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MINUTES
SELECTMEN'S MEETING
DONN B. GRIFFIN ROOM, TOWN HALL
MONDAY, SEPTEMBER 27, 2021
5:30 PM (Executive Session)
6:30PM (Regular Session)

APPROVED

RELEASED

SELECTMEN PARTICIPATING: Michael MacAskill, Larry Ballantine, Mary Anderson and Julie Kavanagh

ALSO PARTICIPATING: Town Administrator Joseph F. Powers

CALL TO ORDER:

Chairman MacAskill opened the Board of Selectmen meeting for September 27, 2021 at 5:33 PM. Ms. Anderson moved to enter into Executive Session, 2nd by Mr. Ballantine. Vote 4:0 in favor. Motion carried unanimously.

EXECUTIVE SESSION

A. Pursuant to MGL c30A s21(6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

Mr. MacAskill called the meeting back to order at 6:30PM. A decision was made in the Executive Session and will be kept confidential until they make the deal. He invited attendees to join him in the pledge of Allegiance.

PUBLIC COMMENTS/ANNOUNCEMENTS

Chief of Police David Guillemette mentioned 2 personnel actions. Sergeant Rick Campbell is retiring after serving this community 34 years. He described Sgt. Campbell's many contributions over the years and he will be missed. He wishes to remain as a Special Police Officer and work details which is the reason for the memo in the packet. He hopes they will appoint him tonight. He offered sincere gratitude to Sgt. Campbell for his years of hard work and dedication. He introduced Colin Thomas who is the appointment recommendation. He offered a brief overview of Mr. Thomas' background and education.

Mr. MacAskill asked Town Administrator Powers if he would send a thank you to Sgt. Campbell from the Board of Selectmen as well.

Ed McManus referred to the meeting to recruit volunteers for the Cranberry Festival which will be held Tuesday, October 5th at 6:30 PM at the Chamber of Commerce conference room.

WELCOME NEWLY ELECTED BOARD OF SELECTMEN MEMBER JULIE E. KAVANAGH

September 27, 2021

Mr. MacAskill welcomed the newly elected Selectmen Julie Kavanagh.

Ms. Kavanagh thanked everyone and said she's happy to be back and getting to work for Harwich, she appreciates the support.

Mr. Ballantine commented that it's good to have her back

Ms. Anderson is glad to have her on board.

REORGANIZATION OF THE BOARD OF SELECTMEN OFFICERS

Mr. MacAskill noted that they reorganized 4 months ago at the change of the year for the Board of Selectmen. He asked if anyone wanted to make motions to or to reorganize the Board. The Vice Chair was left open, Mr. Howell and Mr. Ballantine are on the Interview Committee, Ms. Anderson took Clerk and Mr. MacAskill took Chairman. There is one seat left vacant.

Mr. Ballantine moved that Ms. Kavanagh become Vice Chair, 2nd by Ms. Anderson. The vote 4:0 in favor. Motion carried unanimously.

CONSENT AGENDA

- A. Vote to approve the following Harwich Police Department employees;
 - 1. Colin Thomas as a full-time Police Officer
 - 2. Sergeant Rick Campbell as a Special Police Officer

Ms. Anderson moved to approve the Consent agenda as presented, 2nd by Ms. Kavanagh. Vote 4:0 in favor. Motion carried unanimously.

NEW BUSINESS

Town Administrator Powers explained the changes in the process, any applications contemplated by the town are first to come before the Board to hear presentations. Determinations will be made to decide if the town should move forward on the applications. If the Board is willing for the application to go forward, the Town Administrator will be listed as the applicant on behalf of the town. The other individuals will be listed and then related to the projects and will be project specialists. There are 6 applications in the packet and he can speak to items 1, 3 and 4.

Ms. Anderson asked a clarifying question. If the applicant is the Town Administrator and then the Project Manager is listed, that person is not actually doing the work, correct?

