



# Northern Conomo Point Planning Study

Town of Essex, MA

November 2010



*Taintor & Associates, Inc.*  
*with*  
*Community Investment Associates*  
*and Howard Snyder Landscape Architect*

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# Introduction

In January of 2010 the Town of Essex began a public process to discuss the future of Northern Conomo Point. Why is this necessary? For a century, the land on Conomo Point has been Town-owned and leased for residential use to tenants. Over the years, tenants (consisting of both local Essex residents as well as non-residents) have built seasonal and year-round dwellings in this scenic area on the Essex River. The Town has had a turbulent past with the leasing of the Point – disagreements over lease rates and terms, taxes, wastewater treatment, and access and use for non-tenants have created contention among residents, Town leaders, state officials, and the tenants of the Point. Leases for all of the Conomo Point lots expire in December 2011. In 1999, Town Meeting voted to retain the waterfront area for public use upon the expiration of leases for those properties north of Robbins Island Road. The Town began this planning process to develop a vision for Northern Conomo Point that would include:

- Substantial expansion of public use and access to the waterfront;
- Compliance with MA DEP wastewater flow limits.

This report summarizes the planning process and outlines possible future scenarios for Northern Conomo Point. The intent of this report is to provide a guide for the Town as it begins to transition the Point from its current status to a future that satisfies the desires of the Town's residents, is fiscally sound, and complies with state regulations. This plan presents a menu of options from which the Town can craft its desired future. What happens on the Point is ultimately in the hands of the Town's leaders and voters.



**View of Cross Island from Conomo Point Road**

# Background Information

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## Community Context<sup>1</sup>

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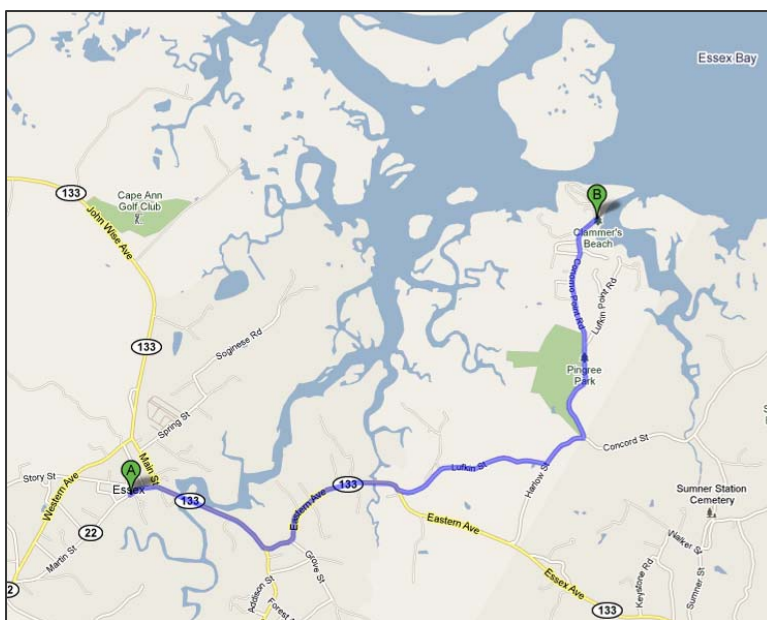
- Town's Annual Budget -- \$14,054,811
  - \$5,954,035 for Manchester-Essex School District
  - \$138,840 for North Shore Vocational District
  - \$7,961,936 for Municipal Operating Budget
- Total population of the Town (based on Town census) - 3,267
- Total Annual Tax Levy -- \$10,038,384 (other sources of income such as local aid and fees for services make up the difference in revenue between the tax levy and Town budget)
- Total Town Real Estate Valuation (FY 10) -- \$820,643,307
  - \$747,050,820 (residential)
  - \$57,807,831 (commercial)
  - \$15,784,656 (industrial)

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## Northern Conomo Point Existing Conditions

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- Land area – 11 acres (approx.)
- Number of leased properties – 80 (62 with occupied dwellings)
- Number of leaseholders -- 66
- Number of bedrooms -- 188
- Number of permits for year-round use -- 19
- Number of months public water is supplied by the Town – 6
- Water Department fees collected annually -- \$49,000
- Annual tax revenue -- \$380,000
- Annual rent for all leased properties (due annually on April 1) -- \$74,007
- Number of school children – 2
- Assessed value -- \$7,139,800 (buildings), \$23,927,400 (land) – reflects 30% abatement on land value
- Existing public access
  - 2 boat ramps (Front Beach and Clammer's Beach)
  - 2 beaches – sandbar access at low tide
  - Dock at Front Beach available for Town resident use
  - Parking on roadside with resident permit and on beach in off-season



Source: Google Maps 2010

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<sup>1</sup> From Essex Town Administrator Spring, 2010.



## Brief History of Conomo Point

- 1875 Essex began leasing building lots on Town-owned property at Conomo Point
- From the onset, tenants have paid rent in addition to property taxes on the land and buildings
  - Until 1991 rents were not based on land values and made no provision for inflation
  - Rents were increased only 4 times in 100 years – by 1986, average rent was \$60 per year
- 1987 Town meeting voted to establish a new base rent for each property based on 3% of assessed value
- Estimated assessed value of properties was \$4.7 million
  - Voters also approved prohibiting conversions from seasonal to year-round
  - After Town meeting vote, tenants filed suit in Land Court against the Town for breaking the existing lease
- 1991 Land Court Settlement
- 10-yr lease term (with option for renewal of one 10-year term)
  - Rent increased (x10 existing) with allowance of an annual cost of living increase
  - Conversions from seasonal to year round permitted (must meet all Town regulations)
  - Tenants granted assignment rights – can sub-lease their properties
  - Final and binding agreement, put to rest all claims which had been raised by tenants
- 1996 MA Department of Environmental Protection (DEP) Consent Decree issued to Town to address discharge of pollutants into the Essex River from inadequate sewage disposal systems located on Conomo Point. Required state wastewater flow limit is 10,000 gpd (gallons per day) for any property owned by one owner. Anything over that amount would require a groundwater discharge permit from DEP and sufficient site conditions and land area to comply with the permit's requirements for wastewater treatment. Current estimate of 20,000 gallons per day (gpd) for Northern Conomo Point.
- 1997 Town Meeting voted not to renew the Conomo Point leases that expire in 2011
- 1997 Town Meeting voted to direct a Conomo Point Planning Committee (CPPC) to devise a plan to sell parts of the Point while retaining a portion of Town-owned land for access to the waterfront and to ensure environmental protection.
- 1998 120 tenants filed for a tax abatement. Town Assessors agreed to 30% abatement on land taxes for all CP tenants.
- 1999 Town Meeting voted to retain waterfront area for public use on expiration of leases for properties north of Robbins Island Road: map 19 lots 65-79,81-86, 88-89, 91-93, 95-102 and map 24 lots 1-25,27-39,41-45.



