

**COMMUNITY PRESERVATION COMMITTEE
RECORD OF MINUTES AND PROCEEDINGS
OCTOBER 2, 2008**

PRESENT:

Walter Flynn, Chairman
Arthur Mathews, Vice Chairman
Thomas Curtis
James Cunningham
Christopher Hannan
Stephen Ford
Scott Coven
Laura Harbottle
Dan Condin

ALSO PRESENT:

James Clarke, Director of Planning and Development
Robert Luongo, Economic Development Planner

RECORDING SECRETARY:

Christine Callbeck

Chairman Flynn called the meeting to order at 7:00PM and noted that all members are present.

REORGANIZATION

Chairman Flynn yielded the chair to Mr. Clarke for the purpose of voting.

Chairman

Mr. Hannan nominated Mr. Flynn for the position of Chairman. Mr. Mathews seconded the nomination. UNANIMOUSLY VOTED.

Chairman Flynn thanked the board for their vote and recognized two new members of the committee; Mr. Dan Condin and Ms. Laura Harbottle.

Vice Chairman

Mr. Cunningham nominated Mr. Mathews for the position of Vice Chairman. Mr. Hannan seconded the nomination. UNANIMOUSLY VOTED.

Clerk

Mr. Curtis asked what the responsibilities of the clerk are. Chairman Flynn stated that the clerk signs the minutes once they are approved. Mr. Ford nominated Mr. Coven for the position of Clerk. Mr. Hannan seconded the nomination. UNANIMOUSLY VOTED.

MINUTES

Mr. Mathews made a MOTION to APPROVE the August 21, 2008 Open Session minutes. Mr. Curtis SECONDED the MOTION. Discussion. Mr. Hannan questioned the statement on page 3. Is the CPC bound to bond beyond the date? Chairman Flynn stated that the CPC can continue to fund an article beyond the date as long as such funds are available. UNANIMOUSLY VOTED.

Mr. Mathews made a MOTION to APPROVE the August 21, 2008 Executive Session minutes. Mr. Hannan SECONDED the MOTION. UNANIMOUSLY VOTED.

Mr. Mathews made a MOTION to APPROVE the September 11, 2008 Open Session minutes. Mr. Hannan SECONDED the MOTION. UNANIMOUSLY VOTED.

Mr. Mathews made a MOTION to APPROVE the September 11, 2008 Executive Session minutes. Mr. Hannan SECONDED the MOTION. UNANIMOUSLY VOTED.

APPROVAL OF INVOICES

Chairman Flynn asked all members to review the invoices as they are being passed around the table.

CONSERVATION RESTRICTIONS

Mr. Clarke prepared a memorandum on Conservation Restrictions and Land Trusts. The memorandum explained conservation restrictions and gave examples of current land trusts. Mr. Clarke reported that the sense of the committee was that the costs of using a land trust is high for what the CPC would use it for. Mr. Clarke stated that tonight he hopes that the commission will discuss the options:

- 1) Standard land trust groups that CPC could engage.
- 2) Weymouth/Braintree Regional Conservation Group which is a state organization made up of members of the Town of Weymouth and the Town of Braintree to manage the Pond Meadow Park.

Chairman Flynn stated that the principle concern is costs. Chairman Flynn stated that he feels confident that the committee could create a land trust by themselves. Chairman Flynn suggested that MaryEllen Schlosh could probably come up with some names from organizations in town and find residents that would volunteer their time on a committee such as this. Solicitor Lane was opposed to the idea of the CPC commission creating this land trust, because he is a lawyer. Chairman Flynn stated that he has done this in the past. Mr. Clarke mentioned the Wey/Bra conservation committee can render their service to the Weymouth CPC. Wey/Bra has two members that were appointed by Mayor Kay. Chairman Flynn suggested that the costs could be rendered through the administration fees. Mr. Clarke stated that CPC will still hold the use of

the land, but Wey/Bra would set up the boundaries. Wey/Bra's job would be to manage the agreement only, not the land.

Mr. Clarke reported that the preliminary discussions have shown that the work can be done with no charge if CPC gave a nominal fee to do the report. Mr. Clarke further stated that it is up to this committee to decide on going with Wey/Bra or not. Mr. Clarke suggested more formal talks with the Wey/Bra group to discuss the topic further before the committee decides to pursue.

Mr. Clarke stated that the CPC definitely has the clock-ticking on the Woodbine Road piece. If CPC acquires other parcels they can always use other land trust outlets.

Mr. Mathews asked how the CPC goes about amending the conservation restrictions if asked by citizens because Wey/Bra has jurisdiction. Mr. Clarke stated that is a good question and the Planning Board will look into this and speak with Solicitor Lane and have more information at the next meeting. Chairman Flynn suggested that the Weymouth CPC would be able to make changes if they wanted to and Wey/Bra's job would be to carry out those changes.

Chairman Flynn suggested a three prong approach:

- 1) Established organization (more expensive alternative).
- 2) Approach Wey/Bra (this may require further correspondence with the Commonwealth for approval).
- 3) Chairman Flynn will continue to write a land trust.

