

SUDBURY SELECT BOARD

WEDNESDAY NOVEMBER 6, 2024

7:00 PM

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

ZOOM Meeting

Present: Chair Jennifer Roberts, Vice-Chair Daniel Carty, Select Board Member Lisa Kouchakdjian, Select Board Member Janie Dretler, Select Board Member Charles Russo, Town Manager Andrew Sheehan

The statutory requirements as to notice having been compiled with, the meeting was convened at 7:02 PM via Zoom telecommunication mode.

Chair Roberts announced the recording of the meeting and other procedural aspects included in the meeting.

Call to Order

Select Board Roll Call: Carty-present, Kouchakdjian-present, Dretler-present, Russo-present, Roberts-present

Opening Remarks by Chair

- Recognized the election results and thanked Town Clerk, Town Staff, election workers, and Police dept. for conducting a smooth election
- Encouraged everyone in the community to come together and be respectful

Reports from Town Manager

- Thanked all associated with conducting a very smooth and well-run election; in particular the Town Clerk and her staff
- Announced that Sudbury voter turnout numbers reflected 79.5% - a bit lower than past presidential elections

Reports from Select Board

Vice-Chair Carty:

- Thanked all election workers and early voting processing as well
- Recognized the success of the Sudbury Doing Good Festival over the weekend
- Thanked Board Member Kouchakdjian and others for a great Accessible Halloween event
- Announced SPS has been granted State funds for the roofs at Haynes and Curtis schools
- CPC hearings are beginning
- Technical difficulties with the last Select Board Office Hours session; next office hours on 11/20/24 at 7:00 PM, hosted by he and Board Member Dretler

Board Member Kouchakdjian:

- Thanked all associated with yesterday's election; recognized the Town Clerk's Office

- Great Accessible Halloween event in the Meadowbrook neighborhood, and she thanked volunteers and those who planned the event; everyone came together at the event and shared non-edible treats as well.
- Community discussion regarding office hours/listening sessions; she sent a memo to Open Government and they replied that as long there is no quorum of the Board there are no Open Meeting violations with such Office Hours meetings. She asked that the email be placed in a supplemental packet for tonight's meeting

Board Member Dretler:

- Thanked Town Clerk's office for a successful election and participation has risen to 81% of Town voters
- Congratulated Carmine Gentile on his re-election as State Representative
- Announced that she and Lisa Kouchakdjian participated in the Sudbury/Wayland/Lincoln Domestic Violence Roundtable Shine-a-Light Vigil on 10/29 at the Sudbury United Methodist Church, thanked Town Manager Sheehan and staff and other town organizations for offering commemorative purple lights in Town Center in remembrance of Domestic Violence Awareness Month.
- Announced Accessible Halloween event was a great experience as attended by she and her family, and thanked Member Kouchakdjian, volunteers and sponsors for their efforts
- Sudbury Housing Trust presenting applications for CPA funding on 11/20/24, which may require rescheduling of Select Board Office Hours
- Rail Trail Advisory Committee meeting taking place tonight to address Phase 3 and the MA Central Rail Trail; updates will be provided for the Select Board
- Sudbury Holiday Village scheduled for Dec. 7th from 11:00 am to 2:00 pm in the Town Center with Christmas tree and Menorah lighting
- Was at the Fairbank Community Center today; the Center is becoming a hub of activity for Sudbury and was fantastic

Board Member Russo:

- Recognized that in the last 24 hours many strong, mixed feelings in Sudbury; great election process at the Fairbank Center
- Thanks to SPS and MSBA for school roof funding at Curtis and Haynes Schools

Public comments

Resident Laura Harris, 15 Ironworks Road, addressed flooding issues in connection with the proposed Kansa 40B housing project in Maynard. She stressed that the project is near a critical well site and would impact water quality and quantity. Ms. Harris voiced concerns about safety with traffic, bikers; she confirmed that she witnessed an accident yesterday at this site. Ms. Harris explained that some six acres of the subject land is in Sudbury, which will impact wetlands and wildlife. She asked that the Select Board advocate for the residents of Sudbury.

Resident Laura Briggs, 94 Belcher Drive, stated that private homes had been previously approved at the Kansa site, and that such a development would be preferable. The proposed apartment buildings would not have a ready supply of water and flooding and impacts on wildlife in these wetlands would be likely. She requested that the Select Board request additional documentation.

