

Essex Public Safety Building Project	Meeting Minutes
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Re: Town Building Committee	Date: January 23, 2019
Location: Town Hall, 3 rd Floor Auditorium	Time: 7:00 PM

Attendees:

Name	Present	Name	Present
<u>Town Building Committee</u>		<u>Town Staff</u>	
Lisa O'Donnell, Committee Chair	✓	Brendhan Zubricki, Town Administrator	✓
Daniel Doucette, Fire Chief	✓		
Peter Silva, Chief of Police	✓	<u>Board of Selectmen</u>	
Westley Burnham, Planning Board	✓	Peter Phippen	
Nat Crosby, Historical Commission	✓	Andrew Spinney	✓
Colleen Enos, Member			
Paul Francis, Member	✓	<u>NV5 (OPM)</u>	
Peter Levasseur, Member	✓	Tim Dorman	✓
Mark McKenna, Member		Mike Ulichney	✓
Stuart Pratt, Member	✓	<u>JRA (Architect)</u>	
Charles Storey, Member	✓	Stewart Roberts	✓
Ramie Reader, Member	✓	Philip O'Brien	✓

1. Public Comment

- A member of the audience raised concern about the proposed eminent domain taking of the 42 Western Avenue parcel, expressing disappointment that the property remains on the agenda, but indicating agreement that the existing facility is inadequate.
- A member of the audience raised discussion of potential development on the 30 Apple Street parcel adjacent to the transfer station to support the fire station building and a secondary access road out to Apple Street. The key benefits noted are that this would provide a secondary access to the DPW and transfer station to then allow the Landing Road access to be improved and also provide access to future development on the remaining parcel. It was unclear if the Frye's are interested in selling the land, so it may require an eminent domain taking, but there are no existing residences that would be impacted.
- A member of the audience expressed appreciation for the work of the Town Building Committee but sensed frustration. He noted his opposition to eminent domain and questioned whether inflexibility in the building program is limiting viability on town owned land. Lisa O'Donnell noted that the apparatus bays and parking area are the primary

drivers in the fire department building size but that some shared spaces could be considered, as the design is further developed, if a separate facilities option is selected to proceed.

2. Approve minutes from joint meeting of January 14, 2019.
 - Lisa O'Donnell made a motion to approve the minutes of the public forum of January 14, 2019. The motion was seconded by Charles Storey, all members were in favor and the motion was approved.
3. Receive update from Selectman Spinney concerning willingness of owner of 11 John Wise Avenue to offer that property for sale for public safety facilities purposes.
 - The property owner was contacted after the last meeting and indicated interest in selling the property to the Town and agreed to the Town having an appraisal completed. The appraisal has been ordered and is expected to be completed by February 6, 2019.
 - Brendan Zubricki provided an overview of the uniqueness determination process if the decision were made to acquire this parcel.
 - Members of the Building Committee discussed that this may not be the cheapest option, but given the negative perception of eminent domain, it may be the best available option after documenting that there are no other viable sites without use of eminent domain.
 - Lisa O'Donnell suggested taking a vote for the Town Building Committee to recommend to the Board of Selectmen that they do not consider eminent domain, unless the pending, willing sale of 11 John Wise Avenue falls through, in which case the Committee may have to again consider this option.
 - A motion was made by Paul Francis for the Town Building Committee to recommend to the Board of Selectmen that they do not consider eminent domain, unless the pending, willing sale of 11 John Wise Avenue falls through, in which case the Committee may have to again consider this option. The motion was seconded by Stuart Pratt, all members were in favor and the motion was approved unanimously.
4. Review test layout for combined public safety facility or fire-only facility on property of Duncan, along Western Avenue or Story Street.
 - It was noted that this would require eminent domain, but was looked at prior to the meeting and would be discussed under a later item on the agenda.
5. Review calculation of premium to construct a combined public safety facility at the site of the present public safety facility.
 - JRA presented a further developed combined facility layout at the existing site and noted the following key points:
 - The layout shown is a two-story police facility attached to the fire station to minimize the footprint and build into the grade.
 - The site layout includes parking spaces to replace the spaces lost at Town Hall and provide for additional parking for the new facility. However, the parking is

still not sufficient for the call fire department and the location conflicts with events that are often held in the park and/or on the playing fields.

- In order to fit the combined facility, there would need to be a significant amount of flood plain filling. The environmental regulations would require that the flood storage volume be replicated somewhere else on site. A pocket of land on the other side of the Town Hall was identified for the replication, but would not likely accommodate the 25k sf impacted and would require a costly retaining wall.
- There is not enough room for drive through bays. The close proximity to the road would require traffic to be stopped while engines back into the bays from the street.
- The limit of work would be right up against the baseball field backstop and may impact on the field itself.
- In general there are some challenges, but the biggest issue is the lack of space to replicate floodplain on site, which may make this concept infeasible.
- Stewart Roberts presented the cost comparisons, including:
 - The cost comparison is very broad brush at this point and is intended to compare relative costs.
 - A summary of the major differential costs which offset the savings of a combined facility were highlighted, including:
 - \$300k cost carried for potential remediation of contaminated soil that may be present at the existing site.
 - \$600,000 for temporary Police and Fire stations, plus moving expenses. However, it was noted that finding a suitable temporary facility for the fire station may not be feasible at any cost.
 - \$250k for the relocation of Shepard Memorial Drive and existing utilities.
- 6. Discuss expected range of legal costs associated with an eminent domain property taking, in general.
 - Town Counsel provided information regarding historical costs if an eminent domain taking ends up in litigation. It was noted that the cost of legal representation and expert witnesses as may be required could be in the \$100k to \$300k range. However, that does not include the cost of potential damages, which would be case specific.
- 7. Review updates to preliminary public safety building comparative site matrix.
 - No discussion
- 8. Discuss possible acquisition of private property for a new public safety building by purchase or eminent domain, including but not limited to:

- It was discussed that properties requiring eminent domain taking should be removed from the list, including Western Avenue properties, 7 Lanes Road and 50 John Wise.
- 30 Apple Street, Map 142, Lot 8: The owner hasn't been contacted yet, so it is still unknown if this parcel would require eminent domain or if there would be a willing seller.
- 0 Western Avenue, Map 128, Lot 78: Eminent domain would be required to acquire this property, so there was no discussion.
- 0 Western Avenue, Map 129, Lot 4: Eminent domain would be required to acquire this property, so there was no discussion.
- 21 Western Avenue, Map 129, Lot 50: Eminent domain would be required, but JRA had reviewed feasibility of fitting a combined facility on this parcel prior to the meeting so an overview of the findings was presented:
 - The actual wetland flagging was pulled from the Conservation Commission files and included on the base map, which are even more extensive than the GIS data.
 - A 3 acre parcel of land fronting on Western Ave. was carved out and about half of it is covered by wetland area.
 - The conclusion is that a combined facility could not fit and a standalone fire station most likely would not fit either.
- 42 Western Avenue, Map 129, Lot 1: Eminent domain would be required to acquire this property, so there was no discussion.
- 63 Western Avenue, Map 134, Lot 58: Eminent domain would be required to acquire this property, so there was no discussion.
- 7 Lane's Road, Map 120, Lot 9: Eminent domain would be required to acquire this property, so there was no discussion.
- 11 John Wise Avenue, Map 128, Lot 90: As noted previously in the meeting, the property owner indicated interest in selling the property to the Town and an appraisal is underway. Building a separate fire station on the Town owned cemetery parcel only or on the Town owned cemetery parcel with the 11 John Wise Avenue parcel was discussed and summarized as follows:
 - The Town owned land only results in a more constrained site that would require the trucks to have to back in directly from the road, may provide for less parking than desired and would have more impact within the wetland buffer zone.
 - Adding 11 John Wise Ave. to the development area would allow the bays to be rotated to be side loading and allow trucks to pull off the road to back in as well as reduce some wetland buffer impact and allow for additional parking.
 - Based on the benefits outlined for purchasing the 11 John Wise Ave. property, the process which would be initiated by the Selectmen's recommendation to



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pursue purchase of the property for fire only at the Cemetery/11 John Wise Ave. site and police only at the existing site was summarized as follows:

- The February Town Meeting warrant would include two articles, which would be for the purchase of 11 John Wise Ave. and for the transfer of the portion of cemetery land required for the project to the care and custody of the Board of Selectmen.
- A public forum will be held on February 6th, in advance of Town Meeting.
- A uniqueness determination will need to be made by the Board of Selectmen and advertised in the Central Register.
- Lisa O'Donnell moved that the Board of Selectmen determine that the property known as 11 John Wise Avenue, (Map 128, Lot 90) is unique, as it is adjacent to other Town-owned property, and, together, these properties have direct access to a major public way, being Route 133; are centrally located within the Town of Essex and are suitable to the construction of a public safety facility, namely, a fire station and further moved that the Board authorize Town Counsel to submit a uniqueness determination with the Central Register, based on the foregoing findings. The motion was seconded by Andrew Spinney and passed unanimously.
- 50 John Wise Avenue, Map 120, Lot 6: Eminent domain would be required, so there was no discussion.
- 60 John Wise Avenue, Map 113, Lot 1: While there may be a willing seller, the asking price is anticipated to be too high and the site has drawbacks including its distance from the center of town, need for existing buildings to be demolished, a sewer extension would be necessary and it is located within the higher speed limit zone of John Wise Avenue, where there are also more severe blowing snow conditions during snow storms.

The remaining items on the agenda are for Board of Selectmen only. A motion was made to adjourn the Town Building Committee meeting by Stuart Pratt, seconded by Westley Burnham, all were in favor and the meeting was adjourned.

9. Board of Selectmen:

- Vote to hold a Special Town Meeting on February 11, 2019 at 7:30pm at the Essex Elementary School.
 - Andrew Spinney moved to vote to hold a Special Town Meeting on February 11, 2019 at 7:30 PM at the Essex Elementary School, Lisa O'Donnell seconded the motion, all were in favor and the vote was passed unanimously.
- Vote to open the warrant for said Special Town Meeting.
 - Andrew Spinney moved to vote to open the warrant for said Special Town Meeting, Lisa O'Donnell seconded the motion, all were in favor and the vote was passed unanimously.



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- Vote to include on the warrant an article or articles related to the acquisition of 11 John Wise Avenue for a new public safety building (separate fire and/or separate police, or combined), including via purchase or eminent domain.
 - Andrew Spinney moved to vote to include on the warrant an article necessary for the acquisition of 11 John Wise Avenue for a new public safety building, including via purchase or eminent domain, and an article necessary to change the purpose for which the portion of cemetery land necessary for the project is currently held. [Mr. Zubricki had supplied the Board members with the actual warrant, which had already been reviewed by Town Counsel.] Lisa O'Donnell seconded the motion, all were in favor and the vote was passed unanimously.
 - Vote to close the warrant for said Special Town Meeting.
 - Andrew Spinney moved to vote to close the warrant for said Special Town Meeting, Lisa O'Donnell seconded the motion, all were in favor and the vote was passed unanimously.
 - Vote to sign the warrant for said Special Town Meeting outside of a Selectmen's meeting once the desired article(s) and the warrant have been put in proper form by the Town Counsel.
 - Andrew Spinney moved to vote to sign the warrant for said Special Town Meeting, Lisa O'Donnell seconded the motion, all were in favor, the vote was passed unanimously and the Board signed the warrant.
10. Personnel Board: Consider the approval of two new job descriptions within the Essex Police Department: Part-time Patrolman and Special Patrolman.
- Andrew Spinney made a motion to approve two new job descriptions within the Essex Police Department: Part-time Patrolman and Special Patrolman, Lisa O'Donnell seconded the motion, all were in favor and the motion was passed unanimously.
11. Public Comment.
- No additional discussion
12. Lisa O'Donnell moved to adjourn the Board of Selectmen meeting, Andrew Spinney seconded the motion, all were in favor and the meeting was adjourned at 8:21 PM.

The next TBC meeting is scheduled for the Public Forum on February 6, 2019 at 7:00 in the Town Hall, 3rd Floor Auditorium.



