

IN BOARD OF SUDBURY SELECTMEN
THURSDAY, JANUARY 27, 2011

Present: Chairman John C. Drobinski, Vice-Chairman Lawrence W. O'Brien, Selectman Robert C. Haarde and Town Manager Maureen G. Valente

The statutory requirements as to notice having been complied with, the meeting was convened at 7:30 p.m. in the Lower Town Hall, 322 Concord Road.

Opening Remarks

At 7:30 p.m., Chairman Drobinski opened the meeting. He thanked all the citizens who voted during the recent Special Election. He announced both ballot questions regarding the repairs for Noyes School and the senior tax relief home rule petition were passed.

Chairman Drobinski also reminded residents to be careful traveling in the winter snow conditions, to assist elderly neighbors with shoveling and to help clear fire hydrant areas.

On behalf of the Town Clerk's Office, Chairman Drobinski announced census forms were mailed to residents this week, and he noted the importance of completing and submitting the information to the Town Clerk's Office. He also announced dog licenses expire March 31, 2011, and he reminded residents to renew their licenses to avoid a \$25 late fee. Additionally, Chairman Drobinski announced a Rabies Clinic for cats and dogs will be held at Especially for Pets on February 5, 2011 from 10:00 a.m. to 12 noon.

Reports from Town Manager

Town Snow and Ice Budget - Update

Town Manager Valente reviewed the State regulations for snow and ice expenditures, noting it is one of the few accounts eligible for deficit spending in the interest of public safety. Prior to the January 26, 2011 storm, the Town's snow and ice budget had approximately \$13,000 remaining of the originally budgeted \$414,000. Thus, the budget will be exceeded and a vote to approve additional expenditures will be required from the Town Manager and the Finance Committee. Ms. Valente explained that the deficit is typically covered from an anticipated portion of the Reserve Fund and, if needed, by Town Department budget reductions.

Special Election Home Rule Petition – Senior Tax Relief - Update

Town Manager Valente noted the Senior Tax Relief Home Rule Petition passed this week is ready for signatures from the Selectmen. She asked how the Board would like to proceed with submitting it to the State Legislature. It has been suggested the petition be presented to Sudbury's State Legislators. Selectmen Haarde stated his preference to invite State Representative Conroy and State Senators Eldridge and Fargo to the next meeting. Vice-Chairman O'Brien believes Mr. Conroy mentioned bills need to be submitted by January 31, 2011 to be assigned a docket number. Thus, he suggested submitting a signed hard copy as soon as possible. The Board requested Town Manager Valente confirm this information with Mr. Conroy and invite the legislators to the next Board meeting.

Proclamation – 1st Lt. Scott Milley

Town Manager Valente received a request from Veterans' Agent Brian Stearns for the Town to issue a proclamation in remembrance of 1st Lt. Scott Milley, which she read aloud.

It was on motion unanimously

VOTED: To endorse and sign a proclamation from the Town of Sudbury in remembrance of 1st Lt. Scott Milley.

FY12 Town Budget - Update

Town Manager Valente reported budgets are due to the Finance Committee and Board of Selectmen by January 31, 2011. She reported the Town will submit a level-service budget that is 2.8% higher than FY11. Ms. Valente noted the budget reflects salary increases of approximately .61%, benefit increases of 7%, expense increases of 3.6% and an increase in the snow and ice budget of 2.4%. Additional information will be provided at a future meeting.

Reports from the Board of Selectmen

Selectman Haarde recognized the citizens who voted at this week's Special Election. He stated he received feedback from voters that the dollar amount was not included in the ballot question for the Noyes School repairs. Selectman Haarde suggested that dollar amounts be included when voters are being asked to decide on debt exclusion articles. Town Manager Valente stated ballot questions are written as directed by State law and she will research this issue further.