Mr. Hannan asked if these are just suggestions and if they need to be approved by Town Council. Mr. Luongo stated that Town Council must approve any restrictions. Mr. Luongo will find out and make sure that this is the way to go. Mr. Mathews suggested that CPC reach out to persons that live on Woodbine Road. Chairman Flynn stated that he will put it on the agenda for public comment time. Mr. Ford suggested being as vague as possible on the land trust in order to help with other parcels down the road. Chairman Flynn stated that Mr. Cunningham continues to say that the whole purpose behind the CPA is for the purpose of Open Space. Mr. Cunningham stated that he does in fact feel that way. Mr. Mathews stated that he agrees to make the land trust as vague as possible but to be careful because Town Council will not vote for it if it is too vague. Mr. Luongo stated that he will bring examples of conservation restrictions to the next meeting. Mr. Clarke stated that he will get background information so that members can review. Chairman Flynn asked Mr. Clarke who holds the restrictions if the town disbands the CPA? Mr. Luongo stated that he will check on this question and report back. Mr. Clarke suggested it might be helpful to ask Mr. Mathews and Mr. Cunningham to reach out to the Whitman's Pond Association. Mr. Mathews cautioned reaching out until these other questions are answered.

PROJECT UPDATES

Riley Field
Fogg Library

Mr. Clarke reported that Riley Field and Fogg Library projects have not been forwarded to Town Council because it was suggested that the Planning Board wait to submit after the percentage figure comes in (suggestion of Mr. Wilson).

Chairman Flynn reported that he was advised by Stuart Saginaw that Weymouth did not submit their reports in by September 15, 2008 so it is possible that they will not get their reimbursements until the reports are submitted. Mr. Luongo reported that the reports were in fact submitted but there may be a delay on receipt of the check.

Abigail Adams Historical Study

Mr. Clarke reported that the project is moving forward the invoices have been signed this evening. Mr. Clarke reported that Kathy Torrey, President of the Abigail Adams Historical Commission, would like to come in and give CPC members an overview of the project.

Wessagusset Field

Mr. Clarke reported that the fence was put up and it looks good. This project is complete.

43 Bicknell Road

Mr. Curtis stated that they have finished the ground penetrating work. Nothing of substance was found. The report should be completed soon.

Children's History of Weymouth – by Lawrence Lambros

Mr. Clarke reported that Mr. Lambros is not feeling well. Mr. Luongo stated that he has spoken with Mr. Lambros and Mr. Lambros stated that he would like to have the CPC do anything that they see fit with the document.

Mr. Clarke reported that the Planning Board contacted Staples and their cost to hard bind the document on mid weight paper, making 25 copies would cost approximately \$800.

Chairman Flynn stated that he has concerns with this project:

- 1) Chairman Flynn feels that the board should not bend over backwards because the project is from Mr. Lambros.
- 2) Chapter 44B – the exact language of what is historic resource. Chapter 44B states that CPC publishing the above listed document is not a historic document.

Chairman Flynn would like to ask Solicitor Lane for his opinion. Mr. Clarke stated that he would like to ask the mayor to see if other sources can be found for this project without having to use CPC funds. Discussion ensued regarding the appropriate number of copies and other printing sources. Mr. Clarke stated that if members have printing suggestions they can e-mail them to him. Mr. Ford stated that he feels that the CPC should bend over backwards because it

is Mr. Lambros. Chairman Flynn stated that he feels it is the sense of the board that they would like to pursue this project with the approval of Solicitor Lane.

Main Street

Chairman Flynn stated that Town Council approved the project. Chairman Flynn stated that Councilor DiFazio stated that no other issue has ever received the scrutiny as this has! Chairman Flynn reported that the Budget Management Committee met and discussed three times to address the problematic side of the house. The BMC invited Mr. Grenier and Mr. Yazwinski and discussed the percentage of Weymouth preference before the Town Council's lengthy session on the same issue. What kind of protection against illegal immigrants. Chairman Flynn stated that the CPC needs to do far greater due diligence when a proposal like this comes before the CPC. When CPC goes before the BMC and Town Council they need to bring and update of all the approved projects.

Mr. Hannan disagreed with Chairman Flynn and stated that he feels that the CPC grilled Neighborhood Housing Authority representatives very well when they came before the committee. Mr. Hannan stated that the only thing CPC did not ask them about was illegal immigrants. Mr. Hannan stated that he thinks Chairman Flynn does a disservice to the board and that the board has learned from their experience. Chairman Flynn stated that the proponent was taken aback that the questions were being asked.

Mr. Clarke agreed with Mr. Hannan and stated that the board held two sessions with NHA and they questioned them well. Mr. Clarke stated that the Board of Zoning Appeals approved the project also. Mr. Clarke stated that what happened was that the Weymouth News blew up the story and because of that some councilors had questions. Chairman Flynn stated that CPC did not look at the problematic sides of the project.

Mr. Mathews stated that Town Council was not satisfied with the answers that Mr. Greiner and his assistant provided. Mr. Mathews stated that there was no problem with this committee's review of the project. Mr. Clarke stated that he spoke with several councilors and Mr. Greiner and the project was just a tough sell. Mr. Mathews stated that in the future Town Council would like to see CPC fund to preserve affordable housing that the Town already has. Mr. Ford stated that if Weymouth Housing Department doesn't come before the CPC with a project, then CPC cannot help them. Mr. Mathews agreed. Mr. Mathews further stated that it was no fault of the CPC but rather Mr. Greiner's answers.

EXECUTIVE SESSION

NEXT MEETING

The next meeting will be held on November 6, 2008 at 7:00PM.

ADJOURNMENT

At 9:20PM, there being no further business, a MOTION was made by Mr. Mathews to ADJOURN and SECONDED by Mr. Hannan. UNANIMOUSLY VOTED.

Approved by: _____
Walter Flynn, Chairman

Dated: _____