

Community Preservation Committee

Tuesday, August 16, 2011, 7:00 pm at the WPA Building, Scituate, Massachusetts

MEMBERS PRESENT: Chairman John Bulman, Mr. Harvey Gates, Mr. Rich Lane,
Mr. George Trafton, Jr., Mr. Paul Scott

OTHERS PRESENT: Mr. Bill Saner, Mrs. Mary Jenkins, Mrs. Beth Willis,
Mr. Ken Loring, Ms. Penny Scott Pipes

I. CALL TO ORDER at 7:02 pm

II. ACCEPTANCE OF AGENDA

MOTION by Mr. Bulman, SECOND by Mr. Lane and UNANIMOUSLY VOTED 5-0 to accept the agenda as submitted.

Mr. Bulman stated there was a quorum of five consisting of himself, Mr. Gates, Mr. Lane, Mr. Trafton and Mr. Scott

III. NEW BUSINESS

1. Welcome of new members. Mrs. Lisa Fenton was not present, but mentioned. She will need to be sworn in as a new member of the Committee prior to the September meeting. Mr. Bulman welcomed Mr. Trafton to the CPC.
2. MOTION by Mr. Paul Scott to nominate Mr. Bulman as the Chairperson of the CPC. SECOND by Mr. Lane and UNANIMOUSLY VOTED 5-0. MOTION by Mr. Scott to nominate Mrs. Fenton as the Vice Chairperson of the CPC. SECOND by Mr. Bulman. Mr. Scott discussed Mrs. Fenton's experience with the Town of Scituate in the capacity of Advisory Board member. Mr. Bulman expressed support for her nomination and in her ability, as Vice Chairperson to assist him by attending some of the meetings of other committees as we draw closer to Town Meeting date. UNANIMOUSLY VOTED 5-0. MOTION by Mr. Bulman to nominate Mr. Scott as the Secretary of the CPC. SECOND by Mr. Gates and UNANIMOUSLY VOTED 5-0.
3. The position of Web site coordinator was discussed. The website that CPC utilizes is a valuable tool but quickly gets out of date if not maintained and people will not refer to it if it is not kept current. Mr. Limbacher's name was mentioned for the position, but since Mr. Limbacher was not present to discuss, Mr. Bulman deferred to the appointment to the next meeting.
4. Mr. Bulman discussed the revisions he had made to last year's application. Copies had been circulated previously via email and hard copies were passed

to members to review. Dates, deletions of extraneous items were made and members were asked to review and comment. Mr. Bulman would like to have any comments made within a week so that the FY 2012 application package can be posted to the website and made available. Members were asked to email comments to Lisa Potts at lpotts@town.scituate.ma.us, so that revisions can be forwarded to Mr. Bulman and discussed by the group. Members were asked to please keep to the one week deadline for any comments.

5. Mr. Bulman discussed the need to set meeting dates for the upcoming months. Meetings were set for the following dates, pending any conflicts with the other Town Committee meetings. Monday, September 12, 2011. Applications are due in the end of October, so we only need to meet once in October, which is tentative for Tuesday, October 11, 2011 pending confirmation of no conflict with the Conservation Commission. In November CPC will meet on Monday, November 14, 2011 and Monday, November 28, 2011. In December, CPC will meet earlier in the month on Monday, December 5, 2011 and Monday, December 12, 2011. If CPC receives a limited amount of applications, one of these dates may be eliminated, but members are asked to please hold both open. In January, the CPC will meet on Monday, January 9, 2012 and on Monday, January 23, 2012. Mr. Bulman stated we would most likely need both of these dates, as we will be voting on applications. On the 9th we will finish up any hearings and on the 23rd we will vote on all applications.

IV. OLD BUSINESS:

1. Crosbie Property Update: Mr. Bulman discussed the LAND Grant application that was completed by the July deadline. Mr. Snow did a site visit with representative from EEA last Thursday. CPC has extended the Purchase and Sales from a July closing date to December 1, 2011. CPC needs to do an RFP for the survey, which Mr. Bulman will do and send out before the next meeting, in hopes that we have some proposals for surveys before September. He is hopeful that they are able to use the recorded Land Court survey plan to verify points to make the process move quickly. Mr. Scott commented on the easement and building of new road.
2. Hubble Property: Mr. Bulman discussed that one of the abutters had contacted him about doing something with the property, but had not been in touch since. The owners of Hubbell had previously told CPC that they had a survey. It turns out that they do not have a survey. It is just going to delay the closing, but CPC now needs to verify the acreage. The owner surveyed a boundary line, not the whole property. An RFP for a survey of the Hubbell property will also be prepared.

