

Minutes of the Open Space Committee for February 2, 2010

meeting ran from 3:03 until 5:30 (including executive session)

members attending: Hank Janowsky, Dave Hale, Steve Milkewicz, Ghee Patrick, and Dennis Minsky (recording)

also present: Brian Carlson (Town of Provincetown), Paula Goldberg (Compact of Cape Cod Conservation Trusts), Celine Gandolfo (Provincetown Conservation Trust), and David Mayo

-the minutes of January 25, 2010 were approved with the addition of "with a limit of \$5,000.00" in the following sentence: "Minsky moved and Patrick seconded, that the Open Space Committee contract the services of the Compact of Cape Cod Conservation Trusts, Inc. to review the applications of both the Hawthorne and Mayo properties before Open Space and Community Preservation Committees, and to provide their best advice on the prospects of preserving both properties and to further provide the best approach for each and both applications." Milkewicz so moved, Minsky seconded, and the vote was 5-0-0.

-Dave Hale provided an update on the Community Garden (now officially called the "B Street Community Garden"): there will initially be 30 8'X12' plots; the Barnstable County grant funds were used to construct compost bins; Americorps of Cape Cod has provided labor gratis; he explained that additional funding was necessary for the lumber to lay out the plots and recommended that some of the Land Bank funds dedicated to maintenance (that is the 3% of the Open Space Budget reserved for such purposes) be so appropriated; he reported that that sum was \$10, 716.00, and to date less than \$3,000.00 has been spent.

Hale moved, and Minsky seconded that "The Open Space Committee spend up to \$4,000.00 of the above-referenced funds for the B Street Community Garden, specifically for the purchase of cedar lumber (estimated at \$3,400.00) and associated hardware." The motion was approved by a vote of 5-0-0.

-David Mayo appeared before the committee to report on his continuing efforts to preserve his property. He referred to additional letters of support, and to an article by Mark Robinson on the value of white cedar swamps (which occur on his property).

-Paula Goldberg presented the comparative chart of the Mayo and Hawthorne properties found below in these minutes, with an additional explanatory section, also found below. A discussion followed:

David Mayo questioned why his property was not included in the Open Space Plan (Table 5.2), as is the Hawthorne property. It was generally agreed that it was most likely an oversight. He also pointed out that his property was “close to” if not abutting land already dedicated to conservation. He also discussed his asking price for the property, \$420,000, relative to its assessed and appraised values (see table below). There followed a general discussion of the merits of assessed values and appraisals in conservation efforts.

Hank Janowsky pointed out that Mayo’s property did not provide a direct pathway from the Old Colony Nature Trail to Bradford Street, as some had thought, because of the White Cedar Swamp in the way.

Dennis Minsky opined that the Hawthorne property was in greater threat of development than was the Mayo property.

Celine Gandolfo thought that the Hawthorne property should be conserved first, because of the greater threat of development, the fact that it was closer to the center of town, and the additional fact that it is rare that two properties are ever presented for conservation at the same Town Meeting.

Paula Goldberg also pointed out that successfully securing two LAND grants in the same year in the same town is unheard of.

Dave Hale also reported on a state Land and Water Grant, a new possibility for funding land purchases, which he would be exploring in the coming weeks.

At this point, Minsky moved that the Open Space Committee go into Executive Session for this specific reason: “To consider the purchase, exchange, taking, lease or value of real property, if such discussion may have a detrimental effect on the negotiating position of the governmental body.” Hale seconded the motion to go into Executive Session, and the votes were as follows: Patrick “aye”; Janowsky “aye”; Hale “aye”; Milkewicz “aye” and Minsky “aye”.

At the end of the Executive Session, Hale made a motion “To pursue the Hawthorne property specifically by initiating an appraisal (from Mike Sutton, for \$2,600.00) and by contacting the representative for the Hawthorne property to ask for 1) a conceptual plan for the HABU

(Highest and Best Use) re the number of units possible on the property, and 2) a realistic asking price, both of these by February 5, 2010; while at the same time continuing to maintain the approach of the acquisition of the Mayo property as a backup plan.” Minsky seconded, and the motion passed by a vote of 5-0-0.