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Attachments:

- JRA Presentation
- Sign in list

-End of Minutes-

Tim Dorman, NV5

Lisa O'Donnell, Committee Chair



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ARCHITECTS

Essex Public Safety Building

Essex, Massachusetts

Design Presentation January 23, 2019

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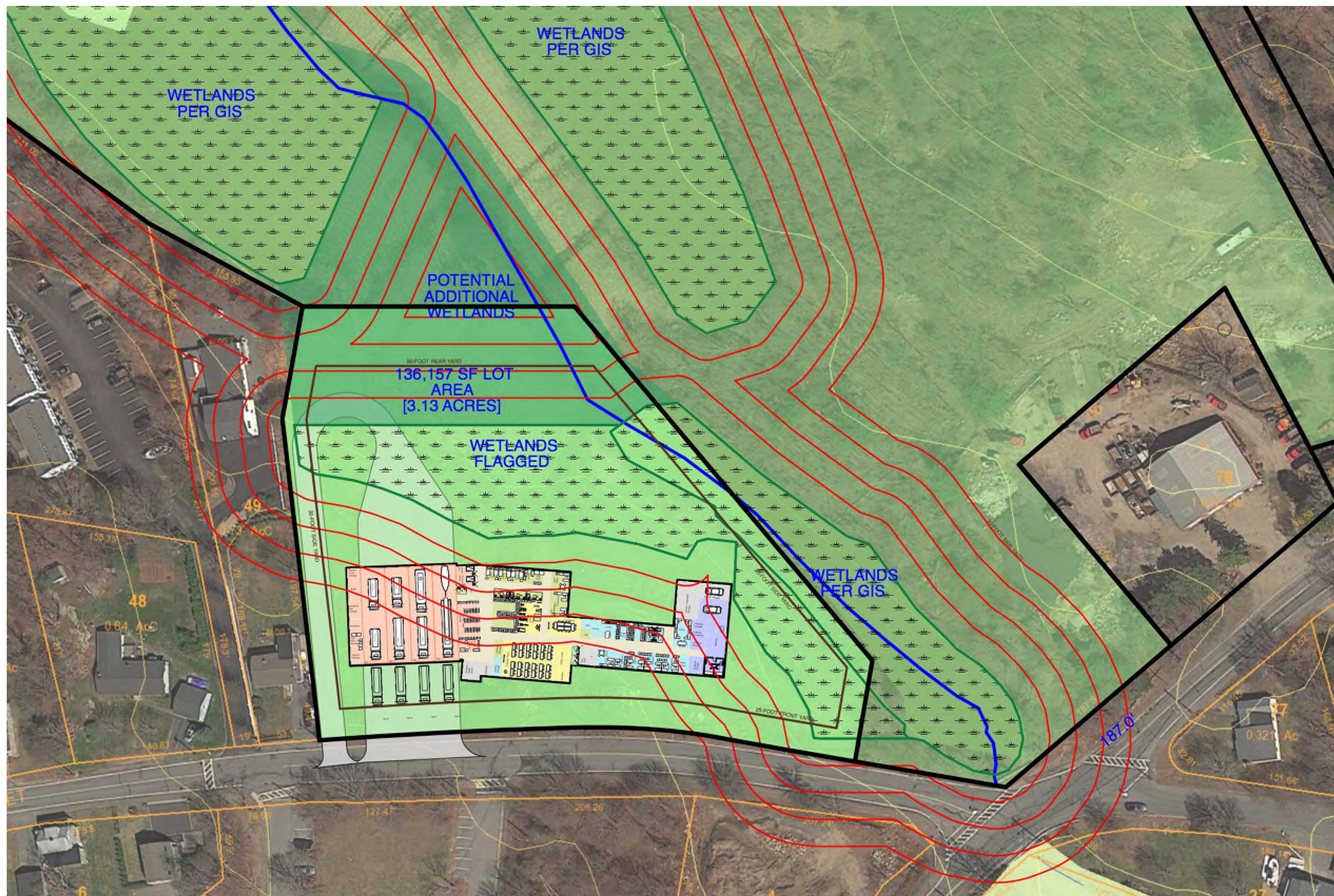
New Site Evaluations

Essex Public Safety Building Project

21 Western

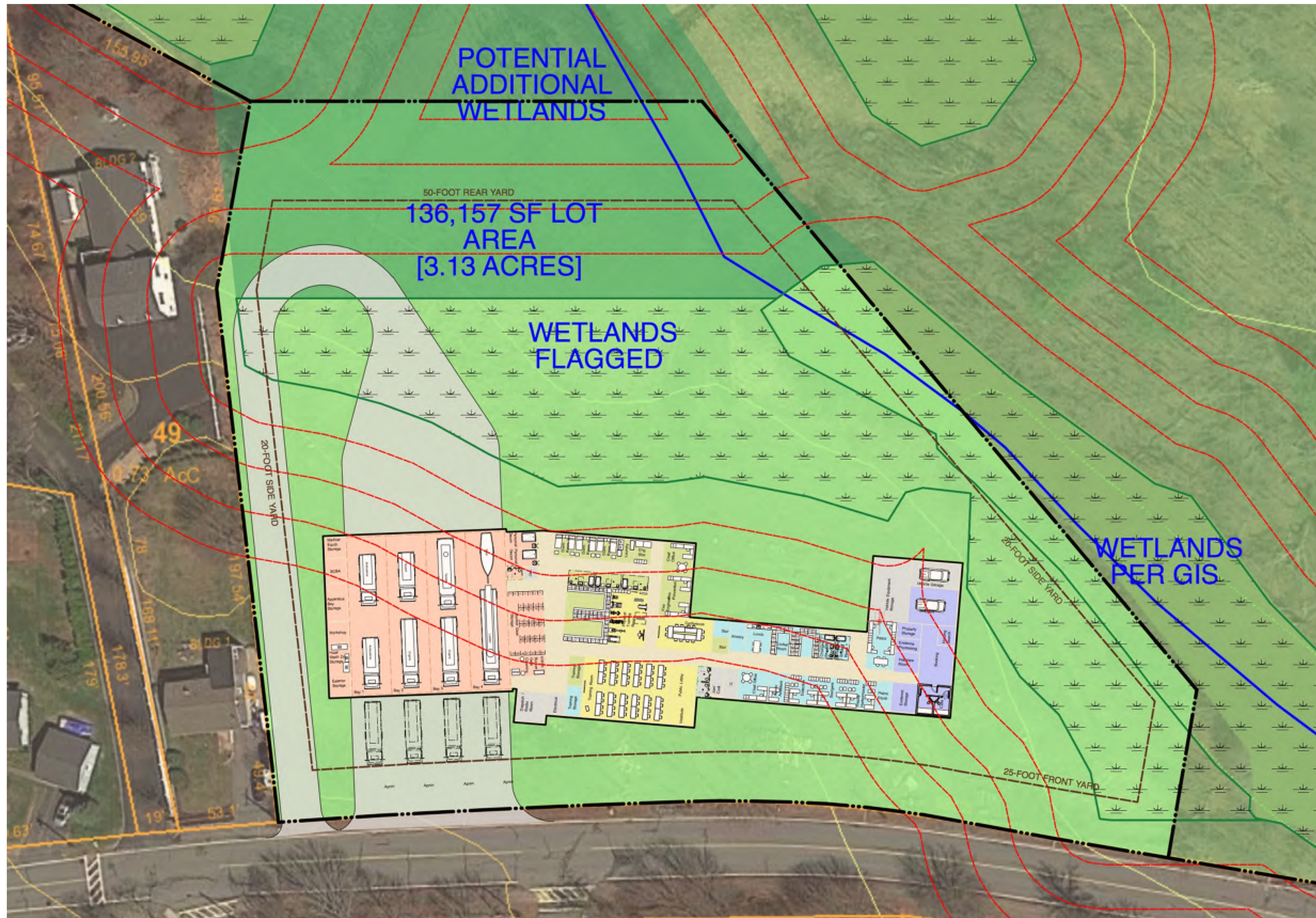


21 Western



Essex Public Safety Building Project

21 Western

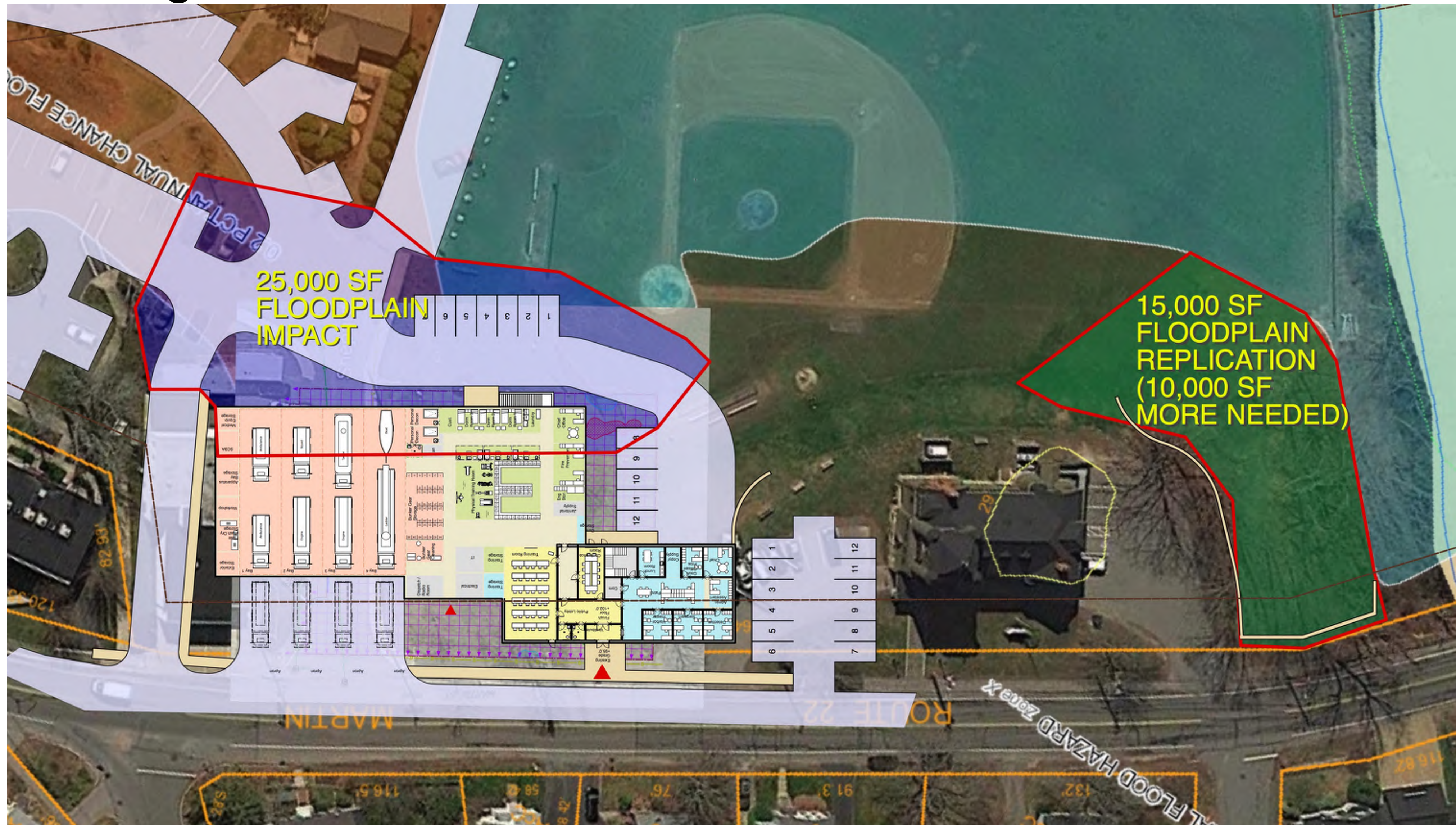


Essex Public Safety Building Project

Existing Site



Existing Site





Essex Public Safety Building Project

Conceptual Comparative Ballpark Estimates of Differential Project Cost

	Existing Site New Police Station				John Wise Site Fire Station				Total	Existing Site* Combined Public Safety			
Construction													
Site Development													
Haz Mat			Allow	\$75,000						Allow	\$300,000		
Regrading										20,500 CY	\$14.00	\$287,000	
Fill				11,250	CY	\$45.00	\$506,250			5,000 CY	\$30.00	\$150,000	
Blasting & Removal										Allow	\$25,000		
Retaining Walls				240	LF	\$750.00	\$180,000			300 LF	\$300.00	\$90,000	
Move Road										Allow	\$250,000		
Roadways & Parking	18,750	SF	\$4.50	\$84,375						27,500 SF	\$4.50	\$123,750	
Sidewalks	3,600	SF	\$1.25	\$4,500						5,000 SF	\$1.25	\$6,250	
Traffic Signaling								Allow	\$80,000				
Stormwater System				\$25,000				Allow	\$150,000		Allow	\$125,000	
				\$188,875				\$916,250	\$188,875	\$1,357,000			
Building Construction													
Combined Facility										(2,200) SF	\$500	\$ (1,100,000)	
Phased Project Costs													
Additional Escalation - Police (18 Mos)				Allow		\$350,000				NA			
Additional General Conditions				Allow		\$400,000				NA			
Subtotal Phased Project Costs						\$750,000							
Temporary Facility													
Temporary Fire Station										10,000 SF	\$50.00	\$500,000	
Temporary Police Station				Allow		\$300,000				Allow \$100,000			
Subtotal Temporary Facilities						\$300,000							
Project Expenses													
Moving to Temporary facility				Allow		\$10,000				Allow \$10,000			
Subtotal Proj Expenses						\$10,000							
Total Conceptual Comparative Ballpark Estimate of Differential Project Costs				\$1,248,875.00				\$916,250.00	\$2,165,125	\$257,000			