Selectman Haarde stated the Town received notification from MassHousing that the Comprehensive Permit process is moving forward for the Johnson property on Landham Road and that the site has been deemed as eligible for a Chapter 40B development. He believes this is a predatory project, which the Town strongly opposed. Selectman Haarde suggested that more be done to generate ideas and solicit public input for Chapter 40B reform. He believes the Town needs to be more proactive regarding finding ways to address these types of developments.

Chairman Drobinski expressed his disappointment that MassHousing did not heed the local objections to the project. However, Chairman Drobinski cautioned that, if the Town wishes to act on this matter further, it might be best to discuss the development proposal in Executive Session.

Selectman Haarde stated the public should be engaged to hear ideas and concerns and develop solutions. He stated the schools are overcrowded and citizens are overtaxed, and it is imperative to address these development issues. He noted inclusionary zoning will be discussed later tonight, which could help the Town move in a better direction.

For the record, Selectman Haarde stated he does not believe the Budget Working Group is needed and it should not be working in parallel to the Finance Committee and other joint meetings already occurring. He emphasized citizens should be able to follow one formal budget hearing process through the Finance Committee and have input at those forums. Vice-Chairman O'Brien noted the Finance Committee Chair is in the process of setting a public session for February 4, 2011.

Vice-Chairman O'Brien stated he received inquiries from residents regarding the Special Election and the absence of a dollar figure on the debt exclusion article and some asked for clarification of the home rule petition. He suggested updates regarding the senior tax relief petition's legislative process be posted on the Town website.

Vice-Chairman O'Brien also received resident feedback regarding the MassHousing decision for Johnson Farm. He urged citizens to keep apprised of the Zoning Board of Appeals schedule for public hearings and

to attend and express their opinions. He referenced the MassHousing letter and asked if only a purchase price of \$770,000 is being recognized and how that might impact the future of the development. Director of Planning and Community Development Jody Kablack explained how the lower price could increase the developer's profit margin and that it would be reflected in the project's pro forma. Ms. Kablack further explained the Department of Housing and Community Development's requirement for an appraisal, noting she is unsure if the developer will determine the project is uneconomical to pursue. Chairman Drobinski reiterated his concern that this issue be addressed in Executive Session to preserve the Town's ability to respond to the project in the most effective manner.

Chairman Drobinski reported having met with Mrs. Patty Haupt and Sudbury's Veterans' Agent to establish outreach opportunities for military families. Many ideas have been generated and will be pursued in the coming months.

Regional Housing Services Office – Inter-Municipal Agreement Approval

Present: Community Housing Specialist Beth Rust and Director of Planning and Community Development Jody Kablack

At 8:08 p.m., Community Housing Specialist Beth Rust was welcomed to the meeting to update the Board on the status of the creation of a Regional Housing Services Office (RHSO). The Board was previously in receipt of copies of Ms. Rust's slide presentation for this evening and a draft Inter-Municipal Agreement between Sudbury and the Towns of Bedford, Concord, Lexington, Lincoln, and Weston for shared housing services and an email from Sudbury resident Patricia Brown dated January 25, 2011, posing a few questions. Tonight, copies were also distributed of letters from the Massachusetts Housing Partnership dated December 15, 2010 and the Massachusetts Housing Finance Agency dated December 21, 2010, both supporting the RHSO proposal.

Ms. Rust stated the Metropolitan Area Planning Council (MAPC) supports the regionalization of housing activities and services as an efficient approach to affordable housing solutions. In two phases of analysis, MAPC sponsored furthering this concept. Sudbury initiated an implementation plan utilizing its housing expertise and staff through an Inter-Municipal Agreement to establish the RHSO and a Revolving Fund. She reviewed the service model to help member towns plan, permit, monitor and maintain their affordable housing stock by paying an annual fee. She noted the work of the RHSO would not be oriented towards housing production and that each town would maintain its own records. Ms. Rust highlighted the core services which would be provided for the fee, noting that supplemental services could also be contracted separately.

