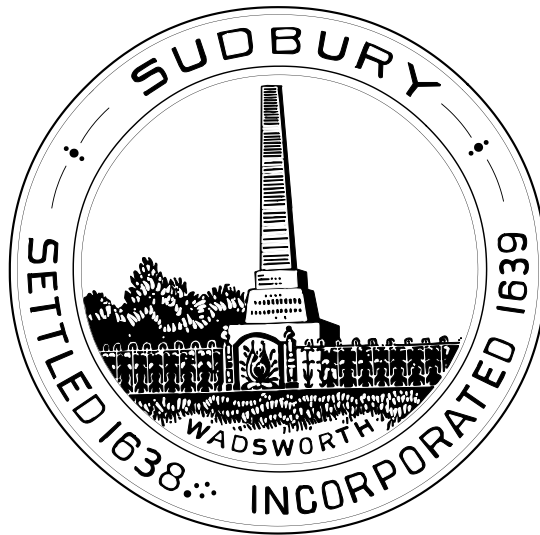


PROCEEDINGS

PRESIDENTIAL PRIMARY- March 5, 2024
ANNUAL TOWN ELECTION - MARCH 25, 2024
ANNUAL TOWN MEETING – MAY 6, 2024
STATE PRIMARY-SEPTEMBER 3, 2024
STATE ELECTION- NOVEMBER 5, 2024

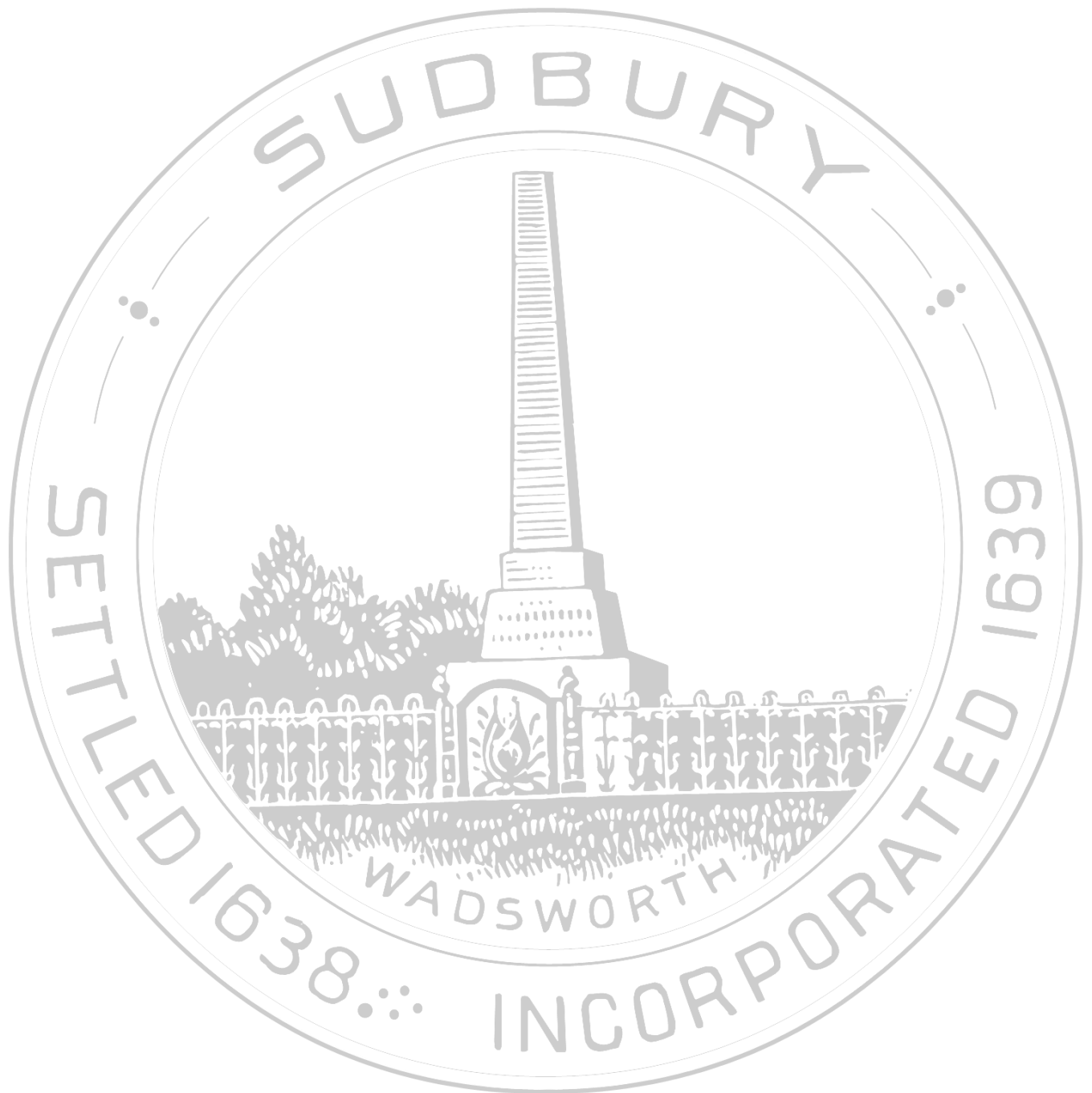


TOWN OF SUDBURY MASSACHUSETTS 2024

A TRUE ATTEST COPY:

Beth R. Klein

TOWN CLERK



<p style="text-align: center;">TOWN OF SUDBURY 2024 ANNUAL TOWN PROCEEDINGS</p>

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17. 24 Hudson Road – Release of Easement
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16. Amend Zoning Bylaw, Sections 2200 and 7000, Firearms Safety Business Use

17. Acquisition of MBTA Buildings
18. Swap Body Trucks w/Plow & Various Bodies (Consent Calendar)
19. Pickup Truck with Plow (Consent Calendar)
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Part II – FINANCE COMMITTEE SECTION

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SUDBURY ANNUAL TOWN MEETING

MAY 6 AND 7, 2024

Pursuant to a Warrant issued by the Select Board and a quorum being present, Catharine Blake, Moderator, at the Lincoln-Sudbury Regional High School, called the meeting to order at 7:34 PM. Ms. Blake introduced Justin Miller, a student from Lincoln - Sudbury Regional High School, who led in the singing of the National Anthem and the Pledge of Allegiance.

The Moderator confirmed she had examined and found in order the Call of the Meeting and the Officer's Return of Service and confirmed the timely delivery of the Warrant to residents. She announced that the certified Free Cash, according to Town Accountant Laurie Dell'Olio, is \$2,508,130 for the 2024 Annual Town Meeting.

Upon a *motion*, which received a second, it was *VOTED BY MORE THAN A MAJORITY* to dispense with the Reading of the Call of the Meeting, and the Officer's Return of Service Notice and the reading of the individual Articles of the Warrant. The Moderator explained that voting at Town Meeting would be conducted by Electronic Voting and explained how it works.

MODERATORS

The Moderator asked for a motion, which was made and received a second, for the Hall's approval to appoint Sudbury resident Nell Forgacs Assistant Town Moderator for the May 2024 Annual Town Meeting, which required a majority vote, and was *VOTED BY MORE THAN A MAJORITY*.

The Moderator introduced the Select Board, Finance Committee members, Town Officials, and Town staff members and gave special thanks to Sudbury TV.

She also thanked BSA Sudbury Scout Troops 63 and Troop 265 and 61 and 65 for their help handing the microphones to speakers.

RESOLUTION

Select Board Chair Janie Dretler was recognized to read the resolution in memory of those citizens who have served the Town and passed away during the past year.

Whereas: The Town of Sudbury has enjoyed the blessing of those in the community who gave of their time and talent to enrich the quality of life in our Town; and

Whereas: This past year has seen several of its citizens and employees who have rendered public service and civic duty pass from among us;

Now, therefore, be it resolved:

That the Town of Sudbury extends its heartfelt sympathy to the families of these persons and recognizes their service and dedication to the community:

And be it further resolved:

That the Town of Sudbury, in Town Meeting assembled, record for posterity in the minutes of this meeting its recognition and appreciation for their contributions to our community:

DOUGLAS W. ALLAN (1951-2023)

Firefighter/EMT: 1978-1998

CAROLYN A. ANDERSON (1939-2024)

Sudbury resident: 1975-2024

Goodnow Library Head of Circulation: 1977-2001

Town Report Committee: 2001-2003

Election Officer: 2002-2023

Goodnow Library Trustee: 2004-2006

DAVID G. BERRY, SR. (1936-2023)

Sudbury resident: 1976-2023

Board of Assessors: 1996-2004

Land Use Priorities Committee: 1999-2004

Property Tax Equity Review Committee: 2003-2004

Board of Appeals: 1977-1985

Earth Removal Board: 1977-1980

COLBY J. CARAVAGGIO (1970-2024)

Peter Noyes Elementary School Art Teacher: 1999-2024

CLIFFORD ALEON CARD (1929-2023)

Sudbury resident: 1960-2017

Ephraim Curtis Middle School Principal: 1968-1973

Council on Aging: 1973-1974

Youth Commission Study Committee: 1973-1975

Election Officer: 1987-1997, 2001-2009

Republican Town Committee: 2004-2009, 2016

KARENINA M. “KAREN” DARMER (1968-2023)

Sudbury resident: 1997-2023

Property Tax Equity Review Committee: 2003-2004

NANCY R. FORD (1931-2023)

Sudbury resident: 1957-1994

SPS Grade2 Teacher: 1957-1960,

Special Ed Teacher: 1978-1993

KAREN L. FRITSCHKE (1946-2023)

LSRHS French Teacher: 1972-2006

MARK “WALLY” GAINER (1949-2023)

Sudbury resident: 1996-2019

Police Officer: 1971-2004

FREDERICK “FRED” N. HABERSTROH (1951-2023)

Sudbury resident: 1988-2023

Board of Assessors: 1989-1995

Council on Aging: 1990-1994

PAUL L. KENNY (1942–2024)
Town Counsel: 1976-2014

CARL PERKINS (1930-2023)
LSRHS French Teacher: 1960-1990

ELIZABETH “LIZ” ANN RADOSKI (1937-2023)
Sudbury resident: 1963-1976, 2000-2023
Election Worker: 2008-2023
Historical Commission: 2006-2015

CYNTHIA RIORDAN (1957-2023)
LSRHS Business Office: 1997-1999

JEAN SHEEHY (1938-2023)
LSRHS Teacher Assistant: 1981-2008

PATRICK KELLY TARVES (1966-2023)
Highway Foreman - Dept. of Public Works: 1985-2023

MAUREEN G. VALENTE (1954-2023)
Finance Director: 1997-1999
Town Manager: 1999-2015

STATE REPRESENTATIVE CARMINE GENTILE – PRESENTATION OF CITATIONS

Representative Carmine Gentile presented State Citations to Nancy G. Rubenstein, for her 19 years of service on the Board of Appeals and on the Permanent Building Committee. He also presented Citations to Silvia R. Nersessian and Sarah G. Troiano for their service as members of the Sudbury School Committee.

CONSENT CALENDAR ITEMS

The Moderator stated that in order to expedite Town Meeting and save valuable time, Sudbury utilizes the Consent Calendar, and this year it contains 29 Articles. There did not need to be a vote to take the articles out of order. She further explained that any article may be withheld from the Consent Calendar by the request of at least 7 voters. Any changes to the articles from the warrant would be explained as she read off each article.

The Moderator proceeded with the roll call of the Consent Calendar, asking article by article if there were any questions or holds:

Article 5. FY25 Transfer Station Enterprise Fund Budget.

Article 6. Pool Enterprise and Fund Budget.

Article 7. Recreation Field Maintenance Enterprise Fund Budget.

Article 8. Snow and Ice Transfer. This is listed in the Consent Calendar section of your warrant as "Move to indefinitely postpone." Because of the storm in April, after the

Warrant was published, the Moderator declared that the vote is as it appears on page 5 of the warrant with the sum of \$245,073 from free cash.

Article 10. Chapter 90 Highway Funding.

Article 11. FY25 Stabilization Fund.

Article 12. FY25 Revolving Fund Spending Limits.

Article 13. Capital Stabilization Fund.