* Existing site is not feasible due to lack of parking and flood plain replication area

Essex Public Safety Building Project

Signaling Costs

Site	Required Measures	Approximate Fee	
		Design	Construction
60 John Wise Avenue (Route 133)	Traffic Study	\$ 10,000	-
	MassDOT Access Permit	\$ 8,000	
	Emergency Preemption Signal	\$ 8,000	\$ 80,000
11 John Wise Avenue (Route 133)	Traffic Study	\$ 10,000	-
	MassDOT Access Permit	\$ 8,000	
	Speed Study	\$ 6,000	
	Emergency Preemption Signal	\$ 8,000	\$ 80,000

Essex Public Safety Building Project

Site Selection Matrix

PRELIMINARY

Essex Public Safety Facility

1/23/19

Address	0 Western Ave Map 128, Lot 78	0 Western Ave Map 129, Lot 4	21 Western Ave Map 129, Lot 50	42 Western Ave Map 129, Lot 1	63 Western Ave Map 134, Lot 58	7 Lane's Road Map 120, Lot 9	11 John Wise Ave Map 128, Lot 90	50 John Wise Ave Map 120, Lot 6	60 John Wise Ave Map 113, Lot 1
Size	1 Acre	0.95 Acres	57 Acres	4.8 Acres (3.2 Acres Used)	3 Acres	6 Acres Including Pond	2.51 Acres with Cemetery Site Partial	4.34 Acres	2.5 Acres
Assessed Value	\$392,000	\$214,000	\$592,900	\$780,800	\$572,200	\$80,100	\$484,300	\$621,236	\$526,100
Proximity to Town Center	.24 Miles	.30 Miles	.34 Miles	.33 Miles	.44 Miles	.68 Miles	.36 Miles	.65 Miles	.81 Miles
Combined Facility	No	No	Yes	Yes	Yes	Yes	No	Yes	Yes
Drive Through Bays	No	No	Possibly	Yes	Yes	Yes	No	Yes	No
Fire Truck Access	May Require Backing in from the Street	May Require Backing in from the Street	Fair	Good	Good	Good	Requires Backing in from the Street w/o additional parcel	Good	May Require Backing in from the Street
Adequate Parking Area	No	No	Yes	Yes	Yes	No	No	Yes	No
Wetlands	None	None	Potential work in Setback	No Impact	Potential work in Setback	Potential work in Setback	Potential work in Setback	Potential work in Setback	Potential work in Setback
Sewer Service	Yes	Yes	Yes	Yes	Yes	No \$150K Extension	Yes	No \$85K Extension	No \$190K Extension
High Ground Water	Unknown	Unknown	Unknown	Unlikely	Unknown	Likely	Likely	Likely	Likely
Appraised Value	Not Available	Not Available	Not Available	Appraisal in Hand	Not Available	Not Available	Not Available	Not Available	Not Available
Site Development Premium	Unknown	Unknown	Unknown	\$300K - Regrading	Unknown - Potentially High Due to Water	Unknown	\$900K In Conjunction with Cemetery Site	Unknown - Potentially High Due to Water	Unknown - Potentially High Due to Water
Willing Seller	No	No	No	No	No	No	Yes	No	Yes

= Commercial

= Undeveloped

= Residence

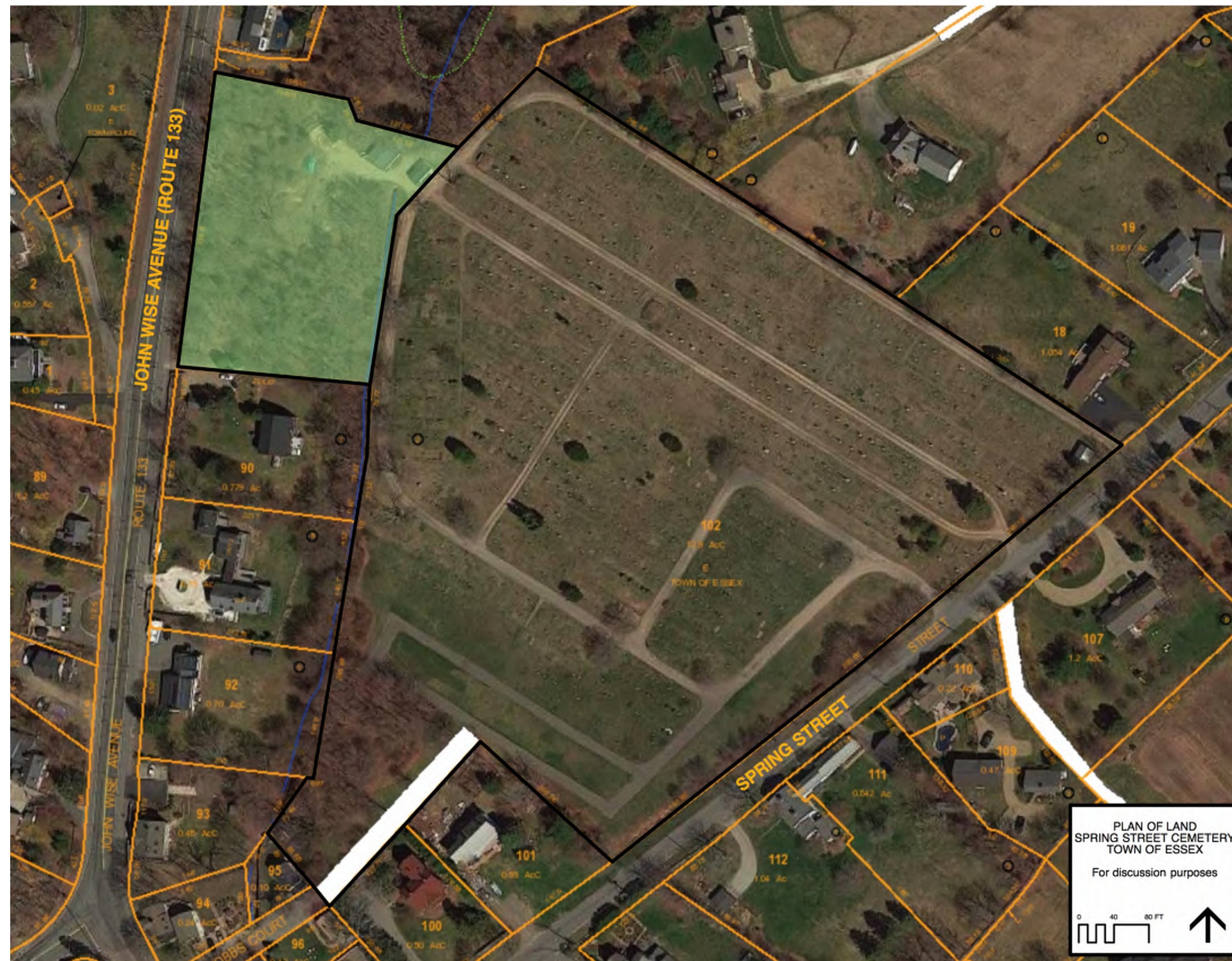
General Notes

Combined facility saves approximately \$1,100,000 in construction costs over separate facilities, and an additional \$750,000 in Escalation costs if the existing site is not used

The Committee also reviewed the prospect of using the current Elementary School site, the current Transfer Station site or private property abutting that site, and properties across the Essex River. None of these options were deemed good solutions due to operational drawbacks and are not presently being studied further.

Essex Public Safety Building Project

Cemetery Site



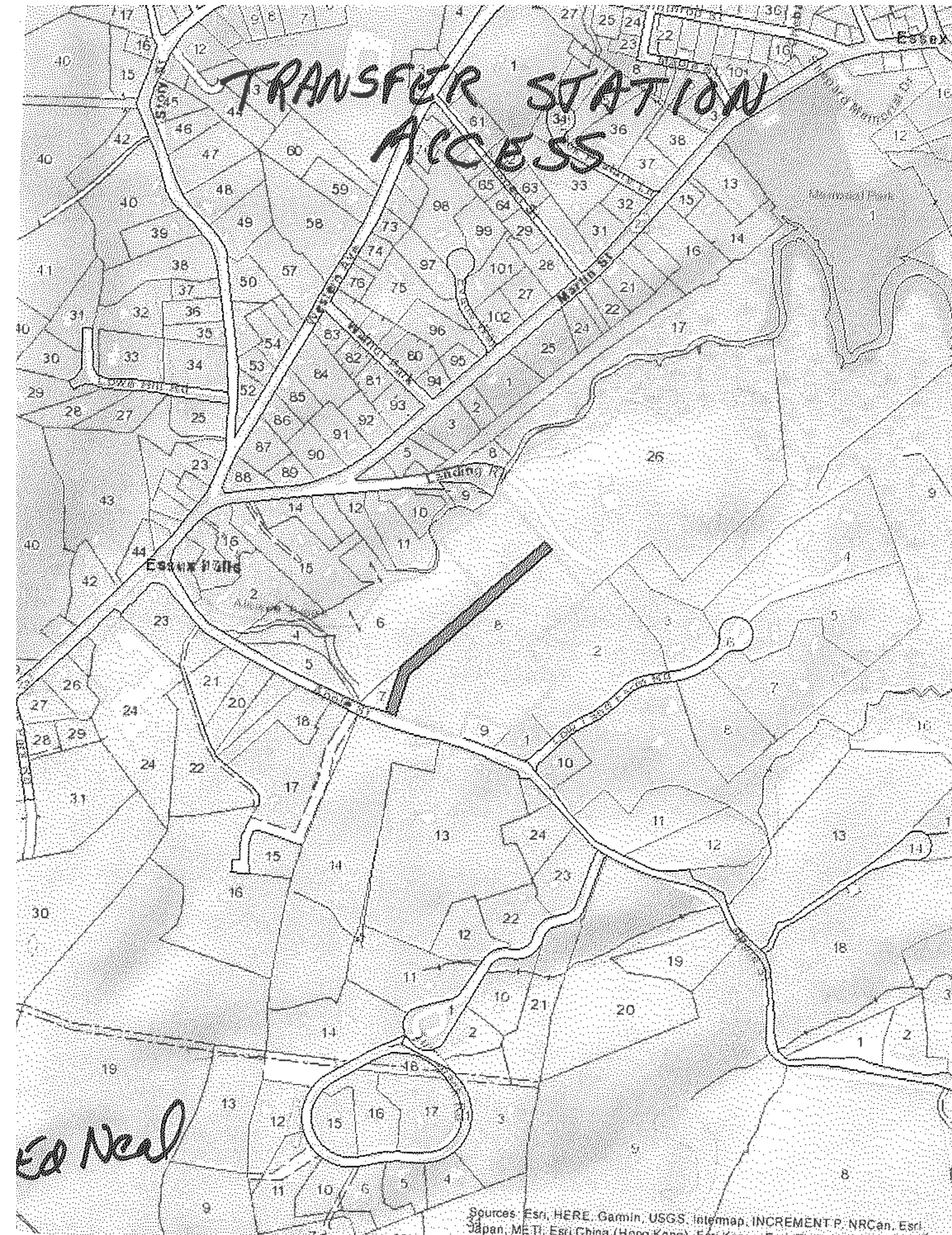
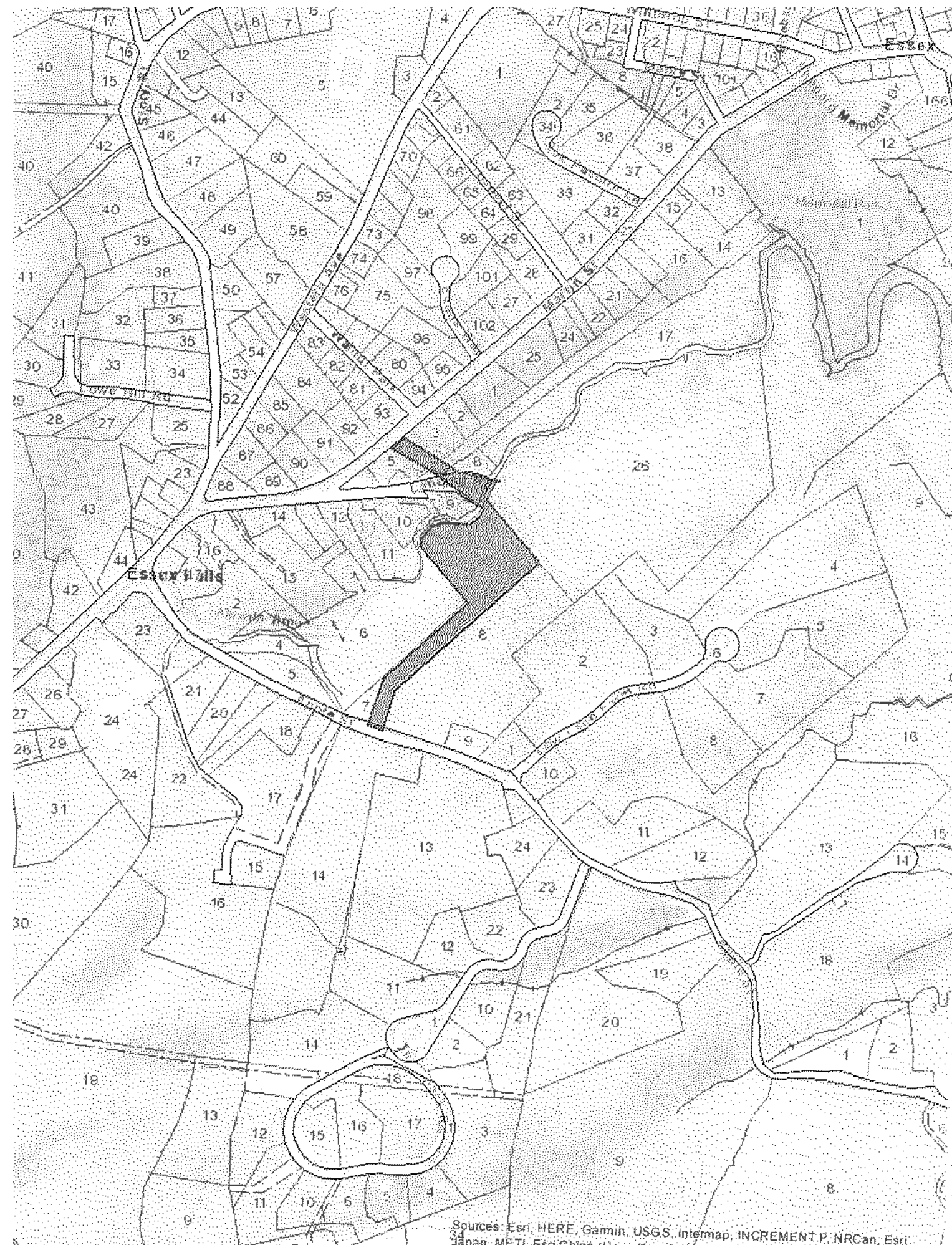
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30 Apple