Ms. Rust provided information regarding the anticipated demand by the interested member towns based on their subsidized housing inventory. She also reviewed the anticipated budget and staffing estimated to deliver the core services. It is anticipated that membership fees collected in the first year totaling \$88,000 would be paid in a prorated fashion by member towns. Anticipated expenses are primarily for staffing, and Ms. Rust reviewed the budget details.

Ms. Rust stated that an Advisory Committee has been suggested, consisting of one member from each municipality and an implementation plan would be developed for each member town. She further noted that an annual review would be conducted to determine the second-year fee schedule. Ms. Rust also stated the Agreement could be terminated with at least six months' notice by a vote of the respective Board of Selectmen, and it could be terminated by Sudbury with two-months' notice.

Ms. Rust stated that the towns mentioned this evening have all voted to proceed and have agreed to the fee structure. She provided information regarding the remaining steps in the process and a timeline for

completion. Ms. Rust also stated a Revolving Fund would need to be authorized at Sudbury's Annual 2011 Town Meeting, with the intention of the program being fully implemented on July 1, 2011. However, she further stated some member towns have expressed an interest and need to begin activities prior to July 1st.

Selectman Haarde stated he likes the idea of the proposal, and he commended Ms. Rust on her expertise and recognition in the region. However, he noted the irony in Sudbury being the lead community in regional housing when it does not have as much affordable housing inventory as some of the surrounding communities and some of the proposed member towns. Selectman Haarde believes Chapter 40B developments can be done well, as has been done in Lexington and Bedford (which has achieved 20% affordable housing stock inventory). He wishes Sudbury could achieve more success with smart, proactive planning for developments to help the Town reach the 10% goal quicker. Selectman Haarde believes Sudbury can, and must, do better on this issue.

Selectman Haarde asked whether the Other Post-Employment Benefits (OPEB) benefits for Ms. Rust's position would be covered by the fees paid by member towns. Town Manager Valente stated that OPEB benefits are not being calculated for any Town employee at this time, and therefore a quantifiable number is not available. Ms. Rust stated that all accountable costs for her position, including health benefits, were included in the budget provided tonight. Ms. Rust highlighted that since her position was created four years ago and the Sudbury Housing Trust was established, the number of Sudbury's affordable housing stock units has doubled. She also noted that the Town is in the process of writing a Housing Production Plan, which could help the Town achieve more success in the future. In addition, Ms. Rust announced a public workshop is planned for March 2011.

Chairman Drobinski believes Sudbury needs to do better with affordable housing options. However, he noted it has been a struggle to have good Chapter 40B developments in Town. He reiterated that the proposed project for Johnson Farm on Landham Road is not a good development example and only reinforces more the need to be proactive.

Selectman Haarde asked how this proposal relates to the MAPC 2009 Plan. Ms. Rust and Ms. Kablack explained MAPC provides resources to work collaboratively, funded Phase I and Phase II of the concept and has written much of the Draft Inter-Municipal Agreement.

Vice-Chairman O'Brien commended Ms. Rust on her presentation. In the past, he noted the Town has favored ownership-type developments, but rental affordable housing options help the Town achieve its 10% goal quicker. Vice-Chairman O'Brien will be interested in feedback from the public workshops to see if the sentiment has changed. He believes the Board should endorse the proposal and continue to finalize the Agreement.

Chairman Drobinski stated he likes the idea of regionalizing these services and spreading costs over other communities.

It was on motion unanimously

VOTED: To authorize the Town Manager to prepare the final Inter-Municipal Agreement with the Towns of Bedford, Concord, Lexington, Lincoln, and Weston to establish a Regional Housing Services Office with Sudbury acting as the lead community to be signed at the February 1, 2011 Board meeting.