Resident Diana Warren, 32 Old Framingham Road, spoke of the Hosmer House and related CPC applications; she noted that it would be premature to publish the Homer House Select Board article at this time in consideration of CPC hearings and deliberations. Ms. Warren explained that the Historical Report is still in process. She requested that the Select Board edit the article or postpone printing of the article.

Consent Calendar

1. Vote to Grant a Special Permit to Pete Gottlieb to hold the "Sudbury Turkey Trot for Cancer Research" on Thursday, November 28, 2024, from 8:30 AM through approximately 10 AM, subject to compliance with conditions outlined by the Police and Fire Departments, DPW and Park and Recreation, subject to receipt of a certificate of liability.

2. Vote to accept Emergency Management Performance Grant (EMPG) funds in the amount of \$4,600 for the purchase of Ice/Water Rescue equipment.

Vice-Chair Carty motioned to approve Consent Calendar items 1 and 2, as presented in the Select Board packet of 11/4/24. Board Member Kouchakdjian seconded the motion.

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

VOTED: To approve Consent Calendar items 1 and 2, as presented in the Select Board packet of 11/4/24

Public Hearing

PUBLIC HEARING: Application of RBSBW, Inc. dba Sudbury Farms, 439 Boston Post Road, Sudbury, MA 01776 for a Financial Reorganization of the company, "Action 1", consisting of a Change of Ownership Interest, Transfer of Stock, and Change of Corporate Structure. Immediately following Action 1, the applicant has applied for an additional Change of Beneficial Interest and Issuance Stock Transfer, "Action 2". The existing Off-Premises Wine and Malt License will remain located at the above address. This hearing will be held pursuant to the Board's Rules, all of the provisions within the Laws of the Commonwealth, including but not limited to, G. L. c. 138, §§ 12, 14, 15, 15A, 16A, 23, 34-34C, 60, 63A, 64-64A, 69 and/or 77, and/or G. L. c. 140, §§ 2, 9, 20, 22, 24, 26, 30, 32E, 177, 178, and/or G. L. c. 30 § 20 and/or 185I, and/or the Massachusetts Code of Regulations.

Vice-Chair Carty motioned to open the public hearing for RBSBW, Inc. dba Sudbury Farms, 439 Boston Post Road, Sudbury, MA 01776 for a Financial Reorganization of the company, "Action 1", consisting of a Change of Ownership Interest, Transfer of Stock, and Change of Corporate Structure. Immediately following Action 1, the applicant has applied for an additional Change of Beneficial Interest and Issuance Stock Transfer, "Action 2". The existing Off-Premises Wine and Malt License will remain located at the above address. This hearing will be held pursuant to the Board's Rules, all of the provisions within the Laws of the Commonwealth, including but not limited to, G. L. c. 138, §§ 12, 14, 15, 15A, 16A, 23, 34-34C, 60, 63A, 64-64A, 69 and/or 77, and/or G. L. c. 140, §§ 2, 9, 20, 22, 24, 26, 30, 32E, 177, 178, and/or G. L. c. 30 § 20 and/or 185I, and/or the Massachusetts Code of Regulations. Board Member Kouchakdjian seconded the motion.

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

VOTED: To open the public hearing for RBSBW, Inc. dba Sudbury Farms, 439 Boston Post Road, Sudbury, MA 01776 for a Financial Reorganization of the company

Present: Alexander P. Furey, Sudbury Farms; Andrew Upton, Attorney

Mr. Upton explained aspects associated with the companies' name change and entity classification aspects. He detailed that the presented application relates to some nine Roche Bros. stores.

Town Manager Sheehan confirmed that Staff reviewed the request and had no further questions.

Vice-Chair Carty asked about the existing liquor license. Mr. Upton stated the liquor license would not change.

Board Member Dretler asked about renovations to be made to the building. Mr. Upton responded that any alterations would not affect the voting action presented at this hearing.

Vice-Chair Carty to close the evidentiary part of the public hearing relative to change of ownership at Roche Bros. Board Member Kouchakdjian seconded the motion.

