

MINUTES OF THE ECONOMIC DEVELOPMENT COMMITTEE
6 OCTOBER 2004-COUNCIL CHAMBERS

PRESENT: Colin McPherson (Chairman), Joseph Connolly, Paul Leary,
Michael Smart

OTHERS: James Clarke

RECORDING SECRETARY: Diane Hachey

Chairman McPherson called the meeting to order at 6:30 pm.

**Committee topic was discussion on the abandonment of Theron Avenue-Measure #04
160.**

Councilor McPherson asked for the proponents of the project and what the intent is. Attorney Galvin stated that Theron Ave. is divided by Rockaway-located on the right is the Armory-the side of Theron Ave touches the Armory. It runs between 2 parcels. The Armory makes up the majority of useable land-a small area drops off to a cliff.. On the other side is the MRI Building. This is par4 zone which allows for the highest density of residential use, and other uses are MRI medical use. The land lays out well for commercial use more so than residential. The developer is looking to build commercial. Residential development would be a last resort. Medical development was also cited as possible, as the hospital is running out of space.

Chairman McPherson asked specifically which parcels are owned by Mr. Falconi.

Attorney Galvin indicated 14 and 15. Parcels 24 and 27 are located on the south side of Rockaway and parcels 14 and 15 are on the opposite side. Parcel 13 is namely, the MRI Building-Mr. Falconi purchased parcels 7 and 1.

If Theron Avenue is abandoned it would allow Mr. Falconi to access the back parcel adjoining the lot 15-marrying lots 14. Shield MRI uses a portion of Theron for parking. If it is not abandoned.-they could build on parcel 27. The owner is looking to join the parcels.

Councilor Connolly asked Jim Clarke to explain the state's role in developing this area. Jim explained that the state is not required to adhere to local zoning regulations.

Councilor Connolly posed the issue of Theron Ave. never being used in the past and in the future. He asked Jim if the planning department recommends abandonment.

Jim agreed with Councilor Connolly's statement in addition to the planning department.. The reason being that it doesn't provide any access to other lots or serve any other purposes to the town.

Councilor Leary asked if the Shields Building had been contacted . Attorney Galvin confirmed that all abutters were contacted. At end of Donald Street, some letters were returned for bad addresses.

Councilor McPherson asked Jim Clarke the specific verbage needed to actually vote on this issue- Jim stated that on the recommendation of the planning board -if acceptable by Town Council to abandon Theron Avenue.

Jim stated that state law is much clearer on public ways but not as clear on private ways-so we follow same procedures. He also cited past action taken on private ways.

Councilor McPherson asked if Jim is aware of the actual measure/motion that we need to act on. Jim offered to work with the town solicitor to write verbage to vote and abandon Theron Ave. as supported by the planning board.

Councilor Smart questioned if medical use is the only foreseen use. Galvin stated that his client would like to combine lots numbered 24 and 27 for purposes of exploring for medical use cite. If the plan backfired -commercial is next and residential is last resort .

Councilor Connolly noted that since medical use is the first priority-he assumes that the building will need to be gutted and redone. As this is a large investment they need to ensure that this abandonment occurs. Attorney Galvin conferred that without abandonment of the property- they cannot pursue.

Councilor Leary asked if this parcel went with the original purchase of the armory -he also questioned if Mr. Falconi bought the other 2 parcels separately .

Galvin stated that the Commonwealth won't sell for safety purposes . Lots 14 and 15 are planned for residential.

Councilor Smart questioned the type of development planned . The builder stated town house condominiums with a style similar to Stoneledge. Basically housing small families and business professionals--approximately 20-25 units.

Councilor Smart continued to say that if we abandon lot 17 and Theron Avenue then the only access is down Donald. It was indicated that the effected parties have been notified and they do not have a problem. It was also confirmed that access is sufficient to get to the expressway.

Councilor Leary asked of Jim Clarke if the state would obtain half of Theron Avenue. Mr. Clarke stated that it would . Councilor Leary questioned whether the access to 14 and 15 would be off Rockaway or Donald. Plans were confirmed that access would be off Rockaway along Theron Avenue.

Councilor Leary raised concerns with Shields Driveway -he requested that they work with them to provide sufficient access.

Chairman McPherson asked what specifically does planning board look at when reviewing such cases--whether we needed the way. Jim stated that if we abandoned a street and it would cause problems for abutting property and also if Theron Ave. provided access to overall circulation pattern of area- then the planning department wouldn't recommend.

Councilor Connolly questioned if lots 14 and 15 are currently residential.. It was confirmed that they are high density residential.

Councilor McPherson stated his desire to spare all attendees from returning to another meeting- but reiterated that there is no actual measure in existence in which to vote. He confirmed with everyone that there were no objections to the intent of the measure.. He reiterated that Jim will work with George and develop the language to the measure and circulate to everyone.

Councilor Leary recommends a motion to refer abandonment of Theron Aven. to full council- pending language to be drafted.

Councilor Connolly asked if this could be completed by November 18-then it could go to vote at full council. Councilor Leary seconded the motion. Voted unanimously.

All attendees left the room- councilors remained. Chairman McPherson stated his desire in drafting questions surrounding the economic impact of the Lennar presentation. He stated that he has started a rough draft of his questions, suggested that if he email it to everyone they could add their comments. .

Councilor Smart stated that President Lacey is suggesting that issues are addressed at the committee level. Chairman McPherson aired his concern relative to the time factor.

Councilor Connolly asked Diane, the recording secretary ,if she was the person to be the conduit and handle the questions from the council to Lennar . Diane stated that she had not been designated for that role -but would be willing to do so.

Councilor Connolly said that he spoke with President Lacey relative to format--all councilors need to be involved but with 11 councilors the question asking period would be lengthy.

Chairman McPherson distributed his rough draft and suggested that all ideas be combined and the questions are submitted to Lennar and Tri-Town for answer.

Councilor Connolly questioned why we wouldn't have Lennar and Tri-Town appear before the committee in order to ask and answer questions. Chairman McPherson cited that if the questions were posed upfront, then the meeting would be more productive. He also suggested forwarding the issues to the Mayor's office in an effort to avoid redundancy.

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Councilor Connolly confirmed his ease with the document-from an Economic Committee standpoint..

Councilor McPherson reiterated that he will complete the document and circulate via email to the Councilors. He requested that they return their comments as soon as possible.--he will incorporate all comments into one document and distribute. He stated that he does not want to wait until October 18th to start formulating questions.

Councilor Leary motioned to adjourn at 7:05 pm--seconded by Councilor Connolly. Voted unanimously.

Respectfully submitted by,

Diane T. Hachey
Recording Secretary

Approved by:

Chairman McPherson