Article 15. Means Tested Senior Tax Exemption Extension.

Article 18. Swap Body Trucks with Flow & Various Bodies.

Article 19. Pickup Truck with Plow.

Article 21. DPW Roof Top HVAC Unit Replacements.

Article 22. DPW Salted Vinyl Cover Replacement.

Article 24. SPS School Classroom Instructional Equipment Replacement. This is now a vote to indefinitely postpone the Article.

Article 25. SPS Haynes Elementary School Dehumidification HVAC.

Article 26. Lincoln-Sudbury Regional High School Lighting Control Replacement.

Article 27. Lincoln-Sudbury Regional High School Exterior Stairwell Replacement. The Moderator noted that there's a typo in the Warrant. The correct amount is \$130,965, not \$130,955.

Article 35. Community Preservation Act Fund - Wayside Inn Road Construction.

Article 36. Community Preservation Act Fund - Bruce Freeman Rail Trail Phase 3.

Article 37. Community Preservation Act Fund - Housing Authority Allocation. This is now a vote to indefinitely postpone the article.

Article 38. Community Preservation Act Fund - Housing trust allocation.

Article 39. Community Preservation Act Fund - Remediation of Water Chestnuts from Hop Brook Pond System.

Article 40. Community Preservation Act Fund - Parkinson Field Driveway Design.

Article 41. Community Preservation Act Fund - Community Garden.

Article 42. Community Preservation Act Fund - Regional Housing Services Office (RHSO) Membership Fee.

Article 43. Community Preservation Act Fund - Return of Unspent Funds.

Article 44. Community Preservation Act Fund - General Budget and Appropriations.

There was no discussion on the Consent Calendar articles.

The Moderator confirmed a majority vote was required, and the *motion* to approve the Consent Calendar articles, as printed in the Warrant with the changes to Articles 8, 24, 27, and 37 received a second and *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 241, Opposed 10

The Moderator stated that, for many years, there has been a tradition at the Annual Town Meeting to honor a citizen who has performed valuable service to the Town by

asking him or her to make the motion under Article 1 of the Warrant. This year, the honor is bestowed upon Craig E. Blake, 300 Old Lancaster Road.

Mr. Blake has been a member of the Permanent Building Committee for 36 years, since 1988, serving as PBC project management for design and construction on many projects including the Curtis Middle School, the Loring School (for both modifications and the new addition), and the Goodnow Library addition.

ARTICLE 1 – HEAR REPORTS

Mr. Blake moved in the words of the motion:

Move to accept the reports of the Town boards, commissions, officers and committees as printed in the 2023 Town Report or as otherwise presented, subject to the correction of errors, if any, where found.

Submitted by the Select Board

(Majority vote required)

The motion received a second.

SELECT BOARD: Supports the motion.

The Moderator confirmed a majority vote was needed; the motion under Article 1 **PASSED BY WELL MORE THAN A MAJORITY.**
Electronic Vote: In Favor 234, Opposed 2

The Moderator reviewed procedures for the Annual Town Meeting. Ms. Blake reminded the Hall that every speaker today should be treated with courtesy and respect, no matter how strongly someone may disagree with his or her point of view. She further stated that she will not allow any clapping, hissing, booing or other audible noise, for or against any speakers; either before, during or after presentations. It is within her powers as Moderator to terminate the right to speak of anyone who makes disrespectful comments, whether directed at a voter, speaker, or town official. She discussed procedural issues which appear in the Warrant.

The Moderator recognized Select Board Chair Janie Dretler to present the State of the Town Address.

STATE OF THE TOWN ADDRESS - May 2024

Janie Dretler, Chair of the Select Board, delivered the State of the Town Address for the 2024 Annual Town Meeting, highlighting Sudbury's resilience, unity, and progress. She celebrates the town's recent 'AAA' credit rating from Standard & Poor's, which strengthens its financial position and lowers borrowing costs. She outlines infrastructure improvements, including road enhancements, public spaces, and sustainability projects, aimed at modernizing Sudbury while preserving its natural resources. She also acknowledges significant community investments such as the new Fairbank Community

Center, Fire Station 2, and the Bruce Freeman Rail Trail, emphasizing how these developments contribute to a vibrant and thriving town.

Dretler commends Sudbury's schools for their dedication to excellence, attributing their success to teachers, administrators, and parents. She emphasizes the importance of inclusivity and healthy discourse within the community, recognizing efforts to promote engagement and diversity. Looking ahead, she calls on residents to continue collaborating to shape a brighter future while honoring the town's rich history. She closes by expressing gratitude for the collective efforts that make Sudbury a strong, supportive, and forward-thinking community.

Full presentations for all Articles are available on the Town Meeting webpage on the Town website. www.sudbury.ma.us.

ARTICLE 2 – FY24 BUDGET ADJUSTMENT

Select Board Chair Janie Dretler moved in the following words:

Move to indefinitely postpone Article 2.

Submitted by the Select Board

(Majority Vote Required)

The motion received a second.

SELECT BOARD: Supports the motion

FINANCE COMMITTEE: Supports the motion

The Moderator stated a majority vote was required; the motion to indefinitely postpone Article 2 PASSED.

Electronic Vote: In Favor 212, Opposed 12

BUDGET MOTIONS

The Moderator explained the rules related to the votes for the budget articles, noting that the vote on the Limiting Motion will establish the upper limit for the FY25 budget. She explained that, once the Body disposes of the limiting motion, the Finance Committee will make a main motion on the budget. The Moderator will read line-by-line the items in the main motion. Absent a motion to reconsider the limiting motion, a voter can only make a motion to amend to reduce a line item, or to increase one item and decrease another, so that the total amount appropriated does not exceed the amount established by the limiting motion. In other words, it will be out of order to make a motion to increase a line item if that increase is not offset by a decrease in another line item.

ARTICLE 3 – FY25 BUDGET -- LIMITING MOTION

Sudbury Finance Committee Co-Chair Eric Poch moved in the words of the motion below:

Move that the amount appropriated under the Fiscal Year 2025 budget not exceed the sum of \$121,605,022.

Submitted by the Select Board

(Majority Vote required)

The motion received a second.

Sudbury Finance Committee Co-Chair Eric Poch provided the Finance Committee State of the Town Finances. The full presentation is available on Sudbury TV.

SELECT BOARD: Supports the Limiting Motion

The Moderator asked for a motion to authorize the three cost centers to speak for five minutes each. The motion received a second and PASSED BY WELL MORE THAN A MAJORITY.

Moderator Blake recognized the representatives of each of the cost centers to explain their positions on the budget. Town Manager Andrew Sheehan spoke for the Town; Superintendent Brad Crozier for Sudbury Public Schools; and Superintendent Andrew Stephens for Lincoln-Sudbury Regional High School. The full presentations are available on Sudbury TV.

The Moderator confirmed a majority vote was required; the Limiting motion PASSED BY WELL MORE THAN A MAJORITY.
Electronic Vote: In Favor 253, Opposed 12

Article 3 Main Motion FY 25 Budget

Co-Chair of the Finance Committee Eric Poch moved in the words below:

Move that the Town appropriate the sums of money set forth in the column “FY25 Recommended” for Fiscal Year 2025 as printed in the warrant;

said sums to be raised by taxation, except that the following items to be raised and designated, by transfer from available fund balances and interfund transfers:

to transfer from Ambulance Reserve for Appropriation Account to item 200: Public Safety, \$780,000; to transfer from Solar Revolving Account to item 400: Public Works, \$44,894; to authorize the Town Manager to transfer, within the FY25 budget, \$1,475,324 from item 900: Employee Benefits (Town and SPS) and \$650,000 from item 1000: OPEB Trust Contribution (Town and SPS) to the OPEB Trust established to meet expenses for post-employment health and life insurance benefits for eligible retirees and to expend such funds for that purpose;

and to authorize multi-year contracts in excess of three years either by renewal, extension, or purchase options in accordance with the provisions of Massachusetts General Laws chapter 30B, section 12 upon determination by the Chief Procurement Officer to be the most advantageous option.

Submitted by the Town Manager

(Majority Vote required)

The *motion* received a second.

SELECT BOARD: Supports Article 3

FINANCE COMMITTEE: Supports Article 3

The Moderator read each item within the FY25 Budget Report.

EXPENDITURES		Recommended
300:	Education - Sudbury Public Schools (SPS)	45,785,871
300:	Education - LS Regional High School (LS) ¹	29,497,481
300:	Education - Vocational	450,000
Total: Schools		75,733,352
100:	General Government	3,817,526
200:	Public Safety ⁴	10,399,288
400:	Public Works ⁵	6,370,754
500:	Human Services	1,031,179
600:	Culture & Recreation	1,716,739
Total: Town Departments		23,335,486
800:	Reserve Fund	300,000
800:	Town-Wide Operating and Transfers	201,305
700:	Town Debt Service	4,897,465
900:	Employee Benefits (Town and SPS) ²	16,487,414
1000:	OPEB Trust Contribution (Town and SPS) ³	650,000
TOTAL OPERATING BUDGET:		121,605,022

(not including Capital or Enterprise Funds)

¹ Includes \$334,492 for OPEB and \$451,371 for Debt Service.

² Includes \$7,144,239 for Town and \$9,343,175 for SPS.

³ Includes \$213,434 for Town and \$436,566 for SPS.

⁴ Appropriation is partially funded by \$780,000 of ambulance receipts.

⁵ Partially funded by \$44,494 of solar revolving fund receipts.

The Moderator stated that the main motion under Article 3 required a majority vote, and declared that the motion **PASSED BY WELL MORE THAN A MAJORITY.**
Electronic Vote: In Favor 261, Opposed 8

ARTICLE 4 – FY25 CAPITAL BUDGET

Select Board Chair Janie Dretler, moved in the words below:

Move to appropriate the sum of \$628,697 for the purchase or acquisition of capital items including, but not limited to capital equipment, construction, engineering, design, and renovation to buildings, including equipping of vehicles and all incidental and related expense for projects; with the sum of \$628,697 to be raised by taxation; and to authorize the Town Manager to allocate funds as needed between the underlying departments as shown in the following chart:

FY25 Operating Capital Budget

Sudbury Public Schools	\$275,000
LS Regional High School	\$ 71,197
Police	\$ 69,500
Public Works	\$115,000
Combined Facilities	\$ 98,000
TOTAL	<u>\$628,697</u>

Submitted by the Town Manager (Majority Vote required)
The motion received a second.

Town Manager Sheehan explained in detail the items in the Capital Budget.

Finance Committee Co-Chair Eric Poch presented the Finance Committee's report on the FY25 Capital budget.

FINANCE COMMITTEE: Supports Article 4

SELECT BOARD: Supports Article 4.

The Moderator confirmed a majority vote was required; Article 4 **PASSED BY WELL MORE THAN A MAJORITY**
Electronic Vote: In Favor 267, Opposed 12

ARTICLE 5 – FY25 TRANSFER STATION ENTERPRISE FUND BUDGET

Select Board Chair, Janie Dretler, moved in the words below:

Move to appropriate the sum of \$312,318 for the Transfer Station Enterprise Fund for FY25, and further to authorize use of an additional \$17,551 for indirect costs; such sums to be raised from \$329,869 in FY25 receipts of the Enterprise, as set forth in the article.

Submitted by the Town Manager

(Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 5.

SELECT BOARD: Supports Article 5.

The Moderator confirmed a majority vote was required; Article 5 *PASSED*
Electronic Vote: In Favor 241, Opposed 10

ARTICLE 6 – FY25 POOL ENTERPRISE FUND BUDGET

Select Board Chair, Janie Dretler, *moved* in the words below:

Move to appropriate the sum of \$492,783 for the Pool Enterprise Fund for FY25, and further to authorize use of an additional \$45,000 for indirect costs; said sums to be raised from \$407,783 in FY25 receipts of the Enterprise and \$130,000 from Enterprise Fund retained earnings, as set forth in the article.

