

**Community Preservation Committee  
Minutes  
May 17, 2016**

**Present:**

Chairperson Helen Dunlap, Mark Pease, Debra DeWitt, Harvey Gagnon, George Malonis and recording Secretary, Marylee Enos. The meeting was held at Dracut Town Hall, 62 Arlington St. Dracut, MA.

**Absent:** Louise Tremblay Linda Kawa, Don Plummer, and John Hassan

Also In attendance; Betsy Ware, Director of Community Development

Chairperson Helen Dunlap called the meeting to order at 7:00 pm

**Minutes:**

Tabled until the next meeting for lack of a quorum from the last meetings.

**CPC at Board of Selectmen's Meeting:**

This agenda item is covered under Town Meeting Preparation in the minutes.

**Open Space:**

**Yapp Farm:**

Ms. Ware explained that she has emailed the Farm Bureau the Conservation Restriction. She is waiting to hear back and will update the board at the next meeting.

Ms. Ware explained that next spring, or early fall, they will be putting out a RFP for someone to fertilize and someone to cut the hay or to farm the land in another way. Ms. Ware explained it will likely be a one year with a four year renewal.

**133 Phineas St:**

Chairperson Helen Dunlap explained to the board that she would like to set up a site visit with the board to walk the land and see what the property looks like.

Helen stated that she has talked to someone she had come in contact with, his name is Steve Paquette, he is a developer, based in New Hampshire He grew up in Dracut, on Flower Lane. He is very familiar with the Property

Mr. Paquette, explained to Helen that Porsha Skandalis has actually called him to ask about the land. Mr. Paquette, explained to Helen, the only problem with that property is the creek that runs through it, which is a river, so it limits the amount that can be developed.

Mr. Paquette explained to Helen that he has also been involved in developments where there has been a conservation restriction put on the land, separate from the actual development. Helen explained that he stated to her that the board could come to him if they were ever interested in doing something like this. Helen stated that Mr. Paquette seemed very interested in working with us on this kind of thing. Helen gave Ms. Ware his contact information.

Ms. Ware explained that Vanessa from the family contacted her. Vanessa and the family have a couple of questions. Ms. Ware has a meeting on Friday morning with the family. She will update the board at the next meeting.

George Malonis wanted to have it on record that he has to recuse himself with anything to do with this property. He has had the family as clients.

### **388/400 Proprietors' Road:**

Chairperson Helen Dunlap explained that this property has gone before the Selectmen, Ms. Ware is doing an analysis on this. Ms. Ware explained that the original special permit on this property was indicated for 187 units on 311 acres. What they want to do is come in off of Brentwood Way over a piece of land that is parcel P, which is owned by the Town. Mark Pease explained that this is the Golf Course. Ms. Ware explained that next Monday, there is a site walk at 9:30 am. Parcel P is basically the access to the Fox land and the Towns landlocked piece.

Those pieces were never included as part of the Golf Course development, Ms. Ware explained. What they want to do is incorporate the twelve acres of the Fox land into the original Special Permit for the project. Ms. Ware explained they are also proposing a longer road.

It is a two phase process, the Board of Selectmen have to review it and there is a calculation that has to be done on the number of units in the density, there is a provision in the zoning by laws that basically says that you take the acreage for the entire piece, you are only allowed to use thirty percent of the areas that are designated as wetlands. Then you come up with a final figure of your lot area and then you multiply that by 0.62. This gives you the number of units you can get.

Ms. Ware explained that the Original Permit was for 311 acres and 187 units. That was a little less than what the maximum was allowed. What they are proposing is to add twelve acres, which would give them seven additional lots, based on that multiplier of 0.62.

Mr. Malonis explained, he had knowledge, and was involved in negotiations on this, he was one of the plaintiffs, Mr. Malonis stated that the number of units were fixed, via an agreement by the both parties.

Ms. Ware stated that the particular piece, there is a vernal pool and that has to go through the Board of Selectmen, they will have to do a Special Permit site review. Also it would have to go through the Planning Board for the Sub Division.

Ms. Ware stated the problem is that what they are showing is a thousand foot road, the Town's regulations is Five-Hundred. Based on the 500 feet, you're allowed to shrink your lot size and your lot frontage. Based on the 500 feet, you maybe can get 10 to 12 units on the roadway, they are proposing 17. Ms. Ware explained, that would trigger a waiver.