Proposed Sale of Two Small Parcels of Land – Hudson Road and Pinewood Avenue

Present: Community Housing Specialist Beth Rust and Director of Planning and Community Development Jody Kablack

The Board was previously in receipt of information regarding the opportunity to convey two parcels of land to the successful responders in accordance with legislative requirements, including two-thirds majority vote at the 2011 Annual Town Meeting. These two small parcels of unimproved land are known as:

Parcel 1: Hudson Road, parcel F04-0124. Next to 494 Hudson, 0.12 acres or 5,000 square feet with 50 ft. frontage.

Parcel 2: Pinewood Avenue, parcel F04-0132. Next to 25 Pinewood, 0.12 acres or 5,000 square feet, 50 ft. frontage.

In addition, copies of the Annual 2009 Town Meeting Presentation indefinitely postponing the articles related to these parcels and the minutes of the March 23, 2009 meeting of the Board of Selectmen were distributed to the Board tonight for review. Ms. Kablack explained that these two parcels have been reviewed in the past for the purpose of constructing affordable housing, and she briefly described their history. In 2009, the Board sponsored two articles to sell the parcels to the Sudbury Housing Trust, since it was believed each could support one single-family home. A neighborhood meeting was held at that time and negative feedback was received. Thus, the articles were indefinitely postponed from that respective Town Meeting, and the Board authorized an offer be made to abutters to purchase the parcels. An informal bidding process occurred, and bids were received from the neighborhood ranging from \$1,000 to \$8,600. A warrant article has been suggested for the Annual 2011 Town Meeting to complete the sale of these lots by going out to bid, following Town Meeting approval.

Selectman Haarde asked if bidding had already occurred. Ms. Kablack stated only an informal bidding process had transpired. This time, the bid would follow the typical Request for Proposal (RFP) process and be advertised in the central register for 30 days.

Selectman Haarde expressed concern regarding the proposed minimum offer price and opined that \$7,500 seems high for the size of the lot. Ms. Kablack stated that the Board would determine the minimum price. She explained how the parcels have been assessed in the past and how the average assessment of similar properties was derived. Chairman Drobinski suggested soliciting input from the Assessor's Office.

Ms. Kablack noted the majority of lots in this area of Town are small, but the Town has a fiscal responsibility to obtain a fair price for the parcels. She also suggested that the minimum bidding price be determined so as to be published in the warrant article. Ms. Kablack also suggested that the warrant article language specify who would be eligible to bid, i.e., abutters. She further suggested that a provision be considered that if no neighborhood person bids on the parcels, then they should be allowed to be purchased by either the Sudbury Housing Trust or the Sudbury Housing Authority. Ms. Kablack noted buyers would be required to merge the parcel with their property.

Vice-Chairman O'Brien asked if the lots would be subject to zoning after they are conveyed. Ms. Kablack stated they would and a brief discussion ensued regarding "grandfather" status and previous title searches.

Chairman Drobinski recommended the article be submitted for the warrant.

Vice-Chairman O'Brien asked how the Board would proceed to determine the minimum bid price. The consensus of the Board was that Vice-Chairman O'Brien would work with Ms. Kablack and Ms. Rust to present a recommendation to the Board at a later date.

Pat Guthy, 24 Pinewood Avenue, stated that former Selectman John Powers and Mr. Lepordo had had a discussion. She also asked why the parcels were discussed previously in Executive Session. Ms. Kablack stated that is the appropriate process for all land transfer discussions. Ms. Guthy stated she believes another parcel in the Pine Lakes region was sold by the Town around 1978 for a minimal amount of money, which was later deemed buildable and eventually sold for \$70,000. She encouraged Town officials to access history of this case to reference the process used at that time.

It was on motion unanimously

VOTED: To include appropriate warrant articles for the May 2011 Annual Town Meeting to transfer control and subsequently sell the two small parcels, one on Hudson Road, and one on Pinewood Avenue.

Charles Guthy, 24 Pinewood Avenue, asked how abutters would be notified of the minimum bid price. He was informed it would be published in the Town Warrant. Vice-Chairman O'Brien also encouraged residents to follow this agenda item on the Board's published agendas and attend future meetings. Pat Guthy requested notification by mail of when this topic would be discussed by the Board.