Submitted by the Select Board

(Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 6

SELECT BOARD: Supports Article 6

The Moderator confirmed a majority vote was required; Article 6 *PASSED*
Electronic Vote: In Favor 241, Opposed 10

ARTICLE 7 – FY25 RECREATION FIELD MAINTENANCE ENTERPRISE FUND BUDGET

Select Board Chair Janie Dretler, *moved* in the words below:

Move to appropriate the sum of \$215,663 for the Recreation Field Maintenance Enterprise Fund for FY25, and further to authorize use of an additional \$28,000 for indirect costs; said sums to be raised from \$243,663 in FY25 receipts of the Enterprise, as set forth in the article.

Submitted by the Select Board

(Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 7

SELECT BOARD: Supports Article 7

The Moderator confirmed a majority vote was required; and declared that Article 7 **PASSED BY WELL MORE THAN A MAJORITY.**

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 8 – FY24 SNOW & ICE TRANSFER

Select Board Chair, Janie Dretler, *moved* in the words below:

Move to transfer from free cash the sum of \$245,073 to be expended under the direction of the Town Manager for the purpose of funding the Fiscal Year 24 snow and ice deficit.

Submitted by the Select Board

(Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 8

SELECT BOARD: Supports Article 8

The Moderator confirmed a majority vote was required, and declared that Article 8 **PASSED**

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 9 – UNPAID BILLS

Select Board Chair, Janie Dretler, *moved* in the words below:

Move to indefinitely postpone.

Submitted by the Town Accountant

(Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 9

SELECT BOARD: Supports Article 9

The Moderator confirmed a majority vote was required; the *motion* to indefinitely postpone Article 9 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 251, Opposed 5

ARTICLE 10 – CHAPTER 90 HIGHWAY FUNDING

Select Board Chair Janie Dretler *moved* in the following words:

Move to authorize the Town Manager to accept and to enter into a contract for the expenditure of any funds allotted or to be allotted by the Commonwealth for the construction, reconstruction and maintenance projects of Town ways pursuant to Chapter 90 funding; and to authorize the Treasurer to borrow such amounts in anticipation of reimbursement by the Commonwealth.

Submitted by the Select Board

(Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 10

SELECT BOARD: Supports Article 10

The Moderator confirmed a majority vote was required; and declared that Article 10 *PASSED WITH MORE THAN A MAJORITY.*

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 11- FY25 STABILIZATION FUND

Select Board Chair Janie Dretler moved in the following words:

Move in the words of the article with the sum of \$201,507 to be transferred from Free Cash to be added to the Stabilization Fund established under Article 12, of the October 7, 1982 Special Town Meeting, pursuant to General Laws Chapter 40, Section 5B.

Submitted by the Select Board

(Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 11

SELECT BOARD: Supports Article 11

The Moderator confirmed a majority vote was required; and declared that Article 11 *PASSED WITH MORE THAN A MAJORITY.*

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 12 – FY25 REVOLVING FUND SPENDING LIMITS

Select Board Chair Janie Dretler moved in the following words:

Moved to establish the FY25 spending limits for the use of revolving funds under MGL. c.44, s.53E ½, by the following departments of the Town, in accordance with each fund as set forth in Article XXXIII of the Town of Sudbury General Bylaws:

Fund	Department	Maximum Amount
Public Health Vaccinations & Tobacco Control	Board of Health	50,000
Plumbing & Gas Inspectional Services	Building Inspector	65,000
Portable Sign Administration & Inspectional Services	Building Inspector	10,000
Conservation (Trail Maintenance)	Conservation Commission	15,000
Conservation (Wetlands)	Conservation Commission	50,000
Forestry Activities	Conservation Commission	10,000
Council on Aging Activities	Council on Aging	65,000
Council on Aging Van Transportation (MWRTA)	Council on Aging	175,000
Cemetery Revolving Fund	Public Works	30,000
Fire Department Permits	Fire	70,000
Goodnow Library Meeting Rooms	Goodnow Library	10,500
Goodnow Library Services	Goodnow Library	25,000
Recreation Programs	Park and Recreation Commission	570,000
Teen Center	Park and Recreation Commission	15,000
Youth Programs	Park and Recreation Commission	150,000
Bus	Sudbury Public Schools	600,000
Instrumental Music	Sudbury Public Schools	100,000
Cable Television	Town Manager	30,000
Rental Property	Town Manager	50,000
Dog	Town Clerk	75,000
Zoning Board of Appeals	Zoning Board of Appeals	50,000
Solar Energy	Combined Facilities	1,000,000

Submitted by the Select Board

(Majority Vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 12

SELECT BOARD: Supports Article 12

The Moderator confirmed a majority vote was required; and declared that the Article *PASSED WITH MORE THAN A MAJORITY.*

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 13 – Capital Stabilization Fund

Select Board Chair Janie Dretler *moved* in the following words:

Move in the words of the article with the sum of \$250,000 to be transferred from Free Cash, to be added to the Capital Stabilization Fund established under Article 13 of the 2018 Annual Town Meeting.

Submitted by the Select Board

(Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 13

SELECT BOARD: Supports Article 13

The Moderator confirmed a majority vote was required; and declared that Article 13 *PASSED BY MORE THEN A MAJORITY.*

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 14 – REVOKE OPIOID SETTLEMENT STABILIZATION FUND

Select Board Chair Janie Dretler, *moved* in the words of the article:

Move in accordance with the provisions of Chapter 77 of the Acts of 2023 to revoke the vote taken under Article 5 of the October 23, 2023 Special Town Meeting creating a new special purpose Opioid Settlement Stabilization Fund pursuant to G.L. c. 40, s. 5B; and to place all past and future statewide opioid settlement receipts received or to be received by the Town into said special revenue fund to be expended without further appropriation for all of the purposes allowed by law, including those outlined in applicable opioid litigation settlement documents.

Submitted by the Select Board

(Majority vote required)

The *motion* received a second.

SELECT BOARD: Supports Article 14

FINANCE COMMITTEE: Supports Article 14

Vivian Zhang, Sudbury Health Director, spoke in favor of the Article.

Ms. Zhang explained that the article is simply correcting an accounting mechanism. She discussed several of Sudbury's current opioid prevention efforts and stressed that they had all been achieved without spending any of the Town's share of the funds from the Opioid Abatement Fund or Opioid Settlement Funds, with some monies from these funds being disbursed through 2038. She stated that none of the Town's funds were used because they were inaccessible without having to annually go before Town Meeting. She explained that The Opioid Stabilization Fund was established proactively at 2023's Town Hall meeting as the method to account for these funds. However, she noted that two months later the state passed legislation establishing a special revenue fund account for opioid monies. Article 14 simply moves opioid settlement money from the Stabilization Fund to this Special Revenue Fund created by the state to allow for easier access to settlement funds.

Ms. Zhang stated that once the Town has better access to these funds, that they can do really great work. She noted that her team has heard from a number of people about their experiences and wants to hear from more. She is particularly interested in connecting with residents and community members, who have lived experience, on ways to shape the Town's substance use prevention strategies.

Jean Nam, 81 Newbridge Rd., asked who is the gatekeeper of the fund. Town Manager Sheehan responded that it is the Health Director, the Town Manager, and Finance Director and that the settlement lays out the specific requirements as to how the funds can be spent.

Matthew Proujansky, 348 Lancaster Rd., asked if this is a simple majority vote because the warrant stated a two-thirds vote. The Moderator stated that there was a misprint in the warrant and this article requires a majority vote.

Kevin Matthews, 137 Haynes Rd., asked if there is a way for the Town to see how the money is spent on an annual basis. Ms. Zhang stated that settlement stipulations require the Town to publish on a municipal website what the money is spent on. It will also be published on the BOH website.

Susan Taricani, 7 Beachwood Ave., asked, if schools will be able to access these funds. Ms. Zhang responded that she is very collaborative and looks forward to working with the schools.

The Moderator confirmed a majority vote was required; Article 14 **PASSED BY WELL MORE THAN A MAJORITY.**

Electronic Vote: In Favor 271, Opposed 4

ARTICLE 15 – MEANS TESTED SENIOR TAX EXEMPTION EXTENSION

Select Board Chair Janie Dretler, moved in the words below:

Move that the Town vote in the affirmative on the question: “Shall an act passed in the general court in the year 2012 entitled ‘An act authorizing the town of Sudbury to establish a means tested senior citizen property tax exemption’ be extended for another 3 years”.

Submitted by the Select Board

(Majority vote required)

The motion received a second.

SELECT BOARD: Supports Article 15

FINANCE COMMITTEE: Supports the Article

The Moderator confirmed a majority vote was required and held that the motion PASSED BY MORE THEN A MAJORITY.

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 16 – AMEND ZONING BYLAW, SECTIONS 2200 AND 7000, FIREARMS SAFETY BUSINESS USE

Select Board Chair Janie Dretler, moved in the words below:

Move in the words of the article, provided that the Town Clerk shall be authorized to make ministerial or clerical revisions to the numbering and placement of the amended bylaw. To see if the Town will vote to amend the Sudbury Zoning Bylaw, Sections 2200 and 7000, as set forth below, by adding the following provisions; or act on anything relative thereto:

2200. Principal Use regulations

A.

Insert in Section 2230, Table of Principal Use Regulations, Part C. Commercial, after “28. Marijuana Establishment” a new use category entitled “29. Firearm Business Use”, as shown in the table below.

<i>PRINCIPAL USE</i>	<i>A-RES</i>	<i>C-RES</i>	<i>WI</i>	<i>BD</i>	<i>LBD</i>	<i>VBD</i>	<i>ID</i>	<i>LID</i>	<i>IP</i>	<i>RD</i>
<i>C. COMMERCIAL</i>										
<i>29. Firearm Business Use</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>SB</i>	<i>N</i>	<i>N</i>	<i>N</i>

B.

2250. Firearm Business Use.

2251. Purpose: *To establish reasonable criteria for the establishment of Firearm Business Uses in the Town of Sudbury to address public safety concerns arising from the operations of such businesses and the potential disruption of peace and quiet enjoyment of the community and to address the location, siting, design, placement, security, safety, monitoring and modifications of Firearm Business Uses within the Town to minimize the adverse impacts on Firearms Business Uses on adjacent properties, residential neighbors, schools and other locations where children congregate, and to protect and*

promote the quality of the Town's neighborhoods, commercial and business districts, and the general health, safety, and welfare of the residents of Town.

2252. Compatibility with State and Federal Laws and Regulations: *This bylaw is not intended to supersede federal or state laws or regulations except to the extent that any such laws or regulations allow the Town to adopt standards more stringent than other applicable legal requirements. No Firearm Business Use shall operate until the operator of such business has obtained all necessary federal, state, and other required local firearms approvals and licenses.*

2253. Applicability: *This section shall apply to all Firearm Business Uses. Unless in specific conflict with this section, all other applicable provisions of the Zoning Bylaw shall apply to Firearm Business Uses.*

2254. Configuration and Operations – Firearm Business Uses shall be conducted entirely within a Building and shall comply with the following standards:

- a. The hours of operation for a Firearm Business Use shall not adversely impact nearby uses. The hours of operation shall follow all applicable statutory and regulatory requirements and shall be limited to 9:00AM-6:00PM.*
- b. There shall not be more than one Firearm Business Use on a Lot.*
- c. The Firearm Business Use shall procure and at all times while in operation maintain insurance issued by an insurance company licensed to do business in the Commonwealth, insuring the Firearm Business against liability for damage to property and for injury to, or death of, any person as a result of the theft, sale, lease or transfer, or offering for sale, lease or transfer of a firearm or ammunition, or any other operation of the Firearm Business. The limits of liability shall not be less than \$1,000,000 for each incident of damage to property or incident of injury to death to a person; provided however, that increased limits of liability may be required by the Special Permit Granting Authority upon a finding that the size of the operation warrants greater liability. Notice of termination of any applicable insurance must be given to the Special Permit Granting Authority at least 30 days prior to the effective date of the cancellation.*
- d. Firearm Businesses shall submit a security plan to the Sudbury Police Department for review and approval prior to applying for special permit. Review of the plan may require an on-site inspection of the property. The security plan must include, but is not limited to, the following:*

1. *Names and phone number of all management staff and employees.*
2. *Firearms Business Uses shall conduct criminal history background checks in compliance with state and federal law. The Firearms Business Use shall submit written certification that no employees have past criminal history of felony record or are otherwise prohibited from firearms licensure under state and federal law.*
3. *A plan showing exterior ground lighting.*
4. *Description of security systems and alarms.*
5. *24-hour video surveillance system in parking lots, building entrances and exits and transaction or point-of-sale locations.*
6. *Location of dumpsters shall be locked with screening.*
7. *Floor plan showing interior layout of operation.*
8. *Evidence of after-hours storage of all Firearms in locked containers or by otherwise securing the Firearms with tamper-resistant mechanical locks.*

e. The Special Permit Granting Authority shall require that Firearm Business notify the Police Department of any changes to the name or phone numbers of all management staff and keyholders.

f. The Firearms Business Use shall be equipped with, and the operation of such Firearm Business Use shall maintain in working order at all times, security system to the satisfaction of the Town.

g. A video surveillance system shall be installed and maintained which shall monitor all parking lot areas, main building entrances and exits, storage areas, and any and all transition areas for sale of merchandise. Recordings shall be maintained for a minimum of three (3) years. A sign no larger than 2 square feet shall be placed in a visible location on the building which notes that video surveillance is in use on the property.

h. The exterior grounds, including the parking lot and landscape areas, shall be lit in such a manner that all areas are clearly visible at all times during business hours; all lighting shall be compliant with Section 3427f of the Zoning Bylaw and the International Dark Sky Association standards, as amended.

i. No person under the age of eighteen (18) shall be permitted on the premises of the Firearms Business Use unless they are accompanied by a parent or legal guardian and notice of such limitation shall be posted outside the business.