- 2003 MA Department of Environmental Protection (DEP) Consent Decree revised as the “Second Modified Final Judgement” with a requirement for an updated plan for reducing pollution from Conomo Point.
- 2003 Town submits plan to DEP outlining steps it would take to reduce pollution from Conomo Point septic systems impacting Essex River. Plan was revised again in 2007 and outlines:
- Retaining 80 lots (not all are presently occupied) in north for public use (approved by Town Meeting vote in 1999)
  - Final procedures for homeowners to return properties to the Town would be developed by summer of 2009 (subsequently extended to end of 2010)
  - Plan for lots in south was yet to be determined (see 2008 Town Meeting vote)
- 2007 Town Meeting rejects Articles presented by Conomo Point Planning Committee and petitioners related to reuse of Conomo Point and sale of lots.
- 2007 Plan submitted by Town to DEP for Conomo Point revised (see 2003 plan description).
- 2008 Town Meeting voted to approve funding to hire a consultant to develop a subdivision plan for *southern* Conomo Point, Town Meeting will still need to approve final zoning changes and sale.



**View from northwest point along Conomo Point Road**




**Clammer's Beach**






## Legend:

### BUILDING AND PROPERTY

-  Lot Number
-  Dwelling Structure on Leased Land - Seasonal
-  Dwelling Structure on Leased Land - Year Round
-  Accessory Structure on Leased Land
-  Public Structure (Community Building)
-  Privately Owned Dwelling
-  Private Property

### CIRCULATION

-  Vehicular Drive
-  Parking: Year-Round
-  Parking: October - May

### SITE FEATURES

-  Vegetative Canopy
-  Dock
-  Beach
-  Boat Ramp

Note:

ACEC= Area of Critical Environmental Concern



Existing Conditions

Northern Conomo Point

Taintor &  
Associates

Town of Essex

OCTOBER, 2010



Graphic prepared by Howard Snyder

## Planning Process

Throughout this process, community members were invited to share their ideas about options for use of Town-owned land located north of Robbins Island Road. The consultant team of Taintor & Associates, Inc. (Newburyport, MA) and Community Investment Associates (Ipswich, MA) met periodically throughout the process with the Conomo Point Planning Commission to review and discuss planning scenarios and concepts. Three public forums were held in March, June, and October. In addition, the consultant team held five focus group discussions with community stakeholders. These focus group discussions included 10 to 12 stakeholders from the community representing a variety of interests. A summary of the public meetings and focus group discussions is provided in the Appendix.



Pier and floating docks at Front Beach access



## Redevelopment Scenarios

Based on the public dialogues facilitated by the consultant team, three scenarios for the future of Northern Conomo Point were developed. These were presented to the public for review and comment and then revised and reviewed again. The three scenarios present three different possible development plans for the Point – one with little change to the existing residential uses, the second (two options) with a scaling back of the residential uses, and the third with no residential uses.

These scenarios could be implemented individually or as a phased plan over time. The scenarios are meant to illustrate some of the concepts discussed in the public discussions. All would require further site planning and public review to implement. Furthermore, some of the ideas raised during this planning process that are not included in these three scenarios are discussed in the Implementation Section.

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### Scenario 1      Retain existing dwellings and increase public benefit

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This Scenario presents a concept for increasing public use and access along the waterfront while maintaining the existing dwellings.

#### COMPONENTS

- Create new public waterfront park:
  - remove a portion of Conomo Point Road
  - benches
  - perimeter fencing/landscaping
  - walking path
  - provide driveway for access to Front Beach
- Maintain existing docks (2) and boat ramps (at Front Beach and Clammers Beach) for year-round public use;
- Improve old ramp at north of point (next to Lot 17) for walk-in boat loading (kayakers, etc);
- Continue to allow access for commercial shellfishermen, recreational boaters, and seasonal beach parking;
- Improve existing parking areas and add new public parking areas
  - gravel lots with improved grading and signs
  - improve parking across from Clammer's Beach
  - add new parking between Middle Road and Conomo Point Road
  - convert Lot 16 (parking for Cross Island) to public parking
- Provide seasonal public restrooms (either composting or portable).

Private uses would continue for dwellings and associated outbuildings under short term renegotiated leases (3 to 5 years). Tenants would be responsible for maintenance of existing and future improvements and would continue to pay property taxes (for land and buildings). If any leases are not renegotiated, the Town could chose to secure a new tenant, convert the property to public use, or remove the building. Properties without existing habitable dwellings would not be leased and the buildings would be removed.

## BENEFITS

- Expanded public use and access;
- Decreased density through removal of outbuildings;
- Revenue production.

## ISSUES

- Does not release Town from landlord role;
- Does not comply with DEP limit if all lots are retained under single ownership by the Town.



**Benches above seawall on north side of Conomo Point Road**









**Dinghies and canoe at north east point, next to lot 17**



## Legend:

### BUILDINGS AND PROPERTY

-  Dwelling Structure on Leased Land - Seasonal
-  Dwelling Structure on Leased Land - Year Round
-  Accessory Structure on Leased Land
-  Public Building
-  Privately Owned Dwelling
-  Privately Owned Property

### CIRCULATION

-  Pedestrian Path
-  Pedestrian Path to South Conomo Point
-  Vehicular Drive
-  Vehicular Boat Ramp Access
-  Parking: Year-Round
-  Parking: October - May

### SITE FEATURES

-  Existing Vegetative Canopy
-  Waterfront Park
-  Fence/Vegetative Screen
-  Dock (Public)
-  Beach
-  Boat Ramp (Existing)
-  Small Craft Ramp
-  Scenic Overlook
-  Restroom Facilities



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Scenario 1: Retain Existing Dwellings and Increase Public Benefits

Northern Conomo Point

Taintor &  
Associates

Town of Essex



Graphic prepared by Howard Snyder



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## Scenario 2 (Options A and B) Compliance with DEP wastewater flow limits

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- Components include all of the Scenario 1 improvements, plus;
- Expansion of parking areas;
- Expanded public green space
  - Fill, clean-up
  - Native plantings
  - Additional walking paths
- Creation of picnic areas
  - Grading, fill, grass seeding
  - Benches and grills
- Conversion of existing building to seasonal public facility available for rental. Two options were considered:
  - *Option 2A* -- Renovate existing Conomo Point Association boat house with modest gathering space and small restroom
  - *Option 2B* -- Renovate an existing residential dwelling at north of point to include restrooms, changing area, kitchen, gathering area<sup>2</sup>



**Conomo Point Association “boat house” on south side of Conomo Point road (lot 14)**

Private residential uses would continue. Leases would be as proposed in Scenario 1. This translates to 90 bedrooms and 28 dwellings.<sup>3</sup> Options for consideration:



**View of Robbins Island from north**

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<sup>2</sup> The existing residential dwelling identified as a potential future community building in the conceptual plan for Scenario 2B is lot 14. This is for illustrative purposes only, a specific location and dwelling suitable for conversion to a public facility will need further study by the Town.

