

# Groton Community Preservation Committee

## Minutes of Public Meeting of April 5, 2011

**Location:** Town Hall

**Time:** 7:30 PM

**Members Present:** Mike Roberts, Carolyn Perkins (Chair), Dan Emerson, Richard Hewitt, Robert DeGroot (Secretary), Bruce Easom (Treasurer), Jon Strauss (Vice-Chair)

**Guests:** Bonnie Carter, Jon Ott, Mark Haddad, Fran Dillon, Robert France, Stuart Schulman, Josh Degen

Ms. Perkins called the meeting to order at 7:30.

### 1. Boutwell House – Bonnie Carter

Ms. Perkins suggested a change to the agenda to allow the Boutwell deed restriction to go ahead of the Housing Trust reconsideration. This way the Historic Society wouldn't have to sit through Housing Trust deliberation, which was anticipated to be a bit lengthier.

Mr. Ott presented for the Historic Society and stated that a Deed Restriction has been drafted and voted on. The deed restriction was reviewed by the CPC and the following vote was taken:

Mr. Easom moved that the Community Preservation Committee recommend to Town Meeting, Project 2012-08 The Groton Historic Society Boutwell application in the amount of \$176,525 with \$159,025 from the Historic reserves and \$17,500 from the unallocated reserves. Mr. Roberts seconded and the vote was unanimous in favor.

### 2. Reconsideration of Housing Trust Fund- FY2012

Ms. Perkins began by stating that this meeting is part of the deliberation process and not open to everyone. Public input and the opportunity to vote will be at Town Meeting.

Mr. Strauss started by reading an e-mail that he sent to the CPC because he wanted to enter it into public record.

Mr. Easom then mentioned he would like this meeting to be public, and would like to hear from all interested parties. The consensus of the Community Preservation Committee was in agreement.

The first order of business was to determine if the CPC would reconsider the rejection of the Housing Trust Fund application. The following vote was taken:

*Mr. Hewitt moved to reconsider the rejection of the Housing Trust Fund –FY2012 project 2012-01. Mr. Roberts seconded. The motion carried by majority vote with Mr. Hewitt, Mr. Emerson, Mr. Roberts, Ms. Perkins and Mr. Easom in favor. Mr. Strauss and Mr. DeGroot were opposed.*

Mr. Strauss read an opening statement on why this project should not be considered. In his opinion the applicant was aware of the deadlines and due process which was not followed. All applicants should be held to the same standard.

Ms. Perkins asked for each members input.

Mr. Hewitt – Mr. Hewitt did not want this project delayed based on procedure. It's a worthy application that will kick start the economic viability of the Town Center.

Mr. Emerson – Mr. Emerson read a letter out loud that he had recently sent to Ms. Perkins. He stated that it is part of the CPC's mission to be advocates to the applicant and to ensure quality communication. Part of the responsibility for not receiving what was expected was that we were not clear in our expectations. Mr. Emerson felt strongly that based on this fact it would be unjust not to reconsider. He also stated that our procedure should be reviewed and clarified for next year.

Mr. Roberts – Mr. Roberts believes we have not been very successful in getting applicants to read the Community Preservation Plan. Mr. Roberts cited the Town Clerk's denial over not having a management plan. In his opinion there should have been some flexibility in that situation as with this one. This is a procedure we created and we have to continue to perfect it by experience. Our main goal is to present the best possible applications to Town Meeting.

Mr. Easom – Mr. Easom stated he has zero tolerance for applicants that do not follow the correct procedure outlined in the CPP. He would be very reluctant to recommend an applicant to Town Meeting who could not follow the CPP instructions. That being said he does not believe this should be an infallible process. There should be a way that an applicant could ask for reconsideration. The applicant would have to make a compelling case based on inequity.

Ms. Perkins – Ms. Perkins was in support. In her opinion not all members were present at the Public Hearing where some of the questions were answered verbally. It was never asked for them to supply this information in writing so the applicant may have believed they were compliant. Ms. Perkins believes this Committee is still relatively new and needs to keep perfecting this process.

A brief discussion took place on Roberts Rules concerning vote reconsideration. Mr. Strauss had concerns that Roberts Rules prohibits Committees from reconsidering their votes. Ms. Perkins had a copy of Roberts Rules and read the section which clarified the situations in which it is allowed.

At this time the applicant was asked to speak and plead their case.

Stuart Schulman, Selectman and Housing Trust member spoke that he had attended 3 Community Preservation meetings, which purpose was to outline to the applicant what is lacking and expected of their application. In his opinion everything that was requested was given. Some of the information was given orally and they believed this to be sufficient because they were never directed to supply them in writing. As other applicants were given a grace period, he would like to be given the same treatment and opportunity to remedy the situation.