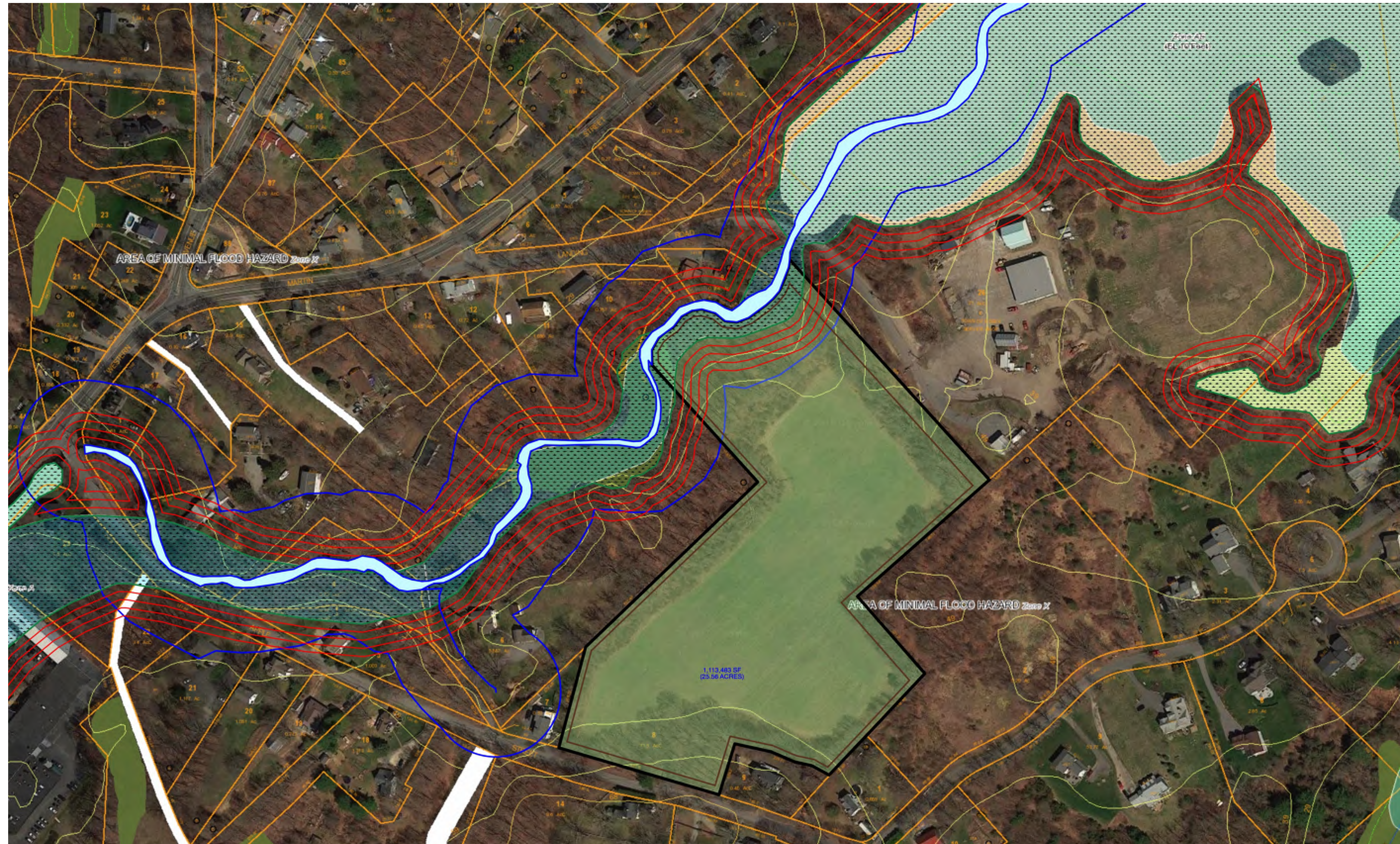
Essex Public Safety Building Project

30 Apple



Essex Public Safety Building Project

30 Apple



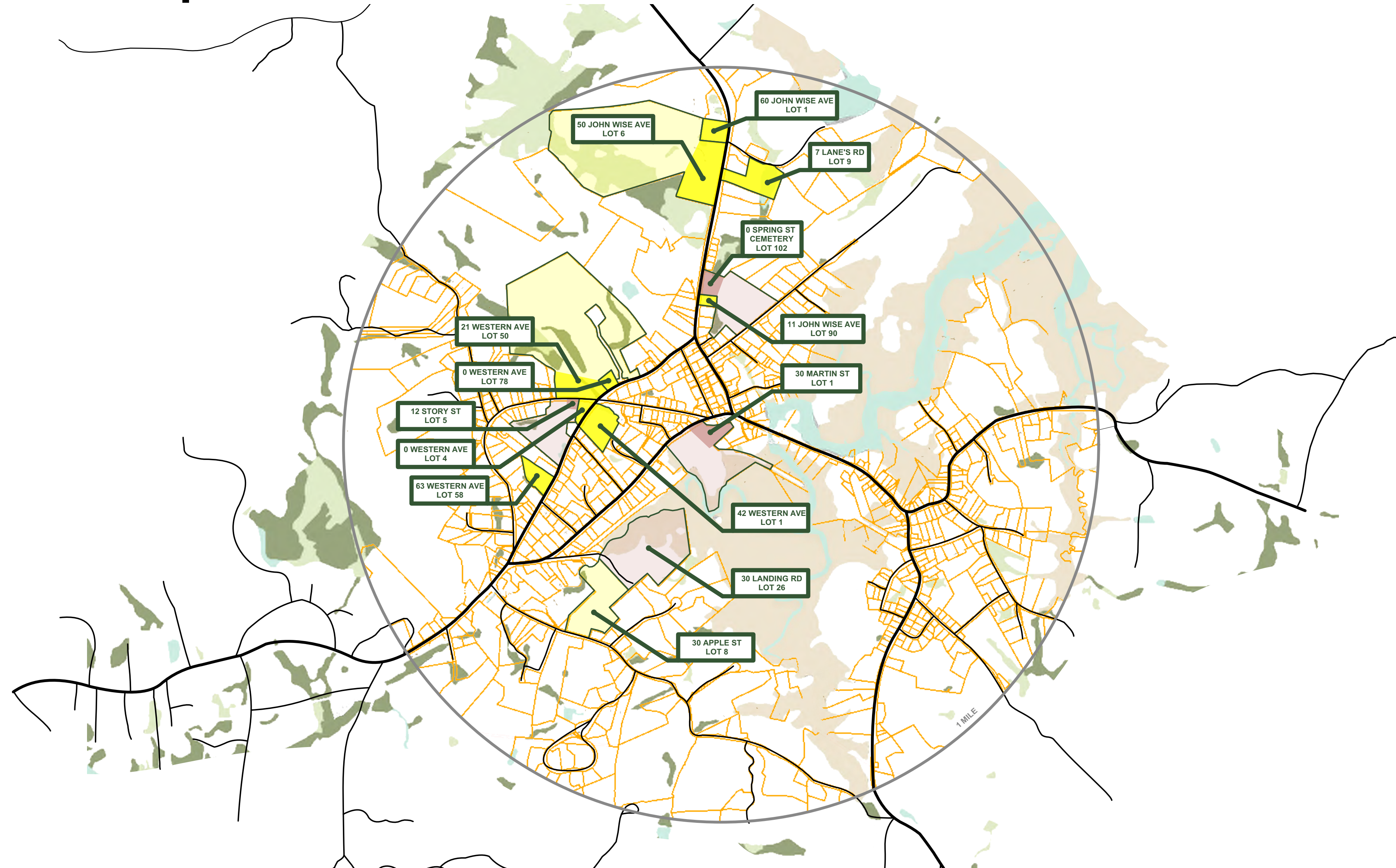
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Site Selection Map & Matrix

Essex Public Safety Building Project

Site Map





Essex Public Safety Building Project

Preliminary Site Selection Matrix

Address	0 Western Ave Map 128, Lot 78	0 Western Ave Map 129, Lot 4	21 Western Ave Map 129, Lot 50	42 Western Ave Map 129, Lot 1	63 Western Ave Map 134, Lot 58	7 Lane's Road Map 120, Lot 9	11 John Wise Ave Map 128, Lot 90	50 John Wise Ave Map 120, Lot 6	60 John Wise Ave Map 113, Lot 1
Size	1Acre	.95 Acres	57 Acres	4.8 Acres (3.2 Acres Used)	3 Acres	6 Acres Including Pond	2.51 Acres with Cemetary Site Partial	4.34 Acres	2.5 Acres
Assessed Value	\$392,000	\$214,000	\$592,900	\$780,800	\$572,200	\$80,100	\$484.30	\$621.24	\$526,100
Proximity to Town Center	.33 Miles	.33 Miles	.33 Miles	.22 Miles	.36 Miles	.61 Miles	.31 Miles	.57 Miles	.71 Miles
Combined Facility	No	No	Yes	Yes	Yes	Yes	No	Yes	Yes
Drive Through Bays	No	No	Possibly	Yes	Yes	Yes	No	Yes	No
Fire Truck Acces	May Require Backing in from the Street	May Require Backing in from the Street	Fair	Good	Good	Good	Requires Backing in from the Street	Good	May Require Backing in from the Street
Adequate ParkingArea	No	No	Yes	Yes	Yes	No	No	Yes	No
Wetlands	None	None	Potential work in Setback	No Impact	Potential work in Setback	Potential work in Setback	Potential work in Setback	Potential work in Setback	Potential work in Setback
Sewer Service	Yes	Yes	Yes	Yes	Yes	No \$150K Extension	Yes	No \$85K Extension	No \$190K Extension
High Ground Water	Unknown	Unknown	Unknown	Unlikely	Unknown	Likely	Likely	Likely	Likely
Appraised Value	Not Available	Not Available	Not Available	Appraisal in Hand	Not Available	Not Available	Not Available	Not Available	Not Available
Site Development Premium	Unknown	Unknown	Unknown	\$300K - Regrading	Unknown - Potentially High Due to Water	Unknown	\$900K In Conjunction with Cemetary Site	Unknown - Potentially High Due to Water	Unknown - Potentially High Due to Water
Willing Seller	No	No	No	No	No	No	No	No	No

General Notes
Combined facility saves approximately \$1,100,000 in construction costs over separate facilities

The Committee also reviewed the prospect of using the current Elementary School site, the current Transfer Station site or private property abutting that site, and properties across the Essex River. None of these options were deemed good solutions due to operational drawbacks and are not presently being studied further.