<sup>3</sup> Would need to be approved by DEP.

- *Options 2A* -- Maximize total income from remaining properties by retaining higher value properties, while still retaining the existing neighborhood character. Remove 34 dwellings and associated outbuildings.
- *Options 2B* --Maximize public benefit by prioritizing access to most scenic and waterfront areas, sell 11 Robbins Island lots (lots 66 to 76.)<sup>4</sup> Remove 24 dwellings and associated outbuildings.



**Trucks with boat trailers parked along Front Beach**

## **BENEFITS**

- DEP Compliant regarding wastewater flows;
- Expanded public areas;
- Seasonal public facility;
- Revenue production;
- Decreased density.



**Looking north from south side of lot 40 (fire lane)**

## **ISSUES**

- Does not entirely release Town from landlord role;
- Would need DEP approval for continued residential uses.







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<sup>4</sup> The sale of Robbins Island or other portions of Town-owned properties could be part of either option presented for Scenario 2. This is included in Option B as Robbins Island may be less desirable for public access due to the width constraints of Robbins Island Road and periodic flooding. However, even with sale of these lots, Robbins Island Road may still be maintained as a public way to allow pedestrian access.



## Legend:

### BUILDINGS AND PROPERTY

-  Dwelling Structure on Leased Land - Seasonal
-  Dwelling Structure on Leased Land - Year Round
-  Accessory Structure on Leased Land
-  Public Structure (Community Building)
-  Privately Owned Dwelling
-  Privately Owned Property

### CIRCULATION

-  Pedestrian Path
-  Pedestrian Path to South Conomo Point
-  Vehicular Drive
-  Parking: Year-Round
-  Parking: October - May

### SITE FEATURES

-  Existing Vegetative Canopy
-  Public Open Space
-  Waterfront Park
-  Fence/Vegetative Screen
-  Dock (Public)
-  Beach
-  Boat Ramp (Existing)
-  Small Craft Ramp
-  Scenic Overlook
-  Restroom Facilities (Seasonal)



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Scenario 2A: DEP Compliant and Maximized Revenue

Northern Conomo Point

Taintor &  
Associates

Town of Essex










Graphic prepared by Howard Snyder








## Legend:

### BUILDINGS AND PROPERTY

-  Dwelling Structure off Leased Land - Seasonal
-  Dwelling Structure on Leased Land - Year Round
-  Accessory Structure on Leased Land
-  Privately Owned Dwelling
-  Privately Owned Property
-  Privately Owned Property (Future)
-  Public Structure (Community Building)

### CIRCULATION

-  Pedestrian Path
-  Pedestrian Path to South Conomo Point
-  Vehicular Drive
-  Parking: Year-Round
-  Parking: October - May

### SITE FEATURES

-  Existing Vegetative Canopy
-  Public Open Space
-  Waterfront Park
-  Fence/Vegetative Screen
-  Dock (Public)
-  Beach
-  Boat Ramp (Existing)
-  Small Craft Ramp
-  Scenic Overlook
-  Restroom Facilities (Seasonal)



OCTOBER, 2010

Scenario 2B: DEP Compliant and Maximize Public Access

Northern Conomo Point

Town of Essex



Graphic prepared by Howard Snyder

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## Scenario 3      No Residential Uses with Land for Public Benefit

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In addition to the improvements from Scenarios 1 and 2 (Options A or B), this scenario would involve conversion of the remaining properties to public use.

### BENEFITS

- Substantial increase of public use and parking;
- Town released from landlord role;
- Complies with DEP limit.

### ISSUES

- Improvement costs;
- On-going maintenance required;
- Loss of revenue.





**View from east side of Conomo Point Road north of Clammer's Beach**








## Legend:

### BUILDINGS AND PROPERTY

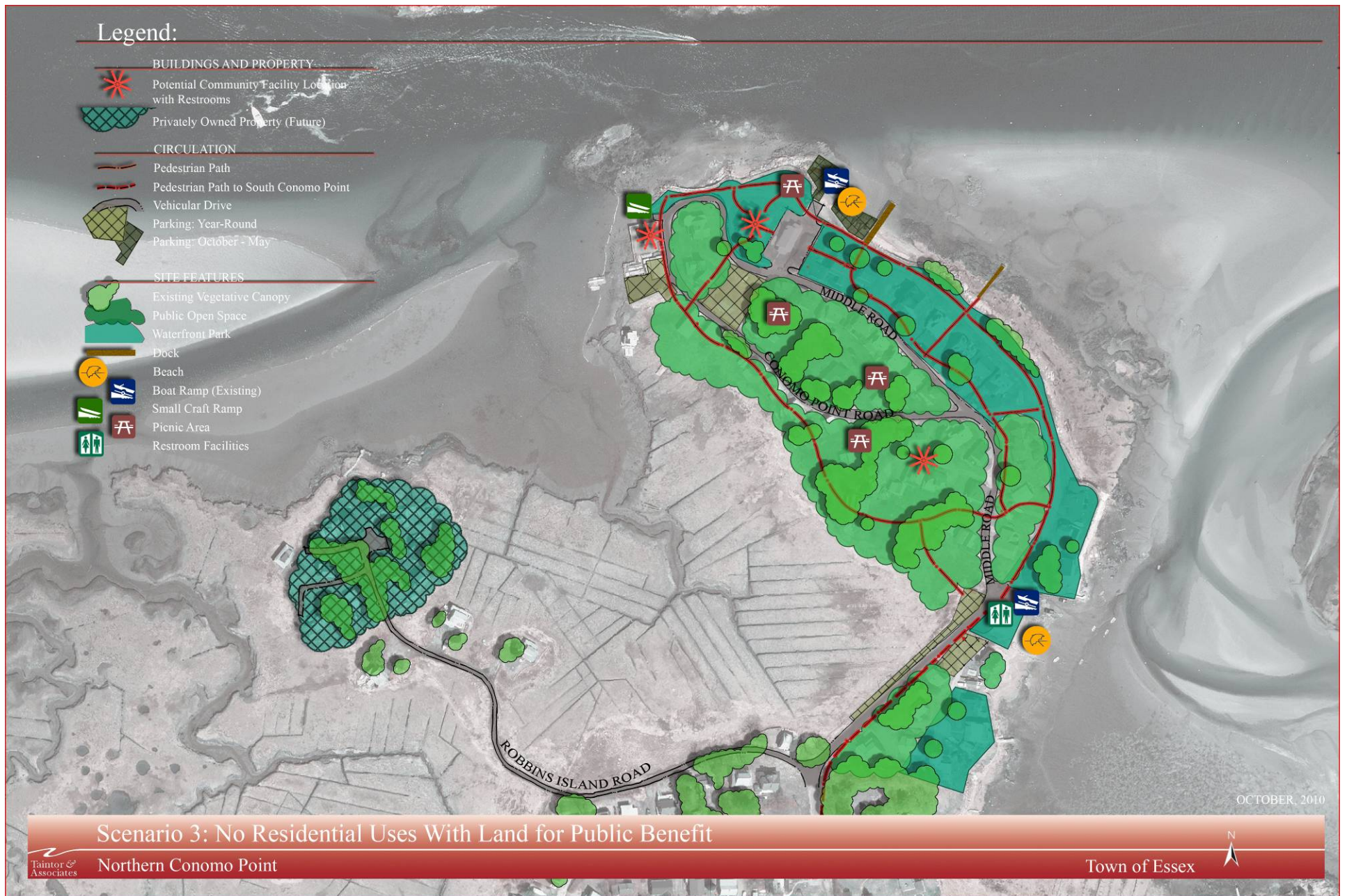
-  Potential Community Facility Location with Restrooms
-  Privately Owned Property (Future)