Metropolitan Area Planning Council (MAPC) Sustainable Communities Consortium

Present: Director of Planning and Community Development Jody Kablack

The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack dated January 11, 2011, requesting the Town join the Metropolitan Area Planning Council (MAPC) Sustainable Communities Consortium and an article about the MAPC's \$4 million grant from the U.S. Department of Housing and Urban Development (HUD).

Ms. Kablack explained MAPC plans to fund a variety of activities, including local planning and zoning projects. She noted Sudbury's Route 20 sewer project could benefit from these initiatives as providing infrastructure for concentrated development, which is recognized as a Smart Growth goal. Ms. Kablack urged the Board's support, emphasizing membership is non-binding.

It was on motion unanimously

VOTED: To participate in the Metropolitan Area Planning Council (MAPC) regional planning program by becoming a signatory to the Consortium for Sustainable Communities.

Metropolitan Area Planning Council (MAPC) - Clean Energy Programs and Other Services

Present: Director of Planning and Community Development Jody Kablack

The Board was in receipt of copies of a memorandum from Building Inspector James Kelly dated January 14, 2011, recommending working with the MAPC District Local Technical Assistance Program regarding clean energy services and its other services, the MAPC 2011 DLTA Project Proposals for "Contracting Regional Renewable Energy Site Evaluation," "Regional Energy Savings Performance Contracting," and "Regional Energy Manager" and the MAPC suggested "Letter of Interest Form dated January 11, 2011."

Ms. Kablack stated Mr. Kelly would focus attention on fatal flaw analysis to determine the viability of the landfill for solar energy development, but he believes all three services should be pursued. It was further noted completion and submission of the Letter of Interest form is non-binding. Ms. Kablack stated significant interest in these programs has been expressed by Minuteman Advisory Group on Interlocal Coordination (MAGIC) members. Ms. Kablack and Mr. Kelly recommended the Town indicate its interest in all three services.

Vice-Chairman O'Brien stated he is pleased MAPC is offering more services which could benefit suburban communities.

It was on motion unanimously

VOTED: To sign a letter indicating Sudbury's interest in participating in the regional effort to review

alternatives for renewable energy, investigate regional procurement opportunities for an ESCO and possible access to Metropolitan Area Planning Council (MAPC) staff for expert energy consultation.

Ms. Kablack noted Sudbury does not have a designated MAGIC representative this year. She asked the Board to consider appointing a member as Sudbury's representative.

Minutes

It was on motion unanimously

VOTED: To approve the regular session minutes of December 7, 2010 and January 4, 2011 and the regular and executive session minutes of December 21, 2010.

Boy Scout Troops # 60 and #63 – Eagle Scouts

It was on motion unanimously

VOTED: To sign letters of congratulations to Luke Blackwell Baldwin and Ian O'Connor Egan of Troop 60 on achieving the high honor of Eagle Scout at a ceremony to be held Saturday, February 5, 2011 at 6:30 p.m. at the Sudbury United Methodist Church, Hawes Hall, 251 Old Sudbury Road; also William Beckham and Kyle Walker of Troop 63 on achieving the high honor of Eagle Scout at a ceremony to be held Sunday February 6, 2011 at 2:00 p.m. at the Sudbury Grange Hall, 326 Concord Road.

Election Officer – Appointment

It was on motion unanimously

VOTED: To appoint Judith Blatt, 91 Hemlock Road, Sudbury as a Democratic Election Officer for a term to expire on August 14, 2011 as recommended by the Sudbury Town Clerk.

The Sudbury Foundation - Grant

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a \$15,000 grant from The Sudbury Foundation, as outlined in a letter dated January 5, 2011, from Marilyn Martino, Executive Director, for continued support of the Senior Volunteer Coordinator position at the Fairbank Senior Center, to be expended under the direction of the Council on Aging Director.

