



Meeting Minutes for June 7, 2022, at 6:00 PM,

The proceeding was held in person, in meeting room #3

This meeting is being videotaped and rebroadcast by Area 58 TV.

Attendees: Sharon Clarke, Chairman; Savery Moore, Vice Chairman; Patrick Meagher, Treasurer; Johanna Leighton, Member; Roger Noblett, Member

Also in attendance: Mr. Bott, Planning Director; Paul Kelly; Kathleen O'Donnell, Attorney for Redevelopment Authority (6:23 PM)

Absent:

Meeting opened by Ms. Clarke at 6:10 PM

North Carver Project:

- Eminent Domain as requested by Route 44 Development –
Ms. Clarke – Kathleen will be bringing in the Order of the Taking document for the parcel. We will discuss and possibly sign this evening.
- Upcoming meeting with DHCD - We are going over information to determine if any changes are needed. Savery and I had a call with DHCD / Maggie to determine the process going forward. We are hoping to discuss with Mr. Bott. Mr. Bott – I had really bad audio on that call. Ms. Clarke – I have a link to the audio recording; I can forward that to you. Maggie didn't have too much to say, it was more just walking around parameters. We are hoping to get into more of it this week and maybe have Hillwood people at our next meeting. Ms. Leighton – In regard to the P&S, the closure will come from McLaughlin and Hillwood once the Order of taking is done? Ms. Clarke – That was to clear the title, I am not sure what they still need to do. Ms. Leighton – Once they sign the P&S and Hillwood takes over, will DHCD tell us what needs to be in the new agreement? Mr. Moore – The URP is 7 years old. The whole business works has

changed. Hillwood wants to know if their plan is considered a major or minor change to that URP. That will determine what happens next. We are getting Maggie the information she needs to make a determination. Ms. Clarke – It isn't anything that the RDA is working on, as far as documents or discussions. Mr. Moore – What we are doing today will just clear the title. The P&S may run in tandem with the Attorney General approval of the by-law changes passed at the Town Meeting. DHCD has until August to complete, Hillwood will not know officially until then. Ms. Clarke – The project is moving in a conceptual plan as they are not yet responsible for the property. We could negotiate a new agreement but it can't be signed until they have purchased the property. When/if everything passes, I will get a note from Kara. At that point, everything will kick into high gear.

Mr. Moore – What is the role that we will play, moving forward? Mr. Bott – Likely, the RDA will be involved in any changes to the URP. You are welcome to attend the Planning Board Meetings.

6:19 PM - 5-minute break, waiting for Ms. O'Donnell to arrive

6:24 - Kathleen O'Donnell arrived

No. Carver Project, Eminent Domain as requested by Route 44 Development: Continued -

Ms. O'Donnell – What we are doing tonight, is being done to clear up a title problem. Because we are not able to find all the people who might sign the deed, this is the quickest way to resolve it. We will send a notice to all the interested people that we know of to let them know that the taking is going to occur and then the taking will happen and be recorded. We will send a notice to the interest holders to let them know that there is a damage award that has been authorized and for them to come in and prove what percentage that they own. As the RDA, you are required to send a notice of intent, first. That is what we will ask the Chair to sign tonight, with your approval. The next step, The order of Taking will be signed at your next meeting. We will be able to record on July 8th. Ms. Clarke – Does it need to be sent certified? Ms. O'Donnell – No, it's not necessary. Certified usually takes longer. Ms. Clarke – Do you have a list? Ms. O'Donnell provided a list to the Chair. Ms. O'Donnell – Do you know what the amount of award is going to be? That is not currently in the letter. Ms. Clarke – We have two appraisals. Do we pick one? Ms. O'Donnell – There was not a significant difference between the two. Mr. Noblett – Do they have a time limit to

respond? Ms. O'Donnell – They have up to 3 years. If no one makes a claim, the money goes to the state. Ms. Clarke – They will be awarded a percentage based on ownership percentage. Ms. O'Donnell – The appraisal from Curley was \$3,750. I don't have the appraisal from Toner. Mr. Moore – The appraisal from Toner came in at estimated fair market value of \$1,300. We should go with the higher bid. Ms. O'Donnell – I agree. This letter is just a notice that we intend to do an Order of Taking. Mr. Noblett – If no one comes forward, the money goes where? Ms. O'Donnell – It goes to the state as unclaimed property. Ms. Clarke – The money goes into a separate account. Mr. Meagher – The money comes from George. Ms. Leighton – Does the account need to be interest bearing? Ms. O'Donnell – You could just hold it in escrow.

