

**COMMUNITY PRESERVATION COMMITTEE
MINUTES OF OCTOBER 3, 2018
SILVA CONFERENCE ROOM, FLYNN BUILDING**

Present: Chairwoman Sherrill Cline, Lynne Remington, Scott Smigler, Pat Brown, Nancy Kilcoyne, Mara Huston, and Thomas Friedlander via phone.

Staff: Director of Planning and Community Development, Meagen Donoghue via phone, and Beth Suedmeyer, Environmental Planner, Dennis Keohane, Finance Director

Absent: Eric Poch and Diana Warren

Also present: Residents Christopher Morley and Charlie Russo

At 7:34 p.m., Chairwoman Cline called the meeting to order.

Discussion regarding the finances commenced with Chairwoman Cline reviewing the materials which Finance Director Dennis Keohane provided.

Chairwoman Cline introduced the new recording secretary, Andrea Mastrototo. Ms. Mastrototo will be taking the minutes from home via Sudbury TV. Ms. Cline requested the members to introduce themselves.

Update and Discuss Warrant Article for Broadacres Farm - 82 Morse Road for 2018 Special/Fall Town Meeting:

Chairwoman Cline opened a discussion by reviewing the memorandum from Town Manager, Melissa Rodrigues, explaining the status of the application. The committee members have received a copy of the memorandum. The application was originally submitted last year and the parties have now come to an agreement on the purchase price of \$5.5 million which must be authorized at the Fall Town Meeting vote and the ballot vote on November 6, 2018. The acquisition will be done in at least two phases. Payment of the first phase is to be considered tonight. The CPC has been asked to use CPA funds for Parcel 1 only, which directly abuts the Featherland fields. The Town Manager is requesting \$1,938,000 from CPA funds. This request is expected to be paid using cash reserves and not through bonding.

Environmental Planner Beth Suedmeyer presented an overview of the Broadacres Farm acquisition. Ms. Suedmeyer stated the total parcel is approximately 34 acres and is an active horse farm comprised of stables, a house, a pasture and indoor riding arena. The majority of the land is in Chapter 61A, which is a tax abatement program for properties that are engaged in agriculture. The farm is located on both sides of 82 Morse Road.

The farm abuts a number of key interests in Town including Wake Robin Woods Conservation Land which is behind the pasture, Featherland Park, and a smaller adjacent property abutting the

proposed Bruce Freeman Rail Trail. The Broadacres Farm is one of the highest ranking remaining parcels since the 2009 Open Space and Recreation Plan. A number of the properties that were identified as higher priority have already been protected. The farm contains vernal pools, wetlands and floodplains. The land was also listed as land of Critical Concern in the Heritage Landscape inventory which was compiled by the Department of Conservation and Recreation approximately 10 years ago.

The location of Broadacres Farm is key in relation to other conservation land and Town owned parcels. Featherland Park, Broadacres Farm, and all additional Town owned lands that are west of the Bruce Freeman Rail Trail comprise roughly 165 acres. By adding the Nixon School and the Brues Woods, which is SVT-owned land, the total acreage would be 220 acres. If the potential land swap of Quarry North is approved at Town Meeting, this would add an additional 40 acres plus the Town cemetery, Town Hall, Noyes School area. All of these parcels total approximately 300 acres.

Parcel 1 is closest to Featherland Park, and separated from Parcel 2 by the Rail Trail. Parcel 2 contains the house and the large indoor arena. Parcel 3, south of Morse Road, is mostly pasture area with some wetlands towards the back and abuts the Wake Robins Woods Conservation Land. Parcel 1 is a little over 9.5 acres and Parcels 2 and 3 are roughly 24 acres total.

The first phase of the acquisition would be Parcel 1. The ownership of Parcels 2 & 3 will be conveyed at a later date, which will be triggered by the owner, the transfer of the property to the estate, or the passage of ten years, whichever comes first.

