

Community Preservation Committee
June 9, 2008

CALL TO ORDER –7:00 p.m.

PRESENT

Members: Mr. Bulman, Chair; Mr. McKain, Mr. Leavitt, Mr. Limbacher, Mr. Scott, Mr. Snow

Others: Selectman Murray, Mr. Bjorklund, Ms. Mary Ann Hennessey Baily, Ms. Robbins

I. EXECUTIVE SESSION-

7:00 p.m. MOTION by Mr. Bulman, SECOND by Mr. Scott and UNANIMOUSLY VOTED that the committee go into executive session.

7:45 p.m. MOTION by Mr. Bulman, SECOND by Mr. McKain, and UNANIMOUSLY VOTED that the committee go out of executive session.

II. Administrative Matters-

A. Acceptance of Minutes

1. December 3, 2007: MOTION by Mr. Scott, SECOND by Mr. Leavitt, and UNANIMOUSLY VOTED to approve the minutes of December 3, 2007 as corrected.

2. December 17, 2007:

1.) MOTION by Mr. Scott, SECOND by Mr. Bulman, and UNANIMOUSLY VOTED to approve the minutes of December 17, 2008 as corrected.

3.) January 15, 2008: MOTION by Mr. Scott, SECOND by Mr. Bulman and UNANIMOUSLY VOTED to approve the minutes of January 15, 2008, as corrected.

4.) February 4, 2008: MOTION BY Mr. Scott, SECOND by Mr. Bulman and UNANIMOUSLY VOTED to approved the minutes of February 4, 2008 as submitted.

III. NEW BUSINESS-

1.) Maxwell Trust: Ms. Robbins introduced Ms. Baily who, with her brother Thomas, represent the family that owns the 39 acre Hennessey property. Ms. Robbins displayed a map of the property and explained that the family has discussed use of the property. They agree that they would like to develop the front piece by building five town houses with two units each. They have been to the Conservation Commission to have the wetland delineation approved and will go before the Planning Board in July.

Ms. Robbins showed the potential for open space. The plan would use 6 or 7 acres for development and leave 21.6 acres for conservation. Ms. Robbins said that Byles and

Thomas does not require all conservation land to stay with the development, and noted that the property abuts Bates Lane and that the area contains headwaters of two towns. There was a meeting with people in the neighborhood and those who attended were delighted with the plan.

Mr. Bulman noted that he sees two different values to be considered, and added that Cohasset helped with the Litchfield purchase. Mr. Scott asked whose water would be protected – Scituate's, Cohasset's or both. He added that both sides of Indian Woods drain down into Cohasset.

Ms. Robbins explained that on Thursday they would talk to the Cohasset Water Resources Department. Cohasset now has its own water department through Town Meeting action.

Mr. Scott asked how important the site is to Scituate's water supply and Ms. Robbins said she would look into it.

Mr. Murray said that Scituate's open space plan will be presented this week and Mr. Leavitt asked what would happen if Scituate does not purchase this property.

Ms. Robbins said she does not know and added that there is an easement for Indian Woods through Bates Lane. In response to a question by Mr. Bulman, she said she is not aware of anything imminent and that if Scituate purchases the land it will be part of the trail system.

Ms. Baily said the Hennessey property was left to five heirs as a family trust and engineers have looked at it. If Scituate does not buy the area they will have to look elsewhere. They are, however, not in a hurry. She added that the people who will do the development do not plan to clear the site; they are environmentally conscious. If necessary, they will go back to the drawing board.

Ms. Robbins added that she knows the water resource map is controversial, but it indicates that the property drains down through the Litchfield property and into the South Swamp.

Mr. Bulman noted that there will be competition for water resource money, and Mr. Snow added that this is one among many proposed good projects.

Mr. Bulman added that he had wanted to know if Cohasset would be willing to put money into the project, but Ms. Robbins had told him earlier in the day that they are not.

Ms. Robbins said she hopes that as the project proceeds Cohasset will be willing to negotiate. Since the last Town Meeting she has heard from many people that there is not enough open space.

Mr. Bulman said it would be important to document whether water from this site does go into South Swamp.

Mr. McKain asked if it would be possible to pay for the property over a period of time and Ms. Baily said she would have to talk to her brother and the attorney.

Mr. Murray said that the Selectmen are hearing Mr. McCain's question more and more. It is no longer so much the bottom line as it is the cash flow. This might make a huge difference.

Mr. Bulman added that grants take years to come through.

Ms. Baily said she does not feel this would be a problem, but she would have to talk to her brother.

Mr. Scott asked if it would be possible to reduce the purchase to 21.6 acres. He asked Ms. Baily if the proposed \$350,000 acceptable to the family and she said this has not yet been decided.

Mr. Bulman observed that if it goes to the Homeowners' Association it may have a different value.

In response to a question by Ms. Robbins, Mr. Bulman explained that if property goes to the Homeowners' Association it cannot be subdivided. It is not community recreation, it is open space. Although it is common land, not public land, it cannot be developed or built upon.

Mr. Snow said that this could be worked out, and Mr. Bulman said the Planning Board could require walking trails, etc. and the value of ownership must be weighted against the value of restriction. Ms. Baily noted that if the land is in public ownership the public would have access.

Ms. Robbins said that if the proposed plan is rejected it may come back as a 40B, and Mr. Bulman pointed out that Scituate may be close to meeting 40B requirements.

Both Mr. Bulman and Mr. Snow stressed that they are not opposed to the project, but it must be compared to other projects under consideration.

Ms. Robbins pointed out that Cohasset has been successful in getting grant money, but she does not know if they can spend it in Scituate.

Mr. Bulman said he would love to do matching funds and Ms. Robbins asked who would contact the Cohasset Water Department.

Mr. Bulman asked that Ms. Robbins set up a meeting and he and she would both attend. He added that it might be a good idea to have Mr. Rosen attend also, and she agreed.

Mr. McKain suggested that 17,000 acres and access might be doable and Mr. Leavitt pointed out that Cohasset is in a better position to get a grant since it is their water.

2.) Arts Association: The Association would like to request a meeting in the near future to discuss the possibility of funding restoration of the Ellis-Baily property through the Community Preservation Committee.

Mr. Leavitt said it is important to keep the arts alive in Scituate and said it would be advisable to work with the Historical Commission. He is not sure how historic the property is, but suggested that Doug Smith would know. It is important to determine the historic value of the residence, barn, etc.

An appointment will be set up in the near future.

IV. OLD BUSINESS-

Meetings: Members agreed to meet on the second Monday of each month. The next meeting will be Monday, July 14, at 7 p.m., St. Mary's parish center.

ADJOURNMENT – 9 P.M.

MOTION by Mr. Leavitt, SECOND by Mr. McKain, and UNANIMOUSLY VOTED to adjourn the meeting.

Respectfully submitted,

Claire McDonough