### CIRCULATION

-  Pedestrian Path
-  Pedestrian Path to South Conomo Point
-  Vehicular Drive
-  Parking: Year-Round
-  Parking: October - May

### SITE FEATURES

-  Existing Vegetative Canopy
-  Public Open Space
-  Waterfront Park
-  Dock
-  Beach
-  Boat Ramp (Existing)
-  Small Craft Ramp
-  Picnic Area
-  Restroom Facilities



Graphic prepared by Howard Snyder



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## Phasing

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The Town could select one scenario or consider a phased redevelopment for Northern Conomo Point by implementing all three scenarios. The benefits of this approach are:

- Distribution of related costs over time;
- Option to continue to receive revenue from existing properties during transition;
- Flexibility to seek additional funding sources or revenue generators for different components;
- Provides an opportunity to re-evaluate the objectives of each phase and adapt if necessary based on current community needs or goals.

This approach does not make any assumptions on how long the phased redevelopment would take but rather leaves it to the will and capacity of the Town. In addition, the phased approach does not rule out the option to overlap different components of the phases (e.g. portions of Scenario 2 could happen concurrently with Scenario 1.)



**Marsh east side of Conomo Point Road**

# Fiscal Impact Assessment

## Overview of Existing Revenue and Costs

### REVENUE

Direct revenue from the *current* leaseholders on Northern Conomo Point.

2010 Revenue Categories	Revenues	Source
Taxes	\$380,000	Assessors
Rents	\$72,100	Selectmen's Office
Excise taxes <sup>5</sup>	\$1,411	Assessors Office
Water Dept. payments <sup>6</sup>	\$49,009	Water Department
Moorings (79) <sup>7</sup>	\$5,200	Police Department / Harbor Master
<b>TOTAL</b>	<b>\$507,720</b>	

### EXPENSES

Costs of providing municipal services are difficult to allocate to individual properties. To estimate existing expenses, Community Investment Associates inquired with municipal departments to identify any significant or unusual costs associated with Northern Conomo Point.

- **General Government:** This cost is unlikely to decrease with a reduction in units on Northern Conomo Point, but may potentially increase as the transition may require more administrative involvement on the part of the Town. Whatever decision comes out of the planning effort, continued government involvement (and the associated expense for staff time and consultant fees) will be required to implement the next stage.
- **Harbor Master:** Processing of mooring applications and enforcement of mooring permits may increase at a low level with the potential turn-over of those moorings to new holders.
- **School:** Currently there are two school-aged children living on Northern Conomo Point. The formula for allocating school funding cost by town for the Manchester-Essex Regional School District factors in both the number of students, total population size, and the Equalized Valuation (EQV) of each town. Even a complete elimination of population on NCP and of the two school-aged children would make no measureable change in the formula. The complete removal of the leasehold improvements on the Northern Conomo Point properties, which reduce the assessed value on the land and buildings to \$0, is estimated to reduce the Essex contribution to the school costs by \$17,000. The retention of all or some of the leasehold improvements (as described in Scenarios 1, 2A and 2B) would proportionally lower Essex's contribution.
- **Public Works:** The Town currently plows the roads on Northern Conomo Point during the winter. While this expense could potentially be reduced if year-round rentals are eliminated, it is likely that

<sup>5</sup> This total could vary by a factor of 100% based on the extensive use of Post Office boxes by residents in Essex. It was not possible to match up names and addresses to confirm ownership on Conomo Point.

<sup>6</sup> Based on master meter measuring all water users - 44 households north of Robbins Island Rd.

<sup>7</sup> 59 Leaseholders on Northern Conomo Point have at least one mooring. Thirteen (14) households have two moorings, and another three (3) households have three (3) moorings for a total of 79 moorings.

year-round access would continue to be necessary (and desirable) for public safety, fishing and other waterfront users. DPW services would also be required for the transition stage, contracting for and managing demolition and construction projects. Any improvements or additions to public spaces at Conomo Point would also require additional services for maintenance and upkeep by the Public Works department (unless a Town department is created specifically for this purpose or a public-private partnership is negotiated to carry out these tasks.)

