

Present: Seamus O’Kelly (Vice-Chairman), Sherrill Cline, Richard Bell, Lynne Remington,
John Drobinski, Georgette Heerwagen, and Bill Kneeland

Absent: Christopher Morely and Jim Hill

At 7:32 p.m., Vice-Chairman O’Kelly called the meeting to order. He announced that Sudbury has received a 29.32% match from the State under the Community Preservation Act. Based on the FY10 CPA surcharge revenue of \$1,471,024, the Town is anticipated to receive approximately \$431,234.

Mr. O’Kelly stated the Committee would conduct a preliminary review of the project proposals submitted for Community Preservation Act funding tonight, and will also consider a late submission of a project request from the Sudbury Historical Commission.

Minutes

Ms. Cline noted a correction to the September 29, 2010 minutes describing the number of units in the Sudbury Housing Authority’s redevelopment project she previously submitted to Ms. Kablack. Ms. Kablack stated she has already incorporated the revision. Ms. Cline asked for clarification of the wording at the end of the second paragraph on page two. Mr. Bell stated the discussion had been in relation to the profit to the Town after paying required out-of-pocket costs related to issuing a building permit. Ms. Cline requested that the words “to the Town” be added to conclude the last sentence of paragraph two on page two.

On motion duly made and seconded, it was:

VOTED: To approve the minutes of September 29, 2010, as amended this evening.

Potential CPA FY12 Projects

The Committee was in previous receipt of FY12 Project Submission Forms for the following proposals, which were described as follows:

Project Submission Form - Carding Mill Pond Harvesting - requesting \$4,000 for 4 consecutive years (total cost \$16,000) to continue aquatic weed harvesting on Carding Mill Pond by the Hop Brook Protection Association (HBPA). Ms. Kablack stated the project is eligible for funding as a restoration project of a habitat. She distributed copies of the “HBPA 2010 Harvesting Report” to the Committee for review.” Ms. Kablack further stated the HBPA requested \$32,000 of CPA funds in 2005, of which approximately \$25,000.00 was spent.

Ms. Kablack suggested, and the Committee concurred, that submitter Frank Lyons should share the proposal with the Ponds and Waterways Committee for comment. It was asked if there are any conservation issues with the proposal and if a previous Order of Conditions (OOC) had been issued. It was noted that an OOC had been issued in 2004. Mr. Bell suggested Mr. Lyons could speak with the Conservation Commission again.

Vice-Chairman O'Kelly stated the work done to date has improved the condition of the pond

Project Submission Form – Restoration and Preservation of Historic Town Records Town Clerk Rosemary Harvell has requested \$117,000 to restore, preserve, protect and conserve twenty-two historic (22) Town documents. The digitization of the documents will expand public access without endangering original materials. The digital images will be available on disks through the Goodnow Library and on the Town website archives.

Ms. Kablack stated this is a continuation of the project begun last year, when \$167,000 was appropriated to preserve 16 volumes. She further stated that the proposal includes a conservator proposal specific to each volume and that some of the Town's oldest records dating back to 1711 would be included.

Ms. Remington asked if the restoration of last year's volumes has been completed. Ms. Kablack stated approximately \$110,000 of the appropriated funds have been spent. She believes 14 books have been completed and five more volumes are in process of being preserved. Ms. Kablack noted that more volumes were able to be completed than originally anticipated within the appropriated amount.

Vice-Chairman O'Kelly and the Committee agreed with Ms. Kablack that it would be helpful to know how many more volumes will need restoration and if there is any grant money available to complete this type of work. Mr. Drobinski stated the Committee needs to better understand what the long-term projection is for funding requests. Ms. Kablack noted that requests of the size submitted this year uses a significant portion of the historical CPA allocation for the year.

Project Submission Form - Melone Recreation Feasibility Study – submitted by the Park and Recreation Commission, requesting \$38,740 in FY12 to complete a feasibility study to determine the best recreational use of the Melone property based on user demand, configuration of fields on site and financial feasibility. It is anticipated that an additional \$1,700,000- \$3,000,000 would also be requested in FY13 to design and construct a recreation-oriented facility on the property.

Mr. Bell asked if the feasibility study would also assess environmental issues. Ms. Remington stated the proposal includes a lot of work for the amount quoted. She also asked if the feasibility study would assess mixed uses of the property.

