

Present: Christopher Morely (Chairman), Fred Floru, Lynne Remington, Pat Brown, Diana Warren, Elizabeth Quirk, Sherrill Cline, Thomas Friedlander, Bob Beagan (arrived 7:58 p.m.), Director of Planning and Community Development Meagen Donoghue

At 7:33 p.m., Chairman Morely called the meeting to order.

### **Review of Financial Capacity**

At 7:33 p.m., Chairman Morely opened a discussion regarding preliminary FY18 CPA funds available and bonding capacity. Copies of a spreadsheet entitled, "CPA Bonding Capacity 11/2/16" and an article from the Community Preservation Coalition website and accompanying spreadsheet listing the State CPA matching funds were distributed tonight.

Chairman Morely stated the CPA State match for Sudbury has been announced as \$391,958, which is less than last year, but it is more than what was previously estimated for this year. He also stated there are not any additional State surplus funds anticipated this year to be added to the CPA distributions.

Chairman Morely stated he and Ms. Donoghue met with Finance Director Dennis Keohane to review the CPA financials to be updated and not all the information has been received and reconciled. He referenced the Bonding Capacity spreadsheet distributed tonight, noting Mr. Keohane stated the estimate of \$1,800,000 is good to use for Town revenues. Mr. Keohane has estimated \$117,159 for remaining debt service capacity for FY18. Chairman Morely briefly explained how this is typically calculated, noting there is usually no bond payment due for projects in the first year and that approximately \$1,800,000 could be borrowed in the second year. Although, he cautioned the Committee may not want to spend all of its bonding capacity. Chairman Morely stated more clarification is needed regarding certain figures before it is determined how much to commit to projects this year at the Committee's next meeting. He also noted Mr. Keohane mentioned there may be more (\$4,700,000) in CPA reserves, which is more than the previous estimate of \$3,500,000. Chairman Morely will work with Town staff to fine-tune these numbers. He also stated Mr. Keohane will be invited to attend a future meeting, if needed.

### **Review of Project Submission Forms Received**

At 7:45 p.m., Chairman Morely opened a discussion regarding the Project Submission Forms received by the November 7, 2016 deadline. The Board was previously in electronic receipt of the proposals, and hard copies of the funding requests, the "Town of Sudbury Community Preservation Committee Guidelines for Project Submission" and a "FY 2018 Community Preservation Commission Project Submissions" chart were

distributed tonight. The Committee conducted a preliminary review of each project as follows:

**Wayside Inn Land Preservation through Conservation Restriction (\$TBD – debt exclusion, TBD CPA 100,000)**

Chairman Morely stated that, last year, the CPC pledged \$1million of its bonding capacity for this project. He stated it is not certain whether enough information will be finalized to present an article for the May 2017 Town Meeting or whether it will be delayed to the October 2017 Town Meeting. He stated the project was submitted as a placeholder.

Ms. Warren asked if the Town's appraisal has been completed.

Ms. Brown stated negotiations are still ongoing in Executive Sessions. She also stated Selectman Woodard is representing the Board in the negotiations. Ms. Brown stated appraisal verifications are still underway to confirm the actual acreage involved.

Mr. Friedlander stated a critical element will be the delineation of wetlands to be sure the land is valued correctly. He asked if it will be the Board of Selectmen which eventually asks the Committee for assistance regarding project costs. It was assumed it will fall to the Selectmen.

Ms. Cline stated it is possible the Committee might allocate all of its funds for other projects, if it does not have sufficient information about this project by December. Ms. Brown stated she would report to the Selectmen the CPC's timeline and the need for values and costs by December to make the January Warrant deadline for a May Town Meeting.

Mr. Friedlander and Chairman Morely suggested the Committee should consider how it plans to use its available funds now that there are two Town Meetings each year.

The consensus of the Committee was the project concept is worthy, but more information is needed.

**Protect Sudbury (\$150,000 for FY18 with private contributions of \$50,000 and \$175,000 for FY19 and \$25,000 of private contributions)**

Chairman Morely stated he initially was not sure if this project would be CPA-eligible, but he now is inclined to believe it could be.

Ms. Cline stated she reviewed the eligibility criteria, and she believes it could be eligible to use funds for the preservation of open space and recreation. She noted another town asked the Department of Revenue (DOR) for an opinion.