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

VOTED: To close the evidentiary part of the public hearing relative to change of ownership at Roche Bros

Vice-Chair Carty motioned to approve Action 1 – Change of Ownership Interest, Transfer of Stock, and Change of Corporate Structure for the company known as RBSBW, Inc. d/b/a Sudbury Farms, 439 Boston Post Road, Sudbury, MA. Board Member Kouchakdjian seconded the motion.

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

VOTED: To approve Action 1 – Change of Ownership Interest, Transfer of Stock, and Change of Corporate Structure for the company known as RBSBW, Inc. d/b/a Sudbury Farms, 439 Boston Post Road, Sudbury, MA

Vice-Chair Carty motioned to approve Action 2 - Change of Beneficial Interest and Issuance Stock Transfer for the company known as RBSBW, Inc. d/b/a Sudbury Farms, 439 Boston Post Road, Sudbury, MA. Board Member Kouchakdjian seconded the motion.

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

VOTED: To approve Action 2 - Change of Beneficial Interest and Issuance Stock Transfer for the company known as RBSBW, Inc. d/b/a Sudbury Farms, 439 Boston Post Road, Sudbury, MA

Miscellaneous

Discussion on Town Forum including draft outline and related matters

Vice-Chair Carty stated that he and Town Manager Sheehan have worked on the Town Forum draft outline “2024 Town Forum Municipal Finance Outline.”

Town Manager Sheehan reviewed main topics within the outline, stressing that the compilation of such financial sections presented at the Forum, would be the Town Meeting. The proposed Forum date is Wednesday, December 11, 2024 at Town Hall conducted as a hybrid meeting at 7:00 PM.

Vice-Chair Carty mentioned that related handouts would be provided to participants.

Board Member Dretler suggested that hyperlinks be included, especially in consideration of financial references. She recommended that the Forum might address ways to increase Town revenues.

Board Member Russo suggested that questions and comments be gathered in advance.

Board Member Kouchakdjian inquired about Forum presenters. Vice-Chair Carty responded that presenters would likely include Town Manager Sheehan, Finance Director Victor Garofalo, and Director of Assessing Cynthia Gerry.

Board Member Kouchakdjian asked to see an agenda for the scheduled Town Forum to include participants, attendees and other possible handouts.

Chair Roberts endorsed public outreach/education regarding this topic and the timeliness of the topic.

Board Member Dretler recommended inclusion of a Sudbury finance timeline by month. Vice-Chair Carty was in agreement.

Chair Roberts confirmed the Town Forum topic would be included on upcoming Select Board meeting agendas until the scheduled Forum.

Transportation Update with recommendations and discussion on steps forward

As Chair of the Transportation Committee, Vice-Chair Carty presented the “Transportation Committee Update” PowerPoint:

- Abridged History – Master Plan, Route 20 Corridor, Transportation and Connectivity, Town Facilities/Services/Infrastructure
- GoSudbury! Statistics – Uber and Taxi - in last three months the program has continued to grow; average monthly spend over last 12 months through 9/24 is \$11,884.75
- GoSudbury! Finances - As of 10/24 have \$91,264 - which will likely cover services up to 4/25
- MWRTA Catch Connect, Hospital Shuttle Statistics - Totally grant funded, plus \$17,000 ARPA funds for community match. Goes around Sudbury and into Marlboro. Hospital Shuttle - 3 days a week into the Boston area for appointments in conjunction with Wayland. Need to better promote the service.
- GoSudbury!, MWRTA Program Benefits - 500 riders enrolled between all programs, 10,000 rides provided to date. Data provided from GoSudbury! justified public transit via MWRTA, Sudbury applied for Hospital Shuttle Community Transit Grant, relationship established and strengthened at regional and state level (neighboring towns, MAPC, MAGIC, etc.)
- Recommendations – Finances for all programs will expire no later than 6/30/25, options: Catch Connect with MWRTA to continue via MBTA funding, use ARPA or other funds to keep this going as Safety Net program, for those in most need, maybe via the Town’s social worker, possible creation of a transportation revolving fund – grant writing resources a possibility, study use of existing Town vehicles and parking areas to provide shuttle service to the Lincoln and or Framingham train stations.

- Bike share considerations
- Establish Select Board vision for the program

Board Member Kouchakdjian opined about finding a way to operationalize and fund the program, additional State involvement. She suggested obtaining data about who is actually using the train stations and related numbers. Dan suggested utilizing FlashVote to get related information.