- **Water Department:** Water Department fees are billed directly and are deposited into an enterprise account. They do not affect general fund revenue, however they do provide important revenue to the operations of the Town's water treatment plant. If the Town developed a park on Northern Conomo Point, or operated community facilities or seasonal rentals, any water charges for those uses would be paid by the Town to the water enterprise fund. The Town made an investment in new water pipes to the area about 15 years ago, so complete discontinuance of water service to the area will not save the Town from maintenance upgrades that may be required. Annual maintenance on the seasonal water lines is significant, as they need to be cleared of water each fall, and the 44 homes that are metered have the meters removed in the fall and reinstalled in the spring. This work would decline proportionate to the decrease in the number of units.
- **Police/Fire/Human Services:** Use of a waterfront area generates a need for public safety services and possible rescue. This demand will continue, whether the users are local residents or the general public. There is reported to be no special demand on police/fire services for the current uses on Northern Conomo Point, however the Police Department projects that more services may be required from their department during the transition to protect any vacant buildings.
- **Debt Service:** Debt service is unlikely to change with the continued residential uses on NCP. Debt service could increase if the Town bonds for the development of new recreation projects such as a community building, acquisition of extensive park equipment, or other long term assets.



## Overview of Costs and Revenues of Redevelopment

This section begins with a summary of the costs and revenues of redevelopment for each scenario. Further discussion of the individual components follows and supplemental details are provided in the Appendix – Fiscal Impact Assessment. While the tables below present the revenues and costs for each component, the redevelopment would likely be implemented over a number of years, spreading both costs and revenues over a period of time. A ten-year projection of fiscal impact over time concludes this section.

**Table 1: Summary of Estimated One-time Costs and Revenues by Scenario<sup>8</sup>**

	<i>Estimate of One-Time Revenue</i>	<i>Estimate of One-time Costs</i>	<i>Net One-Time Costs</i>
<b>Scenario 1</b>		\$324,200	\$324,200
<b>Scenario 2A</b>		\$936,925	\$936,925
<b>Scenario 2B</b>	\$4,500,000	\$1,086,805	<i>Covered by revenue</i>
<b>Scenario 3 (option 2A)</b>		\$1,364,925	\$1,364,925
<b>Scenario 3 (option 2B)</b>	\$4,500,000	\$1,664,805	<i>Covered by revenue</i>

**Table 2: Summary of Estimated Annual Costs and Revenues<sup>9</sup>**

	<i>Existing Income</i>	<i>Estimate of Annual Revenue</i>	<i>Estimate of Annual Costs</i>	<i>Net Annual Revenue</i>
<b>Scenario 1</b>	\$454,000	\$1,060,479 to \$1,476,415	\$12,450	\$1,048,029 to \$1,463,965
<b>Scenario 2A</b>	\$454,000	\$574,693 to \$777,065	\$23,285	\$551,408 to \$753,780
<b>Scenario 2B</b>	\$454,000	\$551,700 to \$756,181	\$27,375	\$524,325 to \$728,806
<b>Scenario 3 (with 2A)</b>	\$454,000	\$10,000	\$23,285	<i>Net Annual loss</i>
<b>Scenario 3 (with 2B)</b>	\$454,000	\$73,905	\$27,375	\$46,530

<sup>8</sup> Detailed table of one-time costs and revenues provided in the Appendix -- Fiscal Impact Assessment.

<sup>9</sup> Detailed table of annual costs and revenues provided in the Appendix -- Fiscal Impact Assessment.

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## Redevelopment Costs

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This is a brief overview of what is included in the costs of redevelopment. More details on how the costs were calculated are provided in the Appendix – Fiscal Impact Assessment.

### PUBLIC FACILITIES

#### *Survey and Engineering Work*

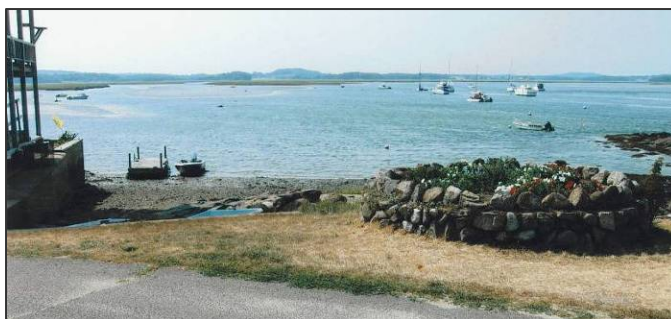
Survey and engineering work of the entire site will be required for most of the activities considered, including the development of recreation facilities, parking, and other common uses of the Town-owned land. Estimated costs for survey and engineering work for the Northern Conomo Point were provided by two firms, and ranged from about \$26,000 to about \$40,000 to \$50,000, depending on the final scope. These estimates were based on photogrammetric mapping with land reconnaissance on the entire area, and development of a survey plan defining approximately 30 exclusive use lots to be rented (Scenarios 2A and 2B) and the remainder to be developed for the proposed park activities by the Town.<sup>10</sup> The Town may also opt to undertake survey and engineering before any improvements are undertaken. In that case, the costs would likely be higher as there would be more lots to survey.

#### *Waterfront Park*

Approximately 1 acre park with benches, grass and landscaping / fencing along perimeter estimated cost to be about \$100,000.<sup>11</sup> This estimate considered costs of supplies and labor for asphalt removal, grading, hydroseeding, fencing and plantings, benches, and erosion control. Annual maintenance is estimated to be around \$3,000.

#### *Boat Ramps*

No new ramps would be constructed other than improvements to accommodate walk-in access at the north. To determine the cost for annual maintenance, a 20-year life of a new ramp was estimated and replacement costs were distributed over that period – approximately \$1,250 per ramp per year.



**Potential walk-in ramp location at north of Point**

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<sup>10</sup> Dan Ottenheimer, R.S., Mill River Consulting; Philip Pattison, Meridian Associates.

<sup>11</sup> Does not account for seawall reinforcement as this would be a Town cost that would need to be considered regardless of what future uses occur on the Point. The Town may want to consider having an engineer evaluate the seawall for structural soundness.

### *Parking Areas and Access Roads*

Estimate for grading and gravel. Total square feet of parking would be 28,000 for Scenario 1 and 29,000 for Scenarios 2A, 2B, and 3.

### *Restrooms*

Two options for public restroom facilities were considered – composting and portable. These would be in addition to any restrooms included in a community facility. These ranged in cost from \$600 (to rent) to \$50,000 per unit (to build). As Scenarios 2A, 2B, and 3 all include a community facility that would likely include public restrooms, the fiscal assessment assumed the outside seasonal restrooms would be portable toilets.



**Parked cars along north side of Conomo Point Road**

### *Piers / Docks*

Includes estimate for maintenance and insurance for piers and wooden floats that are attached. Costs for insurance are estimated around \$3,000, removal and replacement of floats about \$2,000, and regular maintenance about \$2,000.



**Dock and floats at Front Beach**

### *Walking Paths*

The cost for the creation and maintenance of walking paths is based on a price per linear foot. These would be crushed-stone paths that are ADA compliant.

