

**Community Preservation Committee
Minutes
June 30, 2015**

Present:

Chairperson Helen Dunlap, Mark Pease, Harvey Gagnon, Debra DeWitt, John Hassan, Louise Tremblay, Don Plummer and Recording Secretary, Marylee Enos. The meeting was held at the Town Hall, 62 Arlington St, Dracut, MA.

Absent:

George Malonis and Linda Kawa

Chairperson Helen Dunlap called the meeting to order 7:00 p.m.

52A Avis Ave:

Chris Chislom from the APR Program, came to the meeting tonight to give an update of the Fox Property. Chris explained that both Dana Taplin and the Foxes qualified with all the federal requirements and they are moving on with getting an appraisal for the property. Chris explained to Gail Fox that this is going to take time. Gail Fox is still concerned on how long this will take to get done, the family is concerned with the health of their dad.

Chris explained that there is nothing else she can do to get this done any faster. The first step is getting the appraisal done, that has to be done within 60 days, then the appraisal has to get reviewed by the federal government, and then the APR sits done with the family to negotiate a value. If everyone agrees on the value, then it goes to the APR award, they put the money into the queue and then the process starts of title and survey. The whole thing could take 18 to 24 months.

Chairperson Helen Dunlap stated she thought the whole process could be done much faster, that the committee could be voting on it in August or September. Chris explained that the committee could be voting on a contribution that the CPC would be asked to give towards the project, but it probably wouldn't be done completely until November, 2016 Town Meeting. Chris stated unfortunately now that the APR partnerships with the NRCS, which is the federal portion of the program, they require reviews of everything that the APR does.

That goes to Washington and sometimes that can get hung up. Chris did explain she is trying to push it along knowing about Alden Fox's health issues.

Mark Pease asked if any of the appraisal work that was done already for the property would count. Chris explained that they will look at it, but they have their own standards that have to meet the federal review. Chris also explained that the family can back out at any time if they wish. Glen Edwards said he would make sure Chris had access to the appraisal y Ken Croft which presumably followed APR standards.

Helen thanked Chris for coming in and explaining the time line that is involved. Chris reminded the board she will be coming back to ask for the contribution from the CPC, which she stated is generally ten percent of the APR value. Helen stated this will be considerably less than what the committee was set to pay before.

Louise Tremblay explained that this will still have to go before Town Meeting, and it will have to be very clear on what's being done, since some people are still against this project. Chris explained she would help at Town Meeting, to explain the situation.

Minutes:

Louise Tremblay made a motion to accept the minutes from the May 5th. meeting Debra DeWitt, seconded the motion. The motion passed. Debra DeWitt made a motion to accept the May 19th minutes subject to change to add Harvey Gagnon as present. Louise Tremblay seconded the motion. The motion passed.

Executive Session Minutes:

John Hassan made a motion to have the Executive session minutes released into regular session minutes for draft copies and to have them signed at the next meeting. Harvey Gagnon seconded the motion. The motion passed unanimously.

Recreation:

Lori Cahill will be at the next meeting to update the committee

Open Space:

716 Mammoth Rd:

Chairperson Helen Dunlap thanked Don Plummer for his presentation at Town Meeting for 761 Mammoth Rd, stating that everything went very well with the purchase of the land at Town Meeting, with not one nay against it.

650 Marsh Hill Rd: Yapp Farm:

Chairperson Helen Dunlap explained to the board members that the main reason she needed to have this meeting tonight instead of the 7th's, was this property. Helen explained that the appraisal that needs to be done on this property needs include the value of the development rights and the agricultural value, just like the one that was done for the Avis Ave property. There has been a conversation going on with the Yapp family and a farmer, who has been doing the farming on this property for a long time. The family realizes that the farmer has invested a lot of time into the land.

Helen explained that if the CPC buys the property and the CPC has to rent the land to a farmer, for haying purposes, the Yapp family would like this farmer to have priority. Helen explained that there are several possibilities that could be done, one – we could wright into the article, that the deed state the family would have the farming rights extended for 15 years, then they could choose whatever farmer they wanted.

The potential farmer who is farming the land right now does not want to do it that way, he would rather own the land as planned for the Avis Ave farm. Helen stated that all of the details have not been worked out as of yet, but in order for this be allowed to happen, the appraisal has to include both the development rights and the agricultural value. Assistant Town Manager, Glen Edwards

went back to the original appraiser and he stated it would cost another One-Thousand Dollars to do that kind of appraisal. ,

John Hassan made a motion to authorize the appraisal for up to Five-Thousand, Four Hundred and Fifty- Dollars. Debra DeWitt seconded the motion, the motion passed unanimously.

Louise Tremblay stated she has a problem with the farmer owning the land because there is potential for passive recreation or something else and if the farmer only wants it for farming this could be a problem.

Debra DeWitt agreed with Louise, explaining that if the board is spending all this money for the land, it makes total sense not to give him the rights to the property. Louise stated she is not in favor of the farmer owning the land and no one else being able to use it.

Assistant Town Manager, Glen Edwards stated there is a tremendous potential in the area behind the open farm land for Open Space.

