

Present: Bob Beagan, Jim Hill, Christopher Morely (Chairman), Seamus O'Kelly, Lynne Remington, Pat Brown, Bill Kneeland, Thomas Friedlander and Sherrill Cline, Director of Planning and Community Development Jody Kablack and Assistant Planner Jim Kupfer

At 7:36 p.m., Chairman Morely called the meeting to order.

Public Hearing: Community Preservation Act – FY16 Project Submissions – Part 1

At 7:36 p.m., Chairman Morely opened the Public Hearing to hear five of the eleven presentations for the project submissions received for requests for FY16 Community Preservation Act (CPA) funding. Chairman Morely further stated the Committee would hear the remaining presentations at its December 17, 2014 meeting, and it would deliberate and finalize its recommendations for projects at its January 7, 2015 and January 28, 2015 meetings.

Chairman Morely stated this is the Town's 13th year as part of the CPA program, which has funded over 50 projects in the past, and helped to preserve over 500 acres of open space. He further stated the Town has received over \$10 million in matching funds from the State, which has also funded several historic restoration projects, key recreational field projects, and created affordable housing. He later announced this year's State matching funds will be \$559,382. Chairman Morely explained the Committee evaluates the proposals for whether they are CPA-eligible and how the project proposal fits into the Town's short and long-term CPA budget planning. He emphasized CPA funds can only be spent if voted by Town Meeting, and projects can only be presented at Town Meeting upon the recommendation of the project by the CPC. He referred anyone interested in more information on this year's project submissions to view the proposals on the Town website.

COMMUNITY PRESERVATION COMMITTEE – PROJECT SUBMISSION FORM – TOWN-WIDE WALKWAYS

Present: Department of Public Works Director Bill Place

At 7:39 p.m., Department of Public Works Director Bill Place stated \$100,000 has been requested for engineering, design and construction of priority Town walkways.

Mr. Place stated the funds would continue the Town's Walkway Plan which was implemented in 2000. He noted that, in 2007, neighborhoods were involved in the process to petition the Planning Board for prioritization of new walkways. Mr. Place listed some of the walkways completed recently and currently being constructed, and he displayed photographs of work on Dudley Road and Powder Mill Road. He stated the Town can construct approximately 2,000 square feet of walkways a year at a cost ranging from \$35 to \$75 per square foot, depending on site conditions. Mr. Place stated the walkway program is popular with residents and it helps to provide safe and convenient recreational opportunities. He further noted interest has been expressed in future walkways on Dutton, Maynard and Concord Roads and Union Avenue.

In response to a question from the Committee, Ms. Kablack noted the request for walkways last year was only \$50,000.

Chairman Morely noted the funds are not used for maintenance costs, but are only used to create and construct new walkways.

Mr. Friedlander asked if any of the funds are used to purchase rights of way or easements. Mr. Place stated the Town tries to obtain easements when necessary or to obtain the rights for no fee. He further stated some funds are sometimes used towards building stone walls, but the money is primarily used to construct the walkways.

There were no comments or questions from the public.

COMMUNITY PRESERVATION COMMITTEE – PROJECT SUBMISSION FORM – SUDBURY HOUSING TRUST (SHT) 10% FUND ALLOCATION

Present: Sudbury Housing Trust Trustee Michael Buoniconti

At 7:45 p.m., Sudbury Housing Trust Trustee Michael Buoniconti presented the project application from the Sudbury Housing Trust (SHT) requesting the FY16 annual 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. He stated the request is for \$200,000, or the estimated 10%.

Mr. Buoniconti reviewed the work of the SHT to preserve and create affordable housing, to help senior citizens maintain their homes through the administration of a Small Grant Program, to fund creation of new affordable homes through the Home Preservation program, development of new affordable housing such as the 278 Maynard Road project and other priority projects. Mr. Buoniconti stated the SHT has audited financials available to the public on the Town website. He further stated the SHT currently has \$640,000 in its account, for which \$250,000 has been earmarked for a Home Preservation project in FY15, and \$280,000 has been earmarked for the Maynard Road project.

Chairman Morely stated the SHT tries to buy existing homes to be preserved and saved from a tear-down situation. He also stated the Small Grants Program helps senior citizens stay in their homes.

Mr. Friedlander asked what the target price is for the SHT to purchase a home.