Motion to accept the letter, as written, and to authorize the Chair to sign it: Ms. Leighton

Second: Mr. Noblett

Approved: Unanimous (5-0)

Upcoming meeting with DHCD Continued 6:34 PM –

Mr. Moore - Our next step is to get a copy of the proposed changes from Hillwood and discuss with Maggie at the DHCD. Maggie has a 45-day time limit to respond. Ms. Leighton – When will the VHB and traffic study and traffic redirection layout come into the picture? Mr. Moore – Everything else needs to happen first. The tenant will determine the traffic. The final traffic plan will not be done until the final traffic projection is done. That will be totally dependent on the tenant. Ms. Leighton – I have had residents approach me, asking when the traffic issue will be fixed. Mr. Moore - The promise made regarding fixing that intersection was that it would be fixed and completed before the new facility opens; that could be 3 years. Ms. Leighton – They will also monitor it for three years. Mr. Noblett – Everything is moving forward with this project? Mr. Moore – Yes, we are waiting on the Attorney General's determination on the legality of the articles that passed at Town Meeting. Ms. Clarke - Hillwood wants to wait until it is approved by the AG. Mr. Moore – There is one article that was withdrawn at the Town Meeting. It's part of a later process and will be reviewed/reworded at next year's meeting. It has to do with zoning on how close you can be to abutting property and only affects the entrance way to the whole property. We could either go back to next year's Town Meeting or they go to the ZBA and appeal the Zoning for a variance.

Mr. Noblett – We won't see any construction until next year? Mr. Moore – If everything is approved and the changes are considered minor, then Hillwood can begin marketing to potential tenants.

90 Forest Street, Planning Board meeting (taken out of order to accommodate Ms. O'Donnell's schedule):

Ms. Clarke – We have reason to believe that the buyer will be needing an extension on the P&S. We asked Ms. O'Donnell to work on that. Ms. O'Donnell – I talked to the attorney for the buyer and there are two contingencies in your P&S. 1. The variance has been extended. 2. He has all his permits and approvals. We don't have an extension of the variance and he is not even close to having all his permits. Mr. Bott – He is on the agenda tonight but has requested a continuance. We are hopeful to have something by the end of the month. Ms. O'Donnell – We feel that it is best to extend the variance. Your variance expires on 6/30/22, so you will need to file for an extension, before 6/30/22. Ms. Clarke – We have already had one extension so we now have to refile in its entirety. Ms. O'Donnell – So that needs to be in place within the 90 days. Ms. Clarke – If he is comfortable with 90 days, that is good. Ms. O'Donnell – Yes, he asked for it. Mr. Bott – They are probably going to be okay due to COVID regulation easements. Ms. Clarke – My concern is when he goes to his financing bank, and the bank suddenly says that it doesn't meet zoning. If he is not ready for the Planning Board, I have time to get it through the Zoning Board in time.

Motion to accept a 90-day extension: Ms. Leighton

Second: Mr. Moore

Approved: Unanimous (5-0)

Ms. O'Donnell left the meeting – 6:48 PM

- Roadwork –

Christine Joy, Select Board, Plympton – The Town of Plympton has had some frustration with a lack of communication on the road configuration. Who do we talk to? Who is overseeing that project? Mr. Moore – The Highway Department. Ms. Joy – They are diverting traffic through a very narrow dirt backroad. They didn't follow proper procedure. They didn't notify us; there should have been a hearing. The road can't accommodate the PA Landers trucks.

Ms. Joy - They laid a gas line; if we knew what the schedule was, we could have talked with the residents first. Ms. Clarke – Did we know there was a gas line? Ms. Joy – The trucks had to access that through Plympton; there was no way they could access through Carver. I think they are at the tail end. But we need to know future plans so that we can work with the residents.

