 USA	CONTACT NAME: PHONE (A/C. No. Ext): (866) 283-7122 FAX (A/C. No.): (800) 363-0105		
	E-MAIL ADDRESS:		
INSURED First Student Inc 600 Vine Street Suite 1400 Cincinnati OH 45202 USA	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: AXIS Surplus Insurance Company		26620
	INSURER B: Old Republic Insurance Company		24147
	INSURER C: AIU Insurance Company		19399
	INSURER D: National Union Fire Ins Co of Pittsburgh		19445
	INSURER E: ACE Property & Casualty Insurance Co.		20699
INSURER F:			

COVERAGES **CERTIFICATE NUMBER:** 570100004151 **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:			MWZY31683723	04/01/2023	04/01/2024	EACH OCCURRENCE \$10,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$10,000,000 MED EXP (Any one person) Excluded PERSONAL & ADV INJURY \$10,000,000 GENERAL AGGREGATE \$10,000,000 PRODUCTS - COMP/OP AGG \$10,000,000
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> OTHER:			MWTB 316836 23 AOS	04/01/2023	04/01/2024	COMBINED SINGLE LIMIT (Ea accident) \$10,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
E	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION			XEUG71795093004 SIR applies per policy terms & conditions	04/01/2023	04/01/2024	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000
C	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N	N/A WC015824929 AOS WC015824930 CA	04/01/2023	04/01/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$5,000,000 E.L. DISEASE-EA EMPLOYEE \$5,000,000 E.L. DISEASE-POLICY LIMIT \$5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 RE: Charter Transportation. Town of Sudbury is included as Additional Insured in accordance with the policy provisions of the General Liability and Automobile Liability policies. Umbrella Follows Form. General Liability and Automobile Liability policies evidenced herein is Primary and Non-Contributory to other insurance available to Additional Insured, but only in accordance with the policy's provisions.

CERTIFICATE HOLDER Town of Sudbury 278 Old Sudbury Road Sudbury MA 01776 USA	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Aon Risk Services Central, Inc.</i>

Attachment 2.b: First Student Voc School Bussing Agreement with COI Town of Sudbury 23_24 6-16-23 FINAL SIGNED AJS (6210 : First Student

LOC #:



ADDITIONAL REMARKS SCHEDULE

Page _ of _

AGENCY Aon Risk Services Central, Inc.		NAMED INSURED First Student Inc	
POLICY NUMBER See Certificate Number: 570100004151			
CARRIER See Certificate Number: 570100004151	NAIC CODE	EFFECTIVE DATE:	

ADDITIONAL REMARKS

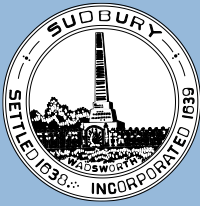
THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: ACORD 25 **FORM TITLE:** Certificate of Liability Insurance

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER	
INSURER	
INSURER	
INSURER	

ADDITIONAL POLICIES

If a policy below does not include limit information, refer to the corresponding policy on the ACORD certificate form for policy limits.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
	WORKERS COMPENSATION							
C		N/A		WC015824931 WI	04/01/2023	04/01/2024		
	OTHER							
B	Excess Auto Liability Coverage			MWZX31683823 \$15M x \$10M	04/01/2023	04/01/2024	Each Occurrence	\$15,000,000
							Aggregate	\$15,000,000



SUDBURY SELECT BOARD
Tuesday, April 30, 2024

CONSENT CALENDAR ITEM

3: Property tax workoff program change

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote whether to approve an increase in the abatement amount for both veterans and seniors in the Tax Work off program to \$2,000 annually, for a maximum of 133.3 hours of work, effective January 1, 2025.

Recommendations/Suggested Motion/Vote: Vote whether to approve an increase in the abatement amount for both veterans and seniors in the Tax Work off program to \$2,000 annually, for a maximum of 133.3 hours of work, effective January 1, 2025..

Background Information:
attached memo from Debra Galloway

Financial impact expected:

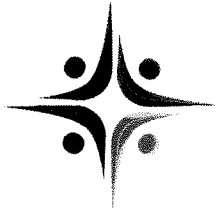
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

04/30/2024 7:00 PM



Sudbury Senior Center
 Council on Aging
 Town of Sudbury, Massachusetts

40 Fairbank Road • Sudbury, Massachusetts • 01776-1681 • www.sudburyseniorcenter.org
 Phone: 978-443-3055 • Fax: 978-443-6009 • E-mail: senior@sudbury.ma.us

MEMORANDUM

Date: March 29, 2024

To: Sudbury Select Board
 Sudbury Board of Assessors

From: Debra Galloway, Director, Sudbury Senior Center for the Sudbury Council on Aging 

RE: Sudbury Property Tax Work-off Program Change

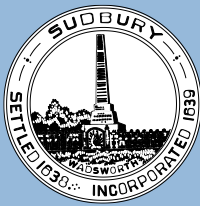
At the Sudbury Council on Aging meeting of November 13, 2023, the Council on Aging Board voted unanimously to request an increase in the maximum amount of the tax abatement available to participants in the Sudbury Property Tax Work-off Program. This is based on the new tax bill signed into law by Gov. Maura Healey in October 2023. The law allows towns to choose to increase the abatement to \$2,000 per year per person. The COA proposes to the Select Board to increase the program from the current 100 hours for a tax abatement of \$1,500 per year, to a maximum of up to 133.3 hours of work for an abatement of up to \$2,000 per year.

The Sudbury Property Tax Work-off Program offers residents 60 years of age and older, as well as veterans of any age, an opportunity to apply to work for Sudbury Town Departments. Hours worked during the calendar year are received as a property tax abatement in the following calendar year. The Council on Aging is requesting that the Sudbury Select Board increase the annual maximum abatement allowance to \$2,000 as of January 1, 2025. The increase will accommodate 133.3 work hours at the current State minimum wage rate of \$15.00 per hour.

This request is made with the knowledge that the Sudbury Board of Assessors estimated that there is sufficient funding in the overlay account for your consideration of our request. There is currently a total of 68 slots available to either adults aged 60+ and over, or veterans.

The funding for the property tax credit generated by this local option abatement program is budgeted and paid for through the Town's Abatement/Exemption Overlay Account¹. The current program allocation will increase from \$102,000 to \$136,000 as of January 1, 2025.

¹ The Town also pays for mandated OBRA and FICA amounts for each participant; these costs are recorded elsewhere as operating expenditures rather than reductions (write-offs) to tax revenues.



SUDBURY SELECT BOARD

Tuesday, April 30, 2024

MISCELLANEOUS (UNTIMED)

4: Interview candidate for Energy Committee

REQUESTOR SECTION

Date of request:

Requestor: Energy Committee chair Rami Alwan

Formal Title: Interview candidate for appointment. Following interview, vote whether to recommend Mary K. Farris, 35 Canterbury Drive, for appointment to the Energy and Sustainability Committee for a term expiring 5/31/27.

Recommendations/Suggested Motion/Vote: Interview candidate for appointment. Following interview, vote whether to recommend Mary K. Farris, 35 Canterbury Drive, for appointment to the Energy and Sustainability Committee for a term expiring 5/31/27.

Background Information:

From: Rami Alwan

Sent: Tuesday, April 2, 2024 7:34 PM

To: Frank, Leila

Subject: New ESC Member

The ESC voted this evening to add Mary Farris to our committee. I would like to forward her name to the Select Board and ask that they officially appoint her to the committee. If you need further information please reach out.

Thank you,
Rami Alwan, Chair - ESC

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

- Select Board Office Pending
- Town Manager's Office Pending
- Town Counsel Pending
- Select Board Pending
- Select Board Pending

04/30/2024 7:00 PM

MARY K. FARRIS

SENIOR ESG STRATEGIST & SUSTAINABILITY EXECUTIVE

Trusted, hands-on executive with more than 20 years of experience leading transformative change initiatives. Dynamic ESG and Sustainability leader delivering results in complex environments. Skilled communicator with a keen ability to lead teams to deliver beyond their expectations. Fearless and funny, purpose-driven and practical, inclusive and unafraid of hard work.

EXPERTISE

- Strategic planning
- Cultural transformation
- Team building
- External engagement
- Change management
- Organizational development
- Facilitation & training
- Operational leadership
- Data analytics

CAREER HISTORY

ANALOG DEVICES, Wilmington, MA

2021-Present

ESG & Sustainability Lead

Lead Analog Devices' overall ESG and Sustainability strategy and delivery, including all reporting, investor and customer engagement, regulatory preparedness, and risk management.

- Designed governance structure, including quarterly reports to the Board of Directors and CEO
- Lead and design disclosure and communication strategy, including ESG Reports
- Oversee climate transition planning, TCFD scenario planning, and double materiality assessment

GENERAL ELECTRIC, Boston, MA

2011 - 2021

Executive Operations Director, EHS, Sustainability, and Reporting

2017 - 2021

Developed and managed GE's Sustainability and EHS operations team, including external/regulatory reporting and engagement, enterprise digital systems, EHS training, and Corporate COVID response. Managed ~\$14MM budget.

Sustainability and Reporting

Managed GE's operational sustainability program, including developing targets, reporting, disclosures, and engagement with investors, NGOs, customers, ratings agencies, and other external stakeholders

- Operationalized sustainability program, working across all GE businesses, including >300 factories
- Spearheaded Carbon Neutral and Net Zero commitments
- Reimagined and contemporized all ESG content and disclosures
- Delivered 10% absolute reduction in GHG emissions (v. 2019) and 23% fresh water use (v. 2011)

EHS Operations

Managed GE's EHS program operations across 160+ countries and 1000+ facilities, including governance, training, regulatory reporting, and COVID response.

- Oversaw EHS competency program for >170K employees globally, including extensive course catalogue.
- Develop and deliver leadership cultural training – targeting C-suite, Operations, and Line Supervisors.
- Supervise and manage all central EHS systems, reporting, communications, and platform

MARY K. FARRIS

Page 2

Special Assignment**GE Corporate Transformation Office****2018 - 2020**

Successfully redesigned functional organization and deployment model. Realigned 200+ resources back to business units.

- Managed risk-assessment, global compliance, organizational design, and cost
- Led process with European Unions (L&E EU Works Councils) including in-person negotiations
- Identified metrics and method to assess delivery and risk throughout transition and beyond

EHS Service Delivery Director**2014 - 2017**

Managed functional redesign, creation of centralized EHS shared service for ~330 deployed experts in >50 countries.

- Developed and managed mechanisms to drive success – including qualitative/quantitative KPIs, new operating rhythm, annual officer-level operational risk reviews, and robust communications strategy
- Delivered consistent year-over-year performance improvement and cost reduction

GE AVIATION, Cincinnati, OH**2011 - 2014****EHS Service Excellence and Strategic Initiatives**

Transformed value stream delivery, strategy for EHS, Security, Health Services, and Global Facilities.

- Reorganized EHS organization across business, improving performance
- Facilitated large-scale strategic meetings, including union engagement sessions

Health Care Manager, Employee Engagement**2011 - 2013**

Drove employee health, wellness, and cost-management program for employees and dependents.

- Developed adoption and engagement strategy enabling the build of a unique on-site primary care facility at HQ for employees and dependents
- Transformed relationship with unions at Aviation's 2 largest facilities impacting ~6K employees
- Personally trained >9,000 employees, establishing strong local partnerships

CASA, Cincinnati, OH**2008 - 2011****Marketing, PR and Relationship Manager**

Raised profile, funds for non-profit organization serving approximately 1,000 at-risk youth annually

- Transformed marketing and development strategy, including modernizing corporate engagement
- Developed events fundraising strategy
- Successfully raised ~\$500K in one hour, named 2nd best fundraiser in Cincinnati

MARKETING AND PUBLICITY PROFESSIONAL, Cincinnati, OH**1996 - 2002**

Created and implemented unique marketing strategies and programs for wide range of clients

- Clients included telecommunications, restaurant franchises, publishers, authors
- Specialized in event planning, annual campaigns, fundraising, value-add media
- Known for expanding brand awareness through targeted campaigns, media engagements

MARY K. FARRIS

Page 3

PREVIOUS ENGAGEMENTS

Speaker, *Corporate ESG Programs*, Boston College Law School, Environmental Retreat

Instructor, *Establishing ESG Governance*

Speaker, *Training as a Tool*, ORCHSE

Speaker, *Safety Culture Change and Communications*, ORCHSE

Board President, Mercy Connections (former)

Board Member, Mercy Neighborhood Ministries (former)

Member and Educational Leader, GE's GLBTA Affinity Group (former)

EDUCATION**Union College, Schenectady, NY**

Masters of Arts in Teaching, English, Departmental Honors

Bachelors of Arts in English, Departmental Honors

Application Form

Profile

Mary _____ K _____ Farris _____
 First Name Middle Initial Last Name

 Email Address

35 Canterbury Drive _____
 Home Address Suite or Apt

Sudbury _____ MA _____ 01776 _____
 City State Postal Code

 Primary Phone

 Alternate Phone

Which Boards would you like to apply for?

Energy & Sustainability Committee: Submitted

Sudbury Residency

Years Lived in Sudbury

1.5

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on this board or commission?

I have worked in environmental sustainability for more than a decade, including leading that work at a major industrial company previously and at a semiconductor company currently. One of the key reasons we selected Sudbury as home when we moved from Boston was because of its focus on conservation and sustainability. I would be pleased to lend my expertise to help advance that in my hometown.

Please describe your experience pertinent to this board/committee.

I've worked in sustainability and environmental compliance for more than a decade, including transitioning companies to net zero strategies. I serve on several industry associations and committees nationally and locally, including membership in SEMI's Climate Consortium and Corporate Eco Forum.

Do you have previous municipal experience? If so, in what capacity have you served?

I do not.

What is your educational background?

I graduated with honors with both a BA and a Master's from Union College in Schenectady, NY.

Analog Devices
Employer

Head of ESG and
Sustainability
Job Title

[MKFarris_2023.pdf](#)

Upload a Resume

Availability

When are you available to attend board/committee meetings? (Please select all that apply) *

Town Interest

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

Signature Confirmation

Check below to indicate that you have read, understand and agree to the following statement:

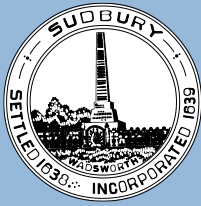
I agree that if appointed, I will work toward furtherance of the committee's mission statement; and further, I agree that I will conduct my committee activities in a manner which is compliant with all relevant State and Local laws and regulations, including but not limited to the Open Meeting Law, Public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

I Agree

Fill in your name below to confirm: I hereby submit my application for consideration for appointment to the Board(s) or Commission(s) indicated above.

Mary K. Farris

Attachment4.b: Mary_Farris_application_redact (6198 : Interview candidate for Energy Committee)



SUDBURY SELECT BOARD
Tuesday, April 30, 2024

MISCELLANEOUS (UNTIMED)

5: Pedestrian Easement - Tall Pines

REQUESTOR SECTION

Date of request:

Requestor: Chair Dretler

Formal Title: Discuss letter regarding Pedestrian Easement in the Tall Pines community.

Recommendations/Suggested Motion/Vote: Discuss letter regarding Pedestrian Easement in the Tall Pines community.

Background Information:
attached provided by resident Robert Crane and Board member Carty.

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

04/30/2024 7:00 PM

From: Capone, Lori
Sent: Tuesday, April 2, 2024 3:25 PM
To: Burney, Adam; Carty, Daniel; datlee6@msn.com; sgarvin@samiotes.com
Cc: Sheehan, Andy
Subject: RE: Question for you all re: "pedestrian easement"

Hi Everyone:

I have reviewed the subdivision file and there is a Conservation Restriction on Lots A and B. The CR does not extend over the Trail Easement. This Trail Easement was to allow public access between Lots A and B. Oddly, the CR do not permit public access on Lots A and B. As both Lots A and B appear to have been taken by the Town for tax purposes, these parcel would now have public access. I would concur that this Easement is likely no longer needed as access is available from the MCRT as well as from Tall Pine Drive and possibly Trailside Circle (though it looks awfully wet). I don't believe the Conservation Commission would need to vote on eliminating this Trail Easement but I could seek there support if that is something the Select Board would want as they navigate this decision.

Please contact me with any questions.

Thanks,

Lori Capone
Conservation Coordinator
Town of Sudbury
275 Old Lancaster Road
Sudbury, MA 01776

From: Burney, Adam <BurneyA@sudbury.ma.us>
Sent: Tuesday, April 2, 2024 12:44 PM
To: Carty, Daniel <cartyd@sudbury.ma.us>; datlee6@msn.com; sgarvin@samiotes.com; Capone, Lori <Caponel@sudbury.ma.us>
Cc: Sheehan, Andy <SheehanA@sudbury.ma.us>
Subject: RE: Question for you all re: "pedestrian easement"

Hi All,

Out of curiosity I took a few minutes to find the actual easement language (attached). The easement was granted to or accepted by the Select Board so I would infer that it would that same body that would abandon the easement. I have also attached the subdivision file. The definitive approval does include a requirement to submit the easements prior to the Planning Board endorsing the Definitive Plan although once granted I would be under the impression that the grantee would have the right to determine if the need for the easement remains. As Mr. Crane notes there is (or will be) access to the parcels retained/protected for conservation purposes through the Mass Central Rail Trail and the walkway easements may be unnecessary.

I removed Mr. Crane from this response to allow for Town staff and officials to talk out the potential removal of the easement. Please let me know if you have any additional thoughts.

Respectfully,
Adam

Please remember when writing or responding, the Massachusetts Secretary of State has determined that e-mail is a public record.

No trees were harmed in the sending of this email, however a large number of electrons were terribly inconvenienced. Please consider the environment when deciding to print this message.

From: Carty, Daniel <cartyd@sudbury.ma.us>
Sent: Monday, April 1, 2024 12:12 PM
To: datlee6@msn.com; sgarvin@samiotes.com; Burney, Adam <BurneyA@sudbury.ma.us>; Capone, Lori <CaponeL@sudbury.ma.us>
Cc: rbtcrane@rbtcrane.com
Subject: Question for you all re: "pedestrian easement"

Greetings folks - I was recently approached by a citizen about an issue and I'm not sure where to proceed next.

First - some introductions, all on this email thread:

Robert Crane - citizen
 Adam Burney - Town Planner
 Steve Garvin - Chair, Planning Board
 Lori Capone - Conservation Coordinator
 Dave Henkels - Chair, Conservation Commission

Background: We are all aware of the Eversource project and upcoming Mass Central Rail Trail. I will start by saying that I am abutter to both, but in consultation with Mass. Ethics I am neither an abutter nor an abutter to an abutter within 300 feet to this particular issue and thus able to discuss.

Mr Crane lives at 17 Trailside Circle, also shown as lot # 11 in the attached map/schematic. The background as I understand it - and Robert please fill in details - is when the Tall Pines development was laid out there were conservation easements and pedestrian easements put in place to, I assume, allow the town to access town properties aka Lots A and B (B not shown on map but I believe is to the east of lots 11 and 12). As part of the Eversource project Mr Crane has the opportunity to have them put up a fence or screening, but with the pedestrian easement in place it would have to be on the north side of the easement, in the middle of his backyard, as opposed to the south side, closer to the trail.