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Differential Site Project Costs

[illegible]

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Previous Site Options

Essex Public Safety Building Project

50 John Wise Avenue



Essex Public Safety Building Project

School Site



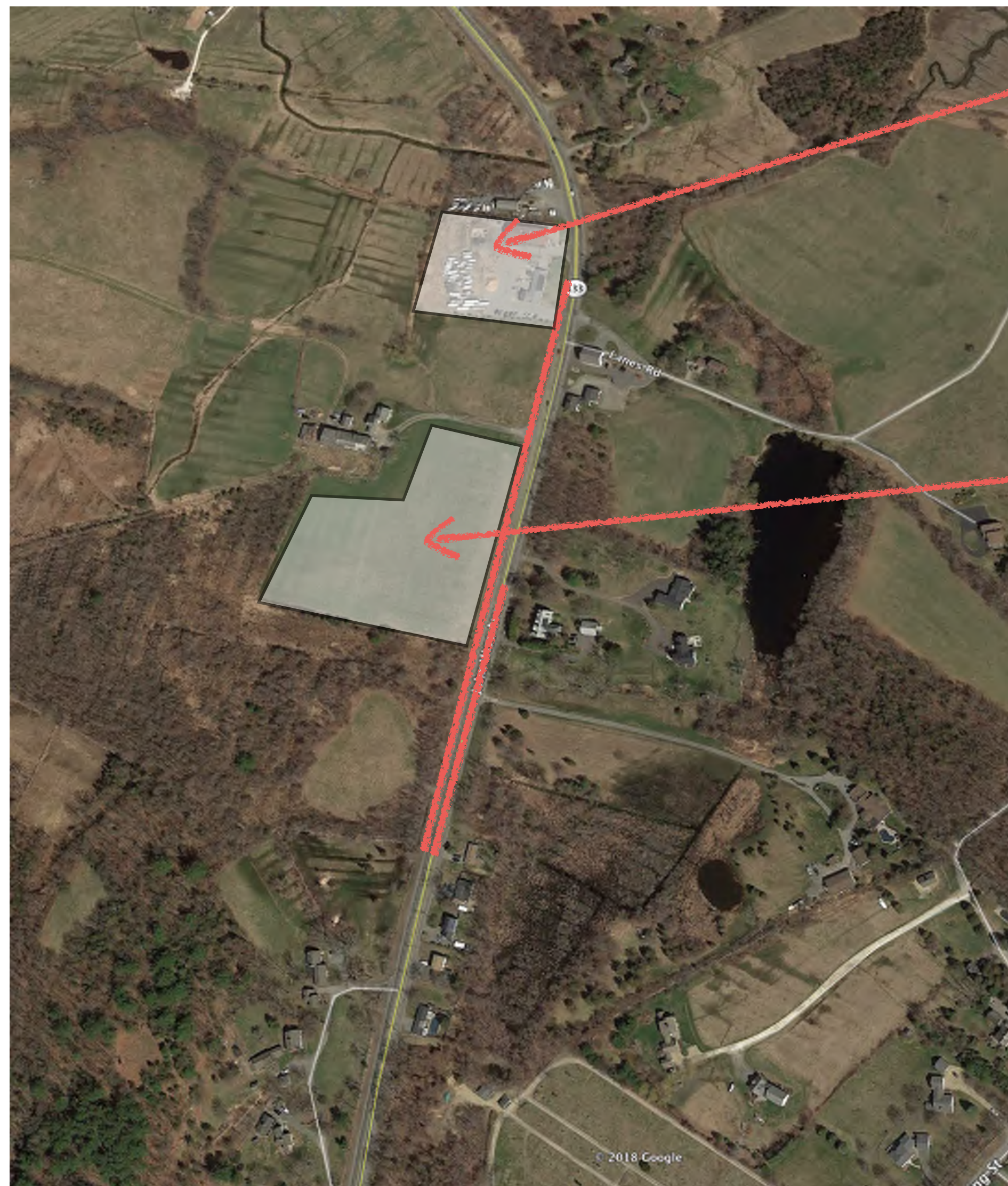
Essex Public Safety Building Project

63 Western Ave



Essex Public Safety Building Project

Sewer Extension



60 John Wise Ave

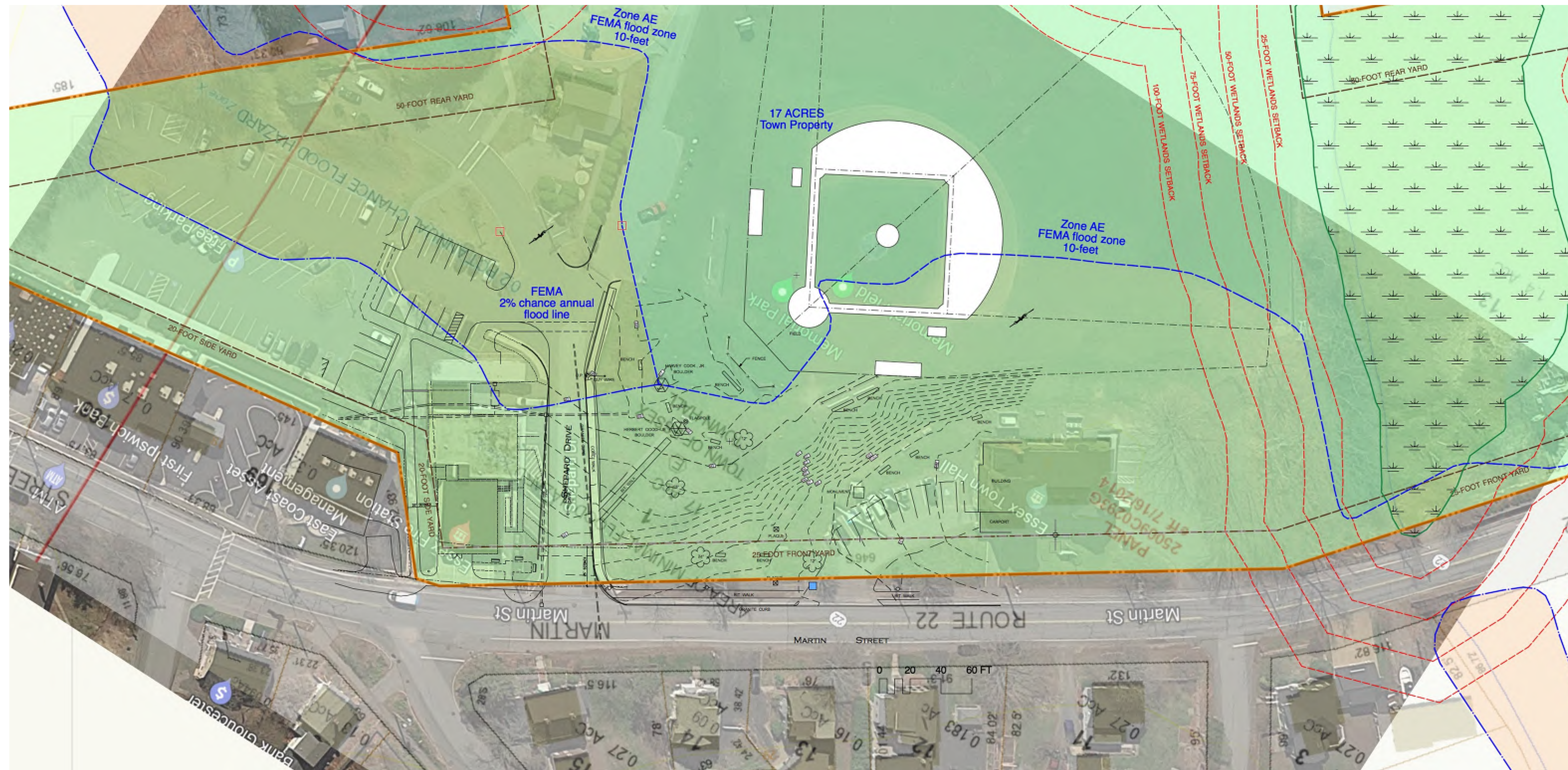
1500 feet x \$120/LF = \$180,000

50 John Wise Ave

620 feet x \$120/LF = \$74,400

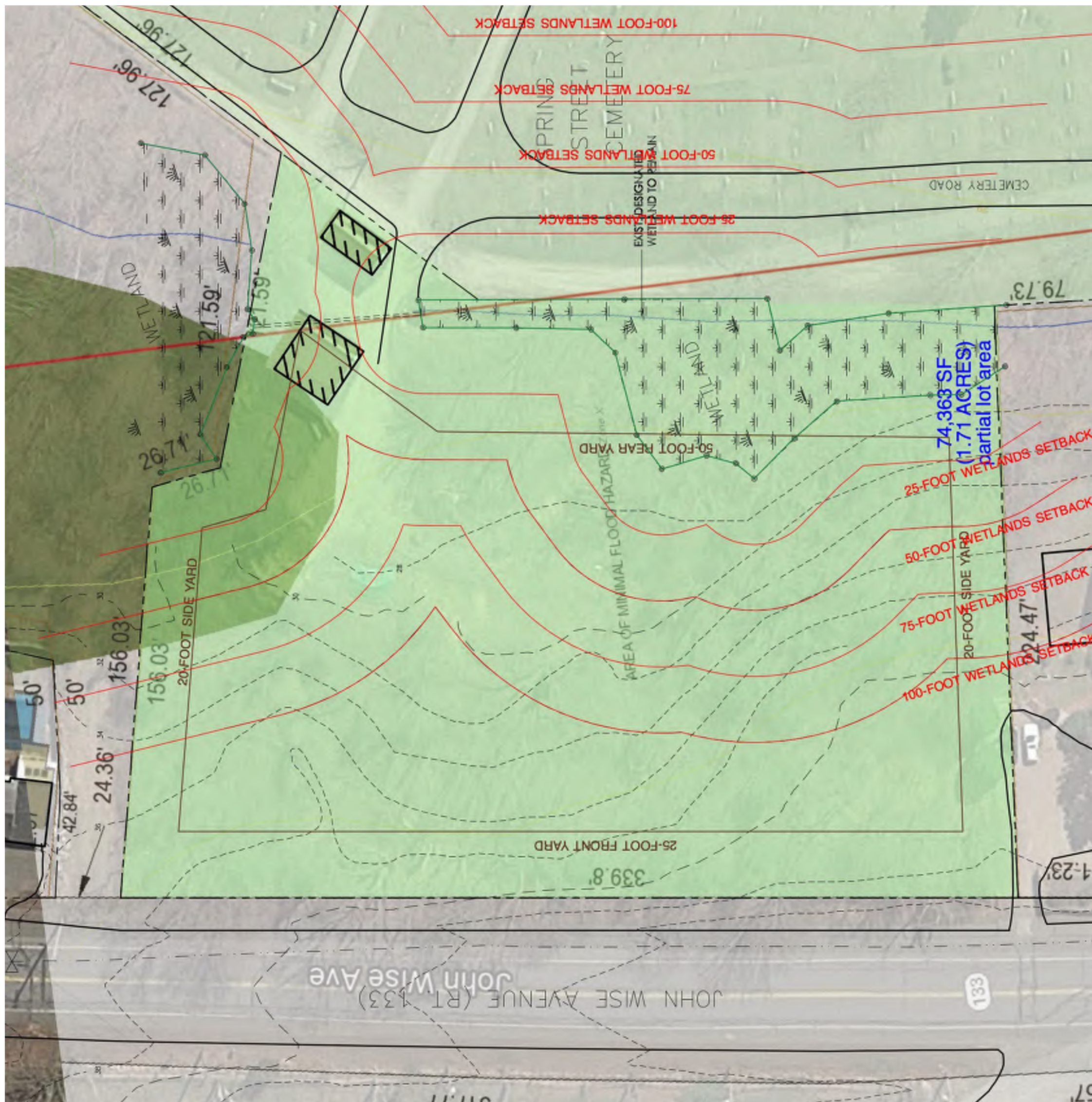
Essex Public Safety Building Project

Existing Site



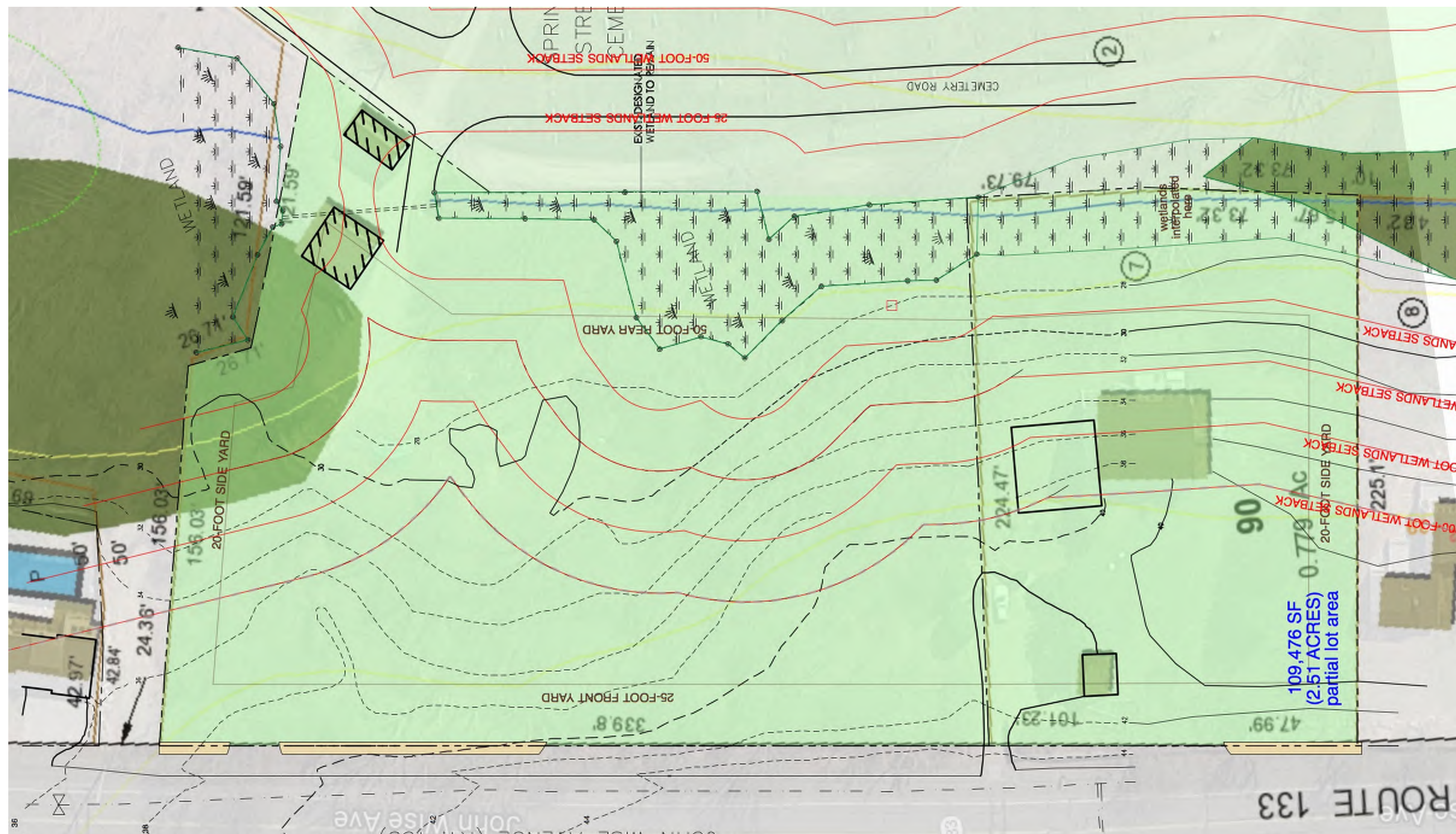
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John Wise Site



Essex Public Safety Building Project

John Wise Site and Additional Parcel



Essex Public Safety Building Project

7 Lanes Road



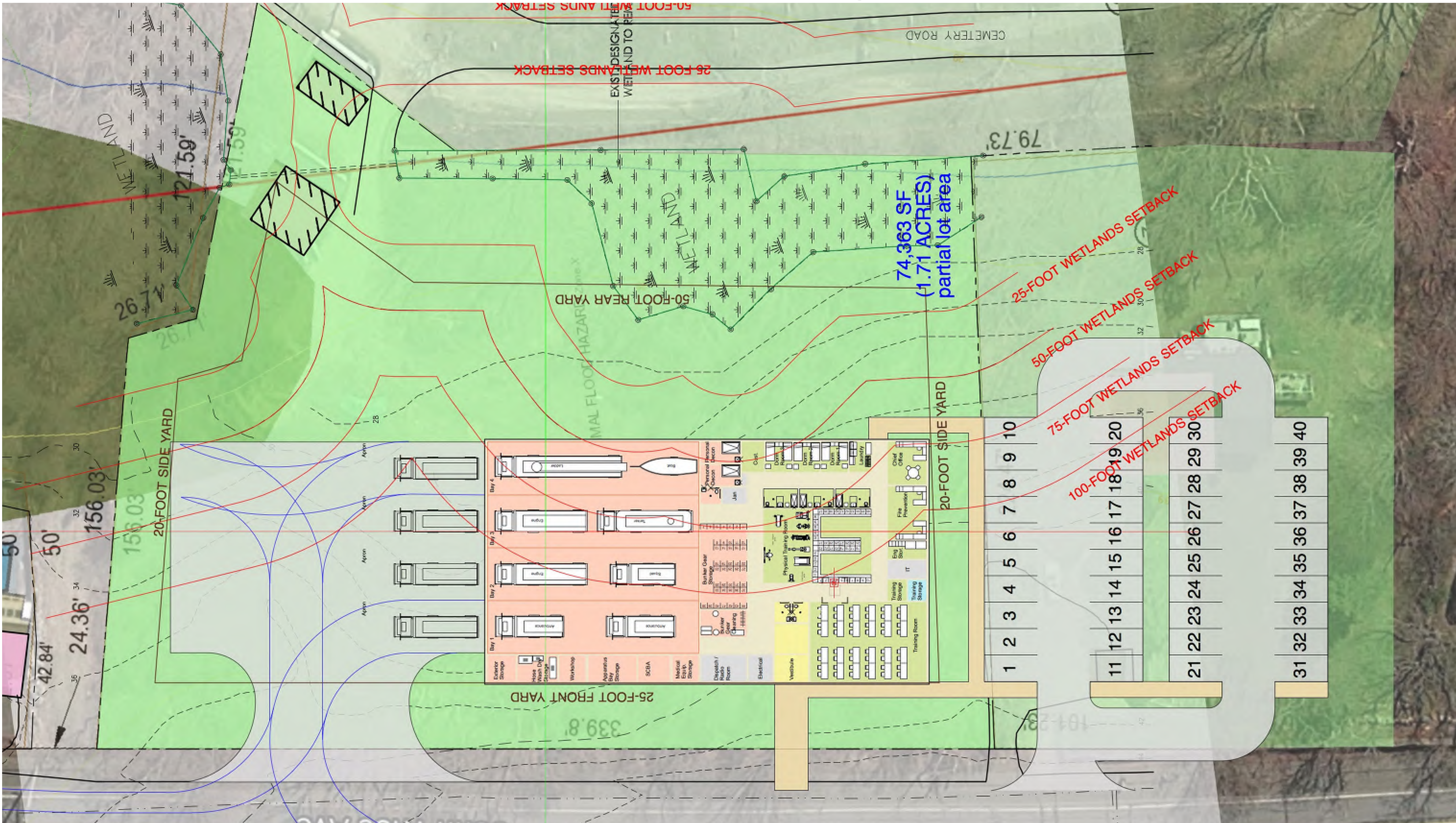
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60 John Wise Avenue



