

IN BOARD OF SELECTMEN
SPECIAL MEETING
MONDAY, SEPTEMBER 10, 2001

Present: Chairman John C. Drobinski, Lawrence W. O'Brien and Kirsten D. Roopenian, Selectmen.

The statutory requirement for notice having been met, the meeting was convened at 7:30 p.m. in the Town Hall, 322 Concord Road.

Notice of Intent to Sell – Gordon and Jill Prichett, 80 Goodnow Road

Present: Jack Dawley, Northland Residential Corporation; Earl Midgley, 37 Grindstone Lane; Steve Quinn, 32 Grindstone Lane; Edward Joseph, 38 Grindstone Lane; Catherine Quinlan, 192 Hudson Road; John Poldoian, 52 Goodnow Road, Lee Swanson, 60 Barton Drive.

At 7:35 p.m. Chairman Drobinski reconvened a Public Hearing for the purpose of continued consideration of a Notice of Intent, dated and postmarked May 31, 2001, received June 4, 2001, from Gordon Prichett and Jill Prichett. This matter was previously heard on July 23 and September 4, 2001.

The Board was in receipt of the following new information:

(1) Report, dated September 7, 2001, from the Planning Board, stating its recommendation the Town not exercise its option to purchase the property, subject to conditions for the development as proposed by Northland Residential Corporation, as follows:

- “1. All commitments listed in Northland’s letter to the Board of Selectmen dated August 31, 2001 shall be required.
2. No greater than 7 new lots shall utilize Goodnow Road for access, as shown on the Development Sketch Plan, prepared by Metrowest Engineering, inc., dated August 30, 2001. Northland Residential has stated that there is a possibility for creation of 1 additional lot on the property, however, they have stated this lot would access off Camperdown. The Planning Board continues to have a concern for the total number of lots utilizing Goodnow Road at its present and proposed width.
3. Creation of a pedestrian trail (paved or unpaved) connecting Camperdown and Goodnow Road. A logical location for this trail is along the lot lines of lots 9 and 10 off Camperdown, connecting to Goodnow Road through Lot 8. Trail easements will be required. The Planning Board strongly supports pedestrian connectivity through this property.
4. Submittal of a plan showing the improvements to Goodnow Road, including the turnaround area at the end. Easements to the Town of Sudbury will be required, and should be shown on this plan. Even though the cul-de-sac on Goodnow Road is a private way, it should be assumed that the Town of Sudbury will plow and maintain the new turnaround as it maintains the remainder of Goodnow Road. Improvements to the roadway should be subject to the approval of the Planning board, as well as the DPW Director and the Fire Chief.
5. Construction of a walkway along the lower portion of Goodnow Road, as addressed in Northland’s memo to the Board of Selectmen dated August 30, 2001.
6. All improvements to the roadway, creation of the pedestrian trail, installation of the dry fire hydrant, and construction of the walkway shall be bonded, with the bond administered through the

Planning Board. The Planning Board has extensive experience with bonds, and it is felt that board approval of improvements and voting of releases from the bond will best ensure the completion of the improvements to approved specifications. In addition, the bond should stipulate that the improvements will be completed no more than 2 years from commencement of construction. The bond should be submitted to the Planning Board prior to the issuance of any building permits.

7. The Planning Board would like the opportunity to review the Conservation Restriction and Restrictive Covenants as they progress to final form.

8. All of the above conditions should be memorialized in a commitment letter signed by all parties prior to recording the Chapter 61 release.”

(2) Letter, dated September 10, 2001, from Sudbury Valley Trustees, stating its endorsement of recommendations made by the Planning Board and Conservation Commission that the Town release its option to purchase the property. SVT states further the natural resources on the property should be preserved, and public safety and pedestrian considerations be addressed. [Distributed at meeting]

Chairman Drobinski stated the Board was awaiting receipt of a report from the Conservation Commission.

Town Manager Valente briefly summarized progress since the last hearing, stating Town Counsel has been working with the applicant's counsel toward developing a document for the Board's consideration, should the Board not exercise the Town's option to purchase the property. This document, a "letter of commitment", will list all conditions under which the property can be developed by Northland Residential Corporation.

Ms. Valente stated the Conservation Commission submitted a list of items to Northland who is preparing its response. She stated she expected this response within a few days, at which time a special meeting can be scheduled.

Ms. Valente emphasized the importance of waiting until all information has been received, and a letter of commitment drafted, before the Board take a vote. She opined a conditional vote will not serve anyone's best interests.

Selectman O'Brien reported the Town Planner was concerned with one of three ponds on this property following a resident's phone conversation. He also expressed concern for Item #7 on the Planning Board's memo, an opportunity to review the Conservation Restriction and Restrictive Covenants. He opined the objectives of the Planning Board and what it is trying to accomplish sometimes differ from the goals of the Conservation Commission. He expressed belief that a Covenant for access (Planning Board) might differ from one written from a Conservation perspective.

Jack Dawley, Northland Residential Corporation, stated all issues of the Planning Board's memo are being addressed. He opined the pond in question is the one off of Grindstone Lane and will be considered. He stated a packet is being prepared for the Board's review.