A couple of questions come up here, and I am out of my league as far as easements to (in fact I had never heard of a "pedestrian easement"). First, with the MCRT turning into a legitimate pedestrian trail, is the pedestrian easement even necessary anymore? Second, and I suspect not of concern to Mr Crane, is the conservation restriction along the north side of Lots A ,1, 25, 18, 19 even needed anymore? I suspect that is a vestige of when Tall Pine was a private road? FWIW we made Tall Pine Drive public in 2016 (Town Meeting article #26, then at the 8/16/2016 Select Board meeting) , years after the development went in place. Or perhaps there is a walkway up there? I'm out of town this week otherwise I'd take a run up and look. There is another easement at the end of Trailside Circle that given the drawings I have I'm not sure is a pedestrian or conservation. But I think that one may still be needed? Or is access of the soon-to-be-rail trail sufficient there too? There look to be a couple of drainage easements in place too which I suspect will stay in place indefinitely.

And while I'm at it - perhaps Lori or Dave can educate me on the difference between conservation and pedestrian easements?

Anyways, I wanted to bring this to the attention of Planning and Conservation to see if there is an opportunity to remove the pedestrian easement so that Mr Clark can get reasonable screening in his yard, and also to have one less thing to worry about if and when he sells his property.

I know that recently we removed an easement in the center of town after the Sudbury Station / Melone Property swap. (See ATM 2022 #17, <https://sudbury.ma.us/townmeeting/tmarticles/>). That one started at the request of the then-owner Sue Abrams to me as I was then Chair of the Select Board and was advanced by the Select Board to Town Meeting and was, in my opinion, a no-brainer as it simply was not needed for access any more. I am hopeful that this may be the same -- seems odd that we would need pedestrian access directly abutting a pedestrian trail.

What do you all think is the best way to proceed? Should Mr Clark get the ball rolling by putting in a formal request to the Select Board like Ms Abrams did? Or would this start with Planning or Conservation?

And...if there is some show stopper here why it couldn't our shouldn't be done it would be helpful to know that too before people start doing work!

Thanks all

Dan Carty

April 24, 2024

On behalf of Robert Crane and Anne Standley of 17 Trailside Circle, Yong Cao and Jenny Zhang of 11 Trailside Circle, Barbara and Harvey Deitel of 3 Trailside Circle, Jason & Jennifer Martin of 49 Bridle Path, John and Rebecca Bruno of 41 Bridle Path and Jon and Brenda Hart of 35 Bridle Path, we ask you to consider the removal of a Pedestrian Easement on our properties.

We would like to bring to your attention an easement granted to the Town of Sudbury at or around the time that the Tall Pines subdivision was approved for development in 1986 (see attached Plot Plan). In particular, there is a "Pedestrian Easement" that goes along the back of our properties (Lot 5 through Lot 11). We are direct abutters to the public rail trail that is being constructed on the MBTA right-of-way in conjunction with Eversource burying high voltage lines going from Wayland to Hudson.

You may also be aware that Eversource, pursuant to the Energy Facilities Siting Board Final Decision which approved construction of the buried high voltage line stipulated, as an obligation of Eversource, for those abutters whose "view has materially changed due to the construction of the Project, to provide appropriate and reasonable off site screening." For most abutters, this is likely to be a fence. The placement of the fence is of particular importance and necessitates a discussion of this Pedestrian Easement.

The "Pedestrian Easement" was granted to provide access to Lot B on the Plot Plan going from Bridle Path (between Lots 5 & 6) and then along the back of Lots 5 through 11. The Pedestrian Easement is not for the general public but rather for the "conservation commission", "for the purpose of inspecting the premises and enforcing . . ." the provisions of the Conservation Agreement. Importantly, there is also a separate Pedestrian and Drainage Easement between Lots 11 and 12 that provides more direct access to Lot B. We are not asking for the removal of this easement.

In light of the passage of time and the MBTA right-of-way becoming a public rail trail, any access that is necessary to Lot B is going to occur by the rail trail. In the unlikely event this is not available, access is available via the Pedestrian and Drainage Easement between Lot 11 and Lot 12. As a consequence, the Pedestrian Easement along the back of Lot 5 through Lot 11 is not necessary and duplicative. From a practical standpoint one could not easily navigate the Pedestrian Easement because of trees and thick brush.

We would also like to point out that other than our properties and six properties near Dutton Road, there are no easements for all other properties along the MBTA right-of-way in Sudbury. In other words, all other properties will be placing fences or other screening on their property lines.

We are seeking removal of the Pedestrian Easement going from Bridle path to the back of our properties along Lots 5 through Lot 11 to allow a fence to be placed on the property line which is increasingly important considering the material change of a public rail trail directly abutting our properties. The current easement is duplicative with an easement already present between Lots 11 and 12 and thus there is no loss of access to Lot B for the town of Sudbury. Time is of the essence. Eversource has stipulated that proposals for a fence or other screening must be submitted by June 1, 2024.

We want to thank Dan Carty for his understanding of our situation and recommendation that we submit this letter to the Sudbury Select Board.

Respectfully submitted,

Robert Crane _____
Yong Cao _____
Harvey Deitel _____
Jason Martin _____
John Bruno _____
Jon Hart _____

Anne Standley _____
Jenny Zhang _____
Barbara Deitel _____
Jennifer Martin _____
Rebecca Bruno _____
Brenda Hart _____

Attachment 5.b: Sudbury Select Board 24-Apr-24 (6216 : Pedestrian Easement - Tall Pines)

ES
 REGISTRY OF DEEDS
 RICT
 2181 PAGE 173
 5227 PAGE 84
 F 1953
 OF 1962
 OF 1970
 OF 1972
 OF 1973
 LIBRARY PROPERTY PLANS
 8,006,007,008
 MAINE CORP.
 V-5 / 16 & 17
 NYLANDER CO.
 10, 6-2035

RESTRICTION WHICH SHALL RUN WITH THE LAND SHALL BE PLACED IN THE DEEDS OF 1905/343 AND 12 WHICH HAVE FRONTAGE ON PLAN 158 OF 1948 REQUIRING THAT THE DEVELOPER BE RESPONSIBLE FOR MAINTAINING AND IN THE TURNAROUND AFTER ITS CONSTRUCTION AND LANDSCAPING DEVELOPER.

PETUAL RESTRICTION ENFORCEABLE BY THE TOWN SHALL BE IN THE DEED OF LOT 3, REQUIRING THAT THE LAND BE IN ITS NATURAL STATE AND NOT BUILT UPON OR DEVELOPED, EXCEPT FOR RECREATIONAL USES, EXCLUDING SWIMMING POOLS AND OTHER PROVIDED THAT ANY RECREATIONAL USE BE ADEQUATELY SCREENED.

- D BITUMINOUS CONCRETE
- NC CONCRETE
- H. CATCH BASIN
- CONCRETE BOUND / DRILL HOLE
- DRAIN MANHOLE
- HEADWALL
- HYDRANT
- IRON PIPE
- IRON ROD
- LAND COURT DISC
- RECORD
- SURVEY
- STONE BOUND
- TEST PIT
- UTILITY POLE
- WATER GATE
- DRAIN LINE
- GAS LINE
- WATER LINE
- CONC. BOUND TO BE SET

WHOLE OF LOTS A AND B SHALL BE PLACED IN A CONSERVATION RESTRICTION EASEMENT. UPON COMPLETION OF THE DEFINITIVE DIVISION, LOTS A AND B SHALL BE DEVELOPED TO THE TOWN OF SUDBURY FOR THE PURPOSE OF OPEN SPACE, RECREATION AND PASSIVE RECREATION.

25- BY L.D.
 Registry of Deeds
 Southern District
 Middlesex County
 1926 of 1986
 1926 of 1986
 1926 of 1986
 BK 17888 Pg 25

1426

N/F
 STEPHEN P. STEINBERG & STUART WECKER, TRUSTEES
 S & W REALTY TRUST
 1571/396
 PLAN 213 OF 1984

N/F
 PAUL F. & GASTANO CAVICCHIO
 10267/162
 10596/493

N/F
 WILLIAM H. & JILL HOLDEN
 13085/53
 PLAN 1428 OF 1952

N/F
 KEVIN J. & LINDA T. MCCABE
 10025/343

N/F
 BRUCE A. RANKIN
 13540/617

N/F
 LEWIS & ALBA ENRICH
 14215/338
 PLAN 71 OF 1958

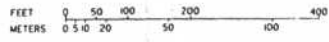
N/F
 LOUIS CABOT & BEATRICE M. BUCKLEY
 9090/398
 PLAN 71 OF 1958

APPROVED BY THE SUDBURY PLANNING BOARD SUBJECT TO ITS SUBDIVISION REGULATIONS, AS AMENDED TO THIS DATE AND TO COVENANT TO BE RECORDED HERewith.

SUDBURY PLANNING BOARD.
 DATE APPROVED: Sept 20, 1986
 DATE SIGNED: Sept 8, 1986

I HEREBY CERTIFY THAT NO NOTICE OF APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER RECEIPT AND RECORDING OF NOTICE FROM THE PLANNING BOARD OF THE APPROVAL OF THE WITHIN PLAN

DATE: Sept 8, 1986
 TOWN CLERK: Jeanne M. Mackenzie

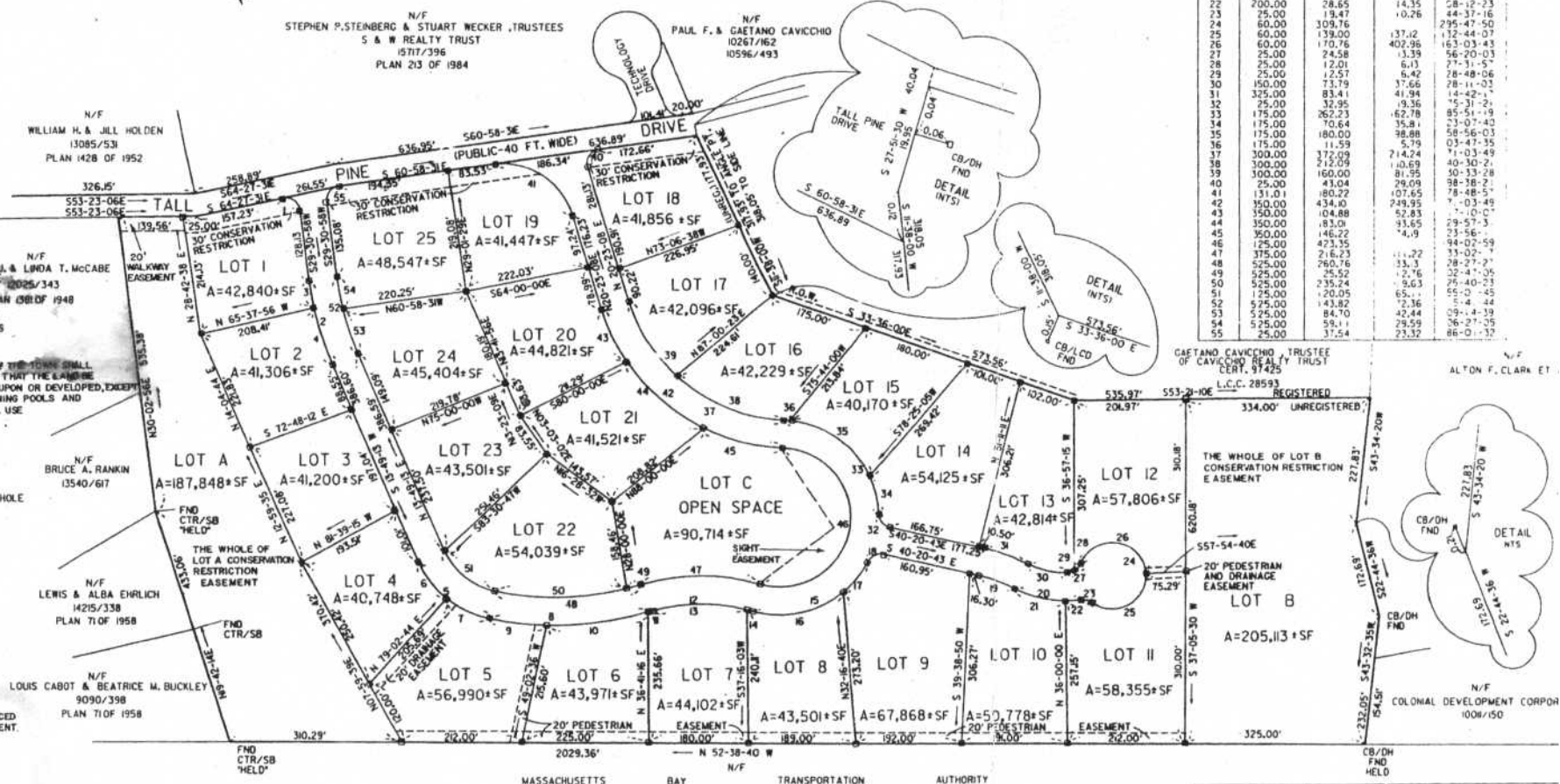


I CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

DATE: July 21, 1986
 PROFESSIONAL LAND SURVEYOR
 DWG NO. 1350 06 JOB NO. 7-2426 10



TALL PINES
 SUDBURY, MASS.
 DEFINITIVE SUBDIVISION
 PLAN OF LAND
 PREPARED FOR: TALL PINES A
 SCALE: 1" = 100'
 MAY 19 1986
 BSC - BEDFORD
 LAND SURVEYORS
 18 NORTH ROAD
 BEDFORD, MASS.



12	175.00	242.02	144.87	79.14
16	175.00	171.38	93.27	56.00
17	175.00	70.64	35.81	23.00
18	25.00	32.95	9.36	75.31
19	275.00	70.58	35.48	14.42
20	200.00	122.56	63.27	15.06
21	200.00	93.91	47.84	26.54
22	200.00	28.65	14.35	28.12
23	25.00	13.47	10.26	44.37
24	60.00	109.76	3.39	56.70
25	60.00	139.00	137.02	132.44
26	60.00	170.76	402.96	163.03
27	25.00	24.58	3.39	56.70
28	25.00	12.01	6.13	27.31
29	25.00	12.57	6.42	28.48
30	150.00	37.79	37.66	28.11
31	325.00	83.41	41.94	14.42
32	25.00	32.95	9.36	75.31
33	175.00	262.23	162.78	85.51
34	175.00	70.64	35.81	23.00
35	175.00	180.00	38.88	58.56
36	175.00	11.59	7.27	03.47
37	300.00	212.09	110.69	40.30
38	300.00	160.00	81.95	50.33
39	300.00	43.04	29.09	38.36
41	131.01	180.22	107.65	78.48
42	350.00	434.40	249.95	7.03
43	350.00	104.88	52.83	7.03
44	350.00	83.03	43.65	29.57
45	350.00	146.22	4.9	23.56
46	125.00	423.35	11.22	94.02
47	375.00	216.23	33.3	28.27
49	525.00	25.52	2.76	32.47
50	525.00	235.24	9.63	78.30
51	125.00	120.05	65.11	65.00
52	525.00	143.82	2.36	5.44
53	525.00	84.70	42.44	09.43
54	525.00	59.11	29.59	26.27
55	25.00	37.54	23.32	86.00

Attachment 5.c: Tall Pines Plot Plan (6216 : Pedestrian Easement - Tall Pines)

Southern Middlesex - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 4/2/2024 11:21:37 AM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
61514922	EASEMENT		17488/122	10/14/1986	0.00
Property-Street Address and/or Description					
OFF TALL PINE DR SEE RECORD PL 17488-75 ESMT					
Grantors					
FARM HOLLOW REALTY COMPANY INC, TALL WOODS ASSOCIATES LIMITED PARTNERSHIP					
Grantees					
SUDBURY TOWN OF					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					

Attachment5.d: 61514922_10_14_1986 (1) (6216 : Pedestrian Easement - Tall Pines)

DIO-

PEDESTRIAN EASEMENT

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP, with offices at P.O. Box 386, Maynard, Middlesex County, Massachusetts, for nominal consideration paid, the receipt of which is hereby acknowledged, grants to the TOWN OF SUDBURY, a Municipal corporation located in Middlesex County, Massachusetts, with the address: Town Hall, Sudbury, Massachusetts, with QUITCLAIM COVENANTS: two (2) Pedestrian Easements, to allow the public access to Lots A and B, said easement to be used for all purposes for which pedestrian access easements are primarily used in the Town of Sudbury, with said Easements being shown as 20' Pedestrian Easement and Drainage Easement on Lots 11 and 12 and 20' Pedestrian Easement on Lots 5, 6, 7, 8, 9, 10, and 11 on a plan entitled:

"Tall Pines Sudbury, Mass., Definitive Subdivision Plan of Land". Prepared for: Tall Woods Associates, Scale 1" = 100', dated May 19, 1986, revised July 9, 1986, by BSC - Bedford, Land Surveyors and Civil Engineers, 18 North Road, Bedford, Mass. Said Plan to be recorded herewith, which plan is incorporated herein by reference, with the right and easements shown on said plan together with the exact measurements and boundaries of said easement.

For Grantors title see:

- (x) deed of Massachusetts Audobon Society to Tall Woods Associates Limited Partnership dated September 8, 1986 to be recorded herewith, and deed of Nicholas N. Marino and Beatrice Cabot to Tall Woods Associates Limited Partnership dated September 26, 1986 to be recorded herewith.
-) certificate of title No. _____ recorded with the Middlesex Land Registration Office at Book _____ Page _____.
-) probate of estate of _____, Middlesex Probate Court No. _____.

892 R2

10/14/86

Address of affected property: off Tall Pine Drive, Sudbury, MA 01776

1426
 SEE PLAN IN RECORD BOOK - 17488 - PAGE 025

Attachment 5.d: 61514922_10_14_1986 (1) (6216 : Pedestrian Easement - Tall Pines)

The consideration for this deed is less than \$100 and therefore no excise tax stamps are required by law.

Witness my hand and seal this 9th day of October, 1986.

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP

By: Farm Hollow Realty Company, Inc.,
General Partner

BY Joseph L. Maillet, President and Treasurer
Joseph Maillet, President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

Suffolk , SS

October 9 , 1986

Then personally appeared the above named JOSEPH L. MAILLET, President and ^{/Treasurer} of FARM HOLLOW REALTY COMPANY, INC., General Partner as aforesaid, and acknowledged the foregoing instrument to be the free act and deed before me, of FARM HOLLOW REALTY COMPANY, INC.

