

CPC Meeting Minutes

September 26, 2018

Town Library – Large Conference Room

ATTENDEES: Ann Burbine, Karen Connolly, Dan Fennelly, Tom McShane, Gary Meyerson (Chair), Penny Scott Pipes

Other Attendees: Ben Haskell, NOAA/Stellwagen Bank National Marine Sanctuary; Scott MacFaden/Wildlands Trust; David Drinkwater, realtor for Sunset Road property owners; and interested parties

Meeting was called to order at 7:00 pm

Approval of Agenda: A MOTION was made by Ms. Burbine to accept the agenda; Seconded by Ms. Scott Pipes, All in favor (6/0)

Discussion/Possible Vote: 1st Cliff Property \$599,000

Mr. Meyerson reviewed the four items that need to be addressed prior to the vote:

1. **Board Endorsements** – Per Mr. MacFaden, Wildlands Trust co/applicant, he has received letters of support from the Conservation Commission, Recreation Commission and the Planning Board.
2. **Purchase Price** - Ms. Connolly said that a private conservation trust purchased land in Cohasset for \$547,000 but, after researching it, she is not suggesting it is a true comparable purchase because it was purchased for less per acre and it is not clear whether there will be public access. She noted that it is a “similar type of property and in the ball park”, adding that Scituate’s site will have public access.
3. **Individual Seller Sign Off** – Mr. Meyerson explained to David Drinkwater that CPC needs assurance from all the property owners regarding their willingness to sell to avoid issues down the road. Mr. Drinkwater noted that the property consists of six parcels and four family members have been appointed to represent all the sellers and that he is authorized to speak on their behalf. He said that until there is an official offer, Mr. Drinkwater can only confirm their intent to sell the property for \$599,000. In the meantime, the property will remain on the open market. He added that the owners have stipulated three conditions: \$599,000 as a firm price, sell it as is and no gravel road clean up. There is no stipulation on how the land can be used.

The Board confirmed that an updated single value property appraisal will be done ASAP and CPC cannot pay more than the appraised amount. The family will have the right to withdraw the application if the amount is less than the sale price. Mr. MacFaden confirmed with the Board that, if necessary, donations can be used to make up the difference.

Mark Tyron, who did the appraisal in the spring, said he was originally asked to provide two appraisals based on two scenarios: buildable and not buildable. He can do a new appraisal to come up with one value with the assumption that it is buildable.

VOTE: Ms. Burbine made a **MOTION** to appropriate up to \$5,000 to Mark Tyron at RealWorth Appraising & Consulting for an updated appraisal on the MacDonald properties at 11 Sunset Road.

4. **Clear Title** – Mr. Meyerson discussed the memo the Board received from Town Council with her preliminary opinion on the title documents. She indicated that there are many title issues that the sellers must address. The Board clarified that it is the applicants’ responsibility to make sure title issues are resolved. Ms. Connolly clarified that the Town Counsel reviewed various title materials given to the Board by the family and has not done an independent title search.

VOTE: Ms. Burbine made a **MOTION** to move the MacDonald Preserve Application land acquisition for \$599,000, including \$7,500 for Conservation Restrictions and \$2,500 for due diligence such as legal and assorted fees for a total of \$609,000; seconded by Ms. Scott Pipes; all in favor (6/0).

Additional Discussions:

Peter Gately, 27 Circuit Ave, asked about the fill that was illegally dumped there and quoted a price of \$150,000 to clean up the site. Ms. Scott Pipes explained that the fill that was placed in the 50's and 60's was "spoils" from the dredging of the harbor and does not need to be cleaned up. She added that this property is pristine compared to a lot of parcels CPC has purchased in the West End. There was additional discussion about previous applications to purchase the land and that the cleanup was probably a condition for building on the property.

Mary Alice Loring, 11 Conroy Terrace, expressed concerns about the egress to this property once it's purchased. The Board agreed that discussions about the use of the land are not pertinent to the decision to purchase the property. Abutters will have an opportunity to discuss their concerns during the planning phase of the project [once it is approved for purchase by the Town].

Megan Peltan, 57 Garrison Drive, asked whether or not the CPC has to do anything with the land after it is purchased. Ms. Connolly explained that Town Articles regarding land purchase must stipulate the land use. If it is for passive recreation, which Sunset Road will be, they need to ensure public access.

New/old business – There was no old or new business

The meeting was adjourned at 9:00 pm.

***Submitted by
Mary Sprague
Administrative Assistant***

**Documents Submitted
*Board Letters of Support***