Mr. Haddad, Town Manager, began by reviewing two of the pieces of information that were the basis of the Housing Trust's application being denied. They were no written consent from the property owner and written approval from the Groton Historical Commission. A letter was supplied to the CPC from William Marshall, President of the North Middlesex Bank which acknowledged their involvement and cooperation with The Town and Mt. Laurel Development, LLC on the 134 Main St. property. The second document was a letter of support from the Groton Historic Commission. Mr. Haddad stated that that Mr. Marshall was present at the Public Hearing and thought it was known that his presence was one of support for the project, and was unaware that this support was supposed to be in writing. It was also mentioned that at the meeting Mr. Haddad attended with the Groton Historic Commission to obtain their support, there wasn't a quorum and their next scheduled meeting was after the final application deadline. As for the financial viability, Town Counsel is in the process of reviewing this project and once complete this information will be forwarded to the CPC.

George Wheatley of 16 West Main Street, who is a member of the Groton Historic Commission, wanted it to be known that although the Historic Commission approves of this project, he does not.

Karen Corey of 150 Main Street stated that the application process was very clear and by making exceptions, the Board sacrifices its integrity.

Mr. Degen, Selectmen and Affordable House member had the following to add. It is sometimes hard for a Committee charged with money to be clear and the process is often times cumbersome. In this situation the Housing Coordinator left midway to take another position in a different state. The Community Preservation Committee had their public hearing, the same night as the Selectmen's meeting therefore none could attend. There was no control in the Historic Commission sending their letter of support late. Mr. Degen also stressed that these are Town funds and there have been very few housing applications in the history of the CPC. This is a great opportunity that allows for better control than if purchased as a 40B site. This will be a mixed use project which will stimulate economic viability and there is an opportunity to get back all the invested money to reinvest in another housing project. It's the perfect opportunity.

Ms. Perkins read a letter that Selectman Peter Cunningham wanted read into the record.

Mike Rasmussen of 711 Chicopee Row gave some background of this project. He had gone to the President of North Middlesex bank and asked if he could put together a team to do a mixed use project at the 134 Main Street location. It would be Groton focused and in line with the general character of the Town. He approached Bob France, a local builder and resident and got him on board. In the mean time Mr. Haddad had gotten in touch with North Middlesex and shared his interest and ideas for the 134 Main Street property. He was told there was already an interested team put together and contact information was exchanged.

More conversation followed concerning the timeline, who the second investor is, accountability, concern that the money may not come back to the Town and why the Town is providing 50% of the money and only having a 33% interest.

The response was that the Housing Trust was assuming no liability. The major liability was being taken by Mr. France. This is why the Town has only a 33% interest. If they wanted to assume more of the risk they would have a higher percent interest.

After all questions were answered and deliberations were made, the following votes were taken:

*Mr. Roberts moved to deem the Housing Trust Application 2012-01 eligible. Mr. Emerson seconded. The motion passed by majority vote with Mr. DeGroot, Ms. Perkins, Mr. Roberts, Mr. Emerson and Mr. Hewitt in favor and Mr. Easom and Mr. Strauss opposed.*

*Mr. Emerson moved to recommend project 2012-01 Housing Trust Fund-FY12 to Town Meeting for vote in the amount of \$412,000 from the housing bin. Mr. Hewitt seconded. The motion passed by majority vote with Ms. Perkins, Mr. Emerson, Mr. Hewitt, Mr. Roberts and Mr. DeGroot in favor and Mr. Strauss and Mr. Easom opposed.*

At 9:45 a small break was taken and Ms. Perkins left with Mr. Strauss taking over the remainder of the meeting.

### **3. Minutes**

Mr. Emerson moved to accept the minutes of February 7, 2011 as drafted. Mr. Roberts seconded and the vote was unanimous in favor.

Mr. Roberts moved to accept the minutes of February 22, 2011 as drafted. Mr. Emerson seconded and the vote was unanimous in favor.

Mr. Roberts moved to accept the minutes of March 1, 2011 as drafted. Mr. Emerson seconded and the vote was unanimous in favor.

Mr. Emerson moved to accept the minutes of March 21, 2011 as drafted. Mr. Roberts seconded and the vote was unanimous in favor.

#### **4. New Business**

The next Scheduled meeting which would be the third Monday of the month was set for April 18<sup>th</sup> which would be Patriots Day. Mr. Strauss asked the Committee if we could move it to Tuesday April 19<sup>th</sup> at 7:30 and the majority were in agreement.

#### **5. Closing**

Mr. Easom moved to adjourn the meeting. Mr. Roberts seconded. All were in favor and the meeting adjourned at 10:10 PM.

Respectfully Submitted by,  
Kathy Miller