Town Administrator Powers replied that last year the CPC clarified what were the priorities of the town. The Chair of the CPC directed him to be listed as the applicant to thereby show endorsement of the town for the project. Which is why, if the Board says this is a project to go forward, his name is listed and he works with those committees or departments in support of their application. As Project Manager they'll be speaking to the benefits of the project, to the particulars of the project. They are not for our purposes a Project Manager to then do the

procurement of the construction. They are not looked on to suddenly be an expert in construction engineering. It is meant to conform with the CPC application, the Project Manager is the key project proponent.

- A. Discussion and possible vote to endorse the following Community Preservation Committee Applications;
- 2. Harwich Recreation and Youth Commission

Eric Beebe Recreation Director explains they are coming to the Board for a CPC project in the amount of \$245,500.00 to increase the pickle ball courts, from 8 courts to 12 courts. It is also to extend the half basketball court to a full basketball court. It became a priority because of the explosion of pickleball, there are over 400 adults signed up. This is by far the most popular and successful recreation program they have. They have had to turn people away because they also have to leave time for open play. The additional 4 courts would allow them to accommodate everyone in addition to more programming. Kids now want to play pickleball and this would help them increase children's programming. Regarding the basketball courts, there are not many outdoor courts in town. There is a huge need for more courts in general. The half court is nice but a full court would be better for games. During the phases of the Brooks Park Expansion they anticipated pickleball getting big but it got even bigger than their expectations. It is now their most popular sport, they see the need in town and that is what they are aiming for as the Department's and Commission's first priority,

Mr. Ballantine asked what the fees are for the pickle ball court and if we change fees for the basketball court.

Mr. Beebe replied that for pickleball there is no fee for open play but for the program it depends on the season. For the summer season it's \$25.00 for residents and \$35.00 for non-residents. That money helped sustain the programs for nets, paddles etc. For basketball courts there is no fee for open play, there was a fee for the basketball programs through the Rec.

Mr. Ballantine asked if there is any discussion of increasing the fees to help recoup some of this.

Mr. Beebe replied, not yet. The pickle ball fees right now go into their revolving fund to help pay for that program.

Ms. Anderson commented that she had a tour at 9:30AM and the pickle ball courts were all humming which is nothing compared to the summer. She thinks it's impressive and something lots of people like and it's good for everyone's health to be doing that kind of thing. She is in favor of the proposal.

Mr. MacAskill had no comment on this but noted an upcoming topic will be what they are changing for the use of the old Middle School. Pickleball will probably be affected by that on the indoor.

Town Administrator Powers referred to the application, page 2 refers to other commissions, boards, committees and organizations. They would want the Administration Department listed there as well because they will have a role in leading the procurement.

Mr. MacAskill asked Town Administrator Powers if he had vetted these to be sure there's enough money in each bucket for what is before them today.

Town Administrator Powers replied no, that would be the role of CPC going forward but he hasn't seen anything that tilts the balance against that.

Ms. Anderson moved to support the CPC application for the Harwich Recreation and Youth Commission for 4 pickleball courts and an expansion of the half basketball court to a full basketball court in the amount of \$245,500.00, 2nd by Ms. Kavanagh. Motion 4:0 in favor. Motion carried unanimously.

5. Bikeways Committee

Charles Walkley represents the Bike Committee and they are asking for funding for the installation of a safety light that would be at the crossing of Headwaters Road and Headwaters Drive and the Cape Cod Rail Trail in the amount of \$16,000.00. Their committee has traditionally taken a stance of trying to install one safety light per year. The difference with this one's that it will have a self-actuating button. Other than that it is as pretty straight forward as all the other installation.

Town Administrator Powers noted that on the application they would want to reflect that the Chair Fran (Salewski) would be the Project Manager and Charles Walkley would be the Secondary Manager. On page 2 they will add Administration because they will be leading the procurement effort.

Mr. MacAskill asked when the Board reorganized because it was his understanding that Fran was no longer the Chair.

Mr. Ballantine stated that they interviewed and nominated Fran. He got dropped off the committee and is back on the committee. They will have to reorganize in the next couple of weeks.