Chairman Morely stated he believes the Town should first ask the Community Preservation Coalition for an opinion. The Committee also suggested Chairman Morely should ask Town Counsel for an opinion.

Ms. Remington stated this project seems different in that it would be primarily for legal analysis, but the Town would have no eventual ownership of open space.

The question was asked whether CPA funds could be used for private land or federally-owned land. Mr. Friedlander stated he is concerned that the Town would have no restriction on the open space.

Ms. Warren stated there is also a possible historic-eligibility aspect to the project for the small train shed, which could be negatively impacted by the Eversource proposed project.

Ms. Quirk stated she believes there should be a consideration of the possibility for a successful outcome to the Eversource project before committing CPA funds to a proposal. She highlighted Eversource has far more legal and financial resources to defeat the Town's efforts to alter its project proposal, and it is possible the Town will lose that battle. Ms. Quirk questioned whether it would be a good use of CPA funds for something which might not have longstanding benefits. Chairman Morely stated the Town is already spending tax dollars to fight the Eversource project.

Mr. Friedlander suggested, and the Committee concurred, that, for efficiency purposes, a legal opinion should be obtained before scheduling a presentation by the project proponent.

#### **North Gate Farm Purchase of Development Rights (\$4,237,500)**

Chairman Morely stated work has been done since the last time this project was brought before other Town groups. He reported the Land Acquisition Review Committee (LARC) rejected proposals for this property twice. When asked why the project had been rejected, Chairman Morely stated there had been concerns about the true potential for development, and the land was considered undesirable, given the limited CPA/Town funds available.

Mr. Friedlander stated the Conservation Commission delineated the wetlands, and from his observation, he does not consider that there is substantial public benefit to acquiring the property. It was noted the land abuts a lot of other properties which are preserved, but it does not add connectivity.

Chairman Morely referenced a subdivision plan submitted for 11 lots.

Ms. Cline stated she found the project submission confusing because the cover page references 34.58 acres but the deed only indicates approximately 18 acres. She also noted two of the buildable lots appear to not be located on the parcel. She asked for the discrepancies in the submission package to be clarified.

Chairman Morely stated there is a stream and pond on the property. He also highlighted an existing barn, where the current owner lives, would have to be destroyed to build a subdivision road to provide access to the proposed lots. In the past, Chairman Morely's understanding was that the owner wished to retain the barn.

Mr. Friedlander suggested it might be beneficial for the project proponent to solicit the endorsements of other Town committees/boards first as part of its project submission.

Chairman Morely asked Ms. Donoghue to coordinate a LARC meeting soon, and he stated he would like to hear comments from Town staff, including Beth Suedmeyer and Debbie Dineen.

Ms. Remington asked if soil testing has been completed, and no one could provide an answer. She emphasized that, without soil testing, the number of lots cannot be determined, and thus a realistic value cannot be determined.

Mr. Friedlander stated the requested \$4.2 million is not available. He also stated it may not be feasible for the Town to perform its due diligence, including a peer appraisal, within the Committee's Public Hearing and January 2017 Warrant deadlines.

Ms. Brown asked if larger plans could be requested. Ms. Donoghue stated she would request them for the next Committee Meeting. Ms. Remington also asked that the proponent be asked about the soil testing results.

Ms. Cline stated the submission package seems to include dated information because only three Selectmen are referenced.

**Sudbury Housing Authority (SHA) (10% of budget for housing – CPA of \$180,000, \$90,000 from National Development and TBD from SHA discretionary)**

Ms. Cline stated the Sudbury Housing Trust (SHT) has not submitted a request for the required 10% CPA allocation for housing. Instead, the SHT has agreed for the Sudbury Housing Authority (SHA) to request the 10% allocation this year. Ms. Cline stated the SHA plans to use its existing funds of \$180,000 previously appropriated CPA funds and \$90,000 from National Development with this CPA request to broaden its options for purchasing a property for rental affordable family housing.

Chairman Morely stated there have been concerns in the past stated from a member of the Finance Committee that the SHT acquisition cost of approximately \$250,000 was too high. He noted the SHA proposed acquisition cost seems to be approximately \$450,000 for one family unit. Ms. Cline stated the SHA has never purchased a property in this manner before and it wants to keep its options open to find the right type of property for its clientele. She also emphasized the SHA keeps the properties forever.

