



**Advisory Committee  
Meeting Minutes  
Scituate High School Gym  
Monday, April 8, 2019  
6:00 pm**

**Committee Members Present:** Lincoln Heineman, Chair; Jerry Kelly, Vice Chair; Anthony Antoniello; Patrice Metro; Elise Russo; Jamie Gilmore; Mike Westort

**Committee Members not present:** Sean deLacy

**Also in Attendance:** Jim Boudreau, Town Administrator; Nancy Holt, Finance Director

The meeting was called to order at 6:05 pm by Lincoln Heineman

Lincoln Heineman made a request to accept the agenda, a motion was made by Jamie Gilmore; seconded by Jerry Kelly; Unanimous vote (6-0)

Lincoln Heineman made a motion to approve the meeting minutes from the 03/07/19 meeting seconded by Anthony Antoniello; Unanimous vote (6-0)

**Article 1: Budget Reconciliation**

The budget for Snow and Ice was still in the black

**Advisory Committee Vote:** Unanimous Vote in Favor (6-0)

Rescission Maxwell was taken off the warrant

**ARTICLE 25. Ellis Estate and Related Conservation Land**

*To see if the Town will vote to authorize the Board of Selectmen to transfer from the Board of Selectmen to the Conservation Commission, for conservation purposes, the care custody and control of, and grant to the Wildlands Trust or other conservation trust a conservation restriction complying with Article 97 of the Amendments to the Massachusetts Constitution, in perpetuity, the following parcels of land in Scituate:*

*a. 3 parcels on Clapp Road identified as O Clapp Road, Parcel ID 25-5-3-A, recorded in the Plymouth County Registry of Deeds, Book 5266, Page 496, Parcel ID 25-5-3-0, recorded in the Plymouth County Registry of Deeds, Book 5270, Page 249 and Parcel ID 25-5-2-R, all as shown on a plan of land by Horsley Whitten Group dated October 24, 2018, a copy of which is available at the Town Clerk's Office and the Library and [www.scituatema.gov](http://www.scituatema.gov);*

*b. an approximate 7.13 acre parcel identified on the Assessors Map as 38-1-16-B, 0 Rear Captain Pierce Road;*

*c. an approximate 9.380 parcel identified on the Assessors Map as 33-8-1, Woodland Road ;*

*d. a portion of a parcel identified on the Assessors Map as 23-1-6 excluding approximately 6.6 acres as shown on a plan by Horsley Whitten Group dated January 15, 2019 a copy of which is available at the Town Clerk's Office, the Library and the Town's website;*

*e. authorize the Board of Selectmen to simultaneously petition the Legislature to enact special legislation to authorize the use of approximately 7 acres of the Ellis Estate land known as the Public Safety Complex, for general municipal purposes without any restrictions imposed on such use by Article 97 of the Amendments to the Massachusetts Constitution in exchange for subjecting the land referenced in a.- d. above to the protections of Article 97 of the Amendments to the Massachusetts Constitution the ; and to raise and appropriate a sum of money for such purposes; or take any other action relative thereto.*

*Sponsored by: Board of Selectmen*

**BACKGROUND:** The Town used 7 acres of the Ellis Estate to build the Public Safety Complex, there was a dispute with the original deed and whether or not it was given to the Town as conservation land. The Town decided to find a 7 parcel acre suitable to swap (cannot be wetlands). There was not a single parcel big enough to meet the requirement.

Jim said that the Town has found 4 parcels that will meet the requirement:

- Parcel A: Mann Hill 9 acres 3.7 is dry
- Parcel B: Cushing Way 7-8 acres
- Parcel C: Woodland Road, past DPW yard, (Habitat)
- Parcel D: Clapp Road (Could be used for a field)

These plots will be sufficient to make the swap. All of these areas have some value to the Town. The State will accept as mitigation. The Public Safety Complex will now have its own parcel.

It will cost \$10,000 to hold in conservation

## **ARTICLE 26. Ellis Surplus School Committee Land Restriction**

*To see if the Town will vote to transfer from the Board of Selectmen to the Conservation Commission, the care, custody and control of approximately 13 acres, more or less, known as the School Committee land and shown on a plan by the Scituate Public Works Department entitled Proposed Ellis Property Conservation Commission Restriction, dated April 9, 2018, a copy of which is available at the Town Clerk's Office, the Library and the Town's website, for conservation purposes, and grant to the Wildlands Trust or other conservation trust a conservation restriction complying with article 97 of the Amendments to the Massachusetts Constitution, in perpetuity; and to raise and appropriate a sum of money for such purposes; or take any other action relative thereto.*

*Sponsored by: Board of Selectmen*

School Committee Property, 13 acres. Will be in conservation, excludes the Scituate Art Center which was carved out.

It will cost \$10,000 to hold in conservation

#### **ARTICLE 27. Ellis Conservation Land Article 97 Restriction**

*To see if the Town will grant to the Wildlands Trust or other conservation trust a conservation restriction complying with Article 97 of the Amendments to the Massachusetts Constitution, in perpetuity on approximately 70 acres of the Ellis Estate land currently under the care, custody and control of the Conservation Commission, excluding the land and building used by the Arts Association and shown on a plan by the Scituate Public Works Department entitled Proposed Ellis Property Conservation Commission Restriction, dated April 9, 2018; and to authorize the Board of Selectmen to petition the Legislature to enact special legislation to subject said approximately 70 acres to the protections of Article 97 of the Amendments to the Massachusetts Constitution; and to raise and appropriate a sum of money for such purposes; or take any other action relative thereto.*

*Sponsored by: Board of Selectmen*

Will cost \$35,000 to hold in conservation

#### **Mike Westort entered the meeting**

*Mike Westort asked why we did not go to court against the State, Jim said it was not worth it because this is where we would have ended up and we would have had to pay lawyer fees.*

*Mike Westort asked how it was given to the Town as conservation land, Jim said even though Article 97 did not exist, the land was still deeded to the Town as conservation land.*

#### **ARTICLE 25. Ellis Estate and Related Conservation Land**

**Advisory Committee Vote: Vote in Favor (6- 1 abstention) Westort abstained**

#### **ARTICLE 26. Ellis Surplus School Committee Land Restriction**

**Advisory Committee Vote: Vote in Favor (6- 1 abstention) Westort abstained**

#### **ARTICLE 27. Ellis Conservation Land Article 97 Restriction**

**Advisory Committee Vote: Vote in Favor (6- 1 abstention) Westort abstained**

#### **ARTICLE 21. Acceptance of Public Way – Blanchard Farms Lane:**

Jim Boudreau said that everything is in order, our engineer came to the Board of Selectmen meeting. The road is off of Curtis and is full width; they received a waiver for the full granite curbing. These are standard waivers.

*Mike Westort asked why we have the guidelines if we always give waivers, Jim said in this specific instance, that the road was built to be a standard public way in a sub-division and they identified some standard waivers that they wanted.*

*Patrice asked if they will have sewerage if it is a private way, Jim said they can. Jim also said that if it is approved, the Town would plow the road.*

**Article 21: Advisory Committee Vote: Unanimous Vote in Favor (7-0)**

Sean's two articles will be presented by Jamie (20) and Jerry (19).

**Next Meeting April 10<sup>th</sup> joint meeting with Capital Planning at the EOC**

**Lincoln Heineman made a motion to adjourn at 6:29 PM, Jerry Kelly seconded the motion; Unanimous Vote (7-0).**

Respectfully Submitted,  
Lianne Cataldo (Recording Secretary)

- Agenda
- Minutes from 3/7/2019
- Advisory Booklet
- Board of Selectmen "Street Acceptance" Minutes