

**Landlocked Parcel Study Committee
Minutes
Monday, July 21, 2008**

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

Representing Patriot Partners: Attorney Robert Buckley, Senior Partner, Riemer & Braunstein; Stephen Rice, Principal, Mohawk Partners; Joseph Zink, President, Atlantic Management Company, Inc., and D.J. MacKinnon, President, Atlantic Development

1. PLEDGE OF ALLEGIANCE

Mr. Glantz opened the meeting with the Pledge of Allegiance at 7:10 p.m.

2. CHAIRMAN'S REPORT: Funding update to be discussed later in meeting.

3. UPDATE ON OUTSTANDING ACTION ITEMS:

a. Funding – See “Funding Mechanism” below.

b. Patriot Partners' Web Site: Mr. Buckley announced the address for the Landlocked Parcel (LLP) website: <http://www.landlockedparcelburlington.com/> which is called “Unlocking Opportunity for Burlington Residents.” Access for comments from the community will be available soon on the website, and the Town will have a link to the website.

c. Site Visit(s): Five members of the committee toured a portion of the LLP following the July 7, 2008 meeting, at which time the following was seen: stone walls, deer tracks, turkey, hawks and other wildlife, wetlands, trees, plants, paths and a bit of litter. Mr. Glantz stated that another visit would be coordinated.

d. Map Overview (led by Mr. Cohen): .

- **Physical Characteristics:** Approximately 250, primarily wooded, acres bound by Route 3, Interstate 95/128, Lexington and Bedford. There are gradual elevation changes, steep slopes, paths, trails, and a meadow. A pipeline easement is located in the middle of the site. There is a power line easement in the south of the parcel.

- **Natural Resources:** Present throughout the site are extensive wetlands with plant life and trees of varying ages. Swamp-like areas, vernal pools and a meadow were observed in the middle of the LLP.

e. Overview of Information on Water Supply (led by Mr. Cohen)

- **Water and Wetland Resources:** There are four certified vernal pools on the parcel. From the topography the wetland areas appear to be connected to streams discharging toward Burlington, and these areas would qualify as Bordering Vegetated Wetlands under the State's Wetlands Protection Act.

The Town's drinking water supply wells are located in the east of the parcel. Seven wells, protected by water protection Zones II and III provide 3.3 MM gallons of water per day. Zone II is the area of an aquifer for a well under severe pumping, and Zone III is beyond that area. Zone II was established in 1992 and was followed up with a modeling study in 1996.

There are seven known hazardous waste sites within the Zone II protection area, but there are no known contamination areas within the parcel. Mr. Cohen said that the last DEP water well study from the site only provided assumed measurements.

f. Overview of Hazardous Waste Sites (led by Mr. McSweeney)

Mr. McSweeney distributed a report compiled by Heidi Porter, Burlington's Environmental Engineer with respect to properties with contamination that are proximal to the LLP. Included in this report was a map and list of information on DEP's known sites with soil and/or groundwater contamination. Mr. McSweeney suggested that any specific questions be directed to the Environmental Engineer.

g. Visual Presentation of Site History (led by Mr. Buckley)

Mr. Buckley gave a brief history of the 1985 acquisition and said that a reasonable price would be negotiated with the Town.

POWER POINT/ Landlocked Parcel Development Proposal Overview

Patriot Partners presented their *Landlocked Parcel Development Proposal Overview* briefly describing their track record, history of the parcel and future access to the LLP.

The overview gave examples of open space, the migration of life sciences facilities to suburbs, and aerial overviews showed approximate locations of proposed buildings.

VIDEO/A Vision for the Landlocked Parcel

A video was shown with Mr. Rice explaining their efforts to find the best, long-term use for the parcel, combining low impact but high economic value. Mr. Zink said that traffic would not be impacted significantly, there would be limited demand on services, and the proposal could possibly bring forth \$50 million in new taxes over the next ten years. They expect their four components to be beneficial to the community and entire region. Mr. Buckley said they plan to present a full analysis on the proposal with respect to employment, infrastructure, finances, and more at the next meeting.

- 1) **Open Space/Preserved Space:** Walking and bike trails, permanent protection for many acres of undisturbed and landscaped open space and the preservation of natural water resource.
- 2) **Life Sciences Campus:** Quality jobs, strategic location, tax and infrastructure incentives promised by the state for this industry with the hope that the State will aid in the cost of accessing the site.
- 3) **Workforce Housing:** On-site housing for employees.
- 4) **Senior Housing:** Independent life-style for seniors; full-time 24 hour security; approximately 700 jobs.

h. Review of Information Previously Sent by Mr. Buckley

Mr. Conley asked about the terms of the Options. Mr. Buckley read a portion of the Option Agreement relating to the sale, lease or development of the LLP. Mr. Rice said they are the sole shareholders and are subject to the rules of the Option.

Ms. Russell asked Mr. Rice to expound on the comment that the proposal will have low impact on the Town, and he responded that there will be low traffic and little if no burden on school system.

Mr. Cohen asked if other considerations could be made over life sciences, and Mr. Rice responded that this is a growing industry, with promises of State aid, and at this time, that is where their interest lies.

4. NEW BUSINESS

a. Presentation on Concepts from Patriot Partners

Zoning: Mr. Buckley said the required rezoning process for proposal would be lengthy. Mr. Glantz asked what the future alternatives would be if the life sciences business left the site. Mr. Buckley responded that the zoning laws and permits for any new industry would be reviewed, and Mr. McSweeney and Mr. Cohen added that replacement businesses and/or buildings would go through an extensive permitting process with the various Town boards.