The application requests CPA funds to cover the cost of Parcel 1. That parcel will be used primarily for recreation due to the proximity to Featherland Park.

Morse Road is a scenic road and there is consideration of the maintenance of the tree line along the road to protect the Scenic Road status and conserve as much woodland as possible.

The dimensions of Parcel 1 are approximately 525 feet by 825 feet. Ms. Suedmeyer showed a rough sketch of the potential use of the parcel for baseball diamonds and rectangular multi-purpose fields, but nothing is finalized as yet.

There are no buildings on Parcel 1, but there is the potential to use the buildings on Parcel 2 for recreational purposes. There is a large indoor riding rink which could be used for indoor recreational purposes. The sheds and barns could also be used for storage of equipment as the need was identified by Park & Recreation.

The purchase price is \$5.5 million and all funds would be secured at Town Meeting and the ballot vote. Agreeing to the price and the Town voting to approve the funding will lock the price. The tax burden would not be in this phase but the commitment to taking on that burden will be made this fall.

The memo from the Town Manager requests the CPC consider funding the acquisition of Parcel 1 for \$1,938,000. The memo did not include the anticipated closing costs. The amended requested amount for Parcel 1 is \$1,958,000 which includes \$20,000 for closing costs as estimated by Town Counsel.

Ms. Huston inquired which category of the CPA funds would be used. Chairwoman Cline believes that since Parcel 1 is going to be for recreation, that the funds would be all recreational funds.

Ms. Huston asked whether this allocation would prevent the Committee from using other CPA funds for recreation. Ms. Huston indicated she would not want to use all the funding on that one parcel. Chairwoman. Cline clarified that recreation does not have any minimum or maximum, therefore there would be nothing to prevent use of additional funds in the recreation category.

Ms. Remington asked for confirmation that CPA funds would not be used on the other two parcels. Ms. Suedmeyer verified that is correct at this point in time, although the Town could go back to Town Meeting and request a change in the way the purchase would be funded. What is currently proposed is a debt exclusion or an override for the latter phases.

Ms. Huston asked if there was any sense of timing for the purchase of the other two phases. Ms. Suedmeyer stated there is a maximum of ten years. Ms. Brown asked if the ten years was to start at the acquisition. Ms. Suedmeyer stated that the closing would happen in the ten years. Mr. Smigler stated it would be at their option or in ten years, whichever is first. Ms. Suedmeyer confirmed: yes.

Chairwoman Mrs. Cline asked Finance Director, Dennis Keohane if the funds were available for the purchase. Mr. Keohane verified the CPC has \$4,185,969 available in cash reserves.

Ms. Brown questioned what would happen if the vote at Town Meeting for the purchase of all three parcels failed. Would the money return to general unrestricted funds? Mr. Keohane informed the Committee the funds would remain in the CPC fund.

Mr. Smigler asked if the Town Meeting vote was only for phase 1 or the entire project. Ms. Suedmeyer confirmed it was for the entire project. Mr. Smigler asked if CPA was committing all of the funds. Ms. Suedmeyer stated only the \$1,958,000.

Ms. Huston questioned if this purchase was to be funded by a loan or to be paid in cash. Mr. Keohane confirmed it would be paid in cash.

Ms. Brown feels that the vote for a future debt exclusion will require a significant amount of explaining at Town Meeting and was something they should start explaining beforehand to understand the mechanics of the tax bills and how the people will be notified in the future of any changes. Mr. Smigler asked whether the Town had the option to purchase before the 10 years, noting that the cost of debt would likely increase over 10 years.. Ms. Suedmeyer stated it is the option of the owner to decide on the timing of the closing within 10 years of signing the purchase

and sale agreement. She added that the closing would also be triggered when the farm transfers to the estate. Mr. Smigler asked if the purchase price is a fixed price. Mr. Keohane stated the price is a fixed price. The cost of debt would be a lot higher in ten years, but the value of the property would also be significantly greater. Mr. Smigler asked if there was an assessment done on the property. Ms. Suedmeyer indicated there was, however, the Board of Selectmen have not voted to release the appraisal and it was only discussed in Executive Session.