Pedestrian paths for each scenario in linear feet:

- Scenario 2A: 4,650
- Scenario 2B: 5,050
- Scenario 3: 5,050

## **DEMOLITION COSTS**

Whether the cost of demolition or removal of the existing buildings is born by the current tenants or the Town, it has been included as a cost in this fiscal assessment for the redevelopment of Northern Conomo Point. The cost of demolition depends on the size of the building, how much pre-demolition work is involved, and where the materials are disposed. Further discussion of the considerations for demolition is provided in the Appendix -- Fiscal Impact Assessment.

The demolition of a typical 2,000sf home (a larger home by NCP standards) can be estimated to produce 127 tons of debris. Rough estimates for demolition and disposal run \$15,000 to \$20,000 for residential properties. Estimates for the sheds and garages without foundations would likely be below \$10,000. For the purposes of this analysis, an average of \$15,000 per dwelling is used.<sup>12</sup>

<sup>12</sup> [www.deconstructioninstitute.com](http://www.deconstructioninstitute.com), and consultation with Jeff Richon, at G. H. Richon Co., and Joe Ginn, of Northern Essex Ltd.



## OTHER COSTS NOT FACTORED INTO THE ANALYSIS

Additional costs were not factored into this fiscal assessment where reasonable estimates were unavailable. Specific details that are unique to the circumstances of the Point and where there is still uncertainty about the future make it difficult or impossible to accurately estimate some likely costs. In some cases, more investigation by qualified engineers will be necessary.

### *Insurance*

If the Town became the default owner for any buildings left by the tenants, it would become necessary for the Town to obtain liability insurance for these properties. This is difficult to estimate without more specifics on the individual properties and would also be dependant on which properties were re-leased or not.

### *Legal Costs*

Legal services would be required for real-estate transactions, preparation of new lease terms, and resolution of any potential legal actions. Legal costs are a consideration for any redevelopment of the Point, but could vary widely depending on the circumstances of the transition. The Petersen/LaChance Real Estate Appraisal estimated this cost at \$750/lot for Southern Conomo Point.

### *Sewer Improvements*

Costs for sewage disposal improvements will be dependent on how many and which properties continue to be leased. Engineering and design work will be required for any changes in the way wastewater is disposed. For more about compliance with state regulations, refer to the Appendix – Fiscal Impact Assessment.

### *Other Engineering Costs*

Any improvements to the roads or seawall at Northern Conomo Point would likely need to occur regardless of what the Town decides to do in the future. Without an assessment by a qualified engineer, this cost would be difficult to estimate.

### *Beach Management*

The Conomo Point beaches are located in mud flats along a tidal river. Weather and tides change these beaches each year. Although there was some public discussion about adding sand to these beaches (particularly Clammers Beach) to make them more desirable as a public beach, this type of renourishment is highly regulated in Massachusetts (and most coastal communities). The regulations make it unlikely and also costly to consider beach nourishment as an option for Northern Conomo Point. For more on this topic, please see the Appendix – Fiscal Impact Assessment.

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## Potential Revenue

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### RENTAL RATE

An ad-hoc group recommended to the Conomo Point Planning Commission a rent of 3%-5% of the assessed value of the land for any new leases for properties on Conomo Point after the 2011 deadline.<sup>13</sup> When the assessed land values are increased to 100% of assessment (corrected for the 30% abatement

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<sup>13</sup> Essex "Chowder Group" (ad-hoc group) report to CPPC on lease terms, March 17, 2010.

and deleting the land assessments that were less than the value of a residential lot), the average rent based on 3% of land values is \$14,462 (ranging from less than \$1,000 to over \$20,000.)

An analysis reviewing current market conditions in areas similar to Northern Conomo Point together with current market information provided by Coldwell Banker was used to estimate market rental rates for future rental of land by the Town to the leaseholders. This analysis resulted in an average land rent of approximately \$12,500. More information is provided in the Appendix -- Fiscal Impact Assessment.

For the purposes of this study, the 3% of unabated assessed land value is used to approximate market rate rents for each property.

## TAXES

Under the proposed renegotiation of the lease terms, leaseholders would continue to be responsible for paying taxes on both the land and the buildings. The Town currently provides a 30% abatement on the assessed value of the land. Removal of this abatement would increase the property tax value by 43% from existing.<sup>14</sup>

## SALE OF ROBBINS ISLAND

In order to estimate market value for sale of properties on Northern Conomo Point, this analysis reviewed the appraisal for Southern Conomo Point<sup>15</sup> as well as comparable market rentals in other areas. The estimate for sale of Robbins Island of \$4,500,000 was calculated using the existing abated land value and assumed that all properties would be seasonal once sold. The assessed land value for each lot was multiplied by a factor of .94, which is the ratio of value of property sales in Essex to total assessed value of those properties sold between January 2009 and April 9, 2010.

## COMMUNITY FACILITY RENTAL

While there are several buildings well located for use as a public facility, it is likely that substantial changes would need to be made to make accommodations for a community facility that would also be suitable for rental for private and/or public functions and events.

For a community facility, either new or converted from an existing building the construction costs are estimated to be about \$150,000. This would include modest kitchen facilities, public restroom and changing facilities, and a general meeting area. Other uses could include an office space for facility staff or the Harbor Master.

Potential revenue is estimated to be between \$17,000 to \$60,000 based on 50% occupancy on the week, full occupancy on weekends or 100% occupancy 6 days a week. The facility would be available for rental for 18 weeks of the year. Rental fees are based on Tucks Point in Manchester-by-the-Sea (see Appendix -- Fiscal Impact Assessment) with a special rate offered for residents.

Costs for Tucks Point run about \$17,000 per year. Therefore, it is expected that the facility would be able to run a break-even operation at a minimum. The Town could consider increasing rates for residents to increase revenues.

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<sup>14</sup> The CPPC voted on October 7, 2010 to recommend that any consideration of future leasing of the properties on Northern Conomo Point retain the 30% abatement (70% of assessed land value) on property taxes.

<sup>15</sup> Prepared by Petersen/LaChance Realty Advisors April 30, 2009.



**Tuck's Point community facility in Manchester-by-the-Sea**

If the Town used the existing Conomo Point boathouse with modest improvements (as presented in Scenario 2A), the construction and maintenance costs would be reduced, but anticipated annual revenue would be more limited due to the constraints of the facility.

