

**Community Preservation Committee
Minutes
October 6, 2015**

Present:

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

Absent: Linda Kawa and Don Plummer ✓

Also in Attendance; Betsy Ware, Director of Community Development

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

Louise Tremblay made a motion to accept the minutes from the September 8, 2015 meeting. John Hassan seconded the motion. The motion passed unanimously.

John Hassan made a motion to accept the minutes from the Executive Session Meeting held on September 8, 2015. Debra DeWitt seconded the motion, the motion unanimously.

Louise Tremblay made a motion to release the figure of the Yapp Farm Appraisal, Debra DeWitt seconded the motion. The motion passed unanimously.

7:05 Public Hearing – Yapp Farm 650 Marsh Hill Rd

At this time Chairperson Helen Dunlap read out loud the Public Hearing Notice that was advertised in the Lowell Sun Newspaper on Friday, October 2, 2015.

Chairperson Helen Dunlap gave a brief view of the property and how it came about wanting to preserve the land for Open Space through the CPC.

The main reason the citizens of Dracut overwhelmingly passed the Community Preservation Act was to preserve Dracut's remaining Open Space, especially its farmland.

This 40 acre farm, which is now 25 acres we are trying to obtain, (rather than the 27 that is in some of the documents) is a perfect example of just that.

The house and Barn were built in the 1800's, and there were a couple of people in-between who owned this property.

In the 1940's Clifford Yapp bought the property, along with his wife Helen, who passed away in 2003. They raised sheep and four children. Helen explained the children had a wonderful upbringing helping on the farm and exploring the woods. After a while some of the frontage lots were sold off, which reduced the acreage on the farm.

Eventually, the property was split among the heirs. Six acres became the property of the oldest daughter, Pat Yapp Dawson and her husband Al. The rest became the property of the Yapp Family Trust, which are the holding of the three other siblings. This is the part we want to pre-serve; the 25 acres.

Betsy Ware, the Community Development Agent, displayed a map showing this. It will also be available to see at Town Meeting for the Article.

The property was appraised by Avery and Associates for the highest and best use. This was then sent to the Engineering Department, they did a conceptual Plan for them, which showed they could fit in fourteen houses, with a road connecting from Marsh Hill Rd to Richardson Rd over to the west.

The appraisal came out to Eight-Hundred and Thirty-Five Thousand Dollars. (\$835,000.00)

The Town Manager negotiated with the family and was able to come up with a value that they both agreed on of Eight-Hundred Thousand Dollars. (\$800,000.00) This is what the CPC will be offering the Yapp Family Trust, which will be paid for with Open Space Reserve Funds. It will not be bonded.

The plan tentatively, would have the Town buy it outright. There is about seven and a half acres of cleared land that is now being used for hay by Dana Taplin. This would be rented by the Town, it would have to go out to bid and presumably, the person with the highest bid would be able to rent it.

Helen explained the CPC has never done this, but other Towns have. Helen explained she has met with the Agricultural Commission because they are considering putting them in charge of renting Town owned farmland. Right now this is on hold because there is legislation in the works to allow Massachusetts Agricultural Commissions to both purchase and rent Town owned farmland.

There will be public access, the Open Space Committee is starting to think of the possibilities for the land. Helen explained what the CPC is trying to do is not only preserve some of Dracut's signature Farmland, but also to preserve some woods and have the residents of Dracut have some of the experiences of it, like the Yapp Family has had, and to fulfill one of the goals of the CPC, which is not only to preserve Farmland and Open Space but also instead of having fourteen houses there and all of the pressures of the Town that would entail, to reduce that pressure.

Helen stated that this property is adjacent to a property we are also looking at, the total acreage of this whole thing is a couple of hundred acres and maybe in the future if some of the other families work with the CPC it could all come together.

Betsy Ware stated that the Open Space and Recreation Plan of 2008, listed a number of goals and this property comes under both the Open Space Plan and the Master Plan for acquisition of 61 A land to preserve for open space.

The Chairman from the Open Space Committee, Bruce Cote, explained he is hoping to connect trails through this property and attach them through to other trails in the future if possible. Mr. Cote stated there is not a lot of opportunities to preserve a well built up center of Dracut. We have to take these opportunity's in East Dracut which is still pretty much farmland to create these continuous spaces.

