

Present: Christopher Morely (Chairman), Sherrill Cline, Sheila Stewart, Jim Hill, Georgette Heerwagen, Richard Bell, Lynne Remington, John Drobinski and Seamus O'Kelly

At 7:30 p.m., Chairman Morely called the meeting to order.

Ms. Kablack distributed copies of the draft 2009 Town Meeting Warrant Articles and a few additional proposal materials to the CPC members for review and discussion purposes.

Loring Parsonage

Present: Permanent Building Committee Member Mike Melnick

The Committee reviewed the request submitted by the Sudbury Historical Commission, for an amount to be determined, to restore the exterior complete construction and restoration work on the exterior of the Loring Parsonage. Ms. Kablack noted that CPC Administrative Funds were previously approved for the hiring of a consultant to assess the project.

Permanent Building Committee (PBC) Member Mike Melnick stated that fellow PBC member Liz Radoski has been working with the consultant and the Sudbury Historical Commission to prepare an estimated cost of needed repairs. Mr. Melnick noted that the roof, windows, sills and siding need to be restored, and the first floor should become handicap-accessible. He further stated that the PBC would welcome direction from the CPC regarding whether the project should be bid in its entirety or in phases completed over several years. Ms. Radoski has suggested that approximately \$250,000 be proposed this year for restoration work. Mr. Hill clarified that \$250,000 would pay for only the first phase of work, and expenses to complete restoration of the interior and exterior of the building would far exceed \$250,000.

Mr. Drobinski asked if any repairs are immediately necessary to protect the building. Mr. Melnick responded that, if necessary, most repairs could wait a year. Ms. Stewart asked if the building is leaking, to which Mr. Melnick responded not at this time.

A brief discussion ensued regarding the bid process. Mr. Melnick and Chairman Morely clarified that the eventual bid award must be exactly followed and does not provide a menu of options for selection unless it is bid that way.

Ms. Kablack reviewed that the CPC has \$297,000 in Historic Reserves, into which this project may dip. Chairman Morely asked Mr. Hill what the Historical Commission's position is on spending a significant portion of the reserves in one year. Mr. Hill responded that, although the Commission would prefer to maintain reserves, it supports the importance of preserving this building. He also opined that there are no other

pending viable projects at this time other than the long-range goal of establishing a Sudbury historical museum.

The consensus of the CPC was that it would support this project up to \$250,000, and that the draft article should be approved as written and then re-assessed once an amount is better determined prior to printing of the Town Warrant.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented and reviewed this evening, requesting the appropriation of an amount to be determined from CPA funds, for the purpose of restoring the exterior of the Loring Parsonage. All appropriations will be allocated to the Historic category and funded from Historic reserves.

Town Clerk Document Preservation

Ms. Kablack noted that, since the project has not yet been bid, the amount of the request should be increased to \$200,000 for the draft article for the Town Clerk to restore and preserve 16 historic Town volumes of records

Mr. Hill noted that the Historical Commission enthusiastically supports this request and would like to be involved appropriately in the process. Chairman Morely suggested that language be added to the article noting that the funds will be expended under the direction of the Town Manager in consultation with the Historical Commission. Ms. Kablack will consult with Town Counsel regarding the appropriate amended language.

Ms. Cline asked if it is likely that a bid will be received as low as the originally estimated \$165,000. Ms. Kablack noted that because this type of restoration work is so specialized, it is likely that the company which provided the initial estimate will receive the bid award. Ms. Cline expressed reservations regarding increasing the project costs. She made a motion to revise the project cost to \$170,000, which was seconded by Ms. Remington.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented, reviewed and amended this evening, requesting the appropriation of \$170,000 for the purpose of restoring and preserving 16 volumes of historic Town records by the Sudbury Town Clerk's office, **said work to be completed by the end of Fiscal Year 2010**, or act on anything relative thereto. All appropriations will be allocated to the Historic category and funded from Historic reserves.

Historic Properties Survey - Part 3

Mr. Hill announced that the Historical Commission has filed a pre-request for a \$6,000 reimbursement from the Massachusetts Historic Commission for the old homes surveys completed by Sudbury.

