

**COMMUNITY PRESERVATION COMMITTEE
TOWN OF WEST NEWBURY
MINUTES OF MEETING
January 17, 2019**

A meeting of the West Newbury Community Preservation Committee (CPC) was held on January 17, 2019, in the First Floor Hearing Room. Members Joseph Anderson, Bill Bachrach, Chair, Mary Harada, Judy Mizner, and Sherry Pruyn were present. CPC member Bob Janes was absent. Angus Jennings, Ex Officio member, and Administrator Jean Nelson were also present.

The Meeting was called to order at 7:30 PM.

Applications for Eligibility and Funding, River Road Conservation Acquisition/Conservation Restriction, River Road-Assessors Map R24, Lots 50 and 70, submitted by Essex County Greenbelt Association (ECGA), West Newbury Open Space Committee (OSC), and West Newbury River Access Committee (RAC)

(Note change of project name from original filing.)

Present for this portion of the meeting were Vanessa Johnson-Hall and Maggie Brown of ECGA, Patricia Reeser, Wendy Reed, and John Dodge of the OSC, and Rob Phillips, Elisa Grammer, and Barry LaCroix of the RAC

Vanessa Johnson-Hall of ECGA presented the Applications to the CPC. She said that ECGA has negotiated an acquisition of the 31 acres on River Road for \$215,000.00. The property has gorgeous woodlands. She will walk the site with anyone. It is located on both sides of River Road. The bulk of the parcel is on the south side of River Road and there are two pieces on the north side with frontage on the river. She said they have walked property extensively and are indicating a potential loop trail on the aerial photo. On the river side, one piece is mostly upland. ECGA suggests a trail here with a small pullout parking area which would give some river access. There are jurisdictional wetlands here. Permits would be required. Mizner said wetlands on the south side have been delineated, and Johnson-Hall added that they have been delineated on both sides. She indicated wetlands on the property, and said a trail in a portion would be in the buffer zone. There is a stream in the back. Mizner said she thinks a trail is feasible.

ECGA is proposing to own the property, which means they would be responsible for managing, public access, putting in the trails, maintaining the trails, parking, signage, etc. They are requesting \$75,000 from CPA funds towards the acquisition and would grant the Town a Conservation Restriction on the property. ECGA has committed to raising the balance of the money. They have already started their due diligence, including Title Examination and Appraisal, which should be available by mid-February.

Mizner asked if an appraisal has been done. Johnson-Hall said as far as she knows, there has not been.

She turned the presentation over to Patricia Reeser, Chair of the OSC. Mizner asked if the OSC has voted to support this Application. Reeser said that they have, and the Minutes will be submitted to the CPC when completed. She continued that the OSC survey showed there is high interest in the Town for river access. The OSC is also excited because the parcel is contiguous to the Grew and Beaucher parcels, in which the OSC has had interest. She indicated the parcels on the map. The property is also close to the Riverbend trail system.

She referred to the Indian Hill Reservation as a model for such an acquisition. ECGA purchased the reservation with a contribution from the Town. They put in a parking lot, kiosk, and trails and that are now a link to other parcels and trails. Thinking long term, this could be the beginning of another necklace in this part of town.

Rob Phillips added that typical in this town, there is interest in creating trails on abutting properties, and not necessarily acquisition. Mizner asked Phillips the same question: if his presence here indicates that the RAC has voted to submit the Applications. He said yes and in fact, the other members of the RAC are here tonight.

Phillips continued that RAC would like more than one place in town for river access. They would like to see two or three sites which are the right size and appropriate to the neighborhood. He said we are not active along the river as other communities are. This site is important in that one can get close to the river. There are other town-owned locations but they do not get you close enough to the river. This is, from their point of view, a bargain purchase, and the RAC supports this.

Anderson asked about the access. One parcel on the river is very wet. Phillips indicated on the maps where the land drops off. He said that river access is not solely about getting boats into the river. They are also looking for access to view, picnic, and whatever the community decides to do.

Bachrach asked how you define a good river access. Which community has a good example of river access? Phillips described Joppa Flats in Newburyport, where people can enjoy the water, it does not interfere with the neighborhood, etc. He pointed out parking at the Plum Island Bridge where one can put in. Good access should occur wherever it can occur without interfering with the neighborhood, in his opinion.

Mizner asked if they are proposing structures? Johnson-Hall said not at this time.

Bachrach asked about parking. He said at the Mullen property, there is not any parking. At Indian Hill, ECGA paid for the parking, but West Newbury does the maintenance. Johnson-Hall said ECGA plows and takes care of that parking lot. Bachrach said that at the Berkenbush area, which town purchased for \$200,000, nobody goes there because there is no parking. Reeser said that is not owned by ECGA. Bachrach said that parking becomes extremely important.

Bachrach asked if there is a timeline for parking? He feels it is critical. At the Mingo property, there was not any parking and access for a long time. Johnson-Hall said in Rowley, they had a similar situation, but ECGA does not own the property. The Conservation Restriction there comes with parking and access. ECGA had signed a side agreement with the Town to provide

parking within two years. Bachrach asked if they would be able to commit to providing parking to the Town within two years here. He asked if this could be pledged when presenting the article to the Town. Johnson-Hall said this would be based on getting approval of permits. Anderson asked if any other approvals other than the Conservation Commission would be needed. Mizner said such an application would have to go through Natural Heritage, there would be a filing with the Con Comm, abutter notification, etc. A decision could be appealed to the state DEP.

Bachrach asked what if the abutters appeal a decision. Mizner said that an appeal would have to be based on the fact that the proposal did not meet the requirements of the Wetlands Protection Act.

