

**TOWN OF WESTFORD**  
**PLANNING COMMISSION MINUTES**  
**Minutes for November 18, 2015 Meeting**  
Approved on February 17, 2016

**Commission/Board Members Present:** Jeremy Berger, Wendy Doane, Gordon Gebauer and Mark Letorney.

**Absent:** Seth Jensen.

**Also present:** Melissa Manka (Planning Coordinator), Mark Drapa, Andre Roy, Ira Allen, Pat Haller, Alex Weinhagen, Lisa Fargo, Matt Fargo, Dave Adams and Judy Denovo.

The meeting began at 6:30 p.m.

**Regional Education District & Westford School District Property**

Mark D. began by stating the RED will go into operation on July 1, 2017 and any agreements made prior to said date will be honored by the RED. He then gave an overview of each property owned by the School.

Property #1 – 19 acres located at the corner of Westford-Milton Road and Old Stage Road which is jointly owned by the School and Town.

Mark D. said the property is not being used and has no educational value. He mentioned that the KHHA does need to approve certain uses of the property and they have the right of first refusal. Mark D. offered to work with the KHHA if it's decided that the town and school would like to sell the property.

Alex W. stated he felt the land should be sold.

Mark D. said the school's half of the profit would be transferred to the RED if not spent by July of 2017, unless the school transferred the property to the town prior to sale.

Martha H. thought half of the profits should go to the school since the original intent was the school would receive half of the benefits of the property.

Alex W. said if the town and school decide to sell the land they should further discuss whether to divest the property to the town or sell the property jointly with a July 2017 deadline to keep the funds local.

Martha H. said she would rather the school receive half of the profits during the school year instead of transferring the money directly to the RED to ensure Westford children receive the direct benefit which was intended with Green Mountain Meadow donation.

Ira A. asked if the Schoolboard could commit the future board to this action if the property does not sell prior to July 2017.

Property #2 – 15 acres donated by the Jackson Family without restriction on which reside the school, parking lots, playground, recreation fields and septic system.

Mark D. said this parcel is vital to the school and includes fields maintained by the school and used by the school and Recreation Dept.

Jeremy B. asked if the Recreation Dept. would continue to be able to use the property.

Mark D. said the town and school should enter into an agreement that clearly spells out future use. He added that he would be concerned with splitting ownership of the fields between the school and town and asked if the town has the resources to maintain the fields.

Property #3 donated by the Rope Family with restrictions on which reside some recreational fields.

The Planning Commission said they would like to see these fields transferred to the town in order for the town to retain and have authority over some recreational lands since the Recreation Dept. holds many programs on the fields and has no alternative area to hold sports. They stated the town and school could jointly use the land.

The Schoolboard had concerns with transferring this property and reiterated that the school maintains the fields.

Property #4 donated by the Rope Family with restrictions until 2020 on which reside the town trails. Mark D. stated that he did not see an educational pursue to transfer this property to the RED since the property doesn't contain any infrastructure.

Martha H. said during the visioning process it was discussed that the Westford School could be transformed into a sustainability academy and use that land for said purposes. She said the RED could maintain access for residents, but the school may still have an interest in the land

Jeremy B. asked if there were use restrictions under the RED.

Pat H. said adult education could be a way to further utilize the school.

Jeremy B. asked if renewal of any use agreements or leases would have to be reapproved by the entire RED when they expire.

Mark D. said he didn't know.

Judy D. said yes.

Jeremy B. asked about the benefits of leasing versus ownership for both the school and town.

Mark D. said he didn't know the pros and cons of each.

Jeremy B. said governance and community accessibility seem the major issues.

Martha H. said insurance and maintenance should also be considered.

Melissa M. said the Conservation Commission currently maintains the 50 acre parcel and trails.

Mark L. said the Planning Commission believes the town (i.e. Westford residents) should own the parcels not lease them.