Ms. Anderson moved to support the CPC application for the Bikeways Committee for a light at Headwaters in the amount of \$16,000.00, 2nd by Mr. Ballantine. Vote 4:0 in favor. Motion carried unanimously.

6. East Harwich Union Cemetery Gravestones

Robbin Kelley Administrator Cemetery Committee reported additional damage to grave markers since her last report. The new total is \$118,800.00 which includes a 10% contingency. She will

correct the application to name the Town Administrator as the applicant, leaving herself as Project Manager and Steve Connors as Chair of the Commission. Included in the packet are letters from the church in support of this project.

Mr. MacAskill asked to confirm that there is cooperation from the church so this doesn't go to debate on the Town Meeting floor.

Town Administrator Powers agrees, this is a preliminary application that the town is looking to move forward. He and Ms. Kelley will be ready to answer those questions for CPC and report back to the Board.

Ms. Anderson moved to approve the CPC application for the East Harwich Union Cemetery gravestones in the amount of \$118,800.00, 2nd by Mr. Ballantine.

Mr. Ballantine asked if there is a plan for each of the cemeteries.

Ms. Kelley replied that they have a master plan that they work on in the Commission. They look at the ones that are in the most danger of losing forever. This is one of the oldest cemeteries. They do another one every couple years. The Evergreen Cemetery has a lot of memorials that are older and they will be looking at that one.

Mr. Ballantine thought it would be helpful to have that plan in the packet so it'll be available.

Vote 4:0 in favor. Motion carried unanimously.

Town Administrator Powers clarified that page 3 will be updated to reflect Administration and add some other names.

Ms. Kelley that she was away last week when these were due and she is in the process of working on another CPC Article to erect a Civil War and Revolutionary War Memorial which is phase 2 of the Evergreen Project. She is waiting for the MRO which is the Military Records Office from Massachusetts, to get back to her and confirm the submissions that she gave them. Each memorial is charged by the letters of the names. The application is due October 1st but she has not had a response from them yet. If she gets it in time for the October 1st submission, she will come back to the Board of Selectmen for their blessing.

1. Beautify Harwich Center

Town Administrator Powers explained that this is an effort to establish a place keeper whereby they can seek funds under the historic bucket for the beautification of Harwich Center. It is a place keeper first because they will be convening a meeting of stakeholders to get their input on what sort of beautification items they would be looking for. They will be looking for anything that enhances the center, decorative planters, lighting enhancements etc.

Mr. MacAskill stated that the Town Administrator had said he was going to pull this because it wasn't ready and Mr. MacAskill asked him not to. They've talked about doing something in

Harwich Center for 25 years and he feels it's important to get something done this year. If the Board is ok with it, they'll see this again with numbers in a couple of weeks.

Mr. Ballantine commented that there will be a stakeholders meeting and then there is a step in here that we will be looking at a decision going forward and what's there now. Would this be part of that discussion? Are we meeting their time schedule going forward?

Town Administrator Powers replied that yes it would. They have been cleared from the Shared Streets grants process. He has closed that out with the state and they've done a survey. What they directed for next steps was to figure out as a community what we would like to keep, to enhance and do differently going forward. This application supports that effort. We are meeting their time schedule because when the survey is completed, that concludes the state's end of it.

Ms. Kavanagh asked if he is able to meet the 10.1 filing for CPC.

Town Administrator Powers replied that they are. The chair of CPC offered an extension which was declined but told him some of the applications might be rudimentary to start and he endorsed that.

Ms. Anderson moved to vote to support the CPC application to beautify Harwich Center in the amount of \$100,000.00, 2nd by Ms. Kavanagh. Vote: 4:0 in favor. Motion carried unanimously.

3. Affordable Housing Trust Fund - Application to the fund /creation and Preservation of Affordable Housing.
4. Affordable Housing Trust Fund - Application to fund a part-time Housing Coordinator

Town Administrator Powers notes that numbers 3 and 4 are repeats. The First one talks about seeking \$500,000.00 through CPC funding under the community housing bucket. This is a reoccurring article to fund the creation and preservation of affordable housing within the town of Harwich. It was previously endorsed by the Affordable Housing Trust Fund 4-0, the application continues with that effort going forward.

