

TOWN OF WENHAM

Board of Selectmen  
Lakeview Public Hearing Minutes of January 19, 2016  
Bessie Buker School, School Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Board members, a meeting of the Board of Selectmen (BOS) was held on TUESDAY, January 19, 2016 at 7 pm in the Multi Purpose Room

**WELCOME: CALL TO ORDER**

With a quorum present, Ms. Harrison called the Board of Selectmen (BOS) meeting to order 7 PM

Selectmen present: Catherine Harrison, Chair; Jack Wilhelm, Vice Chair; John Clemenzi, Clerk

Also Present: Peter Lombardi, Town Administrator; Emilie Cademartori, Land Use Coordinator; Jackie Bresnahan, Permitting Coordinator/Special Projects Assistant; Special Counsel Attorney Chris Heep, Kopelman & Paige Catherine Tinsley, Recording Secretary

Public Information

Recorded with permission by HWCAM

Agenda

PowerPoint presentation

Ms. Harrison referenced a PowerPoint presentation and spoke regarding the proposed change of use of the Lakeview Golf Course on Main Street from recreational to residential use. Because this property is under MGL Chapter 61, the Town has the right of first refusal to purchase the property or must waive this Right of First Refusal. The Town of Wenham only received notice in November (2015) of the intention to convert the Lakeview Golf Course property from recreational use to residential.

Mr. Lombardi reviewed M.G.L. Chapter 61 as a State statute that provides an opportunity for landowners to pay reduced taxes when using their property for agricultural, forestry open space or recreational purpose. Chapter 61 properties are taxed at a reduced rate under these specific uses, therefore the town/city has the first opportunity to purchase the property. The Lakeview property owners have identified they are selling the land to a developer.

The Town has had the property appraised. The appraised value was \$2.75 million. It was noted the property owners could also have an appraisal done and if the two parties did not agree, a third and final appraisal would be done and all transactions would be based on this third appraisal.

Ms. Harrison stated that the BOS has negotiated a Host Community Agreement in the event the Town does not purchase the property. A Host Community Agreement is a pre-determined set of development conditions that does not go into effect until the proposed project complies with all the terms of the agreement and has received all permits.

Ms. Harrison reviewed the basic terms of the agreement:

- Cluster housing
- Minimum of 40 % contiguous open space
- Affordable housing (10% minimum)
- Potential for some age restricted units
- Town Control over architectural elements, water conservation measures and wetlands considerations.
- Pre defined development area
- No building within 500 feet of Route 1A

Attorney Miranda Gooding, identified herself as Counsel for the (potential) Developers, Atlantic Tambone. Anthony Tambone was present along with other members of the Tambone family. Ms. Gooding gave an overview of the Atlantic Tambone

Company as developers of both residential and commercial properties and spoke regarding the proposed plans to develop the Lakeview property. She described the proposed development as 23 to 28 duplex condominiums that would be self-sufficient and not put additional services on the Town, other than fire and police. This would be a private road maintained by the Condo Association, that would also take care of such services as plowing, trash removal, and perpetual care of the open space.

Attorney Gooding referenced a map of the property showing creative site planning to conserve open space by using the “flexible development bylaw” by relaxing the typical subdivision regulations. The development would be set back a minimum of 500 feet from Route 1A (Main Street) behind the existing prominent tree line and maintain a minimum of forty percent open space. The Tambones would reserve the right to modify existing structures on the property to bring them into the development plan, possibly as the required affordable housing units. The project would comply or exceed water conservation.

Architect Jim Velleco, Grazado Velleco Architects of Marblehead, reviewed the vision for the development of New England style, low profile single story, three bedroom units with a dormered second floor space and a two-car garage; each unit would be an average of 2,800 square feet. Mr. Velleco showed examples of similar style buildings in Belmont, Massachusetts.

Mr. Lombardi gave an overview of the financial impact to the Town, beginning with the scenario if the Town were able to purchase the property for \$2.75 million dollars:

- Thirty Year Bond
  - \$160,000 annual Bond payments over 30 years for a total payment in excess of \$4.5 million dollars
  - 25% up front (\$700,000) - \$120,000 annual Bond payments over 30 years for a total payment in excess of \$3.5 million dollars
- Possible use of Community Preservation Act funds to purchase the property
- Capital and operating maintenance costs would exist, but unknown at this time pending the use
- Revenue gain / loss
  - Present Annual property tax revenue – \$8,000 (based on present assessment)
  - Roll back taxes - \$60,000 (one time payment)
  - New growth – \$350,000 / \$400,000 revenue
  - Development: No additional staffing of fire/ police

The meeting was open for public comment.