Chairman Morely reminded the Committee that completion of this survey is a statutory obligation. He also asked Mr. Hill to clarify which homes within historic districts are listed in the surveys. Committee members briefly reviewed the Project Submission Form, submitted by the Sudbury Historical Commission, requesting an amount not to exceed \$10,000 of FY10 CPA funds for the purpose of identifying and compiling an inventory of Sudbury's Historic Properties.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Draft Warrant Article for the 2009 Annual Town Meeting, as presented and reviewed, requesting the appropriation of an amount not to exceed \$10,000 from CPA funds, for the purpose of identifying and compiling an inventory of Sudbury's Historic Properties. All appropriations will be allocated to the Historic category and funded from Historic reserves.

Gravestone Restoration at Mt. Pleasant and Old Town Cemeteries

Ms. Kablack noted that a draft article has been written, requesting an appropriation amount not to exceed \$8,000 for the project submitted by the Sudbury Historical Commission, for the purpose of restoring 18 early gravestones in the Mt. Pleasant and Old Town Cemeteries.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented and reviewed this evening, requesting an appropriation not to exceed \$8,000 for the project submitted by the Sudbury Historical Commission, for the purpose of restoring 18 early gravestones in the Mt. Pleasant and Old Town Cemeteries. All appropriations will be allocated to the Historic category and funded from Historic reserves.

Hearse House Extension

Chairman Morely reviewed that this Project, submitted by the Sudbury Historical Commission, requests no FY10 CPA funds, but simply extends the time to complete the work on the Hearse House.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented and reviewed this evening, submitted by the Sudbury Historical Commission, requesting that Article 41 of the 2006 Annual Town Meeting be amended to extend the time to complete the Hearse House project from the end of Fiscal Year 2008 to the end of Fiscal Year 2010.

Radar Survey at the Revolutionary War Cemetery

The Committee discussed the Project received from the Sudbury Historical Commission, requesting an appropriation of an amount not to exceed \$20,000 of FY10 CPA funds for the purpose of conducting a ground-penetrating radar survey of the Revolutionary War Cemetery to identify unmarked graves.

It was clarified that \$5,000 of the requested \$20,000 will be contingency funds to be utilized for potential gravestone markings and restorations as needed.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented and reviewed this evening, to appropriate an amount not to exceed \$20,000 from FY10 CPA Funds for the purpose of conducting a ground-penetrating radar survey of the Revolutionary War Cemetery to identify unmarked graves. All appropriations will be allocated to the Historic category and funded from Historic reserves.

Sudbury Valley Trustees Barn Reconstruction

Chairman Morely noted that this project, to appropriate an amount not to exceed \$38,000 of FY10 CPA funds for the purpose of reconstructing and restoring the ramp on the Wolbach Farm barn, is contingent upon the Town receiving a Historic Preservation Restriction on the Barn.

Mr. O'Kelly referenced an article circulated to the CPC last summer by Ms. Kablack highlighting that ordinary maintenance is not eligible for CPA funds. He opined that, given the state of the federal and State economies, citizens at Town Meeting are likely to thoroughly scrutinize the purpose for every dollar requested. Mr. O'Kelly questioned whether the upkeep of the ramp is routine maintenance rather than preservation work. Chairman Morely opined that his observations at the site visit, which Mr. O'Kelly was unable to attend, confirmed that the ramp is far beyond repair and must be restored. He further stated that the Town would receive an Historic Preservation Restriction on the Barn in return for limited funds expended.

Mr. Drobinski noted that the Selectmen have begun to receive public comments regarding use of CPA funds.

Mr. Hill noted that the Massachusetts Historical Society has deemed the ramp project as eligible for funds. Ms. Cline stated that she believes the project is worthy because the CPA statute allows for reconstruction and extraordinary repairs.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented and reviewed this evening, requesting the appropriation of an amount not to exceed \$38,000 from FY10CPA funds, for the purpose of reconstructing and restoring the ramp on the Wolbach Farm barn, contingent on the Town receiving an Historic Preservation Restriction pursuant to M.G.L. c. 184 on the barn. All appropriations will be allocated to the Historic category and funded from Historic reserves.