Sudbury Fire Department – FEMA Grant

It was on motion unanimously

VOTED: To accept, on behalf of the Town, a \$25,650 Federal Emergency Management Agency (FEMA) grant to the Sudbury Fire Department for approved project costs associated with purchasing new Thermal Imaging Cameras, as requested by Fire Chief Ken MacLean in an email dated January 21, 2011.

Chairman Drobinski thanked Fire Chief MacLean for his work to obtain this grant.

Potential Articles for 2011 Annual Town Meeting

The Board was previously in receipt of copies of a memorandum from Director of Planning and Community Development Jody Kablack dated January 14, 2011, listing potential articles for the Annual 2011 Town Meeting and accompanying supplemental information to review, a preliminary list of definite articles, including: Hear Reports, FY11 Budget Adjustments, Stabilization Fund, Street Acceptances – Brookside Farm Lane and Trevor Way, Housing Revolving Fund, Regional Housing Services Revolving Fund, Rental Properties Revolving Fund, Cable Revolving Fund, a draft article and map regarding Exchange of Land off Peter's Way with Abutter, Sale of Land on Hudson Road and Pinewood Avenue, three memoranda from Town Manager Valente, all dated January 14, 2011, regarding creation of a Cemetery Revolving Fund and responses to Frequently Asked Questions on the Town of Sudbury's Perpetual Care Fund for Cemetery Maintenance, the dissolution of the Permanent Landscape Committee and accompanying information, and a potential article regarding amendments to the Lincoln-Sudbury Regional Agreement, and a memorandum from Town Clerk Rosemary Harvell dated October 27, 2010, regarding proposed bylaw revisions for kennel licenses.

Town Manager Valente reviewed a list of several articles prepared by Elaine Jones and Mary McCormack, including some articles which appear each year as recurring items and a few recommended new warrant articles.

Chairman Drobinski emphasized the Board is not voting its position on these articles tonight, but only voting to hold, i.e., bookmark, a place in the Town Warrant at this time, noting an article can be removed at a later date. In regard to the proposed Cemetery Revolving Fund, and for the record, Chairman Drobinski announced he owns cemetery plots in the cemetery.. He further asked if there should be a bookmark for the Senior Tax Relief Home Rule Petition which was just passed by residents in case any modifications are required to be voted. Vice-Chairman O'Brien requested Town Manager Valente ask State Representative Conroy the procedure for making necessary changes to the petition to help determine if a bookmark article is needed.

It was on motion unanimously

VOTED: To bookmark all articles reviewed tonight on the list developed by Mary McCormack and Elaine Jones, including Hear Reports, FY11 Budget Adjustments, Stabilization Fund, Street Acceptances – Brookside Farm Lane and Trevor Way, Dissolve Permanent Landscape Committee, Regional Housing Services Revolving Fund, Rental Properties Revolving Fund, Cable Revolving Fund, Cemetery Revolving Fund, Exchange of Land off Peter's Way with Abutter, Sale of Land on Hudson Road and Pinewood Avenue, and an amendment of the bylaws Art. V. 3, Regulation of Dogs to increase kennel fees.

It was also on motion unanimously

VOTED: To bookmark an article related to technical revisions of the 2011 Special Town Meeting Senior Tax Relief Home Rule Petition.

Ms. Kablack reviewed the following potential list of articles with the Board, which were discussed and voted as follows:

Wireless Bylaw – Adding Properties to the Overlay District – Vice-Chairman O'Brien stated the Planning Board has expressed no interest in sponsoring this article this year. However, Vice-Chairman O'Brien believes the overlay district needs to be expanded.

If the Selectmen were to sponsor this article, Ms. Kablack confirmed that the Public Hearings would be overseen by the Planning Board. However, she further noted the Planning Board's next meeting is scheduled for February 9, 2011. In response to a question from Selectman Haarde, Ms. Kablack explained the Planning Board pursued a similar article last year and widespread opposition was expressed by several neighborhoods though the Public Hearing process.