Dana Taplin wanted to ask the board is there a plan as the CPC funds are being spent there will be a greater amount of competition for those funds that remain. We will not be able to simply jump

at every opportunity that presents itself. Dana asked if the board can speak how they will be picking in choosing.

Louise Tremblay explained that the board would review every property, just the way they do now. Louise explained she would be looking for potential use as Open Space to save farmland but also she would also like to see it used as recreation, not so much as a recreation field to play sports but to be able to let families go out and walk the woods, see nature and explain to children what nature really is. The other way she would research the property is review each property as it's presented and how is it going to be used, along with the dollar value it has. This is how we have always done it.

Mark Pease explained that the board has been working on a plan that shows as far as expenses versus revenues, what is coming up with other projects and were the committee stands with funding to get a better feel as what this looks like in the next five years.

Louise Tremblay added most of the projects go on the five year capital plan project, we're not a committee by ourselves, we still filter all our projects through the Town capital plan.

Mr. Taplin asked if the Beaver Brook Plan was on the five year plan or were they bought outright. Louise stated it was bought outright, but it will be on the five year plan to for the projects on that property as they go.

Mr. Taplin asked if there is any other criteria besides the immediate of action that will cause the board to decide on an outright purchase or a five year plan.

John Hassan explained usually it's the Town Treasurer or the Accountant that makes that decision, they know where the money stands and they advise us.

Susan Koufogazos explained that this property excites her as she looks at the maps, the right side has the woods, which has the opportunity for the walking trails, the left is some of Dracut's heritage, and in between you have an educational opportunity for fieldtrips to show the farming and trails.

Susan stated this land will pay for itself with the income from the rental of the land being farmed. Susan asked if the income that comes in from renting the land out to a farmer be reserved for future Open Space purchase.

Louise Tremblay explained that some research has to be done to see where that money will go into.

Chairperson Helen Dunlap wanted to remind the board and invite the audience to the site visit of this property on Saturday, October 10th. This is open to the public.

520 Colburn Ave – Maguire Horse Farm 61A First Right Of Refusal

Chairperson Helen Dunlap explained to the board, that the Town has been presented with a bona fide offer to purchase the Maguire horse farm at 520 Colburn Ave.

Helen explained and thanked Betsy Ware, the Director of Community Development, for providing a map to show where this is and also a handout that shows more information on the noted property.

Helen explained that this property hangs over what remains of the Keating Quarry, this is one reason the CPC stop considering this and put it on hold, Helen explained. At that time this 20 Acre Horse farm was being marketed for 1,900,000 (One-Million Nine-Hundred Thousand). Right now the Town has received a bona fide offer, for \$675,000. (Six-Hundred and Seventy-Five Thousand Dollars.) Helen explained because it is 61A land, the CPC has the first right of refusal, from John Swiniarski to develop it.

Mr. Swiniarski explained to the committee, that there will be some additional costs that will be incurred. The barn is about 120 feet long and it is covered in asbestos. Also the interior of the barn is finished in asbestos. The house has asbestos in the flooring, some of the roof, the garage, the roof, and the barns. Any old roofs have the asbestos in them. Mr. Swiniarski has a quote showing his costs too be around \$52,000 (fifty-two thousand). Just to remove the asbestos, not remove the buildings.

Mr. Swiniarski explained as a municipality, if the CPC wanted to buy it and remove the asbestos and the buildings, it would have to go to a public bid, and then it would have to be paid by prevailing wage.

Mr. Swiniarski explained his thought would be closer to \$800,000.00 (Eight-hundred thousand) if the CPC purchased this, to get it to the manner it could be used.

Chairperson Helen Dunlap stated the first thing the CPC would have to do is get an appraisal, and the CPC could not pay one penny more than that appraisal. Helen explained we only have 120 days to get this done and we have already used up 30 days on it.

Helen explained that she wasn't sure how this property would be appraised. The Engineer would have to look at it also.

George Malonis explained he wasn't sure if we need an appraisal if we have the first right of refusal. Helen explained that she and Betsy looked into that, and because this purchase is using CPC funds, an appraisal is needed.

Betsy did state, just for information, that if the CPC is not interested in this, the Town has the ability to assign an option to a nonprofit.

Mark Pease explained that the Planning Board, which he is also a member of, has also been asked to make a recommendation to the Selectmen on this property.