Frost Farm House

The Committee discussed the Project Submission Form received from Sudbury resident William Braun, requesting \$33,166 of FY10 CPA funds for the purpose of restoring the Frost Farm House. Chairman Morely reported that the Sudbury Historical Commission was unable to support this request for funding because it could not justify the structure as an historic resource. Without the support of the Historical Commission, the proposal is ineligible for funding consideration.

Mr. Drobinski noted, and the Committee concurred, that Mr. Braun has made significant improvements, and it is unfortunate that his project does not qualify for funding. Ms. Kablack reported that Mr. Braun has been informed of the Historical Commission's decision.

On motion duly made and seconded, it was unanimously:

VOTED: To deny the request from Sudbury resident William Braun, requesting \$33,166 of FY10 CPA funds for the purpose of restoring the Frost Farm House.

Sudbury Housing Trust Fund Allocation

Ms. Kablack summarized that, if the CPC approves all requested housing proposals, the total appropriation would be approximately \$1.23 million.

Sudbury Housing Specialist Beth Rust noted that the requested annual Sudbury Housing Trust Fund Allocation has been used in the past to fund such projects as the Habitat for Humanity home, purchase of the Maynard Road property, and to fund feasibility studies on small Town parcels.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented and reviewed this evening, submitted by the Sudbury Housing Trust, requesting to appropriate an amount not to exceed \$238,000, from the FY10 CPA funds, for the purpose of funding the Sudbury Housing Trust and its efforts to provide for the preservation and creation of affordable housing, or act on anything relative thereto. All appropriations will be allocated to the Community Housing category and funded from FY10 Revenue.

Sudbury Housing Trust - Affordable Housing Buy-Down Program

Chairman Morely opined that he believes a convincing argument can be made for the recommendation of all the housing articles, including this article. He noted that the downturn in the real estate market provides the Town with an opportunity to maximize its housing dollars. Chairman Morely believes that the public will recognize that this is an advantageous time to be purchasing properties. He also believes that most citizens will support programs that avoid potential tear-down situations. However, Chairman Morely did acknowledge that there will be a public contingent who remains nervous spending this much money in these difficult economic times.

Sudbury Housing Specialist Beth Rust confirmed that housing prices have fallen, noting that the price of a North Sudbury home dropped \$70,000 since August 2008. In response to a question from the Committee, Ms. Rust further stated that, as a result of the most recent housing lottery, there are five eligible families awaiting affordable-housing opportunities.

Ms. Rust also clarified for Ms. Remington that the affordable housing deed restriction permanently restricts the price of the home, as well as requires occupancy by a low/moderate income household, with modest adjustments in both based upon increases in the area median income. Mr. Bell noted that the deed restriction survives foreclosure. Ms. Rust further stated that upon the sale of the home, the Town authorizes the next buyer or has the opportunity to buy it under a right of first refusal. Ms. Rust stated that the homes have been bought in the range of \$340,000 and sold for \$170,000. She further stated that, to date, Sudbury has not experienced a resale of an affordable unit. Ms. Rust also briefly reviewed the difference between the Sudbury Housing Trust, a Town-body which focuses on home ownership programs, and the Sudbury Housing Authority, which acts as its own managing agent for affordable rental units.

Ms. Cline opined that builders are "hungry" and that, perhaps better prices can be negotiated during difficult times.

Ms. Kablack suggested that a \$400,000 appropriation be requested for the purpose of the Sudbury Housing trust to create funding for no less than two (2) permanent affordable housing restrictions on single or multiple-family units in Sudbury for homeownership.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented, reviewed and amended this evening, submitted by the Sudbury Housing Authority, requesting to appropriate an amount not to exceed \$400,000 of Community Preservation Act Funds, as recommended by the Community Preservation Committee, for the purpose of the Sudbury Housing Trust to create funding for no less than two (2) permanent affordable housing restrictions on single or multiple-family units in Sudbury, for homeownership, in accordance with affordability guidelines set forth by the Department of Housing and Community Development and such other guidelines as may be established by the Sudbury Housing Trust, for households making less than 100% of the Boston area median income, or act on anything relative thereto. All appropriations will be allocated to the Community Housing category and funded from FY10 Revenue.