2255.Storage of Firearms. *Firearms shall be secured consistent with state and federal firearms security requirements, including, but not limited to, G.L. c. 140.*

2256. Location Requirements. *All distances in this section shall be measured in a straight line from the Lot line of the Lot containing the Firearm Business Use to the nearest Lot line of any of the following designated uses:*

- a. A Firearm Business Use shall not directly abut any Lot containing a residential use.*
- b. A Firearm Business Use shall not be located within 250 feet of the following uses: a public or private K-12 school, child care facility (including family daycare homes, daycare centers, preschools, and/or nursery schools), public park or playground, rail trail, establishment catering to minors or seniors, religious organization, business establishment that sells or serves malt,*

wine, or spirits for consumption off premises, or an existing Firearm Business Use.

- c. A Firearm Business Use shall not be located within a building containing a dwelling unit.*
- d. The Special Permit Granting Authority may reduce the setback requirement between Firearms Business Uses in 2261b, if:*
 - (1) The applicant demonstrates the Firearms Business Use would effectively be prohibited within the municipality without such waiver;*
 - (2) The reduced setback distance will not create, exacerbate, or otherwise increase any public safety issues;*
 - (3) The two Firearms Business Uses are owned independently; and*
 - (4) The waiver is not inconsistent with the purposes and intent of this Bylaw.*

2257. Special Permit for Firearm Business Use: *In addition to the requirements of Section 6200, an application for Special Permit for Firearm Business Use shall include, at a minimum, the following information:*

- a. Description of Activities: A narrative providing information about the type and scale of all activities that will take place on the premises.*
- b. Lighting Analysis: A lighting plan showing the location of proposed lights on the building and the lot, and a photometric plan showing lighting levels.*
- c. Context Map: A map depicting all properties and land uses within a 1,000-foot radius of the lot on which the Firearm Business Use is proposed to be located.*
- d. Comprehensive Signage Plan in conformance with the Sign Bylaw.*
- e. Report from the Police Chief or Designee: Confirming that the applicant has submitted the plans and information described in 2254 above and that those plans have been approved.*
- f. Certificate of Insurance as required by Section 2254.c above.*

2258. Special Permit Criteria: *In granting a Special Permit for a Firearm Business Use, in addition to the general criteria for granting a Special Permit, the Select Board shall find that the following criteria are met:*

- a. The Lot is designed such that it provides convenient, safe, and secure access and egress for clients and employees arriving to and leaving from the lot.*
- b. The establishment will have adequate storage, security, and lighting.*

- c. *Loading, refuse, and service areas are designed to be secure and shielded from abutting uses.*
- d. *The establishment is designed to minimize any adverse impacts on abutters or pedestrians.*
- e. *The location and characteristics of the proposed use will not be detrimental to the public health, safety, and welfare of the neighborhood, which may extend into an adjacent municipality, or the Town.*
- f. *All signage has been reviewed and approved by the Building Commissioner or Design Review Board, as applicable, as to letter size, color, and design per section 3200 to ensure mitigation of impact to the surrounding neighborhood, consistent with applicable Federal and State law.*
- g. *The establishment has satisfied all of the conditions and requirements in this section.*

2259. Limitation and Termination of Special Permit - No more than two Firearm Business Uses are allowed within the Town of Sudbury at any given time. A Special Permit for a Firearm Business Use shall be valid for one year. The owner of a Firearm Business Use shall annually apply to the Special Permit Granting Authority for renewal of the Special Permit, which renewal shall not exceed one (1) year.

A Special Permit for Firearm Business Use, if granted, shall at a minimum be issued in the name of a specific individual and is not transferable upon a sale, transfer, or assignment of the Firearms Business Use. A special permit for a Firearm Business Use may be revoked for violation of the Sudbury Zoning Bylaw or state and federal law, including, but not limited to, G.L. c. 140, ss. 122B, 130, 131N. Upon expiration or cancellation of the policy of insurance as required herein, and if no additional insurance is obtained, the special permit may be revoked. The Special Permit granting authority may hold a public hearing with notice, posting and publication as required by G.L. c. 40A, §11 to consider revoking a Special Permit under this paragraph. A concurring vote of four members of the Select Board shall be necessary to revoke a special permit for a Firearms Business Use.

2260. Severability: The provisions of the Bylaw are severable. To the extent this Bylaw conflicts with G.L. c. 140 or other State laws or regulations currently in effect, the section shall be interpreted to minimize any conflict with State laws or regulations while maximizing the furtherance of the public safety and other public purposes underlying this Bylaw. The invalidity of any Section or provision of this Zoning Bylaw shall not invalidate any other Section or provision hereof.

C.

Definitions

Insert in Article 7000, Definitions, the following new definition:

Ammunition: Cartridges or cartridge cases, primers (igniters), bullets, tear gas cartridges, or propellant powder designed for use in any Firearm.

Firearm: Any device designed or modified to be used as a weapon capable of firing a projectile using an explosive charge as a propellant, including but not limited to guns, pistols, shotguns, rifles.

Firearm Accessory: Any device designed, modified, or adapted to be inserted into or affixed onto any Firearm to enable, alter, or improve the functioning or capabilities of the Firearm or to enable the wearing or carrying about one's person of a Firearm, including, but not limited to bags, siting systems, slings and scabbards, or maintenance kits.

Firearm Business Use: Any retail or wholesale operation involving the purchase or sale, in any amount of Firearms or Ammunition; sale of Firearm Accessories, in any amount; any retail or manufacturing operation involving, in any amount, the repairing, altering, cleaning, polishing, engraving, bluing or performing of any mechanical operation on any Firearm; and sale of conversion devices, in any amount, such as an auto sear, fuel filters or solvent filters, trigger switches and/or similar products that when combined create a firearm.

Submitted by the Select Board

(Two thirds vote required)

The **motion** received a second.

Presentation by Select Board member Charles Russo on behalf of the Select Board. Mr. Russo stated that Sudbury is seeking to have oversight of potential firearms businesses and that the proposed bylaw is similar to others that have been approved in other Towns. At a previous Town Meeting petitioners submitted a firearms shop bylaw that would completely ban any firearms business in Sudbury, which Legal counsel advised would be unconstitutional. That bylaw did not pass, and now the Select Board is proposing this bylaw because it believes it would be constitutional and in the best interest of the Town. A complete recording of this presentation is available on Sudbury TV.

FINANCE COMMITTEE: No position

SELECT BOARD: Voted 3-2 in favor

PLANNING BOARD: Unanimously supports the article 16

MOTION TO AMEND

Lisa Kouchakdjian, 30 Meadowbrook Circle, in her individual capacity and not as a Select Board Member **moved** to Amend Article 16 by:

* deleting the words “250 feet” wherever they appear in the article and replacing them with the words “500 feet” and* deleting paragraph (d) under section 2256 which section states as follows:

“d. The Special Permit Granting Authority may reduce the setback requirement between Firearms Business Uses in 2261b, if:

(1) The applicant demonstrates the Firearms Business Use would effectively be prohibited

- within the municipality without such waiver;
- (2) The reduced setback distance will not create, exacerbate, or otherwise increase any public safety issues;
 - (3) The two Firearms Business Uses are owned independently; and
 - (4) The waiver is not inconsistent with the purposes and intent of this Bylaw.”

The *motion* received a second.

Ms. Kouchakdjian stated that the amendment would increase the set back from 250 feet to 500 feet. She believes the greater setback would be approved by the Attorney General.

The Moderator asked for a vote on the Motion to Amend Article 16, which requires a majority vote. The *motion* to amend Article 16 *PASSED BY A MAJORITY*.

On town floor, the Select Board voted 3-2 to oppose the motion as amended. Mr. Russo stated that the amended motion is a de facto ban. There is no place in Sudbury that would enable a gun shop and could open up the Town to litigation, from pro- gun groups.

A Motion for Reconsideration of the Amended Motion was brought. The motion received a second. The Moderator stated that the motion needs a two-thirds vote to pass and declared that the motion failed.

Electronic Vote: In Favor 162, Opposed 111

Discussion continued on the Motion as Amended.

MOTION TO AMEND, AMENDED MOTION

Charles Russo moved to amend the Motion as Amended by replacing the words 500 feet with 225 feet wherever they appear in the article and deleting paragraph (d) under section 2256.

The *motion* received a second.

Mr. Russo spoke to his amendment.

Jonathan Gossels moved to adjourn Town Meeting. The moderator called for a vote on the Motion to Adjourn until 7:30 pm on May 7th. The motion requires a majority vote and held that the Motion does not *PASS*.

The Moderator asked for a vote on the Motion to Amend the Amended Article, which requires a majority vote. The *motion* to amend Article 16 *PASSED BY MORE THAN A MAJORITY*.

Electronic Vote: In Favor 167, Opposed 83

The Moderator stated that this is a vote on the motion as amended and that a two-thirds vote was required; and declared that Article 16 as Amended is *DEFEATED*.

Electronic Vote: In Favor 163, Opposed 88

The Moderator noted that it was 11:37pm and moved to adjourn the meeting until May 7 at 7:30pm. The motion received a second and PASSED BY MORE THAN A MAJORITY.

ATTENDANCE: 317

SUDBURY ANNUAL TOWN MEETING

May 7, 2024

Pursuant to a Warrant issued by the Select Board and a quorum being present, the inhabitants of the Town of Sudbury qualified to vote in Town affairs reconvened in the Lincoln-Sudbury Regional High School (L-SRHS) Auditorium on Tuesday, May 7, 2024, for the second session of the Annual Town Meeting. Catherine Blake, the Moderator, called the meeting to order at 7:30 p.m. The Moderator thanked members of Scout troops 65 and 61 for assisting at Town Meeting.

ARTICLE 17 – ACQUISITION OF MBTA BUILDINGS

Select Board Chair Janie Dretler, moved in the words of the article:

Move to authorize the acquisition, by gift or purchase, the fee interest in certain real property, together with the improvements thereon, known as (1) the "Section Tool House" identified as Assessor's Parcel K09-0067 located off of Boston Post Road, and (2) the "South Sudbury Train Station" identified as Assessor's Parcel K09-0054 located off of Union Avenue, for general municipal purposes, including without limitation, historic preservation purposes, on such terms and conditions as the Select Board deems appropriate, and further, to transfer \$100 from Free Cash therefor, including all costs and expenses related thereto.

Submitted by the Select Board

(Two-Thirds vote required)

The motion received a second.

FINANCE COMMITTEE: Supports Article 17

SELECT BOARD: Supports Article 17

Chris Hager, Chair of the Sudbury Historical Commission, made the presentation. Steven Greene, 36 Elaine Rd, spoke in support of the article. Marilyn MacLean, 209 Water Row, said that they have been trying to protect the property for years and is in favor of the article.