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## **Long-term Fiscal Impact**

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Whatever the Town decides, any redevelopment of Northern Conomo Point will likely be implemented over a number of years. To understand how costs and revenues might be distributed over a period of time, the fiscal assessment projected costs and revenues over a ten-year period. This analysis is only useful for comparison purposes as an accurate projection would require a more detailed analysis of inflation rates, the future housing market, and trends in labor and supply costs.

Scenario 1 projects to generate approximately \$1 to \$1.5 million in net income over a ten-year time frame. This exceeds the extension of current revenues and additional expenses by about 100%.

Scenarios 2A and 2B have roughly the same costs for development of park facilities, and the same projected revenue from improvements to and leasing of a community building. Each maintains leasing of a different set of properties, based on maximizing either revenue or desirability of land for public use. In both cases, it is projected that there will be adequate revenue to cover the costs of recreational development in all years included.

Scenario 3 leaves no leased property to generate revenue and has the highest projected costs for park development. In addition, it removes approximately \$500,000/year in annual Town revenue.



# Design and Management Guidelines

The following design and management guidelines are intended to provide general guidance on developing a public space that is safe, comfortable and accessible. These guidelines are in response to the context of the site and reflect standard landscape design principles.

## SEPARATION OF USES

The design of public space on Northern Conomo Point must consider the variety of activities that will occur there. Uses that require access and accommodations at or in the water will likely include clamming, fishing, boating, swimming and general play on the flats and along the waters edge. Land based activities may include walking, bicycling, passive recreational activities such as relaxing and enjoying views, picnicking, and informal games and gatherings. In addition to solitary or small group activities, there may be opportunities for ceremonies or events.

To assure enjoyment and safety, some separation of uses will be required. Activities that employ motorized vehicles such as clamming, fishing, and boating should be separated by location or time from activities such as swimming and general play in and near the water. Vehicle access ways should be designed to have the least impact possible to other park areas. Design should seek to restrict vehicle access ways from crossing paths and consider fencing along access ways proximate to high use areas. When path crossings are required warning signs should be posted. Regulations such as hours or seasons of restricted use and other rules should also be clearly defined and posted in the vicinity of the shared use areas.



**Clearly delineated boat ramps should be separated from other use areas**

Clammers should continue to have access at Northern Conomo Point sites

throughout the year. Truck and trailer parking, however, should be accommodated off the waterfront during the summer season to provide a safe and accessible environment for other users. Additional regulations should be established through a public process with all stakeholders, service providers and regulators.

Separating public and privately-leased property will also be desirable. Properties may be physically separated by walls, fencing or vegetation or may be implied by material changes, or other landscape clues such as turf length, berms, or swales. In some instances signs may be desired. If used, they should have a positive tone. Design elements used for separating properties should be moderate in height (2-4 feet) and porosity to provide property boundaries without indicating that uses are incompatible. Visibility and an open landscape should be encouraged.



**Decorative fencing and vegetation provide a friendly boundary**

## ACCESSIBILITY

As components of a public space, all park improvements, must comply with standards for accessibility as defined by the Americans with Disabilities Act and paths systems must also comply with the Rules and Regulations of the Massachusetts Architectural Access Board. Accessibility standards will ensure that all aspects of the park can be enjoyed with ease and comfort by a large cross section of the public regardless of their disability. Paths will have firm, stable and slip resistant surfaces and a comfortable grade (no greater than 12:1); building entrances and facilities will accommodate typical mobility and sight impairments; and benches, tables and other site amenities will be convenient and comfortable to use. Designing for accessibility should be considered at the earliest stage of the design process so all design elements can be incorporated into a functionally and aesthetically integral space.



**Accessible boardwalk through the marsh**

## PARK AMENITIES

Park amenities should reflect a consistent design vocabulary and be highly durable, or priced so they can easily be replaced in kind. As noted above, amenities must also comply with accessibility standards. Park amenities should be selected based on an identified need and should be coordinated with the landscape and functions of the park.

Site furnishings including benches, tables, fences and other fixtures will affect how the park is used. Furnishings should be placed to allow both contemplative and interactive activities and should consider seasonal variations. Benches should be sited along walkways to provide opportunities for rest, in areas offering desirable views, and in areas of shade and sun. Some benches should be in areas that provide solitude. Tables should be sited to allow adequate space to accommodate a group with some privacy. Again, both shade and sun areas should be considered. Fire pits, if provided, should be a safe distance away from vegetation and other amenities. Lighting is not recommended for the general landscape, but may be desired around a public facility that is to be rented for evening use.



**Secluded seating and Seating on an overlook**

Rest facilities will be an important amenity to provide, whether seasonal or year round. Recommendations for location will depend on design and function. Rest facilities should not be prominent park features, but should be easily accessible from high use areas. They should be screened, but also sited to accommodate required maintenance such as moving or pumping. Rest room maintenance should be scheduled when it will have the least impact on users.



**Paved path along the waters edge**

A pathway system should provide access along the waters edge between the two beach areas to the greatest extent possible and to other public areas and amenities as feasible. It should be at least ten feet wide to accommodate pedestrians and should be wider if bicycles are to be encouraged. Pathways should be kept separate from roadways to the extent feasible with appropriate warning signs, devices and possibly entrance barriers when they intersect.



## PARKING LOTS



**Natural materials clearly define this small lot**

The amount of land to devote to parking should be studied carefully to ensure that an overabundance of parking is not developed. Parking should be accommodated in a number of smaller lots as opposed to a few large lots and should take advantage of topography and vegetation to limit the visual and environmental impacts. Parking lots should remain pervious to limit the negative impacts of stormwater runoff. Location and proximity to other uses will determine if fencing or screening is desired.

## VEGETATION

Trees, turf, shrub and flower plantings can be used to identify activity areas, separate public and private spaces, screen utility and incompatible uses, and create comfortable and beautiful spaces. The use of vegetation should not block either key public or private views. Native vegetation should be used as often as possible. All vegetation should be selected based on its durability, low maintenance requirements and sustainability. Vegetation that needs annual trimming to maintain size or form should be avoided.



**Bushes define space**



**Native vegetation and stone used to define space**

# Implementation Plan

This report presents a menu of options for the future of Northern Conomo Point. The planning scenarios present conceptual ideas for consideration and are meant to be used as a guide for future decisions regarding Northern Conomo Point. To begin the transition of the area from its current state to a future that fulfills the will and desire of the Town's residents, the community will need to make decisions about next steps and then act on them in a timely and responsible way.

The implementation steps laid out below do not necessarily require that the Town come to consensus about the final desired future for Northern Conomo Point. Instead, the Town can proceed step by step through the process providing opportunities to review and discuss each decision and understand the benefits and consequences of each course of action.