Amend Article 43 of 2006 Town Meeting - Sudbury Housing Authority Buy-Down Extension

Chairman Morely reviewed that this request from the Sudbury Housing Authority (SHA) requests no funds, since it is only for a five-year extension to use the \$360,000 of CPA funds approved under Article 43 of the 2006 Annual Town Meeting. He stated that a long extension is needed due to the pending expiration of the 2006 article's sunset clause, and the economic slowdown, which has resulted in a lack of inventory for condominium sales.

Ms. Heerwagen wondered if citizens at Town Meeting will question why additional housing funds are being requested, if the previously appropriated 2006 funds have not yet been spent. Chairman Morely responded that there is no duplication in funds requested, since funds are to be used specifically for two distinct and separate purposes, i.e., either for rental or home-ownership programs.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented and reviewed this evening, submitted by the Sudbury Housing Authority to amend Article 43 of the 2006 Annual Town Meeting by extending the time for completion of the project from the end of Fiscal Year 2009 to the end of Fiscal Year 2014, or act on anything relative thereto.

Amend Article 27 of the 2007 Annual Town Meeting - Housing Unit Buy-Down

Ms. Kablack explained that she has submitted a new article for consideration as a safeguard to extend the time for expenditure of funds, if needed, for Article 27 of the

2007 Annual Town Meeting. She explained that, if all goes perfectly, the Town will close on the last property authorized for purchase under this article on a date very close to the 2009 Town Meeting. Although, an extension may not be necessary, Ms. Kablack and Ms. Rust would rather cautiously prepare for extra time, if needed.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented and reviewed this evening, to amend Article 27 of the 2007 Annual Town Meeting by extending the time for expenditure of funds from the close of the 2009 Annual Town Meeting to the close of the 2010 Annual Town Meeting, or act on anything relative thereto.

Ms. Kablack highlighted the significant advances Sudbury has made related to housing programs since hiring Ms. Rust and the Sudbury Housing Trust was established. Ms. Rust noted that the *Sudbury Town Crier* will feature a housing-related article this week.

Woods Walk Sanctuary

The Committee discussed the project received from Sudbury resident Judith Rhome, requesting \$600,000 from CPA FY10 funds for the purpose of creating a group home for four residents of varying abilities, who need constant support in a residential low income-housing environment, and a universally-accessible nature trail.

Ms. Cline reported that she discussed the project with James Hickey from the Marlborough Savings Bank, who has been working with Ms. Rhome regarding funding the project. Mr. Hickey stated that whether or not Ms. Rhome's project will meet the bank's funding criteria should be determined in January 2009.

Ms. Cline also reported that she had a lengthy discussion with the Vice President of Strategic Development for the Advocate Organization, which has consulted with Ms. Rhome's Board regarding the project. Ms. Cline learned of the Organization's extensive experience managing such properties, including a similar group home in Newton. However, Ms. Cline noted that the Organization is not a national company as previously stated by Ms. Rhome. Ms. Cline also learned that all residents of the home would be Medicaid-eligible and each would receive disability subsidies averaging approximately \$5,000 per month. Subsequent to these conversations, Ms. Cline opined that she is more comfortable with supporting the approval of a place holder for this article, as more specific information will become available in the coming months.

In response to a question from Chairman Morely, Ms. Kablack distributed to the Committee for review new documentation provided by the applicant since the Committee's last meeting. Ms. Kablack summarized that a project feasibility study has

been submitted along with a sample operational budget and project construction budget.

Ms. Kablack is attempting to obtain further information from the City of Newton regarding its similar project and how that home was mortgaged and purchased. Ms. Kablack recently discussed with one of Ms. Rhome's local lawyers the CPC's concern regarding how a \$360,000 mortgage can be obtained by the applicant after a deed restriction is placed on the property, resulting in a devaluation of the property to approximately \$180,000. The consulting attorney will research the matter further, since he was previously unaware that the deed restriction would devalue the property.

Ms. Kablack and Ms. Rust noted that there has been no progress by the applicant regarding fundraising efforts, and recent documents seem to omit mention of fundraising. Ms. Kablack suggested that the CPC require that other funding be secured prior to receiving any Town-pledged funds. A brief discussion ensued regarding Ms. Rhome's inability to access certain types of funding programs because of her personal preference to select the residents for the home.