Ms. Anderson moved to approve the CPC application for Affordable Housing Trust Fund to fund creation and preservation of affordable housing in the amount of \$500,000.00, 2nd by Mr. Ballantine, Vote: 4:0 in favor. Motion carried unanimously.

Town administrator Powers continued regarding #4, a reoccurring application on behalf of the Affordable Housing Trust Fund. This is the part-time Housing Coordinator, the dollar amount has been consistent since 2018 however Administration is actively developing the job description that will come before the Board next week for the Board to endorse the actual Housing Coordinator. This is the first time in the 4 years with the funding where we would not be looking for a vendor to provide housing coordination but rather actually have a part-time Housing Coordinator in the town, supported by the town and employed by the Board and working with the Affordable Housing Trust Fund, the Housing Committee on their production plan and being the first point of contact on all matters for affordable housing.

Ms. Anderson moved to approve the CPC application for the Affordable Housing Trust Fund to fund a part-time Housing Coordinator in the amount of \$50,000.00, 2nd by Mr. Ballantine.
Vote: 4:0 in favor. Motion carried unanimously.

B. Town Administrator to update the Board of Selectmen on the Finding of the Facts for Show Cause Hearings that were held on July 8, 2021 and continued to July 23, 2021 and July 27, 2021 for Seal Pub and Perks

Town Administrator Powers reported that he is 95% complete. He says that in case anybody puts in a public records request, they are not ready. He will be presenting his Findings of Facts to the Board at the meeting on October 4th. He wanted an opportunity to give a courtesy notice to the establishment so that they're aware of his decision and the next steps for the Board to take it up at the hearing next week. It will go to the Board, then to the establishment and it'll be in the packet for next week.

C. Update from the Town Planner on the Request for Proposal for the Local Comprehensive Plan

Jonathan Idman Director of Planning and Community Development mentioned that he was developing an RFP for a consultant. There are approximately \$200,000.00 appropriated currently from Town Meeting. The RFP done by the former Town Planner wasn't as far along as he wanted it to be given what the town needs and wants from a Local Comprehensive Plan update. He is drafting the RFP for the consultant to work with Administration because of certain procurement issues. He expects to put that RFP out later in the fall. There is a memorandum in the packet. As much as the Planning Board is the entity in town under the Charter and under state law that would pass along an LCP update to Town Meeting for adoption. He expects the Selectmen would name a steering committee or a local planning committee to help the drafting process, the update process with the LCP. The Board would have to impanel a master plan committee or a local planning committee. He suggests making it as broad as possible including stakeholder and perspective and interest because that's what is needed in the LCP. He feels the local planning committee has to be independent of the Planning Board, it shouldn't just be the Select Board, and it shouldn't just be the Planning Board. The only limiting factor is that you want the committee to do the work that needs to be done.

Mr. Ballantine would like to have the Board have input into the makeup of that committee.

Ms. Kavanagh thinks the steering committee is important, not a large committee but one that incorporates representatives from each area without making it too large.

Ms. Anderson asked what particular background Mr. Idman thinks is helpful to that type of committee.

Mr. Idman replied they would want to look at the makeup of the entire committee and come up with people from broad backgrounds, not necessarily experts. People who have a long relationship with the town is enough criteria for one of the positions.

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Town Administrator Powers thanked Mr. Idman for keeping the process going. Empaneling the local planning committee is the most important thing that was just said. He recommends against committees as large as 11 but we should have an uneven number. You want people who are willing to dive into an issue of tremendous importance to the town. There needs to be a commitment of time and effort and people with advocacy points of view. We're talking about crafting our master plan for land use for the next decade. We don't need experts but people with varying degrees of perspective. The Board needs to have a broader discussion amongst themselves as to what they want that committee to be.

Mr. MacAskill will put this back on for the 12th, on the 4th we have Chloe's Path and a few other things.

