

## Community Preservation Committee

Monday, December 12, 2011, 7:00 pm at the GAR Hall, Scituate, Massachusetts

MEMBERS PRESENT: Chairman John Bulman, Mr. Harvey Gates, Mr. George Trafton, Mr. Paul Scott, Mr. Rich Lane, Mr. Bill Limbacher, Mr. Frank Snow (arrived later)

OTHERS PRESENT: Mr. Alan Greenberg, Mr. Steve Bjorklund, Mrs. Lisa Bertola, Mrs. Gwen Morgan, Mr. John Belber, Mr. Eric Richmond, Mr. Chris Roberts, Mr. Paul Sharry, Mr. Gary Meyerson, Mr. Joe Wood, Mr. Steven Litchfield

I. CALL TO ORDER at 7:05 pm

II. ACCEPTANCE OF AGENDA

MOTION to Accept the Agenda by Mr. Limbacher, SECONDED by Mr. Scott, and UNANIMOUSLY VOTED 6-0 to accept the agenda as submitted.

III. NEW BUSINESS: APPLICATION HEARINGS

1. Appleton Field Boundary: Mr. Alan Greenberg, Associate Member of the Conservation Commission was present for the hearing. Mr. Bulman asked that he briefly describe the proposed project for the Committee. Mr. Greenberg stated that it was to finalize the southern and western boundaries of the Appleton Field. Mr. Greenberg stated that a question has arisen why this was not done when the project was originally approved by in 2002. He stated that seeing as the Crosbie property has been purchased, and abuts the Appleton parcel, that it would benefit the Town of Scituate to set a definitive boundary. Mr. Greenberg said that additions were being made to the original application. The nesting of birds may encourage the Audubon Society to adopt this area. Mr. Bulman invited the Committee to discuss the application further. Mr. Bulman asked initially how Mr. Greenberg proposed to be able do to finalize a boundary for only \$300.00? Mr. Greenberg stated that the Massachusetts Audubon society could use a GPS program to find the boundaries.

Mr. Scott stated that the GPS program is not the type of accuracy that you would get if you walked the property for physical evidence. There are no stonewalls on a GPS program to define the boundary of a property. Mr. Bulman stated that the property was acquired before he was on the Committee and he did not know whether the Committee had previous acquisitions surveyed, as is the current practice with acquisitions. Mr.

Bulman asked that he have more information from Mr. Greenberg about how Mr. Greenberg would provide information to allow the MA Audubon Society on how they would help establish the boundary before going further with the application. Mr. Greenberg said that Mass Audubon would work from title and other deed information that the Town has available. Mr. Bulman asked what "information" the Town and the Conservation Commission has that Mr. Greenberg planned on giving to MA Audubon, since the quality of the information would have a direct effect on the quality or value of the result. Mr. Greenberg stated it is based on previous plans that the Town has on file or had developed for the South Swamp area. Mr. Greenberg showed the group a copy of the plan. Mr. Bulman asked Mr. Greenberg to confirm that the property was under the care and custody of the Town of Scituate Conservation Commission. Mr. Greenberg confirmed as such.

Mr. Gates had no questions.

Mr. Lane asked Mr. Bulman if the Town already owned the property. Mr. Bulman and Mr. Greenberg confirmed that yes, the Town of Scituate owns the Appleton property.

Mr. Limbacher addressed Mr. Greenberg stating that it is his understanding that the Mass Audubon will pick certain spots, identify the spots, put them all on a map, and then find that it is within a few feet, and then not have much more to work with than we do now.

Mr. Bulman addressed Mr. Snow as he came into the meeting, and asked him to explain to the Committee what records or data will be used to assist Mass Audubon in defining the property line in question. Mr. Greenberg responded and said that there were stone walls and other adjacent properties that have been surveyed more recently, so now we can get a definitive property line. Mr. Bulman said that Boston Surveying couldn't identify ownership of parcels and only provided essentially definitive wetland mapping in the previous South Swamp project. Mr. Snow felt that with the small amount being requested it seems that it should be worth trying to clear up the property line questions. Mr. Snow stated that he was talking with the surveyor that is currently out on the property and that he has found some physical points to work with. Mr. Greenberg stated that the manager of the property has spent many hours in the area and he knows of the physical points out there so that MA Audubon can get as close as possible to the actual property line. Mr. Snow re-stated that for the amount of money being requested, it would be helpful to clear up the property line. Mr. Bulman stated that maybe he misunderstood initially and thought we were looking at tightening up the survey line to determine an accurate survey boundary for the parcel. Mr. Bulman did not seem to think that at the end of the south

swamp was an issue and that he was more concerned with giving the MA Audubon the correct information or their product would be affected. Mr. Snow and Mr. Greenberg thought that they could get more information from MA Audubon on what it is that they need. Mr. Snow discussed the overlay map and the wetlands lines.

