

Town Meeting Article 14 – Community Preservation Committee (“CPC”).

Items 1 through 4. Appropriations for Fiscal 2011 Reserves. The Community Preservation Act (“CPA” or the “Act”) requires that at least 30% of CPA revenues be expended, or reserved annually, for open space, historical purposes, and community housing, 10% for each of these three categories. The remaining 70% of CPA funds may be expended as (i) additional funds within those categories, (ii) for CPC administrative expenses, and (iii) for certain allowed recreational purposes. Up to 5% of total CPA revenues annually may be reserved for payment of administrative expenses of the CPC, with any unexpended balance in each year returned to the CPA general fund. In order to ensure that the CPC meets these mandatory funding requirements and complies with the Community Preservation Act, the Committee appropriates the minimum required reserve amounts as part of its annual appropriation, and then expends the funds from those reserves. This method ensures that in the event any particular funding recommendation in a required category does not pass at Town Meeting, the Town and the CPC are still in compliance with the funding requirements under the CPA. The appropriations for reserves for these purposes from Fiscal 2011 Estimated Revenues are computed as follows.

Estimated 2011 CPC Surcharge – Scituate	\$1,000,000
Estimated State Matching Funds	<u>\$ 280,000</u>
Total Estimated Revenue-Fiscal 2011	<u>\$1,280,000</u>

Appropriation to Reserves from FY 2011 Revenues:

Item 1. Open Space	\$ 128,000
Item 2. Historical	\$ 128,000
Item 3. Community Housing	\$ 128,000
Item 4. CPC Administrative Expenses	\$ 64,000

5. Wheelwright Property Acquisition – \$814,200. The Scituate CPC has voted to recommend acquisition of approximately 47.6 acres of undeveloped, open space land north and east of the Bates Lane “T” and bordering Cohasset from the Wheelwright Family Realty Trust for \$809,200, with an additional sum of up to \$5,000 also provided for the cost of appraisal, legal fees for closing expenses, and the drafting and recording requirement for conservation easements. The CPC voted to acquire the property for the lesser of \$17,000 per acre or, its fair market value as determined by independent appraisal and survey to be contracted by the CPC. The land to be acquired represents three parcels bordering existing conservation property, and has some beautiful sections and old stonewalls. It is almost entirely upland, heavily wooded, with a nice trail which connects to the existing Carl Pipes Memorial Trail. It is adjacent to other conservation property in the so-called West End of Scituate, and is accessible from Bates Lane as well as Indian Wind Drive. This open space acquisition will preserve quality open space and extend the local trail system for recreational hiking. This parcel meets Community Preservation goals for open space by protecting a high-grade wildlife habitat and by providing land for passive recreational purposes. This important land purchase will augment the largest

remaining unfragmented forest in Scituate and provide additional water resource protection. The CPC believes that the price of \$17,000 per acre is very reasonable, but has also limited its approval to the fair market value of the property, if for any reason it is less. The applicant has further agreed, assuming Town Meeting approval, to defer payment pending a possible grant application under an existing and funded state grant program, which if successful, would cover up to approximately one-half of the land acquisition costs. This project is not expected to require the Town to incur any material future operating or maintenance expense.

