

**COMMUNITY PRESERVATION COMMITTEE  
TOWN OF WEST NEWBURY  
MINUTES OF MEETING  
March 18, 2021 at 7:30 PM**

**This meeting was recorded for the purpose of preparing Minutes.**

A meeting of the West Newbury Community Preservation Committee (CPC) was held remotely with some committee members in person, March 18, 2021. Judith Mizner, Chair called the meeting to order at 7:35 p.m. referencing the Open Meeting Law addendum regarding remote participation in accordance with the Governor's Executive Order due to COVID-19 and as included on the posted meeting agenda.

Mizner, and members, Gary Bill, Sherry Pruyn, Bob Janes, Rick Parker, Tim Cronin, Angus Jennings, (Ex-Officio) and Barbara Gard, Administrator were present for this remote meeting. Jack Foley was absent. Residents and representatives of project eligibility applications were also present.

**CPC Funding Applications**

1. Mill Pond All Persons' Trail (continued review)

Brad Buschur, Open Space Committee presented the amended Request for Funding requested by the Committee at the last meeting. The abridged version of the request, asks for \$30,000 to begin the process of designing an improvement to the existing trail at Mill Pond. This request will also provide the local match for a pending proposal with the MassTrails program. He presented a draft contract with Andover Consultants, Inc., outlining the scope of work: A topographic survey of the Mill Pond area, with pertinent details and a delineation of the wetlands in the same area would be undertaken, the final product being shown on the Existing Conditions Plan, for a fee of \$19,500. Parker asked what the remaining balance of the funds would be used for; Buschur responded that it would be used to procure Landscape Architect services, which would set the stage for the future of the project.

Mizner moved to approve the funding for the modified scope presented. If the grant comes in, the funding will support additional work; if there is no grant, this amended proposal can go forward.

Further discussion - Parker asked what the money remaining after the topographical survey and wetland delineation (\$10,500) would be used for. Buschur said it would be used for a Landscape Architect and other planning design of this project. He would not use GPI, Ron Hendrick, but would use a smaller firm from Newburyport that did the landscape design around the YWCA there as a better option.

Motion passed unanimously.

## 2. Coffin Street Conservation Area

Vanessa Johnson-Hall, Essex County Greenbelt presented the Application for Project Funding. The Essex County Greenbelt Association Board has certified this request for funding from West Newbury's CPC. She described the layout of the land and trail system that would be included in this land preservation acquisition and its significance to the existing Open Space network of preserved land and trails contributing to the increased travel corridors for wildlife and for the continued ecological health of this system. A verbal agreement for the Purchase & Sale was made between Save Our Wetlands, LLC, and Essex County Greenbelt for the sale of 30 acres in fee simple and a conservation restriction over an additional 21 acres, for \$250,000. The 30-acre parcel would be owned by Greenbelt with West Newbury holding a conservation restriction on that parcel. Essex County Greenbelt and West Newbury would co-hold the conservation restriction on the 21 acres. This proposal to CPC is for \$175,000 with Greenbelt raising the additional \$75,000. Greenbelt would pay for all the other due diligence. Title has been examined and is clean, Sellers are reviewing the P & S agreement now. Greenbelt is also working on a conservation restriction with River Run Farm, which would connect this property to Long Hill Farm, which has an Agricultural Preservation Restriction. The conservation restrictions over privately owned land would be used for growing hay and for pasturing horses. The P&S is contingent upon have a parking area. The end of Cortland Lane is a proposed location. Greenbelt would be willing to take the lead on monitoring the conservation restrictions.

Parking areas if Cortland Lane cannot be used were discussed. A private landowner (an abutter and member of Save Our Wetlands) has offered to create a small parking area (for 2-3 cars) off Coffin Street on his land with an additional conservation restriction. Conservation Restrictions on connecting trails would be provided in writing as part of the P&S. Parker asked when the appraisal would be done, Johnson-Hall replied mid-April, but she is pushing for it to be earlier. Parker said he had some concerns that the LLC will be retaining land to create 2 fairly large buildable lots, Johnson-Hall said they are not creating lots, but that they are retaining Assessor Parcels R23-8 and R23-9. The LLC is retaining those parcels to build one house on each of the lots and these parcels are not part of the acquisition. Cronin asked about timing – when will the P & S Agreement and the other agreements be complete. Johnson-Hall expects to have the P&S Agreement signed by the end of this month. Cronin asked if the appraisal will be reflecting the proposed use. Johnson-Hall stated that appraisals always looks at the highest and best use.

Access off Main Street for parking was raised. There is none, only a very small access to the trail system, which is an old farm road. Mizner asked how many parking spots would be available at the end of Cortland Lane. Johnson-Hall said it was limited by area to maybe 2-3. The Open Space Committee felt that 2-3 spaces were more than adequate. There would be 2-3 spaces at the other proposed area of

the abutter's land. Open space, co-sponsors, voted in support of this proposal. Parker said there is probably space for 4 cars, facing in, at Cortland Lane. In further discussion it was noted that this land connects many different existing and potential trails. All use trails, include equestrian. The CR trails connect directly to River Run trails. Parker asked Dodge about more trails. Nancy Powell and her husband, purchased land, connecting River Run, River Bend and possibly Long Hill Farm. After discussion, the consensus was that there are not trails on Long Hill Farm land. Cronin mentioned there is a proposal for a development across the street at 519 Main Street; and the developer there was interested in creating trails, some of which may connect across Main Street to the trails on River Run Farm, which conservation restriction/trail is under discussion with ECGA. Bill mentioned there is only 10 feet of access on Main Street, but that might be enough for a trail opening. Mizner questioned whether the Committee should wait until the appraisal is submitted. Discussion of parking continued. The first choice would be on Cortland Lane. The Town voted to accept Cortland Lane as a public way in 2006, but it was never filed. Acceptance is now on the warrant for the upcoming Town Meeting. The configuration is the entire roadway with an L-shaped parcel at the end, which could then serve as parking for this Coffin Street proposal. Dodge asked whether the parking affected the Town Meeting Warrant. Jennings asked if the Committee prefers one parking area over the other. Mizner felt it doesn't matter as long as there is adequate parking to provide access to the trails; Bill and Parker both felt that the parking area off Cortland Lane would be preferable. Jennings asked if the secondary choice for parking were used, how would that area have access to trails. Johnson-Hall said to the west, across the field connecting to the trails on the fee simple land.