3. Livingstone Property: Mr. Bulman discussed that there hasn't been much done with this as we are still waiting on who is going to pay the appraiser. The CPC voted that it would pay one half. Mr. Scott mentioned that Mr. Limbacher had dealings with Mr. Livingstone in the past. Mr. Bulman stated that he would ask Mr. Limbacher to follow up. Mr. Lane then stated he would speak with Mr. Livingstone. Mr. Bulman stated that the cost of the appraisal was \$3,800.00. CPC needs to know how Mr. Livingstone will pay for the appraisal and how the Town will reimburse him for one-half and there needs to be some written arrangement. Mr. Lane will have a discussion with Mr. Livingstone and follow up with the CPC.

Jenkins Property: Mr. Bulman discussed how he thought the CPC has only received an application for eligibility. Mrs. Mary Jenkins stated that there was an application for funding also filed. Mr. Bulman stated that we sent a letter that the land is eligible for CPA funding. He said that CPC need an application for funding for the CPC to consider voting to buy the property. Mr. Bulman addressed Mrs. Jenkins and informed her that CPC had an appraisal done on the property and had just received the report and that he was going to discuss it with the board prior to sharing the information. The file will be located and reviewed to see if the correct application for funding has in fact been filed. Mr. Bill Saner, representing the Jenkins family, asked how long it takes for the funding. Mr. Bulman explained the application process, and that an application for funding needs to be submitted by October 31. The CPC votes on applications by the end of January and recommend it, or not, to Town Meeting. If it is recommended, it will go to the Advisory Board and Selectman and then to Town Meeting. Ms. Beth Willis, a representative for the Jenkins Family, asked what would be the criteria to recommend it to Town Meeting. Mr. Bulman mentioned that water supply is a high priority, abutting public land, and wetlands are some of the criteria that CPC reviews to decide if CPC feels it is appropriate to protect/acquire land or not. Ms. Willis asked when the CPC would reveal to "us" the appraisal amount. Mr. Bulman mentioned that the committee would review the property appraisal and that CPC can only pay up to the appraised value. Mr. Bulman mentioned speaking to Mary Jenkins last December about the appraised value. The Jenkins family, Mr. Bill Saner, Ms. Beth Willis, and Ms. Mary Jenkins identified themselves to the board. Mr. Saner said he knew that the appraisal was being done. He asked who chose the appraiser. Mr. Bulman informed him that the CPC always hires their own appraiser. Mr. Bulman informed the family that the Board would look over the appraisal at the end of the meeting and release the findings to them by email if the board agrees. Mr. Bulman answered Ms. Willis' question about CPC funding and how CPC also sometimes applies for grant funding. The Jenkins family

discussed their attachment to the property and how they would like to see it protected. Mr. Bulman responded to the family about their interest in the land sale. Mr. Scott spoke to the Real Estate Tax and land space. Mrs. Jenkins asked Mr. Bulman if there was anything else she needed to do going forward. Mr. Bulman assured her that CPC would look into the files and review what the application submitted to see if there was anything additional CPC needed from her. Mr. Bulman mentioned that there were references to the property as McDonald, Jenkins, and First Cliff and that this would be the third application that Mr. Bulman has seen for the property. If an application for funding has been submitted, there will be a liaison from the CPC to follow through with the applicant on the status of the application. Mr. Bulman assured the Jenkins family that they would hear from CPC by November once the applications have been reviewed. Mrs. Jenkins is going to contact Lisa Potts with any information needed. Mr. Bulman assured the family that if the application for funding was in fact completed, we would be in touch. Mr. Scott reassured them that Lisa would follow up. The Jenkins Family left the meeting once their concerns were addressed

V. GENERAL BUSINESS:

1. Ms. Pipes stayed to speak to the CPC Board with regard to the Jenkins property and mentioned that the family had also brought this to the Conservation Commission form a wetlands delineations and determination. The Conservation Commission delineation indicated that the Jenkins property was not buildable land and she wanted to be sure that the CPC knew this. Mr. Bulman assured her that CPC was aware of this fact.. Ms. Pipes left the meeting once her concerns were addressed.
2. Mr. Bulman mentioned the appraisal for the Jenkins Property at \$410,000.00. Copies were passed around the room for the members to review. The land appears to be not buildable and was appraised on that basis. Mr. Bulman told everyone that the appraised value is the "most we can pay, yet, doesn't mean the Board will vote to pay that" if this is something we are going to look at. The land, since unbuildable and currently protected by conservation regulations, means that the Town may not need to purchase it. Mr. Scott mentioned a property off of Elm, which was already similarly protected, so why should it be purchased. Why spend the money if conservation regulations protect it. People may want to see the Town purchase it so that they cannot, further down the road, 30 years from now when regulations or conditions may change, build something that wouldn't be desirable, per Mr. Bulman. Mr. Bulman asked the Board to agree to show the family the appraisal. Mr. Gates brought a copy of the appraisal out to the family who was still on site. Mr. Bulman mentioned not wanting to discuss it right now. He also stated he might be in favor of the acquisition at the right price just so

that down the road, in 20 -30 years if regulations or conditions changed, something wouldn't be built on the property. Mr. Scott and Mr. Gates took the hard copies of the appraisal to review.