Board Member Russo spoke of shared alternatives. Vice-Chair Carty mentioned possible increased assessment from the MBTA which transfers to MWRTA. Town Manager Sheehan confirmed such an allotment would be deducted from State aid received to the Town. Board Member Russo suggested the Board discuss this topic on a regular basis.

Board Member Dretler asked how much more would a possible Catch Connect assessment be. Vice-Chair Carty responded approximately \$150,000 - \$200,000 additionally, based on the number of riders. Board Member Dretler recommended the Sudbury Rail Trail Committee might be helpful regarding bike share aspects.

Chair Roberts asked what other communities are doing. Vice-Chair Carty responded that most communities are not doing what Sudbury is doing, and offered to research how other communities are paying for Catch Connect services and how grant writing could be included. Chair Roberts supported the use of Flash Vote for shuttle aspects. Board Member Dretler mentioned that the Town of Lincoln has a Commuter Rail Subcommittee which could be further studied.

Chair Roberts suggested that Vice-Chair Carty, Town Manager Sheehan and Finance Director Garofalo schedule a meeting and report back to the Select Board.

Discussion on Select Board goals including Fairbank Community Center optimization goal

Board Members discussed deliverables associated with the Utilization/Optimization of Fairbank Community Center Programming. Board Member Russo agreed with Board Member Kouchakdjian's request for information regarding usage update and programming plans for the future of the Center.

Chair Roberts agreed with getting feedback from related users; Park & Recreation, SPS and COA. She asked if Town Manager Sheehan would consider staff involvement related to feedback. Town Manager Sheehan responded in the affirmative, noting that the takeaway from the recent meeting was not to include outside users and that COA and Park & Recreation are still getting used to their respective spaces.

Board Member Dretler said she would like to hear from Park & Recreation and hoped to schedule a meeting to discuss this aspect with them. She felt it was important to understand how to make the Center as available to residents as possible. Board Member Kouchakdjian indicated that scheduling a joint meeting with Park & Recreation might be a good idea.

Vice-Chair Carty noted that considering the level of availability to residents would be helpful and wanted to understand what utilization of shared spaces looks like.

Chair Roberts offered to add more information to the deliverables topic and present it at a next Select Board meeting.

ARPA update

Town Manager Sheehan stated his intention was to present possible re-allocation of unallocated ARPA funds at the next Select Board meeting and to also consider the capital list for possible ARPA funding at that meeting.

Town Manager Sheehan explained that interagency grant funds are being reviewed by Town Counsel, and that the DPW office renovation has started to draw from such funding.

Discussion on Select Board liaison to Zoning Board of Appeals (ZBA)

Board Member Roberts stated that the ZBA has made request for a new Select Board liaison. Board Member Russo stated that the Select Board should not support ZBA actions on this matter.

Vice-Chair Carty stated he would honor the wishes of Select Board Member Russo who was willing to remain the ZBA liaison.

Board Member Kouchakdjian mentioned that ZBA is not comfortable with Board Member Russo acting as liaison. Board Member Kouchakdjian stated that the Select Board should accept the will of other committees.

Board Member Kouchakdjian motioned to appoint Board Member Janie Dretler as liaison to the ZBA. Board Member Kouchakdjian rescinded her motion. Board Member Dretler disagreed with the decision to not make a change to the liaison role. She expected the relationship to improve and if not, the decision of the Board should be reconsidered. Board Member Russo agreed. There was no change in liaison at this time.

Board Member Dretler suggested that Chair Roberts inform ZBA that Board Member Russo would retain his position as ZBA liaison.

Discussion and possible vote on request for comments from Massachusetts Housing Partnership (MHP) on the Kanso Maynard 40B multifamily housing project

Town Manager Sheehan noted that any final Select Board comments such as Sudbury's concerns regarding flooding issues, water supply, stormwater and traffic issues should be submitted by November 28, 2024.

Board Member Russo presented a draft letter he composed which covered Select Board concerns: flooding, water supply, stormwater, public safety and traffic issues. He offered to add any additional Select Board comments to the draft letter. Vice-Chair inquired as to the easement across the property.

Board Members agreed to review the draft letter further at the next Select Board meeting November 19, 2024.