Mark stated that they had a good discussion on this at their last meeting, and they thought they would like to go out and see the property.

George Malonis explained what the role of the CPC is in tonight meeting, it is to do we want to purchase this property; this is what the discussion should be limited to. Helen agreed and also stated we need also to make a recommendation to the Selectmen.

Debra DeWitt explained we need to make a decision if we are going to pursue this, in light of all the other potential properties that are out there. Debra stated this does have to go through an appraisal.

Louise Tremblay made a motion to see if the board is going to consider purchasing this or not, Debra DeWitt seconded the motion for discussion.

Louise Tremblay stated some issues have come up at the meeting tonight, that this board was not aware of. If we purchased the property all of the asbestos would have to be cleaned up, Louise explained it would be too much to handle.

Debra DeWitt explained, Mr. Swiniarski stated it would be much less for him to get that cleaned up. Debra stated she thinks there is better places to utilize our money for open space.

Mr. Malonis stated he was a little concerned, and thinks that Town Council would have to give an opinion on if we can even act on this. If this is even a proper presentment letter, because it doesn't show the value attributable, only to the Massachusetts property. Which Mr. Malonis thinks is an issue he doesn't know the answer to.

Debra DeWitt stated that Helen has brought this property to the board a couple of times, this is something we haven't been taking lightly, but do we as a board even want this if anything changes.

Harvey Gagnon asked who owns the land behind the parcel. Mr. Swiniarski stated he believes White Castle owns the Quarry and the land behind the property.

Louise Tremblay made a motion to say the CPC is no longer interested in the 520 Coburn Ave Property and pass on it. George Malonis seconded the motion for discussion.

Susan Koufogazoas asked if you don't have a valued offer, how can you make a vote to decline. If what the board has in front of them is not an appropriate legal document based under this document being presented of 61A, invalidates it from the beginning. If the board gets a clarification, even if it's for a point of order so the board can vote on a legal document, it may clear the air for future 61A properties that come before the board.

Mr. Malonis asked that the motion be amended to state, we are not in pursuit of this first right of refusal as it's presented in its present format. We would like Town Council to review it and get back to the board to advise us.

We are voting no, contingent on Town Council advising us that this is a valid P&S for 61A submission purposes.

Louise Tremblay seconded that amended motion. The motion passed unanimously.

Recreation

George Malonis explained to the committee that some of the members from Recreation are

talking about revisiting a turf field at the High School football field location. Mr. Malonis stated they are just discussing it right now and it's probably a year out. The dangers of the more common types of turf were discussed.

Affordable Housing

Debra Dewitt stated things are moving forward, as she stated before they contracted with the Women's Institute and also met with the Chelmsford Housing Director, they have a nonprofit portion that's called Choice that is willing to work with the DHA and take them through the ropes, and help with the documents. Debra stated they will probably be in some time next year to ask for funding.

Historical:

No Update

Open Space

52 A Avis Ave

Chairperson Helen Dunlap explained to the committee that the appraisal for 52A Avis Ave has been done and is being reviewed at the Federal level. She will update the board at the next meeting.

Old Business:

Because of the article in the Sun Newspaper on 61A land, Helen explained that some of people have not reapplied this year. Helen asked the board members to keep their ears open and to encourage them to come to the board before a developer.

New Business

The 11 acre parcel that the CPC owns in the center of the golf course, next to it there is an 11 acre parcel that George Fox's sons own, that is under agreement with a developer. It will just be the Town's 11 acres; we won't be able to enlarge it with the two.

Betsy Ware stated that there will be a meeting on the Beaver Brook Farm on the 22nd of October if anyone would like to come. It's open to the public.

Preparation for Town Meeting

The board decided to let the Town Manager speak on the one article for Town Meeting, the Yapp Farm. Betsy Ware, the Town Developer has made some slides for a presentation also. Debra Dewitt stated she thinks visuals always help. Helen stated she will work with Betsy on some of the key points of the property.

Next Meeting

October 20, 2015

John Hassan made a motion to adjourn the meeting at 9:00 pm, seconded by Louise Tremblay, the motion passed unanimously.

COMMUNITY PRESERVATION COMMITTEE

Helen Dwyer

John P. Moran

Douglas A. ...

[Signature]

Mark H. ...
Harvey J. ...

[Signature]

[Signature]

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