The Moderator confirmed a two-thirds vote was required; and declared that Article 17 **PASSED BY WELL MORE THAN A TWO THIRDS MAJORITY.**
Electronic Vote: In Favor 151, Opposed 8

ARTICLE 18 – SWAP BODY TRUCKS W/PLOW & VARIOUS BODIES

Select Board Chair Janie Dretler, moved in the words of the article:

Move to transfer from Free Cash, the sum of \$560,000, for the purchase or acquisition and equipping of two (2) swap body trucks for the Department of Public Works.

Submitted by the Select Board

(Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Supports Article 18

SELECT BOARD: Supports Article 18

The Moderator stated that a majority vote was needed and declared that Article 18 **PASSED**
Electronic Vote: In Favor 241, Opposed 10

ARTICLE 19 – PICKUP TRUCK WITH PLOW

Select Board Chair Janie Dretler, moved in the words of the article:

Move to transfer from Free Cash, the sum of \$120,000, for the purchase or acquisition and equipping of one (1) pickup truck with plow for the Department of Public Works.

Submitted by the Select Board.

(Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Supports Article 19

SELECT BOARD: Supports Article 19

The Moderator stated that a majority vote was needed and declared that Article 19 **PASSED**
Electronic Vote: In Favor 241, Opposed 10

ARTICLE 20 – TOWN-WIDE CULVERT AND DRAINAGE RECONSTRUCTION

Select Board Chair Janie Dretler, moved in the words of the article:

Move to appropriate the sum of \$625,000 to be raised by taxation, for the Town-wide (various locations) culvert and drain replacement and appurtenances.

Submitted by the Select Board.

(Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Supports Article 20

SELECT BOARD: Supports Article 20

CIAC: Supports Article 20

DPW Director Daniel Nason, made the presentation. He discussed the need for the culvert replacement.

The Moderator stated that a majority vote was needed and that the motion for Article 20 PASSED BY WELL MORE THAN A MAJORITY.

Electronic Vote: In Favor 151, Opposed 8

ARTICLE 21 – DPW ROOF TOP HVAC UNIT REPLACEMENTS

Select Board Chair Janie Dretler, moved in the words of the article:

Move to appropriate \$200,000 to be raised by taxation; and to be expended under the direction of the Town Manager for the purpose of the replacement of the DPW roof top HVAC units.

Submitted by the Select Board.

(Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Supports Article 21

SELECT BOARD: Supports Article 21

The Moderator confirmed a majority vote was required and that the motion under Article 21 PASSED.

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 22 – DPW SALT SHED VINYL COVER REPLACEMENT

Select Board Chair Janie Dretler, moved in the words of the article:

Move to appropriate the sum of \$125,000 to be raised by taxation and expended under the direction of the Combined Facility Director for the purpose of the replacement of the DPW Salt Shed Storage Vinyl Cover.

Submitted by the Select Board.

(Majority vote required)

The motion received a second.

FINANCE COMMITTEE: Supports Article 22

SELECT BOARD: Supports Article 22

The Moderator confirmed a majority vote was required and that the motion under Article 22 PASSED BY WELL MORE THAN A MAJORITY.

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 23 – ATKINSON POOL RENOVATION

Select Board Chair Janie Dretler, moved in the words of the article:

Move to borrow the sum of \$2,350,000, to be expended under the direction of the Town Manager, for the purpose of replacing the existing roofing system, replacing pool mechanical equipment and associated piping, replacing the dive pool skimmers and associated piping, tile repair and re-grouting at the Atkinson Pool including all incidental and related expenses.

Submitted by the Select Board.

(Two-thirds vote required)

The motion received a second.

FINANCE COMMITTEE: Supports Article 23

SELECT BOARD: Supports Article 23

CAPITAL IMPROVEMENT ADVISORY COMMITTEE: Supports Article 23

Presentation made by Sandra Duran, Director of Combined Facilities.

Mara Huston, 578 Peakham Rd., Chair of the Park & Recreation Commission stated that the Commission supported the article.

Leslie Eagan, 67 Windsor Rd., is concerned that so much money has already been invested in the pool and now the Town is asking for more money. She wants to know when does it end. Ms. Duran explained what the previous money was used for and how the current funds will be used.

The Moderator confirmed a two-thirds vote was required and that the *motion* under Article 23 *PASSED BY MORE THAN TWO-THIRDS.*
Electronic Vote: In Favor 138, Opposed 23

ARTICLE 24 – SPS SCHOOL CLASSROOM INSTRUCTIONAL EQUIPMENT REPLACEMENT

Select Board Chair Janie Dretler, *moved* in the words below:

Move to indefinitely postpone Article 24.

Submitted by SPS Committee

(Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports the motion

SELECT BOARD: Supports the motion

The Moderator confirmed a majority vote was required and that the *motion* to indefinitely postpone Article 24 *PASSED.*
Electronic Vote: In Favor 241, Opposed 10

ARTICLE 25 – SPS HAYNES ELEMENTARY SCHOOL DEHUMIDIFICATION HVAC

Select Board Chair Janie Dretler, *moved* in the words of the Article below:

Move to transfer the sum of \$150,000, from Free Cash, to be expended under the direction of the Sudbury Public School Department for the purpose of the addition, replacement, and/or relocation of HVAC ventilation and air conditioning systems in the Haynes Elementary School including incidental and related expenses associated therewith.

Submitted by the SPS Committee

(Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 25

SELECT BOARD: Supports Article 25

The Moderator confirmed a majority vote was required and that the *motion* under Article 25 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 241, Opposed 10

ARTICLE 26 – LINCOLN-SUDBURY REGIONAL HIGH SCHOOL LIGHTING CONTROL REPLACEMENT

Select Board Chair Janie Dretler, moved in the words below:

Move to transfer \$144,585 from Free Cash; being the Town's 87.31% share of the total estimated construction project of \$165,600, to be used together with the amount requested from the Town of Lincoln for its 12.69% share, being the sum of \$21,015, for the purpose of replacing the Lighting Control Analog Panels on the property of Lincoln-Sudbury Regional High School, including any incidental and related costs.

Submitted by the Sudbury Public Schools Committee (Majority vote Required)

The motion received a second.

FINANCE COMMITTEE: Supported Article 26

SELECT BOARD: Supported Article 26

The Moderator confirmed a majority vote was required and that the motion under Article 26 **PASSED BY WELL MORE THAN A MAJORITY.**

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 27 – LINCOLN-SUDBURY REGIONAL HIGH SCHOOL EXTERIOR STAIRWELL REPLACEMENT

Select Board Chair Janie Dretler, moved in the words below:

Move to transfer from Free Cash, the sum of \$130,965, being the Town's 87.31% share of the total estimated construction project of \$150,000, to be used together with the amount requested from the Town of Lincoln for its 12.69% share, being the sum of \$19,035, for the purpose of replacing exterior stairwells on the property of Lincoln-Sudbury Regional High School, including any incidental and related costs.

Submitted by the Sudbury Public Schools Committee (Majority vote Required)

The motion received a second.

FINANCE COMMITTEE: Supports Article 27

SELECT BOARD: Supports Article 27

The Moderator confirmed a majority vote was required and declared that the motion under Article 27 **PASSED**

Electronic Vote: In Favor 241, Opposed 10

Article 28 – ELECTRIC CAR CHARGING STATIONS FOR GOODNOW LIBRARY

Katrina Fontes, Goodnow Library Trustee, moved in the words of the article:

Move in the words of the article with the sum of \$80,000 to be transferred from the solar energy revolving fund.

Submitted by the Goodnow Library Trustees (Majority vote Required)

The *motion* received a second.

FINANCE COMMITTEE: Does not Support Article 28

SELECT BOARD: Does not Support Article 28

Katrina Fontes, 19 Dorothy Rd. made the presentation on behalf of the Library Trustees.

Ms. Dretler speaking on behalf of the Select Board asked the Trustee's to clarify the funding source. Jean Nan responded that the funding source is a revolving account.

Eric Poch, co-chair of the Finance Committee, moved to *indefinitely postpone Article 28*.

The *motion* received a second.

The Moderator stated that the *motion* needs a majority vote and declared that the Motion to Indefinitely Postpone Article 28 *PASSED BY MORE THAN A MAJORITY*.

Electronic Vote: In Favor 126, Opposed 33

ARTICLE 29 – AMEND GENERAL BYLAW ARTICLE XV, BUILDING PERMIT FEES

Select Board Chair Janie Dretler, moved in the words of the article:

Move to amend General Bylaw Article XV, Building Code, Section 1, Building Permit Fees, by amending certain fees charged by the Building Department, as described below.

Permit Type	Current Fee	Proposed Fee
Single Family Dwellings		
New, alterations, additions	\$10/\$1,000 value	\$12/\$1,000 value of work
Minimum Permit Fee	\$40	\$50
Commercial Buildings and Multi-Family Dwellings		

Permit Type	Current Fee	Proposed Fee
New, alterations, additions	\$15/\$1,000 value of work	\$15/\$1,000 value of work
Minimum Permit Fee	\$40	\$50
Sheet Metal Permit Fees		
Single Family Dwellings	\$10/\$1,000 value of work	\$12/\$1,000 value of work
Commercial & Multi Family	\$15/\$1,000 value of work	\$15/\$1,000 value of work
Minimum Permit Fee	\$40	\$50
Plumbing & Gas Permit: Residential, Commercial & Multi-Family		
First Fixture (new or renovation)	\$55	\$60
Each additional fixture	\$8	\$12
Replacement Fixture (1 inspection) (dishwasher, range, dryer, boiler etc.)	\$30	\$50
Reinspection Fee	\$30	\$50
Electrical Permit		
Residential & Commercial	\$3/\$100 value of work	\$3/\$100 value of work
Reinspection Fee	\$30	\$50
Minimum Permit Fee	\$30	\$50
Industrial Maintenance	\$200 (annual)	\$250 (annual)
Other Charges		
Lost or Replacement Permit Card	\$0	\$75
Certificate of Inspection per IBC s. 110.7	\$40	\$60

Provided that the Town Clerk shall be authorized to make ministerial or clerical revisions to the numbering and placement of the amended bylaw.

Submitted by the Select Board

(Majority vote Required)

The *motion* received a second.

FINANCE COMMITTEE: Supports

SELECT BOARD: Supports

Town Manager Andrew Sheehan, made the presentation.

Ralph Taylor, 1 Deacon Ln., moved to amend article 29 by adding the following words “*Building Permit Fees shall be waived for Sudbury Residents for work on their land owned and occupied by them as their legal residence for the most recent 10 years*”.

Mr. Tayler spoke to his article. He stated that it was not fair to long term residents to have to pay higher fees to improve their home. He also stated that a fee which does not proportionally reflect the actual cost of the service is a tax.

The Moderator stated that a majority vote is required and held that the Motion to Amend **FAILED**.

Electronic Vote: In Favor 30, Opposed 110

The Moderator confirmed a majority vote was required and declared that the main **motion** under Article 29 **PASSED BY WELL MORE THAN A MAJORITY.**

Electronic Vote: In Favor 82, Opposed 61

ARTICLE 30 –AMEND GENERAL BYLAWS ARTICLE XXII CONSERVATION COMMISSION PERMIT FEES

Select Board Chair Janie Dretler, moved in the words of the article:

Move to amend General Bylaw Article XXII, Wetlands Administration, Section 4. Applications for Permits and Requests for Determination, by amending the fees charged by the Conservation Commission, as described below; provided that the Town Clerk shall be authorized to make ministerial or clerical revisions to the numbering and placement of the amended bylaw.

Category	Current	Proposed
Category A: Single minor project	\$25	\$100 plus \$0.50 per square foot impact to unaltered Adjacent Upland Resource Area
Category B: New single-family dwelling	\$250	\$300 Plus \$0.75 per square foot impact to unaltered Adjacent Upland Resource Area
Category C: Subdivision--road and utilities only	\$500 plus \$2 per foot of road sideline within a resource area	No Change Proposed
Category D: Drainage, detention/retention basins	\$500 plus \$2 per 100 cubic feet of basin within a resource area	No Change Proposed
Category E: Multiple Dwelling Structure	\$500 plus \$100/unit, all or part of which is within a resource area	No Change Proposed

Category F: Commercial and Industrial Projects	\$500 plus \$0.50 per square foot of disturbance in an undeveloped resource area	\$1000 plus \$0.75 per square foot of disturbance in an undeveloped resource area
Category G: Application filed after Enforcement	Double the fee	No Change Proposed
Category H: Determination of Applicability	No Fee	\$75
Category I: Remediation of a Contaminated Site or Enhancement of a Degraded Resource	\$25	\$500

Submitted by the Town Manager

(Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports

SELECT BOARD: Supports

Town Manager Sheehan made the presentation. He stated that the existing fee structure hasn't changed since 1998. As a result the current fees are not enough to cover the cost to provide the services. This is putting undue pressure on taxpayers to cover the additional costs.