Mizner suggested postponing a final vote until the Committee received the appraisal. It would be beneficial for residents and Town officials to have a full understanding as to how and why the money is being spent. Johnson-Hall agreed that it would be fine to wait. She said Greenbelt would not close on the P&S without the trail easements and the parking. Dodge asked if postponing the vote would have any impact on the Warrant for Town Meeting. Jennings said, no that articles have already been reserved on the Warrant for this and for the Mill Pond project. The Warrant is closed for any new items, but this is already on the Warrant. Mizner stated the Committee would address this project at the April meeting, and Johnson-Hall will provide documents as they come in to her to Jennings and Gard and to Mizner as Chair; documents will then be distributed to the other Committee members.

### **Draft CPC Town Meeting Warrant Articles for Review**

Jennings drafted the language for all of the CPC articles, but didn't have it ready before the packet went out. He will have them for the next meeting. Gard addressed the numbers on the Draft Article Request Form for the allocation of CPC funds. \$362,158.86 was collected during the last fiscal year, and the State match

was \$211,929.00, for a total of \$574,088. Allocating 5% of that for Administrative costs is \$28,704.40; allocating 10% for the 3 categories of Community Housing, Historic Resources and Open Space/Recreation is \$57,408.80 for each, leaving the balance of \$373,157.20 in the Budget reserve. Mizner added that the 10% is what the statute requires be set aside for each category. Mizner moved that this be approved. Vote was unanimous to accept the Article Request.

### **Update on Page Playground**

Jennings said there has been some momentum; an RFQ (copy enclosed) was issued on March 1<sup>st</sup> and went out to 6 vendors. The deadline for response is Monday March 22, 2021. Once those proposals come in they can be put on the website for the public. The RFQ has also asked for submittals to propose both types of previously discussed surfaces. Mizner asked who has submitted a proposal so far. It was a company not previously involved in any discussions with the Town, ULTIPLAY, from Blackstone, MA. Parker asked if they are on the state approved list. Jennings doesn't know yet. Mizner asked if Jennings anticipates additional responses. He expects J.P. LaRou and O'Brien will submit since they submitted proposals before.

### **Soldiers & Sailors update**

Jennings said there has been a lot of progress here too. The design team met with the Conservation Commission, and Mizner, who participated in that meeting, said the Commission issued a Negative Determination which means the project can go ahead. The Planning Board hearing opened Tuesday night, March 16, 2021. It was continued to the next meeting two weeks from Tuesday. Zoom meetings since then discussed what happened at the Planning Board meeting, and what kind of energy system would come into play, mostly for heating. Natural Gas and heat pumps were both proposed. Propane was proposed as an initial solution until a gas line could be put in. (there is a limit on how often the street can be opened). A heat pump solution would be all electric. Cost of hardware for the fossil fuel system would be lower, but the longer term cost, having to connect to natural gas, would be a wash. From the long-term perspective, cost of carbon based fuels is going to go up. Natural solutions will ultimately be less costly, and much more sustainable. Bill mentioned that the Library has a heat pump system. It lowers the number of systems you need for the building. As the heat pump would make it one system, all electric. Jennings said the mechanical engineers put together a clear package for the Selectmen. The trench needed for gas line installation had an additional cost of \$5,000.00. The decision was made to install the heat pump system, fully electrical, fueled by alternative energy. Designers were asked to continue exploring all energy options, but they felt that it would talk much more precious time. So the decision was made to go with the heat pump system. Jennings brought up a citizens' petition

to preclude the expenditure of any additional funds on the building until a use was determined that was circulating, with the necessary signatures to be put on the Warrant for Town Meeting. He said it is being reviewed for legality, since the funds have already been appropriated. Asked about other uses suggested, Jennings again said episodic use. Parker mentioned that a media studio was suggested by the Cable Advisory Committee, to be available for municipal use and for public use. Funds for that are generated from the surcharge that is on the cable bill. An invoice came in from the design team. Jennings and Parker stated the Town had selected the right design team.

Mizner had not had an opportunity to review the minutes, and proposed that minutes be put off to the next meeting. No one objected. Meeting was adjourned at 8:47 p.m.

### **Correspondence**

Jennings noted that page 27 of the packet, is supplemental information regarding Whetstone Greenway. A note, the cul de sac at the end of Sullivan's Court has not been accepted by the Town, so it is not public land at present; and it would need to be accepted by the Town before any work can be done on this property. Easements have been recorded but it is not currently on the Planning Board agenda.

### **Administrative Details**

Gard had asked Jennings to include the Expenditure Ledger, just to keep her up to date on the finances of the CPC.

Having completed the business before it, the Committee adjourned the meeting by unanimous consent. Next meeting is April 15, 2021 at 7:30 p.m.

Respectfully submitted,

Barbara Gard, CPC Administrator

### **Documents reviewed at the meeting:**

RFQ for Page School Playground

Invoice from Spencer & Voigt