Vice-Chairman O'Brien suggested that an article be drafted incorporating language recommending the inclusion of Town buildings and Town-owned property in the overlay district. Ms. Kablack suggested the Board might want to also consider setting a maximum height for these structures lower than the now allowed 100 feet.

Chairman Drobinski suggested a bookmark be held for the article at this time, and Selectman Haarde concurred. Ms. Kablack emphasized zoning articles require specific Warrant language, and she expressed concern that the process not be rushed.

It was on motion unanimously

VOTED: To bookmark a warrant article for the Annual 2011 Town Meeting regarding the expansion of the Wireless Bylaw Overlay District, and to authorize Vice-Chairman O'Brien to work with Ms. Kablack to further develop the article content.

Route 20 Sewer Design – Ms. Kablack updated the Board on recent activity, noting all preliminary tests indicate the Curtis School location is a feasible site. She reported a six-day Department of Environmental (DEP) test concluded a maximum load of 340,000 gallons per day is feasible, even though a load of only 175,000 gallons a day is anticipated. Chairman Drobinski stated the entire business district could be handled under this maximum load. Ms. Kablack further reported that the Town's preliminary application for the state's Revolving Fund scored very well. Thus, Ms. Kablack opined it is thought the Town's chances for funding next year, with the submission of additional data, could be good.

Ms. Kablack noted that this type of project is locally funded, and therefore citizens would be asked to fund a likely debt exclusion. This project has been submitted as a \$1 million capital project. Town Manager Valente stated the project would likely be bonded for ten years and possibly be packaged with the Noyes School repairs to garner a better interest rate.

Chairman Drobinski stated the project is viable and needed for the sustainability of Sudbury's businesses. However, he expressed concern regarding whether citizens will support funding the project when it primarily serves only the commercial district, and he questioned how the overall project would be funded.

Selectman Haarde stated he supports the need for the project and believes in its business and ecological benefits. However, he is not convinced it is the right time to recommend a \$1 million debt exclusion at the 2011 Town Meeting, given Sudbury's other financial challenges. Selectman Haarde believes the project should be cost neutral to taxpayers, and he suggested more be done to research grants and alternative funding resources.

Chairman Drobinski asked if the design and permitting stages could be done in phases. Ms. Kablack stated the Town has been advised by its consultants that the permitting and design phases be completed together. She opined that she is unsure of what funding resources are available, and that her department cannot pursue fundraising. She further opined that the business community does not seem prepared at this time to contribute to the finances of the project.

Vice-Chairman O'Brien questioned whether momentum would be lost on the project if action is not taken this year. He believes the project can be presented to the citizens as enhancing the business district's opportunity to attract more commercial taxpayers in the long-term. Ms. Kablack stated she believes a convincing presentation could be prepared for Town Meeting, including the future look of Route 20 and how long it would take to change the proportion of taxes paid by residential and commercial taxpayers. However, she emphasized this can only be done if the Board supports the article.

Selectman Haarde reiterated his support of the project, but he does not believe presenting a \$1 million debt exclusion this year is the way to introduce the public to the project. Chairman Drobinski suggested the article be bookmarked so as to not lose momentum for the project and that a more financially doable figure be further researched for a smaller initial scope of work to be completed.

It was on motion unanimously

VOTED: To bookmark a warrant article for the Annual 2011 Town Meeting regarding the Route 20 Sewer Design.

Town Center Construction Funds - Ms. Kablack stated this project was also submitted as a \$1 million capital project. However, given the lack of funds available, she recommended delaying this article, since it is not a project which can be completed in phases. Ms. Kablack further noted there are sufficient funds available to complete a design plan, which could be used as the basis for construction drawings when funds become available in the future. The consensus of the Board was that the project be held and delayed at this time.