Mr. Idman clarified that an advocate doesn't mean a zealot or someone who uses that position as a bully pulpit. That's the person you want to stay away from.

Town Administrator Powers clarified that advocacy to him means someone that is committed to the overall team goal.

OLD BUSINESS

A. Update on the Judah Eldredge property located on Seth Whitefield Road

Town Administrator Powers reported that he is still working with counsel on the Judah Eldredge property researching next best steps. He hopes to have an update to the Board when she is present for the discussion.

B. Discussion and possible vote on the results of the West Harwich Schoolhouse Request For Proposal

Town Administrator Powers referred to a memo that is in the packet. He and the Assistant Town Administrator were the Staff Committee that reviewed the RFP response from the Historic West Harwich Group Incorporated. The criterion was very clearly spelled out. His obligation as Chief Procurement Officer is to evaluate and grade on the criteria. The proposal does not rise to be a highly advantageous proposal for the town's benefit. He emphasized several of the rights that the town reserved. Even though he deemed their proposal to be not advantageous the Board could direct him to have conversations with the proposer to see if there's more information to fill in the blanks. #1 - The town reserves the explicit right to select a proposal which does not necessarily contain the highest price and or economic benefit to the town. What that says is that the town determined that there was a value greater than \$35,000.00 for that property and they relied upon the Assessor's property card to determine the value which is allowed under 30B. If the Board feels that price is not their main driver or that there is some benefit. Despite the fact that they didn't meet the criteria the Board could ascribe another value to that. #2 - The Board of Selectmen reserve the right to reject any and all proposals or to cancel the RFP. That one is very straight forward. #3 - As part of the evaluation process the town reserves the right to

conduct interviews with the proposers at either the initial evaluation or a finalist's state of evaluation process in order to assure a full understanding of the proposals.

Ms. Kavanagh commented that they understand the importance of historic buildings in town but in this particular item she would like to see them have an opportunity to address the things that are missing, to help build a stronger application to give them that chance.

Mr. Ballantine commented that he found the evaluation interesting because it seems to be based on someone coming to the party with a fully developed plan as they would as we would selling a private property. Their discussion has not been that with the 3 or 4 RFPs they have had on this with no buyers. If the information in last week's packet was correct, we're talking a million plus dollars to bring that up to speed. If the Board decides that building and that property is worthwhile then they should give the group a chance to come back and see how they can move this forward in a positive way before it is rejected. He feels they should go with #3, conversation.

Town Administrator Powers noted that on the second page of the memorandum he put that one of his concerns is that if the Board agreed to a sale price, we know that private group is going to rely on CPC applications. The town always has projects of the historic nature so we're contemplating being at cross purposes in the near future. The evaluation is done and there is a group interested in renovating for community use. The Board could scrap the proposal and the town may pursue the community preservation money. Does the town want to rid itself of that property and that building to give it to a private owner and let them do what they will for historic purposes or does the town wish to restore it to historic purposes? He states that he has been directed to look for revenue, we have a group that has \$20,000.00 in funds and the property is valued at \$35,000.00 to \$150,000.00. He would take \$20,000.00 for the town and call it even. His concern is that they are looking to get it from the town and then rely upon the town to fix it.

Mr. MacAskill stated that last week, they did list and even in the RFP several other organizations that they will apply for money. He was reluctant to start supporting this because he didn't want to see a building go for a dollar or \$35,000.00 wherever we end up. He can't support a dollar. This building was given to the town to sell and this is the first shot at sales. He would support #3 to have the conversation with the group and he has had several conversations with people for and against and he believes they have made some headway. He doesn't want to see another building get sold and the a million dollars of CPC money go into that building. It is worth having the conversation about where we're going to get to from a dollar. He would like to join the conversation if the Board is OK with it and he would like Administration to set up the most this meeting so they can have the conversations and then report back to the Board.

Ms. Anderson prefers #2. She is willing to have that meeting and listen but she is not excited about a building when she knows there are people that need places to live. You could put 4 rental units in there, \$800,000.00 to a million was the guesstimate. She suggested using CPC funds to keep the exterior an historic facade. She is also concerned that Brooks Academy is going to need more than the \$1.2 already committed.