Mr. Buoniconti stated the price point is generally between \$350,000 and \$400,000, depending on market conditions. Ms. Kablack stated the SHT has voted to approve \$250,000 as its maximum subsidy amount per unit currently.

In response to a question from Mr. Friedlander regarding how funds are allocated,

Ms. Kablack stated one Home Preservation project a year is planned, and there are two funding rounds each year for the Small Grants program, totaling approximately \$30,000 per year.

Mr. O'Kelly asked for more information on the Small Grants Program. Assistant Town Planner Jim Kupfer stated the Program assist low and/or moderate income households, many of which are senior citizens. Mr. Kupfer summarized the criteria for the Program, noting an applicant must show evidence of a health and/or safety need. He further stated the Program is being marketed and the SHT works with the Council on Aging and the Town Social Worker to identify potential applicants. Mr. Buoniconti stated 75% of the recipients are senior citizens.

Ms. Brown asked if the housing lotteries are overseen by the SHT or the Regional Housing Services Office (RHSO). Mr. Buoniconti and Ms. Kablack explained the SHT is the qualified lottery agent, with the RHSO performing more administrative aspects related to the lotteries.

There were no comments or questions from the public.

COMMUNITY PRESERVATION COMMITTEE – PROJECT SUBMISSION FORM - JOHNSON FARM

At 7:58 p.m., Chairman Morely opened a discussion regarding the Johnson Farm proposal. Copies of a letter from Sudbury Valley Trustees Executive Director Lisa Vernegaard dated November 14, 2014, an email from Sudbury resident Frank Huntowski dated November 18, 2014 and accompanying information entitled “The Case for the Town Purchase of Johnson Farm from the Developer,” a letter from Sudbury’s Planning Board dated November 17, 2014, and a “Johnson Farm Estimated Tax Revenue” impact spreadsheet dated November 17, 2014 were distributed to the Committee tonight.

Chairman Morely stated some people are concerned that the proposed purchase price is too high for what the Town would receive and that the CPA fund does not have a lot of reserves at this time and its bonding capacity is low. However, he also noted the issue of acquiring Johnson Farm is popular and it might have a good chance of succeeding with the public at the ballot box, as opposed to other lesser known properties which might need CPA funding down the road. Chairman Morely emphasized he supports the purchase of the property, but he initially had questions regarding the proposed funding sources. He reiterated that he believes purchasing Johnson Farm has enough public support to pass the entire purchase price as a debt exclusion at the ballot box.

Ms. Kablack referenced the new information distributed tonight, noting the Planning Board and Board of Selectmen voted to support the proposed project submission, and the Conservation Commission voted 4 to 1 to support it. She also announced a Site Walk has been scheduled for November 22, 2014 at 2:00 p.m. Ms. Kablack later stated the Finance Committee also voted to support the purchase of the property and the proposed funding mechanisms.

Mr. O’Kelly referenced previous information received from Conservation Coordinator Debbie Dineen dated November 5, 2014 regarding the amount of open space that would be created even with a development of 68 units on the property, and he asked for clarification of the information. Mr. Friedlander stated that, as a result of many discussions with the State, an agreement was reached with the Department of Environmental Protection (DEP) and the Conservation Commission for approximately 22.5 acres of the property to be put into a permanent Conservation Restriction (CR) and for a trail system to be developed, if the land were to be developed.

Chairman Morely highlighted the Town has signed a Purchase and Sale Agreement to close at the end of February 2015, and there has been ongoing litigation. He opined that, although it is likely some portion of the land would be part of a CR if the land were developed, there is no guarantee this will occur, and there is no legal commitment in place to do so.

Mr. Friedlander disagreed, stating he believes the conservation restriction discussed with DEP is very likely to be what transpires.

Mr. O'Kelly noted approximately 20 Sudbury residents in attendance tonight, whom he assumed to be supporters of purchasing Johnson Farm. However, he stated the issue is complicated and there is ongoing litigation regarding the property.

Mr. Beagan asked Ms. Brown if the Selectmen had discussed the possibility of a CR on a portion of the property. Ms. Brown stated it had been discussed by the Selectmen in an Executive Session in April 2014, prior to her joining the Board.

Mr. Friedlander stated the CPC is not trying to decide whether or not the property should be purchased, but whether \$1 million of CPA funds should be used towards a purchase. He questioned if this is the best use of \$1 million of CPA funds this year, when a significant portion of open space could be obtained at no cost to the Town.