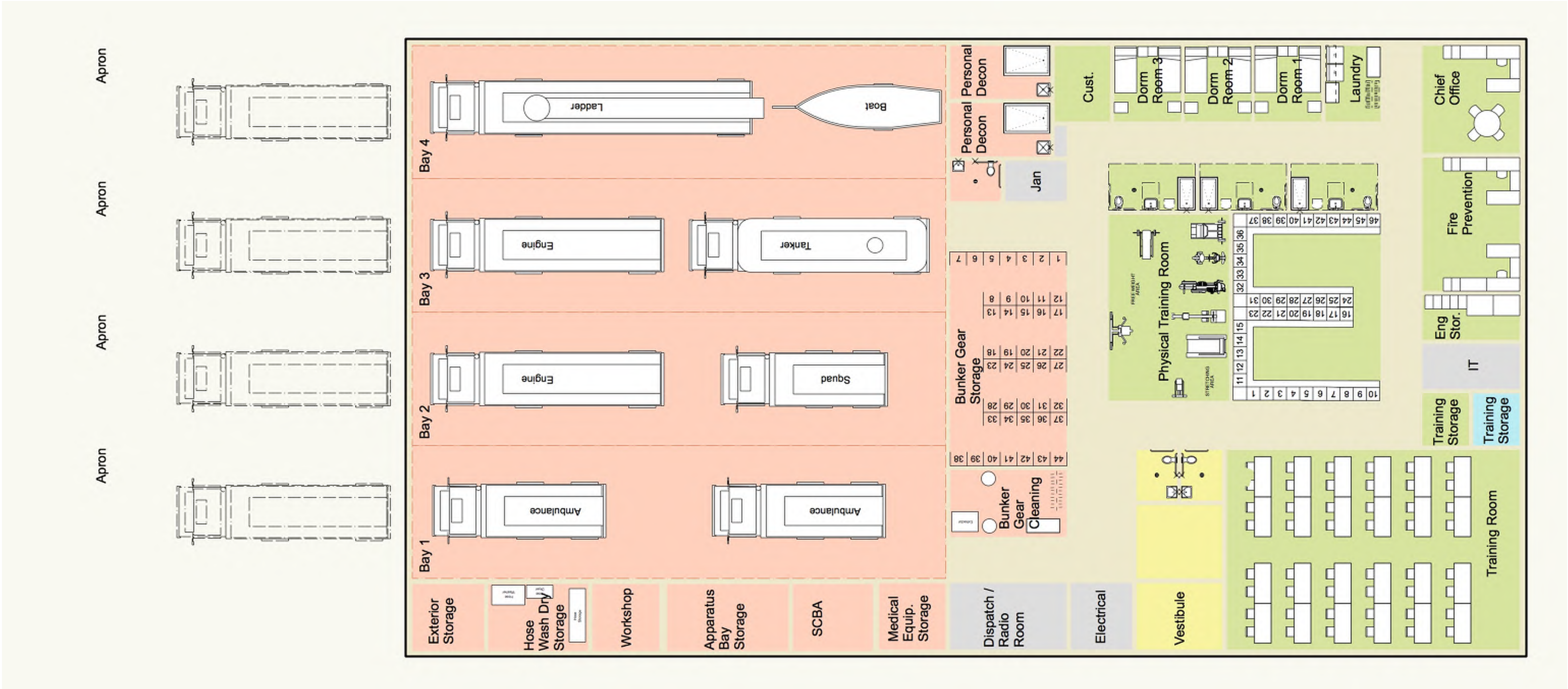
Essex Public Safety Building Project

John Wise Site with Additional Property: Fire



Essex Public Safety Building Project

John Wise Site with Additional Property: Fire



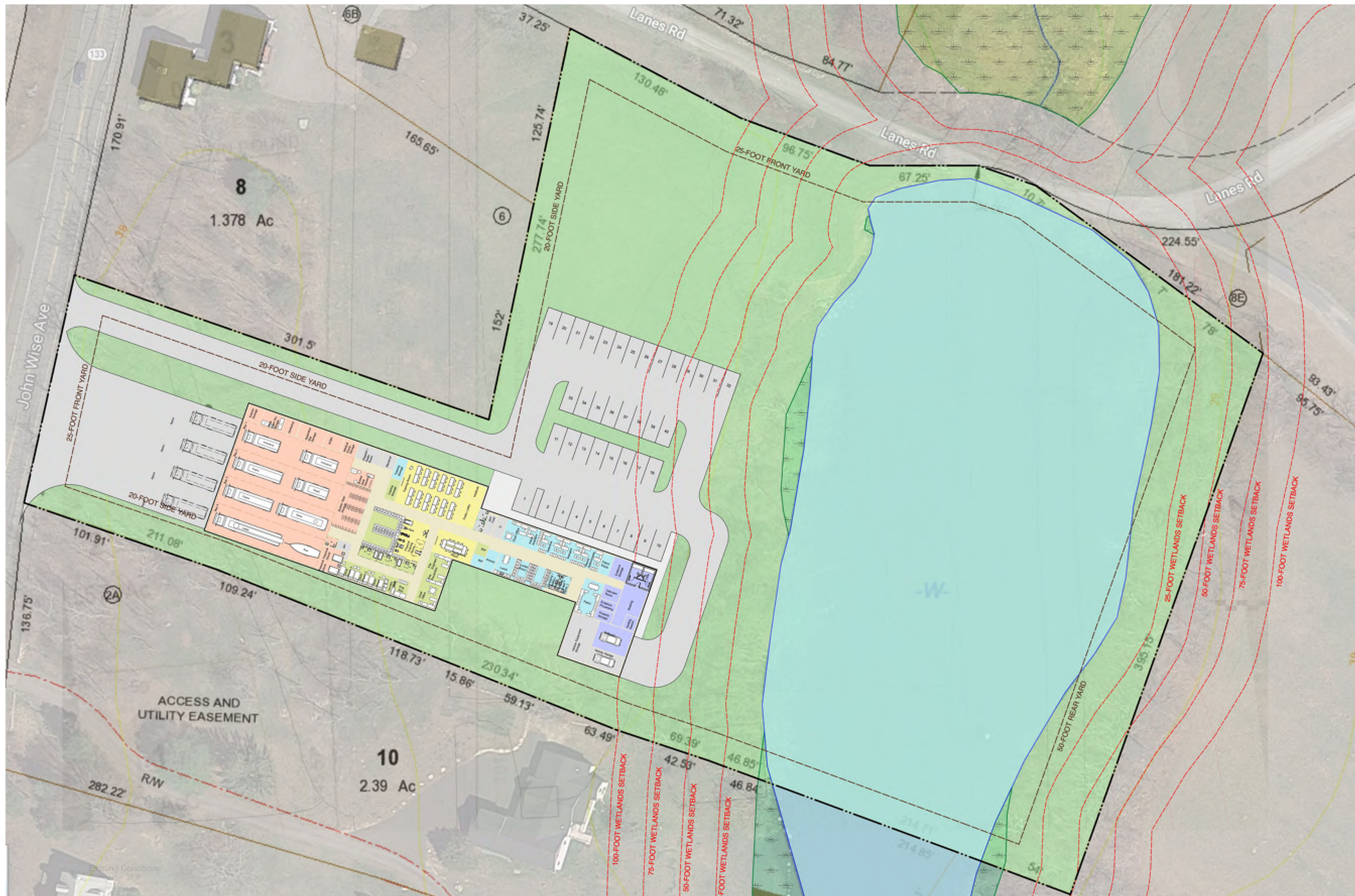
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7 Lanes Road: Police Fire Combo