The Commission agreed that they would like as much of the land as possible to be transferred to the town to ensure public access and future unrestricted use by the community.

Dave A. asked if the school needs to own property.

Mark D. said he believes so.

Wendy D. asked whether the option of the town leasing the property to the school has been explored.

Martha H. said Essex is also transferring real property to the RED in good faith and we should not try to separate ourselves. She also said if the Town keeps the property then we will have to pay to maintain and upgrade the property. She said it's more cost effective to share expenses which was the reason for consolidation in the first place.

Ira A. said he was concerned with Article 8. Specifically, it leaves much to the RED's discretion and states the town could buy back the property for \$1 plus outstanding bonds and notes, which would make purchasing back the property unrealistic for the town.

Mark D. said he would get clarification on Article 8.

Andre R. said the deed for the 50 acre parcel says the property needs to be used for educational and recreational purposes.

Mark D. said the goal or guiding principle should be what is best for the students while meeting the Town Plan goals.

Alex said the town and school need to develop an all-encompassing use agreement. He added that residents will need to be able to utilize the school parking lot.

Mark D. said that there are a number of town recreational activities that occur within the school as well.

Matt F. asked what Essex was doing?

Mark D. said they also need to learn about what decommissioning will look like and there will be legal costs associated with that for all boards. He is concerned these issues will increase legal costs.

Alex W. said Essex does not allow the public on school property during school hours which could be an issue with regard to trail use.

Mark D. said those policies would be created by the new RED.

Dave A. said that the local Schoolboard is going away and we are creating an unknown entity with the fate of the school an unknown, but the town will be a constant throughout the years.

Therefore, the land should stay with the town.

Alex W. said it is the Schoolboard's decision and once they have decided what course of action they would like to take they should request a meeting with the Selectboard. He added that there will be elections in March, August and November of 2016 and March of 2017. He said the Westford Milton Road property sale should be voted on at this Town Meeting, if the Schoolboard and Selectboard decide to purpose that action, in order to allow time for the sale to occur.

Dave A. said he felt the town should negotiate with the school as well as research the pros and cons of leasing versus ownership.

Ira A. said school was originally a function of the town and that will no longer be true and, therefore, the town is now the proper entirety to hold lands used by the community as a whole.

Gordon G. reiterate that the Planning Commission's solely focus is town ownership, not lease of land.

Both the school and town felt they may need legal advice, but were concerned with cost.

Melissa M. said would contact VLCT to ask whether they would be able to assist the town in researching the pros and cons.

Mark D. said he would contact the School Association to do the same.

Judy said both parties should involve a real estate attorney.

The group agreed to use the same professional/attorney to save on costs, decide on the Westford-Milton Road property prior to Town Meeting, and appoint liaisons to work through the issues with the other properties with a goal of reaching a decision by August or November of 2016.

### **Citizens to be Heard, Announcements & Other Business**

Jeremy stated he would draft the Planning Commission Town Report and conduct a one last spelling and grammar check on the proposed regulations over the weekend.

The Planning Commission agreed to send a letter to the Selectboard restating the Commission's stance that the 15 acre and 50 acre school properties should be transferred to the town prior to transition to the RED. Gordon offered to write the letter and will CC the Schoolboard and Bob Bancroft, State Representative.

**Proposed Land Use & Development Regulations**

Wendy MOVED to approve the proposed regulations and send them to the Selectboard.

Mark SECONDED the motion.

The motion PASSED: 4 – 0

**Minutes of the November 4, 2015 Meeting**

Wendy MOVED to approve the minutes.

Mark SECONDED the motion.

The motion PASSED: 3 – 0

Gordon abstained.

**Planning Commission Work Plan**

The Planning Commission will develop their 2016 work plan at their December 16<sup>th</sup> meeting.

Furthermore, they decided to run their next newsletter article in January of 2016.

The meeting adjourned at approximately 8:11 pm.

Submitted by,

Melissa Manka, Westford Planning Coordinator