Mr. MacAskill asked Board members if they would support #3. Mr. Ballantine, Ms. Kavanagh and Mr. MacAskill said they would Ms. Anderson would not. They have a consensus. He asked the applicant and Duncan Barry how much time they need to prepare everything to bring back to the Board.

Mr. Brophy commented that they have a building from 1871 and they have to act on it in x number of weeks. That is a short time slot for them particularly because one of the things they have been trying to encourage is essentially a joint venture. He has been asked to do a pitch to 2 of the organizations and he doesn't have a time set for them. He asked for 10-12 day to get something lined up and get to South Carolina and back with a letter of intent. They would want to see the property. He's hoping to be a player between the LLC and the town and somebody who is interested. He sees himself as the middle man.

Town Administrator Powers said he would match it up with 30B. He is not concerned about the time frame because the Board reserves the right to do this process. He wants to be sure we're dealing with an officer of the organization that proposed because under 30B the conversation has to be with the proposer, not with other agents.

Sally Urbano stated that she is the proposer for the group. They can come in 12 days or so because she answers to her Board and there are 2 out on vacation so that time would be helpful. She hears that they want to know more of the funding sources and a lot of the funding rounds begin now. She asked what more specifically they want in those categories.

Town Administrator Powers replied, that's a conversation for the evaluation discussion.

Mr. MacAskill suggested the week of the 18th and she can set it up with staff to have that conversation.

C. Discussion and possible vote to declare Willow Street surplus land

Town Administrator Powers stated that when he researched Willow Street he was able to find that the Board had reshaped the boundaries and done that agreement last year. He believes Willow Street was already declared to be surplus property and if that's the case, no further action needs to be taken. He asked that the Board reaffirm that.

Mr. Ballantine stated that they gave property around that for affordable housing but the deal was to keep the building as an historical structure.

Mr. MacAskill replied that this is a separate lot and has nothing to do with the Habitat project.

Town Administrator Powers added that there was a directive that it be disposed of for affordable housing purposes. That is broad enough that they could sell the end and use the proceeds for affordable housing purposes. The next step for him is to develop the RFP to try and sell it and redirect the proceeds. He will bring it back on the 12th.

Ms. Anderson moved to vote to declare Willow Street as surplus land, 2nd by Ms. Kavanagh. Vote 4:0 in favor. Motion carried unanimously

D. Discussion and possible vote - Next steps on disposition of 203 Bank Street

1. Make determination on abatement, remediation and demolition of building at 203 Bank Street
2. Make determination on Request for Proposal process

Town Administrator Powers notes that the Board to make a determination on the abatement, remediation and demolition of the building at 203 Bank Street. What the Board will be deciding is if demolition will proceed. Then the experts can talk about what the town's responsibilities are, if they demolish the buildings, what will be done with the known hazardous materials? First the Board needs to tell if we are going to demolish the building and what the obligations are if they decide to sell as is and go from there.

Mr. MacAskill suggests they not demolish the building, there is at least one organization interested in rehabbing that old Fire Station.

Ms. Anderson agrees, if there is somebody that wants the building why take it out of the equation?

Ms. Kavanagh is concerned about asbestos. Somebody wants to take on that expense and save the building but her concern is what the building would be used for that would not impact the conservation land.

Mr. MacAskill commented that the Harwich Fire Department is interested in purchasing the old Firehouse to use as a meeting hall or a place to put their old trucks.

Mr. Ballantine questions how much work has to be done there. He asked if it had been tested for asbestos or lead.

Town Administrator Powers replied that the answer is in the memorandum. In 2017 the town had a comprehensive evaluation of the building done. They performed sampling for a list of hazardous material that is present in some manor and degree. In 2019 there was a Capital Outlay Article of \$60,000.00 for the purpose of demolishing the building and using the property for parking. In the history of Town Meeting actions there are 4 parcels not just 203 Bank Street. The Board has a director from Town Meeting to dispose of all 4 parcels which leads to what we want the RFP to be. The DPW Director will talk to the cost of demolishing that building. We would have to put in the RFP that there are known hazardous materials and whether we have the right to foist that on the buyer, he does not know.