Inclusionary Zoning – Ms. Kablack stated Selectman Haarde posed this idea. Thus, she has provided copies of relevant materials for the Board's review, including a 1995 Sudbury Annual Town Meeting article, information from the Town of Lincoln, Wikipedia information, and relevant sections of Concord's Zoning Bylaws regarding Planned Residential Development. She stated there are several options which should be thoroughly considered for this complex bylaw. Ms. Kablack opined there may be insufficient time to adequately research and prepare a proper bylaw.

Selectman Haarde opined there a lot of models to draw from, and he believes an article could be developed for this year. He believes the Town could have achieved better affordable housing results had an inclusionary zoning bylaw been in place in Sudbury in the past. Selectman Haarde expressed the need for a town to always ensure it is at or above the 10% quota and the sooner policies are put in place the better. He suggested policies be established requiring developers to build a certain number of required units of affordable housing in addition to certain numbers of market units. Selectman Haarde believes this is the smart way for communities to increase their affordable housing units and that it is never too early for towns to put these requirements in place.

Vice-Chairman O'Brien referenced the two models provided, stating they could possibly be used as zoning amendments. Ms. Kablack stated the Lincoln example is closer to Sudbury's current bylaw, but that Concord's bylaw allows multi-family units. She emphasized this would be a zoning bylaw, which typically requires significant time to prepare and vet. Ms. Kablack also noted that the Planning Board has not been apprised or deliberated this issue yet.

Vice-Chairman O'Brien suggested the article be bookmarked and that a discussion be scheduled between this Board and the Planning Board. Ms. Kablack opined this is an excellent long-term strategy for the Town to pursue, which could be committed to for next year, allowing adequate time to prepare the bylaw article

well. She further opined that the Town is not near the 10% quota at this time, and thus, she does not see the need to rush to prepare an article this year.

Selectman Haarde stated there are a lot of good bylaws Sudbury could reference in order to prepare an article this year. He stated he does not support including an exemption for small projects of less than five units such as Lincoln offers. Selectman Haarde stated his preference to bookmark the article and to work with the Planning Board to present an article this year. Ms. Kablack asked if the Board would want to include multi-family units as an option as is done in Concord. Selectman Haarde opined he had not intended multi-family options as part of his recommendations. Ms. Kablack stated she would collect and distribute relevant definition information and a questionnaire to the Planning Board and Selectmen in order to prepare an initial draft for further review. Chairman Drobinski opined it is important to present a bylaw which works to the citizens.

It was on motion unanimously

VOTED: To bookmark a warrant article for the Annual 2011 Town Meeting regarding Inclusionary Zoning.

Tree Clearing Regulation – Town Manager Valente noted this idea was presented to the Board by Sudbury resident Stanley Kaplan, 98 Victoria Road, in October, 2010 and copies of a communication from Mr. Kaplan dated October 1, 2010, an NStar Sustainability Report regarding Vegetation Management responsibility, an article explaining “Why NStar Trims Trees” posted on the NStar website, and copies of a relevant bylaw for the Town of Lexington were previously provided for review. Ms. Valente stated this would require tremendous staff time to monitor and administrate.

Town Manager Valente spoke with Tim Higgins in Lincoln to determine if there is interest to have a multi-town group address the issues with NStar through protocols established by respective Boards of Selectmen rather than the Town meeting process. Ms. Valente will discuss the issue again with Mr. Higgins and update the Board at a later date.

Executive Session

At 10:08 p.m., Chairman Drobinski announced the close of the regular meeting and it was on roll call unanimously

VOTED: To go into Executive Session for the purpose of discussing land negotiations and collective bargaining discussions regarding Sudbury firefighters.

Chairman Drobinski announced regular session would not reconvene following Executive Session.

There being no further business, the meeting adjourned at 10:08 p.m.

Attest: _____
Maureen G. Valente
Town Manager-Clerk