

IN BOARD OF SUDBURY SELECTMEN
EXECUTIVE SESSION
WEDNESDAY, MAY 10, 2017

Present: Chairman Susan N. Iuliano, Selectman Robert C. Haarde, Selectman Leonard A. Simon, and Town Manager Melissa Rodrigues; Town Counsel George Pucci and Special Town Counsel Jeffrey Bernstein

The statutory requirements as to notice having been complied with, the meeting was convened at 4:36 PM at 278 Old Sudbury Road in the Thompson Room.

Motion to Vote to enter Executive Session to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares (Eversource), pursuant to General Laws chapter 30A, §21(a)(3) by Selectman Iuliano. Second by Selectman Simon. All aye.

Attorney Bernstein presented in depth information about the three filings, which he said were consolidated by the siting board.

The petition includes a 69J petition, a DPU Section 72 petition and a 40a Section 3 Zoning Exemption.

Attorney Pucci explained that there are 6 zoning exemptions requested in the petition, including one for the substation. The substation one is seeking an exemption from a variance and would place a 100-ft high shielding mast in a residential district. The other variances include working hours and nuisance. There is also a per se variance because the new line is in a water protection overlay district and that is not a by right use. They are also requesting a blanket zoning exemption to freeze zoning in place. Counsel said this is not uncommon.

Attorney Bernstein explained that MEPA is filed separately. He went on to explain the difference between an intervening party and a limited party. He explained that this process is approximately one year long without appeals.

Attorney Bernstein reviewed the three route options, the proposed improvements to the substation and filing highlights. He observed that the construction is slated to start next June and run for 18 months.

The filing also contains information about cost, benefits, environmental impacts, and EMF.

The Board discussed potential strategies and the risk of these strategies as well as the likelihood of prevailing.

The Board determined that they need more time to absorb the filing and would meet again soon, but agreed that this is the time to get proposals from experts.

The meeting adjourned at 5:35 p.m.