Ms. Heerwagen stated that the Commission has only been asked to determine recreational uses for the property. She explained that Sudbury baseball groups approached the Commission to discuss their need for diamond fields. The intent is to reach out to other athletic user groups to determine the Town's needs. Ms. Remington asked how the needs of different user groups would be determined. Ms. Heerwagen stated the proposal includes a public process for determining needs.

Ms. Remington, Mr. Drobinski and others noted that the proposal reads as if it is focused on baseball and that it should be more generically focused on all recreational groups. Mr. Drobinski stated that the Selectmen requested that the needs of other users be evaluated as well as those of

baseball. Ms. Kablack noted that the Selectmen also suggested that the proposal be slowed down to fully evaluate the best use of the property. She also stated that the Town is looking at better ways to utilize other field locations such as Feeley, Ti-Sales and Davis, which could resolve the issues for baseball. Ms. Heerwagen said that because other fields are currently used for recreation, they would not qualify for CPA funds. The Melone parcel, however, would.

Ms. Kablack highlighted that the project proposal is missing comments from other users than baseball. She further noted that it is not articulated strongly enough in the scope of services that other user need assessments would be performed.

Vice-Chairman O'Kelly asked how the \$38,740 request for funds was derived. Ms. Heerwagen stated that Park and Recreation Director Nancy McShea asked Gale Associates, Inc. to provide an estimate. Ms. Kablack questioned whether the consultants would hold the price for the scope of services presented until July 2011 when funding would become available, since the proposal states that work would begin in November 2010. Ms. Heerwagen's understanding is that the consultant would begin work on the project after the Annual 2011 Town Meeting, with the understanding that payment would not commence until after July 1, 2011. Ms. Kablack noted that projects can go out to bid subject to appropriation.

Ms. Remington questioned how far the feasibility study would go in determining what the Town wants to do with the property. Ms. Heerwagen stated that the Town Manager and Ms. Kablack suggested that different recreational layouts be evaluated, which she believes the feasibility study will help to identify. It was suggested that the proposal be discussed again with Ms. McShea. It was also noted that the CPC could condition that more information or actions be required prior to Town Meeting.

Ms. Cline stated she had thought there would be some housing considered for this property and she is concerned the proposal is only for recreational uses and does not include housing.

Mr. Drobinski noted that the feasibility study may not determine for the Town what the best use of the Melone property is. Ms. Remington opined that the proposal is all sports-oriented and she asked if another feasibility study would be done for other uses. Ms. Heerwagen stated that Park and Recreation's focus would only be on recreation. She further stated that the Commission had discussed a combined feasibility study but was asked not to pursue housing options.

Vice-Chairman O'Kelly questioned whether it is premature to spend \$38,740 for just a sports feasibility study when the Town has not yet decided on the best use of the property. Mr. Drobinski concurred that is the key question. He noted that the proposal may have merit, but is it the right time for the Town to pursue it. Ms. Kablack stated that a proposal to determine what is the best use of the Melone property would not be eligible for CPA funding. She provided a brief history of previous testing and studies done on the site. Ms. Kablack stated the Town needs to better define the potential uses for the property to help the public assess proposals presented. Mr. Drobinski noted that the surrounding area is developed inconsistently.

Ms. Cline noted that some benefit would be derived from the proposed feasibility study which could be useful for any subsequent project. She asked the anticipated cost to build the proposed project, stating it could be a deal breaker for the public.

Ms. Kablack also asked if there were any other funding sources available to contribute to funding the study. Ms. Heerwegan updated the Committee on the status of the Friends of Park and Recreation, and she opined that the group might contribute to the project. Ms. Kablack asked if Sudbury Little League and Sudbury Babe Ruth would also contribute funds. Ms. Heerwegan stated both groups already contribute to the Friends of Park and Recreation.

Project Submission Form Sudbury Housing Trust – 10% Allocation

Ms. Kablack stated the expected CPA revenue for FY11 is \$1,902,258. The Sudbury Housing Trust (SHT) has requested \$180,000 for the FY12 10% Community Preservation Act housing allocation to be appropriated to the SHT for the purposes of preservation and creation of affordable housing in Sudbury for low and moderate-income households. Ms. Kablack noted that this request is consistent with the original SHT charter and what has been requested annually.

