

Memorandum

From: Community Preservation Committee
Re: Special Town Meeting CPC Article
Date: Monday, April 19, 2004
To: Attorney Kathleen O'Donnell, Kopelman and Paige, P.C.
CC: Board of Selectmen, Finance & Advisory Committee and the
Town Managers Office

Please review the tentative language for the proposed Special Town Meeting Community Preservation Article.

ARTICLE: To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, or other wise, for open space purposes under the Community Preservation Program, on a 82.39 acres parcel of land in the Town of Plymouth, as shown on Assessors Map 65 as Lots 11A, 11B, 11C, 11D, and 15A, also Lot 8 on Assessor's Map 65 and Lot 4B on Assessor's Map 68, and as funding there for to raise and appropriate, transfer from available funds, transfer from the Community Preservation Fund, and/or borrow the sum of one million dollars more or less pursuant to G.L. c44B or any other general or special law for said acquisition, and to authorize the treasure with the approval of the Board of Selectmen to issue any bonds or notes that may be necessary for the purpose, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

Memorandum

From: Community Preservation Committee
Re: 82.39 acres off ship Pond Road
Date: April 16, 2004
To: Board of Selectmen and the Advisory & Finance Committee

On Thursday, February 12th, 2004, The Community Preservation Committee (CPC) voted to recommend to Spring Town Meeting, Article 16a. On Thursday, April 1, 2004 the CPC voted to withdraw Article 16a under the advice of its legal counsel. The language of the Article and the understanding of the CPC and the representatives of the Talcott property were not consistent. The CPC pursued the possibility of amending Article 16a to correct the language to reflect what the CPC and the representatives of the Talcott property were comfortable with. The CPC was advised by its legal counsel that Article 16a could not be amended without going outside the scope of the Article. Working to keep Article 16a in the confines of Spring Town Meeting was an attempt by the CPC to keep the cost of the acquisition down. The CPC's request for a special Town Meeting is also an attempt to keep the cost of the acquisition down. Currently the Mr. Talcott's representatives have a contingency agreement with The Trust for Preservation Land (TPL), which intends to purchase the property at 1.1 million dollars. The intention of TPL is to sell it back to the Town at 1.1 million dollars. The added cost is the overhead of the TPL for acting as the holder of the property until the Town Meeting can make a decision on this recommendation. The Town can avoid this added cost if we can make the acquisition this spring to meet the time frame of Mr. Talcott's need to sell the property. On Thursday April 8, 2004, The Community Preservation Committee voted to recommend a request of the Board of Selectmen to open the Town Warrant for a special Town Meeting and place a new Article for the Talcott acquisition. This article would designate one million dollars from the open space account for the acquisition of the Talcott property on Ship Pond Road. The property was appraised in October of 2002 for 1,350,000.00; the owners have agreed to sell the 82.39 acres to the Town of Plymouth at a bargain sale price of one million dollars. The Open Space Committee, The Lands Use and Acquisition Committee and the Department of Planning and Development view this parcel as ecologically significant and critical in connecting Myles Standish Forest to Ellisville Harbor have identified the Talcott property. This property was originally earmarked for acquisition from the Challenge Grant Funds. We have been notified by our State Delegation that the Challenge Grant monies will not be available this year because of budget constraints; the State has provided funds this year to do the title work and has indicated that either next fiscal year or the year following; the 1.9 million dollar challenge grant will be available. It is important to note that the Talcott property has been a priority acquisition for the Town of Plymouth for the past three years. Since the last appraisal in 2002, the value on this land has increased substantially, and the actual value is greater than the \$1,350,000.00. The committee feels that the structure of this acquisition is in the best interest of the Town and we would hope that the board would support the Community Preservation Committee's recommendation.

MEMORANDUM

TO: Board of Selectmen
FROM: Open Space Committee
RE: Priority Lands for Acquisition
DATE: January 7, 2002

Cc: Planning Board, Conservation Commission

Chairman Tavares and Selectmen,

The Plymouth Open Space Committee, in anticipation of receiving the remaining funds – roughly \$1.9 million – under the “Plymouth Challenge Grant” from the Executive Office of Environmental Affairs (EOEA) makes the following recommendation to guide the Board’s decision-making process on the expenditure of new open space funds for Plymouth. It should be noted that the Open Space Committee has discussed numerous properties around Town and feel that these recommended lands most closely mesh with a series of planning goals that the Town has set forth.

The recommended land is best described as land that provides a critical linkage between privately and publicly held open space in the Long Pond area to Town owned properties around the Briggs Reservoir. These lands were identified as a “Primary Corridor” in the November 1999 “*Open Space Corridor Plan*” prepared by ENSR. The Town commissioned that report to provide this type of planning context to the acquisition of open space. Town planning staff have been instrumental in aiding the Open Space Committee in resolving these lands as a priority.

The targeted land includes and abuts Town owned (Brigg’s parcels), county owned and privately held (Wildlands Trust’s Emery Preserve) open space. The Open Space Committee and Town planning staff are certain that willing sellers – supportive of open space – exist in this area. Therefore, these properties seem ideal for the application of open space challenge funding.

Additionally, the Town’s own “*Economic Development and Cost of Community Services Study*” (RKG Associates, Inc., October 2001) recommends “Publicly purchasing “strategic” open space parcels...where such purchases can help to significantly reduce the Town’s overall build out and reduce the rate of growth that would otherwise occur in the short term” (Page V-30). The recommended parcels are strategic in that they meet a number of ancillary planning goals and connect a series of adjacent open spaces.

Lastly, the indicated priority area is within the “Unprotected Core Habitat Area” of EOEA’s Biomap Project. Core habitat consists of the most viable habitat for rare plants and animals. This fact should help to ensure a supportive posture from the Secretary of EOEA in this acquisition. The Open Space Committee will continue to work to identify strategic properties for acquisition by the Town. We look forward to working with the Board on this and other exciting open space issues.