[Signature]
Notary Public

My Commission Expires December 27, 1988

STANLEY L. GORDON
Notary Public
My Commission Expires Dec. 27 1986

Tall Pines (104)
Pedestrian

ACCEPTED on behalf of the TOWN OF SUDBURY by its BOARD OF
SELECTMEN, under authority of Section 3 of Article XII of the
Sudbury Bylaws, and every other authority, this 22 day
of Sept., 1986

[Signature]
Anne W. Donald
David A. Wallace

Attachment5.d: 61514922_10_14_1986 (1) (6216 : Pedestrian Easement - Tall Pines)

PLAN NO: 30-161

RECORD OF SUBDIVISION

Name of Subdivision: Tall Pines
 Number of Lots: 25 Street Names: off codjer Lane
 Owner: Nicholas Marino / Tall Woods Ass. Address: 783 Grafton Street, Worcester, MA
 Engineer: BSC-Bedford, R. Brown 899-6677 Address: 18 North Road, Bedford MA 01730 275-7979
 Subdivision Location: Horse Pond Road and Codjer Land

Preliminary Plan Filed: 2/24/86 Definitive Plan Filed: 6-2-86 ^{Modification} 3-30-87
 Action Deadline: 4/24/86 Action Deadline: 7-30-86 5-28-86 159.44
 Hearing Notice: Dates: 6/12 + 6/19 Newspaper: J. Crisis Fee Paid: \$ 400.00
 Date and Place of Public Hearing: June 30, 1985 8:00p.m. Highway Fund
2000.00

TOWN AGENCIES: Reports received from:
 Town Engineer 3-18-86 / 6-26-86 / 4/15/87
 Board of Health 3-20-86 / 6-24-86
 Water District 2-1-86
 Conservation Commission 3-13-86 / 6-26-86
 Highway Superintendent 4-10-86
 Fire Chief 3-4-86
 Building Inspector 3-11-86
 SUBDIVISION Approved: Preliminary Decision 4/22/86
July 28, 1986

Earth Removal Board:
 Permit # _____ Date: _____
 Utility Layout _____
 Police Chief _____
 Other: Parks + Rec 3-13-86
 Disapproved: _____

Subdivision submitted to Town Clerk
 Subdivision Plan signed 9/8/86 4/15/87
 Covenant Received Oct 14 1980 886 ✓
 Conservation Restriction Received _____
 Walkway Easement Received 890 ✓
 Drainage Easement Received 892 ✓
 Fee for Road Received _____

Declaration of Trust 887 ✓
Site Easement 889 ✓
Pedestrian Easement 891 ✓
Order of Condition 893

Receipt of Recording of Plan: _____ Subdivision Plan: Book _____ Page _____
 Covenant: Book _____ Page _____

Conservation Order of Conditions Received: _____
 Release of Restrictions: _____

Release of Covenant _____
 Performance Bond _____

Streets accepted by ATM 1995

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

FORM 525 N. Y. DEED—WARRANTY with Lien

TUTBLANK REGISTERED U. S. PAT. OFFICE
TUTTLE LAW PRINT. PUBLISHERS, RUTLAND, VT. 05701

This Indenture,

10.75

SK 13641 PG 555

made this 26th

July

day of January 1979 Seventy-Nine

Between

YVETTE WHEELER VanHUYSEN, formerly Yvette Wheeler Harrington, residing at
77 State Street, Pittsford, New York 14534

party of the first part and

South Green Road

MASSACHUSETTS AUDUBON SOCIETY, a Massachusetts corporation, with offices at
Lincoln, Massachusetts 01773

party of the second part.

Witnesseth; that the party of the first part, in consideration of the sum of ONE DOLLAR lawful money of the United States, and other good and valuable considerations paid by the party of the second part, does hereby grant and release unto the party of the second part, h its successors and assigns forever,

ALL THAT TRACT OR PARCEL OF LAND, situate in Sudbury, Middlesex, Commonwealth of Massachusetts, known and described as a certain tract of sprout land situated in the southerly part of said Sudbury containing seven acres, more or less, and bounded as follows, viz.;

Beginning at the northwesterly corner of the premises at a stake and stones; thence running easterly by land now or formerly of Ebenezer Stone to a stake and stones; thence southerly by land of heirs of Isaac Clark and land formerly of Willard Hemenway to a stake and stones; thence westerly by land of Central Massachusetts Division of the Boston and Maine Railroad Company to a stake and stones; thence northerly by land formerly owned by Elizabeth Hunt to the bound first mentioned, being the same premises described in a deed dated March eighteenth, A.D. one thousand eight hundred and ninety-three, recorded with Middlesex South District Registry of Deeds, Book 2181, Page 173.

Being and intending to convey the same premises conveyed by Marguerite P. Fisher, nee Jones, to Yvette Wheeler Harrington, Percival W. Jones, being her trustee, by deed dated March 26, 1928, and recorded with Middlesex South District Registry of Deeds, Book 5227, Page 84. See also decree recorded Book 9363, Page 433.

Together with the appurtenances and all the estate and rights of the party, of the first part in and to said premises

To Have and to Hold the premises herein granted unto the party of the second part its successors and assigns forever

AND the said party of the first part covenants as follows:
That the party of the second part shall quietly enjoy the said premises; that the said party of the first part will forever WARRANT the title to said premises, and that this conveyance is subject to the trust fund provisions of Section 13 of the Lien Law.

In Witness Whereof, the party of the first part has hereunto set her hand and seal the day and year first above written

In presence of:

Yvette Wheeler VanHuyesen
YVETTE WHEELER VanHUYSEN

State Of New York
County Of Monroe
Of

§§



On this 26th day of January, 1979, before me, the subscriber, personally appeared YVETTE WHEELER VanHUYSEN

to be the same person described in and who executed the within Instrument and she acknowledged to me that she executed the same, and being duly sworn stated that she is the same person as YVETTE WHEELER HARRINGTON.

EDWIN A. WILLIAMS Notary Public
NOTARY PUBLIC - STATE OF NEW YORK
MONROE COUNTY
COMMISSION EXPIRES MARCH 30, 1979

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

BK 17488 PG 070

*Job 7-011
Tall Pines
subdivision
Job 107
from 426 of 86*

Massachusetts Audubon Society, Inc., a charitable corporation duly established under the laws of Massachusetts and having its usual place of business at South Great Road, Lincoln, Middlesex County, Massachusetts, for consideration paid of Seventy Thousand Dollars (\$70,000.00) grants to Farm Hollow Realty Company, Inc. Sole General Partner of Tall Woods Associates Limited Partnership, a Massachusetts Limited Partnership of P.O. Box 386, Maynard, Massachusetts with quitclaim covenants

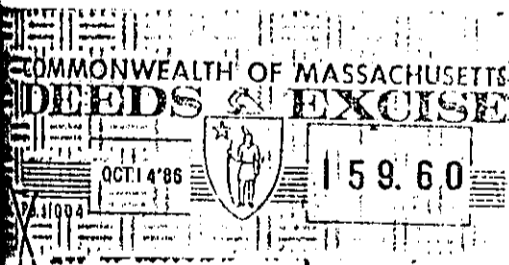
the land in Sudbury, Middlesex County, Massachusetts bounded and described as follows:

[Description and encumbrances, if any]

Beginning at the northwesterly corner of the premises at a stake and stones; thence running easterly by land now or formerly of Ebenezer Stone to a stake and stones; thence southerly by land of heirs of Isaac Clark and land formerly of Willard Hemenway to a stake and stones; thence westerly by land of Central Massachusetts Division of the Boston and Maine Railroad Company to a stake and stones; thence northerly by land formerly owned by Elizabeth Hunt to the bound first mentioned, being the same premises described in a deed dated March eighteenth, A.D. one thousand eight hundred and ninety-three, recorded with Middlesex South District Registry of Deeds, Book 2181, Page 173.

The premises are conveyed subject to the restriction that no more than two (2) single-family dwellings may be constructed thereon, together with such related garages, outbuildings, driveways, patios, walkways, utility connections and facilities, roadways and such other improvements as are customary in a single-family residential development.

For the grantor's title see deed of Yvette Wheeler Van Huysen dated January 26, 1979 and recorded with said Deeds in Book 13641, Page 555.



Massachusetts Audubon Society, Inc.

has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and

delivered in its name and behalf by Gerard A. Bertrand and Keith Lakey President and Ass't. Treasurer hereto duly authorized, this eighth

day of September in the year one thousand nine hundred and eighty-six MASSACHUSETTS AUDUBON SOCIETY, INC.

Signed and sealed in presence of

by *Gerard A. Bertrand*
Gerard A. Bertrand, President
by *Keith G. Lakey*
Keith Lakey, Ass't. Treasurer

The Commonwealth of Massachusetts

Middlesex, ss. September 8th 1986

Then personally appeared the above named Gerard A. Bertrand, President and Keith Lakey, Ass't. Treasurer as aforesaid and acknowledged the foregoing instrument to be the free act and deed of the Massachusetts

Audubon Society, Inc. before me

[Signature]
Notary Public - Justice of the Peace

My commission expires November 20 1992

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

PLAN NO. _____

Form B

TOWN OF SUDBURY

Application for Approval of Preliminary Plan

Date: February 24, 19 86

To the Planning Board:

The undersigned, being the owner* or owner by agreement of all the land included within a proposed subdivision shown on the accompanying plan entitled Tall Pines - Preliminary Subdivision Plan of Land

and dated February 24, 19 86 submits such plan as a Preliminary Plan showing in a general way the proposed subdivision of the land and makes application to the Board for Approval thereof under G.L. Chap. 41, Sec. 81-S.

The owner's title to the land is derived under deed from John Cabot dated May 23 1983 Yvette Wheeler Van Huysen dated January 26 1979, and recorded in Middlesex South District Registry of Deeds, Book 13624, Page 346, under Certificate of Title No. _____, registered in Land Registry District, Book _____, Page _____.

- 1. Number of Lots: 25
- 2. Length of Roads: 2900 ± ft.
- 3. Approximate Area of Subdivision: 41.6 ± Ac.
- 4. Location of Subdivision: Horse Pond Road and Codger Lane
(J07-010, 011)

5. Zoning Classification: Residential A-1

Nicholas N. Marino
Mass. Audobon Society
Owner
783 Grafton Street
Worcester, MA Lincoln, MA
Address

Robert J. Brown
General Partner
Tallwood Associates
Applicant (if different from owner)
215 Boston Post Road, Sudbury, MA
Address

*If there is more than one owner, all must sign.

I have read the Rules and Regulations of the Sudbury Planning Board (Latest Revision dated September 10, 1973) and to the best of my knowledge, this plan conforms with them.

BSC-BEDFORD
Surveyor / Engineer
18 North Road
Bedford, MA 01730
Address

If any item is not applicable, please so state.

Plan checked by: _____
Town Engineer

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)



Michael C. Dunne
Chief of Department

TOWN OF SUDBURY
FIRE DEPARTMENT

Sudbury, Mass., 01776

March 4, 1986

To: Planning Board
From: Fire Chief
Subject: Tall Pines Subdivision

I have reviewed the plan for Tall Pines Subdivision and the Fire Department offers the following comments.

1. The Fire Department requests joint approval with the Sudbury Water District for hydrant location.
2. The Fire Department requests approval of the street names for Roads A&B.
3. The Fire Department will not grant permits for the underground storage of flammable liquids within the subdivision.
4. Subject to the above comments the Fire Department has no objection to the plan at this time. However, I would reserve the right to comment further if information I am not currently aware of should arise.

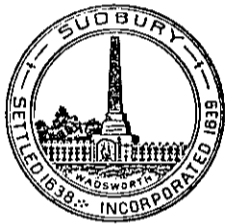
Michael Dunne
Michael Dunne
Fire Chief

MD/lb

Enclosure

cc: Building Inspector
Town Engineer
Board of Health
Conservation Commission
Sudbury Water District

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)



TOWN OF SUDBURY

Planning Board

Sudbury, Mass.
01776

April 22, 1986

PRELIMINARY SUBDIVISION DECISION - TALL PINES

DECISION of the Planning Board of the Town of Sudbury, Massachusetts (hereinafter together with any entity succeeding to the powers of said Planning Board referred to as the Board) on the petition of Tall Wood Associates (to be referred to herein as the Petitioner) for property located in Sudbury, Massachusetts on the south side of Tall Pine Road just west of Horse Pond Road.

This decision is in response to an application for approval by the Petitioner of a Preliminary Subdivision plan submitted to the Board on February 24, 1986 under Massachusetts General Laws, Chapter 41, Section 81-K through 81GG, inclusive.

The Board met on April 22, 1986 to deliberate on the proceedings and to consider the evidence. Submitted for their deliberations were the following exhibits:

- Exhibit 1 - A Plan entitled, Tall Pines Preliminary Subdivision Plan of Land in Sudbury, Massachusetts, drawn by BSC Engineering, Inc., 18 North Road, Bedford, Massachusetts, dated February 24, 1986. This plan consisted of the following:

Sheets 1, 2, 3 and 4 of 5, Survey Plans;
and Sheet 5 of 5, General Site Plan.
- Exhibit 2 - The Application For Approval of a Preliminary Subdivision Plan (Form B) and all other documents, forms and data required under the Town of Sudbury, Subdivision Rules and Regulations in effect at the time of application.
- Exhibit 3 - Drainage Calculations for the Tall Pines Subdivision dated February 24, 1986.
- Exhibit 4 - Preliminary Soils Investigations for the Tall Pines Subdivision dated December 5, 1986.

PRELIMINARY SUBDIVISION DECISION - TALL PINES
Page 2

Exhibit 5 - Memorandum submitted to the Board by the Sudbury Engineering Department dated March 18, 1986; by the Sudbury Fire Department dated March 4, 1986; by the Sudbury Conservation Commission dated March 13, 1986; by the Sudbury Board of Health dated March 20 1986; by the Sudbury Highway Surveyor dated April 10, 1986.

Exhibits 1, 2, 3 and 4 are referred to herein as the Plan.

The Planning Board hereby APPROVES the subdivision of Tall Pines as shown on the Plan, located in Sudbury, Middlesex County, Massachusetts subject to and with the benefits of the following restrictions and conditions:

1. That the approval herein granted is based on a Plan entitled, Tall Pines Preliminary Subdivision Plan of Land in Sudbury, Massachusetts, drawn by, BSC Engineering, Inc., 18 North Road, Bedford, Massachusetts, dated February 24, 1986 consisting of sheets as follows:

Sheets 1, 2, 3 and 4 of 5, Survey Plans;
Sheet 5 of 5, General Site Plan.
2. The paving width of the roadway shall be twenty-four (24) feet and standard twelve (12) inch cape cod berm shall be provided throughout the entire length of the paved roadway.
3. A walkway with a width of five (5) feet shall be provided along the outside loop of the proposed roadway. Additionally, a walkway with a width of five (5) feet shall be provided along the northerly portion of Tall Pines Road to its point of intersection with Horse Pond Road.
4. On each lot approval shall be obtained from the Board of Health for a sewage disposal system. The sewage disposal permit shall be contingent upon the applicant providing engineering data and system plans which are in compliance with Board of Health Rules and Regulations.

PRELIMINARY SUBDIVISION DECISION - TALL PINES
Page 3

5. Changes which are required to be made to the submitted plan as a result of the Order of Conditions issued by the Sudbury Conservation Commission shall be shown on the Definitive Subdivision Plan.
6. A conservation restriction easement satisfactory to the Conservation Commission shall be provided for the wetland portion of the site.
7. A deed transferring ownership of the two large open space areas to the Town of Sudbury shall be prepared and submitted in conjunction with the filing of the Definitive Subdivision Plan.
6. All large trees bordering Tall Pine Road, and on the site shall be retained and not disturbed or destroyed during construction of the subdivision except for those trees which must be removed for the construction of the proposed way, driveways and dwellings and uses accessory thereto.
7. A Covenant, Pedestrian Access Easement, Drainage Easement and Walkway Easement satisfactory to the Board shall be provided with the Definitive Subdivision Plan.
8. A copy of the environmental site evaluation report in accordance with Chapter 21 E of the Massachusetts General Laws shall be submitted to the Board of Health for their review and comments.

The foregoing restrictions and conditions have been stated for the purpose of emphasizing their importance and are not intended to be all inclusive or to negate any provision of the Town of Sudbury, Rules and Regulations.

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

PRELIMINARY SUBDIVISION DECISION - TALL PINES
Page 4

Witness our hands this 22th day of April 1986

SUDBURY PLANNING BOARD

Morton L. Brond

Morton L. Brond, Chairman

John C. Drobinski

Lael M. Meixsell

Lael M. Meixsell

Thomas W. H. Phelps

Russell P. Kirby

Russell P. Kirby

Then personally appeared Morton L. Brond, one of the members of the Planning Board of the Town of Sudbury, Massachusetts, and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

April 22, 1986

-----, 1986

Elaine L. Jones

Notary Public Elaine L. Jones

My commission expires: 7/6/1990

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

Original

PLAN NO. _____

Form C
pg 1 of 3

TOWN OF SUDBURY

Application for Approval of Definitive Plan

File one copy of this completed form with the Planning Board and one copy with the Town Clerk, in accordance with the requirements of Massachusetts General Laws, Chapter 41. Separate paragraphs are used in indicate alternative provisions.

Date: June 2, 1986

TO THE PLANNING BOARD:

- 1. The Undersigned, being the owner* or owner-by-agreement of all land included within a proposed subdivision shown on the accompanying plan entitled:

" Tall Pines - A Definitive Subdivision in Sudbury, MA "

and dated May 19, 1986, submits such plan as a Definitive Plan of the proposed subdivision and makes application to the Board for final approval thereof.

- 2. The land within the proposed subdivision is subject to the following easements and restrictions:

Drainage Easements, Pedestrian Access Easement, Conservation Restriction Easement, Walkway Easement (See Plans)

- 3. There are appurtenant to the land within the proposed subdivision the following easements and restrictions over the land of others:

N/A

- 4. A Preliminary Plan (optional) of the proposed subdivision (has) _____ been submitted to the Board.

A Preliminary Plan of the proposed subdivision, to which the accompanying plan conforms, was approved by the Board on April - 22, 1986.

A Preliminary Plan of the proposed subdivision was approved by the Board on April 22, 1986, with modifications, which modifications have been incorporated in the accompanying plan.

5. Number of lots: 25

6. Approximate Length of Roads: 3100 (feet)

7. Approximate area of Subdivision: 41 (acres)

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

Form C
pg 2 of 3

- 8. The applicant agrees, if the Definitive Plan is approved, to perform and complete all work on the ground within the proposed subdivision required by the Rules and Regulations of the Planning Board as in force on the date of this application (or if applicable on the date of an application of a Preliminary Plan) and as modified and supplemented by the work specifications and other requirements of the Board set forth in the statements attached hereto.
- 9. The applicant further agrees to complete all said required work on the ground within two years from the date of final approval of the Definitive Plan by the Board, unless a new application is filed with, and approved by, the Board extending such time.
- 10. The applicant further agrees, if the Definitive Plan is approved, to cause said plan to be recorded or registered in the District Registry of Deeds within thirty (30) days after the return of said plan to the applicant by the Board, and agrees not to sell, or to offer to sell, any of the lots within the subdivision until said plan is so recorded or registered.
- 11. This application is accompanied by an original drawing of the proposed Definitive Plan in accordance with the requirements of the Rules and Regulations of the Board, and a Designer's Certificate.
- 12. The owner's title to the land is derived under deed from John Cabot/Yvette Wheeler, dated May 23/Jan 26, ¹⁹⁸³~~1979~~, and recorded in Middlesex South District Registry of Deeds, Book 15024/13641, Page 246/555, or under Certificate of Title No. _____, registered in _____ Land Registry District, Book _____, Page _____.
- 13. A. The applicant further agrees, before final approval of the Definitive Plan, to cause to be filed with the Board a bond, in a form satisfactory to the Board, conditioned on the completion of all required work on the ground in the time and manner prescribed, in a penal sum sufficient, in the opinion of the Board, to cover the cost of such work, and executed by the applicant as principal and an indemnity or surety company authorized to do business in the Commonwealth and satisfactory to the Board as surety, or secured by the deposit with the Town Treasurer of case or United States Government Bonds in an amount equal to the penal sum of the bond or other sufficient security; or
 B. The applicant requests the Board to approve the Definitive Plan on condition that no lot in the subdivision shall be sold and no building shall be erected or placed on any lot until the required work on the ground necessary to serve such lot adequately has been completed to the satisfaction of the Board.