Ms. Heerwegan asked if anticipated resistance is expected at next year's Town Meeting. Ms. Kablack stated that the neighborhood which expressed concerns at last year's Town Meeting is now supportive of the Maynard Road project. Mr. Drobinski opined that there does seem to be interest with some in Town to discuss affordable housing issues. Ms. Kablack noted the SHT is keenly aware of the controversies related to these issues.

Project Submission Form – Town-wide Walkways – submitted by Ms. Kablack and Bill Place, DPW Director, requesting \$200,000, for engineering, design and construction of priority Town walkways. She noted that 65% of the money appropriated last year for walkways has already been spent. Ms. Kablack further reported that the interest and need for walkways in Town has increased in recent years. She further noted residents also seem more amenable to granting required easements because they see the benefits of walkway construction.

Ms. Cline questioned if the appropriation is part of DPW funds. Ms. Kablack explained that the walkway appropriation is administered by the DPW but is tracked separately, billing the Town for its out-of-pocket expenses only. She stated that the walkways built with CPA funds have translated to a cost of approximately \$25 per linear foot.

Mr. O'Kelly asked for an update on a Peakham Road walkway. Ms. Kablack responded that the outlook is positive for an eventual walkway and that she has spoken with the neighborhood coordinator. Mr. Drobinski opined that working with the neighborhood is a much more successful approach to garner support.

Ms. Heerwegan asked if walkways being worked on are listed on the Town website. Ms. Kablack stated the 2000 Walkway Plan is on the website, as is a walkway map.

Project Submission Form - Fairbank Farm Agricultural Preservation Restriction – submitted by the Town Manager, requesting \$750,000 to purchase an Agricultural Restriction on approximately 33 acres of land located at 135 Old Sudbury Road known as the Fairbank Farm, with the allowance for one building envelope on the property. She noted the owner would like to continue farming operations.

Ms. Kablack stated she visited the site recently, noting it is a remarkable property. The consensus of the Committee was that another site visit for the CPC should be scheduled as soon as possible while weather permits. Ms. Kablack will coordinate a date.

Mr. Bell asked if there are three building lots. Ms. Kablack stated the appraisal submitted by the proponent is based on three building lots on 33 acres, which it believed to be the highest and best use of the parcel. She stated that the Town's independent appraisal report is expected this week. Ms. Kablack also explained that there is a temporary restriction on eight acres of the property which runs until 2014, and restricts subdivision of the entire 33 acres until that date.

Ms. Remington asked if the Agricultural restriction would be in perpetuity. Ms. Kablack responded affirmatively. Ms. Remington also asked if there would be public access to the property. Ms. Kablack responded public access would be negotiated by the Town with the owner. She summarized that the benefits to the Town is that the parcel would not be developed, farming would continue, and there would only be one home on the property. Ms. Kablack noted that Agricultural Preservation Restrictions approved under MGL c. 183 allows for the provision of housing for the owner and employees.

Ms. Remington asked how likely it would be that the project would qualify for a \$500,000 LAND grant from the state. Ms. Kablack noted that the Town is eligible to apply for the grant and has been successful in the past. However, she further stated that \$500,000 is the maximum grant and this project would likely qualify for lesser funding. If grant funds were received, the money appropriated at Town meeting would be returned to the CPA fund.

Vice-Chairman O'Kelly asked how much farming is happening on the property. Ms. Kablack stated the farming operations are extensive across most of the property.

Project Submission Form - Town Hall Historic Structures Report – submitted by Town Manager Valente, requesting \$20,000 to fund an Historic Structures report, which would be the basis for a later phase of design and architectural construction documents for renovations/restoration of Town Hall into Town offices. Ms. Kablack noted this is similar to a project presented last year, but the requested financing has been reduced. She explained that 50% of the cost may be reimbursable by the Mass. Historical Commission, and an application for Preservation Project Funding has been submitted. Ms. Kablack noted that the project would not proceed unless this grant funding were received. A decision on the Town's application is expected before February 2011.

Ms. Cline noted this year's proposal is worded better than the one the Committee considered last year. The consensus of the Committee was that the project was CPA-eligible.