Hawthorne and Mayo comparison, table and accompanying description, by Paula Goldberg, presented at the 2/2/10 OSC meeting:

	Potential Land Acquisitions	
	Prepared for	
	Town of Provincetown	
	Open Space Committee	
	HAWTHORNE	MAYO
Property Characteristics		
Assessor's Map/Parcel	13-1-25	15-3-110
Size (acres)	3	1.2
Upland Acreage	2.89 (per FELCO plan)	1.09 (information supplied by D.Mayo)
Topography	flat to slightly rolling	high elevation dropping to swamp
Habitats	woods, open dune, freshwater wetlands	Atlantic white cedar swamp beech stand
Development Potential	yes; multi-unit; details pending	one single-family or 2-family dwelling
Town Priorities		
Route 6 Greenbelt	yes	yes
Targeted in OS Plan	yes: see Table 5.2, Sec. 7.1.3	no
	also-Nicky's Park Mgmt Plan	

State Considerations (for LAND grant)		
Priority Habitat for Rare Species	all	all
BioMap Core Habitat Area	NE area	northern half
Scenic Landscape	northern tip	northern tip
Statewide Land Cons. Plan	90%	northern 2/3
Wetlands	yes; edge of shrub swamp	yes; slice of cedar swamp
Vernal Pool	adjacent to CVP	no
Abutting Protected Properties	Nicky's Park, PCT	Old Colony Nature Pathway
	MA DFW land	one lot over from Curtis Cons. Lands
Recreation	pathway connection potential	difficult owing to steep grade
Value		
FY10 Town Assessed Value	\$537,800	\$358,000
Appraisal	pending by Town	\$650,000 per Seller's appraisal
Purchase Price	\$750,000 asking	\$420,000 asking
Bargain Sale	unknown	yes, per value in Seller's appraisal
Cost per Acre	\$250,000	\$350,000
Cost per Upland Acre	\$259,516	\$385,321
Funding Request		
CPC (20% of purchase price)	\$150,000	\$85,000
Land Bank (28% of price)	\$213,000	\$116,600
State	\$393,000	\$218,400
Net Costs		
Net cost to Town	\$363,000	\$201,600
Net cost/acre to Town	\$121,000	\$168,000
Net cost/upland acre to Town	\$125,605.54	\$184,954

MEMORANDUM

CONFIDENTIAL

To: Town of Provincetown Open Space Committee
From: Paula S. Goldberg, Senior Land Protection Specialist
Re: Mayo and Hawthorne Properties for Potential Acquisition by Town of Provincetown

Date: February 1, 2010

You have asked that we review the applications of the Mayo and Hawthorne properties for Community Preservation Act funding, and advise on the prospects of and best approach to preserving these properties. Attached is a chart comparing the two properties based on property characteristics, Town priorities, State grant considerations, value, and funding requested. Below are some comments on each category.

Property Characteristics: Both properties have a diversity of habitats. A “plus” for the Mayo parcel is that a portion contains Atlantic white cedar swamp, which is a rare habitat and highly desirable to protect. A “plus” for the Hawthorne property is that it is located in very close proximity to a State-certified vernal pool, and would help provide important upland buffer to that habitat. Both are developable.

Town Priorities: Both properties are part of the Route 6 Greenbelt. The Hawthorne property is included in OS Plan, Table 5.2 listing of the “largest and/or significant parcels of developable, unprotected land remaining in Provincetown.” Hawthorne is part of the Jimmy’s Pond area which the OS Plan, Section 7.1.3 lists as a “critical habitat area in need of protection.” Nicky’s Park Management Plan recommends strategy of acquiring adjoining properties.

State Considerations: A State LAND grant is a critical component of either acquisition. As you know, each year, the State announces its priorities for the grant round, and assigns points for various categories. In FY 2009, for example, the Secretary announced the year’s priorities as “protection of sensitive water resources, landscape conservation, and biodiversity and resource protection.” Previous years’ priorities have included points for such categories as estuarine habitats and partnerships. While we do not know what this year’s priorities might be, in the past, points have “always” been given for biodiversity and resource protection, linkage to other protected properties, and recreational opportunities. Both properties have qualities important for State grant purposes.