3. Mr. Lane discussed with Mr. Bulman the commitment from Mr. Livingstone again. Mr. Bulman mentioned maybe having Mr. Livingstone paying the deposit and the CPC pay the balance. Mr. Bulman stated he doesn't actually understand why we are actually doing the appraisal on Livingstone. \$17,000.00 - \$20,000.00 per acre seems to be where CPC would go, as it abuts Town forest. Mr. Livingstone has comps listed that were much different than what we are looking at here in Scituate. Mr. Bulman mentioned another property by the Reservoir that was previously looking for more than appraised at the present market value analysis.
4. Mr. Trafton spoke of reviewing the projects that were funded by CPC. He addressed Mr. Bulman and asked if there was a plan in place that would follow through with the projects after they were built/acquired to be sure that they were doing what was proposed when we granted them the funds. Mr. Bulman told him that there was not a plan to do that after projects were complete; and that it was more of a Town issue than a CPC issue/oversight once they were completed. He mentioned that if there were a grant application with a commitment to us, the concepts should be followed through, as they have been. This brought up the issue of project closure reports. Mr. Bulman spoke to that and Mr. Scott spoke to Lisa Potts about working on application files for CPC projects from beginning of CPA in Scituate to date.
5. Mr. Trafton, mentioned the Harbor Walk. Mr. Bulman spoke of Conservation restrictions on Wheelwright and Bjorklund being recorded, but restrictions for Litchfield and others needing to be recorded. CPC worked with Cohasset on Litchfield. Their attorney puts together the deed restriction and Mr. Bulman mentioned our significant monetary participation and how he didn't agree with the restrictions proposed regarding usage for water supply by Scituate. Mr. Bulman communicated his disagreement to Town Counsel and the Board of Selectmen and it was in their hands. Mr. Bulman spoke of upcoming appearances at the Advisory Board meeting before Town Meeting, and how he needs to be able to say whether or not a project is still ongoing or if it is closed and completed. Mr. Scott mentioned Lisa Potts again, and setting up a standard letter. Mr. Bulman would like to see project costs for completed projects in the project completion for from beginning to end, with photos and documentation for our file on each project. It was also mentioned that the Maritime Center should have a CPC sign on site. Mr. Scott stated that CPC wasn't mentioned during the opening ceremony of the Maritime

Center. Mr. Trafton spoke of the Harbor Walk not being completed. There were a few issues with the contractor, who hasn't been paid, putting the walk way down incorrectly. Mr. Bulman discussed having hearings for projects that are ongoing. He would like to see updates from the applicants on their status and see what the time frame is for completion. (i.e. softball field). Mr. Lane mentioned the softball field committee being anxious about losing time. The playground is being demolished and re-built, according to Mr. Lane. Mr. Bulman felt that in February or March, after hearings on applications for the current year are completed, CPC we could call in the applicants to give us a status report on outstanding projects. Mr. Gates mentioned that the Historical Commission is working on the Train Canopy. Mr. Bulman stated that the Sea Wall study was supposed to come in to CPC before any funds were spent on Phase 2 of that project. He would like to re-visit all of these projects and get a status.

6. Mr. Lane spoke about the Housing Partnership. Mr. Bulman stated there were funds transferred from CPC totaling in excess of \$1,400,000. . Mr. Bulman felt that there shouldn't be any more funds allocated until Kent Street and Stockbridge road are well under way. Mr. Lane spoke about going to the Town about another Habitat House. He mentioned he was embarrassed that Habitat went through the process on Stockbridge Road and then Mr. Lane was denied for the house, yet the lot stands undeveloped. Mr. Bulman did not believe the CPC could require that the money be transferred back, even though that is not the answer, but stated that the Housing Partnership needs to please get it started. Mr. Trafton spoke of two properties purchased. Back in December he had a consultant come in and help evaluate the properties. The housing trust owns two vacant properties but renting/selling them is held up because of the Housing partnership not having an independent lottery agent. Mr. Bulman spoke of companies he knew that would serve as lottery agents, and he mentioned to Mr. Trafton that he should get proposals to submit to the Town Administrator. The discussion returned to Kent Street and the big issue being abutters not wanting it developed. The Town has the property for housing; unreasonable objections of abutters should not stop it being developed. Mr. Trafton and Mr. Scott spoke of the units on First Parish Road. Mr. Trafton mentioned something along the lines of those units should be built. Mr. Trafton spoke about the Marshfield Housing Authority and how there is a paid position to take care of the affordable housing. Mr. Lane stated that Scituate doesn't have that position.

At 8:25 pm there was a MOTION BY Mr. Bulman, SECOND by Mr. Lane and UNANIMOUSLY VOTED 5-0 to adjourn.

Respectfully Submitted,

Lisa J. Potts