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By Karen Wilber, Town Clerk's Office at 9:22 am, Oct 08, 2021

# TOWN OF NORTHBOROUGH Open Space Committee

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## Open Space Committee Zoom Meeting Minutes May 3, 2021

Approved  
10/4/2021

**Members in attendance (Remotely):** John Campbell, Chair; Leslie Harrison; Ashley Davies; Anthony Ziton; Brian Belfer, Paul Tagliaferri (arrived at 7:45PM).

**Members absent:** Dan Clark, Timothy Kaelin

**Others in attendance (Remotely):** Mia McDonald, Conservation Agent

The Chair opened the Zoom meeting at 7:00 p.m. and made the announcement that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 20A, S18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, the meeting of the Northborough Open Space Committee is being conducted via remote participation to the greatest extent possible. Public comment will not be taken.

**ROLL CALL ATTENDANCE:** Member and staff roll call was taken and those affirming their presence were as follows: Leslie Harrison; Anthony Ziton; Brian Belfer; Ashley Davies; John Campbell (Chair); Mia McDonald (Conservation Agent)

### Project Updates

**432 Whitney Street appraisal** – Ms. McDonald presented two quotes received as follows and expressed a need for the Committee to decide if there is an interest if moving forward.

- Quote for \$3950 received from John Avery, with delivery no longer than 4 weeks from engagement
- Quote for \$4300 from G&M Evaluation (Gale Mann), to be completed within 60 days of appraiser's notice to proceed.

Ms. Davies commented that both vendors are very good. Members of the Committee suggested moving forward with the less expensive option as it also offers a quicker turnaround.

In response to a question from Mr. Ziton, Ms. McDonald confirmed that she had reached out to Mr. Anza and obtained his permission for the town to do an appraisal on the property. Chairman Campbell asked about Mr. Anza's other parcel (429 Whitney Street). Ms. McDonald voiced her understanding that the town currently has no interest in pursuing that parcel as it is the subject of open litigation. She noted that Town Counsel has confirmed that there is no open litigation on the parcel at 432 Whitney Street so there is no concern about the town proceeding.

Ms. Davies asked about the presence of any solid waste on the site under consideration. Ms. McDonald stated that she had walked the site in 2018 and only observed compost at that time. She also noted that she checks regularly and has observed no additional activity.

In response to concerns expressed by Mr. Ziton about potential environmental issues on the site, Ms. McDonald indicated that a 21E site evaluation will need to be done before any purchase of the property.

Chairman Campbell questioned the value of the property in terms of criteria for use of CPA funds, and where it would rank in comparison to other parcels the committee may be pursuing. Ms. McDonald noted that the parcel is abutted by state-owned conservation land to the rear, lies along the aqueduct, is not abutted by residential land, and the town had previously received plans for potential development. For the board's consideration, the GIS map was presented and further discussion about nearby parcels, the merits of this property, and potential development options ensued.

Ashley Davies made a motion to approve moving forward with an appraisal, and contracting John Avery to conduct it. Leslie Harrison seconded.

Chairman Campbell stated that, while the parcel has potential for open space along with providing an opportunity to prevent further industrial development in this sensitive area, he has concerns about the public perception since residents are gravely concerned with Mr. Anza's operations on his other parcel and would strongly prefer having that one addressed. Ms. Davies suggested that purchasing this property prevents it from being used in a similar fashion and emphasized that the town's liability with purchasing the other parcel would be immense. Concerns were also raised about the reaction to investing significant town money that might enable Mr. Anza to remain in business and continue to expand. Mr. Campbell also questioned whether pursuing this costly parcel might prohibit the town's from being able to act on other viable parcels.

Results of the roll call vote to move forward with asking the Conservation Commission for funds to authorize an appraisal by John Avery: Leslie Harrison – aye; Anthony Ziton – aye; Brian Belfer – aye; Ashley Davies – aye; John Campbell – aye.

Motion carries by unanimous vote.

Ms. McDonald agreed to send a memo to the Conservation Commission on the board's behalf to request funds. Ms. Davies will attend their May 10<sup>th</sup> meeting to convey the Open Space Committee's position.

**Landowner Outreach** – Chairman Campbell noted that good progress was made at the last meeting, and Ms. McDonald confirmed that the various letters as discussed have all been mailed out.

**0 Bartlett Street** – Chairman Campbell discussed the parcel, located in an area of town that has been the subject of considerable focus, with some residents clearly opposed to any further development there. He recalled that there were certain conservation parcels at the back of the property that had been agreed to and questioned the possibility of purchasing the parcel to preserve it. It was noted that Ms. McDonald had reached out and the owners had expressed no interest at the time. Ms. McDonald mentioned that the larger parcel, at the rear of the site, is 59 acres and is valued by the Assessor at \$2.1 million while the smaller parcel at the front is 7 acres and valued at \$600,000. Chairman Campbell asked if this parcel would be a higher priority than 432 Whitney Street, if the opportunity did present itself. It was agreed that, while the community might prefer to pursue the Bartlett Street parcel, residents would likely also not want to see another industrial project on Whitney Street. Ms. McDonald voiced concerns about the potential for a similar situation to that at 429 Whitney Street resulting on the Bartlett Street

parcel, where applications for development were denied repeatedly and the owner sold at a loss, then the land was subsequently the site of illegal dumping. It would be very disheartening to see the land abused similarly due to lack of ability to develop an allowed use.

Chairman Campbell asked if anyone had updated Todd Helwig that a recent communication had been sent to Mr. DeFeudis and he agreed to do so.

**615 Howard Street Conservation Restriction: Use of electric bicycles** – Mr. Belfer explained that there has been a tremendous gain in popularity with electric bikes (e-bikes) resulting in users campaigning to classify them differently than motorcycles to allow their use on land where motorized vehicles are otherwise prohibited. Mr. Ziton suggested that allowing them could pose a safety concern and Ms. Davies noted that the Conservation Restriction (CR) language does allow use of motorized vehicles for people with disabilities. After discussing the consequences of allowing e-bikes, members of the board agreed to maintain consistency with the abutting properties and consider revisiting the matter at another time as warranted.

Ms. McDonald explained that the board's options are to allow, prohibit, or stay silent on the matter as has been done in other Conservation Restrictions.

Paul Tagliaferri arrived 7:42pm.

Following further discussion, members of the board agreed to remain silent on the matter unless pressed by the state to make a determination, in which case they would prefer to prohibit the use.

Ms. McDonald explained that Sudbury Valley Trustees is also seeking to clarify if overnight camping is allowed on Mt. Pisgah and noted that the other CR stipulates that overnight camping is allowed with written permission. She also noted that all conservation land is closed from dusk to dawn, though trail cameras show there are people are rarely on them after dark.

Members of the board unanimously agreed to remain silent on the matter of e-bikes.

**Consideration of Minutes** - Consideration of the Minutes of Meeting of March 22, 2021 were deferred to the next meeting.

**Next meeting** – Members of the board agreed to meet on June 7, 2021.

Leslie Harrison made a motion to adjourn. Ashley Davies seconded; roll call vote: Leslie Harrison – aye; Anthony Ziton – aye; Brian Belfer – aye; Ashley Davies – aye; Paul Tagliaferri – aye; John Campbell – aye.

**Meeting adjourned at 8:05PM**

Respectfully submitted,

Elaine Rowe  
Board Secretary