

IN BOARD OF SELECTMEN
THURSDAY, NOVEMBER 6, 1997

Present: Chairman Lawrence L. Blacker, John C. Drobinski and Maryann K. Clark.

The statutory requirements as to notice having been complied with, the meeting was called to order by Chairman Blacker at 8:00 a.m. in the Loring Parsonage, 288 Old Sudbury Road.

Meachen-Meggs Property

Present: Robert Dionisi, Esq., attorney for the developer and the Meachen-Meggs Trust, owner; Mr. Brook Meggs; Frederick Heim and Paul Zarella, Briarwood Development Corporation.

The Board was in receipt of a communication, dated October 30, 1997, from Robert F. Dionisi, Jr., Esq., Dionisi & Andersen, on behalf of his client, Briarwood Development Corporation, in which he set forth Briarwood's commitment to develop the Meachen parcel pursuant to the Town's Senior Residential Community (S.R.C.) Bylaw, while retaining the right to abandon the S.R.C. application and develop the land in more conventional methods, if the S.R.C. Permit is denied or approval is appealed. The letter further stated, "Briarwood is prepared to proceed forthwith with the development of the Meachen site pursuant to the S.R.C. By-Law upon the Selectmen's vote of declination respecting the Town's so-called 61A rights, if any". Additionally, the letter proposed a meeting between the principals of Briarwood, the Town Manager and the Selectmen to present the plans for such development.

Attorney Robert Dionisi addressed the Board, stating that the letter of October 30, 1997, was sent in response to Selectmen Drobinski and Clark's desire to have some kind of agreement in writing concerning commitment for the development of a S.R.C. Mr. Dionisi spoke of the developer's desire to construct a S.R.C., which is supported by its marketing agent, N. B. Taylor, and praised the bylaw which serves the age 55 and older sector and meets a need at this time. Additionally, he suggested the existing lawsuits could be headed off.

Aided by Paul Zarella, Frederick Heim of Briarwood Development Corporation presented the plans, first showing the plan which "has been put on the back burner" delineating 20 single-family lots with 5 more in the back area requiring wetlands crossing; and then showing two alternative S.R.C. plans, one with all development (45 units) in the front portion (building in the depressed area and maintaining low roof lines) and leaving the back portion as common open space, and the other having 37 units in front and 8 units on the back property. Mr. Heim stated they prefer to build the S.R.C. and keep all of the development, including 3-4 septic systems, in the front portion. He further noted that Nancy Taylor has informed 89 persons have expressed interest in investing in this development.

Selectman Clark stated it appears the development has been well thought out.

Mr. Heim advised that the construction would be of high quality with nice amenities.

Mr. Brook Meggs stated there was 100% coordination between the landowner and the developer.

Selectman Drobinski asked, assuming the proposal was agreeable, what kind of options can be given to the Town to assure construction of this S.R.C.

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Attorney Dionisi indicated approval would be required from the Conservation Commission and Planning Board. He said he has spoken with Mr. Meyer from the Conservation Commission who seemed to like the plan.

Selectman Drobinski again raised the question of getting a commitment from the developer relative to the S.R.C. in order to make it happen.

Chairman Blacker stated that, if he knew the proposed S.R.C. would be built, personally he would be willing to move for indefinite postponement of the Special Town Meeting article to purchase the property, considering the cost to save the whole property versus saving the areas shown on the favored plan at no cost. But, he added, what is to guarantee the Conservation Commission will let this be done?

Selectman Clark suggested an informal meeting be held with the Conservation Commission. Any consensus could be reported at Town Meeting.

The developer indicated they were filing now for a wetlands determination, and after 21 days elapse they could go to the State for a ruling. The plans maintain a 50' wetlands buffer which is acceptable by the State, but they cannot maintain a full 100' wetlands buffer everywhere which is called for under Town bylaws. Mr. Heim said he needs a confirmation of the wetlands line.

There was a suggestion to try to obtain an advisory opinion from the Conservation Commission, as there would not be enough time between now and the Nov. 17 Special Town Meeting for a formal hearing and vote. The Board expressed its willingness to meet with the Conservation Commission for this purpose.

Selectman Drobinski stated he would not put pressure on the Commission, it being their decision. He further expressed his position that, while he was willing to pursue the matter of the S.R.C., he was not backing away from going to Court, if necessary, to resolve the lawsuits. Selectman Drobinski also asked that thought be given to the grant of a conservation restriction on the back land. Mr. Dionisi noted that a conservation restriction was to be given on right side of the property to the edge of the woods near the vernal pool.

It was agreed the Town Manager would try to arrange a joint meeting with the Conservation Commission and the parties attending this meeting as soon as possible.

Attest: _____
Steven L. Ledoux
Town Manager