Chairman Morely stated it is possible the Town could ask for the entire purchase amount at the ballot box. Because the Town has wanted the property for so long for open space purposes and because of its location, Chairman Morely stated he seems to have more confidence than the Selectmen did that the project would be supported and passed by the public.

Mr. Friedlander stated that, even if the project were defeated at the ballot box, it is possible the Town would still have other options available to re-negotiate with the developer. He believes the purchase price is too high for what the Town will receive in return.

Ms. Remington asked how many of the 22.5 acres in the agreed to CR would be already protected by the Wetlands Protection Act (WPA). Mr. Friedlander stated some of them might be already protected, but the CR would also provide trail access and a trail system.

Ms. Kablack estimated possibly half of the 22.5 acres might be undevelopable under the WPA.

Mr. O'Kelly stated he supports preserving the property. However, he is concerned that if \$1 million is used that there would not be sufficient CPA funds for other projects.

Ms. Kablack explained the CPA funding would be bonded, and thus, the annual debt service of approximately \$75,000, which would decrease over the next 20 years, would be the amount the Committee should consider. She also summarized information from the copies of the revised FY16 CPC Financials and the CPA Bonding Capacity spreadsheets dated November 19, 2014, which were distributed tonight. Ms. Kablack stated there would be approximately \$830,000 left for CPA projects this year after accounting for the Johnson Farm \$75,000 of debt service.

Sudbury resident Ken Papa, 17 Wright Road, asked when the CPA money has to be spent by. Ms. Kablack stated there is no deadline and funds not used accumulate over time.

Mr. Papa asked what other tangible projects have been proposed. Mr. Beagan stated the Committee has been asked to consider \$3.5 million in proposals this year.

At 8:26 p.m., Sudbury Valley Trustees Executive Director Lisa Vernegaard addressed the Committee and she referenced her letter dated November 14, 2014. Ms. Vernegaard urged the Committee to recommend the \$1million of CPA funds for the project. She displayed a map of the property indicating its proximity to other protected open space, and she noted it was ranked high on the Town's Open Space Plan. She also emphasized the property's conservation and ecological values. Ms. Vernegaard stated the SVT will work to raise private funds towards the total purchase price, and in five days, it has already raised \$48,000 in pledges. She emphasized that any development, even on only 13 acres, would be too intense for the area and would compromise the environment and surrounding wildlife.

Sudbury resident Frank Huntowski, 42 Cutler Farm Road, referred to the email and accompanying information he had already sent to the Committee. Mr. Huntowski stated it has been a long journey for the neighbors over the past five years. He urged the Committee to help unite the Town in its effort to preserve the property by recommending the use of CPA funds.

Chairman Morely emphasized no one has spoken against purchasing the property. He further emphasized it has only been questioned as to whether the financial CPA resources are available at this time. Chairman Morely stated the Committee strives to keep in mind what other requests might come up in the next ten years and to build its reserves.

Sudbury resident Kim Ogden, 42 Cutler Farm Road, stated she and her neighbors have spent a lot of money in court trying to protect this property because they believe it is worth it. Chairman Morely reiterated no one has questioned whether the property is worth it, it is simply a matter of whether there are sufficient funds available. This is why Chairman Morely believes the project would pass for its entire purchase price at the ballot box.

Ms. Vernegaard urged the Committee to not consider not recommending the project because she believes this would send a negative message to the community, which could negatively influence the project's outcome.

Sudbury resident and member of the Finance Committee Mark Minassian, 38 Hadley Road, addressed the Committee as a resident. He asked if \$450,000 in funds previously earmarked for the acquisition of the CSX rail corridor could be freed up to be used for this purchase. Chairman Morely stated the Committee is aware of this money, which could be used if it was so recommended and voted upon by Town Meeting. Mr. Minassian stated he believes this is the highest priority parcel to be acquired by the Town.

Board of Selectman Chairman Chuck Woodard stated the Board structured its funding proposal being very mindful of the limited CPA funds currently available. He also stated the Board was concerned about presenting the residents with a \$2.9 million debt exclusion. Thus, the Selectmen thought it best to "spread the pain" in order to help this worthwhile project get "over the finish line."