6. Bjorklund Property Acquisition – \$128,350. The Scituate CPC has voted to recommend the acquisition of approximately 7.55 acres of undeveloped open space land east of Bates Lane and west of Route 3A from Mr. J. Stephen Bjorklund for a sum not to exceed \$128,350. The CPC voted to acquire the property for the lesser of \$17,000 per acre or, its fair market value as determined by independent appraisal and survey to be contracted by the CPC. The land to be acquired is an attractive parcel consisting almost entirely of upland. The parcel is heavily wooded with an existing nice trail that connects to the Carl Pipes Memorial Trail. It is adjacent to other conservation property in the so-called West End, and is also accessible from Route 3A. This open space acquisition will preserve quality open space and extend the local trail system for recreational hiking. This parcel meets Community Preservation goals for open space by protecting wildlife habitat and by providing land for passive recreation. The CPC believes that the price of \$17,000 per acre is very reasonable, but has also limited its approval to the fair market value of the property, if for any reason it is less. The applicant has further agreed, assuming Town Meeting approval, to defer payment pending a possible grant application under an existing and funded state grant program, which if successful, would cover up to approximately one-half of the land acquisition costs. This project is not expected to require the Town to incur any material future operating or maintenance expense.
7. Mirarchi Family Property Acquisition – \$35,000. The Scituate CPC has voted to recommend the acquisition of approximately 5 acres of undeveloped open space land with substantial direct frontage on the Scituate Reservoir, with Country Way to the east. This property is located just south of Steverman Farm, with a common boundary. The CPC voted to acquire the property for the lesser of \$35,000 or, its fair market value as determined by independent appraisal to be contracted by the CPC. The land under consideration is mostly wetland, but with significant frontage on Scituate's main potable water supply. It is also a wildlife habitat, supporting various forms of wildlife. Due to the fact that the property consists largely of wetlands with no real buildable area, the Mirarchi Family has agreed to offer the property for purchase via its application with the CPC for substantially less than the \$17,000 per acre that the Town has typically paid for other recommended land acquisitions.
8. The CPC has solicited input from other Town boards regarding this wetland resource, and this parcel has been highly rated for acquisition by the Scituate Water Resources Committee, receiving a score of 41 out of a possible 47 points. It has also been recommended for acquisition by the Conservation Commission. The property meets Community Preservation goals for open space by protecting a critical water resource and

protecting wildlife habitat. This project is not expected to require the Town to incur any material future operating or maintenance expense.

9. Bates House Acquisition - \$350,000. The CPC has voted to recommend the expenditure of up to \$350,000 for the acquisition of the “Bates House.” The Bates House is being offered for purchase subject to a life estate to Mrs. Twomey, as more fully explained below. The Bates House is located at 6 Jericho Road with breathtaking views of Scituate Harbor, and is currently owned by Mrs. Yvonne Twomey. The Scituate Historical Society is the applicant, and it has been instrumental in working with Mrs. Twomey regarding the opportunity to acquire this historic property. There is a pending application nominating the Bates House to the National Register of Historic Places, and the property appears to meet the criteria for such listing. The Bates House is believed to have been constructed between 1665 and 1696. The property is most well known for its linkage to the story of the Bates sisters, “An American Army of Two.” According to that story, during the war of 1812, the Bates sisters successfully repelled several landing boats full of British soldiers, by concealing themselves and playing Yankee Doodle on a fife and drum, allegedly leading the soldiers to believe opposing forces awaited their landing.

The current assessed value of the property is \$473,900, and an independent appraisal will be contracted by the CPC. Real estate professionals not engaged by the CPC have indicated their view of an appraised value of \$550,000, however the CPC will conduct its own independent appraisal, which will factor in the value of the life estate being retained by Mrs. Twomey. The CPC has voted to recommend the lesser of \$350,000 or the fair market value of the property as a result of that appraisal.

The life estate reserved to Mrs. Twomey will essentially provide that Mrs. Twomey will be allowed to reside in the property for the rest of her natural life. Mrs. Twomey will be responsible for all of the normal operating, repair and maintenance cost during such tenancy but not for capital repairs. Based on review by members of the Historical Commission, the Bates House appears to be in excellent condition with no current need for capital expenditures. The Scituate Historical Society has committed to provide an initial capital maintenance fund of \$25,000. Future capital expenditures would be paid from this maintenance fund. Further, once the owner’s life estate has ended, the Historical Society will manage the property and operate it as a rental property, much like the current Scituate Lighthouse. Rental income from the property will then be available for all normal and capital operating expenses.