Ms. Leighton – I was in that area on Saturday. Where are they going? Ms. Joy – Montello Street, the trucks went south on Montello through Plympton. Both sides were closed and they ignored the closure after Heather's Path that they were just running down. Mr. Moore – So you are thinking they should use the new curve on the Carver end of Montello Street? Ms. Joy – Yes. Ms. Leighton – I would definitely contact John Woods, at the DPW. Does the dirt road need to be repaired? Ms. Joy – Your highway department has agreed to help with regrading that; it will need to be regraded. Ms. Leighton – Why was it never tarred? Ms. Joy – There is issue with having to take property to meet road width requirements, so it was never done. Basically, the only traffic on Heathers Path is residents and school bus. Ms. Leighton – When the roadway is completed, what about Heathers Path after construction? Ms. Joy – We originally requested a dead end but the developer did not like that, due to fire safety and having a second access point. We have also discussed a gate that the developer seemed to like. Ms. Leighton - There are still two parcels that are in Carver that will need to be discussed.

Ms. Clarke – I have spoken with Mac from Hillwood and he is very aware of that side of the road. He doesn't have any authority to approach Plympton yet as he doesn't have possession of the property yet. Ms. Joy – I think it will be solved down the road. I will start with John Woods. Ms. Clarke – Any issues, reach out to me.

Mr. Noblett – When issues arise from other Towns, will they have to work with the developer or do they have to go through some of the process again? Mr. Moore – That is probably under the purview of the Planning Board and the Site Plan Review. We look at our role as getting ready for this to be built. Mr. Noblett – So that will just be discussion and won't stop the project? Mr. Moore – No, this is not the first time we have discussed this very issue. A gate has been in discussion for a very long time. I don't think there will be any issue with getting Plympton the protection that they need for this.

Mr. Noblett – There is nothing that could be done like the paving for Heathers Path?

Mr. Moore – It is dirt road and it is only servicing a small residential area of about 15-20 homes. They want to keep it that way so it doesn't become a major road. Ms. Clarke – It has a layout but it requires a 40' wide roadway. That would require them to take some of the front yards and they don't want to do that. That doesn't mean that the developer can't negotiate, for example, the gate or some maintenance. Mr. Moore – In none of the plans put forward by anybody, was the use of the Plympton side of Montello St.

Ms. Leighton – When it comes to the Planning Board, Ms. McCollum (former Planning Director) indicated that it was very important that the RDA attend those Planning Board meetings and to actively participate in those meetings. Are we bonded? Ms. Clarke – That lies with the Planning Board. Ms. Leighton – We have to be protected in case the tenant walks out. Mr. Meagher – If you are referring to Performance Bonds, it is like an insurance policy. The contractor gets it and just tacks it onto what they bill. Ms. Leighton – Let's say that the tenant has a flourishing business until they don't and then they walk away. That will leave us with a big empty building. Mr. Meagher – I am not sure there is anything you could do about that. Mr. Moore – They would have to file for bankruptcy. One of the reasons we asked for the by-law changes at the Town Meeting was to have a long term, 30-year lease. Ms. Leighton – Is there a bond the Town could take out? Mr. Meagher – I don't think so. A Performance Bond is for during construction. Mr. Moore – Certain things would require a bond, for example, solar panels. Our Solar by-Laws require a bond so that when the panels are done with their useful life, whoever put them in comes and takes them out. If they don't want to do that, we take that bond money and do it ourselves. If the building is utilized with something that requires refrigerant, they would have to put money aside for that. Structures themselves do not have that requirement. Ms. Leighton – We had so many buildings in the center of Carver that were empty, same in Plymouth. The corporations would move locations. Ms. Clarke – They lost revenue from sales but the Town(s) continue to collect taxes. If Hillwood comes to Town, they are a fortune 500 company and have been through multiple commercial recessions; they know what they are doing. Mr. Moore – I would be more concerned if it was a smaller building. Ms. Clarke – This is why we are focused on a company like Hillwood.

Ms. Leighton – With regards to working with the Planning Board, Sharon mentioned that everyone of us can/will appear at the Planning Board Meetings. I applaud this; it allows us to stay on top of what is happening. Mr. Moore – Yes, we need to be included in the Site Plan Review Meetings as well. Ms. Clarke – Yes. If they thought after reading all the material and considered the raise in height by-law as a major change and they raise that question, we will already have that covered. That is why it's important for us to go to those meeting. We have discussed a joint meeting when their agenda slows down. Ms. Leighton – With 90 Forest Street, there were delays due to Fuss & O'Neil not coming to meetings. I'm just warning you; our expectation should be that Fuss & O'Neil attend those meetings. Mr. Moore – This is a much larger scope of a project; Fuss & O'Neil will send a team. There will be many Subject Matter Experts. There are things written into the Planning Board by-Laws that if you have everything presented by a certain time, they only have a certain amount of time to react to it. They can't continually delay it but could come back with more questions.