Chairman Morely asked if there may be other funding sources to be determined. Ms. Cline stated she is not sure at this time, and much will depend on what opportunities arise.

Ms. Remington asked what the status is on the Maynard Road project. Ms. Cline clarified that is not a SHA project, but rather a SHT project. Ms. Brown stated the property is currently under Executive Session discussions. Ms. Donoghue announced a public press release will be distributed tomorrow.

Mr. Floru asked if the SHA has a property in mind to purchase or if the funds are for future use. He also asked what the other sources of funding would be. Ms. Cline stated the intention is to raise funds to be used in the future. She also stated that, depending on the property chosen, the options for other funding could vary, and they could possibly even include the SHA securing a mortgage.

Ms. Brown asked what determines the property which is chosen to purchase. Ms. Cline described the type of homes which are suitable for the needs of moderately-low and low-income families, which are affordable to purchase, and affordable for their clientele to heat and maintain. She also emphasized the SHA has a long waiting list of families.

Chairman Morely asked if the \$180,000 previously appropriated CPA funds were approved to be used for a similar purpose as the project submission. Ms. Cline stated she believes it is eligible to use and that there is no accompanying sunset clause.

Later in the Meeting, Mr. Floru asked Ms. Cline to follow up with the SHA regarding further information on what the SHA capacity is to mortgage a property.

### **Park and Recreation Commission/Department Pour in Place Surfacing (\$65,000)**

Mr. Beagan summarized the request from Park and Recreation for the Lyons Pride/SMILE Playground at Haskell Field. For safety reasons, he stated this was the top priority project for the Commission. Mr. Beagan stated the intent is to remove the areas with wood fiber and replace it with Pour in Place surfacing, which will eliminate the uneven and unsafe areas.

Ms. Cline asked why the wood chips present a problem. Chairman Morely stated they require a lot of maintenance. Mr. Beagan concurred, stating they require constant raking

to maintain a certain height and they result in an uneven surface which is not safe for all user-abilities.

Mr. Beagan stated he would check to see if SMILE funding might be an option.

**Park and Recreation Commission/Department Consulting/Planning Services (\$50,000)**

Mr. Beagan summarized the Park and Recreation Commission request for consulting/planning services. He stated the Commission has relied in the past on the Gale Study reports, but they are now out-of-date. The Commission would like to get a new study done.

Ms. Remington asked if an entire new study would be completed or if information would just be updated. Mr. Beagan stated he would check the intent with Park and Recreation Director Kayla McNamara, but he assumed the requested \$50,000 would not cover a completely new study.

Chairman Morely stated CPA funds may have funded part of the Gale Study and possibly another Park and Recreation study was funded from CPA Administrative Funds.

Ms. Brown stated it is possible the Friends of Park and Recreation may have funded the Gale Study. Mr. Beagan stated he would further research the past funding history. Chairman Morely suggested the Commission might want to consider contracting with a different vendor. Mr. Beagan stated the Commission would likely consider other vendors to obtain more pertinent data for its needs.

Ms. Cline stated she is still contemplating whether the project submission is CPA-eligible. Chairman Morely stated CPA funds have been used for the study of potential creation of recreation, such as the Melone property study.

Mr. Beagan stated this project was the second highest project priority for the Commission.

Ms. Brown suggested studies should also look at other recreational non-field aspects, such as how much are playgrounds used, or tennis courts, etc.

Mr. Friedlander questioned whether Administrative Funds should be used for this type of project.

**Featherland Multi-sport Court Reconstruction (\$175,000)**

The question was asked if the Park and Recreation Commission voted in favor of the tennis courts on November 8, 2016. Mr. Beagan stated they did vote in favor by a vote of 4-1.

Mr. Beagan summarized the history of this project submission, noting the use of the four tennis courts at Featherland was negatively impacted following events related to the severe winter storms of 2015 and other events which followed. He explained the Commission received a large number of complaints regarding the tennis courts not being restored when the option of putting baseball fields for young children there was broached. Mr. Beagan stated a request was submitted at the last minute to the CPC last year for this project, after it did not get approval to be covered from the Town Manager's budget, and the Capital Improvement Advisory Committee (CIAC) did not recommend it as a capital exclusion. He further stated this project was not at the top of the Commission's priority list, but Commission new member Mara Huston made a strong case for it to be moved up to the Commission's third-highest priority project. Mr. Beagan stated the Commission has not yet decided whether the project will be to reconstruct four tennis courts or if it will be for two tennis courts and two basketball courts. He noted Sudbury has only two public basketball outdoor courts (not including Curtis).

