

Community Preservation Committee
Minutes
Wednesday, January 17, 2007
Town Hall

Members Present: Chris Morely, Mark Kablack, Alan Jefts, Richard Bell, Sheila Stewart, Jim Hill, and Sherrill Cline

Not Present: John Drobinski and Tara Reed

The meeting was called to order at 7:30 pm.

Johnson Land Update: Jody Kablack advised that Mr. Johnson died last week which is causing a delay in the negotiations regarding the purchase of his property. There was a discussion as to whether and how to keep the warrant article re: the purchase of his land in the Warrant without an agreed upon price. It was decided to leave the article in place and see whether there were any new developments in the next two weeks.

Ms. Kablack recommended that the article be amended to state that the portion of the land that was to be used for community housing be deeded directly to the Sudbury Housing Trust instead of to the Town.

A motion was made by Mark Kablack and seconded by Richard Bell that the warrant article on the Johnson property be amended to provide that the portion of the property allocated to community housing be deeded directly to the Sudbury Housing Trust.

Vote 7/0/0

A motion was made by Mark Kablack and seconded by Richard Bell that the warrant article on the Johnson property be amended to provide that the cost of the Johnson property will be split equally between open space and community housing.

Vote 7/0/0

Opinion of Town Counsel: Ms. Kablack reported that Paul Kenny, Town Counsel, recommended that the clause, “with the involvement of the Sudbury Conservation Commission” and “with the involvement of the Sudbury Historical Commission” be stricken from the Articles regarding the Rail Trail Wildlife Study,

the Rail Trail Existing Conditions Base Map and the Carding Mill House Planning. Mr. Kenny did not believe the CPC had the authority to direct the Town Manager to work with these Commissions as the articles are written. There was discussion as to whether members of the CPC would approve of the proposals absent that condition.

It was then suggested that this condition could be included in the Grant Agreements. However, Mr. Kenny also had concerns about the Grant Agreements as the CPC does not have authority to enter into contracts on behalf of the Town. Mr. Morely suggested that the Grant Agreements could be phrased in terms of a statement of the CPC's intentions upon approving the proposal, rather than a contract. Mr. Kenny would like the opportunity to work with the CPC in drafting the motions for Town Meeting.

A motion was made by Mark Kablack and seconded by Jim Hill that the clauses "with the involvement of the Sudbury Conservation Commission" and "with the involvement of the Sudbury Historical Commission" be removed from the Articles regarding the Rail Trail Wildlife Study, the Rail Trail Existing Conditions Base Map and the Carding Mill House Planning.

Vote 7/0/0

Committee Reports for the Warrant

Sudbury Town Center Project:

A motion was made by Mark Kablack and seconded by Alan Jefts that the Majority Report be accepted as presented.

Vote 6/0/1

A motion was made by Richard Bell and seconded by Sherrill Cline that the Minority Report be accepted as follows:

A minority of the Community Preservation Committee does not believe that use of CPA funds for this project falls within the uses specified and authorized by the Community Preservation Act. The Act authorizes the use of monies for "the acquisition, creation, and preservation of open space; the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation and preservation of land for recreational use; for the creation, preservation and support of community housing; and for the rehabilitation or restoration of open space, land

for recreational use and community housing that is acquired or created [under the law].” The minority believes that the Town Center Project does not include the acquisition, creation, rehabilitation, restoration, or preservation of open spaces or historic resources.

Vote 7/0/0

A motion was made by Alan Jeffs and seconded by Sheila Stewart that the vote tally for and against the Proposal be included with the committee reports.

Vote 7/0/0

Rail Trail Title Search:

A motion was made by Mark Kablack and seconded by Jim Hill that the Committee Report be accepted as presented.

Vote 7/0/0

Rail Trail Wildlife Study:

A motion was made by Mark Kablack and seconded by Jim Hill that the Committee Report be accepted as presented.

Vote 7/0/0

Existing Conditions Base Map:

A motion was made by Richard Bell and seconded by Mark Kablack that the Committee Report be accepted as amended and that the amendment was to add the following sentence before the sentence beginning “Both the Environmental Resource Delineation....”:

“A Notice of Resource Area Delineation under both the Sudbury wetlands Administration Bylaw and the Massachusetts Wetlands Protection Act will be filed with the Sudbury Conservation Commission.”

Vote 7/0/0

Johnson Land Purchase:

A motion was made by Sherrill Cline and seconded by Sheila Stewart that the Committee Report be accepted as presented.

Vote 7/0/0

Housing Trust Allocation:

A motion was made by Mark Kablack and seconded by Jim Hill to accept the Committee Report after striking the words “onerous” and “and everywhere” in the second to last sentence.

Vote 7/0/0

Amend 2005 Town Meeting Article 42:

A motion was made by Mark Kablack and seconded by Sheila Stewart that the Committee Report be accepted as presented.

Vote 7/0/0

Carding Mill House Planning:

A motion was made by Jim Hill and seconded by Mark Kablack to accept the Committee Report after substituting the words “the Town” for it in the third to last sentence and striking the second to last sentence.

Vote 7/0/0

General Budget and Appropriations:

A motion was made by Mark Kablack and seconded by Sheila Stewart that the Committee Report be accepted as presented with the understanding that Mr. Morely will fill in the numbers after speaking with the Finance Director.

Vote 7/0/0

Future Work This Session

The next meeting date was set tentatively for 1/31. We will meet only if there are new developments on the Johnson land purchase. Otherwise, the next meetings will be March 7 and 21

Mr. Morely will be attending the Fin Com meeting on 1/22 and invited others to join him.

Mr. Kablack will work on a proposed Grant Agreement to memorialize the Committee's intentions and understanding of the scope of the projects approved as well as language for this year's grants.

Mr. Morely will work on a proposed Administrative Funds policy.

A motion to adjourn was made by Sherrill Cline and seconded by Sheila Stewart.

Meeting adjourned at 9:00 pm.

