



## **Community Preservation Committee Meeting Minutes February 21, 2023**

### **1. Call to Order**

Meeting called to order at 7:00 p.m. by Chair M. Justin Barrett, Jr. This meeting was held via Zoom.

### **2. Roll Call**

**Present:** Chair M. Justin Barrett, Jr., Vice Chair Erika Oliver Jerram, Clerk Dan Melnechuk, Tom Creonte, Bob LeBlanc, Loretta McClary, Amanda Thibodeau, Sean Wilson, Bill Doyle (joined at 7:01 p.m.)

**Absent:** None

### **3. Meeting Minutes**

Motion made by Mr. LeBlanc to approve the meeting minutes of November 22, 2022, seconded by Mr. Doyle. All in favor. Motion passed.

### **4. New Business**

#### **A. Public Meeting**

##### **1. 0 Prospect Hill Rd. Acquisition Application**

Frank Nakashian, Principal Planner from the City's Planning Department, stated that the city is seeking CPA funding for the acquisition and preservation of 0 Prospect Hill Road and Lot 1A Willard Street. It's approximately 5 acres of undeveloped parcel and is an unofficial entrance to trails at Prospect Hill Park. The goal is to ensure access to the park. Mr. Melnechuk asked about the appraisal discrepancy between the \$900,000 appraisal and the \$4M purchase price. He noted that CPA law states that you can't pay anymore than what the appraisal says. Atty. Katie Laughman, Assistant City Solicitor, stated that the CPA statute does not require the value to be based on a single appraisal, but standards customarily accepted by the appraising profession are valid. The city looked at both the appraisal and comps. Based on comps, Coldwell Banker was going to list the property at \$5,450,000. The city recently acquired another similar property (1 Balm Avenue) for \$4.5M, which they based its negotiation position with the property owners (of 0 Prospect Hill Rd.). Mr. Melnechuk would like the explanation in writing and attach it to the application. Mr. Doyle agreed and would like to see something that would bridge the gap between the two amounts.

Ms. Oliver Jerram asked what the plan for the land is. Mr. Nakashian replied that they will be adding trails, maintenance, beautification and making the Prospect Hill Park accessible.

Mr. Doyle asked how the property is zoned right now. Mr. Nakashian stated that it is zoned residential. Mr. Doyle asked if it changes to con-rec after the acquisition. Mr. Barrett confirmed that it does. Mr. Doyle asked if the land will merge into one after the sale. Atty. Laughman replied that it happens as a function of merger when two properties adjacent has the same ownership. Mr. Doyle asked if the section of driveway of the house on the abutting property gets an easement or rerouted (the driveway is part of O Prospect Hill Rd). Atty. Laughman stated that they are looking at a potential easement.

Mr. Melnechuk raised the concern that an easement could affect the valuation of the property. Mr. Melnechuk requested that the Open Space box be checked on the application. Mr. Nakashian agreed with the request. Mr. Melnechuk stated he would like a condition stating that a completed plan and Conservation Restriction be obtained for the property before any work can take place. This is required by CPA law. Atty. Laughman responded that if the committee requests that a Conservation Restriction be placed on it, that could be something included as part of the process of closing.

Motion made by Mr. Melnechuk to approve the O Prospect Hill Rd. application in the amount of \$4,012,000 with the following conditions: The land will be treated as Prospect Hill Park, there will be a clear explanation that derives the \$4M valuation from the content of this application that will go to City Council, there will be a Conservation Restriction constraint language, and an easement on this property is to be noted. Mr. Doyle stated that the easement is referring to the driveway to access the existing single family dwelling that is adjacent to the property. Motion seconded by Mr. Doyle. Mr. Wilson abstained. Remaining committee members were all in favor. Motion passed.

#### **B. Vote to Extend the Following CPA Open Projects**

Motion made by Mr. Doyle to extend the following open projects by one year:

Hardy Pond Conservation Area, Wellington Farm Fields Restoration, Storer Conservation Planner, Beaver Brook Housing Roof Replacement, Leland Home Redevelopment, Wellington House Interior Improvements, Historical Stone Walls Survey, City Hall Design Study, MetFern Cemetery Restoration, Waltham Historical and Architectural Survey, Stonehurst Exterior Restoration, Opportunities for Inclusion Phase I Design Services, 92 Felton Street Exterior Restoration

Motion seconded by Ms. Oliver Jerram. All in favor. Motion passed.

#### **C. Vote to Approve the State FY2022 Budget Surplus Distribution: \$285,610.00**

Motion made by Ms. Oliver Jerram to approve the state FY2022 surplus of \$285,610.00 and apply it to the CPA Undesignated account. Motion seconded by Ms. McClary. All in favor. Motion passed.

### **5. Old Business**

#### **A. Account Balances**

Mr. Barrett gave the amounts available in each of the CPA accounts:

Open Space (\$1,098,913.87), Historical (\$686,873.63), Housing (\$1,392,014.58), and Undesignated (\$6,374,959.88).

**B. Proposed Changes to CPC Rules**

Mr. Melnechuk gave an overview of proposed changes to the CPC Plan re: Conservation Restrictions.

**C. Hardy Pond Conservation Area Project:** Atty. Laughman drafted a letter to the CPC re: the Hardy Pond Conservation Area application that was approved in 2018. It noted that the funding was approved for Phase I. Three properties have been taken and the two others are in process. The balance in the account (\$183,000) is sufficient to cover the cost of the remaining two properties. Atty. Laughman explained the process that needs to be followed if they were to hire an outside consultant (Land Preservation Specialist) to assist with this.

**6. Announcements/Correspondence**

A. Next meeting: March 14, 2023

**7. Adjourn**

Motion made by Ms. Oliver Jerram to adjourn, seconded by Mr. Creonte. All in favor. Motion passed.