Van Huyen

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)



Form C
pg 3 of 3

WITNESS OUR HANDS AND SEALS THIS 2nd day of June, 1986.

* [Signature] (1)
Owner*
783 Grafton St.
Worcester, MA Lincoln, MA
Address

[Signature] (1)
Applicant (if not owner)
Tall Woods Associates
215 Boston Post Road, Sudbury, MA
Address

- (1) The application must be signed by the parties submitting it for approval and the owner of the land.
- * If there is more than one owner, all must sign.

*

DESIGNER'S CERTIFICATE

Date: June 2, 1986

TO THE PLANNING BOARD:

I hereby certify that the accompanying plan, entitled:
 " Tall Pines - A Definitive Subdivision in Sudbury, MA. "
 and dated May 19, 1986, is factual, accurate, and complies with
 the Rules and Regulations of the Sudbury Planning Board as amended
August 26, 1985.

[Signature] PE
 Registered Land Surveyor or
 Registered Professional Engineer
 BSC - Bedford
 18 North Road
 Bedford, MA 01730
 Address

(SEAL)

Form C
pg 3 of 3

WITNESS OUR HANDS AND SEALS THIS 2nd day of June, 1986.

Beatrice M. Cabot (1)
Owner*
783 Grafton St.
Worcester, MA Lincoln, MA
Address

Robert D. Brown (1)
Applicant (if not owner)
Tall Woods Associates
215 Boston Post Road, Sudbury, MA
Address

- (1) The application must be signed by the parties submitting it for approval and the owner of the land.
- * If there is more than one owner, all must sign.

DESIGNER'S CERTIFICATE

Date: June 2, 1986

TO THE PLANNING BOARD:

I hereby certify that the accompanying plan, entitled:
 " Tall Pines - A Definitive Subdivision in Sudbury, MA. "
 and dated May 19, 1986, is factual, accurate, and complies with
 the Rules and Regulations of the Sudbury Planning Board as amended
August 26, 1985.

Francis D. DePelle P.E.
 Registered Land Surveyor or
 Registered Professional Engineer
 BSC - Bedford
 18 North Road
 Bedford, MA 01730
 Address

(SEAL)

Form C
pg 3 of 3

WITNESS OUR HANDS AND SEALS THIS 2nd day of June, 1986.

MASSACHUSETTS AUDUBON SOCIETY, INC.

By [Signature] (1)
Owner*
783 Grafton St.
Worcester, MA
Address

[Signature] (1)
Applicant (if not owner)
Tall Works Associates
215 Boston Post Road, Sudbury, MA
Address

- (1) The application must be signed by the parties submitting it for approval and the owner of the land.
- * If there is more than one owner, all must sign.

DESIGNER'S CERTIFICATE

Date: June 2, 1986

TO THE PLANNING BOARD:

I hereby certify that the accompanying plan, entitled:

" Tall Pines - A Definitive Subdivision in Sudbury, MA. "

and dated May 19, 1986, is factual, accurate, and complies with the Rules and Regulations of the Sudbury Planning Board as amended August 26, 1985.

[Signature] P.E.
Registered Land Surveyor or
Registered Professional Engineer
BSC - Bedford
18 North Road
Bedford, MA 01730
Address

(SEAL)

FORM R

LAND SURVEYOR OR ENGINEER'S CERTIFICATE

Date: June 2, 1986

TO THE PLANNING BOARD:

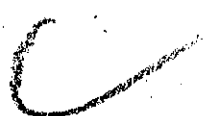
The undersigned, being a duly (Registered Land Surveyor) (Registered Professional Engineer) in the Commonwealth of Massachusetts, hereby certify to the Planning Board of the Town of Sudbury that the proposed subdivision plan entitled: "Tall Pines-A Definitive Subdivision in Sudbury, MA, dated May 19, 1986", was made by the undersigned in accordance with surveying standards established by the Land Court and sound engineering principles.

TO BE COMPLETED IF UNDERSIGNED IS REGISTERED PROFESSIONAL ENGINEER:

The undersigned is a Registered Professional Engineer in the Commonwealth of Massachusetts and is a Registered Professional Engineer in the field of Civil Engineering.

Francis J. DiPietro P.E.
(Registered Land Surveyor)
(Registered Professional Engineer) *Mass. PE 31587*

WITNESSED: _____





BOARD OF HEALTH
SUDBURY, MASSACHUSETTS 01776

June 24, 1986

To: Planning Board
From: Board of Health
Re: Definitive subdivision plan entitled "Tall Pines" located off Horse Pond Road and Tall Pine Drive

This is to inform you that the Board of Health has reviewed the above captioned proposal and has no objections to the subdivision plan conditioned on the following:

- 1) Town water must be provided,
- 2) Individual subsurface disposal system plans must be approved,
- 3) No underground storage of fuel will be allowed.

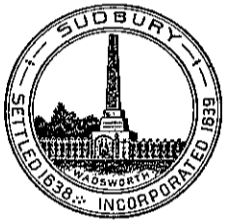
Michael J. Sullivan
Michael J. Sullivan
Director *mac*

MJS/mac

cc: Town Clerk
Departments/Committees

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

C



TOWN OF SUDBURY

Conservation Commission

Sudbury, Mass.
01776

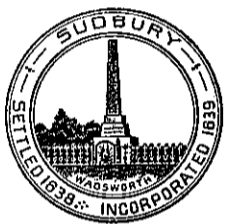
To: Sudbury Planning Board
 From: Sudbury Conservation Commission *JM*
 Date: June 26, 1986
 Re: Tall Woods Subdivision, Tall Pines Drive

The Conservation Commission has reviewed the plans for the above referenced subdivision and had made a site visit on June 25, 1986. In addition, the Commission is in receipt of a Wetlands Protection Act filing for this property.

The Commission finds the plan to be acceptable as proposed. The two wetland areas not part of any lots, linked with an access easement, and the open space incorporated within the subdivision are items we would like to see more of in other new subdivisions within town. We understand the wetland areas are to be deeded to the town following road and drainage construction. This, in conjunction with trail easements being negotiated on Stone Tavern Farm, will allow the creation of an expanded public trail in this area.

The Commission recommends that the Planning Board approve the plan as proposed. We would not wish to see the cul-de-sac length increased, possibly to create a link to any potential future development to the east, as this would place the cul-de-sac within a wetland and require extensive fill. Should a sidewalk on Tall Pines Drive be required, it is our recommendation that it be located to allow for minimal wetland disturbance, possibly a bridge could be considered. Dudley Brook flows under Tall Pines Drive and into Hop Brook. It is critical that this area be protected as much as possible.

We wish to thank the developers of this site for the time they spent gathering town input prior to submission of the final plans. The result is a plan conforming to town rules and regulations, a neighborhood with open space incorporated, and minimal disturbance to the natural environment.



TOWN OF SUDBURY

Planning Board

Sudbury, Mass.
01776

PUBLIC HEARING NOTICE
SUDBURY PLANNING BOARD

In accordance with the provisions of Chapter 41, Section 81-T and 81-U, M.G.L., the Planning Board will hold a public hearing on Monday June 30, 1986 at 8:00 p.m. in the Planning Office, second floor, Flynn Building, on the application of Tall Woods Associates for approval of a Definitive Subdivision Plan entitled "Tall Pines " by BCS-Bedford, 18 North Road, Bedford MA, dated May 19, 1986, located east of Horse Pond Road and south of Tall Pine Drive, and showing 25 lots.

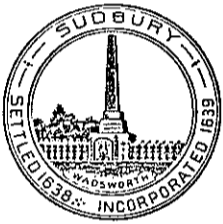
A copy of the plan and application is on file in the Planning Office and may be inspected during regular business hours.

Any person interested, or wishing to be heard on the proposed plan, should appear at the time and place designated.

Morton L. Brond, Chairman
Sudbury Planning Board

To be published in the Sudbury Town Crier on June 12 and June 19, 1986.

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)



TOWN OF SUDBURY

Planning Board

Sudbury, Mass.
01776

1986 JUL 30 PM

July 28, 1986

DEFINITIVE SUBDIVISION DECISION - TALL PINES

DECISION of the Planning Board of the Town of Sudbury, Massachusetts (hereinafter together with any entity succeeding to the powers of said Planning Board referred to as the Board) on the petition of Tallwood Associates (to be referred to herein as the Petitioner) for property located in Sudbury, Massachusetts on the east side of Horse Pond Road and south side of Tall Pine Drive. Said property is shown on Town Property Map No. J 07, Lots 10 and 11.

This decision is in response to an application for approval by the Petitioner of a Definitive Subdivision plan submitted to the Board on June 2, 1986 under Massachusetts General Laws, Chapter 41, Section 81-K through 81GG, inclusive.

After causing notice of the time and place of its public hearing and of the subject matter thereof to be published, posted and mailed to the Petitioner, abutters and other parties in interest, as required by law, Russel P. Kirby, Vice Chairman of the Board, called the hearing to order at 8:00 p.m. on Monday, June 30, 1986 at the Planning Board office, Flynn Building, Sudbury, Massachusetts. Board members Lael M. Meixsell and Morton L. Brond were present throughout the proceedings. The Petitioner was present and was represented by Francis D. DiPietro of BSC-Bedford. The record of the proceedings and submissions upon which this approval is based may be referred to in the office of the Town Clerk or the Planning Board office.

The Board met on July 28, 1986 to deliberate on the proceedings and to consider the evidence. Submitted for their deliberations prior to the close of the public hearing were the following exhibits.

Exhibit 1 - A plan entitled Tall Pines, Definitive Plan of Land in Sudbury, Massachusetts, drawn by BSC Bedford, 18 North Road, Bedford, Massachusetts, dated May 19, 1986. This plan consisted of the following:

Sheet 1 of 12, Survey Plan; Sheets 2, 3, 4 and 5 of 12, Plan and Profiles of Streets;

SUBDIVISION DECISION - TALL PINES
Page 2

July 28, 1986

Sheets 6, 7, 8 and 9 of 12, Topographic Plans; Sheets 10 and 11 of 12, Details; and Sheet 12 of 12, Sedimentation and Erosion Control Plan.

- Exhibit 2 - The Application For Approval of a Definitive Subdivision Plan (Form C) and all other documents, forms and data required under the Town of Sudbury, Subdivision Rules and Regulations in effect at the time of application.
- Exhibit 3 - Drainage Calculations for the Tall Pines Subdivision, prepared by BSC-Bedford, dated February 14, 1986 and July 9, 1986.
- Exhibit 4 - Preliminary Soils Investigations for the Tall Pines Subdivision, prepared by BSC-Bedford, dated February 14, 1986.
- Exhibit 5 - Environmental Site Assessment for the Tall Pines Subdivision, prepared by Norwood Engineering, 1410 Route One, Norwood, Massachusetts, dated December 6, 1985.
- Exhibit 6 - Memorandum submitted to the Board by the Sudbury Engineering Department dated June 26 and July 28, 1986; by the Sudbury Fire Department date July 1, 1986; by the Sudbury Board of Health dated June 24, 1986; by the Sudbury Conservation Commission dated June 26, 1986; and by the Sudbury Water District dated July 1, 1986.

Exhibits 1, 2, 3, and 4 are referred to herein as the Plan.

The Planning Board hereby APPROVES the subdivision of Tall Pines as shown on the Plan, located in Sudbury, Middlesex County, Massachusetts, to be recorded herewith, subject to and with the benefits of the following restrictions and conditions:

1. That the approval herein granted is based on a plan entitled, Tall Pines, Definitive Plan of Land in Sudbury, Massachusetts, drawn by BSC-Bedford, 18 North Road, Bedford, Massachusetts, dated May 19, 1986 and revised July 9, 1986, consisting of sheets as follows:

Sheet 1 of 12, Survey Plan; Sheets 2, 3, 4 and 5 of 12, Plan and Profiles of Streets; Sheets 6, 7, 8 and 9 of 12, Topographic Plan; Sheets 10 and 11 of 12, Details; and Sheet 12 of 12, Sedimentation and Erosion Control

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

SUBDIVISION DECISION - TALL PINES
Page 3

July 28, 1986

Plan.

2. The Board has waived compliance with the following requirements of the Town of Sudbury, Subdivision Rules and Regulations, having found that such action is in the public interest and is not inconsistent with the intent and purposes of the Subdivision Control Law:
 - a) Section VI,NI to waive the requirements for granite curbs, except that the provisions of condition number 4 of this Decision shall be complied with in full.
 - b) Section IV. c.2.p to waive the requirement to show the location of trees over eight (8) inches in diameter within 10 feet of the right of way, except that the provisions of conditions numbered 3.c and 8 of this Decision shall be complied with in full.
 - c) Section IV.C.2.u to waive the requirement to show the location of all trees with a diameter in excess of eighteen (18) inches, except that the provisions of condition number 8 of this Decision shall be complied with in full.
 - d) Section V.B.4.a to waive the requirement that dead end streets whether temporary or permanent not be longer than 500 feet, except that the provisions of Conditions Numbered 11 and 12 of this Decision shall be complied with in full. The Board finds the greater roadway length to be necessitated by site topography and to ensure the preservation of Parcel A in its natural state.
3. Petitioner shall cause the Definitive Subdivision Plan to be revised to show the following additional or revised information, which shall be subject to review and approval of the Board prior to endorsement of the Plan:
 - a) The water distribution system and fire hydrant location shall be shown on the subdivision plan. The water distribution system and fire hydrant location shall be approved by the Water District and Fire Chief, respectively.
 - b) Underground utilities shall be shown on the proposed subdivision plan. The utility layout shall be approved by the Building Department.
 - c) Shade trees having a diameter of at least one and

SUBDIVISION DECISION - TALL PINES
Page 4

July 28, 1986

a half inches and of such variety as the Board may approve shall be provided within ten (10) feet of the right-of-way. The trees shall be spaced not more than forty (40) feet apart and shall be planted in one-half cubic yards of loam. If after completion of construction the applicant feels that planting of shade trees is inappropriate, the applicant may apply to the Board for a waiver from any or all of the required trees.

- d) The Plan shall be revised to show a conservation restriction easement. The conservation restriction easement shall be provided across the whole of lots A and B as shown on a Plan entitled Tall Pines, Definitive Plan of Land in Sudbury, Massachusetts, drawn by BSC-Bedford, dated May 19, 1986 and revised July 9, 1986.
 - e) The Plans shall be revised to show a walkway with a width of five feet along the southerly side of Tall Pine Drive beginning at the intersection of Tall Pine Drive and Horse Pond Road and continuing to the intersection of Tall Pine Road and Bridle Path. The walkway along Tall Pine Road shall be subject to Conservation Commission approval and the Town's securing of a walkway easement across Lot 19 as shown on Property Map J06.
 - f) A detailed landscape plan for the island in the turnaround shall be provided. The plan shall show the limits of work, the existing tree line and all proposed landscape features including; planting areas with size and stock for each shrub or tree and proposed contours of the land at two foot intervals.
 - g) The following note shall be added to the Plan: "A perpetual restriction enforceable by the Town shall be placed in the deed of Lot C, requiring that the land be kept in its natural state and not built upon or developed, except for recreational uses, excluding swimming pools and further provided that any recreational use shall be adequately screened.
 - h) A permanent sight easement shall be provided along the front portion of Lot C to ensure adequate sight distance is maintained at the intersection of Bridle Path and Trailside Circle.
4. The paving width of the roadway shall be twenty-four (24) feet and standard twelve (12) inch cape cod berm shall be provided throughout the entire length of the

SUBDIVISION DECISION - TALL PINES
Page 5

July 28, 1986

paved roadway.

5. A conservation restriction easement satisfactory to the Conservation Commission shall be provided for the whole of Lots A and B. This easement shall be submitted to the Planning Board prior to endorsement of the plan by the Board.
6. Changes which are required to be made to the submitted plan as a result of the Order of Conditions issued by the Sudbury Conservation Commission shall be shown on the approved plan.
7. On each lot approval shall be obtained from the Board of Health for a sewage disposal system. The sewage disposal permit shall be contingent upon the applicant providing engineering data and system plans which are in compliance with Board of Health Rules and Regulations.
8. All large trees bordering Tall Pines Drive and on the site shall be retained and not disturbed or destroyed during construction of the subdivision except for those trees which must be removed for the construction of the proposed way, driveways and dwellings and uses accessory thereto.
9. The Planning Board Agent shall certify that adequate sight distance has been provided at the intersection of Bridle Path and Trailside Circle. This certification shall take place prior to the release of lots 9, 10, 11, 12, 13 and 14 for purposes of construction.
10. The Petitioner shall file surety with the Town, in a penal sum or amount sufficient in the opinion of the Board to secure the construction of the walkway across Lot 19 as shown on Property Map J06. Any surety filed or deposited in accordance herewith, shall be executed so as to secure the completion of the above delineated work within such time as the Board may specify. Upon failure of the Petitioner to complete such work to the satisfaction of the Board the Town shall be entitled to enforce or realize upon such security to the extent necessary to complete such work without delay. The applicant shall provide the above referenced surety to the Town prior to release of any lots in the subdivision from the restrictions contained within the covenant.
11. The ownership of Lot C shall be conveyed to a non-profit organization, the principal purpose of which is the conservation of open space or to a corporation or

SUBDIVISION DECISION - TALL PINES
Page 6

July 28, 1986

trust owned or to be owned by the owners of lots within the development. In any case, a perpetual restriction, approved by the Planning Board, shall be imposed on the use of such land, enforceable by the Town of Sudbury, providing in substance that the land be kept in its natural state and not built upon or developed. Copies of all instruments to be recorded with the Definitive Subdivision Plan relative to Lot C, including the proposed deed for the open space, the articles of organization and bylaws of any corporation or trust to own the land and the language of all restrictions to be imposed on the land shall be submitted to the Planning Board for approval prior to endorsement of the Plan.

12. The ownership of Lots A and B shall be conveyed in whole to the Town of Sudbury for acceptance by it for the purpose of open space conservation and passive recreation. Copies of all instruments to be recorded with the Definitive Subdivision Plan relative to Lots A and B, shall be submitted to the Planning Board for approval prior to endorsement of the Plan by the Board.
13. A restriction enforceable by the Town of Sudbury, which shall run with the land, shall be placed in the deeds of Lots 11 and 12 which have frontage on the turnaround, requiring that the owners be responsible for maintaining the island in the turnaround after its initial construction and landscaping by the developer. The Petitioner shall provide the above referenced information to the Board for approval prior to the release of lots 11 and 12 from the terms of the Covenant.
14. The Pedestrian Access Easement shall be posted to allow for public access to conservation lands.
15. A Covenant, Drainage Easement, Walkway Easement, Pedestrian Access Easement and Sight Easement, satisfactory to the Board, shall be submitted prior to endorsement of the Plan.
16. The Petitioner or his authorized representative shall present the Plan to the Board for proper endorsement no later than September 29, 1986, unless such time period is extended, in writing, by the Board. The Board reserves the right to rescind its approval if said Plan is not presented to the Board for endorsement within the time period herein specified. The Petitioner or his authorized representative shall further submit the Plan to the Town Planner no later than September 22, 1986 to allow the Town Planner adequate time to review the revised plan for compliance with the Conditions of this Decision.