Chairperson Helen Dunlap explained this is why we need to make decisions here, if this potentially could go before the November Town Meeting. Debra DeWitt stated it makes total sense to her to not give the farmer the rights. That is what happened with the Avis Ave property and things didn't go well because no one was going to be able to walk or use the property.

Helen asked if there would be a way for the farmer to own only the 10 acres, with the Agricultural Rights. Glen stated it would have to be subdivided.

John Hassan asked when we get the Agricultural value is it just for the 10 acres, or is it for the whole property. Glen stated, he'll have to ask the appraiser this week. John stated that would be easier for us because the farmer would just be buying the access to those 10 acres. Glen stated he will ask the appraiser to get the agricultural value for the land that is currently in agricultural use.

Chairperson Helen Dunlap explained that if we let the family retain the farming rights that has a value. So getting this special kind of appraisal, we will have a handle on that. No matter what we do, getting this special appraisal will help us.

Louise Tremblay asked, then the owner could pick who they want to farm the property, is that what you're getting at?

Glen Edwards explained that what if something was to happen to the farmer and it was locked in as just one person. Then what happens.

Helen also has a concern when this goes to Town Meeting and the voters see it's the same farmer as the Avis Ave property.

Don Plummer asked who it is that the family wants to buy it, Helen explained that at first it was going to be sold to the Town outright, now with the latest discussions with Pat Dawson and the farmer the idea was perhaps the farmer could own it and the Town would buy the development rights.

That is where it was left, until this discussion.

Helen stated with all this it has turned into a more complicated issue and we won't be able to get it done before the November Town Meeting.

Louise agreed and explained that this is something that can't be rushed into.

Helen stated that she will take all the information back to Pat Dawson and also to the farmer.

Louise Tremblay stated she thought it would be a good idea, to have two board members be present to explain the discussions to the family and the farmer. Don Plummer agreed and explained it's always a good idea to have two people but that is not always possible.

Harvey Gagnon thought it would be a good idea to have Pat Dawson, the representative for the family come in to a open meeting to answer the questions we have.

Helen stated she will invite her to our next meeting.

520 Colburn Ave:

Chairperson Helen Dunlap explained that the lawyer that represents the family called the Town Council, Jim Hall and let him know that this land is for sale and he was wondering if the commission was interested in the parcel and if so to recommend to secure the services of an appraiser to determine the fair market value. Helen stated at the last meeting we agreed we had enough on our plate. Attorney Hall stated in a letter to Helen that he, the lawyer is aware that such a condition, since it is 61 A land and we would need a bona fide offer, does not bind CPC. The CPC does not have to respond to this.

Louise Tremblay made a motion to no longer go forward and to let the owners know we are not interested in this property at this time. Debra DeWitt seconded the motion. The motion passed unanimously.

Don Plummer commented that he thought the best strategy for the owners was to try and sell it as a horse farm and it has always been, and that there are problems with dust etc., from ongoing activities at the Keating quarry that made the land less desirable for open space.

Helen stated she will respond to Attorney Hall.

Affordable Senior Housing Project:

Debra DeWitt stated the Dracut Housing Authority is in the process of hiring a consultant. Debra explained the next meeting is July and she will update the board at the next CPC meeting.

Historical:

No new update

Old Business:

Helen wanted to note in the minutes that she took reasonability for the mix up at Town Meeting on the increase issue of 61 A Property, from 1 Million to 1 and Half Million. That was never voted on, just discussed as it was noted in the minutes.

Other Old Business:

Helen Dunlap wanted to express her concern that the article for 761 Mammoth Rd that was Presented at Town Meeting was not the original number that the committee voted on and approved. The Committee approved \$2,725,000 dollars. The Article that was presented was \$2,800,000 dollars, \$75,000.00 dollars more than the committee had voted on.

Helen stated with the board's permission she would like to send the Town Manager, James Duggan a letter stating the boards concern. The board agreed and Helen stated she will send out a draft copy to the board members first.

Debra DeWitt stated that the reason the board met to have the special executive meeting on the Friday before the long weekend in May, was to get everything set with the figures for Town Meeting.

Helen explained she wants to make sure things are done right in the future and the board agreed.

New Business:

Mark Pease stated that he thought Don Plummer's idea, to have a financial plan for the future was a great one.

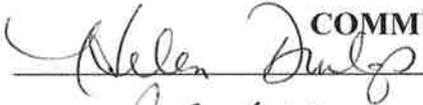
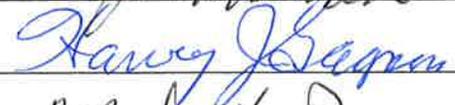
Don explained it would be to see where the CPC is with funding when new projects come up to the Committee. Don stated he will get contact the Towns Accountant, Linda Wright to get the correct figures to go on. He will put them on a spreadsheet, then have a presentation at the next CPC meeting.

Next Meeting:

August 4, 2015

Louise Tremblay made a motion to adjourn the meeting at 8:40 pm, John Hassan seconded the motion. The motion passed unanimously.

COMMUNITY PRESERVATION COMMITTEE

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