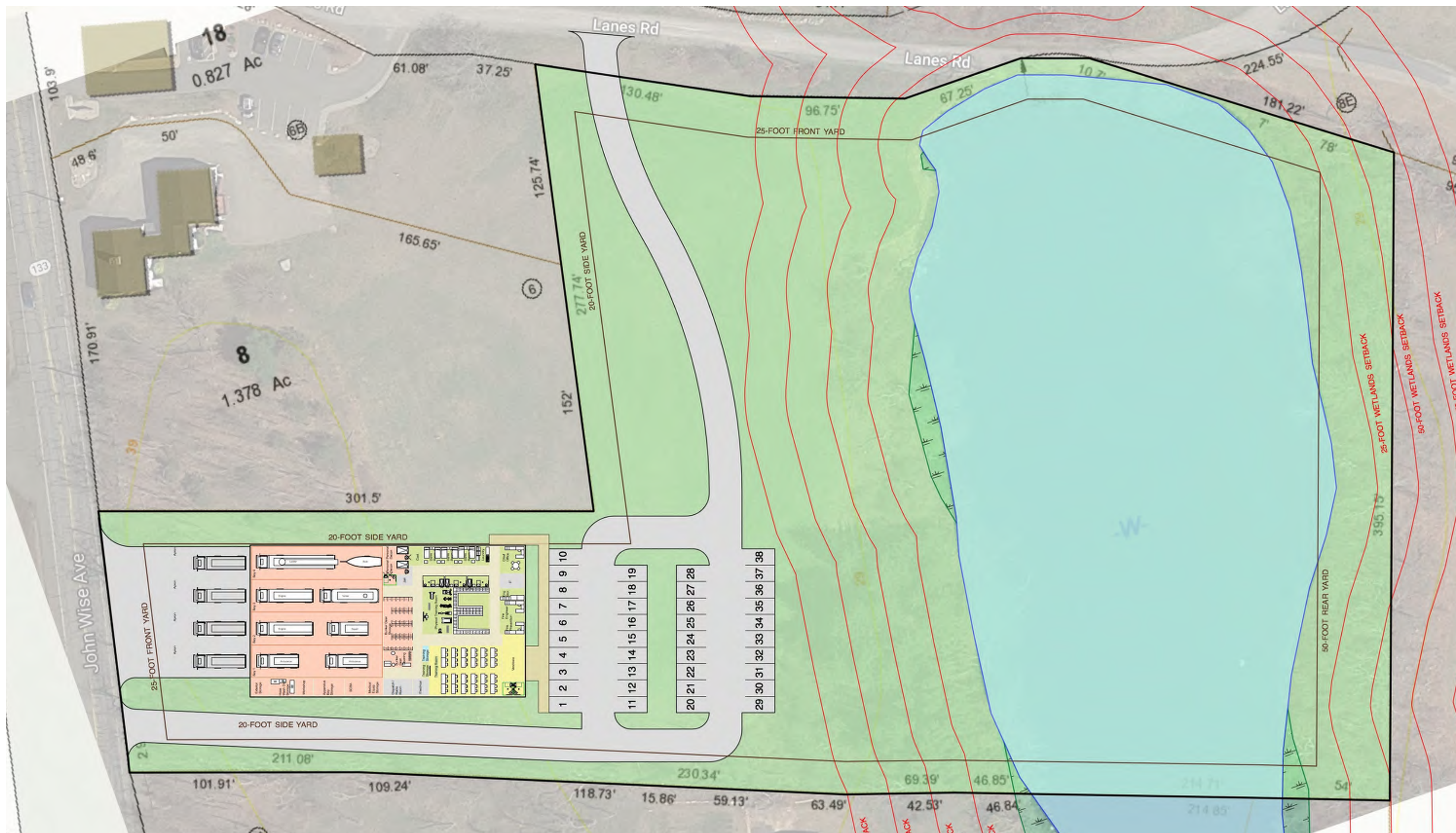


Essex Public Safety Building Project

7 Lanes Road: Police Fire Combo

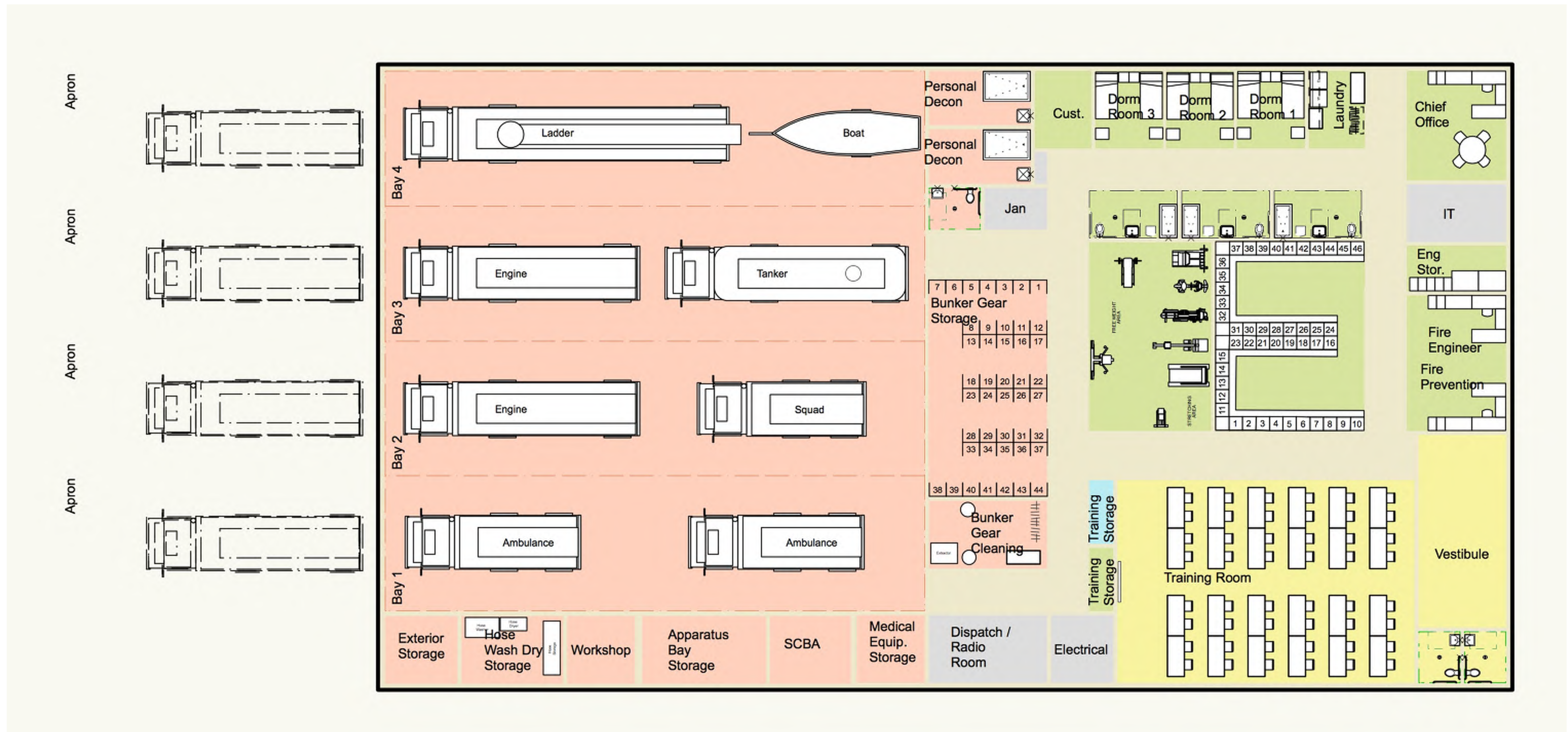


7 Lanes Road: Fire



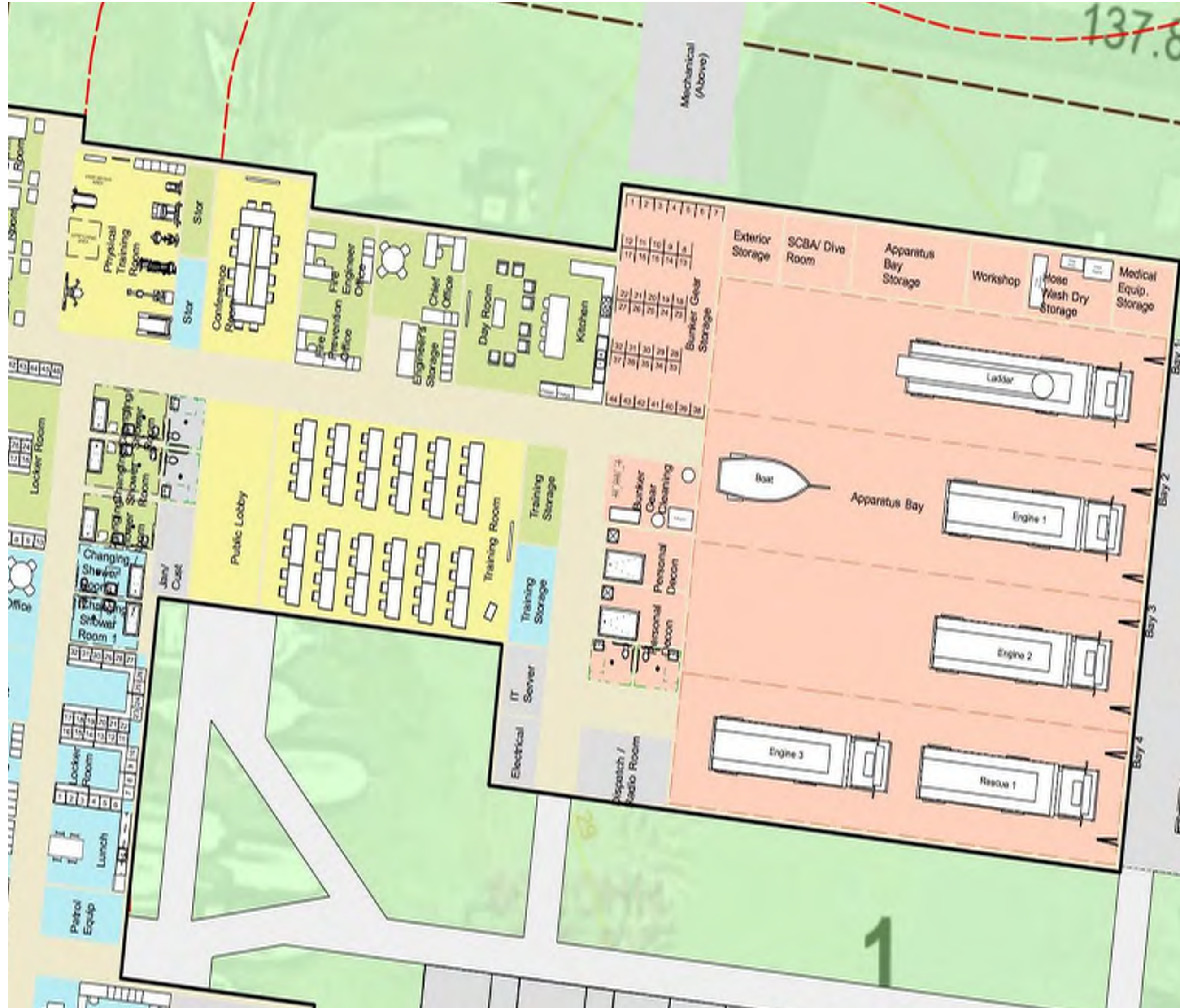
Essex Public Safety Building Project

7 Lanes Road: Fire



Essex Public Safety Building Project

60 John Wise Avenue Site: Police Fire Combo

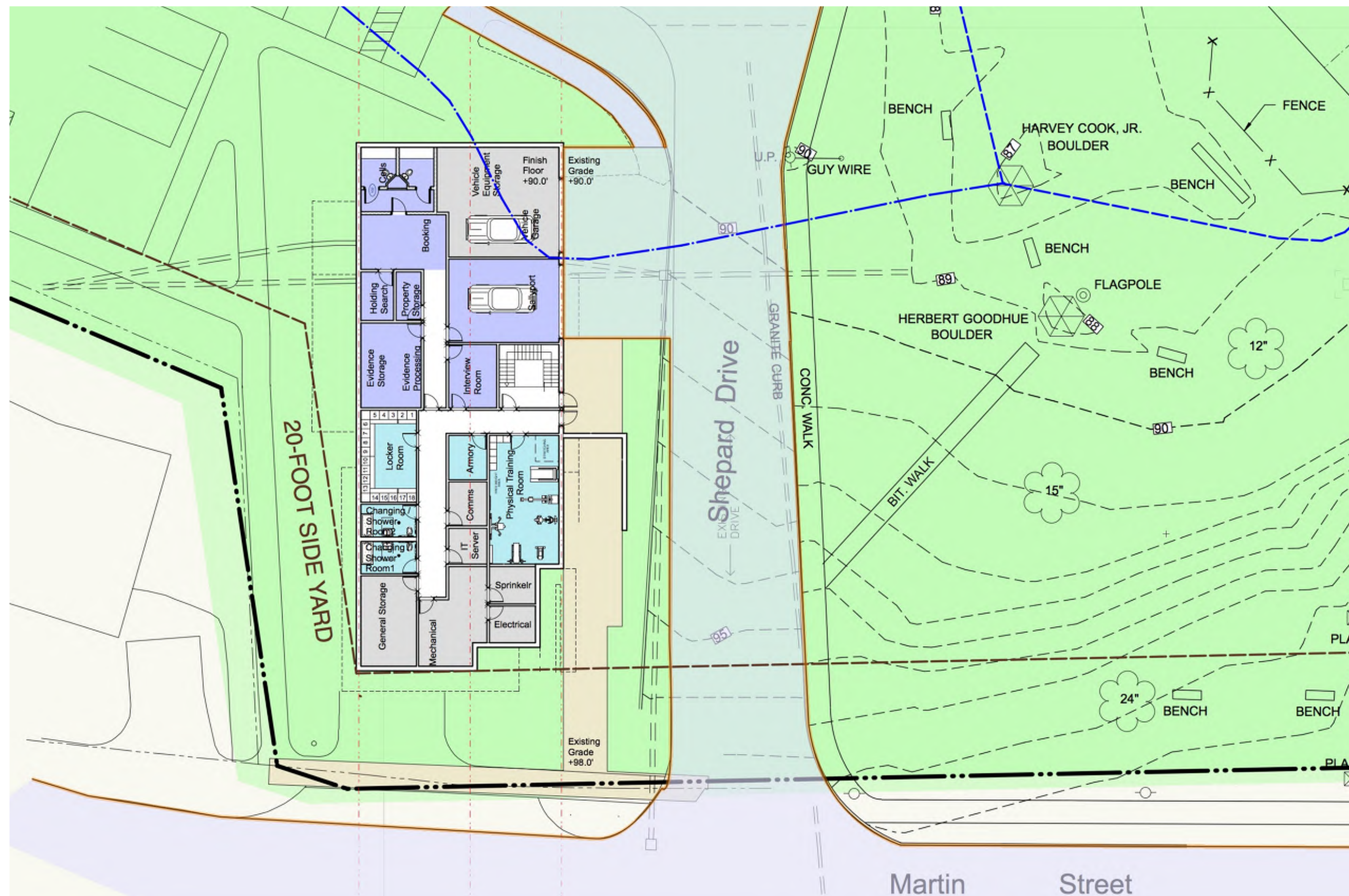