SUBDIVISION DECISION - TALL PINES
Page 7

July 28, 1986

The foregoing restrictions and conditions have been stated for the purpose of emphasizing their importance and are not intended to be all inclusive or to negate any provision of the Town of Sudbury Subdivision Rules and Regulations.

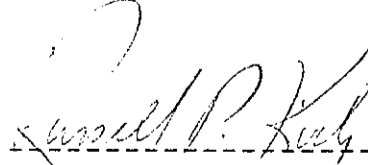
Under the provisions of the Town of Sudbury, Subdivision Rules and Regulations and Massachusetts General Laws, Chapter 41, Section 81-K through 81-GG, inclusive, the Board shall have the power to modify or amend the terms and conditions of this approval on the application of the owner, lessee or mortgagee of the premises or upon its own motion. All the provisions of this paragraph applicable to approval shall, where appropriate, be applicable to such modification or amendment. Such power is hereby reserved. Appeals, if any, shall be made pursuant to Section 81-BB of the Massachusetts General Laws, Chapter 41, and shall be filed within twenty (20) days after the date of filing this decision with the Town Clerk.

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


Reference to this Approval shall be entered upon the Plan and this Approval shall be recorded in the Middlesex South Registry of Deeds.

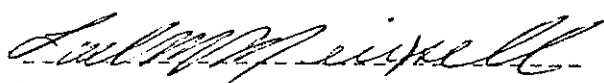
Witness our hands this 28th day of July, 1986

SUDBURY PLANNING BOARD



Russell P. Kirby,
Vice Chairman


Horton L. Brond


Lael M. Meixsell

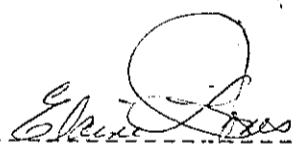
Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

SUBDIVISION DECISION
Page 8

July 28, 1986

Then personally appeared Morton L. Brond, one of the members of the Planning Board of the Town of Sudbury, Massachusetts, and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

July 28, 1986, 1986



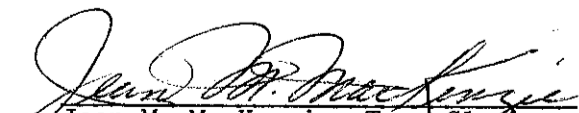
Notary Public Elaine L. Jones

My commission expires: 7/6/1990

- cc. Town Clerk
- Board of Health ✓
- Town Engineer
- Water District
- Park and Recreation Commission
- Conservation Commission
- Building Inspector
- Town Counsel
- Police Chief
- Fire Chief
- Tallwood Associates
- BSC Bedford

August 20, 1986

This is to certify that no notice of an appeal from the Planning Board's Definitive Subdivision - Tall Pines, dated July 28, 1986, was filed in this office within 20 days after such decision was filed on July 30, 1986.


Jean M. MacKenzie, Town Clerk

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

BK 17488 PG 118

DIO-

10/17/91 03:29 TR 891 BE 140.00

10/17/91 03:29 TR 891 BE

TR

10/17/91 03:29 TR 891 BE

DRAINAGE EASEMENT

Address of affected property: off Tall Pine Drive, Sudbury, MA 01776

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP, with offices at
 P. O. Box 386, Maynard, Middlesex County, Massachusetts,
 for nominal consideration paid, grants to the TOWN OF SUDBURY,
 a municipal corporation located in said Middlesex County,
 having the address: Town Hall, Old Sudbury Road, Sudbury,
 Massachusetts 01776, easements and rights of way over, across,
 under, and through the property hereinafter described for the
 purpose of laying, relaying, erecting, constructing,
 reconstructing, altering, maintaining and operating over,
 through and upon the same, drainage pipe line or lines together
 with the right to change the size or sizes of such line or
 lines and with the right of ingress and egress to and from the
 the same for said purposes, shown as 20 foot Drainage Easement
 on Lot #5 and 20 foot ^{Pedestrian and} Drainage Easement on Lots #11 and #12 as
 shown on a plan entitled:

1426
 "Tall Pines Sudbury, Mass, Definitive Subdivision Plan of
 Land". Prepared for: Tall Woods Associates, Scale 1" = 100',
 dated May 19, 1986, revised July 9, 1986, by BSC - Bedford,
 Land Surveyors and Civil Engineers, 19 North Road, Bedford,

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

OK 17488 PG 119

- 3 -

The consideration for this deed is less than \$100 and therefore no excise tax stamps are required by law.

Witness my hand and seal this 9th day of October, 1986.

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP

By: Farm Hollow Realty Company, Inc.,
General Partner

By: Joseph L. Maillet, President and Treasurer
Joseph L. Maillet, President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

October 9, 1986

Then personally appeared the above-named JOSEPH L. MAILLET, ^{/and Treasurer} President of FARM HOLLOW REALTY COMPANY, INC., General Partner as aforesaid, and acknowledged the foregoing to be the free act and deed of FARM HOLLOW REALTY COMPANY, before me

Stanley L. Gordon
Notary Public

My Commission Expires Dec. 27 1986

STANLEY L. GORDON
Notary Public
My Commission Expires Dec. 27 1986

Drainage

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

BK 17488 PG 120

-2-

Mass., located on the Southerly side of Tall Pine Drive in said Sudbury, which plan is incorporated herein by reference and recorded herewith and to which plan reference is made for a complete description of said easement area.

For Grantors title see:

(x) deed of Massachusetts Audobon Society to Tall Woods Associates Limited Partnership dated September 8, 1986 and to be recorded herewith and deed of Nicholas N. Marino and Beatrice Cabot to Tall Woods Associates Limited Partnership dated September 26, 1986, to be recorded herewith.

() certificate of title No. _____ recorded with the Middlesex Land Registration Office at Book _____ Page _____.

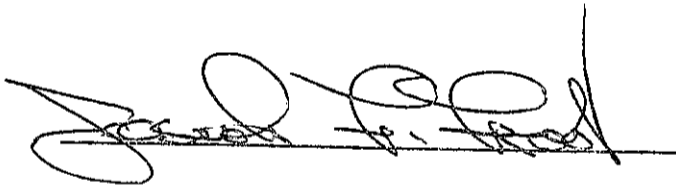
() probate of estate of _____, Middlesex Probate Court No. _____

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

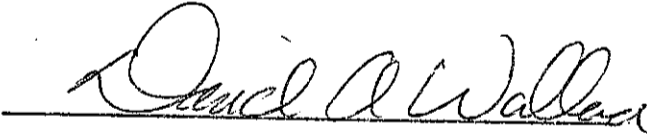
DK 17488 PG 121

-4-

ACCEPTED on behalf of the TOWN OF SUDBURY by its BOARD OF
SELECTMEN, under authority on Section 3 of Article XII of the
Sudbury Bylaws, and every other authority, this 22nd
day of Sept, 1986



Anne W. Donald



Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

BK 17488 PG 114

D10-

WALKWAY EASEMENT

890 TALL WOODS ASSOCIATES LIMITED PARTNERSHIP, with offices at
 P. O. Box 386, Maynard, Middlesex County, Massachusetts,
 for nominal consideration paid, the receipt of which is hereby
 acknowledged, grants to the TOWN OF SUDBURY, a Municipal
 corporation located in Middlesex County, Massachusetts, with
 the address: Town Hall, Sudbury, Massachusetts, with QUITCLAIM
 COVENANTS, the right and easement to construct, reconstruct,
 maintain and use a walkway and sidewalk, for all purposes for
 which walkways and sidewalks are customarily used in the Town
 of Sudbury, over, across, and through the property owned by the
 Grantor(s) located on the Southerly side of Tall Pine Drive
 with said easement being located on the same area as that shown
 as 30 foot Conservation Restriction on Lots 1, 25, 18, and 19,
 and that area shown as Walkway Easement on Lot A on plan
 entitled:

"Tall Pines Sudbury, Mass., Definitive Subdivision Plan of
 Land". Prepared for: Tall Woods Associates, Scale 1" = 100',
 dated May 19, 1986, revised July 9, 1986, by BSC - Bedford,
 Land Surveyors and Civil Engineers, 18 North Road, Bedford,
 Mass. Said Plan to be recorded herewith.

The Town of Sudbury shall also have the right, to be exercised
 in its own discretion to construct, reconstruct, maintain and
 use a walkway and sidewalk, for all purposes for which walkways
 and sidewalks are customarily used in the Town of Sudbury,
 over, across, and through the property owned by the Grantor(s)
 located on the Northerly portions of Lots 1, 25, 18 and 19.

Address of affected property: off Tall Pine Drive, Sudbury, MA 01776

1426 17488 075

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

BK 17488 PG 115

-2-

which plan is incorporated herein by reference, with the right and easement shown on said plan together with the exact measurements and boundaries of said easement.

For Grantors title see:

(x) deed of Massachusetts Audobon Society to Tall Woods Associates Limited Partnership dated September 8, 1986 to be recorded herewith, and deed of Nicholas N. Marino and Beatrice Cabot to Tall Woods Associates Limited Partnership dated September 26, 1986 to be recorded herewith.

() certificate of title No. _____ recorded with the Middlesex Land Registration Office at Book _____ Page _____.

() probate of estate of _____, Middlesex Probate Court No. _____.

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

BK 17488 PG 116

- 3 -

The consideration for this deed is less than \$100 and therefore no excise tax stamps are required.

Witness my hand and seal this 9th day of October, 1986.

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP

By: Farm Hollow Realty Company, Inc.,
General Partner

BY Joseph L. Maillet, President and Treasurer
Joseph L. Maillet, President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

Suffolk, SS

October 9, 1986

Then personally appeared the above named JOSEPH L. MAILLET, President and ^{Treasurer} of FARM HOLLOW REALTY COMPANY, INC., General Partner as aforesaid, and acknowledged the foregoing instrument to be the free act and deed before me, of FARM HOLLOW REALTY COMPANY, INC.

Stanley L. Gordon
Notary Public

My Commission Expires December 27, 1986

Tall Pines (103)

STANLEY L. GORDON
Notary Public
My Commission Expires Dec. 27 1986

Walkway

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

BK 17488 PG 117

-4-

ACCEPTED on behalf of the TOWN OF SUDBURY by its BOARD OF
SELECTMEN, under authority of Section 3 of Article XII of the
Sudbury Bylaws, and every other authority, this 8th day
of Sept, 1986

[Signature]
Anne W. Donald
[Signature]

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

RECORDED ON OCTOBER 14, 1986 AS INSTRUMENT NO. 886

PLAN NO. _____

Form E
Pg 1 of 3

COVENANT

We, FARM HOLLOW REALTY COMPANY, INC., General Partner of TALL WOODS ASSOCIATES LIMITED PARTNERSHIP with offices at P. O. Box 386, Maynard, Middlesex County, Massachusetts, hereinafter collectively called the developer do hereby covenant for ourselves, or heirs and assigns and for our successors in title to the land shown on a Definitive Plan of Land entitled "Tall Pines Sudbury, Mass., Definitive Plan of Land." Prepared for: Tall Woods Associates, Scale 1" = 100', dated May 19, 1986, revised July 9, 1986, by BSC - Bedford, Land Surveyors and Civil Engineers, 18 North Road, Bedford, Mass. Said Plan to be recorded herewith, pursuant to General Laws, Chapter 41, Section 81 U, as amended, with the Planning Board of the Town of Sudbury as follows:

1. That we are the owners of record of the premises shown on said plan.
2. That the construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with the Rules and Regulations of the Sudbury Planning Board before such lot shall be built upon or conveyed, other than by mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises or part thereof may sell any such lot, subject only to that portion of this Covenant which provides that no lot so sold shall be built upon until such ways and services have been provided to such lot. This Covenant shall run with the land.
3. That the owner(s) covenant and agree to install municipal services and construct all ways and improvements in accordance with the Definitive Plan and the Rules and Regulations of the Planning Board of the Town of Sudbury. This covenant shall run with the land.
4. That nothing herein shall be deemed to prohibit a conveyance subject to this Covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services. That in any conveyance of any lot or lots in said subdivision which the Developer shall hereafter make by deed or mortgage it will be by appropriate description in said deed or mortgage convey to the Grantee or Mortgagee title only to the side line of the way abutting said lot or lots shown on the

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

- 2 -

Definitive Subdivision Plan, and that upon completion of said ways in accordance with the Rules and Regulations of said Board, the Developer will convey the fee simple within said ways to the Inhabitants of the Town of Sudbury, together with the title to all sewers and drains in said subdivision and the prescribed easements therefor.

5. That this Covenant shall take effect upon the approval of said plan by the Planning Board of the Town of Sudbury.

EXECUTED AND SEALED THIS Ninth day of October , 1986.

Applicant: TALL WOODS ASSOCIATES LIMITED PARTNERSHIP

By: Farm Hollow Realty Company, Inc.,
General Partner

By *Joseph L. Maillet* President and Treasurer
Joseph L. Maillet, President and Treasurer

Address: P.O. Box 386
Maynard, MA 01754

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

October 9, 1986

Then personally appeared the above-named Joseph L. Maillet, President and Treasurer, and acknowledged the foregoing instrument to be the fee act and deed of Farm Hollow Realty Company, Inc., before me.

[Signature]
Notary Public

My Commission Expires *Dec 27 1986*

STANLEY L. CORLON
Notary Public
My Commission Expires Dec 27 1986

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

- 3 -

Description of Mortgage(s): (Give complete names and Registry of Deeds reference)

Mortgage and Security Agreement given by Tall Woods Associates Limited Partnership, by Farm Hollow Realty Company, Inc., its Sole General Partner, to Guaranty-First Trust Company, dated October 9, 1986, to be recorded herewith.

Mortgage given by Tall Woods Associates Limited Partnership by Farm Hollow Realty Company, Inc., its Sole General Partner to Arthur T. Smith, et als dated October 9, 1986 to be recorded herewith.

We the undersigned, assent to the above Covenant contract and subordinate our mortgage interests thereto.

Name of Bank: Guaranty-First Trust Company

By Louis M. Chaitman
Louis M. Chaitman
Title: Senior Vice President
Guaranty-First Trust Company
Date: October 8, 1986

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss October 8, 1986

Then personally appeared the above-named Louis M. CHAITMAN Senior Vice President and acknowledged the foregoing instrument to be the free act and deed of Guaranty-First Trust Company before me.

[Signature]
Notary Public
My Commission Expires 3/4/87

We the undersigned, assent to the Covenant contract and subordinate our mortgage interests thereto.

Name of Mortgagee: Arthur T. Smith, et als

By: *Kenneth B. Hoffman*
Kenneth B. Hoffman, its attorney in fact

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

October 9, 1986

Then personally appeared the above-named Kenneth B. Hoffman, attorney in fact for Arthur T. Smith, et als, and acknowledged the foregoing to be his free act and deed and the free act and deed of Arthur T. Smith et al, before me.

[Signature]
Notary Public

My Commission expires: *Dec. 27, 1986*

STANLEY L. GORDON
Notary Public
My Commission Expires Dec. 27 1986

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

BK 17488 PG 122

DIO

PEDESTRIAN EASEMENT

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP, with offices at P.O. Box 386, Maynard, Middlesex County, Massachusetts, for nominal consideration paid, the receipt of which is hereby acknowledged, grants to the TOWN OF SUDBURY, a Municipal corporation located in Middlesex County, Massachusetts, with the address: Town Hall, Sudbury, Massachusetts, with QUITCLAIM COVENANTS: two (2) Pedestrian Easements, to allow the public access to Lots A and B, said easement to be used for all purposes for which pedestrian access easements are primarily used in the Town of Sudbury, with said Easements being shown as 20' Pedestrian Easement and Drainage Easement on Lots 11 and 12 and 20' Pedestrian Easement on Lots 5, 6, 7, 8, 9, 10, and 11 on a plan entitled:

"Tall Pines Sudbury, Mass., Definitive Subdivision Plan of Land". Prepared for: Tall Woods Associates, Scale 1" = 100', dated May 19, 1986, revised July 9, 1986, by BSC - Bedford, Land Surveyors and Civil Engineers, 18 North Road, Bedford, Mass. Said Plan to be recorded herewith, which plan is incorporated herein by reference, with the right and easements shown on said plan together with the exact measurements and boundaries of said easement.

For Grantors title see:

(x) deed of Massachusetts Audobon Society to Tall Woods Associates Limited Partnership dated September 8, 1986 to be recorded herewith, and deed of Nicholas N. Marino and Beatrice Cabot to Tall Woods Associates Limited Partnership dated September 26, 1986 to be recorded herewith.

) certificate of title No. _____ recorded with the Middlesex Land Registration Office at Book _____ Page _____.

) probate of estate of _____, Middlesex Probate Court No. _____.

Address of affected property: off Tall Pine Drive, Sudbury, MA 01776

10/14/86 892 R

SEE PLAN IN RECORD BOOK - 17488 - PAGE 025

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

17488 PG 123

- 2 -

The consideration for this deed is less than \$100 and therefore no excise tax stamps are required by law.

Witness my hand and seal this 9th day of October, 1986.

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP

By: Farm Hollow Realty Company, Inc.,
General Partner

BY Joseph Maillet, President and Treasurer
Joseph Maillet, President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

Suffolk, SS

October 9, 1986

Then personally appeared the above named JOSEPH L. MAILLET, President and ^{Treasurer} of FARM HOLLOW REALTY COMPANY, INC., General Partner as aforesaid, and acknowledged the foregoing instrument to be the free act and deed before me, of FARM HOLLOW REALTY COMPANY, INC.

Stanley L. Gordon
Notary Public

My Commission Expires December 27, 1988

STANLEY L. GORDON
Notary Public
My Commission Expires Dec. 27 1986

17488 PG 124

-3-

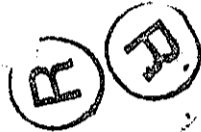
ACCEPTED on behalf of the TOWN OF SUDBURY by its BOARD OF
SELECTMEN, under authority of Section 3 of Article XII of the
Sudbury Bylaws, and every other authority, this 22 day
of Sept, 1980

[Signature]
Anne W. Donald
David A. Wallace

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

20.00

BK 17501 PG 164
CONSERVATION RESTRICTION



D 10
10
20-

1017 RE TALL WOODS ASSOCIATES LIMITED PARTNERSHIP, with offices at
P. O. Box 386, Maynard, Middlesex County, Massachusetts
1017 TR grant to the Town of Sudbury, acting through its Conservation
Commission, a conservation restriction in perpetuity on 6
1017 TR parcels, except as provided in Paragraph No. 5 herein, of land
located in said town shown as conservation restrictions on a
plan of land entitled:

10/17/84 04:02

"Tall Pines Sudbury, Mass., Definitive Subdivision Plan of
Land". Prepared for: Tall Woods Associates, Scale 1" = 100',
dated May 19, 1986, revised July 9, 1986, by BSC - Bedford,
Land Surveyors and Civil Engineers, 18 North Road, Bedford,
Mass.

Said conservation restrictions are restricted to Lot A, Lot B,
and a portion of Lots 1, 25, 18 and 19, as shown on said Plan.