The comments were recorded separately and are a part of these minutes.

Ms. Harrison suggested an ad hoc committee to evaluate the ideas of potential uses, the funding, revenue loss/gain, and asked that those interested to serve on this committee contact the Town Administrator’s Office.

Attorney Gooding clarified that the Tambones gathered a lot of information before entering into a Purchase & Sale Agreement for the Lakeview property. She reiterated that this development would have a low impact on the Town, bring in much needed revenue and emphasized these homes are not being designed for families with children but designed for retirees and would have a selling price of more than \$1 million dollars.

Ms. Harrison encouraged residents to continue to send input/ questions to the Board.

The Selectmen must render a decision on February 16, 2016.

The Selectmen unanimously adjourned at 8:52 PM.

Respectfully Submitted By

Catherine Tinsley  
8.3.16

Wenham Board of Selectmen  
Public Hearing on the Future of Lakeview Property  
January 19, 2016

**Robert Bossler, 7 Monument Street**

Do we have an agreement with the developer? Maybe more people would want to bid – doesn't like the lack of bid. Small businesses never take the first offer

**CH:** This is what we got from Flynn

**Sandra Phippen, 10 Dodges Row**

1. 40 % open space: how much of that is exclusive to wetlands?
2. School impact: 20k per unit, 17k per kid and 2 kids. What's the impact?

Counting wetlands is counting something that can't be developed anyway, it's not a gain for the town. And if that open space is owned by the condo association so the town can't use it. 3 bedrooms with an attractive price. 2-3 kids is a huge impact on taxes.

**CH:** we don't know school impact. We need expert advice on that.

**SP:** want to exercise town's right of first refusal (light applause)

**Stephen Fischer, 61 Main Street**

Does anyone know when construction would begin and for how long?

PL: Feb 16<sup>th</sup> is the decision to waive right

**SF:** When would construction fall?

**Tony Tambone:** Conceivably in the fall. In 3 phases depending on the market. 1 yr, 1<sup>st</sup> phase, 2<sup>nd</sup> year, 2<sup>nd</sup> phase. 3<sup>rd</sup> year, 3<sup>rd</sup> phase.

**SF:** is the small white house part of the project (referring the Victorian)?

**CH:** No. the project is subject to PB, HDC, and developer. Victorian not included.

**Patrick Waddell, 5 Great Pond Road**

Does HCA still hold?

**Special Counsel:** Yes

**Philip Colarusso, 14 Juniper Street**

Will it be 11 homes/structures?

**TT:** 2 units or 3 units is the generally conceptual layout.

**PC:** Could they be 2800 sq ft?

**TT:** yes

**Philip Colarusso, 14 Juniper Street**

Tax revenue range calculated on 23-28?

**PL:** Calculated on 22 units

**TT:** sq ft (per lot) not 40,000, not lots because its meant to be condos.

**Susan Mehlin, 18 Burnham Road**

Based on 22 units, can you clarify the revenue? What is the assessment of each unit?

**PL:** \$1 mil per unit

**William Weihs, 11 Kimball Ave**

Pressure on watershed, need playing field, cemetery expansion, wants brainstorming on option 1. (applause)

**Serge Sacharuk, 157 Main Street**

Seems like it is already decided, behind our backs. Wants more discussion. We may have water problem and need to think about buying

**William Wilson, 19 Lake Ave**

Option 2 – lot of activity done. Is it a BOS Decision or a vote?

**CH:** BOS makes initial decision of purchase or conversion

**WW:** If town makes decision to purchase, all details should go to annual town meeting with money details and purpose details. Is option 1 or 2 at ATM?

**PL:** No, option 1 or 2 is the BOS. The decide to acquire/purchase and bring to ATM or not to when it goes to developer within HCA.

**JC:** We want feedback. We chose to bring it to the public.

**JW:** Feedback needed, but none gotten

**WW:** disappointed about the lack of options. What's the traffic impact? Tax burden is on the town because of the kids.

**JW:** Could be lower, estimates were conservative

**CH:** enrollment share answers are need on top of marginal costs. This is preliminary.

**Leo Maestranzi, 89 B Larch Row**

Hope we have the wisdom and foresight to purchase this property. Like our predecessors purchased Iron Rail for town garage, water tower, cemetery, playing fields and rental income with net profit. This property poses Wenham zero adverse budget impact. Hamilton had option and didn't purchase, built houses every year sense, school budget alone, with DPW and safety, is more than town would receive in real estate tax revenue (applause)

**Maureen Flores, 9 Morgan Drive**

Can the available funds be on the website? Is this a lot or a little in the scale of things for the town? Can we tap into all 4 buckets? We could buy now and decide later what to do with it.

