

**Community Preservation Committee
Minutes
February 3, 2015**

Present:

Chairperson Helen Dunlap, Mark Pease, Harvey Gagnon, John Hassan, Linda Kawa, Debra DeWitt, George Malonis, Glen Edwards, Assistant Town Manager, and Recording Secretary, Marylee Enos. The meeting was held at the Town Hall, 62 Arlington St, Dracut, MA.

Absent: Ken Lania

Warren Shaw and Don Plummer were also in attendance

Chairperson Helen Dunlap called the meeting to order 7:02 p.m.

Minutes:

John Hassan made a motion to approve the January 20, 2015 minutes, Harvey Gagnon seconded the motion. The motion passed unanimously

Open Space:

52 A Avis Ave

Chairperson Helen Dunlap stated that Warren Shaw, Chris Chislom and herself had a meeting about public access on this property and any other future public access on future farm land that comes up.

Helen explained in the course of this conversation they discussed not having the conservation restriction, but instead have private APR protection. This would afford all the protection that a real APR funded project would have, it just wouldn't be funded.

Helen explained that it's too late, the Fox's don't want to wait for APR approval but Gail Fox is fine with APR protection. The issue is Town Meeting and we are trying to do everything that we can to make sure the voters approve of this project at Town Meeting; this is why the committee revised their thought on public access and even require it for one part of the property at the last meeting.

Warren Shaw spoke on this and he stated he understands why the committee decided to go with the conservation restriction was because you were not getting funding through APR and it would not be an option.

Warren explained there is no reason that you can't use that tool to protect this piece of land. It would be funded the same way as the conservation restriction, but the APR is a document that is an overlay, an easement that would control the use of the land. It is designed specifically for agriculture.

Warren explained that there are things built in this contract that help going forward, like an option to purchase at an agriculture value, it is written into it when the state does it and that makes sure the control of the land is controlled by someone who wants it for farmland. Not like in the case of

a conservation restriction there is no control over the value of the land once it's been protected. For example some rich person could come in and say they would pay three times what a farmer could pay and their would be no control over that.

Warren explained what it really comes down to is if this is farmland preservation it really should be protected with an APR, if it's conservation restriction, that's a legitimate use of CPC money, and that is fine because that speaks of open space and public access and all those things. Warren explained that they are two tools and if the CPC wants this to be APR, it should be an APR document.

As far as Public access Warren stated, if this were APR from the beginning he thinks there would be less concerns over it. Warren explained if you look what the Town has done in the past with other APR's, none of them have public access, Farmer Dave's, Shaw Farm, Ogonowski Farm, Saja Farm. It would have been consistent with them.

Warren stated he did tell Helen what we could do going forward is create some kind of a memorandum of understanding that we would encourage future owners of these properties protected with public investments to cooperate with the public to allow certain of these uses, that might be compatible like cross country skiing, snow shoeing, and hiking, but all under the control of the owner, because without the control of the owner, public access becomes a disaster, and again that's why there is not public access with APR's.

Louise asked is it too late to fund this through the APR. Warren stated yes because back in March when he and Helen first had a meeting on this property, they did talk about a APR along with Chris Chislom, but the family said they couldn't possibly wait that long. Warren stated he still thinks in his opinion that this property is still worth protecting as farmland as he thinks it's important not only with this property, but all future farmlands, going forward that farmland preservation stays farmland preservation.

Louise asked Warren does he feel it would be to our advantage as a committee to convince people to go with APR instead of a conservation restriction, Louise stated it would alleviate some problems and also save us some money. Warren stated yes, if its farmland, the sooner the better you should tell them. Louise Tremblay stated we have learned from this.

John Hassan made a motion to get an updated appraisal from Ken Croft for the 52 A Avis Ave property, Linda Kawa seconded the motion. Helen opened up a discussion to let the committee know that she talked to Gail Fox and she stated to Helen that she is ready to sign a PNR after the appraisal.

Warren Shaw also explained that if you go with the APR Protection, Chris Chislom will come and work with the board and the appraiser and even be at Town Meeting to speak on this. George Malonis stated that he thinks the public access is still going to be a concern at Town Meeting so having Chris Chisolm there to explain would be good for the article.

Mark Pease also expressed concern on the public access at Town Meeting Mark stated that he voted at the last meeting when the change came in at the eleventh hour, just to get it to pass. Mark explained he was never a fan of the public access on this property.

