

Community Preservation Committee

Monday, May 16, 2011, 7:00 pm at the WPA Building, Scituate, Massachusetts

MEMBERS PRESENT: Chairman John Bulman, Mr. Harvey Gates, Mr. Rich Lane, Mr. Roberts, Mr. Woods, Mr. Limbacher.

OTHERS PRESENT: Cynde Robbins

I. CALL TO ORDER at 7:02 pm

II. ACCEPTANCE OF AGENDA

MOTION by Mr. Limbacher, SECOND by Mr. Lane, and UNANIMOUSLY VOTED 6-0 to accept the agenda as submitted.

III. NEW BUSINESS

1. Mr. Bulman asked the group if it was in order to have a formal vote to do a LAND grant application for the Crosbie Property so Mr. Limbacher asked if there needed to be a Motion. MOTION by Mr. Limbacher to authorize the Scituate CPC to take all steps necessary to prepare and file an application for a LAND Grant with the Commonwealth of Massachusetts EEA, SECONDED by Mr. Lane. There being no further discussion, it was UNANIMOUSLY VOTED 6-0.
2. Mr. Bulman stated that the Town had entered into a contract with Nellie Aikenhead, the grant-writing consultant, to assist in preparing the LAND Grant application with a due date being the June 24<sup>th</sup>. Clifford Appraisal Group is doing appraisals of both the Crosbie property and the Hubbel property. A review appraisal is also required and is being done on the LAND grant application for the Crosbie property.
3. The LAND grant reimbursement package for the previous LAND grant approved for the Bjorklund and Wheelwright properties needs to be filed by June 30, 2011. The closings for the purchase of the Wheelwright Property and the Bjorklund property have been done. The conservation restrictions have been done. Mr. Scott was going to take care of the signage at Hassan sign to meet the EEA LAND grant signage requirement.

Mr. Bulman discussed the pictures for Bjorklund and the Baseline Management Plan with Mr. Limbacher and Mr. Wood. Mr. Bulman said the Conservation Restriction needs to be approved by EEA and then recorded, and then the elements of the package to allow for reimbursement for the LAND Grant approved on the Bjorklund and Wheelwright purchase is completed. There was a discussion about the appropriate permitted uses restrictions in the CR and the Baseline Management Plan for these properties. Mr. Limbacher stated that it was his belief that the usage

- and restrictions on the properties voted at Town Meeting indicated as strictly for Recreation. Mr. Bulman stated that he believed that the CR could include open space, including playing fields. Mr. Wood stated that the Article passed at Town Meeting states that the properties are to be maintained by the Conservation Commission. .
4. Mr. Bulman stated that Irene DelBono at EEA (Executive office of Environmental Affairs) approved the Litchfield CR last week and we are waiting for her to look at the LAND Grant application so that Conservation can approve the CR and vote on the use of space. Mr. Bulman stated that it wasn't up to CPC to decide what the "open space" is used for. Under Chapter 44B, Open Space includes playing fields, per Irene DelBono. *Ms. Robbins spoke and expressed her concern that representations to property owners when making application were correct. Mr. Wood spoke about researching Internet sites about what "open space" means*) Mr. Bulman stated that the Town has flexibility with "open space" to a certain degree. Mr. Limbacher stated future uses, needing to go through Conservation Commission, and thought we should put language into the initial proposal that states what the Town is doing with the land. *(Frank Snow joined the group)*. Mr. Bulman brought Mr. Snow up to date on the current discussion. Mr. Bulman stated that CPC needs to be fair to the people that are selling to the Town, especially since they are selling as a Conservation property. Mass general Laws Chapter 44B allows us to use the space as recreation. Mr. Snow commented on the traffic issues with the use of a field. Continuing with a discussion of the final requirement for LAND grant reimbursement, Mr. Bulman stated again that the Town had closed on Bjorklund Wheelwright and that the signage needs be erected and needs to have the EEA logo on it to meet LAND Grant requirements. Mr. Scott, who is taking care of the sign, needs to provide a photograph to go with the package to EEA to show proof of posting. There is a specific requirement on the letter that the sign show the EEA logo. Mr. Bulman wants the pictures of the property in the Baseline Management Plan to show the boundaries of the property clearly documented. In the LAND grant materials there is a statement about the condition of the property being changed and that as a result of unauthorized change, the EEA may have the right to take over management of the property. The pictures showing current condition are very important. The wording itself isn't the issue, it is what it opens the door to, that could be the issue.
  5. 2011 Land Acquisitions: Hubbel and Crosbie. The appraisal of the Hubbel property is underway. Mr. Bulman received the appraisal of the Crosbie property by email. Hubbell is supposed to be about 16 acres. Does CPC want to pay \$15,000.00 - \$20,000.00 for a boundary survey? Mr. Bulman opened up the conversation to the group. On Crosbie, we believe that there is a land survey on record with the Land Court. There was a MOTION by Mr. Bulman to approve up to \$5,000.00 to do any surveying or topographical work on the Crosbie Property, **SECONDED** by Mr. Limbacher. **UNANIMOUSLY VOTED 7-0**. The survey will not be done by June 24<sup>th</sup>. Mr. Bulman addressed Mr. Snow to speak on the change in configuration of the Crosbie parcel requested by the property owner. Mr. Snow showed the group a

picture and asked about retaining a piece. There was discussion about needing to reconfigure the access due to wetlands constraints. Mr. Bulman stated that he believed that the Town should keep the entire frontage. Mr. Bulman spoke to the configuration change and whether or not it would make the property non-conforming. Mr. Snow and Mr. Limbacher debated on the change and whether or not it was a “grand-fathered, non-conforming” lot. An easement shouldn’t be an issue though.

#### IV. OLD BUSINESS

1. Signs: The Historical Society signs are all being made and put up by the Historical Society. Mr. Scott is to be visiting Kukstis Woodcarving or Hassan Sign to find out who will be making the signs for CPC for non-historical projects.
2. FY 2012 Membership Applications: Mr. Bulman stated that the application deadline was approaching and that he believed that applications were only required for at-large members. Mr. Bulman informed the members that he had been informed that Mr. Roberts and Mr. Woods will not be joining the Board again. In addition, Karen Crowell will be resigning as of June 30, 2012. Mr. Bulman stated that presumably there would be a new Administrative Assistant appointed by the July meeting.
3. The McDonald Property: A discussion of the McDonald property commenced and Mr. Bulman stated that he feels that this is going to be a difficult application and that there would be a conflict as to the value with the owners. He believes that the owners are looking for a much bigger dollar amount than CPC could possibly fund. The family is looking for over \$1,000,000.00 for the property. Mr. Bulman told the group that Mrs. Jenkins at some point contacted a consultant doing a feasibility study on Pier 44 meeting and stated that there was going to be a park on First Cliff, so the Town didn’t need to have another park at the pier. The family has only submitted an application for eligibility at this point.

At 8:17 pm there was a MOTION by Mr. Limbacher to adjourn, SECONDED by Mr. Snow. There, being no further discussion, it was UNANIMOUSLY VOTED 7-0 to adjourn.

Respectfully Submitted,

Lisa J. Potts