Mr. Bjorklund was recognized and discussed the fact that a map registered at the Registry of Deeds needs to be stamped by a surveyor, and the only way a surveyor will stamp a plan is if he has a plan that lines up with what is out there on the property. Mr. Bjorklund said that he has spent a tremendous amount of time out on the property and that there is no surveyor out there that can put an accurate line out there. The deed research is incomplete. Mr. Bulman asked if Mr. Bjorklund had been on the CPC when the Town purchased this land. Mr. Bjorklund stated he was not, but he remembers it briefly and that the best account you can get right now is if you have an overlay of property. Mr. Bjorklund told Mr. Bulman that if Mr. Morse has any issues surveying the Crosbie property that he is currently working on, Mr. Neil Murphy has done several surveys of the property and would be a good source of information for him. Mr. Bjorklund restated that he does not feel that there would be any value to doing this process again unless it is to just to take the wetland line and show it on a plan. Mr. Bulman agreed and asked Mr. Greenberg if there was a value to the application. Mr. Snow did see the value. Mr. Bulman stated that he just needed to understand, from Conservation Commission if this is something that can be of benefit to the Town of Scituate, and what that benefit is vs. the minimal cost of the project..

2. Teak Sherman Garden: Lisa Bertola, President of Sustainable Scituate, Gwen Morgan, Treasurer of Sustainable Scituate, and John Belber, Farmer and Educator from Holly Hill Farm and participant in the Teak Sherman Garden project. Mrs. Bertola thanked the Committee for the funds that were allotted to the program last year. Mrs. Bertola stated that when she submitted the budget last month, that she submitted the whole budget. After discussing the project with the CPC liaison, she understood that CPC does not fund continued operation and maintenance of a program, and she realizes that those costs were in the budget. She apologized for the confusion. Mrs. Bertola went on to say that she revised the budget so that it does not include any costs that will incur for operating and/or maintaining the current project. Mrs. Bertola stated that there are a few "unspoken for" plots of land that Sustainable Scituate would like to add to the project. Sustainable Scituate would like to develop the remaining land around the flower garden. The plot is approximately 25x12 and Sustainable Scituate would like to develop the land as an expansion of the project till it and use it for staple crops like potatoes, carrots, onions and garlic so that the Food Pantry recipients can benefit from these crops. Mr. Belber stated that it would be for reliable crops.

Mrs. Bertola stated that seasonal crops are too difficult to keep at the Food Pantry. Mrs. Bertola thanked Mr. Belber for all his work as she told the Committee that Holly Hill Farm has been instrumental in providing seedlings and sees this new project as something that the Food Pantry could benefit from in 2012. Mrs. Bertola estimates the amount to fund the expansion of the garden creating a "new" garden area, would be approximately \$1,500.00 and the total budget, with operating and maintenance included, being closer to \$4,900.00. She stated that Sustainable Scituate does fundraising on their own and that they have a good portion of money remaining from the original project costs. There are also a few grants from New England Grass Roots Environmental programs. Bridgewater State College students did a thesis on the Community Garden. John Belber spoke to the adult education projects. There is a connection to the history of farming in Scituate. There is a course through the Recreation Department. There was a consistent delivery of food to the Food Pantry for about 12-14 weeks. The land has been productive seeing as we just turned it over. Mr. Belber said to do this organically is an important part of the transition of the land. He feels that the residents are pleased and happy with what they can do.

Mr. Bulman addressed the group as the CPC liaison for the application. He stated that the Committee is supportive of the project and that he had spoken to Mrs. Bertola about what CPC funds can be expended for and how the restrictions on those funds related to the project. Mr. Bulman stated that he believed the current revised application did not request funding for operating or maintenance costs. Mr. Bulman stated he believed that the expansion of the "new" garden area qualified for CPA funding. The new area that qualifies for funding will be supporting the food pantry. Mr. Bulman felt as though we should support the project as much as possible within our guidelines.

Mr. Scott asked who is going to be taking care of the land. Mr. Belber stated that he would be the lead on it as well as others from Sustainable Scituate. Mrs. Morgan spoke to other plot owners helping with weeding and upkeep as well. Mrs. Morgan stated that the plot price might be going up to \$20.00.

Mr. Lane stated that he believes, as well, that this does qualify for funding and is worthy of the funds.

Mr. Trafton had no questions.

