

Draft minutes of CPA ~~committee~~ Committee meeting Meeting, August 15, 2011

~~present~~Present: Janet Chayes (Chair), Eve Endicott, Martha Conant, Malcolm Corse, David Barten.

The meeting began at 3:00 pm in the common room of the Town Hall.

Item 1. Review of minutes

~~Janet asked the members to review the~~Draft -minutes from the meetings of April 26 and August 1 were reviewed. Corrections and amendments were made and then both sets were accepted by unanimous votes. Janet will send copies to Tom S. and Ginny K. David will place copies in the CPA record book in the Town Office.

Item 2. Special Town meeting

Eve at Janet's request had written a draft article about the purchase of -land along Shelburne Falls Road, -these being the two lots owned by Marjorie Love and Randy and Vanessa Williams. The draft statement included the basic request that the Town authorize the Selectmen to expend up to \$140,000 of CPA funds to purchase (at a price not to exceed fair market value and associated costs) and thereby preserve these two parcels of land, which together total 7.~~21~~3 acres. The Selectmen, in addition, would be authorized to resell ~~or convey~~ or rent these lots and/or interests* for a price not less than-not to exceed** their fair market agricultural and open space value.

Comments on edits above:

* I had put the language re "convey" and "interests" in case the town wanted to reserve rights for recreation or the like and they needed to be conveyed to the Cons. Comm, but I think those rights could be reserved and that this is too confusing to put in here.

**any conveyance from the Town couldn't be for less than fair market value (which "not to exceed implies)—it could be for more.

Eve pictured two additional scenarios: the Selectmen would be authorized to purchase with CPA funds a Conservation Restriction (CR) -at fair market value, or to use CPA funds to support purchase by the Commonwealth of an APR on the two properties.

The draft statement also showed the possible role of the Franklin Land Trust in these three scenarios: FLT purchases property and sells it to Town outright, then Town sells subject to CR to farmer pursuant to competitive bidding; FLT purchases property and sells CR to the Town, then sells land to current farmer; FLT purchases and sells APR to the State, with matching funds provided by the Town, then sells land to current farmer.

In presenting this draft Eve was making the Committee aware that it had to make some basic decisions about course of action before the article could be written. In the discussion that followed, Eve said that she had learned from the FLT that the P+S agreements with the two land owners had been extended to September 30th, thus allowing more time for details about the deal to be finalized. It was also decided that given the time needed for T. Spiro and G. Knowlton to arrange for a Special Town Meeting, that when Committee members meet with the Select Board on August 22 with an article in hand, they propose a date of September 19th for the meeting.

The discussion then focused on information needed to help finalize the article and determine the course of action needed to get it passed:

1. Janet wanted to know what other articles would appear on the warrant. David is to ask T. Spiro;
2. As for an application to the CPC for funds, it was mentioned that Emily Boss laine at the FLT was working on it. Hopefully, she will have it done by Friday, August 19th. Eve will talk to her about this.
3. Rich Hubbard needs to firm up cost estimates and get these to the Committee.
4. Janet was authorized by a motion made and seconded and then unanimously voted by the Committee to use monies from the CPC's administrative account to talk with the Town's lawyer about the wording -in an article, and

additionally to hire an appraiser to make a formal appraisal of the Love and Williams properties, and to present his determination in a formal report.

The discussion then turned to the question of whether a public hearing was needed before the Special Town Meeting to publicize the proposed land transaction and to hear comment from Town residents. Janet thought not, that the informal pre-Town meeting, which is now a regular happening organized by concerned residents with its question and answer [format,format](#) would be sufficient.

Item 3. Historic Society and sign

As mentioned in the April 26th minutes, Martha had been asked to speak with Phil Kantor, President of the Conway Historic Society, and express the CPC's concern that the sign the Society had erected indicating that CPA funds had been used to pay for the dampness abatement project in the basement, should be permanent, not temporary as it was. ~~Martha had that discussion and believes the Historic Society is considering the placing of a permanent sign on the outside of the building, appropriate in size and design to that historic property. Phil had responded in a letter to Janet in which he acknowledged on behalf of the Society's Trustees the CPC's help and the need to make its use of CPA funds known. But he did not think that a metal sign attached permanently either to the outside of the building or the interior, as proposed, was appropriate, for this would suggest a permanent connection to the CPC, or a State body, which the CHS as a private non-profit organization did not have. The Society having accepted public funds and having also accepted the conditions attached by the CPC to the use of those funds, and having put a temporary sign outside its building indicating CPA funds had been used to help the Society, believes these are the only strings it can accept, the necessity being to keep private and public sectors separate.~~

After a brief discussion, there was no further attention given the matter.

Item 4. It was decided that another meeting was needed at 3:00 p.m. , Monday, August 22nd, to learn if new information might have a bearing on the article, which will have to be finalized at the meeting.

The meeting ended at 4:30 pm.

Respectfully submitted,

David Barten, secretary