

Selectmen's Meeting  
Tuesday, October 7, 2014  
Selectmen's Hearing Room – 11:10 p.m.  
Executive Session

The Selectmen's Meeting was called to order by roll call vote at 11:10 p.m. for the following purpose:

To consider the purchase, exchange, lease or value of real property which the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body – Clapp Road.

Chairman Danehey recused himself from discussion and left the room.

Shawn Harris            aye

Marty O'Toole           aye

Tony Vegnani            aye

Also present was Patricia Vinchesi, Town Counsel Jim Toomey, Jack Livingstone, Steve Callahan and Attorney Adam Brodsky.

#### Clapp Road Land Exchange

Attorney Toomey explained the process required to transfer Article 97 land. He noted that the parties would have to persuade the Executive Office of Environmental Affairs that the value of land to be given by a developer in exchange for Article 97 land had to be equal in value both financially and in open space quality. He cautioned that this was a strict standard and the parties would have to develop a good rationale for negotiations with EOEA to complete a transaction.

On behalf of the developers, Mr. Callahan reviewed a mock-up map delineating additional acreage the developers proposed to give the Town. The land area to be given to the Town in exchange for Route 3A access had increased substantially from the original proposal. The map showed a more northerly orientation to the north of Route 3A as the Board had requested. Mr. Callahan showed additional parcels of land within the project area to give to the Town. Selectman Vegnani observed that most of the additional acreage was wetlands and the Town had no desire for this. Mr. Callahan stated that they decided to propose these parcels as it would connect to other parcels owned by the Town and create a continuous trail system. Selectman Vegnani stated that the Town would never approve this and in order for the Board to agree to any kind of land swap the benefits to the Town needed to be substantial. He proposed that the developers give the Town approximately 16 acres off of Clapp Road that the Town could possibly put playing fields on. Mr. Callahan replied that they were planning to use these parcels to do a second phase of the 40B project for another 60 units. He indicated that the land adjacent to the new proposed acreage

had a conservation restriction on it that was held by the owners of Whitcomb Pines. They could consider deeding that CR over to the Town increasing the acreage even more. Members agreed with Selectman Vegnani that the Town did not need more passive recreation and that the land parcels currently proposed would not be supported. The Town was not going to like giving up land for 200 units under the best of circumstances and getting a 2/3's vote at town meeting would be very difficult. What the Town received would need to be "lop-sided" in its favor. Mr. Callahan stated that they would regroup and it would be helpful if they could have further input from the Board before the next meeting. Selectmen Vegnani and Harris agreed to meet with the developers to further discuss if necessary.

The Board voted to adjourn the meeting at 11:56 p.m.

Patricia Vinchesi  
Recorder