The terms of the conservation restriction are as follows: that
neither we nor our successors or assigns will perform the
following acts nor permit others to perform them, hereby
granting to the town the right to enforce these restrictions
against all persons:

1. No building, sign, outdoor advertising display, fence,
mobile home, utility pole or other temporary or permanent
structure will be constructed, placed or permitted to remain on
said parcel except as provided in said paragraph numbered five
and except that a paved walkway will be constructed on Lot A,
Lot 1, 25, 18 and 19, by Tall Woods Associates Limited
Partnership, placement to be determined by the Tall Woods
Associates Limited Partnership, the Planning Board and the
Conservation Commission of the Town of Sudbury.

2. No soil, loam, peat, gravel, sand, rock, or other
mineral substance, refuse, trash, vehicle bodies or parts,
rubbish, debris, junk, waste, or unsightly or offensive
material will be placed, stored, or dumped thereon.

3. No loam, peat, gravel, sand, rock, or other mineral
resource of natural deposit shall be excavated or removed from
said parcel in such manner as to affect the surface thereof,
except as may be provided in said paragraph numbered five.

4. No trees, grasses, or other vegetation shall be cut or
otherwise destroyed, except as may be provided in said
paragraph numbered five.

5. Notwithstanding anything contained in paragraphs
numbered one through four herein, we reserve to ourselves, our
successors and assigns the right to conduct or permit the
following activities on said parcel:

Address of affected property: off Tall Pine Dr., Sudbury, MA 01776

17488-583
554
10/14/86

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

BK 17501 PG 165
-2-

- a. The cultivation and harvesting of crops, flowers and hay, the planting of trees and shrubs and the mowing of grass; the grazing of livestock; and the construction and maintenance of fences necessary in connection therewith;
- b. The cultivation and harvesting of forest products in accordance with recognized forestry conservation practices, including the construction of fire roads, provided that all slash is removed from public view;
- c. The construction and maintenance of small duck-blind;
- d. The installation of underground utilities;
- e. Notwithstanding anything contained in this paragraph five, sections a. through d., the Wetlands Protection Act (G.L. c 131, Section 40) of the Commonwealth of Massachusetts is applicable to all work relevant to the Act. All regulations and procedures contained in the Act must be followed for future work within the parcel described in this restriction.

f. *Excluded under the Conservation Restriction is work authorized under wetlands protection Act order of conditions, D&E File No 301-187m Lot A"*

[Handwritten signature]
[Handwritten initials]

The conservation restriction hereby conveyed does not grant either the town or the public any right to enter said parcel except as follows:

1. We grant to the town a permanent easement of access to enter said parcel, by its conservation commission, for the purpose of inspecting the premises and enforcing the foregoing restrictions and remedying any violation thereof. The right hereby granted shall be in addition to any other remedies available to the town for the enforcement of the foregoing restrictions. (Required by G.L. c.184, Section 32.)
2. We grant to the town a permanent easement to enter said parcel by its conservation commission or its designees to plant or selectively cut or prune trees, brush or other vegetation to improve the scenic view and to implement disease prevention measures.

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

BK 17501 PG 166

-3-

The foregoing restriction is intended to conform to G.L. c.184, Section 32-33 and is intended to maintain said parcel predominantly in its natural, scenic and open condition, in order to protect the natural and watershed resources of said town. The restriction shall be administered by the conservation commission of said town, established under G.L. c.40, Section 8C.

Grantor's title reference: see deed of Massachusetts Audubon Society to Tall Woods Associates Limited Partnership recorded as instru. # 883 dated 10/14/86 ~~to be recorded herewith~~, and deed of Nicholas N. Marino and Beatrice Cabot to Tall Woods Associates Limited Partnership dated 10/14/86 ~~to be recorded herewith~~ recorded as instru. # 884

The grant of this restriction is a gift and therefore no deed and stamps are required.

IN WITNESS WHEREOF, we have hereto set our hands and seals this 9th day of October, 1986.

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP

By: Farm Hollow Realty Company, Inc.,
General Partner

Joseph L. Maillet, President and Treasurer
BY *Joseph L. Maillet, President and Treasurer*
Joseph L. Maillet, President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

October 9, 1986

Then personally appeared the above-named JOSEPH L. MAILLET, President and Treasurer of FARM HOLLOW REALTY COMPANY, INC., General Partner as aforesaid, and acknowledged the foregoing to be the free act and deed of FARM HOLLOW REALTY COMPANY, INC., before me

[Signature]
Notary Public

My Commission Expires: Dec 27 1986

Conservation Restriction

STANLEY L. GORDON
Notary Public
My Commission Expires Dec. 27 1986

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

*copy of
this insufficient
deed*

QUITCLAIM DEED

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP, a Limited Partnership created under the laws of Massachusetts with an address at P. O. Box 386, Maynard, Massachusetts,

for consideration paid, and full consideration of \$1.00 grants to the TOWN OF SUDBURY, MASSACHUSETTS with quitclaim covenants

the land in Sudbury, described as follows:

LOTS A AND B on a Plan entitled "Tall Pines Sudbury, Mass. Definitive Subdivision Plan of Land." Prepared for: Tall Woods Associates, Scale: 1" = 100', dated May 19, 1986, revised July 9, 1986, by BSC - Bedford, Land Surveyors and Civil Engineers, 18 North Road, Bedford, Mass. Said Plan to be recorded herewith.

LOT A containing 187,848 ± square feet.
LOT B containing 205,113 ± square feet.

For title see Deed recorded in Book , Page .

WITNESS my hand and seal this 9th day of October, 1986.

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP

By: Farm Hollow Realty Company, Inc.,
General Partner

Joseph L. Maillet, President and Treasurer
BY *Joseph L. Maillet, President and Treasurer*
Joseph L. Maillet, President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

Suffolk , SS October 9 , 1986

Then personally appeared JOSEPH L. MAILLET, President and Treasurer of FARM HOLLOW REALTY COMPANY, INC., General Partner, as aforesaid, and acknowledged the foregoing to be the free act and deed of FARM HOLLOW REALTY COMPANY, INC., before me

Stanley L. Gordon
Notary Public

My Commission Expires *Dec 27 1986*

STANLEY L. GORDON
Notary Public
My Commission Expires Dec. 27 1986

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

RECORDED ON OCTOBER 14, 1986 AS INSTRUMENT NO. 889

SIGHT EASEMENT

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP, with offices at P. O. Box 386, Maynard, Middlesex County, Massachusetts, for nominal consideration paid, the receipt of which is hereby acknowledged, grants to the TOWN OF SUDBURY, a Municipal corporation located in Middlesex County, Massachusetts, with the address: Town Hall, Sudbury, Massachusetts, with **QUITCLAIM COVENANTS**: a permanent Sight Easement along the Easternly side of Lot C to ensure that adequate sight distance is maintained at the intersection of Bridle Path and Trailside Circle, and to those things as are customarily done in the Town of Sudbury to maintain said easement, with said easement being shown on plan entitled:

"Tall Pines Sudbury, Mass., Definitive Subdivision Plan of Land". Prepared for: Tall Woods Associates, Scale 1" = 100', dated May 19, 1986, revised July 9, 1986, by BSC - Bedford, Land Surveyors and Civil Engineers, 18 North Road, Bedford, Mass. Said Plan to be recorded herewith, which plan is incorporated herein by reference, with the right and easements shown on said plan together with the exact measurements and boundaries of said easement.

Address of affected property: 000 Tall Pine Drive, Sudbury, MA 01776

For Grantors title see:

(x) deed of Massachusetts Audubon Society to Tall Woods Associates Limited Partnership dated September 8, 1986 to be recorded herewith, and deed of Nicholas M. Marino and Beatrice Cabot to Tall Woods Associates Limited Partnership dated September 26, 1986 to be recorded herewith.

() certificate of title No. _____ recorded with the Middlesex Land Registration Office at Book _____ Page _____.

() probate of estate of _____ Middlesex Probate Court No. _____.

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

- 2 -

The consideration for this deed is less than \$100 and therefore no excise tax stamps are required by law.

Witness my hand and seal this 9th day of October, 1986.

TALL WOODS ASSOCIATES LIMITED PARTNERSHIP

By: Farm Hollow Realty Company, Inc.,
General Partner

By: Joseph L. Maillet, President and Treasurer
Joseph L. Maillet, President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

October 9, 1986

Then personally appeared the above-named JOSEPH L. MAILLET, /President and Treasurer of FARM HOLLOW REALTY COMPANY, INC., General Partner as aforesaid, and acknowledged the foregoing to be the free act and deed of FARM HOLLOW REALTY COMPANY, INC., before me

Stanley L. Gordon
Notary Public

My commission expires: Dec 27, 1986

STANLEY L. GORDON
Notary Public
My Commission Expires Dec. 27 1986

-3-

ACCEPTED on behalf of the TOWN OF SUDBURY by its BOARD OF
SELECTMEN, under authority of Section 3 of Article XII of the
Sudbury Bylaws, and every other authority, this 22 day
of Sept, 1980

David W. Donald
Anne W. Donald
David A. Walker

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

01/20/87 01:36 72 646 RE 10.00

BK 17790 PG 139

PLAN NO. 30-161



Form F

110-

RELEASE OF COVENANT

(Not to be used when a waiver has been given)

The undersigned, being a majority of the members of the Planning Board of Sudbury, Middlesex County, Massachusetts, hereby release from the provisions of paragraphs numbered one (1) and two (2) in the Covenant made by Tall Wood Associates Limited Partnership (Developer) dated Sept. 8, 1986 and recorded with the Middlesex South District Deeds (Registry District of the Land Court), Book 886, of Page 10/14/86, the lots numbered 1,2,3,4,5,6,7, 8,9,10,11,12,13,14 and 23 and 25 as shown on a plan entitled, "Tall Pines" (subdivision name), Definitive Subdivision Plan of Land in Sudbury, Massachusetts, dated May 19, 1986 by BSC Bedford (Engineering Company), recorded with said Deeds Book Plan No. 1426, Page Oct. 14, 1986

This release of covenant is made in consideration of the following:
 Receipt by the Planning Board of an Irrevocable Letter of Credit in the amount of \$218,164.00, an amount set by the Town Engineer

WITNESS OUR HANDS AND SEALS this 12 th day of January, 1987.

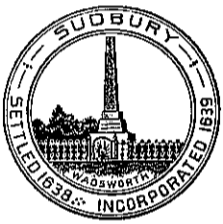
[Signature]
[Signature]
Thomas W. H. Phelps
 SUDBURY/PLANNING BOARD

Then personally appeared John C. Drobinski, one of the members of the Planning Board of the Town of Sudbury, Massachusetts, and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

January 12, 1987.
 Notary Public Janet Silva
 My commission expires: Sept. 7, 1990

ORIGINAL REFERENCE REQUESTED
 BOOK 17487 PAGE 075

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)



TOWN OF SUDBURY

Planning Board

Sudbury, Mass.
01776

PUBLIC HEARING NOTICE SUBDIVISION MODIFICATION SUDBURY PLANNING BOARD

In accordance with the provisions of Chapter 41, Section 81-T and 81-U, M.G.L., the Planning Board will hold a public hearing on Monday, May 11, 1987 at 8:00 p.m., in the Planning Office, second floor, Flynn Building, for approval of a modification, dated March 25, 1987 to an approved definitive subdivision plan entitled "Tall Pines" by BCS-Bedford, Bedford, MA, dated May 19, 1986 and revised July 9, 1986, located east of Horse Pond Road and south of Tall Pine Drive and showing 25 lots.

A copy of the plan and application is on file in the Planning Office and may be inspected during regular business hours.

Any person interested, or wishing to be heard on the proposed plan, should appear at the time and place designated.

Russell P. Kirby, Vice-Chairman

Sudbury Planning Board

To be published in the Sudbury Town Crier on April 23 and 30, 1987.



**Town of Sudbury
Highway Department**

Robert A. Noyes
Highway Surveyor
443-2209

275 Old Lancaster Road
Sudbury, Mass. 01776

May 5, 1987

Russell Kirby, Vice Chairman
Sudbury Planning Board
Sudbury, MA 01776

Re: Tall Pines Subdivision

Dear Russ:

The Highway Department has reviewed the above referenced subdivision plan and is satisfied with the revised road and drainage design. In addition, I recommend that the landscaped island be removed in order for this department to properly maintain the cul-de-sac.

Sincerely,

Robert A. Noyes
Highway Surveyor

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

PLAN NO. _____

Form C
pg 1 of 3

TOWN OF SUDBURY

Application for Approval of Definitive Plan

File one copy of this completed form with the Planning Board and one copy with the Town Clerk, in accordance with the requirements of Massachusetts General Laws, Chapter 41. Separate paragraphs are used in indicate alternative provisions.

Date: May 11, 19 87

TO THE PLANNING BOARD:

- 1. The Undersigned, being the owner* or owner-by-agreement of all land included within a proposed subdivision shown on the accompanying plan entitled:

" Modified Definitive Subdivision Plan of Tall Pines - Sudbury, Mass."

and dated March 25, 19 87*, submits such plan as a Definitive Plan of the proposed subdivision and makes application to the Board for final approval thereof. *revised June 1, 1987

- 2. The land within the proposed subdivision is subject to the following easements and restrictions:

See attached Exhibit "A" with list of easements and restrictions

- 3. There are appurtenant to the land within the proposed subdivision the following easements and restrictions over the land of others:

None

- 4. A Preliminary Plan (optional) of the proposed subdivision (has)(has not) been submitted to the Board.

A Preliminary Plan of the proposed subdivision, to which the accompanying plan conforms, was approved by the Board on _____, 19 ____.

A Preliminary Plan of the proposed subdivision was approved by the Board on _____, 19____, with modifications, which modifications have been incorporated in the accompanying plan.

5. Number of lots: 25

6. Approximate Length of Roads: 3177 (feet)(Miles)

7. Approximate area of Subdivision: 38 (acres)(squarefeet)

Attachment5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

Form C
pg 2 of 3

8. The applicant agrees, if the Definitive Plan is approved, to perform and complete all work on the ground within the proposed subdivision required by the Rules and Regulations of the Planning Board as in force on the date of this application (or if applicable on the date of an application of a Preliminary Plan) and as modified and supplemented by the work specifications and other requirements of the Board set forth in the statements attached hereto.
9. The applicant further agrees to complete all said required work on the ground within two years from the date of final approval of the Definitive Plan by the Board, unless a new application is filed with, and approved by, the Board extending such time.
10. The applicant further agrees, if the Definitive Plan is approved, to cause said plan to be recorded or registered in the District Registry of Deeds within thirty (30) days after the return of said plan to the applicant by the Board, and agrees not to sell, or to offer to sell, any of the lots within the subdivision until said plan is so recorded or registered.
11. This application is accompanied by an original drawing of the proposed Definitive Plan in accordance with the requirements of the Rules and Regulations of the Board, and a Designer's Certificate.
12. The Owner's title to Lot 3 is derived under deed from Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Associates Limited Partnership to Joseph L. Maillet, Trustee of J & M Realty Trust, under Declaration of Trust dated October 4, 1985, recorded with the Middlesex South District Registry of Deeds in Book 16529, Page 522, dated May 6, 1987, recorded with said Deeds on May 7, 1987 as Instrument No. 652.
The Owner's title to Lot 12A is derived under deed from said Farm Hollow Realty Company, Inc., to Joseph L. Maillet, Trustee of J & M Realty Trust as aforesaid, dated May 6, 1987, recorded with said Deeds on May 7, 1987 as Instrument No. 656.
The Owner's title to Lot 14 is derived under deed from said Farm Hollow Realty Company, Inc., to Joseph L. Maillet, Trustee of J & M Realty Trust as aforesaid, dated March 2, 1987, recorded with said Deeds on March 3, 1987 as Instrument No. 581.
The Owner's title to Lot 23 is derived under deed from said Farm Hollow Realty Company, Inc. to Joseph L. Maillet, Trustee of J & M Realty Trust as aforesaid, dated February 24, 1987, recorded with said Deeds on February 24, 1987 as Instrument No. 861.
The Owner's title to Lot 25 is derived under deed from said Farm Hollow Realty Company, Inc. to Joseph L. Maillet, Trustee of J & M Realty Trust as aforesaid, dated March 2, 1987, recorded with said Deeds on March 3, 1987 as Instrument No. 577.
The Owner's title to the balance of the land is derived under deed from the Massachusetts Audubon Society, Inc. to said Farm Hollow Realty Company, Inc., dated September 8, 1987, recorded with said Deeds in Book 17488, Page 70 and deed from Nicholas N. Marino and Beatrice M. Cabot to said Farm Hollow Realty Company, Inc., dated September 26, 1986, recorded with said Deeds in Book 17488, Page 71.
13. A. The applicant further agrees, before final approval of the Definitive Plan, to cause to be filed with the Board a bond, in a form satisfactory to the Board, conditioned on the completion of all required work on the ground in the time and manner prescribed, in a penal sum sufficient, in the opinion of the Board, to cover the cost of such work, and executed by the applicant as principal and an indemnity or surety company authorized to do business in the Commonwealth and satisfactory to the Board as surety, or secured by the deposit with the Town Treasurer of case or United States Government Bonds in an amount equal to the penal sum of the bond or other sufficient security; or
- B. The applicant requests the Board to approve the Definitive Plan on condition that no lot in the subdivision shall be sold and no building shall be erected or placed on any lot until the required work on the ground necessary to serve such lot adequately has been completed to the satisfaction of the Board.

Form C
pg 3 of 3

WITNESS OUR HANDS AND SEALS THIS 10th day of June, 19 87.

Farm Hollow Realty Company, Inc.
Sole General Partner of Tall Woods
Associates Limited Partnership
By: Joseph L. Mailliet (1)
Owner* Joseph L. Mailliet, President
and Treasurer

Joseph L. Mailliet, Trustee (1)
Applicant (if not owner)
Joseph L. Mailliet, Trustee of J & M
Realty Trust

P. O. Box 386, Maynard, MA 01754
Address

P. O. Box 386, Maynard, MA 01754.
Address

- (1) The application must be signed by the parties submitting it for approval and the owner of the land.
- * If there is more than one owner, all must sign.

DESIGNER'S CERTIFICAT

Date: June 10, 1987

TO THE PLANNING BOARD:

I hereby certify that the accompanying plan, entitled:

" Modified Definitive Subdivision Plan of Tall Pines - Sudbury, Mass. "

and dated March 25, 19 87, ^{/Revised June 1, 1987} is factual, accurate, and complies with the Rules and Regulations of the Sudbury Planning Board as amended

_____, 1987.

Colburn Engineering, Inc.

By: Carlton B. Colburn, Jr.
Registered Land Surveyor or
Registered Professional Engineer
Carlton B. Colburn, Jr.

