Town of Harwich

Real Estate & Open Space (REOS) Committee

Regular Meeting Minutes

December 15, 2017

Members Present: Kathy Green (Chair), John Preston, Elaine Shovlin, David Callaghan, Carol Porter, and Marcia Thorngate-Smith. Absent: Robert Thomas. Guests: Amy

Usowski, Art Bodin, Liz Dubuque, and Jim Cheverie.

Regular Session began at 8:55 AM.

Approval of Minutes: The REOS Committee approved the minutes of November 17, 2017.

**OLD BUSINESS**

**Judah Eldredge Property Off Hawksnest Rd.**

Amy distributed a legal opinion (that she just received on the way into the meeting) regarding how the town would handle exercising eminent domain and payment of back taxes by the town on a property. It was a long letter and we agreed the it requires interpretation by a lawyer to fully understand what it is telling us.

Kathy reviewed facts that we did not know prior to our past vote. Chris Clark disclosed that the town would not have to pay the difference between the back taxes of $369,000 and the appraised value. Other possible sources of funding include applying for a land grant from the state for up to one half of the purchase price, and that there may be Free Cash available.

Kathy and Dave attended a recent BOS executive committee session to discuss the REOS committee’s decision to not support the Judah Eldredge property. She also spoke before the CPC to state for the record the REOS decision to not support. A timeline on the Judah Eldredge property was produced for the CPC and our committee along with a fact sheet.

Kathy asked if any of the Committee members would like to make a motion to reconsider the vote made on October 20thth to not support the application to CPC for the property known as the Judah Eldredge property off Hawksnest Rd. No one moved to discuss the motion further. The discussion was ended.

**BOS Executive Meeting**

Kathy also said BOS discussed use of the $50,000 voted at the Town Meeting in the past to research owners unknown for selected properties and our request to use some of the funds for the property to the west of Little Shaver Lane. The BOS did not understand how the fund was intended to be used and the background on the fund was reviewed. Our request was tabled while more information is gathered. We need to get their support to move forward and we discussed how it is difficult when we do not know what their future plans mght be.

We discussed how to be more proactive in considering other properties by once again contacting town departments including water, recreation, the town planner, cemetery, housing and conservation. Art Bodin said he is looking at what to do in the future regarding the Housing Committee.

**Property off Queen Anne Rd (the Sandpit)**

The Board of Appeals continued the cease and desist order indefinitely on mining at the property because the owner did not renew the 3-year permit after 1973. Mr. Daluze may apply for adverse possession of the property in Land Court since he can show that he has continued to work on the land since 1973. That would require expensive legal work and he may or may not do it.

**Other**

**Jim Cheverie asked what our other priorities were contending with supporting the Judah Eldredge Property. Kathy replied that we saw no threat of development on the property and that we have an application before the CPC for the Ovaska (aka Cornelius Pond Woodland Project) this year. Jim said his main goal is to avoid municipal use of the property and he is not opposed to other development of the property.**

**Next Meeting**: We will meet again on January 19, 2018 with a walk of the property next to Little Shaver Lane before the meeting.

Respectfully Submitted

John Preston, REOS Clerk