Mr. Ballantine commented that it's one thing to say we have hazardous waste there, it's a different issue to estimate what it would cost to remediate it. That is vital to know before we go forward.

Ms. Anderson moved to not tear down 203 Bank Street, 2nd by Ms. Kavanagh.

Ms. Kavanagh asked if we lose anything, risking any kind of use if we tear down the building.

Mr. Idman replied that zoning is broadly divided into uses and intensity of uses. It has always been a conforming use, a municipal use. It's allowed in every zoning district. It is currently split zoned between 2 residential districts. In terms of use he does not feel anything is lost. He is prepared to discuss how developable the land might be. There is a potential to divide it north/south. The build-ability depends on where the flood plain may be and wetlands jurisdiction. To the extent the former Fire Station remained there, there are certain materials that are better left untouched. The town might be in a better position with the type of materials that are there, not touching the building whatsoever.

Mr. MacAskill suggested the RFP be broad. They can always reject and do it again.

Vote 4:0 in favor. Motion carried unanimously.

Town Administrator Powers noted that our Town Planner made a fantastic statement. He as the Procurement Officer sees 4 parcels, our Planner sees a lot. He's looking to the Board to do an RFP that can encompass all the parcels but look for one use from the proposer. Meaning he hears 4 parcels and Bank Street and thinks we could probably make a lot of money. But that is not what he's hearing from our experts. You can't just look at that as 4 parcels, it could be 2 buildable lots or whatever the case may be. Next steps could be limited on what could be done there.

Mr. Idman added that residential uses are the primary or exclusive uses allowed. Nonprofit educational uses are also allowed in residential districts.

Mr. Ballantine asked in regard to the parcels and the building lot, if they influence each other.

Mr. Idman replied that this is why he thinks they are 1 lot. A theory under zoning called merger meaning you start with small lots, zoning intensifies, lot sizes increase over time and abutting parcels as a matter of law are assumed to be joined together to best meet the zoning then in place. Over time 3 of the parcels have been used together, the building, driveways, parking effectively used as 1 lot. There is a strange shaped parcel that looks like and at one time was a road. Town Meeting ended up taking it as a parcel. You could get 2 lots out of there but conservatively it's treated as one building lot.

Ms. Anderson asked with 2 lots, could the Fire Station could stay intact and there would be a 2nd lot that could be sold.

Mr. Idman replied the 2 lot proposal is a maybe, he would have to look into that. Minimum lot size is 40,000 square feet. The question would be if it's divided, could the southerly lot be built on with the wetlands and flood plain areas. From a land use or real estate perspective he would ensure that whatever the Board does that it retains an express easement to get to the town's land which is behind to the east of the Fire Station property.

Town Administrator Powers had commented that they could rely on the Assessor's property cards to understand the value of the property. Given some the comments made about potential reuses, he may want to contemplate doing a separate appraisal that brings into consideration all the facts that the property cards do not. Before the RFP we would want to lock down the value of that land so it can be articulated within the RFP.

TOWN ADMINISTRATOR'S REPORT

Town Administrator Powers reported that there is going to be a wonderful event, welcoming in new Fire Fighters off probation and honoring Fire Fighters that have done great deeds. That will take place this Friday at 8:00, October 1st at the Peterson Fire House Complex. Also related to the Fire Department, going back to this year's Annual Town Meeting Article 18, the Fire Chief was the lead on upgrading public safety radios. We have just executed a contract with Motorola Solutions for \$32,616.55 to get those radios on line.

SELECTMEN'S REPORT

No reports

Ms. Kavanagh moved to adjourn, 2nd by Ms. Anderson. Vote 4:0 in favor. Motion carried unanimously.

Respectfully submitted.

Judith R. Moldstad
Recording Secretary