It is an express condition of Mrs. Twomey’s agreement to convey the property, that the Town authorize the Scituate Historical Society to manage and administer the property. The Historical Society currently maintains the Scituate Light house, the Mann House, and the Lawson Tower. The project meets the goals of the Community Preservation Act and the CPC by providing for the protection of a significant historical resource. Provided that the property is managed by the Scituate Historical Society in a manner consistent with other properties referenced above, this project is not expected to require the Town to incur any material future operating or maintenance expense.

10. First Baptist Church National Register Nomination - \$5,000. The CPC has voted to recommend a request for funding of up to \$5,000 to engage necessary services to apply for the nomination of the First Baptist Church to the National Register of Historic Places. A PAL-Form B has been completed confirming that the First Baptist Church, which dates back prior to 1869, qualifies for nomination under multiple National Register criteria including recognizing the contribution that the Baptist Society and the Church has had on Scituate's history. Based upon the PAL-Form B, the project meets the criteria and qualifies under the Historical Criteria of CPC. This project is not expected to require the Town to incur any material future operating or maintenance expense.
11. First Baptist Church Historical Records Preservation - \$8,000. The CPC has voted to recommend a funding request for up to \$8,000 to preserve historical documents that relate to the history of the members and operation of the historical First Baptist Church and by extension to Scituate's history. The CPC has required that the documents be reviewed by a professional conservator at a funding amount not to exceed \$1,000, and the results reported back to CPC. Subject to those recommendations and CPC concurrence, the balance of the funding will become available for expenditure. Once the records are preserved, the First Baptist Church has agreed that they will be placed in the care and custody of the Town Archivist in a secure and climate-controlled area, subject to the rights of the First Baptist Church to have reasonable access to the records. The project meets the goals of Historical Preservation under the Community Preservation Act by providing assistance in the preservation of significant historical resources. This project is not expected to require the Town to incur any material future operating or maintenance expense.
12. Records Preservation of Scituate Archives – \$25,000. The CPC has voted to recommend the approval of \$25,000.00 for the completion of the Scituate Town Archive project. The project represents the final phase of a multi-year proposal for a total of \$125,000 in archival work, which has been ongoing and is being completed in progressive phases by the Town Clerk's office. The current year's funding request is for the final phase of \$25,000. Phases totaling \$100,000 have been previously approved by Town Meeting. In this phase of work, the monies requested will be invested in improved security to archival documents, improving the physical environment in which these materials are stored, and any final details regarding additional records preservation activities under the original project. The overall Archival Records Preservation project was for funding to improve the storage, restoration and preservation of municipal records for the Town of Scituate. The project meets the goals of the Historical Preservation under the Community Preservation Act by preserving valuable Town records statutorily required to be stored and maintained by the Town of Scituate. This project is not expected to require the Town to incur any material future operating or maintenance expense, and in fact, actually assists the Town Clerk in meeting obligations to preserve these records, which would otherwise be a Town expense.
13. The Harborwalk - \$220,000. The CPC has voted to recommend a funding request in the amount of \$220,000 based on an application by the Town of Scituate Harbormaster. The

applicant has secured an additional \$20,000 in private donations for this proposed project. The Harborwalk Project consists of the design and construction of a promenade along Scituate Harbor at the southerly edge of Cole Parkway from Front Street to the Lucien Rousseau Landing/Bandstand area. The project will complete a trail system which provides access for both walkers and cyclists from the Greenbush area along the Driftway and Kent Street, and ultimately into Scituate Harbor. The project has received the resounding endorsement of the Planning Board, Conservation Commission, Recreation Commission, Historic Society and Waterways Commission. Further, the Planning Board has stated that the project is consistent with the Town's Master Plan and the Harbor Access Plan. The project meets the Community Preservation Act criteria by providing open space for passive recreational activities. The project will also provide interpretive signage along the Harborwalk detailing the important people, places, and events occurring in the history of this area of Scituate. This project is not expected to require the Town to incur any material future operating or maintenance expense, and may defray some future expense by providing for the stabilization of a portion of Scituate Harbor embankment required to complete the project.