454 Main Street, Hudson, MA
Address

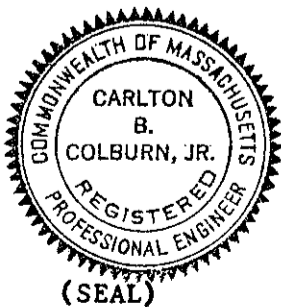


EXHIBIT "A"

1. Sight Easement granted by Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Associates Limited Partnership, to the Town of Sudbury, dated October 9, 1986, recorded with said Deeds in Book 17488, Page 112. Said Sight Easement running along the Easterly side of Lot C as shown on the subdivision plan duly recorded with said Deeds in Book 17488, Page 75.
2. Walkway Easement granted by Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Associates Limited Partnership to the Town of Sudbury, dated October 9, 1986, recorded with said Deeds in Book 17488, Page 114. Said Walkway Easement being located on Lots 1, 25, 18 and 19 and the area marked "Walkway Easement" on Lot A as shown on the subdivision plan duly recorded with said Deeds in Book 17488, Page 75.
3. Pedestrian Easement granted by Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Associates Limited Partnership to the Town of Sudbury, dated October 9, 1986, recorded with said Deeds in Book 17488, Page 122. Said Pedestrian Easement being shown as "20' Pedestrian Easement and Drainage Easement" on Lots 11 and 12 and a "20' Pedestrian Easement" on Lots 5, 6, 7, 8, 9, 10 and 11 on the subdivision plan duly recorded with said Deeds in Book 17488, Page 75.
4. Drainage Easement granted by Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Associates Limited Partnership to the Town of Sudbury, dated October 9, 1986, recorded with said Deeds in Book 17488, Page 118. Said Drainage Easement being shown as "20 foot Drainage Easement" and "20 foot Pedestrian and Drainage Easement" on Lots 11 and 12 as shown on the subdivision plan duly recorded with said Deeds in Book 17488, Page 75.
5. Order of Conditions under the Massachusetts Wetland Protection Act given by the Sudbury Conservation Commission, dated July 21, 1986, recorded with said Deeds in Book 17488, Page 125.
6. Conservation Restriction given by Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Associates Limited Partnership to the Town of Sudbury, dated October 9, 1986, recorded with said Deeds in Book 17501, Page 164. Said restrictions are restricted to Lots A, B and a portion of Lots 1, 25, 18 and 19 as shown on the subdivision plan recorded with said Deeds in Book 17488, Page 75.

18266 P055

TOWN OF SUDBURY TOWN CLERK
SUDBURY, MASS

Planning Board

1987 MAY 19 PM 3:03
Sudbury, Mass 01776

VII -

May 18, 1987

DEFINITIVE SUBDIVISION MODIFICATION - TALL PINES

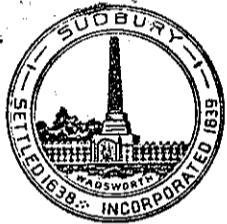
DECISION of the Planning Board of the Town of Sudbury, Massachusetts (hereinafter together with any entity succeeding to the powers of said Planning Board referred to as the Board) on the petition of Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Associates Limited Partnership (to be referred to herein as the Petitioner) for property located in Sudbury, Massachusetts on the east side of Horse Pond Road and south side of Tall Pine Drive. Said property is shown on Town Property Map No. J 07 as Lots 1 through 25, inclusive.

This decision is in response to an application for modification of a Definitive Subdivision Plan entitled, "Tall Pines", Definitive Subdivision of Land in Sudbury, Massachusetts, dated May 19, 1986, revised July 9, 1986 and drawn by BSC Bedford, 18 North Road, Bedford, Massachusetts, recorded with the Middlesex South Registry District of the Land Court, Book 17488 Page 75, Plan 1426 of 1986.

After causing notice of the time and place of its public hearing and of the subject matter thereof to be published, posted and mailed to the Petitioner, abutters and other parties in interest, as required by law, Russell P. Kirby, Vice-Chairman of the Board, called the hearing to order at 8:00 p.m. on Monday, May 11, 1987 at the Planning Board office, Flynn Building, Sudbury, Massachusetts. Board members James P. Watterson and Lael M. Meixsell were present throughout the proceedings. The Petitioner was present and was represented by Jay Cawther of Colburn Engineering, Inc. The hearing was closed at the end of the May 11, 1987 proceedings. The record of the proceedings and submissions upon which this approval is based may be referred to in the office of the Town Clerk or the Planning Board office.

The Board met on May 18, 1987 to deliberate on the proceedings and to consider the evidence. Submitted for their deliberations prior to the close of the public hearing were the following exhibits.

- Exhibit 1 - A plan entitled Modified Definitive Subdivision Plan of Tall Pines - Sudbury,



6-26-87
863
SEE PLAN IN RECORD BOOK 18766 PAGE 055

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

018266 P056

SUBDIVISION MODIFICATION DECISION
TALL PINES
Page 2

May 18, 1987

Massachusetts, drawn by Colburn Engineering, Inc., 454 Main Street, Hudson, Massachusetts and dated March 25, 1987. This plan consisted of the following:

Sheet 1 of 1, Survey Plan and Site Plan; Sheets 1, 2 and 3 of 4, Revised Plan and Profile of Bridle Path - Sudbury; and Sheet 4 of 4, Revised Plan and Profile of Trailside Circle - Sudbury.

- Exhibit 2 - Drainage Calculations for Trailside Circle and Bridle Path for the Tall Pines Subdivision, by Colbury Engineering, Inc., and dated March 30, 1987,
- Exhibit 3 - Memorandum submitted to the Board by the Sudbury Engineering Department, dated April 15, 1987 and by the Sudbury Highway Surveyor, dated May 5, 1987.
- Exhibit 4 - Memorandum submitted to the Board by the Sudbury Engineering Department, dated April 15, 1987 and by the Sudbury Highway Surveyor, dated May 5, 1987.

Except as modified by this Decision all terms and conditions under the Tall Pines Definitive Subdivision Decision dated July 28, 1986 and shown on a Plan entitled Tall Pines, Definitive Plan of Land in Sudbury, Massachusetts, drawn by BSC Bedford, 18 North Road, Bedford Massachusetts, dated May 19, 1986, revised July 19, 1986 and recorded with the Middlesex South Registry District of the Land Court in Book 17488 Page 75 as Plan 1426 of 1986 shall apply.

The Planning Board hereby APPROVES the modification of Tall Pines Subdivision as shown on the Plan, located in Sudbury, Middlesex County, Massachusetts, to be recorded herewith, subject to and with the benefits of the following restrictions and conditions:

1. That the approval herein granted is based on a plan entitled Modified Definitive Subdivision Plan of Tall Pines - Sudbury, Massachusetts, drawn by Colburn Engineering, Inc., 454 Main Street, Hudson, Massachusetts, dated March 25, 1987 and consisting of sheets as follows:

Sheet 1 of 1, Survey Plan and Site Plan; Sheets 1, 2 and 3 of 4, Revised Plan and Profile of Bridle Path - Sudbury; and Sheet 4 of 4, Revised Plan and Profile of Trailside Circle - Sudbury.

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

R 1 8 2 6 6 P 0 5 7

SUBDIVISION MODIFICATION DECISION
TALL PINES
Page 3

May 18, 1987

2. Petitioner shall cause the Modified Definitive Subdivision Plan to be revised to show the following additional or revised information, which shall be subject to review and approval of the Board prior to endorsement of the Plan:
 - a. The drainage system at STA 0+50 to STA 1+50, STA 7+97 to STA 8+25, STA 15+60 to STA 15+95, STA 19+50 to STA 22+0 Bridle Path and STA 4+0 to 4+50 Trailside Circle have less than the required depth of cover. Accordingly, the Plan shall be modified to provide for reinforced concrete pipe class III in these locations.
 - b. The Plan shall be modified to provide for a catch basin on lot #22 to prevent future ponding. If the basin is located outside the street layout a drainage easement shall be provided.
 - c. The Modified Definitive Subdivision Plan shall be modified to incorporate information shown on a Plan by BSC-Bedford, dated May 19, 1986 and revised July 9, 1986 and approved by the Sudbury Planning Board on July 28, 1986 and recorded in Book 17488 Page 75, Plan 1426 of 1986 except that lots 2A, 3A, 6A, 7A, 11A, 12A, 15A, 16A, 17A, 19A and 25A shown and dimensioned on the Modified Definitive Subdivision Plan and street dimensions shown with * on said plan shall supercede lots 2, 3, 6, 7, 11, 12, 15, 16, 17, 19, and 25.
 - d. The water distribution system and fire hydrant location shall be shown on the subdivision plan. The water distribution system and hydrant location shall be approved by the Water District and Fire Chief, respectively.
 - e. Underground utilities shall be shown on the subdivision plan. The utility layout shall be approved by the Building Department.
3. The Petitioner shall deliver to the Planning Board duplicate copies of Form C properly executed.
4. The Petitioner shall deliver to the Board a Subdivision Filing Fee in an amount equal to \$1.00 per linear foot of proposed roadway as shown on the Plan to cover administrative costs incurred by the Town for review of the Modified Definitive Subdivision Plan.

18266 P058

SUBDIVISION MODIFICATION DECISION
TALL PINES
Page 4

May 18, 1987

- 5. A Drainage Easement, satisfactory to the Board, shall be submitted prior to endorsement of the Plan.
- 6. The Petitioner shall cause this approval to be recorded or registered in the District Registry of Deeds within thirty (30) days after the return of said approval to the applicant by the Board.
- 7. The Petitioner or his authorized representative shall present the Plan to the Board for proper endorsement no later than July 20 1987, unless such time period is extended, in writing, by the Board. The Board reserves the right to rescind its approval if said Plan is not presented to the Board for endorsement within the time period herein specified. The Petitioner or his authorized representative shall further submit the Plan to the Town Planner no later than July 13, 1987 to allow the Town Planner adequate time to review the revised plan for compliance with the Conditions of this Decision.

Under the provisions of the Town of Sudbury, Subdivision Rules and Regulations and Massachusetts General Laws, Chapter 41, Section 81-K through 81-GG, inclusive, the Board shall have the power to modify or amend the terms and conditions of this approval on the application of the owner, lessee or mortgagee of the premises or upon its own motion. All the provisions of this paragraph applicable to approval shall, where appropriate, be applicable to such modification or amendment. Such power is hereby reserved.

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

The foregoing restrictions and conditions have been stated for the purpose of emphasizing their importance and are not intended to be all inclusive of negate any provision of the Town of Sudbury, Subdivision Rules and Regulations.

Witness our hands this 18th day of May, 1987.

SUDBURY PLANNING BOARD

Attachment5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

R 1 8 2 6 6 P O E 9

SUBDIVISION MODIFICATION DECISION
TALL PINES
Page 5

May 18, 1987

Russell P. Kirby

Russel P. Kirby, Vice-Chairman

James P. Watterson

James Watterson

Lael M. Meixsell

Lael M. Meixsell

Then personally appeared Russell P. Kirby, one of the members of the Planning Board of the Town of Sudbury, Massachusetts, and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

----- *May 18* -----, 1987

ELAINE L. JONES
Elaine Jones

Notary Public

My commission expires: *7/6/1990*

- cc. Town Clerk
- Board of Health
- Town Engineer
- Water District
- Park and Recreation Commission
- Conservation Commission
- Building Inspector
- Town Counsel
- Police Chief
- Fire Chief
- Farm Hollow Realty Company, Inc.
- Colburn Engineering, Inc.

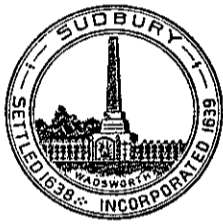
June 25, 1987

This is to certify that no notice of an appeal from the Planning Board's Definitive Subdivision Decision - Tall Pines Modification, dated May 19, 1986, revised July 9, 1986, was filed in this office within 20 days after such decision was filed on May 19, 1987.

Kathleen D. Middleton

Kathleen D. Middleton, Assistant Town Clerk

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)



TOWN OF SUDBURY

SUDBURY, MASS. 01776

June 11, 1987

443-8891
ENGINEERING DEPARTMENT
I. WILLIAM PLACE, P.E.
TOWN ENGINEER

Planning Board
Town Hall
Sudbury, MA 01776

Subject: Modified Definitive Subdivision / Tall Pines

Gentlemen:

The Engineering Department is in receipt of a set of plans titled Modified Definitive Subdivision Plan - Tall Pines by Colburn Engineering Inc. Dated March 25, 1987 revised June 1, 1987 containing 5 sheets.

I have reviewed the referenced material and find that the applicants engineer has satisfactorily addressed the concerns in my letter dated April 15, 1987.

If you have any questions, please advise.

Sincerely yours,

I. William Place, P.E.
Town Engineer

cc: Colburn Engineering

Attachment5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

DRAINAGE EASEMENT

FARM HOLLOW REALTY COMPANY, INC., SOLE GENERAL PARTNER OF TALL WOODS ASSOCIATES LIMITED PARTNERSHIP, A MASSACHUSETTS LIMITED PARTNERSHIP, AND JOSEPH L. MAILLET, TRUSTEE OF J & M REALTY TRUST, UNDER DECARATION OF TRUST DATED OCTOBER 4, 1985, RECORDED WITH THE MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS IN BOOK 16529, PAGE 522, with offices at P. O. Box 386, Maynard, Middlesex County, Massachusetts, for nominal consideration paid, grants to the TOWN OF SUDBURY, a municipal corporation located in said Middlesex County, having the address of: Town Hall, Old Sudbury Road, Sudbury, Massachusetts 01776, easements and rights of way over, across, under, and through the property hereinafter described for the purpose of laying, relaying, erecting, constructing, reconstructing, altering, maintaining and operating over, through and upon the same, drainage pipe line or lines, or catch basins, together with the right to change the size or sizes of such line or lines and with the right of ingress and egress to and from the same for said purposes, shown as a 20 foot Drainage Easement on Lot 5 and a 20 foot Pedestrian and Drainage Easement on Lots 11A and 12A, and a Drainage Easement on Lot 22 as shown on a plan entitled, "Modified Definitive Subdivision Plan of Tall Pines - Sudbury, Mass." owner & Applicant: Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Assoc. Limited Partnership, Plan By: Colburn Engineering, Inc., Scale: 1" = 100', March 25, 1987, Revised June 1, 1987, located on the Southerly side of Tall Pine Drive in said Sudbury, which plan is incorporated herein by

06/26/87 02:15 TR 845 RE 10

Address of affected property: off Tall Pines Drive, Sudbury, MA 01776

863 18266 055

Attachment5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

1 8 2 0 0 F U L L

reference and recorded herewith and to which plan reference may be had for a complete description of said easement areas.

For title to Lot 5, Lot 11A and Lot 22, see deed from Massachusetts Audubon Society, Inc. to Farm Hollow Realty Company, Inc. Sole General Partner of Tall Woods Associates Limited Partnership, recorded with said Deeds in Book 17488, Page 70, and deed from Nicholas N. Marino and Beatrice M. Cabot to Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Associates Limited Partnership, recorded with said Deeds in Book 17488, Page 71.

For title to Lot 12A, see deed from Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Associates Limited Partnership, to Joseph L. Maillet, Trustee of J & M Realty Trust, under Declaration of Trust dated October 4, 1985, recorded with said Deeds in Book 16529, Page 522, recorded with said Deeds on May 7, 1987 as Instrument No. 656.

The consideration for this deed is less than \$100.00 and therefore no excise tax stamps are required by law.

In Witness Whereof, the said Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Associates Limited Partnership, has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by Joseph L. Maillet, its President and Treasurer, hereto duly authorized this 10th day of June, 1987.

Farm Hollow Realty Company, Inc.
Sole General Partner of Tall Woods
Associates Limited Partnership

By Joseph L. Maillet, President & Treasurer
Joseph L. Maillet, President
and Treasurer

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

1 8 2 6 6 P O F 2

ACCEPTED on behalf of the TOWN OF SUDBURY by its BOARD OF
SELECTMEN, under authority on Section 3 of Article XII of the
Sudbury ByLaws, and every other authority, this 22ND day of
June, 1987.

Anne W. Donald
Carol A. Wallace
[Signature]

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

P 1 8 2 6 6 P 0 6 3

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

June 10, 1987

Then personally appeared the above-named Joseph L. Maillet, President and Treasurer as aforesaid and acknowledged the foregoing instrument to be the free act and deed of Farm Hollow Realty Company, Inc., Sole General Partner of Tall Woods Associates Limited Partnership, before me

Notary Public
My Commission Expires:

Stanley L. Gordon
NOTARY PUBLIC
My Commission Expires Dec. 17, 1993

Witness my hand and seal this 10th day of June, 1987.

Joseph L. Maillet
Joseph L. Maillet, Trustee of
J & M Realty Trust

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

June 10, 1987

Then personally appeared the above-named Joseph L. Maillet, Trustee of J & M Realty Trust as aforesaid and acknowledged the foregoing instrument to be his free act and deed, before me

Notary Public
My Commission Expires:

Stanley L. Gordon
NOTARY PUBLIC
My Commission Expires Dec. 17, 1993

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

PLAN NO. 30-161

Form F

RELEASE OF COVENANT

(Not to be used when a waiver has been given)

The undersigned, being a majority of the members of the Planning Board of Sudbury, Middlesex County, Massachusetts, hereby release from the provisions of paragraphs numbered one (1) and two (2) in the Covenant made by Tall Wood Associates Limited Partnership (Developer) dated Sept. 8, 1986 and recorded with the Middlesex South District Deeds (Registry District of the Land Court), Book No. 886, dated 10/14/86, Page , the lots numbered 15A, 16A, 17A, 18, 19A, 20, 21, 22, 23 and 24 as shown on a plan entitled, "Tall Pines" (subdivision name), Definitive Subdivision Plan of Land in Sudbury, Massachusetts, dated March 25, 1987, ^{revised June 1, 1987 & June 15, 1987} by Colburn Engineering, Inc., Hudson, MA (Engineering Company), recorded with said Deeds Book Plan No. 863, Page June 26, 1987

This release of covenant is made in consideration of the following:

- Irrevocable Letter of Credit in amount of \$218,164.00
- Irrevocable Letter Of Credit in the amount of \$22,250.00

WITNESS OUR HANDS AND SEALS this 29th day of June, 1987.

Russell P. Kirby
James M. McInnis
Walter Leonard
 SUDBURY PLANNING BOARD

Then personally appeared Russell P. Kirby, one of the members of the Planning Board of the Town of Sudbury, Massachusetts, and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me

_____, 19____.
 Notary Public
 My commission expires: _____

Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)

PLAN NO. 30-161

Form F

RELEASE OF COVENANT

CONFIRMATORY

The undersigned, being a majority of the members of the Planning Board of Sudbury, Middlesex County, Massachusetts, hereby release from the provisions of paragraphs numbered one (1) and two (2), in the Covenant made by

Tall Wood Associates Limited Partnership
(Developer)

dated September 8, 1986 and recorded with the Middlesex South District Deeds (Registry District of the Land Court), Book No. 886, dated 10/14/86, the lot numbered 18, as shown on a plan entitled,

"Tall Pines Definitive Subdivision Plan of Land in Sudbury, Massachusetts",
(Subdivision Name)

dated March 25, 1987, revised June 1, 1987 & June 15, 1987 by Colburn Engineering, Inc., Hudson, MA (Engineering Company), recorded with said Deeds Book Plan No. 863, dated June 26, 1987.

WITNESS OUR HANDS AND SEALS this 10th day of November, 2004.

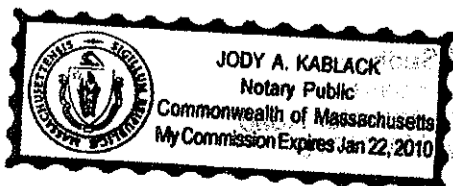
Michael J...
Christopher Morely
R.D. Egler

SUDBURY PLANNING BOARD

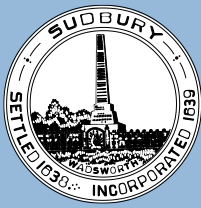
THE COMMONWEALTH OF MASSACHUSETTS
MIDDLESEX, SS

On this 10th day of November, 2004, before me, the undersigned notary public, personally appeared the above-named Michael C. Fox, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose, as a member for the Sudbury Planning Board, a municipal board.