The Moderator asked Ralph Tyler, if he was going ahead with his motion to amend article 30. Mr. Tyler responded that he was withdrawing his motion to amend.

The Moderator confirmed a majority vote was required and that the main *motion* under Article 30 *PASSED BY WELL MORE THAN A MAJORITY.*
Electronic Vote: In Favor 104, Opposed 27

ARTICLE 31 – AMEND ZONING BYLAW: CODIFICATION – ADDITIONAL CHANGES

Select Board Chair Janie Dretler, *moved* in the words below:

Move to adopt the following changes to the Zoning Bylaw as set forth in the Final Draft of the Code of the Town of Sudbury, dated September 2023, on file with the Town Clerk, provided that the Town Clerk shall be authorized to make ministerial or clerical revisions to the numbering and placement of the amended bylaw;

Specific Revisions:

Section 1310 is amended as indicated:

Buildings, structures or signs may not be erected, structurally altered, moved, or changed in use and land may not be substantially altered or changed in principal use unless such action is in compliance with then-applicable zoning[,] and that all necessary permits have been received under federal, state, or local law. All building permits shall be posted conspicuously on the premises to which it applies they apply during the time of construction.

The second paragraph of original Sec. 2210, regarding the meaning of symbols in the Table of Principal Use Regulations, of the Zoning Bylaw is repealed.

Sections 2326 and 2327 are amended as indicated: "See Appendix B, Table of Dimensional Regulations Requirements."

Section 3113e is amended as indicated: "The reduction in the number of required spaces will not create undue congestion or traffic hazards, and that such relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this bylaw."

Section 3290 is amended as indicated: "In granting such permission special permit, the Zoning Board of Appeals shall specify the size and location of the sign or signs and shall impose such other terms and restrictions as it may deem to be in the public interest."

Section 3294B is amended as indicated: "Which Has been destroyed or damaged to the extent that the cost of repair or restoration will exceed 1/3 of the replacement value as of the date of destruction."

Section 4130, under the heading "Floodplain Boundaries," is amended as indicated: "The FIRM and Flood Insurance Study booklet are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official Inspector, Conservation Commission and Engineering Department."

The following sections are amended to update the references to former Section 4221 to read "Section 7110": Sections 4230, 4242a and b, 4243j, 4252b, and 4253h.

Sections 4242p and 4252n are amended as indicated: "Any existing facility with such a drainage system shall be required to either seal the floor drain (in accordance with the state plumbing code, 248 CMR 2.00 10.00)."

Section 4261e is amended to change "Treasurer of the Town" to "Treasurer-Collector of the Town."

Section 4270 is amended as indicated: "The special permit granting authority under this bylaw Section 4200 shall be the Planning Board."

Section 4623b is amended as indicated: "The applicant demonstrates that the medical marijuana treatment center will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to 105 CMR 725.004 935 CMR 500 et seq."

Section 4642 is amended as indicated: "The permit holder shall file a copy of any incident report required under 105 CMR 725.110(F) 935 CMR 501.110 with the Zoning Enforcement Officer and the Sudbury Police Department within 24 hours of creation by the medical marijuana treatment center."

Section 4720A is amended as indicated:

Except as explicitly provided elsewhere in Section 4700A, the provisions and requirements of other applicable zoning districts, and any rules, regulations, approval processes and/or design or performance standards contained elsewhere in this Zoning Bylaw, shall not apply to any project developed pursuant to Section 4700A[.]; notwithstanding the above, Section 3200 (Signs and Advertising Devices), shall apply.

Section 4700B, Subsection I2b, is amended as indicated:

Upon receipt by the approving authority, applications shall be distributed to the Building Inspector, Fire Chief, Police Chief, Health Department, Conservation Committee Commission, the Town Manager, the Select Board, and the Department of Public Works.

Sections 5151, 5361c, and 5461c are amended to change "Soil Conservation Service" to "Natural Resources Conservation Service."

Section 5332 is amended as indicated: "An SRC shall constitute housing intended for persons of age 55 or over within the meaning of MGL c 151B, § 4, 16 Subdivision 6, and 42 U.S.C. § 3607(b)(2)(C)."

Section 6132 is amended as indicated: "There must be a substantial hardship to the owner, financial or otherwise, if the provisions of the ordinance or bylaw were to be literally enforced."

Section 6134 is amended as indicated: "Granting the variance must not nullify or substantially derogate from the intent of purpose of the ordinance or bylaw."

Section 7110.

Definition of "sign."

The definition of "fuel pump signs" is amended as indicated: "In accordance with MGL c. 94, § 295c, standard gasoline fuel pump signs on service station fuel pumps bearing thereon in usual size and form the name, type and price of the gasoline."

The definition of "nonconforming sign" is amended as indicated: "Any sign that existed on the effective date of this ordinance bylaw (or amendment thereto) and does not comply with the regulations set forth herein."

Appendix A, Table of Principal Use Regulations, attached to this bylaw is amended as follows:

In entry C28, marijuana establishment, a superscript "8" is added after the type of permitted use in each district.

In the notes following the table, Note 8 is added to read "For medical marijuana treatment centers, see Section 4620."

Submitted by the Town Clerk

(Two-thirds vote required)

The motion received a second.

FINANCE COMMITTEE:

No Position

SELECT BOARD:

Supports

PLANNING BOARD

Supports

The Moderator stated that the quantum of vote required for passage of Article 31 is two-thirds and declared that the Article PASSED BY MORE THAN TWO-THIRDS.
Electronic Vote: In Favor 107, Opposed 11

ARTICLE 32 – AMEND ZONING BYLAW ARTICLE IX, SECTION 6300, SITE PLAN REVIEW

Select Board Chair Janie Dretler, moved in the words of the article,

Move to amend the Zoning Bylaw Section 6390A Lapse and Appeal by deleting the sentence "An appeal from a decision of the Planning Board relating to the substantive provisions of the Zoning Bylaw pursuant to section 6300 shall be taken in accordance with the provisions of G.L.c.40A,s.8," and replacing it with "An appeal by any person aggrieved by any site plan decision of the Planning Board shall be taken per MGL c. 40A, § 17, as amended."

Provided that the Town Clerk shall be authorized to make ministerial or clerical revisions to the numbering and placement of the amended bylaw.

Submitted by the Planning Board

(Two-thirds vote required)

The motion received a second.

SELECT BOARD: Supports Article 32

FINANCE COMMITTEE: No position

Adam Burney, Planning and Community Development Director made the presentation.
Ralph Tyler, 1 Deacon Ln., spoke in opposition to the article.

The Moderator stated that a Two-thirds vote was required and declared that the Article FAILED.
Electronic Vote: In Favor 61, Opposed 62.

ARTICLE 33 – AMEND ZONING BYLAW ARTICLE IX: INSERT SECTION 4700C MULTI-FAMILY OVERLAY DISTRICT

Select Board Chair Janie Dretler, moved in the words of the article.

Move to amend the Zoning Bylaw, Article IX, by inserting a new Section 4700C "Multi-Family Overlay District", as set forth in the document entitled "Multi-Family Overlay District" dated 31 January 2024 and on file with the Town Clerk, and to amend the Zoning Map as shown on a plan entitled "Multi-Family Overlay District Map", dated 31 January 2024, and on file with the Town Clerk. Provided that the Town Clerk shall be authorized to make ministerial or clerical revisions to the numbering and placement of the amended bylaw.

4700C: MULTI-FAMILY OVERLAY DISTRICT

A. PURPOSE.

The purpose of the Multi-family Overlay District (MFOD) is to allow multi-family and mixed use housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A) to accomplish the following purposes, to the maximum extent feasible:

- 1. Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels.*
- 2. Locate housing within reasonable distance of public transit to promote general public health, reduce the number of vehicular miles travelled, support economic development, and meet community-based environmental goals, including reducing greenhouse gases and improving air quality.*
- 3. Preserve open space in a community by locating new housing within or adjacent to existing developed areas and infrastructure.*
- 4. Support public investment in public transit and pedestrian- and bike-friendly infrastructure.*
- 5. Increase the municipal tax base through private investment in new residential developments.*

B. ESTABLISHMENT AND APPLICABILITY.

Overlay District. The MFOD is an overlay district is an area of land approximately 52 acres in size that superimposed over underlying zoning districts and overlay districts as shown on the Zoning Map. The regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the respective underlying zoning districts and overlay districts shall remain in full force, except for uses allowed as of right in the MFOD. Uses that are not identified in Section 4700C are governed by the requirements of the underlying zoning districts and overlay districts. Any MFOD project shall comply with Section 4200 Water Resource Protection Overlay District to the maximum extent practicable. The MFOD shall consist of the following parcels of land: Assessor Map K07, Parcel 0023; Assessor Map K07, Parcels 0024; Assessor Map C12, Parcel 0100.

- 1. Sub-districts. The MFOD consists of the following sub-districts, all of which are shown on the MFOD Boundary Map which can be found:*
 - a. MFOD 1*
 - b. MFOD 2*
- 2. Exclusions. Non-applicable sections of the Zoning Bylaw. To comply with the requirements and guidelines for MGL. Chapter 40A Section 3A, the following sections of the zoning ordinance do not apply to any multi-family housing or mixed-use development uses allowed by right in the MFOD*
 - a. Section 5600 Inclusion of Affordable Housing*

C. PERMITTED USES.

1. Uses Permitted as of Right. The following uses are permitted as of right within the MFOD.

a. Multi-family residential

b. Mixed-use development as follows:

Ground Floor

Community space. Educational uses.

Personal Service Establishment.

Retail Stores and service establishments not elsewhere set forth. Restaurant.

Business or professional office.

Artists' studios, maker space, and small-scale food production no more than 5,000 SF, and retail associated with each use.

Any Floor

Residential (required component).

c. Open Spaces Uses.

- i. All areas unoccupied by buildings or structures, may be used for the following uses on a temporary basis, including, without limitation, areas containing utilities and/or stormwater infrastructure; paths; outdoor ice rinks, farmers' markets, music festivals, and other seasonal outdoor uses and facilities; and green, landscaped, and open space areas. Parking areas are not considered open space.**

2. Accessory Uses.

Parking, including surface and parking within the primary structure such as a first-floor or underground parking garage on the same lot as the principal use is an accessory use allowed by right in the MCOD.

3. Prohibited Uses. Any use(s) not expressly allowed either under Section 4700C or within the underlying zoning districts and overlay districts shall be prohibited.

D. DIMENSIONAL STANDARDS AND OTHER REQUIREMENTS.

1. Table of Dimensional Standards.

	Multi-family Overlay District I	Multi-family Overlay District II
<u>Maximum Lot Coverage (%)</u>	50	50
<u>Maximum Building Coverage (%)</u>	30	35

<u><i>Maximum Height</i></u>	<i>3 stories, 45 feet</i>	<i>3 stories, 45 feet</i>
	<i>4 stories or 60 feet may be permitted by Planning Board</i>	<i>4 stories or 60 feet may be permitted by Planning Board</i>
<u><i>Front Setback (feet)</i></u>	<i>30</i>	<i>100</i>
<u><i>Side Setback (feet)</i></u>	<i>20</i>	<i>20</i>
<u><i>Rear Setback (feet)</i></u>	<i>30</i>	<i>30</i>

- 2. Density requirements. New residential development or residential components of mixed-use development shall be constructed at a maximum density of 15 units per acre.*
- 3. Two or More Buildings on One Lot. Notwithstanding anything to the contrary in this Zoning Bylaw, more than one (1) building or structure, including those intended solely for use as residential dwellings, shall be permitted on any lot within the MFOD.*

4.