Mr. Limbacher stated that we support it and Mr. Bulman responded that he believed the Committee would always be supportive of the project.

Mr. Belber asked how Sustainable Scituate could get permission to use more town-owned land if they choose to pursue more farming land. Mr. Bulman

directed the question to Mr. Snow as Chairman of the Conservation Commission, since most town-owned land is under the care and custody of the Conservation Commission. Mr. Snow said that Sustainable Scituate could contact and deal with the Conservation Commission for assistance in finding other areas for community farming. Mrs. Bertola will forward all correspondence to Lisa Potts for distribution.

3. Softball Field: Mr. Chris Roberts, Mr. Eric Richmond, Mr. Paul Sharry, and Mr. Gary Meyerson. Mr. Richmond presented the Committee with the newly developed plans for the proposed softball field and playground project at the Scituate High School. Mr. Bulman restated that the playground is a separate project, even if in the same area and sharing some parking, fencing and other common facilities with the softball field. The representatives of the Recreation Commission agreed. Mr. Roberts thanked the CPC for extending the application deadline for them. Mr. Roberts discussed how this is the joint development of two projects with commonality. Public safety concerns have been addressed. Traffic rules and regulations, Scituate Police, Scituate Fire, Engineering, and the Town Administrator have all previewed the plans and are supportive of the project as re-designed. Mr. Roberts stated that there is a cost savings to the Town as a result of developing the projects in the same area and in coordination with each other. Mr. Richmond discussed the vernal pool issues and semantics and how it is unbuildable. He showed the Committee what he did to re-locate the field and playground and add walking trails to the project. The concept plan that was drawn up includes the road access. The Scituate Recreation Commission consulted with in the Scituate Police, the Scituate Fire Department, Scituate Transportation, and Scituate Engineering. Mr. Richmond stated that there were very few concerns to be addressed from these Departments and that all appeared to be pleased with the plan. Mr. Richmond developed an estimate for the concept plan which now includes a two way roadway around the parking spaces, includes walking paths around the vernal pool and behind the parking spaces instead of through the parking lot, and keeps the DPW stock pile yard in place. This plan added approximately \$190,000.00 to the cost of the softball field project. Mr. Richmond then stated that by combining the projects, the site work and reducing the amount of cuts to fills, the engineering costs that will be absorbed reduces the costs by approximately \$85,000-\$90,000.00. The new plan provides for parking spaces, walking paths, a two-way road in and out of the area that was not present prior, the concept area of the Softball Field and Playground being part of the present area with the Basketball Courts, Skate Park and Rink, and Tennis Courts. This new plan puts all pieces together instead of placing the playground directly behind Town Hall. Mr. Richmond asked if the Committee had any questions about the plan itself. Mr. Richmond stated that the bus parking will be on both sides of the roadway and then the van parking will be behind Town Hall.

Mr. Bulman asked why the parking would be on the outside of the road instead of the inside of the road, where people would be crossing to get to the Softball Field. Mr. Richmond stated it could happen either way, that isn't something that is held to the drawing. Gary Meyerson, from Scituate Softball spoke to how no one will park close to the field in fear of foul balls, but the reality of the spots is that it isn't written in stone at this point. Mr. Bulman asked if the field was 230 ft.? Mr. Paul Sharry said that the men's senior softball league said that they would help in any way they could to get the project up and moving. Mr. Richmond stated that the field on the drawing is 210 feet with an 8-foot high fence. He also said that there is a little room to make it larger if need be.

Mr. Lane spoke to the group and stated that this plan makes the project much better for the entire area. Mr. Lane stated that Scituate Recreation was not the reason behind the increase in cost. It was the Town Departments, such as Police and Fire that felt that had concerns with the initial ideas. Mr. Sharry spoke to the Police being very happy with this concept. Mr. Richmond stated that it benefits the Police Department to have the two -way roads because now, residents can be directed out either side of the High School Campus. The Police can now post an "authorized vehicle only" sign behind Town Hall, which helps with the safety of responding to a call for Police and Fire departments.