Mr. Noblett – You have all been doing this a long time; I have not. You are using a lot of acronyms that I am not understanding. If you could take a minute to clarify as you go, that would help. Also, someone watching the meeting at home, might not understand it. I want to participate properly and want to make sure I understand. Ms. Clarke – Please jump in at any time with any questions. I would be happy to go over anything with you if you want to call me outside of this meeting.

Topics not reasonably anticipated by the Chairwoman 48 hours in advance of meeting:

Meeting Minutes :

All minutes that have not yet been approved will be forwarded to all members for a vote at the next meeting.

Members Comments:

- Ms. Clarke –
- Mr. Moore –
- Ms. Leighton -
 - A handout was presented to members, re: Waterview Village. Years ago, the residents of Waterview Village wanted to convert to Natural Gas and Eversource was very expensive. They came to the RDA and asked for help.

We worked with Eversource. The list you have are the people that needed some help to convert over. These people signed a promissory note. Mrs. Coulstring just sold her property and brought her promissory notice and a check in the amount of \$790 to Jill. That check has been given to Mr. Meagher for deposit. Regarding the Pratt home, Mr. Pratt passed away, we will not be pursuing that. Mr. Noblett – Can the RDA benefit from a tax write off? Ms. Leighton – No. We are benevolent. Mr. Moore – The plan was that if you stayed in your home long enough, it would zero out. The Multhrops are all paid. I am not sure about the Richmonds, I will have to research that. I will track them through the Balboni Company. Mr. Moore – They only have two years left.

- Ms. Leighton - I do have an Excel Spreadsheet with all the projects the RDA has done over the years. Roger may benefit from seeing that. We couldn't do anything in local housing as we didn't have any professional help; but the money is still there. We could do affordable housing. Ms. Clarke – We could. I know Mr. Belbin been interested in a couple of parcels that he might look to partner with but we would have to look into that.

- Mr. Meagher –
- Mr. Noblett –

Next Meeting:

Our next meeting is scheduled for June 21, 2022 at **6:00 PM, Room 4.**

Ms. Clarke - I would also like to schedule the first meeting of July; it will be longer (perhaps 2 hours). We will schedule it for July 5 at 6:00, I will request room 4.

Adjournment:

Motion to adjourn at 7:40 PM: Ms. Leighton

Second: Mr. Moore

Approved: Unanimous (5-0)

Exhibit

A: Waterview Village Handout

Project Status ONGOING until 2024									
2014 - Waterview Village Gas Conversion Loans									
								COMMITMENT	4,000.00
Balboni Companies owners of the park (64 units) ...130-2 Camelot Dr. Pky, 508-746-6243, mgr Kathy Maguire									
* Balboni Companies has right of 1st refusal									
* Balboni Companies updates 5yr lease annually w/owner									
* RDA lien held by Owner & RDA Attorney ...UCC filing => liens									
* Mgr w/mgr on 3/27/19 to update ... mgr has put note in each owners file who has o/s liens/ams									
* Homeowners hold "Certificate of Origin" not a title									
Name	Address	Date Promissory Signed	Maturity Date	Contract or Fee	Legal Fee	Total Loan Amount		Total Repayment	
Coulstring, Nannette	4 Jill Marie Drive	1/13/2014	1/13/2024	\$520.00	\$270.00	\$790.00			
Coulstring, Nannette repayment 5/26/2022 sold the home	4 Jill Marie Drive		5/26/2022					\$790.00	
Mouthrop, Jacqueline	43 Jill Marie Drive	1/24/2014	1/24/2024	\$800.00	\$270.00	\$1,070.00			
Mouthrop, Jacqueline repayment 5/24/2016 sold the home	43 Jill Marie Drive		5/24/2016					\$1,070.00	
Pratt, James & Carol	11 Jill Marie Drive	1/13/2014	1/13/2024	\$800.00	\$270.00	\$1,070.00			
Pratt, James(died) & Carol sold thru realtors in 6/2018 ... info given to our lawyer	11 Jill Marie Drive							\$0.00	
Richmond, Frank & Linda	21 Jill Marie Drive	1/6/2014	1/6/2024	\$720.00	\$270.00	\$990.00			
				Waterview Village Balance due to RDA		-\$990.00			
				Actual Project Cost		\$3,920.00			