Phillips described that parking has been found at several places to access for people to use, for example, to fish. They cannot promise the parking. Bachrach repeated the pledge by ECGA to install parking within two years, to which several people added “if it is permissible.” Bachrach asked if that site does not work, is there potential elsewhere? Phillips said it would surprise him if we cannot achieve parking. Mizner asked if there is a possibility on the other side of the road? Johnson-Hall pointed to a ditch which runs along one part of the frontage along River Road, and wetlands at the other part of the frontage.

LaCroix gave the example of Indian Hill where ECGA committed to put in a parking lot as well. There was work to be done to find the right place, and eventually a site was found.

Reeser gave the example of the Ordway property, which has at least two parking spaces at the edge of it. Bachrach said the word “potential” raised questions for him. He asked if the trails would be within a two year window also, and Johnson-Hall said yes.

Nelson said that Johnson-Hall had told her that proof of votes from the Town groups would be forthcoming in her transmittal. She thanked Johnson-Hall for a well prepared and thorough Application.

(Note that the name of the project was changed after the CPC meeting.)

Motion made by Bachrach, seconded by Mizner, to find the Application for Eligibility for the Hufnagel Property Acquisition is eligible for funding under the requirements of M.G.L Chapter 44B. The vote in favor was unanimous.

Motion made by Bachrach, seconded by Mizner, to approve the Application for Funding for the Hufnagel Property Acquisition from the CPA Open Space and Recreation Fund Balance, subject to the following conditions: that the votes of OSC and RAC be confirmed by both groups. The vote in favor was unanimous.

Motion made by Bachrach, seconded by Mizner, that the CPC approve submittal of an Article Request Form for the Hufnagel Property Acquisition to the Board of Selectmen/Town Manager for the Special Town Meeting Warrant for April, 2019. The vote was unanimous.

Johnson-Hall said she will be away for the Town Meeting, but ECGA representation will be there. She asked to change the title of the project to River Road Conservation Acquisition, in order to protect the privacy of the owners.

Reeser asked why the motion was for the Special Town Meeting. Nelson said that in the past, Applicants are anxious to get going and ensure funding is available as soon as possible.

Applications for Eligibility and Funding, Pipestave Housing Generator, 692 Main Street-Assessors Map R23, Lot 23A, submitted by West Newbury Housing Authority

Nelson said the Applications have been withdrawn. Mizner asked if the project will be coming back. Harada said that she feels it is premature, because the property is not yet owned by the Housing Authority.

Mizner asked if there has been an update to the DHCD memo circulated in 2013. Nelson said she is not aware of any change of DHCD opinion. She had talked with Tracy Watson, Housing Authority Director about the DHCD opinion.

Review and approval of Annual Budget Warrant Article for Annual Town Meeting

Nelson noted that the model from the Coalition was different from the language we had used in the past, and explained the difference. Administrative Expenses are not subject to further Town Meeting vote, so are considered an "Appropriation." She will add "Recreation", which was not in the model.

Motion made by Mizner, seconded Bachrach, to submit the corrected Warrant article to the Board of Selectmen and Town Manager, for inclusion on the Annual Town Meeting Warrant. The vote in favor was unanimous.

Bachrach asked if the CPA fund balances are given as part of the Warrant article. Nelson said they are not, but she provides the CPC with information in case questions are asked, and the balances are printed in the Finance Committee Booklet, and available at Town Meeting.

Review of draft Open Space section of the Community Preservation Plan

The draft had been circulated for review. Nelson had submitted a copy of the draft to the Open Space Committee, and Reeser had told her that it was fine with the OSC.

Motion made by Mizner, seconded by Anderson, to approve the Open Space section with a correction. The vote in favor was unanimous.

Discuss getting the word out regarding the Community Preservation Act

Following a discussion at a prior meeting, Nelson had drafted an Overview of the Community Preservation Act to be posted on the webpage. Bachrach asked that revenue totals be added to the document. Anderson asked what will be done with the document. She summarized that it had been decided that a flyer would have little value. It will be posted on the CPC webpage, perhaps on Facebook. Bachrach suggested it could be a handout at Town Meeting.

Motion made by Anderson, seconded by Mizner, to approve the document and post it on the website.

Grant funds receipt from Mass Historical Commission

Nelson said the grant funds have been received, and will be posted to the CPA account.

Update on Certification of Conflict of Interest Laws

Everyone was reminded to complete and sign the certification.

Minutes, December 20, 2018

Motion made by Anderson, seconded by Bachrach, to approve the Minutes of December 20, 2018. The vote in favor was 4-0-1 (Mizner abstained.)

Introduction to Community Preservation Plan

Motion made by Mizner, seconded by Pruyn, to approve the Introduction as written. The vote in favor was 5-0.

Vouchers

A voucher for Administrative Expenses was signed.

Report of Vouchers Signed under Municipal Modernization Bill, 57-58

There were none.

Motion to adjourn, 8:35 PM.

Submitted by,

Jean Nelson
CPC Administrator

List of Documents Reviewed at Meeting:

..Applications for Eligibility and Funding, River Road Conservation Acquisition/Conservation Restriction, River Road-Assessors Map R24, Lots 50 and 70, submitted by Essex County Greenbelt Association (ECGA), West Newbury Open Space Committee (OSC), and West Newbury River Access Committee (RAC)

..Annual Budget Warrant Article for Annual Town Meeting

..Draft Open Space section of the Community Preservation Plan

..Draft "What is the Community Preservation Act"

..Draft Minutes, December 20, 2018

..Draft Introduction to Community Preservation Plan

These Minutes were approved by the CPC on February 21, 2019