Mr. Scott discussed the 210-foot outfield measurement. Mr. Scott wants to be sure that the project be bid out correctly so that if they need to move to 230 feet, it wouldn't affect the ability to complete the project. Mr. Richmond stated that he was conservative in his estimate. Mr. Sharry responded and said that Scituate Men's Senior Softball is willing to help with any cost accrued to adding additional height of the fence which will deal with any difference between a 210 foot deep and 230 foot deep outfield. Mr. Bulman asked about the reference to a 215-foot maximum at the high school. Mr. Meyerson and Mr. Richmond explained that it was based on MIAA regulations, which differ from fast pitch softball. Mr. Scott confirmed that the Recreation Commission was asking for \$103,647.00. Mr. Roberts agreed that was the application cost submitted. Mr. Scott asked who the construction manager was going to be. Mr. Roberts stated that it was going to be the Scituate Department of Public Works. Mr. Bulman asked that Mr. Roberts get a firm commitment from DPW so that there are no more costs required for other project management or engineering. Mr. Richmond stated that the Recreation Commission would do most of the engineering work prior to even giving it to the engineer on the project. This way the costs should be cut back. Mr. Bulman asked the Recreation Commission to get a commitment from DPW and Mr. Al Bangert, prior to the CPC voting on the project. Mr. Bulman

stated that he believed that there is good reason for the DPW to give this project priority and to undertake the management of this project. Mr. Scott asked if there were any environmental issues with the project and Mr. Richmond stated there were none.

Mr. Trafton asked what the time frame was on the project. Mr. Richmond is hoping that the drawings will be available by April to go out to bid. Mr. Bulman asked Mr. Sharry if the playground was ready to go. Mr. Sharry stated it was and that it can be started any time we are ready and that it was not going to affect any traffic patterns if the playground is started. Mr. Sharry said that the new playground could stay in place while the new one is being constructed, so there is no lapse for the Town using the playground. Mr. Bulman confirmed that the old unusable playground did need to be abandoned prior to working on the Softball field, to ensure they did not affect eligibility of the project for CPA funding. Mr. Trafton asked about the timeline again and Mr. Richmond stated that they have put down construction for the field to start in August of 2012 so that the field is ready for the spring season of 2013. Mr. Bulman asked what is needed from the Board of Selectmen and the Planning Board. Mr. Roberts stated that they have gotten support from the Town Administrator, but have no formal votes of the Selectmen or Planning Board. Mr. Sharry stated that the Town Administrator had been actively involved in the process of developing the new concept plan. Mr. Bulman stated that before the CPC votes on funding, he believes that the Recreation Commission needs to go before the Selectmen and the School Committee to obtain their support for the project as designed. Mr. Bulman stated he felt it improved the entire area. Mr. Sharry stated that they are already on the School Committee's agenda for their next meeting, January 9, 2011, and the liaison for the Board of Selectman, Mr. Shawn Harris, is on board with the plan. Mr. Roberts said that they have letters of support coming from the Town of Scituate Police and Fire Departments.

Mr. Gates supported the project and stated it looked great.

Mr. Lane agreed.

Mr. Limbacher stated that he would get in touch with the Planning Board about the project.

Mr. Steve Bjorklund asked for the entire budget price. Mr. Bulman stated that it was previously approved for approximately \$320,000.00 for the softball field and about \$297,000.00 for the playground. \$103,647.00 would be the additional cost. Mr. Roberts said that the total cost now is estimated at \$715,647.00.

4. Hick's Swamp. Mr. Steve Litchfield introduced himself to the group. Mr. Litchfield that he changed the name on the application to the Nicholas Wade Preserve, who is a direct ancestor who owned the property in the 1600's and that he also changed the number of the assessors parcel that is listed on the application, as it was incorrect. Mr. Bulman stated that he had spoken with Mr. Litchfield as the filing deadline was approaching and suggested that he be sure to get his application in on time to the Committee and then amend or supplement it as necessary. Mr. Litchfield thanked Mr. Bulman. Mr. Litchfield put in a number of \$213,500.00 based on \$7,000.00 an acre. Mr. Litchfield stated that Mr. David Glancy was looking at the property years ago to put a house on the property. Mr. Litchfield stated that it is swampland. The bound brook runs through the property. On Hughey Road there is deeded property that runs through that could be used as a trail. The land is fairly high and then drops off into the swamp. Mr. Litchfield stated that in the summer time the property can get very dry. He also stated that the property reaches from Hughey Road almost all the way to the railroad tracks and then reaching up towards Wheeler Park. Mr. Litchfield referred to Mr. Bjorklund's project on Tilden Road being an adjacent property and about Mr. Steve Lind putting in a proposal for his parcel, which directly abuts the property. Mr. Litchfield stated that if both properties were approved that the Town could have a nice trail from Elm Street ending at Fitts Mill, while at the same time protecting the watershed. Mr. Litchfield presented the Committee with copies of a plot plan from the Registry of Deeds from 1922. Mr. Bjorklund showed the group an actual set of plans that showed the property and abutting parcels. The Committee discussed the plan with Mr. Bjorklund and Mr. Litchfield. Mr. Litchfield pointed out Mr. Lind's property on the map as well. Mr. Bjorklund showed the Committee where the extension is on the property adjacent to his subdivision. Mr. Limbacher stated how the boundaries are well mapped out. Mr. Bjorklund stated that he believes there is an easement going through the property owned by Anderson to the Jenkins property. Mr. Limbacher and Mr. Bulman stated that they were curious about what the Town of Scituate Water Resources would say in relation to the abandoned well on the property. Mr. Scott needed a copy of the plan as Mr. Litchfield only brought 4 copies. Mr. Bulman asked the group if there were any questions. There were no further questions from any of the Committee Members.