**Michelle Bailey, 2 Remington Road**

Given estimated cost 160,000 a year to purchases, how much will taxes increase if we buy? CPA funds would restrict future use. Encourage us to think hard about using funds because they tie our hands.

**Philip Colarusso, 14 Juniper Street**

CPA funds from the state? 285,000?

**PL:** State sources we don't want to have to rely on. 150k annual debt from CPA until 2027 to town hall.

**Harriet Davis, 162 Cherry St:**

Condition that town applies to CPA (not automatically given)

**PC:** option1: lot of money on recreation, pool, nothing on open space. (applause)

**Cara Fauci, 5 Settler's Lane**

Option 1: parcel of magnitude, serious school concerns. Look at Settler's Lane. So many kids and only 5 houses

**Patrick Waddell, 5 Great Pond Road**

Thanks for giving us a voice. If there is support, I think it will go to ATM. Town well, Beverly's water and more potential drinking water. Add cemetery on 1<sup>st</sup> and 2<sup>nd</sup> hole. Athletic fields: beautiful soccer field oriented to the lake. Christmas tree farm that could generate revenue. Farm: farm across the street is land. Could be irrigate able or have nice soil. Golf facility: driving range of 3 hole executive course. Affordable housing: are we at 10%? Some of it is under appeal. Passive open space is always an option. State programs like PARC. Could we ask Salem and Beverly- this is your wetlands help us fund. This is their water. Open space should be preserved. 40,000 a year to fund bond through CPC. Uses are out there. People are interested in other uses than building a neighborhood. BOS are saying talk about this, help us figure it out.

**Virginia Rogers, 6 Wm. Fairfield Drive**

What is the impact of a loan on tax rate and not on median taxes?

**PL:** Bond at 100% would increase the rate \$0.21 per 1000

**Serge Sacharuk, 157 Main Street**

When did they tell the BOS?

**JC:** November, they did all the designs before.

**SS:** We didn't know in time

**JC:** Yes, but now we can be prepared for other chapter properties

**Leo Maestranzi, 89 B Larch Row**

Other chapter lands: you act on what's at hand. Things might come up in the next 10 or 20 years. You act on what's at hand. Beverly bought golf course, subletting to pay bond (applause)

**Susan Mehlin, 18 Burnham Road**

Has Tambone given up right to 40B?

**PL:** Has to be HCA/ under flexible development bylaw

**SM:** 40B is the worst thing. If proposal goes to ATM and ATM turns it done, does the 40B offer change or does he get that opportunity?

**PL:** Yes

**SM:** That's a scary thought. Also, these units are basically 2 bed upstairs, 1 bed down, 2 ½ bath, not a heavy duty school population.

**Herbert Schurgin, 26 Juniper Street**

1<sup>st</sup> time I've come to one of these in 40 years, it's that important to me. In favor of retaining land. Town didn't use option to take Pleasant Pond and then town had to make other beach. Uses could include ball park, or cash flow as golf course, that is a sustaining use. Are there areas that dovetail Wenham Country Club?

**Amy Starr, 41 Pleasant Street**

I think BOS made a great effort to communicate option 1. This land is signature to Property of Wenham. We need land anyway. This will dramatically affect whatever we look like as a town.

**Samuel Otis, 21 Cherry Street**

Purchase: Don't want anyone building on this, not a money thing. Beautiful place, open space; in Beverly Lynch Park for picnicking and playing. The sun is free. Solar is as low and is going lower. Could reduce school, fire department, and police department energy costs.

**Robert Bossler, 7 Monument Street**

Looking for feedback. What would be meaningful as a metric for option 2? What would metric be? Is there an interest? 2 prong response: what is the opinion in general? And is there a rational way to support it?

**CH:** Fair number of ideas, short term we would like to form a committee of citizens to vet ideas for viability. Send letter of interest to Peter

**RB:** What is the procedure, option to chose until when? If yes, then it goes to ATM?

**PL:** Yes

**Herbert Schurgin, 26 Juniper Street**

Can bidders offer bids? (No). Does appraisal become a sale price? (No). If developer wants, can they bid us out? (No).

**Gary Cheeseman, 77 Pleasant Street**

Sum up speeches tonight. Pro purchasing property: it's the gateway to town, few parcels of this size, fewer town has the option of, cost involved, cheapest point to borrow, we've asked selectmen to at least put this to a town vote

**Chad Smith, 40 Cherry Street**

What is the push? What do we have to do to push an option?