

**COMMUNITY PRESERVATION COMMITTEE  
TOWN OF WEST NEWBURY  
MINUTES OF MEETING  
March 14, 2019**

A meeting of the West Newbury Community Preservation Committee (CPC) was held on March 14, 2019, in the First Floor Hearing Room. Members Joseph Anderson, Bill Bachrach, Chair, Ray Cook, Mary Harada, Bob Janes, Judy Mizner, and Sherry Pruyn were present. Angus Jennings, Ex Officio member, was also present.

The meeting was called to order at 7:30 PM. Bachrach said it is being recorded for the purpose of preparing minutes.

**Applications for Eligibility and Funding, Purchase of a Conservation Restriction at Brown Spring Farm, 866 Main Street, Assessors Map R-28, Lot 105; Applications filed by Essex County Greenbelt Association, Vanessa Johnson-Hall, Assistant Director of Land Conservation; and West Newbury Open Space Committee**

Johnson-Hall thanked the committee for scheduling the special meeting. Essex County Greenbelt Association (ECGA) has an agreement to purchase the property for \$703,500. She stated that Brown Spring Farm means a lot to the residents. The farm is comprised of very rich soils, and was originally part of a much larger farm. There is a tributary stream on the property. ECGA has an agreement with a young farmer from Essex County, who has been looking for his own farm. He is a big part of the reason the owners have agreed to sell to him. He has already been farming for 12 years and went to the university for farming. Buying the Conservation Restriction (CR) will make the transaction more affordable.

Johnson-Hall continued that the CR will wipe out all development rights. Only one house will be allowed on the property. The existing house has been vacant for 20 years and is not habitable. If can't be rehabbed, the CR will require that a new house will be built in same size and character. ECGA is facilitating the transaction between the buyer, the Town, and the seller. The proposed closing date is early September as ECGA needs time for fundraising.

Anderson asked what type of farming the farmer will be doing other than sustainable vegetables? Johnson-Hall said he will be growing sustainable vegetables. He might have chickens, but it will be primarily a vegetable farm. The Conservation Restriction will spell out what is allowed. ECGA strives to make a CR as adaptable as possible so that farmers can be successful. Greenhouses will be allowed. The Town will be involved with drafting the Conservation Restriction.

Johnson-Hall described the Option to Purchase at Agricultural Value (OPAV). It is a strong tool to keep the resale price affordable. If a farmer sells to someone who is not a farmer, ECGA and the town will have an opportunity to buy the parcel at its agricultural value. It would be

appraised as a house with agricultural land. It could then be held with a P&S until a qualified farmer can be found to buy the land.

Cook said that developers have been in to the Planning Board for the past six months or so to seek permitting advice. The type of proposals has been disappointing. The farm is the gateway to West Newbury, and if it is developed as some areas have been in the past, it would be a real tragedy. He supports this Application.

Mizner seconded that sentiment. She said she feels Greenbelt and the Open Space Committee have done a great job of persisting. She asked if a draft of the CR will be available by town meeting time? Johnson-Hall said she is working on it. She is using model language for the OPAV. Mizner felt that it would be good if Town Meeting could have the elements of the CR at the meeting. Johnson-Hall said the barns and probably the house are tear downs. The farmer will be allowed to make improvements such as renovating the farm stand, improving the parking, etc. Mizner suggested that the points of the CR be available to voters so they will be informed of the nature of the CR they are purchasing. Johnson-Hall said that a handout would be possible. Mizner said the aspects of river and water protection should be explained.

Bachrach asked the value of agricultural land. He asked how the value holds in Massachusetts. Johnson-Hall said it depends on where you are. In western Mass, it is \$10,000-\$20,000 per acre. In this area, land under APRs went for \$10,000 to 11,000 per acre. One would get an appraisal for the value of agricultural land in the area.

Bachrach asked what agritourism is. He continued that if it is pursued, parking becomes extremely critical on the property. Hayrides, tours, etc. could be included. He asked where Johnson-Hall sees it here in the CR. She said the issue comes up more and more. Farmers can't make a living just by farming. She does not think that a farm such as Brown Spring lends itself to weddings, parties, etc. One of the huge parts of this farm is the farm stand. She feels the location is not amenable to that a venue for parties. Agritourism can encompass hayrides, tours by kids, etc. Parking will probably be limited to the farm stand. It will be less restrictive around the home site. There will be a building envelope that will be part of the CR, but the property does not lend itself around to large-scale agritourism, in her opinion.