Chairman Morely stated the CPC would want to know first what the plan is from Park and Recreation.

Ms. Cline stated she has concerns about this project submission, and the previous one for consulting/planning services, because the proponent did not make any attempt to submit documentation about how the project meets the established criteria and how it fits with the CPA.

Chairman Morely suggested, and the Board concurred, that the Park and Recreation Commission should be told the CPC considers its submissions as placeholders and completed applications will be needed. Mr. Beagan stated he would share this information accordingly.

#### **Advancing the Bruce Freeman Rail Trail (BFRT) Design (\$330,000)**

Ms. Brown summarized that CPA funds were appropriated last year as partial funds for the Bruce Freeman Rain Trail (BFRT) 75% design. She explained that, this year, the BFRT 25% design has experienced overruns, which could total approximately \$28,000-\$30,000 which will need to be covered. Thus, she stated this year's project submission has purposely been written in a generic manner so some of the allocated funds can be used for the 25% design and the remainder of the allocation can be used to partially cover costs for the 75%. In response to a question from the Committee, Ms. Brown stated the cost for the 75% design will not be known until the 25% design is completed.

Chairman Morely stated he would want to hear more information regarding why it is believed \$330,000 is needed. Ms. Brown stated she would share this information accordingly.

Mr. Friedlander asked if the \$150,000 appropriated last year could be used to cover the 25% design overruns. Ms. Brown and Chairman Morely explained it cannot because last year's appropriation was specifically approved to partially fund the 75% design.

Ms. Quirk stated she does not see the need for this funding at this time, and she asked who will be paying for it to be built.

Mr. Beagan asked how much has been spent on this project to date. Ms. Brown stated approximately \$470,000 has been spent to date, which includes last year's \$150,000 appropriation, but not this project submission request. It was also noted the Town is responsible for these planning costs, but the State will pay for construction.

Mr. Friedlander stated the Conservation Commission will hear a preliminary alignment report from VHB on November 21, 2016 and a BFRT Design Community Public Meeting is scheduled for November 29, 2016. He further stated VHB has worked well with the Commission on this project.

Mr. Floru stated the CPC should see a project timeline to better determine if the funding is needed. Chairman Morely stated VHB should be able to provide this.

Ms. Brown stated a timeline for the 25% design and the 75% design should be requested. She also suggested that, if anyone has questions for VHB, it would be best to pose them through Sudbury's Environmental Planner Beth Suedmeyer.

### **Town Hall Restoration (\$600,000)**

Chairman Morely stated he is a member of the Town Hall Blue Ribbon Committee, and that group has agreed upon a plan to recommend to improve the use of the Town Hall and to rehabilitate it, and to add a small addition and new uses for the building. He further stated Town Hall has not had any significant money spent on it for decades. Chairman Morely explained the thought is that the work could be completed as a phased-construction project, starting with a new handicap-accessible rear entrance, new bathrooms and new Town Clerk's Office space.

Ms. Warren asked if there are plans for the Sudbury Historical Society who is currently on the second floor. Chairman Morely stated the Society is underway redoing the Loring Parsonage space. He further stated the building rehabilitation will include the addition of an elevator, a caterer's kitchen in the basement and there would be storage for the Sudbury Historical Society

Mr. Floru asked if the project would all be CPA-eligible as the historic category. Chairman Morely stated the construction of the new addition would not be eligible, but in theory, the rest of the work could be. He also clarified Combined Facilities Director Jim



Kelly used a total project cost of \$6,000,000 to establish the request for the 10% allocation of \$600,000.

Ms. Warren asked if the first floor would be gutted, and Chairman Morely stated it would not.

Ms. Cline stated she believes the reference to meeting recreation-eligibility criteria noted on page 3 of the submission package is a stretch.

Chairman Morely stated the Selectmen have not yet voted on this project, noting the Town Hall Blue Ribbon Committee will present its recommendations to the Selectmen on December 6, 2016.

Ms. Cline asked if there is a basis for the estimated \$6 million project cost. Chairman Morely stated Mr. Kelly used architect bids from two years ago to establish the figure. Ms. Cline also asked if the responders to the Request for Proposals will know the anticipated project cost. Chairman Morely stated they usually are aware of the figures because it is public information. He also stated the Permanent Building Committee (PBC) is usually very involved in the process.

#### **Renovation of 420 Lincoln Road, Sudbury MA (\$400,000)**

Chairman Morely stated Lincoln-Sudbury Regional High School (L-SRHS) has submitted a funding request for \$400,000 to renovate an historic building on Lincoln Road. Personally, he was pleased to see the project submission, because he would like to see the building remain at its Lincoln Road location. Ms. Donoghue had distributed copies tonight to the Committee of a follow-up email from L-SRHS Superintendent Bella Wong dated November 16, 2016.

Chairman Morely stated he would like to know how much of the building is historic. Ms. Warren estimated the building could date back to the 1930s, noting it is basically a farmhouse. However, Ms. Warren opined the building does evoke a time and place.

Ms. Cline stated she believes the attempt to meet the open space eligibility criteria is a stretch. She also has concerns about how much of the building will remain historic.

Ms. Warren stated she believes it is eligible in the historic category. She also stated she would check whether it is listed in the Town's historic building inventory.

Ms. Brown noted the building is not owned by the Town, and it is owned by L-SRHS. She asked if the Town would get any ownership rights for funding assistance. The Committee also suggested possibly an historic preservation restriction could be considered.

Chairman Morely stated he will ask the Superintendent if Lincoln CPA funds would also be requested and if a restriction of some kind is possible to keep the envelope of the house. Ms. Brown stated she would feel better about the project if the Town were to get something out of it.

At the conclusion of the review of the project submissions, Mr. Beagan encouraged anyone with questions regarding the Park and Recreation Commission submissions to email them only to him for follow-up. Ms. Cline offered the same to anyone with questions regarding the SHA submission. Ms. Brown also offered the same to anyone with questions on the BFRT design submission.

### **CPC Future Meeting Schedule**

Mr. Friedlander stated there are a number of incomplete application submissions. For efficiency purposes, he suggested scheduling the presentations for the projects with the most questions and incomplete information in a second round to allow time to receive answers and/or to determine if any projects will be postponed to the October 2017 Town Meeting.

Ms. Donoghue reminded the Committee she will need two weeks prior to the Public Hearing Meetings to have them duly advertised and posted.

To avoid redundancy, Mr. Friedlander suggested going right into the Public Hearings once it is decided which projects are ready to present.

Ms. Cline stated she believes the Committee has enough questions and figures to work through at its next Meeting prior to the Public Hearings needing to be scheduled.

The consensus of the Committee was that it is not yet ready to conduct the Public Hearings, and that the next Meeting should be used to review financial information and to review responses to tonight's comments and any new information provided regarding the projects.

The Committee set the following meeting dates: November 30, 2016, December 7, 2016 and December 21, 2016. Ms. Remington reminded the Committee she will be unable to attend the December 7, 2016 Meeting.

### **Minutes**

On motion duly made and seconded, it was

VOTED: To approve the meeting minutes of October 19, 2016.

Ms. Cline, Mr. Friedlander and Mr. Beagan abstained from the vote.

**Miscellaneous**

**Bruce Freeman Rail Trail Task Force – CPC Representative for Membership**

Chairman Morely stated the CPC has been designated as having a member on the newly established Bruce Freeman Rail Trail Task Force, and he asked if any member is interested in representing the CPC. No one expressed interest. Chairman Morely stated the Planning Board Associate Member John Hincks was disappointed he was not chosen by that Board as its representative, and Chairman Morely believes the CPC could designate anyone it wants as its representative.

The consensus of the Committee was that it would not recommend anyone at this time, but it would think about possibly recommending Mr. Hincks as the CPC representative to the Bruce Freeman Rail Trail Task Force at a later date, if the Task Force is still in need of members.

On motion duly made and seconded, it was unanimously:

VOTED: To adjourn the meeting at 9:58 p.m.