

**Landlocked Parcel Study Committee  
Minutes  
Monday, July 7, 2007**

**Committee Members Present:** Nolan Glantz, Chair; Dick Howard, Vice-Chair; Larry Cohen; Tom Conley; Shari Ellis; Al Fay; Phyllis Roussell; Terry McSweeney;

**Committee Members Not Present:** Joe Impemba

**CHAIRMAN'S REPORT**

Mr. Glantz reported that the first meeting of the Landlocked Parcel Study Committee was held on June 11, 2008 and was comprised of the five selected Town Meeting members and Phil Gallagher, Town Moderator. At that meeting, they discussed committee formation and goals. Mr. Glantz and Mr. Howard were nominated and voted as Chairman and Vice-Chairman, respectively.

**INTRODUCTIONS**

**Committee Members**

The study committee will be comprised of nine members, and those members present introduced themselves:

Shari Lynn Ellis, Precinct 3, Town Meeting Member, Land Use Committee

Larry Cohen, Chairman, Conservation Commission

Al Fay, Member, Board of Selectmen

Richard Howard, Precinct 6, Town Meeting Member, Bylaw Review Committee

Nolan Glantz, Precinct 1, Town Meeting Member, Ways & Means Committee

Tom Conley, Precinct 4, Town Meeting Member, Capital Budget Committee

Phyllis Roussell, Precinct 5, Town Meeting Member, Land Use Committee

Terry McSweeney, Chairman, Board of Health

Mr. Glantz stated that the ninth member of the study committee, Joe Impemba, a member of the Planning Board, was unable to attend.

**Recording Secretary**

Mr. Glantz introduced Betty McDonough as recording secretary.

**Representatives of Patriot Partners**

The representatives of Patriot Partners made their introductions:

Attorney Robert Buckley, Senior Partner, Riemer & Braunstein

Attorney Mark Vaughan, Senior Partner, Riemer & Braunstein

Stephen Rice, Principal, Mohawk Partners

Joseph Zink, President, Atlantic Management Company, Inc.

## **NEW BUSINESS**

### **▶ Meeting Logistics**

#### **Dates /Times/Location:**

The most convenient time for each of the members is the first and third Monday of each month in the Selectmen's Meeting Room. Mr. McSweeney suggested, and the majority of those present agreed, that the start of each meeting be 7:00 rather than 7:30, and the Chair, therefore, agreed that the meetings would commence at 7:00 p.m.

The remainder of the 2008 meetings, being held at 7:00 p.m. in the Selectmen's Meeting Room, are as follows (dates, times, and locations subject to change):

July 21 • August 11 • August 25 • September 15 • October 6 • October 20 • November 3 • November 17 • December 1 • December 15.

#### **BCAT Filming**

At the June 11, 2008 meeting, it was recommended that the meetings be filmed and run on BCAT. BCAT has agreed, but are seeking volunteers to man the camera controls.

#### **Meeting Format**

Mr. Glantz stated that the study committee would adhere to Roberts Rules of Order. Minutes would be available for each meeting. At each meeting action items will be reviewed. Citizens Time will fall at the end of each meeting.

### **▶ Overall Process**

#### **Committee Goals/Charter**

Mr. Glantz explained that the Landlocked Parcel Study Committee was formed as a result of Article 8 at the May 2008 Town Meeting which called for a discussion and an expression of views regarding the landlocked parcel. The intent of the committee is to have a forum for ideas from the committee, the community and Patriot Partners. Engineering studies will be viewed, discussions will be held, and recommendations will be put forward to the Town with regard to the future of the 247 acre landlocked site.

#### **Methods and Resources**

The committee will review ideas and studies completed by Patriot Partners as well as the history of the land, the aquifer, water shed issues, existing town engineering studies, existing conservation plans and Board of Health monitoring well plans, etc. The committee will also commission any new studies necessary to make its recommendation.

#### **Required Tasks and Sequencing**

The first few meetings will cover logistics and gather ideas from the public and Patriot Partners. The study committee will review the various suggestions and alternatives for the property after which time they will put forward the recommendations.

► **Initial Comments from Patriot Partners**

Attorney Robert Buckley, Riemer & Braunstein thanked the chair and the committee for their work in involving the community in an open dialog. He explained that Patriot Partners, a real estate partnership with Atlantic Management and Mohawk Partners, planned to sequentially present, at the study committee meetings, the land's history and their ideas, including financial and environmental impacts. They are ensuring a fair and thorough presentation. Mr. Buckley added that it is understood that Burlington may decide to do nothing with the land after hearing all the history and presentations.

Stephen Rice of Mohawk Partners explained that they want to work with the Town and propose the best uses for the Town. The landlocked parcel is comprised of 247 acres of open space which the Town of Burlington acquired through eminent domain in 1985. As part of the agreement, the Town entered into a 20-year option agreement with PC Burlington, Inc., which was the primary property owner at the time. The State of Washington Investment Group now has controlling interest in PC Burlington, Inc., and thus owns the option. Patriot Partners was appointed by Delaware Chancery Court as Receiver of that option, with the authority to negotiate and make decisions on behalf of the State of Washington Investment Group. That option expires in two years.

Mr. Rice stated that although Patriot Partners controls the option, this option does not give them sole leverage, and their plans are to negotiate a fair and reasonable price, and they are proposing little impact on the land. Their ideas for different portions of the land include open space with nature trails, a senior living community (Erickson Retirement Communities), and a state-of-the-art Life Science campus. They believe these will all complement the Town, promote economic value and lead to smart growth.