E. OFF-STREET PARKING.

These parking requirements are applicable to development in the MFOD.

- 1. Number of parking spaces. The following off-street parking space numbers shall be permitted by use, either in surface parking or within garages or other structures:*

<i>Use</i>	<i>Required Spaces</i>
<i>Residential uses</i>	<i>A maximum of 2 spaces per dwelling unit</i>
<i>Non-residential uses</i>	<i>See Section 3100 Parking Standards</i>

- 2. Parking Calculation. Developments in the MFOD may be approved to have a number of parking spaces less than the maximum, if the Site Plan Review Authority finds the proposed parking to be adequate for the development's requirements. In making such a determination, the Site Plan Review Authority shall assess factors like complementary uses, transportation demand management (TDM) measures, shared parking arrangements, vehicle-share arrangements, the provision of a shuttle service, electric vehicle charging stations, and access to alternative modes of transportation.*
- 3. Number of bicycle parking spaces. The following minimum numbers of covered bicycle storage spaces shall be provided by use:*

<i>Use</i>	<i>Minimum Spaces</i>
<i>Residential uses</i>	<i>1 space per every two (2) dwelling units</i>

Non-residential uses 1 space for every 10 parking spaces

- 4. Bicycle storage. For a multi-family development of 10 units or more, or a mixed-use development of 25,000 square feet or more, required residential bicycle parking spaces shall be enclosed within the structure of the primary building(s).*
- 5. Shared Parking within a Mixed-Use Development. Parking requirements for a mix of uses on a single site may be adjusted through the Site Plan Review process, if the applicant can demonstrate that shared spaces will meet parking demands by using accepted methodologies.*
- 6. EV charging stations. For all uses within the MFOD, at least 10% of the parking spaces shall be made EV-Ready, with Electric Vehicle Supply Equipment (EVSE) in place for future development of charging stations. The appropriate count and type(s) of charging stations shall be determined at the discretion of the Planning Board during the Site Plan Review Process.*
- 7. Transit/Shuttle Service The site shall contain an appropriate number of locations for a bus and/or shuttle to stop, pick up/unload passengers, and not impede traffic and will provide a commuter shuttle from the development to the geographically closest Commuter Rail Station during peak AM and PM commuter hours.*
 - a. These location(s) must:*
 - 1. Include a shelter structure with at least three (3) sides, large enough to provide coverage for a minimum of five (5) individuals.*
 - 2. Provide an accessible pedestrian access path from all adjacent buildings,*
 - 3. Be cleared of snow and ice during inclement weather, and*
 - 4. Be maintained for the life of the development.*

F. GENERAL DEVELOPMENT STANDARDS

- 1. These standards are components of the Site Plan Review process for development permitted under Section 4700C.*
- 2. Site Design.*
 - a. Connections. Sidewalks shall provide a direct connections among building entrances, the public sidewalk or right-of-way, bicycle storage, and parking.*
 - b. Vehicular access. Curb cuts shall be minimized and driveways shared, where feasible.*
 - c. Open Space. Open space uses include parks, playgrounds, landscaped areas, athletic fields, and areas left in their natural condition.*
 - d. Screening for Parking. Surface parking adjacent to a public sidewalk or residential use shall be screened by a landscaped buffer of sufficient width to*

allow the healthy establishment of trees, shrubs, and perennials, but no less than six (6) feet. The buffer may include a fence or wall of no more than three feet in height unless there is a significant grade change between the parking and the sidewalk.

- e. Plantings. Plantings will be only species native to this region. Those plants listed on the Massachusetts Prohibited Plant List, as amended, will be prohibited.*
- f. Lighting. Light levels shall meet or exceed the minimum design guidelines defined by the Illuminating Engineering Society of North America (IESNA) and shall provide illumination necessary for safety and convenience while preventing glare and overspill onto adjoining properties and reducing the amount of skyglow. Where applicable, lighting shall be Dark Sky compliant (directed downward and using full cut-off fixtures).*
- g. Mechanicals. Mechanical equipment at ground level shall be screened by a combination of fencing and evergreen plantings. Rooftop mechanical equipment shall be screened if visible from a public right-of-way.*
- h. Dumpsters. Dumpsters shall be screened by a combination of fencing and evergreen plantings. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.*
- i. Stormwater management. Strategies that demonstrate compliance of the construction activities and the proposed project with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, Article V(F) of Sudbury's General Bylaws, and, if applicable, additional requirements under the Sudbury MS4 Permit for projects that disturb more than one acre, and an Operations and Management Plan for both the construction activities and ongoing post-construction maintenance and reporting requirements.*

3. Buildings: General.

- a. Position relative to principal street. The primary building shall have its principal façade and entrance facing the principal street. See also Section G.7. Buildings: Corner Lots.*
- b. Entries. Entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.*

4. Buildings: Multiple buildings on a lot.

- a. For a mixed-use development, uses may be mixed within the buildings or in separate buildings.*
- b. Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.*

- c. *A paved pedestrian network shall connect parking to the entries to all buildings and the buildings to each other.*
 - d. *The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention in terms of entries, fenestration, and materials.*
 - e. *The building(s) adjacent to the public street shall have a pedestrian entry facing the public street.*
- 5. Buildings: Mixed-use development.**
- a. *In a mixed-use building, access to and egress from the residential component shall be clearly differentiated from access to other uses. Such differentiation may occur by using separate entrances or egresses from the building or within a lobby space shared among different uses.*
 - b. *Paved pedestrian access from the residential component shall be provided to residential parking and amenities and to the public sidewalk, as applicable.*
 - c. *Materials for non-residential uses shall be stored inside or outside within an enclosure, screened from view, and secured.*
 - d. *Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.*
- 6. Buildings: Shared Outdoor Space.** *Multi-family housing and mixed-use development shall have common outdoor space that all residents can access. Such space may be located in any combination of ground floor, courtyard, rooftop, or terrace.*
- 7. Buildings: Corner Lots.** *A building on a corner lot shall indicate a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.*
- a. *Such entries shall be connected by a paved surface to the public sidewalk, if applicable.*
 - b. *All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.*
 - c. *Fire exits serving more than one story shall not be located on either of the street-facing façades.*
- 8. Buildings: Infill Lots.** *If the adjacent buildings are set back at a distance that exceeds the minimum front yard requirements, infill buildings shall meet the requirements of Section 4700C Subsection D. Dimensional Standards and Other Requirements. Otherwise, infill buildings may match the setback line of either adjacent building, or an average of the setback of the two buildings to provide consistency along the street.*

9. Buildings: Principal Façade and Parking. *Parking shall be subordinate in design and location to the principal building façade.*

- a. Surface parking. Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way.*
- b. Integrated garages. The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.*
- c. Parking within a building: Buildings with parking within the building envelope shall have programmed screening on the primary façade and architectural screening on the remaining sides.*

10. Waivers. *Upon the request of the Applicant and subject to compliance with the Compliance Guidelines, the Site Plan Review Authority may waive the requirements of this Section 4700C Subsection F. General Development Standards, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MFOD, the Sudbury Master Plan as amended, and the overall benefit of the residents of the Town of Sudbury.*

G. SITE PLAN REVIEW.

1. Applicability. *All projects developed using the MFOD shall be subject to the Site Plan Review procedures as detailed in Section 6300. The Site Plan Review and Approval Authority for the MFOD shall be the Planning Board.*

- a. Project Phasing. An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of Section 4700C Subsection H. Affordability Requirements, or any other local, state, or federal permitting process.*
- b. Issuance of Building Permit. Following the issuance of a site plan review approval, the Applicant shall submit a building permit application and such other materials and fees as may be required to the Building Inspector and a building permit may thereafter be issued for the approved project or any individual component thereof. Building permits may be sought and issued for individual components of an approved project.*
- c. Water Resources Protection District. Any MFOD project shall comply with Section 4200 Water Resource Protection Overlay District to the maximum extent practicable. The Planning Board shall review for such compliance through site plan review. Projects in the MFOD are exempt from any Special Permitting processes required in Section 4200.*

H. AFFORDABILITY REQUIREMENTS.

1. Purpose.

- a. *Promote the public health, safety, and welfare by encouraging a diversity of housing opportunities for people of different income levels;*
 - b. *Provide for a full range of housing choices for households of all incomes, ages, and sizes;*
 - c. *Increase the production of affordable housing units to meet existing and anticipated housing needs; and*
 - d. *Work to overcome economic segregation allowing Sudbury to be a community of opportunity in which low and moderate-income households have the opportunity to advance economically.*
- 2. *Applicability. This requirement is applicable to all multi-family and mixed-use developments with ten (10) or more dwelling units, whether new construction, substantial rehabilitation, expansion, reconstruction, or residential conversion (Applicable Projects) in the MFOD. No project may be divided or phased to avoid the requirements of this section.*
- 3. *Affordability requirements. All units affordable to Eligible Households earning 80% or less of AMI created in the MFOD under this section must be eligible for listing on EOHLC's Subsidized Housing Inventory. The affordability of such units shall be assured in perpetuity, or to the extent allowed by law, by an affordable housing restriction.*
- 4. *Provision of Affordable Housing. In Applicable Projects, ten percent (10%) of housing units constructed shall be Affordable Housing Units. For purposes of calculating the number of units of Affordable Housing required within a development project, a fractional unit shall be rounded down to the next whole number. The Affordable Units shall be available to households earning income up to eighty percent (80%) of the AMI.*
- 5. *Development Standards. Affordable Units shall be:*
 - a. *Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;*
 - b. *Dispersed equitably throughout the development;*
 - c. *Located such that the units have equal access to shared amenities, including light and air, utilities (including any bicycle storage and/or Electric Vehicle charging stations), storage, and views within the development;*
 - d. *Located such that the units have equal avoidance of any potential nuisances as market- rate units within the development;*
 - e. *Distributed proportionately among unit sizes; and*
 - f. *Distributed proportionately across each phase of a phased development.*

g. Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

I. SEVERABILITY.

- 1. *If any provision of this Section 4700C is found to be invalid by a court of competent jurisdiction, the remainder of Section 4700C shall not be affected but shall remain in full force. The invalidity of any provision of this Section 4700C shall not affect the validity of the remainder of the Town of Sudbury's Zoning.***

OTHER SECTIONS TO AMEND WITHIN SUDBURY'S ZONING CODE

Add the following definitions to "Section 7000. Definitions"

Applicant. A person, business, or organization that applies for a building permit, Site Plan Review, variance or Special Permit or who files an administrative appeal.

As of right. Development that may proceed under the Zoning Bylaw without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

Mixed-use development. Development containing a mix of residential uses and non- residential uses, including, commercial, institutional, industrial, or other uses.

'Multi-family housing', a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.

Section 3A. Section 3A of the Zoning Act.

Submitted by the Planning Board

(Majority vote required)

The ***motion*** received a second.

SELECT BOARD: **Supports Article 33**

FINANCE COMMITTEE: **No position on Article 33**

Henry Sorett raised a point of order. He asked that the Moderator declare that the article is out of order because the full amendment was not presented in the warrant. Mr. Sorett stated that the article violates due process because elderly residents who do not have access to a computer and therefore couldn't read the amendment ahead of time would not know what they are voting for.

The Moderator declared that the motion is not out of order and that she would proceed with the article.

Adam Burney, the Director of Planning and Community Development, gave the presentation. He gave an Overview of the MBTA Act, which was adopted in January 2021, by the legislature. He emphasized that this is a zoning law, not a production law. Therefore, the Act requires the town to create a zoning bylaw, but does not require Sudbury or any town to build or produce any housing units.

The Act requires all 177 MBTA communities, of the Commonwealth's 351 total communities, to have multi-family housing permitted by right in their zoning bylaw. MBTA communities are those communities which have a rapid transit station, a commuter rail station, or are next to a community that has either of those facilities. Mr. Burney stated that Sudbury is one of 59 communities in the state adjacent to an MBTA community. He further noted that everyone who lives in Sudbury is aware that the town does not have a train station and that the adjacent towns do. He explained that if Sudbury does not change the zoning, then the town will become ineligible for a variety of funding streams through the state. (The complete presentation is available on the Town website)

Steve Garvin, Planning Board Chair, explained how the Planning Board decided on where the overlay districts would be.