Motion made by Bachrach to approve the Application for Eligibility for purchase of a Conservation Restriction for Brown Spring Farm. Seconded by Mizner. The vote was unanimous.

Motion made by Anderson, to approve the Application for Funding filed by ECGA and Open Space Committee for \$200,000 for the Brown Spring Farm Conservation Restriction. The vote in favor was unanimous.

Jennings noted a motion to submit an Article to the Board of Selectmen/Town Manager for the Warrant. Anderson said it is moot-that it is already on the Warrant.

**Applications for Eligibility and Funding, Library Patio-Disability Access Project, 490 Main Street, Assessors Map R1-3. Lot 640; Applications filed by Wayne Amaral, DPW Director**

Jennings said this project was originally proposed as a Warrant Article. The Board of Selectmen, the Finance Committee, and he felt that the project was eligible for CPA funding. It has been approved by the Capital Improvement Committee. The article is already on the Warrant as coming from Stabilization.

The patio access is only by stairs. It is not ADA compliant. The proposed improvements will bring the patio into compliance with a ramp. This will provide public access and the patio can then be used for library functions. A memo has been sent by a member of the Board of Trustees of the Library, Sandra Capo, in support of the project.

Cook asked if he should recuse himself, since he is a direct abutter. It was determined he should leave the table, and sit as an audience member, which he did.

He said he is not opposed to this project. He said as with most projects he would like to see a plan and cost estimates. He did not know how you can give costs if you don't have a plan. He assumed the ramp would go along the wall. Bachrach asked for clarification of a plan. Cook said he would like to see an engineering plan, showing where elements will go, dimensions, widths, etc. He did not know how one can make an estimate of materials without a plan. He felt that this is a little rushed, but he supports it.

Mizner asked how Wayne Amaral came up with his estimate. Jennings feels that a sketch plan would suffice for Site Plan Review. Jennings said they do not have a budget for an engineer. He has confidence in Amaral's knowledge and experience. He is an engineer.

Cook said he feels the estimate is probably fine, but is not comfortable with nothing to review. He recognizes the time constraint. Anderson summarized that the project will have to go before the Planning Board for Site Plan Review and the Building Inspector for a permit. Bachrach said these items should be noted for the Application.

Motion made by Bachrach to approve the Apps for Eligibility and Funding. Janes said he would like to see a set of plans. He said that other Applications filed and approved always had cost backup information, and a plan. Jennings said again that DPW does not have a budget for engineering costs. He said this is a small town, and we should be able to rely on staff. Janes asked what if the costs exceeds the \$17,000, and Mizner replied that it can't go forward. Anderson said he would rather see this through CPC funds than stabilization, and the need is handicapped access. There would need to be a special article, perhaps, to provide funding for engineering. He said he sees this as the ability of a small town to fund a project. Pruyn said she agrees with relying on Amaral's expertise.

**Motion** made to find the Application eligible for funding, and to approve the project in the amount of \$17,000. The vote was 5-1-1 (Janes opposed, Cook recused himself.)

Mizner asked if there is project for Town Hall Restoration. The response was no, it is not being considered for this Town Meeting.

### **Administrative Details**

Mizner asked if the CPC will take a position on the reduction of the surcharge. Rob Phillips and others will speak at Town Meeting. Mizner asked if the CPC will be taking a formal vote. Jennings said the Finance Committee did take a split vote at their last meeting. Anderson said former votes have been split. Bachrach said this time the question will not be on the ballot for a year. Bachrach asked if the CPC took votes on the previous proposals, and the answer was not known.

Mizner said that the question could come up at Town Meeting. It can be discussed at the next meeting.

Motion to adjourn, 8:10 PM.

Prepared by,

Jean Nelson

CPC Administrator

#### **Documents Reviewed at Meeting:**

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These Minutes were approved by the CPC on April 18, 2019.