Mr. Malonis asked why the Town is even entertaining this when the Town can stop it. Do they want to increase the density of out there? The whole purpose of that litigation was to limit the density out there. The Town is getting nothing other than maybe some additional tax revenue.

The Town has already done them a favor by rezoning the front parcel. Enough is enough, this is not right. This is going to benefit the Fox family. Helen encouraged Mr. Malonis to go to the Board of Selectmen meeting when this comes up at the meeting.

Mr. Malonis stated that there is a settlement agreement on this.

Mr. Malonis stated to Ms. Ware that she should have Town Council review this.

Ms. Ware explained she has forwarded it to Mr. Hall.

Chairperson Helen Dunlap asked if the site walk is a posted meeting so anyone could go. Ms. Ware explained yes it is.

### **Recreation:**

Ms. Ware stated that the Monahan Park bathrooms are scheduled to open soon. They are finishing up the pavement work this week and are having some trees planted by the DPW.

### **Historical:**

Harvey Gagnon explained that there was a meeting on the 16<sup>th</sup> of May between the Grange and Christ Church United. Harvey explained that the two of them have been going back and forth for a while now. The Church has strong feelings on the transfer. The Church did explain that they will not tear the Grange down but they want to keep it. Harvey explained that we should just move forward because it has been several years of going back and forth with no progress. Harvey stated, let's just see what happens. Helen explained to Harvey, she knows we have no say, but just keep in mind there is still CPC funding if needed.

### **324 Broadway Public Hearing:**

Chairperson Helen Dunlap explained that she has talked to Mark Dow who is getting the barn, he has got everything approved through the City of Methuen, where it is going and his neighbors are excited. Mr. Dow thought it was just going to be given to him, as it turns out now Mr. Kuenzler is now willing to sell it to him not give it to him. He may be asking for funding for the house now also.

Helen explained that there is a special Dracut Land Trust meeting tomorrow night to consider Anna Corey's offer of a piece of land at the end of the road to Smith Healy Farm. Mr. Malonis stated he did not think it was a good idea with the area she is proposing. It would have to go up Jones Ave, through the intersection, which would be a mess, Harvey Gagnon explained.

Mr. Malonis stated we have to be careful with conflicts here. Mr. Malonis asked who would own it, Helen explained she believed it would be the land trust.

Helen explained that this is one of the Articles that the Selectmen were not happy with the wording on for the Town Meeting. Helen explained that we have to decide on the wording. Mr. Malonis stated, he thinks this article is spelling trouble. It's a great concept, but we are not going to have enough information for Town Meeting. He is concerned about our perception. We have no place for the house yet.

Mark Pease stated he has heard that the closing is soon. Ms. Ware stated that Mr. Kuenzler has told her once he closes on the house and gets the keys, the committee can get into it to look at it and see what can get done.

Mr. Gagnon stated it's too bad we weren't involved in this at the beginning. Ms. Ware stated it should have been done when it was rezoned. Debra DeWitt agreed. Helen asked the board what they want to do with the article.

George Malonis made a motion to strike the noted sentence in the article. Debra DeWitt seconded the motion, the motion passed unanimously.

George Malonis made a second motion to stipulate for the motion to be withdrawn by the chair in the event we do not line up a viable recipient for the home by the time of Town Meeting. Debra DeWitt seconded the motion. The motion passed unanimously.

### **Affordable Housing**

#### **Draft agreement with DHA for Greenmont Ave Project:**

Ms. Ware explained that the housing Authority put out a RFP and has hired a designer, they have an entourage of consultants. Ms. Ware explained she had gotten a call asking where the survey is for the property, the CPC should have done a survey. Ms. Ware explained that the CPC did not have a survey done. They are now including in their funding, for a surveying. Ms. Ware stated her understanding is that the Housing Authority went to try to get Two to Three Million Dollars (\$2,000,000- \$3,000,000) from the state. Debra explained, yes and Mary was having another meeting coming up.

Ms. Ware explained that it seems like right now it looks like the State is focusing on family Housing and in essence that X percentage of the units you create have to be family housing. Debra explained that we couldn't do that because when this land was given, it was for seniors, period, our hands are tied. Debra explained, money is tight for senior housing.