Warren Shaw stated that it just has to be explained properly at Town Meeting. Warren thinks it's just a misunderstanding from the public.

It's a wonderful piece of farmland that does contribute to the rural character of the Town Warren explained, by not allowing some kind of big development that would change the whole character of that neighborhood.

John Hassan made a motion to go with a private APR on the Fox property, Debra DeWitt seconded the motion. George Malonis abstained, the rest of the board voted unanimously.

761 Mammoth Rd:

Chairperson Helen Dunlap explained that Peter Richardson has filled out an application form for his property. He has also went ahead and signed the exclusivity part on the application. Helen did explain to Mr. Richardson he does not have to sign that until after he talks to the committee. Helen explained to the committee that on the map it shows it's a 26 acre parcel, 15 acres are prime farmland. The rest is the house and the building which are a big chunk. Helen also explained that he wants to sell the property outright.

John Hassan asked are we getting an appraisal of the whole piece or separately on the farmland and then the other part.

George Malonis stated he thinks it would be separate appraisals. Helen stated that this is just a simple appraisal for the highest and best use.

John Hassan made a motion to get an appraisal for up to \$10,000 for the highest and best use. Louise Tremblay seconded the motion. The motion passed unanimously.

Wheeler Street:

No new update

520 Coburn:

Chairperson Helen Dunlap stated that Angela McCarthy has partially filled out an application, and she is very interested in going forward. Helen explained that the CPC is interested in the 20 acres in Dracut There are 5 other acres that are in Pelham, N.H. Helen told the committee she has contacted Karen McKay from the Conservation Commission in Pelham let her know it was for sale.

John Hassan asked if it was 61A land, Helen stated yes. George reminded us an appraisal is good for six months; I don't think we want to have 3 articles at Town Meeting. We already have lot on our table for Town Meeting and you don't want them competing against each other at Town Meeting.

Linda Kawa asked is it our plan to bring Avis Ave and 761 Mammoth rd. to June Town Meeting, Helen stated yes. Linda stated she would rather wait on the Colburn Ave property until after that. The board agreed.

Open Space Requests:

Tabled for now

Recreation:

No Update

Affordable Housing Presentation

Shelly Goering from MAHA is rescheduled once again, to the March 3rd meeting to accommodate the Selectmen.

Historical:

Harvey Gagnon stated that the Historical Committee does not need any funding on the Clement family marker. They are going within their own budget. John Hassan explained to the committee any new markers are going to be placed at a new open space parcel that should be worked into the article in going forward.

Chairperson Helen Dunlap stated that Town Council, Jim Hall sent an email to Assistant Manager Glen Edwards stating that no CPC funding can be used for the documentation of the historical society items. However, if the only way to preserve historical items is to have a good photographic record of them, Helen explained that she would still like to make a case to go to Boston to see if they could some other kind of wording to get things covered. Harvey stated once the historical committee gets a price maybe at that time we can. Helen said she will tell Boston she would still like to explore the possibly further.

Chairperson Helen Dunlap explained that the Town Clerk, Kathleen Graham is reviewing quotes she has got back for the preservation of Town Hall documents.

Membership/ Renewals:

Chairperson Helen Dunlap asked the board to make sure they get their letters all set. Helen also stated that there is an opening on the board now. Ken Lania did not submit a letter for renewal. Don Plummer put a letter of request to be on the board. The Selectmen will be voting on his appointments at their next meeting

New Business:

Chairperson Helen Dunlap handed out a draft for the Annual Report and asked the committee to look it over and bring any changes or suggestions back to her. The deadline is February 13.

Helen explained to the committee that Gail Fox has made a slide show of all the Open Space Parcels in town. Gail is going to present this at the public hearing before Town Meeting for PR when the Fox property comes up. Helen also stated that Gail would be happy to show the slide show to the committee first at one of the next meetings.

Old Business:

John Hassan stated that the committee will be placing a sign on Farmer Dave's (Dave Dumaresq) Open Space.

Caroline Zuk was also asked to place one on her Open Space but has so far declined expressing concerns that the public will think they have access to her land.

Next Meeting:

February 17, 2015

John Hassan made a motion to adjourn at 8:25 p.m. Debra DeWitt, seconded the motion, the motion passed unanimously

COMMUNITY PRESERVATION COMMITTEE