Mr. Keohane explained the use of a debt exclusion for Phases 2 and 3 and that would be a 20 year note to begin at some point in the future. Chairwoman Cline asked Mr. Keohane if he would estimate a cost to the homeowners. Mr. Keohane estimated in today's dollars, it would be approximately \$51.00 for the first year based on \$3,582,000 and decline every year after that.

Mr. Smigler asked if there were any use restrictions on Parcel 1. Ms. Suedmeyer stated CPC will be responsible for the suggested restrictions, but when the Board of Selectmen accept the parcels, they will be the party to make the final determination of the use to be allowed. The intent of Parcel 3 will be to place it in a Conservation Restriction. Mr. Smigler asked if Parcel 1 would be restricted to active recreation. Ms. Suedmeyer affirmed. Ms. Brown stated if the parcel was bought with CPC recreation funds then the use would be restricted to recreation.

Mr. Smigler questioned the restrictions on Parcel 2. Ms. Suedmeyer stated the parcel is proposed to be General Municipal use. Since CPA funds were not being used, there would be no restriction. The Board of Selectmen at the time of acquisition of Parcel 1 is finalized could then comment on potential use of the parcels. Mr. Smigler asked what the use was for Parcel 3. Ms. Suedmeyer reiterated the anticipated use is conservation, open space.

Mr. Smigler asked if there are any other large parcels the Committee should be budgeting for in the next year? Ms. Suedmeyer informed the Committee of the receipt of an application for Camp Sewataro. Mr. Smigler asked if there was an estimated value for the land. Ms. Suedmeyer stated she had not looked to see if the application included a value. Ms. Remington noted there were some numbers last year. Mr. Smigler asked if the value was north or south of 5 million dollars. Ms. Suedmeyer stated it was somewhere around \$10,000,000. Mr. Smigler noted this amount was beyond CPC's capacity, which would mean the Town would be responsible.

Chairwoman Cline stated the Town Hall renovation was also an upcoming project. Mr. Smigler asked what the estimated cost would be for the Town Hall renovation. Chairwoman Cline was unsure, but somewhere around 7 million dollars. Mr. Smigler stated CPC would not have all the funds for that project either. Chairwoman Cline stated the Town Hall project may be bonded by CPC. She believes the Town Manager does not see this project affecting the bonding capacity.

Mr. Keohane confirmed the bonding capacity at the current time is \$2.7 million and that number will increase to \$3.4 million next year if nothing gets bonded. Chairwoman Cline confirmed that the bonding capacity increases every year there is not a project bonded. Ms. Brown asked if the \$3.4 million was for FY20. Mr. Keohane confirmed yes.

Chairwoman Cline stated Coolidge Development would be submitting an application for \$631,000 for Housing. Chairwoman Cline asked if Park & Recreation would be submitting something for Featherland. Ms. Huston was not sure of the price and has reached out to Dan Nason and is awaiting a response.

Ms. Suedmeyer informed the Committee that applications are due October 4, 2018.

Chairwoman Cline stated the Regional Services Housing office will be requesting \$30,000. Ms. Donoghue stated the Sudbury Housing Trust will support Coolidge and not submit their own application. Mr. Smigler asked for verification that the Housing Trust will not be asking for funds. Chairwoman Cline confirmed the request for \$631,000 will be coming in and the Housing Trust will not be submitting anything additional.

Chairwoman Cline asked if the playground was submitting a request. Ms. Donoghue confirmed an application was received. Mr. Smigler asked what the amount was. Ms. Remington stated roughly \$250,000-\$300,000 for each playground.

Chairwoman Cline stated the Committee needs to consider the request for \$1,958,000. Ms. Huston asked if they received a copy of the Article. Ms. Suedmeyer stated the Article is in the Warrant, but the Motion is still being drafted by Town Counsel.