Mr. Buckley continued that plans are being discussed for a flyover for the purpose of constructing a topographical map, and binders were made for the committee. A website is being constructed, he said, to include agendas, minutes, maps, and other relevant information for the public. Mr. Glantz asked that the link be made available on the Town of Burlington's website.

Burlington currently has no drivable access to the property, Mr. Buckley said, because of legalities put in place by Lexington and Bedford, and large costs would be incurred in order to access and build on the property.

***Discussion***

Ms. Ellis suggested the history of the land taking and the option involved be studied. Mr. Buckley agreed to electronically forward, before the next meeting, his information including a flow chart.

Mr. Fay and Mr. McSweeney commented that they were interested in hearing Patriot Partner's presentation as well as the history.

Ms. Roussell added that she would like to see background information on Erickson Retirement Communities.

Pat Angelo, Town Meeting member, asked if the State of Washington was out of the option when it expires in two years, and Mr. Rice replied that it was. Ms. Angelo asked if it becomes

Burlington's property to do as they wish when the option runs out, and Mr. Rice replied that it is Burlington's property to do as they wish now.

► **Next Steps**

**Subcommittee**

No subcommittee assignments were established at this time. The committee agreed to take this up at a future meeting, once they have a clearer picture of the tasks ahead of them.

Mr. Cohen commented on the importance of the natural resources at the parcel. He suggested that existing conservation and wetlands plans on file for the property and surrounding area be reviewed. He also suggested that a naturalist be considered to study the wetlands, watershed protection, habitat, etc. Mr. Buckley responded that the proponents could discuss covering this cost, but the members wanted to consider whether the Town should be responsible for funding if this study is conducted.

Mr. McSweeney said that site plans indicating monitoring wells in the area could be obtained from the Environmental Engineer.

Resident, Martha Simons, suggested that the committee look into how other large parks and natural spaces handle environmental issues and noted that the state may have suggestions or surveys for comparisons.

Mr. Glantz commented that Town Counsel will be asked to review the history in order for the Town to know where it stands now and after the option runs out.

In conclusion, Mr. Glantz recommended that the history be obtained and members and other interested parties walk the site. Two separate dates were suggested, and Mr. Buckley stated that he would assist in gathering the history. Mr. Cohen suggested that he could engage Mr. Keeley from the Conservation Commission to assist in the site walks.

**Action Items for Follow Up:**

The six action items from the June 11, 2008 were all accomplished, except for finalizing funding for the Recording Secretary, which is still in progress. See separate sheet.

**APPROVAL OF MINUTES**

**MOTION:** To accept the minutes as submitted (Mr. Howard; second: Ms. Ellis)

**APPROVED: 5-0-3**

**ADJOURNMENT**

**MOTION:** To adjourn at 9:10 p.m. (Mr. Howard; second: Mr. McSweeney)

**APPROVED: 8-0-0**

Respectfully submitted,

Betty McDonough  
Recording Secretary

#	Action	Owner	Status	Due	Opened	Comment
1	Setup next meeting and ongoing schedule/room	Glantz	Done	7-Jul	11-Jun	
2	Contact BCAT to see about filming meeting	Glantz	Done	7-Jul	11-Jun	
3	Provide an update to Patriot/Buckley	Glantz	Done	7-Jul	11-Jun	
<b>4</b>	<b>Line up a Recording Secretary and funding for it</b>	<b>Glantz</b>	<b>In Progress</b>	<b>7-Jul</b>	<b>11-Jun</b>	<b>Still need to finalize funding</b>
5	Determine how to properly post these meetings	Glantz	Done	7-Jul	11-Jun	
6	Determine whether we have access to town counsel	Glantz	Done	7-Jul	11-Jun	
7	Send background info on Erickson Retirement Communities	Buckley	Done	11-Jul	7-Jul	
8	Send detailed packet of background info (Order of Taking, etc.)	Buckley	Done	11-Jul	7-Jul	
9	Send electronically more detail on Patriot's site ideas	Buckley	Open	11-Jul	7-Jul	
10	R&B to send URL for their Website	Buckley	Open	21-Jul	7-Jul	
11	R&B's Website person to coordinate with Burlington's website person - need cross-linking, shared information, avoid redundancy, etc.	Buckley	Open	21-Jul	7-Jul	
12	Setup site visits before next meeting, to be led by John Keeley. One visit to view south portion/other to view north. Ideally one week-end day & one early evening.	Cohen	Open	21-Jul	7-Jul	Coordinating and scheduling w/ Keeley
13	Attend at least one site visit	ALL	Open	21-Jul	7-Jul	
14	Speak to Mercier re: funds (warrant article?) for naturalist study and/or other studies; there is a possibility of Patriot funding these	Glantz	Open	21-Jul	7-Jul	
15	Gather detailed information on water supply	Cohen	Open	21-Jul	7-Jul	
16	Speak with engineering re maps.	Cohen	Open	21-Jul	7-Jul	
17	Speak with environmental engineer re hazardous waste sites in the area	McSweeney	Open	21-Jul	7-Jul	
18	Provide an overview/presentation of site maps at next meeting	Cohen	Open	21-Jul	7-Jul	work with McSweeney on this
19	Define subcommittees - tabled until 7/21 meeting		On Hold			need to get more information before decide this
20	Learn from how other large parks succeed, leveraging knowledge from Mass Audubon and/or Trustees of Reservations		On Hold			suggested by a citizen; would need to coordinate this with other consulting studies