Sudbury resident Ralph Tyler moved to amend the motion by removing the words "Cold Brook Crossing" wherever it appears. The amendment received a second.

The Moderator called for a vote on the Motion to Amend and declared that the Motion **FAILED**.

The Moderator stated that a majority vote was required on the main motion and declared the article **PASSED BY MORE THAN A MAJORITY**.
Electronic Vote: In Favor 104, Opposed 19

The Moderator requested a **motion** to continue Town Meeting past 10:30 pm. The motion received a second and **PASSED BY MORE THAN A MAJORITY**.

ARTICLE 34 – AMEND ZONING BYLAW ARTICLE IX: SECTION 5600 INCLUSION OF AFFORDABLE HOUSING

Select Board Chair Janie Dretler, **moved** in the words of the article:

Move to amend the Zoning Bylaw, Article IX, Section 5623 by adding the words "Section 4700C Multi-Family Overlay District", as shown below.

*Developments which are permitted under the following regulations shall be exempt from this Section 5600, in its entirety: Massachusetts General Law Chapters 40B or 40R, and from this Zoning Bylaw Section 4700A North Road Residential Overlay District, Section 4700B Melone Smart Growth Overlay District, **Section 4700C Multi-Family Overlay District**, Section 5300 Senior Residential Community, and Section 5400 Incentive Senior Development. Provided that the Town Clerk shall be authorized to make ministerial or clerical revisions to the numbering and placement of the amended bylaw.*

Submitted by the Planning Board

(Majority vote required)

The **motion** received a second.

SELECT BOARD: Supports Article 34

FINANCE COMMITTEE: Supports Article 34

The Moderator stated that a majority vote was required and declared the Article **PASSED BY MORE THAN A MAJORITY.**

Electronic Vote: In Favor: 104, Opposed 4

ARTICLE 35 – COMMUNITY PRESERVATION ACT FUND – WAYSIDE INN ROAD BRIDGE RECONSTRUCTION

Select Board Chair Janie Dretler, **moved** in the words of the article:

Move to appropriate the sum of \$400,000, for Historic Resources purposes under the Community Preservation Act from Historic Resources Reserves to reconstruct the Wayside Inn Road Bridge superstructure over the Hop Brook tributary which is located approximately 1,000 feet westerly from the Wayside Inn. The structure is located within the Wayside Inn Historic District. Construction shall include replacement/repair of the parapet walls, portions of the bridge deck, guardrail, pavement, grading, loam, seed and associated work including any incidental and related expenses.

Submitted by the CPC

(Majority vote required)

The **motion** received a second.

SELECT BOARD: Supports Article 35

FINANCE COMMITTEE: Supports Article 35

The Moderator declared this Article **PASSED BY MORE THAN A MAJORITY**

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 36 – COMMUNITY PRESERVATION ACT FUND - BRUCE FREEMAN RAIL TRAIL - PHASE 3

Select Board Chair Janie Dretler, **moved** in the words of the article:

Move to appropriate the sum of \$600,000 for Open Space and Recreation purposes under the Community Preservation Act from FY25 CPA Estimated Annual Revenues and then from the CPA General Reserve Funds if needed, for the purpose of advancing the design and construction of the Bruce Freeman Rail Trail (BFRT) Phase 3, extending south of the intersection with the Mass Central

Rail Trail to Eaton Road West near the Framingham city line; including any incidental and related expenses.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

SELECT BOARD: Supports Article 36

FINANCE COMMITTEE: Supports Article 36

The Moderator declared this Article *PASSED BY MORE THAN A MAJORITY*
Electronic Vote: In Favor 241, Opposed 10

**ARTICLE 37 – COMMUNITY PRESERVATION ACT FUND –HOUSING
AUTHORITY ALLOCATION**

Select Board Chair Janie Dretler, *moved* in the words below:

Move to indefinitely postpone Article 37

Submitted by the CPC (Majority vote required)

The *motion* received a second.

SELECT BOARD: Supports the motion

FINANCE COMMITTEE: Supports the motion

The Moderator declared the motion to indefinitely postpone *PASSED BY MORE THAN A
MAJORITY*
Electronic Vote: In Favor 241, Opposed 10

**ARTICLE 38 – COMMUNITY PRESERVATION ACT FUND –HOUSING TRUST
ALLOCATION**

Select Board Chair Janie Dretler, *moved* in the words below:

Move to appropriate the sum of \$380,000 for Community Housing purposes under the Community Preservation Act from FY25 CPA Estimated Annual Revenues and then from the CPA General Reserve Funds if needed, as a grant to the Sudbury Housing Trust for the purpose of supporting community housing through the provision of grants loans, rental assistance, security deposits, interest-rate write downs, or other forms of assistance for the purpose of making housing affordable.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 38

SELECT BOARD: Supports Article 38

The Moderator confirmed a majority vote was required and declared that the Article *PASSED BY WELL MORE THAN A MAJORITY.*

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 39 – COMMUNITY PRESERVATION ACT FUND – REMEDIATION OF WATER CHESTNUTS FROM HOP BROOK POND SYSTEM

Select Board Chair Janie Dretler, *moved* in the words below:

Move to appropriate the sum of \$56,221 for Open Space and Recreation purposes under the Community Preservation Act from FY25 CPA Estimated Annual Revenue and then from the CPA General Reserve Fund, if needed, as a grant to the Hop Brook Protection Association for the purpose of remediating/removing water chestnuts and other invasive species from the Hop Brook Pond System and to authorize the Select Board to enter into a grant agreement on such terms and conditions as it deems appropriate.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 39

SELECT BOARD: Supports Article 39

The Moderator confirmed a majority vote was required and declared that Article 39 *PASSED BY WELL MORE THAN A MAJORITY.*

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 40 – COMMUNITY PRESERVATION ACT FUND – PARKINSON FIELD DRIVEWAY DESIGN

Select Board Chair Janie Dretler, *moved* in the words below:

Move to appropriate the sum of \$100,000 for Open Space and Recreation purposes under the Community Preservation Act from FY25 CPA Estimated Annual Revenues and then from the CPA General Reserve Fund, if needed, for the purpose of advancing the design of the

driveway and parking area improvements at Parkinson Field, including any incidental and related expenses.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Does not support the article

SELECT BOARD: Supports Article 40

The Moderator confirmed a majority vote was required and declared that Article 40 **PASSED BY WELL MORE THAN A MAJORITY.**

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 41 – COMMUNITY PRESERVATION ACT FUND – COMMUNITY GARDEN

Select Board Chair Janie Dretler, *moved* in the words below:

Move to appropriate the sum of \$40,000 for Open Space and Recreation purposes under of the Community Preservation Act from FY25 CPA Estimated Annual Revenue, and then from the CPA General Reserve Fund, if needed, for the purpose of the installation and equipping of an artesian irrigation well for a reliable water source to support local farming at Lincoln Meadows including demolition, site preparation and any other incidental and related costs.

Submitted by the CPC (Majority vote required)

The *motion* received a second.

FINANCE COMMITTEE: Supports Article 41

SELECT BOARD: Supports Article 41

The Moderator stated that a majority vote was required and declared the Article **PASSED BY MORE THAN A MAJORITY.**

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 42 – COMMUNITY PRESERVATION ACT FUND – REGIONAL HOUSING SERVICES OFFICE (RHSO) MEMBERSHIP FEE

Select Board Chair Janie Dretler, *moved* in the words below:

Move to appropriate the sum of \$33,000 for Community Housing purposes under the Community Preservation Act, funded from FY25 CPA Estimated Annual Revenue and then from the CPA General Reserve Fund, if needed, for the purpose of supporting and creating community housing by funding of the Town's portion of the FY25 Regional Housing Services Office (RHSO) membership fee.

Submitted by the Community Preservation Committee. (Majority vote required)

The *motion* received a second.

SELECT BOARD: Supports Article 42

FINANCE COMMITTEE: Supports Article 42

The Moderator stated that a majority vote was required and declared the article **PASSED BY MORE THAN A MAJORITY.**

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 43 – COMMUNITY PRESERVATION ACT FUND – RETURN OF UNSPENT FUNDS

Select Board Chair Janie Dretler, *moved* in the words below:

Move to return the unused funds from appropriations voted at prior Town Meetings for projects that have been completed and for which no liabilities remain outstanding or unpaid, into the Community Preservation Act Fund as follows:

*2020 ATM, Article 45 - Remediation of Water Chestnuts from
Hop Brook Pond System to be returned to the category of Open Space
and Recreation* *\$28,051.12*

Total: \$28,051.12

Submitted by the Community Preservation Committee. (Majority vote required)

The *motion* received a second.

SELECT BOARD: Supports Article 43

FINANCE COMMITTEE: Supports Article 43

The Moderator stated that a majority vote was required and declared the article **PASSED BY MORE THAN A MAJORITY.**

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 44 – COMMUNITY PRESERVATION ACT FUND – GENERAL BUDGET AND APPROPRIATIONS

Select Board Chair Janie Dretler, moved in the words below:

Move to appropriate the sums recommended by the CPC in the following Community Preservation Act budget for FY25 Community Preservation surtaxes.

*\$114,500 Administrative and Operating Cost
\$750,193 Debt Service*

The motion received a second.

Submitted by the Community Preservation Committee. (Majority vote required)

SELECT BOARD: Supports Article 44

FINANCE COMMITTEE: Supports Article 44

The Moderator stated that a majority vote was required and declared the article **PASSED BY MORE THAN A MAJORITY.**

Electronic Vote: In Favor 241, Opposed 10

ARTICLE 45 – AMEND GENERAL BYLAWS, CHAPTER 20, BY ADDING “DISABILITY” (Petitioner’s Article)

Select Board Chair Janie Dretler, moved in the words below:

Move to amend General Bylaws Section 20-4 by adding the word “disability” to the list of conditions in the definition of discriminatory, discriminate, or discrimination, provided that the Town Clerk shall be authorized to make ministerial or clerical revisions to the numbering and placement of the amended bylaw.

Chapter 20, Equal Opportunity, Section 20-4, definition of "discriminatory, discriminate, or discrimination": Includes all action which denies or tends to deny equal employment opportunity because of race, color, age, disability, religious creed, national origin, sex, gender identity, sexual orientation, which shall not include persons whose sexual orientation involves minor children as the sex object, genetic information, pregnancy or a condition related to said pregnancy, including, but not limited to, lactation or the need to express breast milk for a nursing child, ancestry or status as a veteran (as defined by state statutes).

The motion received a second.

Submitted by Petition (Majority Vote required)

SELECT BOARD: Supports Article 45

FINANCE COMMITTEE: No Position

Presentation made by Petitioner Kathleen Bell.

Ms. Bell stated that at the October 2023 Town Meeting when an article was approved to amend the general bylaws, the word disability was “somehow” omitted from the clause regarding providing equal opportunity for employment. She asked that meeting members consider why this omission should be corrected and stated that, “aside from compliance with the law, it is worth considering that about one-quarter of the population of the Commonwealth lives with a disability of some kind.” She then displayed a graph documenting this point. She noted that “living with disability can have a dramatic impact on one's financial well-being and ability to live independently” and that “many persons with a disability are able and eager to have a working career.” She stated that “federal and state equal employment opportunity laws exist to provide a level playing field for all, including persons with a disability.”

She concluded saying, “Sudbury is committed to justice and respect. As we pass Article 45 to place one important word where it belongs in the equal employment bylaw, the town is affirming our values and laying a strong foundation for employment policy that complies with current laws and opens the door for person of all ability to work for and be of service to our town.” She urged the hall to vote yes on this article.

The Moderator stated that a majority vote was required and declared the article **PASSED BY MORE THAN A MAJORITY.**

Electronic Vote: In Favor 100, Opposed 4

Ms. Blake thanked the town staff for all their hard work.

The Moderator **moved** to dissolve the 2024 Annual Town Meeting, the motion was made and received a second and **PASSED BY MORE THAN A MAJORITY.**

The 2024 Annual Town Meeting was dissolved at 10:38 pm on May 7, 2024.

ATTENDANCE: 182

A TRUE COPY, ATTEST

A handwritten signature in black ink, appearing to read "Beth R. Klein".

SUDBURY TOWN CLERK