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By Karen Wilber, Town Clerk's Office at 9:23 am, Oct 08, 2021

# TOWN OF NORTHBOROUGH Open Space Committee

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## Open Space Committee Zoom Meeting Minutes August 4, 2021

Approved  
10/4/2021

**Members in attendance (Remotely):** John Campbell, Chairman; Dan Clark; Leslie Harrison; Brian Belfer; Scott Rogers; Michelle Gillespie; Ashley Davies

**Members absent:** Paul Tagliaferri;

**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 Chapter 20 of the Acts of 2021, an act relative to extending certain COVID-19 measures adopted during the State of Emergency, signed into law on June 16, 2021, the meeting was conducted via remote participation. No in-person attendance by members of the public was permitted. The meeting was live streamed but had no option for public participation.

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

### **Consideration of the Town's Right of First Refusal for 429 Whitney Street (Map 15, Parcel 9) upon withdrawal from the Chapter 61 Program**

### **Consideration of the Town's Right of First Refusal for 432 Whitney Street (Map 15, Parcel 22) upon withdrawal from the Chapter 61 Program.**

Chairman Campbell discussed the need for the board's consideration, given that the town has received notice from the property owner of his intent to sell and withdraw these parcels from the Chapter 61A program. He recalled that, at their last meeting, the board discussed the appraisal for 432 Whitney Street but ultimately voted not to pursue the purchase. He noted that, as part of the discussion, the board did review its criteria for consideration of a parcel for purchase and agreed that a purchase of this size would require CPA funds and likely a bond article so elected to pass on the opportunity as the parcel did not meet many of the criteria. Chairman Campbell explained that the parcel at 429 Whitney Street was not considered at the prior meeting, but the board is now being asked to consider both parcels and provide the town with an opinion for consideration by the Conservation Commission and Board of Selectmen.

Scott Rogers commented that, based on the P&S, it does not appear that there has been any significant change since the board's last discussion about 432 Whitney Street, so he continues to believe that there is not a strong enough argument to support a change of position on the matter other than to extend nearby wetlands and maintain the wildlife corridor. He emphasized that there is not much opportunity for recreation on either property. Chairman Campbell agreed and recalled that the board found this to be a lesser priority than other parcels, especially given the high price tag. Ms. Harrison agreed.

Ms. Davies expressed an interest in hearing what town residents might think about the parcels in terms of conservation and any concerns about increased truck traffic resulting from industrial development. She also noted that the board does not know what other opportunities might arise

and suggested that the board wait to hear public comment at the Planning Board and/or Board of Selectman meetings. Chairman Campbell indicated that the Open Space Committee is being asked to provide input to the Conservation Commission and Board of Selectmen. Ms. Davies suggested that, if residents are passionate about conserving the parcel, the committee can acknowledge that there are some aspects to the property that make it conservation worthy even though it may not be perceived as a good use of town funds.

Ms. McDonald discussed the procedural steps involved and noted that a comment memo from the Open Space Committee will be submitted to the Conservation Committee who will consider the recommendation, after which the combined recommendations will be forwarded to the Board of Selectmen for a final decision for consideration at Town Meeting. She also voiced her impression that the board does not believe that purchase of the property is a priority compared to some other projects under consideration. Ms. McDonald provided the following information from the purchase and sale agreements provided:

429 Whitney Street is 15.72 acres with a purchase price listed as \$1,800,000 base price with option up to \$2,100,000 contingent upon permitting and approval of a 150,000 square foot warehouse. The optional addition to the base price is to add \$12/sf for every additional square foot over 150,000 permitted and approved up to \$2,100,000.

432 Whitney Street is 23.76 acres with a purchase price listed of \$1,500,000 with no additional option for increase. The prices are contingent on the purchase of both parcels.

Mr. Belfer suggested that, if cost were no option, the purchase would be worth consideration. Chairman Campbell cautioned about comparing monetary value of the land and reaffirmed his opinion that the parcel does not meet enough of the criteria to make it attractive. He also cited a number of unknowns for the land at 429 Whitney Street and the potential for additional expenses in order to make it suitable. Mr. Belfer also discussed the board's concerns about purchasing that parcel and inheriting all of the problems that exist there. Ms. Davies agreed that it would be irresponsible for the town to purchase the property and assume the burden of having to clean it up.

Mr. Clark indicated that he does see potential for the parcel at 432 Whitney Street and would not want to see the board wait for a better option that may never materialize. Ms. Harrison mentioned that there are some other, very attractive alternates that show strong promise at this time. Board members discussed potential alternate uses for the land, other than as conservation land. The board reached a consensus and agreed not to recommend purchase of the parcel at 429 Whitney Street.