Chairman Morely wondered whether the Town could establish a similar type of group home at a much cheaper cost than is suggested by Ms. Rhome's proposal, if it desired to do so. It was noted that the Town has previously spent on average approximately \$200,000 per affordable units. Ms. Kablack and Ms. Rust confirmed for Mr. O'Kelly that the proposed project would provide the Town with four units to be counted towards its affordable housing inventory. Chairman Morely suggested that the article be approved as a placeholder to allow Ms. Rhome additional time to present a more substantiated project to Town Meeting. Ms. Cline reiterated her support for approving a placeholder for the article so that the CPC can further research how similar projects are operated in other cities and towns.

Some Committee members expressed concern that the request for \$600,000 is too expensive for only four affordable housing units. However, other Committee members felt the sum was appropriate, given that it will also include a public nature trail.

Mr. Hill expressed concern that the proposal does not include any financial commitment from the applicant. He also questioned whether CPA tax dollars should be spent on the trail aspect of the project when, perhaps it could be pursued with the assistance of volunteers. Mr. Bell and Ms. Kablack disagreed, noting that a handicap-accessible trail is a complex project, which needs to be fully-engineered. However, Ms. Stewart and Ms. Kablack agreed that, while the concept of the project is admirable, CPA funds should only be considered if there is evidence provided that other funding has been guaranteed.

Ms. Kablack noted that a project-specific budget has not been submitted. She also noted that, contrary to statements by Ms. Rhome, there is not enough frontage to subdivide the property.

Ms. Remington and Ms. Stewart opined that the nature trail may be difficult to promote to the community as truly public open space. However, Ms. Remington stated that she is inclined to support funding for the home for an amount of value after the deed restriction is placed on the property. Ms. Rust stated that the mortgage taken back by the applicant should not exceed the appraised value of the home after the deed restriction.

Ms. Kablack noted that it needs to be determined if the deed restriction is granted by occupant or by house.

Committee members stated that the project has merit in that it does create four affordable housing units and increases housing diversity options in Sudbury.

Ms. Cline made a motion in the words of the draft article presented, however, the motion was not seconded.

Mr. Hill suggested that, if four affordable units are assured, the CPC approve an article for \$400,000 of CPA funds as a placeholder and, if four units are not assured then the figure be decreased to \$200,000. Mr. Bell opined that \$400,000 seems to be an appropriate expenditure for four affordable units with an open-space component.

Chairman Morely questioned whether the draft article language should be amended in the second to the last sentence to state "80% " versus "100% of the Boston area median income", as the CPC has been discussing creating units that count in the Town's subsidized housing inventory. Ms. Kablack will correct the language appropriately. Chairman Morely suggested that Ms. Rhome be informed that tonight's CPC discussion focused on a funding range of \$200,000 to \$400,000, based upon additional specific information becoming available to the Committee in the coming weeks. Ms. Stewart noted that time is of the essence, since pending articles will be presented by Chairman Morely to the Finance Committee in a televised meeting on January 12, 2009 (changed to 1/26/09).

Ms. Rust suggested that Ms. Rhome be informed that, at a minimum, the following items must be received by certain dates: definitive operating budget information, a sample deed rider form, a Town-sponsored appraisal, commitment for a mortgage not to exceed the deed-restriction value, and confirmation of other funding in excess of the amount requested from the CPC. Mr. Hill requested that confirmation of her son's income eligibility be added to the list. Chairman Morely requested that it also be communicated to Ms. Rhome that the CPC will not recommend that Town CPA funds be used for this project until other significant financing is secured.

Ms. Kablack stated that she will research where the CPC stands regarding dipping into its restricted revenue reserves. She will work with Ms. Rust to develop a comprehensive list of benchmarks which Ms. Rhome must fulfill/complete in certain timeframes prior to Town Meeting.

Ms. Stewart and Mr. Hill stated that they are inclined to consider the project for funding of no more than \$400,000.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented, reviewed and revised this evening, for the Project received from Sudbury resident Judith Rhome, to see what amount the town will determine to appropriate of Community Preservation Act Funds, for the purpose of funding the creation of a group home for no less than four income-eligible occupants and the creation of a universally-accessible nature trail at 161 Dutton Road, in accordance with affordability guidelines set forth by the Department of Housing and Community Development and such other guidelines as may be established by the Sudbury Housing Trust, for occupants making less than 80% of the Boston area median income, or act on anything relative thereto, portions of which may be allocated to Open Space and Housing categories.

