

Town of Ayer
Community Preservation Committee

Town Hall * One Main Street * Ayer, MA 01432

Minutes for 9/21/2016 - Approved 10/5/2016

Location: Town Hall, 1st Floor

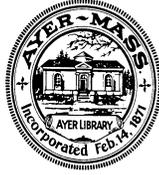
Members present: Janet Providakes (JP) [Housing Authority]- Chair, Beth Suedmeyer (BAS) [At Large], Jess Gugino (JG) [Conservation Commission]- Clerk, Julie Murray (JM) [At Large]

Not present: Barry Schwarzel (BES) [Historical Commission], Richard Durand (RD) [Parks & Recreation], Mark Fermanian (MF) [Planning Board]

APAC taped: NO

6:08 PM – Open Meeting

- **Welcome to New Member**
 - JP welcomed Julie Murray on board as CPC's new At-Large Member.
- **Approval of Meeting Minutes**
 - BAS moved to accept the minutes for 8/3/2016 as written; JM 2nd.
 - Motion approved unanimously.
- **Correspondence**
 - CPC Surcharge Report for 2016
 - JP received a report from Town Accountant Lisa Gabree.
 - The total CPA surcharge, based on the 1% rate, raised for FY2016 is \$171,875.97.
 - Update on Sandy Pond School Association (SPSA) Conditions Assessment
 - JP received correspondence from Irv Rockwood, Vice President of SPSA.
 - The Conditions Assessment is moving forward with Spencer & Vogt Group.
 - A survey of the property is being done by David E. Ross Associates.
 - The total cost of the project will be under \$18,000.
- **Discussion: Riley Jayne Farm/Pleasant Street Extension**
 - Three parcels associated with the planned subdivision have been enrolled in the State's Ch. 61 tax abatement program for agricultural or forestry land.
 - The process for bringing a parcel out of Ch. 61 requires written notification to the Town of the intent to convert Ch. 61 land for development.
 - The Ch. 61 process gives the Town the Right of First Refusal (ROFR) to purchase following an agreed-upon appraisal.
 - Submission of the notification letter initiates a 120-day period in which the Town can exercise this ROFR.
 - If the Town is interested in pursuing ROFR, an appraisal must be done if there is no Purchase & Sale Agreement.

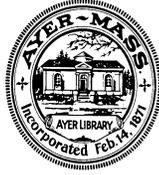


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- If an appraisal is required, it technically must be done in the 30 days following submission of the notification, but extensions of this time period can be requested and, perhaps, granted by the owner.
- It is usually difficult to hire an appraiser to do this within such a short time-frame.
- For the Riley Jayne Farm subdivision, two of the Ch. 61 parcels are owned by C. J. Moore, under the name 'Riley Jayne Farm'.
 - These parcels are at the front of the entire project, closest to the current terminus of Pleasant Street.
 - The third Ch. 61 parcel is owned by Calvin Moore, under the name 'Cowfield Trust', and is at the back of the property.
- Around 9/1, two letters notifying the intent to convert these three parcels were received by the Town, one for 'Cowfield Trust' and one for 'Riley Jayne Farm'.
 - Town Counsel reviewed these letters and found the 'Riley Jayne Farm' letter sufficient, but the 'Cowfield Trust' letter to be insufficient notification.
- BAS was at the Board of Selectmen meeting on 9/20 where the BOS took up the issue of ROFR with regard to the 'Riley Jayne Farm' parcels.
 - The parcel BAS and other residents are interested in the Town considering purchase of at least a portion is the 'Cowfield Trust' parcel at the back.
 - This could potentially be used to create a safe walking path to the schools for area neighborhoods as well as connectivity to the center of Town.
 - The 120-day 'clock' will start ticking for this upon receipt of a sufficient letter of notification.
 - The BOS has said it intends to meet within 48 hours, or as possible, after receipt of adequate notification.
 - BAS noted that Calvin Moore had tried to get feedback from the Town much earlier in the process but had not been successful, in part because there was a period in which the Planning Board was not functioning, and in part because the Town lacks a Planner in general.
 - C. J. Moore refused to grant an extension to the 30-day appraisal period for the front parcels.
 - The BOS voted to waive the Town's ROFR for the two 'Riley Jayne Farm' Ch. 61 parcels.
 - Among the BOS's concerns were funding and lack of access to the back 'Cowfield Trust' parcel as well as the proximity of National Grid power lines that would have to be crossed by such a path and would require permission from the power company to do so.



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- BAS said the access issue could be handled by trying to get an easement through the front 'Riley Jayne Farm' parcels from C. J. Moore to access the back section or via the Washington Street parcels.
 - JP said that the Town needs to understand that Open Space properties, of which there are few left in Ayer, are slipping through the Town's fingers.
 - Efforts need to be made to increase public awareness and convey public interest to the BOS.
 - To this end, JP plans to draft a letter to the editor and for the Town's Facebook page detailing some of these issues.
 - The Town needs to become more proactive so that it is ready to respond quickly when ROFR opportunities arise.
 - The BOS has created a Ch. 61 Working Group whose task is to catalogue remaining Ch. 61 parcels as well as other undeveloped lands, and to prioritize these parcels for their Open Space worth.
 - The Group could also identify potential purchasing partners (the State, area land trusts, Audubon, etc.) that the Town might draw on, depending on the property.
 - BAS said Bonnie Tillotson, who represents the Conservation Commission on the Working Group, has been in contact with the North County Land Trust.
 - They are willing to provide technical assistance and guidance.
 - They are also considering the possibility of Ayer becoming a part of their land trust.
 - The Open Space & Recreation Plan Committee has also discussed creating a Conservation Land Fund, using CPC money, to give the Town the ability to act quickly on possible Open Space acquisitions.
 - BAS plans to meet with Calvin Moore in the near future.
 - One question is whether Mr. Moore will be willing to grant an extension of the 30-day appraisal period for the 'Cowfield Trust' Ch. 61 parcel.
 - JP plans to put this topic on CPC's Oct. 5 agenda.
- **CPC Email Address**
 - CPC can now be emailed at cpc@ayer.ma.us.
 - Automatically forwarding emails to members of CPC is being worked on.
 - **7:25 PM – Adjourn Meeting**
 - CPC's Next Meeting: October 5, 6 p.m.
 - JG moved to adjourn; BAS 2nd.
 - Motion approved unanimously.