In response to a question about funds on hand, Chairman Campbell explained that the board had used a large portion of their remaining reserves to purchase the property at 615 Howard Street, but emphasized that there is nothing that would prevent the Open Space Committee from finding a way to purchase a piece of land that is of interest.

Ms. Davies voiced her opinion that, while the board may not wish to exercise its right of first refusal on 429 Whitney Street, she does find there to be some conservation value for the property at 432 Whitney Street. Chairman Campbell indicated that the board could opt to act independently on each parcel if they find only one to be of interest. He suggested that, if the board believes the 432 Whitney Street property does meet enough of the criteria and would like to keep that opportunity open, the committee should vote to say such and not worry about how it might be funded. He recalled that members discussed the practicality of doing so at their last meeting and concluded that it seemed impractical to purchase but is now reconsidering. Ms.

Harrison discussed the added complexity of the matter, given the warehouse controversy in town, and suggested that there may be overwhelming support for purchasing the lot simply to preserve it from being developed as warehouse space. Ms. Gillespie agreed with the sentiment but indicated that she would not be in favor of buying land just to avoid having a warehouse built on it. She voiced her opinion that 432 Whitney Street does have some value but she believes that 429 does not, given the amount of cleanup that would be required there. She also stated that, while she is aware that abutters may oppose warehouse development, she is not sure if the community at large does to the same degree. She suggested that there may be a fair amount of opposition to a purchase, especially in light of what is happening with the White Cliffs property. Ms. Davies noted that the matter will go to Town Meeting for a vote and emphasized that the board is being asked if the parcels have value as Open Space. She reiterated her opinion that the parcel at 432 Whitney Street does have some conservation qualities such as providing a water resource buffer, potential trails, extension of open space, extension of water resources including a tributary to the Assabet River, and abuts existing open space (state land and the aqueduct.)

Members of the board discussed and agreed upon draft language for the memo to the Conservation Commission regarding the consideration of the town's right of first refusal for the parcels at 429 and 432 Whitney Street. *The Memo has been attached to these minutes for the file.*

Scott Rogers made a motion that the committee recommend that the town consider the purchase of the parcel at 432 Whitney Street as detailed in their memo to the Conservation Commission. Dan Clark seconded. Roll call vote: Ashley Davies – yes; Scott Rogers – yes; Brian Belfer – yes; Dan Clark – yes; Michelle Gillespie – yes; Leslie Harrison – yes; John Campbell – yes. Motion carries by unanimous vote.

Scott Rogers made a motion that the committee recommend that the town does not exercise its right of first refusal for the parcel at 429 Whitney Street for the reasons listed in their memo to the Conservation Commission; Brian Belfer seconded. Roll call vote: Ashley Davies – yes; Scott Rogers – yes; Brian Belfer – yes; Dan Clark – yes; Michelle Gillespie – yes; Leslie Harrison – yes; John Campbell – yes. Motion carries by unanimous vote.

**Next meeting** – Members agreed to meet remotely on September 27, 2021.

Leslie Harrison made a motion to adjourn. Roll call vote: Ashley Davies – yes; Scott Rogers – yes; Brian Belfer – yes; Dan Clark – yes; Michelle Gillespie – yes; Leslie Harrison – yes; John Campbell – yes. Motion carries by unanimous vote.

**Meeting adjourned at 8:12PM.**

Respectfully submitted,

Elaine Rowe  
Board Secretary



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TO: Conservation Commission  
FROM: Open Space Committee  
RE: 429 & 432 Whitney Street – Town’s Right of First Refusal  
DATE: August 4, 2021

The Open Space Committee considered the Town’s Right of First Refusal for 429 Whitney Street (Map 15, Parcel 9) & 432 Whitney Street, (Map 15, Parcel 22) upon exit from the MGL Chapter 61A Program at their August 4 meeting.

The Committee believes the property at 432 Whitney Street could provide long term conservation value to the Town as open space.

When evaluating properties for open space, the Committee considers the following conservation criteria:

1. Proximity, connection to and/or expansion of existing open space.
2. Possibility for recreational use.
3. Possibility for adverse impact through development.
4. Urgency of need to the Town.
5. Allowable for purchase through the Community Preservation Act funding.

The values exhibited by 432 Whitney Street include the extension of existing open space of the Wachusett Aqueduct to the west. It also abuts the Bearfoot Brook Flood Control Facility to the south containing tributary to the Assabet River, therefore providing water resource protection. The property could also provide recreational use through a possible trail system.

After reviewing the conservation values of the parcel, the Committee recommends the Town considers the purchase of the parcel at 432 Whitney Street.

The Open Space Committee recommends that the Town does not exercise the right of first refusal at 429 Whitney Street due to the lack of conservation values and risk associated with the possible contamination.