The implementation steps have been grouped into three categories – *transition period* (leading up to the expiration of leases), *redevelopment period* (from the point the leases expire to a point where the desired redevelopment/reuse of the area has been completed), *management period* (once the initial redevelopment/reuse has been achieved what will be required for the ongoing operations and activities associated with the area).

## TRANSITION PERIOD

### 1) *Select preferred conceptual plan*

**The Town needs to select a conceptual plan for Northern Conomo Point.** Drawn from one of the scenarios presented in this report or modified to include additional options identified after this planning process has concluded,<sup>16</sup> this conceptual plan would guide the course of action for the Town. The conceptual plan selected will be the basis for identifying the list of projects implemented during the *Redevelopment Period*.

### 2) *Phased redevelopment or all at once*

Regardless of the conceptual plan selected, **the Town should decide if a phased redevelopment of Northern Conomo Point is preferred.** For a phased redevelopment, the Town may opt to select a preferred final concept and then agree to implement this concept in a series of phases. The project list would then be grouped according to phase and approvals for design and funding could be undertaken separately for each phase.

### 3) *Ownership*

The Scenarios (1, 2A and 2B) presented in this report assume that the Town, for the most part, would continue to be a landlord if ongoing residential uses continue. However, these same scenarios could also be presented as a combination of privately-owned residences alongside public areas or, as discussed further in the *Management Period*, as a public-private partnership sharing management of the residential properties and public spaces. **The Town needs to decide if sale of all or some of the**

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<sup>16</sup> A design charrette convened by Lisa O'Donnell involving design professionals and interested residents from the community met in late September, 2010 to develop some designs for different types of public amenities at Northern Conomo Point. The group plans to meet again and the design ideas generated could be incorporated into the preferred conceptual plan.

**properties should be considered or if all of Northern Conomo Point should be retained under public ownership.**

4) *Review with DEP*

For any conceptual plan that involves ongoing residential uses at Northern Conomo Point (either leased or owned), **the Town would be advised to meet with the DEP** to determine if there are any limitations related to the current consent decree or other state regulations that would require modifications to the selected plan.

5) *Transition of existing tenants*

If the Town determines to continue leasing properties it must identify those properties that will remain as leased sites, and determine the conditions of the new lease (including rate, term and responsibilities). There are a number of options for the Town to consider as part of this process:

- Determine if right of first refusal will be given to existing tenants to negotiate a new lease
- Identify a process for selecting potential new tenants when existing tenants chose not to remain.
- Identify required Title V improvements and determine who will bear costs and monitor upgrades

If the Town determines that residential uses will not continue for certain properties, the **Town will need to implement a process to equitably and efficiently transition the properties from their existing occupants.** The Town may wish to:

- Provide for temporary leases during a transition period
- Consider if status of tenants (e.g., if property is primary residence, age of tenants) should be included in the criteria for determining which properties (if any) will remain in residential use

6) *Securing and removal of buildings*

For lots that will **not** continue in residential use due to design of preferred plan:

- The Town should define a process for determining whether the building should be considered for public use, destroyed or removed. For example, if a building has historic value, is there an interest in removing the building to another location?
- The Town should identify a process for securing and maintaining any unleased properties while final actions are taken. This should include policies on insurance, security, and public safety.

7) *Seasonal or year-round use*

**The Town must decide whether year round use will be allowed in some or all cases.** Ideas to consider include:

- Grandfather existing year-rounds or make exceptions for duration of tenancy
- Require only seasonal use as part of renegotiated leases
- Implement deed restrictions if property is sold
- Implement regulations/policies to restrict buildings to seasonal use including restricting footprint, upgrades and improvements, and limiting duration of water supply



8) *Identify funding sources for hard and soft development costs*

**The Town will need to develop a funding plan to implement the redevelopment/reuse of the area.**

Ideally any funding plan should consider a combination of Town funds, rents, grants, and private financing.

- Bond
- Community Preservation Act funding
- Economic development partner
- Non-profit partner
- State or Federal grants
- Proceeds from sale of Robbins Island or other Conomo Point properties
- Private citizen donations

The Town may wish to work with a development specialist to assess the feasibility of developing a public-private partnership (PPP) to develop Conomo Point as a seasonal community while maintaining a defined portion of the site for public use. The PPP could develop infrastructure and manage the Point for a defined period, in return for a percent of income collected, an interest in the land, or other benefit.

Town could consider establishing a dedicated fund based on revenue from Northern Conomo Point to cover costs of the new park and other community facilities.

9) *Site preparation*

**The Town will need to secure professional services to prepare the area for redevelopment** as well as for any renegotiation of leases or sale of properties. Types of services required include legal, engineering, surveying, planning and design, and real estate appraisal.

All of the conceptual scenarios presented in this report will require more detailed environmental engineering services to assess land conditions for suitability for proposed land uses.

## REDEVELOPMENT PERIOD

1) *Produce a master plan for Conomo Point community and park*

**The Town should develop a scope of services for soliciting professional planning and landscape architect services to develop a Master Plan for Conomo Point.** The scope of services should define the Town's framework for decision making and outline a clear public process. The Master Plan will be based on the preferred conceptual plan identified in the *Transition Period* as well as the engineering evaluation. Deliverables should include a master plan that can easily be translated into a site plan and construction documents.

2) *Develop a work plan for redevelopment*

The **work plan should outline a prioritized set of actions**, assign responsibility for each action, project costs and identify funding sources, and determine a schedule. The work plan should be updated regularly to document actions completed, and report on status of others. For example, the plan should document if an action is delayed, needs to be changed, or is on schedule for completion. Costs and schedule should be monitored and updated regularly as well.

3) *Project management*

**The Town will need to establish a framework for staffing for redevelopment as well as long-term management of the Point.** If the Town decides to continue its role as landlord it should consider hiring a project manager to oversee the development and leasing of Conomo Point. A thorough scope of service would need to be developed that would outline the PM's role and responsibilities. A separate management structure will also be necessary for the public use areas (park and community facilities) on the Point. This management framework may include Town staff assigned to upkeep and maintenance of the public areas as well as a Town appointed committee to oversee the ongoing management and programming of the area. Alternatively the Town may seek a Public Private Partnership to oversee maintenance of the public space.

## OPERATION AND MANAGEMENT

1) *Municipal capacity*

Dedicate Town staff or solicit proposals for a management entity to operate and manage Conomo Point for the future.



**Boat ramp at Clammer's Beach**

*Dwellings and outbuildings on Northern Conomo Point*



