Jody A. Kablack
Jody A. Kablack, Notary Public
My commission expires January 22, 2010



Attachment 5.e: Tall Pines (2) (6216 : Pedestrian Easement - Tall Pines)



SUDBURY SELECT BOARD
Tuesday, April 30, 2024

TIMED ITEM

6: Class 1 License - Mercedes Benz of Sudbury

REQUESTOR SECTION

Date of request:

Requestor: Mercedes Benz of Sudbury

Formal Title: As the Licensing Authority for the Town of Sudbury, vote whether to approve a new Class 1 License to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or Parts Thereof for Mercedes Benz of Sudbury, 141 Boston Post Road, as requested in an application dated April 4, 2024.

Recommendations/Suggested Motion/Vote: As the Licensing Authority for the Town of Sudbury, vote whether to approve a new Class 1 License to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or Parts Thereof for Mercedes Benz of Sudbury, 141 Boston Post Road, as requested in an application dated April 4, 2024.

Background Information:
Attached application and department feedback

Financial impact expected:

Approximate agenda time requested: 10 minutes

Representative(s) expected to attend meeting: Joshua M. Fox, Esq., Applicant's Attorney

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

04/30/2024 7:00 PM

Rollins, Rollins & Fox, P.C.
 Attorneys At Law
 36 Glen Avenue
 Newton, MA 02459
 617-969-7555
 FACSIMILE 617-969-5281

DANIEL G. ROLLINS (1910-1975)
 SELMA R. ROLLINS (1913-1991)
 MYRON J. FOX (info@rrf-law.com)

ARNOLD R. GLICK* (aglick@rrf-law.com)
 JOSHUA M. FOX (jfox@rrf-law.com)

*Also Admitted in Florida

April 4, 2024

By Hand Delivery

Select Board
 Town of Sudbury
 Flynn Building
 278 Old Sudbury Road
 Sudbury, MA 01776

Re: 141 Boston Post Road

Dear Members of the Board:

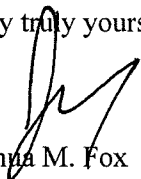
On behalf of my client, Herb Chambers of Natick, Inc., d/b/a Mercedes Benz of Sudbury, I hereby submit to the Board for consideration an application for a Class I License which includes:

1. Completed Application for Class I License;
2. MADOR issued Certificate of Good Standing and/or Tax Compliance;
3. Certificate of Workers Compensation Liability Insurance;
4. DBA Certificate;
5. ZBA Notice of Decision; and
6. Check in the amount of \$50.00 made payable to the Town of Sudbury.

I ask that you kindly schedule this matter for the next available hearing date and advise me of same.

If you require any further information or documentation, please do not hesitate to contact me.

Very truly yours,

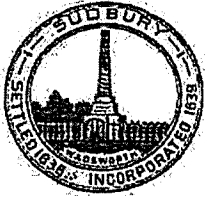


Joshua M. Fox

Enc.

REC'D TOWN OF SUDBURY
 APR 4 2024 AM 8:47

Attachment6.a: Mercedes Class 1 Application_SB (6211 : Class 1 License - Mercedes Benz of Sudbury)



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: sbadmin@sudbury.ma.us

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE OR ASSEMBLE SECOND HAND MOTOR VEHICLES OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for:

Please check one: Class 1 License Class 2 License OR Class 3 License

to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

Business Name: Herb Chambers of Natick, Inc. d/b/a Mercedes Benz of Sudbury

Business Address: 141 Boston Post Road Sudbury MA 01776

Email: ddevoe@herbchambers.com

Is the above concern an: _____

Please check one: Individual Co-partnership Association or corporation

If an individual, state full name and residential address: _____

If a co-partnership, state full names and residential addresses of the persons composing it: _____

If an association or a corporation, state full names and residential addresses of the principal officers.

President: Herbert G Chambers, 259 McGrath Hwy Somerville MA 02143

Secretary: James A Duchesneau, 47 Eastern Blvd., Glastonbury CT 06033

Treasurer: Herbert G Chambers, 259 McGrath Hwy, Somerville MA 02143

Are you engaged principally in the business of buying, selling or exchanging motor vehicles? Yes

If so, is your principal business the sale of new motor vehicles? Yes

Is your principal business the buying and selling of second hand motor vehicles? Yes

Is your principal business that of a motor vehicle junk dealer? No

Description of premises: Automobile Dealership Sales & Service

Are you a recognized agent of a motor vehicle manufacturer? Yes

If so, state name of manufacturer: Mercedes Benz

Have you a signed contract as required by Section 58, Class 1? Yes

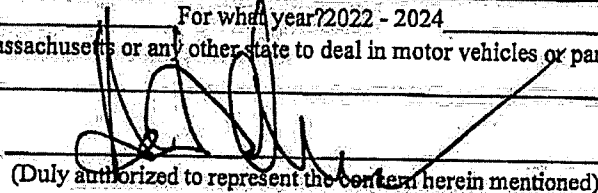
Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? Yes

If so, in what city/town? Medford MA

Did you receive a license? Yes For what year? 2022 - 2024

Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? No

Sign your name in full:


(Duly authorized to represent the concern herein mentioned)

Residence of authorized representative: 259 McGrath Hwy, Somerville MA 02143

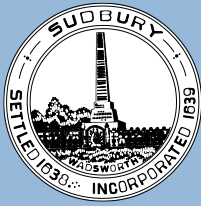
IMPORTANT: EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

Attachment 6.a: Mercedes Class 1 Application_SB (6211 : Class 1 License - Mercedes Benz of Sudbury)

**Mercedes Benz of Sudbury – Class 1 License Application
Department Feedback**

Department	Staff	Date	Comments
Building Department	Andrew Lewis	4/11/24	No issue from Building Dept.
Conservation Department	Lori Capone	4/11/24	There is an open Order of Conditions for this construction but work is in good standing. This Order would not be closed out prior to issuance of a Certificate of Occupancy. However, I have no concerns with the issuance of a Class I License for this operation.
Fire Department	Asst. Chief Choate	4/11/24	No issues with the FD. They are finalizing their detection and suppression systems and we are awaiting a date for their final inspection.
Planning Department	Adam Burney	4/11/24	There is an approved Site Plan and Stormwater Permit for 141 Boston Post Road. There have not been any significant issues throughout the construction process, however, they have not had final inspections at this time which would be required prior to the issuance of a Certificate of Occupancy. That said the Planning and Community Development Department have no issues with the issuance of a Class I Dealers license for the location.
Police Department	Chief Nix	4/11/24	Police Department is good with the application from our perspective.

Town Counsel Riley found the application to be in order. (4/11/24)



SUDBURY SELECT BOARD
Tuesday, April 30, 2024

MISCELLANEOUS (UNTIMED)

7: Article 28 discussion

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion on Town Meeting Article 28 regarding GLT/Library EV Chargers.

Recommendations/Suggested Motion/Vote: Discussion on Town Meeting Article 28 regarding GLT/Library EV Chargers.

Background Information:

Financial impact expected:

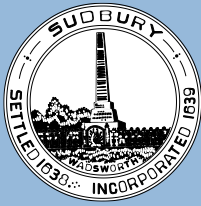
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

04/30/2024 7:00 PM



SUDBURY SELECT BOARD
Tuesday, April 30, 2024

MISCELLANEOUS (UNTIMED)

8: Discussion on 2024 ATM articles

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Discussion regarding 2024 Annual Town Meeting: consent calendar, positions on articles; other.

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

04/30/2024 7:00 PM

**Annual Town Meeting Articles
May 6, 2024**

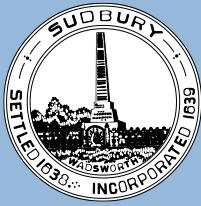
#	Article Title	Sponsor/ Submitted by	Category	Article Presenter	SB Position Vote	SB Position	Date SB voted	FinCom Position Vote	FinCom Position	Funding Source	Requested Amount	Required Vote	Consent Calendar (Y/N)
1	Hear Reports	Select Board	Finance/Budget	Craig Blake	5-0	Support	4/23			-		Majority	
2	FY24 Budget Adjustments	Select Board	Finance/Budget	Sheehan	5-0	Support	4/23				\$0	Majority	
3	FY25 Budget	Town Manager	Finance/Budget	Sheehan	5-0	Support	3/26	6-1	Support	Levy	\$121,605,022	Majority	
4	FY25 Town Manager's Capital Budget	Town Manager	Finance/Budget	Sheehan	5-0	Support	3/26	7-0	Support	Levy	\$628,697	Majority	
5	FY25 Transfer Station Enterprise Fund Budget	Town Manager	Finance/Budget	Sheehan	5-0	Support	3/26	7-0	Support	Enterprise	\$329,869	Majority	Y
6	FY25 Pool Enterprise Fund Budget	Town Manager	Finance/Budget	Sheehan	5-0	Support	3/26	7-0	Support	Enterprise	\$537,783	Majority	Y
7	FY25 Recreation Field Maintenance Enterprise Fund Budget	Town Manager	Finance/Budget	Sheehan	5-0	Support	3/26	7-0	Support	Enterprise	\$243,663	Majority	Y
8	FY24 Snow & Ice Transfer	Town Manager	Finance/Budget	Sheehan	5-0	Support	4/23	HOLD	Report at Town Meeting	Free Cash	\$ 245,073	Majority	Y
9	Unpaid Bills of Prior Fiscal Years	Town Accountant	Finance/Budget	Keohane	5-0	Support	4/23	N/A	Report at Town Meeting	Free Cash	\$0	Four-Fifths	
10	Chapter 90 Highway Funding	Director of Public Works	Finance/Budget	Nason	5-0	Support	3/12	7-0	Support	State	-	Majority	Y
11	FY25 Stabilization Fund	Select Board	Finance/Budget	Carty	5-0	Support	3/12	7-0	Support	Free Cash	\$201,507	Majority	Y
12	FY25 Revolving Fund Spending Limits	Finance Director	Finance/Budget	Keohane	5-0	Support	3/12	7-0	Support	Fees	-	Majority	Y
13	Capital Stabilization Fund	Town Manager	Finance/Budget	Sheehan	5-0	Support	3/12	7-0	Support	Free Cash	\$250,000	Majority	Y
14	Revoke Opioid Settlement Stabilization Fund	Board of Health	Finance/Budget	Sheehan/ Zeng	5-0	Support	3/12	7-0	Support			Two-Thirds	
15	Means Tested Senior Tax Exemption Extension	Board of Assessors	Finance/Budget	Josh Fox	5-0	Support	3/12	7-0	Support			Majority	Y
16	Amend Zoning Bylaw: Firearms Safety Business Use	Select Board	Other	Russo	3-2	Support	3/12		Report at Town Meeting			Two-Thirds	
17	Acquisition of MBTA Buildings	Historical Commission	Other	Hagger	5-0	Support	3/12	7-0	Support			Two-Thirds	
18	Swap Body Trucks w/Plow & Various Bodies - 2 of same vehicle	Director of Public Works	Other	Nason	5-0	Support	3/12	7-0	Support	Free Cash	\$560,000	Majority	Y
19	Pickup Truck with Plow	Director of Public Works	Other	Nason	5-0	Support	3/12	7-0	Support	Free Cash	\$120,000	Majority	Y
20	Town Wide Culvert and Drainage Reconstruction	Director of Public Works	Other	Nason	5-0	Support	3/12	7-0	Support	Levy	\$625,000	Majority	
21	DPW Roof Top HVAC Unit Replacements	Facilities Director	Other	Duran	5-0	Support	3/12	7-0	Support	Levy	\$200,000	Majority	Y
22	DPW Salt Shed Vinyl Cover Replacement	Facilities Director	Other	Duran	5-0	Support	3/12	7-0	Support	Levy	\$125,000	Majority	Y
23	Atkinson Pool Renovation	Facilities Director	Other	Duran	5-0	Support	3/12	7-0	Support	Debt	\$2,350,000	Two-Thirds	
24	SPS - School Classroom Instructional Equipment Replacement	SPS School Committee	Other	Crozier	5-0	Support	3/12	7-0	Support	Free Cash	\$100,000	Majority	Y
25	SPS - Haynes Elementary School Dehumidification HVAC	SPS School Committee	Other	Duran	5-0	Support	3/12	7-0	Support	Free Cash	\$150,000	Majority	Y

Attachment 8.a: 2024 ATM_Articles_for website (6117 : Discussion on 2024 ATM articles)

Annual Town Meeting Articles
May 6, 2024

#	Article Title	Sponsor/ Submitted by	Category	Article Presenter	SB Position Vote	SB Position	Date SB voted	FinCom Position Vote	FinCom Position	Funding Source	Requested Amount	Required Vote	Consent Calendar (Y/N)
26	LSRHS Lighting Control Replacement	Lincoln-Sudbury Regional School Committee	Other	Stephens	5-0	Support	3/26	7-0	Support	Free Cash	\$144,585	Majority	Y
27	LSRHS Exterior Stairwell Replacement	Lincoln-Sudbury Regional School Committee	Other	Stephens	5-0	Support	3/26	7-0	Support	Free Cash	\$130,965	Majority	Y
28	Electric Vehicle Charging Stations - Goodnow Library	Goodnow Library Trustees	Other				4/2		Report at Town Meeting	Free Cash	\$80,000	Majority	
29	Amend General Bylaw, Art. XV, Building Permit Fees	Town Manager	Other	Sheehan	5-0	Support	4/2	6-0-1	Support			Majority	
30	Amend General Bylaws, Art. XXII, Conservation Commission Fees	Town Manager	Other	Sheehan	5-0	Support	4/2	6-0-1	Support			Majority	
31	Amend Zoning Bylaw: Codification - Additional Changes	Town Clerk	Other	Klein	5-0	Support	4/2					Two-Thirds	
32	Amend Zoning Bylaw: Section 6390A, Site Plan Review Lapse and Appeal Modification	Planning Board	Other		5-0	Support	4/2					Majority	
33	Amend Zoning Bylaw Article IX: Insert Section 4700C Multi-Family Overlay District (MBTA Zoning)	Planning Board	Other		5-0	Support	4/2		Report at Town Meeting			Majority	
34	Amend Zoning Bylaw Article IX: Insert Section 5600 Inclusion of Affordable Housing	Planning Board	Other		5-0	Support	4/2		Report at Town Meeting			Majority	
35	Community Preservation Act Fund - Wayside Inn Road Bridge Reconstruction	Community Preservation Committee	Community Preservation		5-0	Support	3/26	6-0-1	Support	CPC	\$400,000	Majority	Y
36	Community Preservation Act Fund - Bruce Freeman Rail Trail Phase 3	Community Preservation Committee	Community Preservation		5-0	Support	3/26	7-0	Support	CPC	\$600,000	Majority	Y
37	Community Preservation Act Fund - Sudbury Housing Authority Allocation	Community Preservation Committee	Community Preservation		5-0	Support	4/2	7-0	Support	CPC	\$450,000	Majority	Y
38	Community Preservation Act Fund - Sudbury Housing Trust Allocation	Community Preservation Committee	Community Preservation		4-1	Support	4-1	7-0	Support	CPC	\$380,000	Majority	Y
39	Community Preservation Act Fund - Remediation of Water Chestnuts from Hop Brook Pond System	Community Preservation Committee	Community Preservation		5-0	Support	3/26	7-0	Support	CPC	\$56,221	Majority	Y
40	Community Preservation Act Fund - Parkinson Field Driveway Design	Community Preservation Committee	Community Preservation		4-1	Support	3/26	2-5	Report at Town Meeting	CPC	\$100,000	Majority	Y
41	Community Preservation Act Fund - Community Garden	Community Preservation Committee	Community Preservation		5-0	Support	3/26	7-0	Support	CPC	\$40,000	Majority	Y
42	Community Preservation Act Fund - Regional Housing Services Office (RHSO) Membership Fee	Community Preservation Committee	Community Preservation		5-0	Support	3/26	7-0	Support	CPC	\$33,000	Majority	Y
43	Community Preservation Act Fund - Return of Unspent Funds	Community Preservation Committee	Community Preservation		5-0	Support	3/26	7-0	Support	CPC	\$28,051	Majority	Y
44	Community Preservation Act Fund - General Budget and Appropriations	Community Preservation Committee	Community Preservation		5-0	Support	3/26	7-0	Support	CPC	\$864,693	Majority	Y
45	Amend General Bylaws, Chapter 20, by Adding "Disability"	Petition	Petition	Kay Bell	5-0	Support	4/23					Majority	

Attachment 8.a: 2024 ATM_Articles_for website (6117 : Discussion on 2024 ATM articles)



SUDBURY SELECT BOARD
Tuesday, April 30, 2024

MISCELLANEOUS (UNTIMED)

9: Discussion on voc ed

REQUESTOR SECTION

Date of request:

Requestor: Lisa K

Formal Title: Discussion on Vocational Education.

Recommendations/Suggested Motion/Vote:

Background Information:

Financial impact expected:

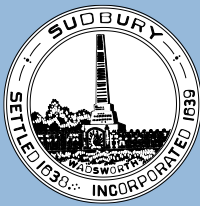
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

04/30/2024 7:00 PM



SUDBURY SELECT BOARD

Tuesday, April 30, 2024

EXECUTIVE SESSION

10: Executive Session discuss Collective Bargaining

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Vote to enter Executive Session to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares (exception 3).

Recommendations/Suggested Motion/Vote: Vote to enter Executive Session to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares (exception 3).

Background Information:

Financial impact expected:

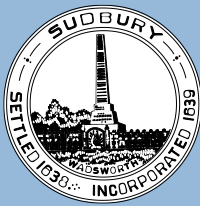
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

04/30/2024 7:00 PM



SUDBURY SELECT BOARD

Tuesday, April 30, 2024

EXECUTIVE SESSION

11: Executive Session re: negotiation with nonunion personnel

REQUESTOR SECTION

Date of request:

Requested by: Patty Golden

Formal Title: Continue executive session to conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel, namely the Town Manager, pursuant to General Laws chapter 30A, §21(a)(exception 2).

Recommendations/Suggested Motion/Vote: Continue executive session to conduct strategy session in preparation for negotiations with nonunion personnel and/or to conduct contract negotiations with nonunion personnel, namely the Town Manager, pursuant to General Laws chapter 30A, §21(a)(exception 2).

Background Information:

Financial impact expected:

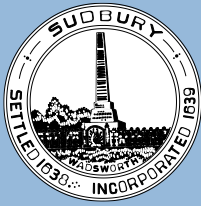
Approximate agenda time requested:

Representative(s) expected to attend meeting:

Review:

- Select Board Office Pending
- Town Manager's Office Pending
- Town Counsel Pending
- Select Board Pending
- Select Board Pending

04/30/2024 7:00 PM



SUDBURY SELECT BOARD
Tuesday, April 30, 2024

EXECUTIVE SESSION

12: Close Exec 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:

Select Board Office	Pending
Town Manager's Office	Pending
Town Counsel	Pending
Select Board	Pending
Select Board	Pending

04/30/2024 7:00 PM