GIS Mapping

The Committee discussed the Project received from the Town Manager and Mark Thompson, requesting \$30,000 of FY10 CPA funds for the purpose of initiating a GIS Mapping system to enhance open space and historic Town projects.

In response to a question from Mr. O'Kelly, Ms. Kablack stated that information will be made available to the public, while also maintaining internal access only to certain material if the CPC desires.

Ms. Kablack emphasized that approximately \$300,000 of non-Town money has already been invested into the GIS system, which should be completed with the wetlands mapping layer. Mr. Bell agreed that the information would be very useful.

Ms. Cline opined that she thought the previous consensus of the Committee had been that the project was not an appropriate use of Open Space CPA project funds, but rather a better use of CPA Administrative Funds. Ms. Stewart stated that she is excited about the technology and agrees that the project is a better match for CPA Administrative Funds. Mr. Drobinski concurred.

Ms. Kablack briefly reviewed the FY10 Administrative Funds Budget, copies of which had been provided to the CPC this evening. Ms. Kablack announced she has hired Sally Hild for the part-time CPC/Zoning Board of Appeals position. She noted that there has been minimal use of Administrative Funds other than for funding personnel. At 5% of CPA revenues, the FY10 Administrative Funds Budget will be \$119,000. Thus, Ms. Kablack concluded that the GIS Wetlands Mapping Project could be funded in addition

to the equivalent of last year's \$95,000 budget. Ms. Kablack does not see a great need for project feasibility expenses in the next year.

Ms. Remington noted that there is rarely a Sudbury land project that is not affected in some way by wetlands. She further stated that the information has vast and wide-ranging use for the Town and the CPC.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented, reviewed and revised this evening, for the Project Submission Form received from the Town Manager and Sudbury Technology Administrator Mark Thompson, requesting \$30,000 of FY10 CPA Administrative Funds for the purpose of creating a GIS Wetlands Data Mapping layer and creating CPC-specific data layers within the Town's GIS system for use by the CPC and its staff.

General Budget and Appropriations

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented and reviewed this evening, to appropriate from CPA funds, as recommended by the Community Preservation Committee, for the FY10 Community Preservation Act budget, or act on anything relative thereto.

CSX Rail Corridor Acquisition

Chairman Morely reminded the Committee that the eventual amount for this article is contingent upon receipt of a grant.

Mr. Hill opined that acquisition of this property is meaningful for the Town. Mr. Drobinski concurred, noting the importance of the Town maintaining control of this land parcel.

It was noted that the draft article did not include a specified amount of funding, however it does include mention of borrowing and bonding.

Ms. Kablack suggested that the article could be amended to state that the appropriation is not to exceed \$700,000. In response to a question from Ms. Cline, Ms. Kablack stated that an updated appraisal will be needed for application to the grant program.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as

presented, and revised this evening, to appropriate an amount not to exceed \$700,000, for the purpose of purchasing in fee simple 9.76 +/- acres of undeveloped land known as the CSX rail corridor and running south from a point near Union Avenue and Station Road to the Framingham town line; to see whether this sum shall be raised by borrowing, under the CPA, or otherwise; and to appropriate a sum sufficient to pay the annual debt service from FY10 Community Preservation Fund Revenue including bond and note issuance expense; or to fund from unrestricted reserves; or act on anything relative thereto. All appropriations will be allocated equally to the Open Space and Recreation categories.

79 Lincoln Lane

The Committee reviewed the project request for \$48,600 of FY10 CPA funds for the purpose of purchasing land at 79 Lincoln Lane as Open Space.

Mr. Hill announced that the Sudbury Historical Commission has asked that he not support this article if the citizens of Sudbury will not have access to the property. Mr. O'Kelly stated that, he too is apprehensive to support the article, if there is no guaranteed public access to the property.

Chairman Morely stated that the article has been presented based upon its conservation relevance. In addition, Chairman Morely stated that the amount requested is minimal to preserve a building lot in perpetuity.

Mr. O'Kelly asked if the expected funding from the Nyanza NRD Trust Fund is guaranteed. Ms. Kablack explained that the funding is likely, since the Trust is new and received few applicable applications.