Review the Select Board Fall 2024 Newsletter articles and approve for distribution

Board Member Kouchakdjian agreed with the validity of Ms. Warren's comments regarding the Hosmer House Newsletter article. Board Member Dretler agreed the interview article was premature given the CPC status.

Vote to review and possibly approve open session minutes of 9/24/24

Board Member Kouchakdjian motioned to approve the Select Board open session minutes of 9/24/24, as edited. Vice-Chair Carty seconded the motion.

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

VOTED: To approve the Select Board open session minutes of 9/24/24, as edited

Upcoming agenda items

November 19, 2024

- ARPA discussion
- Code of Conduct
- Town Forum discussion
- Transportation information
- Sewataro Financial Audit
- Letter regarding Kanso Housing in Maynard

Adjourn

Board Member Kouchakdjian motioned to adjourn the Select Board Meeting. Vice-Chair Carty seconded the motion.

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

VOTED: To adjourn the Select Board Meeting

There being no further business, the meeting adjourned at 11:14 PM.

SB Meeting 11/6/24 - Documents & Exhibits

1. Vote to Grant a Special Permit to Pete Gottlieb to hold the "Sudbury Turkey Trot for Cancer Research" on Thursday, November 28, 2024, from 8:30 AM through approximately 10 AM, subject to compliance with conditions outlined by the Police and Fire Departments, DPW and Park and Recreation, subject to receipt of a certificate of liability.

Attachments:

- 1.a Sudbury Turkey Trot 2024 Application_SB
- 1.b Sudbury Turkey Trot Dept Feedback 2024

2. Vote to accept Emergency Management Performance Grant (EMPG) funds in the amount of \$4,600 for the purchase of Ice/Water Rescue equipment.

Attachments:

- 2.a 24EMPG Sudbury Executed thru 063025

3. PUBLIC HEARING: Application of RBSBW, Inc. dba Sudbury Farms, 439 Boston Post Road, Sudbury, MA 01776 for a Financial Reorganization of the company, "Action 1", consisting of a Change of Ownership Interest, Transfer of Stock, and Change of Corporate Structure. Immediately following Action 1, the applicant has applied for an additional Change of Beneficial Interest and Issuance Stock Transfer, "Action 2". The existing Off-Premises Wine and Malt License will remain located at the above address. This hearing will be held pursuant to the Board's Rules, all of the provisions within the Laws of the Commonwealth, including but not limited to, G. L. c. 138, §§ 12, 14, 15, 15A, 16A, 23, 34-34C, 60, 63A, 64-64A, 69 and/or 77, and/or G. L. c. 140, §§ 2, 9, 20, 22, 24, 26, 30, 32E, 177, 178, and/or G. L. c. 30 § 20 and/or 185I, and/or the Massachusetts Code of Regulations.

Attachments:

- 3.a Legal Notice_Sudbury Farms_Change of Ownership Interest
- 3.b RBSBW Inc. Amendments Local Board Letter
- 3.c RBSBW Amendments_Action 1_SB
- 3.d RBSBW Amendments_Action 2_SB

4. Discussion on Town Forum including draft outline and related matters.

Attachments:

- 4.a Outline - 2024 Town Forum

5. Transportation Update with recommendations and discussion on steps forward.

Attachments:

- 5.a Transportation Committee Update 11062024SB

6. Discussion on Select Board goals including Fairbank Community Center optimization goal. Possible vote.

Attachments:

- 6.a SB 2025 Goals Updated for packet
- 6.b 2025 Goals + Deliverables

7. ARPA update

Attachments:

- 7.a ARPA Status 11-04-24

8. Discussion on Select Board liaison to Zoning Board of Appeals (ZBA)

Attachments:

- 8.a Letter to SB re CR

9. Discussion and possible vote on request for comments from Massachusetts Housing Partnership (MHP) on the Kanso Maynard 40B multifamily housing project.

Attachments:

- 9.a 30 -Day Notice, Kanso-Sudbury
- 9.b Town of Sudbury Kanso Avalon Project Comments

10. Review the Select Board Fall 2024 Newsletter articles and approve for distribution.

Attachments:

- 10.a Select Board Newsletter Articles Fall 2024

11. Vote to review and possibly approve open session minutes of 9/24/24.

Attachments:

- 11.a SB_draft 09.24.24 min for review

12. Upcoming agenda items

Attachments:

- 12.a Upcoming agenda.items 11.06.24