Ms. Cline stated she was initially conflicted regarding funding for the project. However, she further stated her conflict has been resolved. Ms. Cline believes the Town looks to the CPC to approve projects like this, and it would send the wrong message if it were not recommended. She also noted the significant environmental benefits for purchasing the property.

There were no further comments or questions from the public.

A brief discussion ensued as to whether the vote should include that the funds are to be bonded.

On motion duly made and seconded, it was:

VOTED: To approve \$1,000,000 of Community Preservation Act funds to be bonded for the purpose of purchasing Johnson Farm.

Mr. Friedlander opposed the vote.

COMMUNITY PRESERVATION COMMITTEE – PROJECT SUBMISSION FORM – HOP BROOK WATERSHED INVASIVE WEED HARVESTING

Project Submission Form - Carding Mill Pond/Stearns Pond Invasive Weed Removal Harvesting

Present: Hop Brook Protection Association member and Sudbury resident Frank Lyons and Hop Brook Protection Association Harvesting Coordinator Susan Collins

At 8:50 p.m., Hop Brook Protection Association member and Sudbury resident Frank Lyons, 157 Wayside Inn Road, described the request for \$36,000 to work to improve conditions in three ponds per year for three years: Stearns Mill Pond, Carding Mill Pond, and Grist Mill Pond. Mr. Lyons described the work done to regain open water and restore the area's wildlife habitat and recreational opportunities, and he displayed representative photographs. Copies of the 2013 and 2014 Harvesting Reports were distributed tonight. He emphasized the process used is cost-effective, noting a harvester is borrowed from U.S. Fish and Wildlife and a crane operator is hired. Mr. Lyons stated that, in the long term, dredging of these ponds may be required.

Chairman Morely stated the price per pond is less than in prior years.

A brief discussion ensued regarding disposal of material to local farms. Chairman Morely encouraged Mr. Lyons to contact Verrill Farm, Sienna Farm, and Cavicchio's Greenhouse.

Mr. Friedlander commended the work done by a large group of dedicated volunteers. Mr. Lyons stated some people have been working on these projects for nearly 28 years.

There were no questions from the Committee or public at this time.

COMMUNITY PRESERVATION COMMITTEE – PROJECT SUBMISSION FORM – TOWN CENTER LANDSCAPE RESTPRATION – PHASE 2

Ms. Kablack stated \$100,000 is being requested for the landscaping and restoration aspects of Phase 2 of the Town Center landscaping project. Ms. Kablack stated new lighting in the Town Center will be bid out and

she hopes to have an estimate of this work by Town Meeting. She explained these funds would be used to complement the \$100,000 appropriated in FY13, which was reduced at that time from the original request for \$200,000. Ms. Kablack noted the request is based on an estimate at this time, and a truer figure would be known prior to Town Meeting. She stated the Town Center project is scheduled to be completed next fall. Ms. Kablack further stated the intention is to keep the landscape enhancements simple and consistent with the character of the Town Center. She also explained more funds might be necessary to cover replacement of lighting. She highlighted the Committee supported Phase 1 of the project, and she urged its continued support.

Mr. Hill stated the Sudbury Historical Commission supports the project.

Ms. Remington asked if a landscape architect would be hired, and Ms. Kablack responded affirmatively.

Ms. Brown asked if the landscape plan would include benches. Ms. Kablack stated she did not know for certain, but she could envision granite benches possibly being incorporated into the plan.

There were no further questions from the Committee or public at this time.

Minutes

Ms. Cline asked, and the Committee concurred, that the October 29, 2014 minutes be revised in the last sentence of the next to last paragraph on Page 5 to reflect a closing date of February 28, 2015.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Meeting Minutes of October 29, 2014 as amended tonight, and the Meeting Minutes of November 5, 2014.

CPC Future Meeting Schedule

The Committee's next meetings are scheduled for December 17, 2014 at Town Hall, January 7, 2015 for Deliberation of Proposals, in the Silva Conference Room, on the second floor of the Flynn Building and on January 21 or 28, 2015 for Warrant articles to be finalized and signed to be held in the Silva Conference Room at the Flynn Building. It was noted that the FY16 Historical Commission project request will be presented at the December 17, 2014 meeting.

On motion duly made and seconded, it was unanimously:

VOTED: To adjourn the meeting at 9:15 p.m.