Ms. Remington stated that she was initially apprehensive, however, her concerns were allayed by a written response to her questions from Conservation Coordinator Debbie Dineen. Ms. Remington clarified that the current owners successfully completed a full-permitting process, and as a single lot it is a Department of Environmental Protection exception. Ms. Remington emphasized that the parcel is valuable as a wildlife habitat, and she reviewed many species known to the area. Mr. Bell and Mr. Drobinski strongly agreed that the area provides an important conservation habitat, which should be protected.

Chairman Morely noted that the parcel has been listed on the Town's Open Space list.

Ms. Heerwagen opined that she believes there should be public access. Ms. Cline stated that there will be no barriers to prohibit someone from walking on the property if one chooses to do so.

Ms. Remington noted that Sudbury citizens who canoe and kayak on the Sudbury River will reap public benefit from the protected vista to be enjoyed along the river, which

otherwise might be further developed.

Ms. Cline made a motion seconded by Mr. Bell to approve the draft warrant article as presented this evening for an appropriation amount not to exceed \$48,600. Mr. O'Kelly stated that he would be willing to support the article, but with reservations.

Chairman Morely opined that this article benefits the public by protecting the environment. Mr. Drobinski concurred, noting that, at times actions such as this need to be taken for the greater good of the community. Ms. Stewart noted that citizens have historically, and enthusiastically, supported conservation-related CPA projects.

Mr. Hill questioned whether any other property has been purchased with CPA funds which was not available and accessible to the public, and he wondered if the Committee wants to set that precedent. Chairman Morely and Ms. Cline opined that they would fully support such a precedent. Mr. Bell emphasized that the article does not restrict use. Ms. Heerwagen and Mr. O'Kelly recalled that Ms. Dineen clearly stated the public would not be allowed access to the property. Mr. Bell emphatically stated that Ms. Dineen's comment has been misinterpreted and taken out of context.

Mr. O'Kelly reiterated his reservations and noted that, given the economic times, he believes the public will question this request at Town Meeting.

On motion duly made and seconded, it was:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented, reviewed, and revised this evening, requesting the appropriation of an amount not to exceed \$48,600 from the CPA funds, for the purpose of permanently protecting, by purchase by the Town or another conservation organization for conservation purposes, or by granting of a conservation restriction to the Town, a 1.2 acre parcel of land at 79 Lincoln Lane, or act on anything relative thereto. All appropriations will be allocated to the Open Space category and funded from FY10 Revenue or unrestricted reserves.

Ms. Heerwagen, Mr. Hill and Mr. O'Kelly abstained from voting on this request submission.

Rail Trail Concept Plan

The Committee briefly reviewed the Town Manager's request to have Town staff develop a concept plan to further define the status of the Bruce Freeman Rail Trail project in Sudbury.

Mr. Hill clarified that the request simply reallocates previously appropriated funds.

Ms. Cline recommended, and the Committee concurred, that it be stated within the CPC report for this article that the funds appropriated up to \$25,000 will not be paid to Town staff, but rather will be used for other purposes.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Warrant Article for the Annual 2009 Town Meeting, as presented and reviewed this evening, to see if the Town will vote to amend Article 24 of the 2007 Annual Town Meeting to utilize funds from that article, not to exceed \$25,000, to be used for the creation of a concept plan for the corridor, or act on anything relative thereto.

Ms. Kablack noted for the Committee that \$1.1 million dollars of debt will first need to be paid for from the expected CPA revenue of \$2.3 million for this year. Thus, if all recommended projects are approved at the 2009 Town Meeting, CPA reserves will need to be used.

On motion duly made and seconded, it was unanimously:

VOTED: To delay the vote on the Administrative Budget and Committee reports until the January 21, 2009 meeting.

Minutes

On motion duly made and seconded, it was

VOTED: To approve the minutes of December 3, 2008.

Mr. Drobinski and Ms. Heerwagen abstained from the vote.

CPC Future Meeting Schedule

The next meeting will be January 21, 2009, at 7:30 p.m., in the Silva Conference Room.

On motion duly made and seconded, it was unanimously:

VOTED: To adjourn the meeting at 10:45 p.m.