Acreage: Mr. Glantz asked about acreage breakdown for each part of the proposal. Mr. Rice said the acreage will be sectioned into three equal parts with the senior housing on one end, open space in the

center, and the life sciences component/workforce housing on the other end. No precise numbers are available yet.

Sr. Housing: Ms. Roussell asked how Erickson could afford all the offered amenities. Mr. Rice explained that the entrance deposit and monthly fees create a pool of funding to cover the cost to run the facility. Also, he said, Erickson signs an agreement with residents stating they will never be evicted for inability to pay. Ms. Roussell asked if transitional care would be provided, and Mr. Rice replied that there would be a nursing center on the site.

Mr. Glantz asked about admittance preference for Burlington residents. Mr. Buckley replied that procedures must be followed under federal law for local exemptions. Hingham was granted an exemption, Mr. MacKinnon explained.

Mr. Glantz asked about potential traffic issues at the senior housing, and Mr. MacKinnon responded that the employees would be leaving at varying hours.

b. What Further Information is Needed

i. Existing/Historical Documents

Historical data thus far distributed: Order of Taking, Option Agreement, Erickson Retirement Communities information, historical time line data from archives, and other related materials.

ii. Expert/Consultant Studies

Mr. Glantz commented that the records on file for the LLP indicate the original Order of Taking was done to protect the water supply. He suggested subcommittees be formed to gather more information to properly look deeper into past studies. Ms. Ellis stated that, although the golf course was voted down by Town Meeting, she would like to view the study that was done.

Some members questioned whether reviewing all historical data and past studies was going beyond the realm of the request of Town Meeting as stated in the Warrant Article.

Mr. Howard, Mr. Fay, Mr. McSweeney, and Mr. Cohen also stated their respective boards would require the proponent to commission engineers to do new studies. Protection and other issues would be addressed at the beginning of the permitting process by their boards.

Mr. Conley and Ms. Ellis suggested hearing both the ideas of the proponent and recommendations from residents. Mr. Buckley agreed that listening to the suggestions of residents could prove beneficial, but nothing can be done without proper access to the land, and commercial development and possibly the State would assist with that cost. Mr. McSweeney added that the site cannot be accessed without plans for development to help defray the cost. Ms. Ellis replied that the concept must be considered and then the cost.

c. Funding Mechanism

Town Counsel sent notification that requests to accept funds from Patriot Partners would require Board of Selectmen approval. At this time, the committee is not recommending any new studies.

The Chair suggested consideration be made for the recording secretary expenses, in the amount of \$2,000, be funded by Patriot Partners. Mr. Buckley replied that this was acceptable.

MOTION: To seek approval from the Board of Selectmen to allow Patriot Partners to fund a special account for the recording secretary in the amount of \$2,000 (Mr. Fay; Mr. McSweeney).

APPROVED: 9-0-0

d. Next Steps

i. Subcommittees

Historical Data: Mr. Conley, Ms. Ellis, and Mr. Howard will review historical data and present a report at the next meeting. Mr. Glantz requested an inclusive presentation on why Town Meeting voted against a golf course.

Survey Data: Mr. Impemba and Ms. Rousell will explore ideas for gathering survey data and present a report in one month.

ii. New Actions Items for Follow Up

	Owner	Due
Provide an overview/summary of the allowed and disallowed uses for Zones II & III	Cohen	11-Aug
Provide an electronic copy of water/topography overview memo	Cohen	11-Aug
Provide an electronic copy of Environmental Engineer's report	McSweeney	11-Aug
Provide detailed information on plan & costs for access to site	Buckley	11-Aug
Study ways to get suggestions from the community via website	Glantz, Buckley	11-Aug
Subcommittee to review historical data	Conley, Ellis, Howard	25-Aug
Subcommittee to begin to explore ideas for gathering survey data	Impemba, Rousell	25-Aug
Speak with B. Mercier to get on Selectmen's agenda regarding accepting money from Patriot for recording secretary	Glantz	11-Aug
Provide cost assessment for living in the senior facilities, focused on affordability of Burlington residents	Buckley	11-Aug

5. OLD BUSINESS - Discussion moved immediately to approval of minutes.

6. APPROVAL OF MINUTES

MOTION: To approve minutes of July 7, 2008 as submitted (Mr. McSweeney; second: Ms. Rousell).

APPROVED: 8-0-1 (Mr. Impemba abstained)

7. CITIZENS' TIME

Citizens' Time will be moved to the beginning of future meetings.

Mike Austin, Vice-Chairman, Burlington Housing Authority, stated his concern regarding the cost to enter and live at an Erickson Senior Community. He is not positive that Burlington residents could afford to live at the facility. Mr. Glantz asked, and Mr. Buckley agreed, for a cost assessment for living in these facilities while focusing on affordability for Burlington residents.

Ernest Zabolotny also questioned the affordability of the senior facility. He recommended the committee consider using the LLP to assist with alternative forms of energy.

8. ADJOURNMENT: MOTION: To adjourn at 10:33 (Mr. McSweeney; second Mr. Fay).

APPROVED: 9-0-0

Respectfully submitted,

Betty McDonough

Betty McDonough
Recording Secretary