Helen explained that Ms. Ware's concern is that we should have drawn up some kind of memorandum way back. Ms. Ware stated that right now the Town Manager and Ann Vandal are working with Mary on the financing and the funding on this. They're concerned because if a part of a contract will come in and there won't be any final figure for what an attorney is going to cost, or up to maximum limit.

Ms. Ware explained that she has never staffed a CPC Board before, but basically from the bulk of the people she has talked with at various housing and CPC Meetings have said, on every project you really need to have an agreement with the entity that's doing it.

Ms. Ware explained that the agreement that was handed out from her a couple of months ago was a pretty good agreement, the only issue was how the funding is going to be dealt with.

Ms. Ware stated she forwarded that document to both Jim and Ann and she will check with them on their thoughts on it.

### **Town Meeting Preparation:**

Chairperson Helen Dunlap explained that she wanted to report back, that she went to the Board of Selectmen's last Meeting, to present the four CPC Articles for Town Meeting. The only one that got approved was the Historical Article.

Helen explained that the other three they have had a lot of issues with. Helen explained she will have to present them again or someone has to help her. Ms. Ware stated, maybe we should contact Ellis for the Field House and Beaver Brook Articles. Helen stated she called and left a message with him.

Helen explained that Selectmen Tony Archinski gave her a hard time on the wording, ("day to day operations") on the Beaver Brook Article.

The board decided to have Ellis Neofotistos present Article #23 & Article #25. Helen will present Article #24. Chairperson Helen Dunlap explained that Ms. Ware is waiting to hear back on Town Council on the wording for the Beaver Brook Farm Article. Ms. Ware went over the wording for the Beaver Brook Article, the Board decided to eliminate the word in the day to day operations in the management of the farm as well as assist in removing the wording security and operations and to eliminate the wording long term use of the Beaver Brook Farm.

Debra DeWitt made a motion to have the Article state, Assist the Beaver Brook Committee in the development of a master plan and acquisitions of building materials and added language related to stabilization repair. George Malonis seconded the motion, the motion passes unanimously.

### **Open Space & Recreation Plan**

#### **Hildreth St Properties:**

Mr. Malonis stated that he has talked to the Baseball Director to let him know that the board has some concerns about what the concept is for the Hildreth St Property. Mike Parent, the Baseball Director would be happy to come in and talk to the board at one of the next meetings to explain the concept.

Chairperson Helen Dunlap stated that would be a great.

Ms. Ware explained that there is a PARC grant that is due in mid-July, the only issue is that the Open Space and Recreation Plan is defunded as of mid-April. She would have to have a draft and open space recreation plan and the grant in at the sometime. Mark Pease asked is that something we would have to approve at the June Planning Board meeting, Ms. Ware stated yes. Ms. Ware will look into this and update the board at the next meeting.

#### **Dadak Field**

Ms. Ware stated she had a question, she asked when the Dadak Development went in, that was done under the Open Space Provisions and there was roughly eight acres that was conveyed to the

Town that was that was donated to the Town that was eventually going to be some kind of field space.

Giving the facts that the estimates have come in around, Two-Million Dollars (\$2,000,000) for the field space. Ms. Ware stated, she had been talking to Lori Cahill, the Recreation Director about fields, and that right now that field in essence is a field and if it's not maintained, it's not going to be a field for long. Of the eight acres, roughly, about five acres is prime farmland. Ms. Ware explained, she was thinking about talking to the Agricultural Committee and hoping next spring doing an RFP and getting someone to hay it.

Mr. Malonis stated it was a good idea and as long as it is understood and there are no objectives. Helen explained to Ms. Ware that it is a great idea.

**New Business:**

Chairperson Helen Dunlap stated to the committee she attended the memorial service for the Foxes and said it was beautiful and there was a real sense of preserving Open Space.

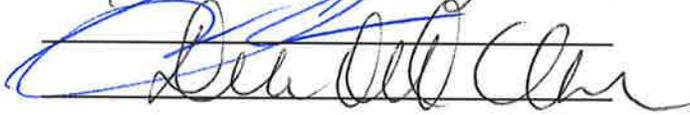
Helen also explained if anyone wanted to go to her house on Saturday, she is having a tree Identification walk with the Open Space Committee.

**Next Meeting:**

June 21, 2016

George Malonis made a motion to adjourn the meeting at 8:45 pm, seconded by Mark Pease, the Motion passed unanimously.

**COMMUNITY PRESERVATION COMMITTEE**

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