Mr. Bjorklund stated that he was in favor of the application and project. He told the Committee that he would be happy to work with them on any questions that arise about the property.

Joseph Wood, a former CPC Member, resident of Scituate, 45 Oakhurst Road, also stated his support of the proposal. The habitat and trail offers potential

for the smaller neighborhoods that surround the area. Mr. Bulman thanked Mr. Wood for his comments and thanked Mr. Litchfield for the application.

5. Lind Property: The project application of the Lind Property as submitted after the November 1, 2011 filing deadline. Mr. Bulman and Mr. Limbacher discussed that it was in order for the Committee to consider whether or not to accept the application late and extend/waive the deadline for this application, given its proximity to the previously discussed Nicholas Wade Preserve.

MOTION by Mr. Lane to waive the November 1, 2011 deadline on the application because of the possibility of making a total parcel, along with the Nichols Wade Preserve. SECONDED by Mr. Snow and VOTED unanimously voted (7-0) to waive the deadline and accept the Lind application.

#### IV. GENERAL BUSINESS:

1. Mr. Gary Meyerson, Scituate Resident, 25 Heritage Trail, spoke about the West End trails and the sign that is up across from Mount Hope Street. The sign indicates that the area is now called the "Bates Lane Conservation Area". The sign shows a map of the area along with wording that states there is an "easement to be acquired". Mr. Meyerson would like the Committee to discuss why there would be an easement through Community Preservation for trails that would gain access and go through the Scituate Rod and Gun Club. Mr. Bulman said that there is an easement that goes through the area but it should not say "to be acquired". Mr. Meyerson stated that there is a worry from Residents of the Town and those who travel and hike the trails that if there are people trying to get to the trails through the Rod and Gun Club, there is a danger to those who are trying to access the trails. Mr. Meyerson approached the Committee with a map and said that if there was any plan to allow people access up to the property, there needs to be some consideration before acquiring. Mr. Snow stated that Bates Lane was opened so that the people of Scituate could have access to the trails on the land that was purchased and that there was no easement to be acquired, as that was old information relating to the Muncy property and was not relevant anymore. Mr. Meyerson agreed with Mr. Snow. Mr. Snow stated that it isn't about restricting the property. Mr. Meyerson said that he doesn't understand why the Committee would spend the money on a sign that had incorrect information on it. He also stated his concern for the safety of people accessing the trails if there were ever a parking lot constructed on 3A. He felt it was not in the best interest in any Scituate resident. Mr. Meyerson stated that he noticed that the Booth Hill property had some access. Mr. Snow stated that there were a few parcels that would connect. Mr. Snow mentioned the Crosbie Property and stated that he needs to be sure that the parcels are accessible. Mr. Snow said that there was a bridge built previously using access

via an easement by the Road and Gun Club without incident and that things just need to be done responsibly with consideration for safety. Mr. Bjorklund said that the map that was used was given to CPC when the parcel was part of an application that was previously denied by the CPC. Mr. Bjorklund said that when you walk through the Gun Club, you can walk through to where the old go-cart track was located. It was a well-traveled right of way to get in to the trails. Mr. Bjorklund agreed with Mr. Meyerson and said if there is a parking lot on 3A with signage and more people walking through, we need to be very careful and cautious about what is going past the Gun Club. Mr. Meyerson stated that if the signage and lot are located on 3A, then it would be more promoted and cause more foot traffic. Mr. Snow stated that the Conservation Commission is trying to develop a "group" of people to be "Friends of the Trails", so that the Conservation Commission can keep the trails looking presentable for Scituate residents. Mr. Snow mentioned that the Gun Club access helps when machinery needs to get back to the trails. Mr. Bulman thanked Mr. Meyerson for bringing the issue to the Committee's attention.

At 8:51 pm there was a MOTION by Mr. Limbacher to adjourn, SECONDED by Mr. Lane. There being no further discussion, it was UNANIMOUSLY VOTED 7-0 to adjourn.

Respectfully Submitted,

Lisa J. Potts