Project Submission Form – Water for Center Islands – submitted by Ralph Tyler, requesting \$12,500 in FY12 and \$12,500 in FY13 to install either faucets or automatic sprinklers for the planted traffic center islands throughout Sudbury to further beautify the Town, supplementing the work done by the Sudbury Garden Club members who plant and maintain these community resources. Ms. Kablack noted the project may not be eligible for CPA funds. She further stated that a project to create new planted islands on Scenic Roads would likely be eligible.

Ms. Cline stated that, although the project is creative and worthy, she does not believe it meets the eligibility criteria. Mr. Drobinski suggested Town Counsel be asked for an opinion regarding eligibility. Ms. Heerwagen opined that the Sudbury Garden Club does great work for the Town. Ms. Remington and Ms. Kablack have thoroughly reviewed the criteria and do not see how it qualifies for funding.

The consensus of the Committee was that Ms. Kablack should inform Mr. Tyler that it is inclined to believe the project may not be eligible for funding, but he is invited to present his project to the Committee if he wishes on December 1, 2010.

Project Submission Form – Sudbury Historical Commission Historic Multi-Project

Submission – submitted by the Sudbury Historical Commission, requesting \$43,000 to complete seven projects proposed as follows:

1. Restore four chimneys at Hosmer House – \$15,000 – Ms. Kablack noted that additional documentation should be requested to justify it as a restoration project.
2. Restore stone walls at Town Pound and Revolutionary War Cemetery – \$10,000. Ms. Cline requested additional information regarding what would be restored.
3. Wadsworth Cemetery Gazebo – \$8,000
4. Florence Hosmer Gravestone - \$4,500 – Mr. Drobinski opined that the project is noble, but he questioned if it is eligible. Ms. Kablack stated that signage is eligible at significant Town historical sites. She also referenced helpful material from the Community Preservation Coalition website which she will distribute to the Committee at its next meeting.
5. Hearse House Sign/Kiosk - \$4,000
6. Invasive Plant Removal - \$500 – Ms. Kablack opined she is uncertain if this is an eligible historic project.
7. Loring Parsonage Stone Wall - \$1,000 – Ms. Kablack would like additional information on the location of the stone wall.

Ms. Kablack stated Mr. Hill has suggested he contact Town Counsel to opine on whether the projects can be combined in one proposal request to allow for project completion flexibility.

Ms. Heerwagen opined that there seems to be a fine line between what is restoration and what is considered to be repairs. Ms. Kablack noted that how these terms are defined is critical as to what is and is not eligible for funding. However, it was also noted that the Committee does have interpretive power.

Miscellaneous

Rail Trail Concept Plan

Ms. Remington referenced a recent article regarding the rail trail and she asked for an update on the rail trail concept plan. Ms. Kablack stated Town staff would be working on the concept plan in FY 11. Mr. Drobinski stated the Selectmen asked Town staff to develop recommendations in this fiscal year.

CSX Acquisition

Ms. Remington also asked for an update regarding the acquisition of the CSX parcel. Ms. Kablack stated Town Counsel has not yet provided a formal opinion, although his initial response was that the Department of Revenue response is fairly strong. Thus, the issue of whether CPA funds can be used to acquire the parcel is uncertain at this time. She also reported that CSX management recently rejected its own price offer of \$452,000.

Sudbury Housing Authority Duplex Reconstruction

Ms. Cline stated the article approved at the 2008 Town Meeting to appropriate \$600,000 required that funds be spent by June 2011. She stated an extension for a few years would likely be needed to complete the project. Ms. Cline asked if a Project Submission Form should be submitted for an extension article. Ms. Kablack recommended submitting a Proposal Form.

CPC Future Meeting Schedule

Ms. Kablack suggested that the Public Forums to discuss the proposals have been tentatively scheduled for December 1 and December 15, 2010, to be followed by discussion and recommendation decisions at the January 5 and 19, 2011 meetings.

Since the number of projects are fewer than in other years, it was the consensus of the Committee to invite all proponents to the December 1, 2010 meeting and cancel the December 15, 2010 date. Ms. Kablack will publicize the schedule accordingly.

On motion duly made and seconded, it was unanimously:

VOTED: To adjourn the meeting at 8:53 p.m.