Chairwoman Cline believes the Committee did not look favorably on the request from Sewataro last year. Ms. Suedmeyer stated the intent this time is to be an outright sale and not continue their camp operations. Chairwoman Cline asked if there has been an appraisal. Ms. Suedmeyer stated there was an appraisal a while ago but does not recall the amount. Mr. Smigler asked how this was to be structured, if this was to be done in phases also. Ms. Suedmeyer stated there were no details at this time.

Mr. Smigler asked if any of the other Town departments were consulted on the Broadacres Farm property. Ms. Suedmeyer stated prior to the purchase price being determined the Land Acquisition Review Committee unanimously supported the purchase. The Conservation Commission unanimously voted to protect the property, and the Parks and Recreation Commission voted last week to support the acquisition. Mr. Smigler asked if the Board of Selectmen commented. Ms. Suedmeyer noted the Board of Selectmen would be meeting on Tuesday, October 9, 2018 to review the Purchase and Sale. Ms. Brown asked if the Planning Board had weighed in on the project. Ms. Suedmeyer stated not yet.

Resident Mr. Christopher Morley of 321 Old Lancaster Road, noted the Conservation Commission, LARC, and CPC were not in favor of Sewataro last year. He noted there was also an approved subdivision on the property.

Mr. Charlie Russo of Juniper Road is an abutter and also serves on the Conservation Commission, stated the neighbors are very supportive of the Broadacres Farm acquisition. He expressed the universality of the project and serves as good planning and the reason why CPA

was created. He added Sudbury Valley Trustees (SVT) is very supportive of the Broadacres Farm project. Ms. Huston asked if SVT may have funds to help purchase the property. Chairwoman Cline noted that SVT would only be able to contribute to the cost by fundraising. Ms. Suedmeyer said there was a possibility that SVT may provide funds for a small piece of the parcel. However Ms. Suedmeyer stated it is still to be determined. She added that the way the Motion is written, the purchase is not contingent on any contribution from SVT.

Chairwoman Cline summarized tonight's discussion and asked if the Committee wanted to recommend \$1,958,000 of funds toward the acquisition of Broadacres Farm. She emphasized the money left over if and after Broadacres Farm is approved does not include the next Fiscal Year's input, which will be projected by Mr. Keohane in the next few weeks.

Mr. Smigler asked whose responsibility is it to see that the Town received a fair price for Broadacres Farm. Ms. Suedmeyer indicated Town Counsel was in agreement after negotiations between the Town and the Owner to move the deal forward. Ms. Brown indicated there has been a team negotiating and there has also been an assessment and peer review performed by the other party as part of the due diligence. There is a market value on the property agreed upon based on these aspects and intangible factors. The committee agreed that it was not CPC's function to make sure the professionals who reviewed this purchase were correct. Ms. Brown added that this is a project that needs to be considered here and now and is satisfied with the discussions and negotiations over the purchase of the property.

Ms. Brown noted that although the Committee agreed to not consider new projects in the fall, this particular project falls within the scope of what is appropriate for the CPC to present to Fall Town Meeting based both upon its urgency and upon CPC's prior consideration of the acquisition. Chairwoman Cline agreed.

Ms. Remington asked how much will be left after the CPC allocates to Broadacres. Ms. Cline indicated \$2.28 million would be left. Ms. Brown asked if we will see something similar to last year's local surcharge. Mr. Keohane affirmed and added that it will be 2 ½ % higher than last year based upon increased property taxes.

On motion duly made and seconded, it was: VOTED: Approve the request of \$1,958,000 for the purchase of a Parcel 1 of Broadacres Farm.

Unanimously approved.

Administrative Report:

No comments.

Approval of Minutes August 28, 2018:

On motion duly made and seconded, it was: VOTED: to accept the minutes of August 28, 2018. _____

P. Brown & L. Remington abstained.

Meeting Schedule:

The next meeting will be October 17, 2018

Adjourned at 8:26 pm