Selectman Roopenian expressed her desire to see trail development accomplished, but noted additional information may be coming from the Conservation Commission. She stated trails that actually

“go somewhere” are more enjoyable rather than getting to the end of an existing trail and then reversing direction because the trail goes nowhere.

Selectman O’Brien described and pointed out [on a map] to Mr. Dawley the approximate path for a walkway. Mr. O’Brien noted constructing a walkway alleviates the damage people cause by making their own paths through areas, as well as connecting with a main thoroughfare. Mr. Dawley stated a walkway is being discussed.

Earl Midgley, 37 Grindstone Lane, expressed concern for a natural spring in the Building Envelope at the end of Grindstone Lane. This water comes from Fairbank Road and runs toward the pond. He requested the home on this lot be moved further than 30 feet from the lot line as the spring thaw and heavy rain will be a problem for that new homeowner. He provided photos of the water, taken from his porch, for the Board’s review.

Steve Quinn, 32 Grindstone Lane, asked if the Town could acquire the lower field of Lot 8 as a public open space, or negotiate public use of the Conservation Restriction on that area. Chairman Drobinski responded the Town could acquire it only through Town Meeting vote or eminent domain.

Edward Joseph, 38 Grindstone Lane, stated he currently has water coming into his house on occasion, and wanted to know if new construction will increase that runoff toward his home. Chairman Drobinski stated stormwater regulations will address that concern as new construction cannot create any additional runoff.

Catherine Quinlan, 192 Hudson Road, asked whose responsibility it is to maintain the runoff pipes that run under her barn and property. Chairman Drobinski referred Ms. Quinlan to the DPW Director or Building Inspector for information regarding drainage easements for her property.

John Poldoian, 52 Goodnow Road, expressed his appreciation for the proposed plan by Northland, and opined that it was the best possible plan for development, yet preserving the area.

Lee Swanson, 60 Barton Drive, displayed a Historical Society photo of the property, known as Land’s End, depicting the original farmhouse.

After discussion, it was on motion unanimously

VOTED: To continue this matter until Wednesday, September 19, 2001, at 7:30 p.m. at the Goodnow Library. [This matter was subsequently placed on the agenda for September 19 at 8:30 p.m.]

LSRDS Committee – Special Town Meeting/Election

Present: Lauri Wishner, Jack Ryan, LSRDS Committee.

The Board reviewed draft language for votes as well as a schedule for setting a Special Town Meeting and Special Town Election.

Chairman Drobinski asked if walkway construction can be included in the construction costs. Ms. Wishner responded that walkways are an improvement for the Town of Sudbury and that it is a regional school. She was not optimistic the Town of Lincoln would agree to providing funds for it, but agreed to

pursue it. Mr. Drobinski emphasized the walkway to be for public safety for all the students. Discussion followed.

Mr. Ryan reported in general construction bids are lower than normal, due to the expectation of a recession, so it is difficult to know if there will be more money to play with. Even with additional funds potentially available, it would still require the approval of the Town of Lincoln. Discussion followed.

Chairman Drobinski explained he has been approached by numerous individuals, who expressed concern for public safety issues at the site.

Discussion followed on various dates and necessary preparations for a Special Meeting and Election. The Town of Lincoln is having their Town Meeting on October 13 and Town Election on October 15, scheduled to address other issues. Town Manager Valente expressed her preference for October 29 and November 5, citing staff, printing and timing issues.

At the request of the Lincoln-Sudbury Regional District School Committee, it was on motion unanimously

VOTED: To call a Special Town Meeting to be held on Monday, October 29, 2001, at 7:30 p.m. in the Lincoln-Sudbury Regional High School Auditorium, for the purpose of considering further debt authorization for the Regional High School building project, and to close the Warrant for said Special Town Meeting at 5:00 p.m. on Friday, September 21, 2001.

It was on motion unanimously

VOTED: To call a Special Town Election to be held on Monday, November 5, 2001, from 7:00 a.m. to 8:00 p.m. at the Fairbank Community Center (Precincts 1 and 2) and Town Hall (Precincts 3 and 4); and further, to place the following question [draft] on the ballot therefor [language subject to approval by Town Counsel in both Sudbury and Lincoln]:

Shall the town of Sudbury be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for its apportioned share of the bond issued by the Lincoln-Sudbury Regional School District in order to finance costs of supplemental debt authorized by the Lincoln-Sudbury Regional School District School Committee on September 4, 2001, for constructing and equipping a new District High School, which may incorporate a portion of the existing District High School, including the financing of all other costs incidental and related thereto?

YES _____ NO _____

Town Manager Valente asked Mr. Ryan to compare the language of the ballot question in Lincoln to the one for Sudbury, as it is critical they say the same thing.

SP00-357 -- Omnipoint, Village Green Wireless Facility

The Board signed the site plans (#00-357) for the Village Green Omnipoint (VoiceStream Wireless) wireless facility.

Executive Session

At 8:58 it was on motion by roll call unanimously

VOTED: To go into Executive Session to discuss litigation matters. (Chairman Drobinski, aye, Selectman O'Brien, aye, Selectman Roopenian, aye).

Chairman Drobinski announced public session will not reconvene following Executive Session.

There being no further business, the meeting adjourned at 9:20 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk