

IN BOARD OF SUDBURY SELECTMEN
TUESDAY, FEBRUARY 15, 2011
EXECUTIVE SESSION
(11:05 P.M - 11:20 P.M.)

Present: Chairman John C. Drobinski, Vice-Chairman Lawrence W. O'Brien, Selectman Robert C. Haarde, Town Manager Maureen Valente and Director of Planning and Community Development Jody Kablack

Land Negotiations – Abrams Land Swap - Update

At 11:05 p.m., Ms. Kablack provided an update on two issues posed during the Board's last discussion of this matter on January 27, 2011. Town Counsel Paul Kenny asked if the property owner would concede Lot 1B to the Town and whether they would deed restrict the parcel to one lot. Ms. Kablack reported the answers from the property owner to both questions were no. Ms. Kablack stated the property owner's intention has been to create frontage for a lot. She further stated it is unlikely the Planning Board would allow this area to be extended, so it would likely always remain one lot.

Chairman Drobinski stated the land swap is still a good deal for the Town.

Land Negotiations – Johnson Farm – Discussion

At 11:10 p.m., Ms. Kablack requested the Board's assistance regarding further strategies the Town could implement in response to the Johnson Farm Chapter 40B proposed development. She provided a brief history of efforts taken to purchase the property, including verbal and written communications with the property owner and routine discussions with the Sudbury Valley Trustees and Conservation Commission, regarding their ability to solely or jointly purchase the property. However, Ms. Kablack emphasized the Town is legally not able to proceed with any action which would interfere with the contract between the property owner and the developer.

Ms. Kablack stated she believes the Town's "hands are tied" at this time, for any action other than taking the appropriate steps to review the Chapter 40B permit under the law and mitigating it as much as possible. She requested the Board's ideas and assistance as to other strategies which might be effective. Ms. Kablack has also contacted the Massachusetts Housing Office regarding a question she has regarding the interpretation of obtaining the Order of Conditions language within its eligibility approval letter for the project. In addition, Ms. Kablack has commenced a review of the Massachusetts Housing cases of appeal to gather insight as to how this decision might be overturned. She has completed review of half of the cases available.

Chairman Drobinski concurred that the Town's "hands are tied," stating the strategy might be to review and approve the plan with conditions so onerous to make the project difficult to implement.

Ms. Kablack requested Board members contact her with any suggestions or recommendations to pursue.

There being no further business, the meeting adjourned at 11:20 p.m.

Attest: _____

Maureen G. Valente
Town Manager-Clerk