Previous Options

- Police at Existing Site
- Police at Park Site
- Fire at John Wise Site
- Police Fire Combo at John Wise
- Police Fire Combo at Western Ave

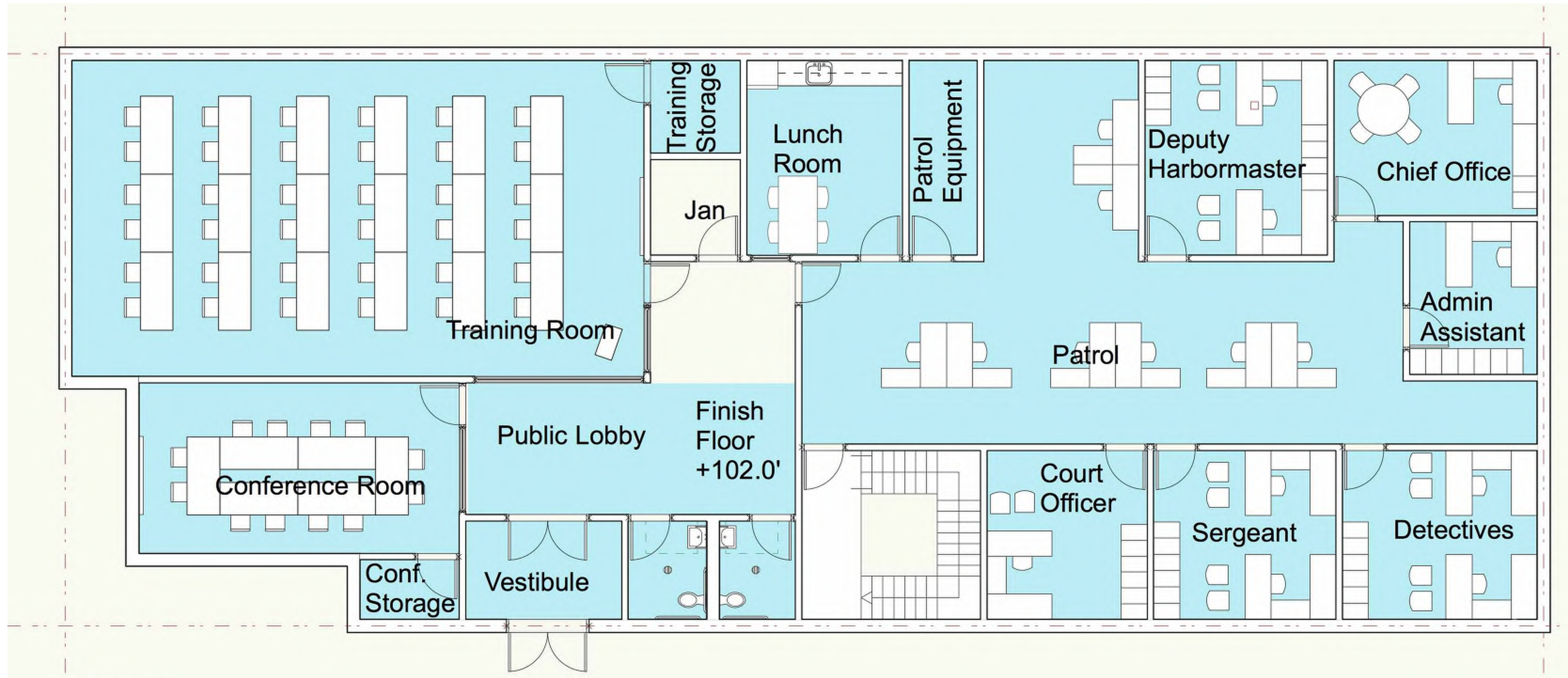
Essex Public Safety Building Project

Existing Site: Police



Essex Public Safety Building Project

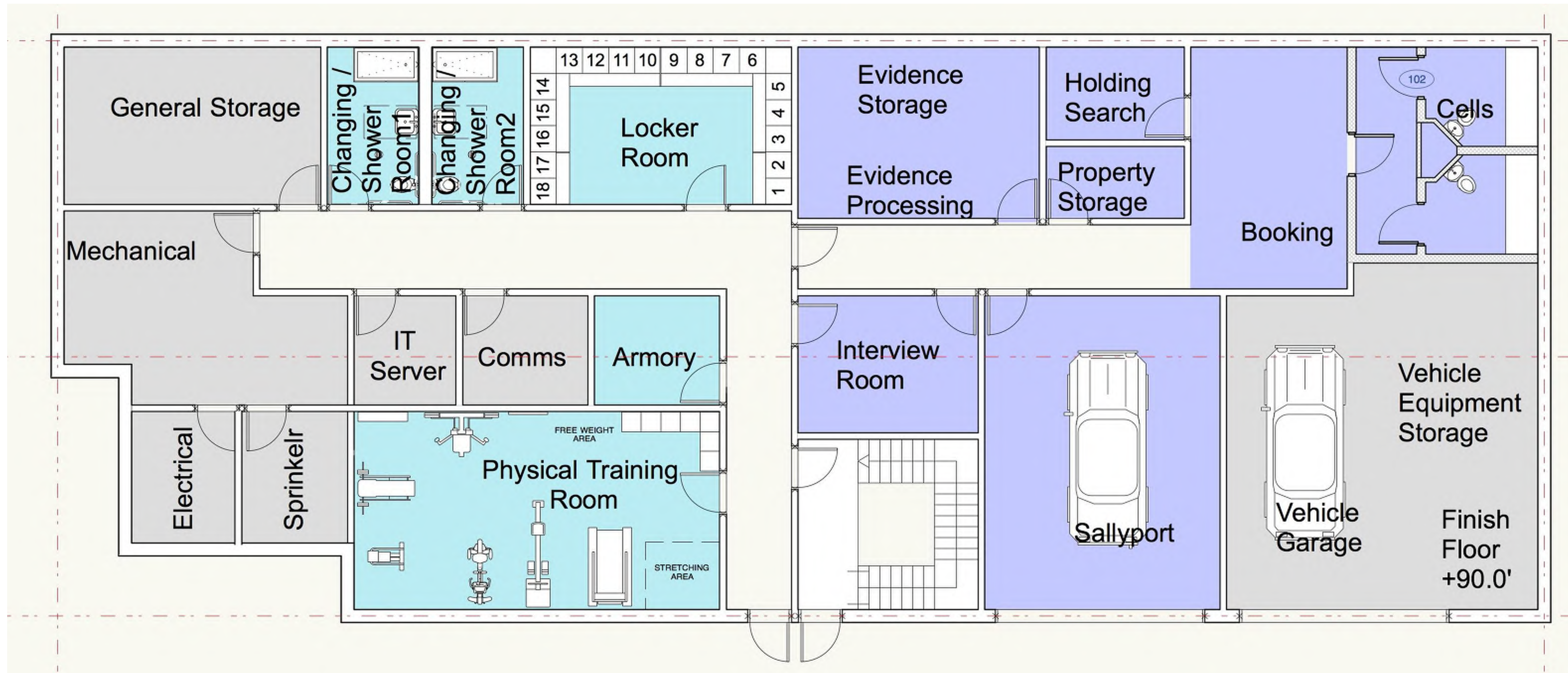
Existing Site: Police



Upper Level

Essex Public Safety Building Project

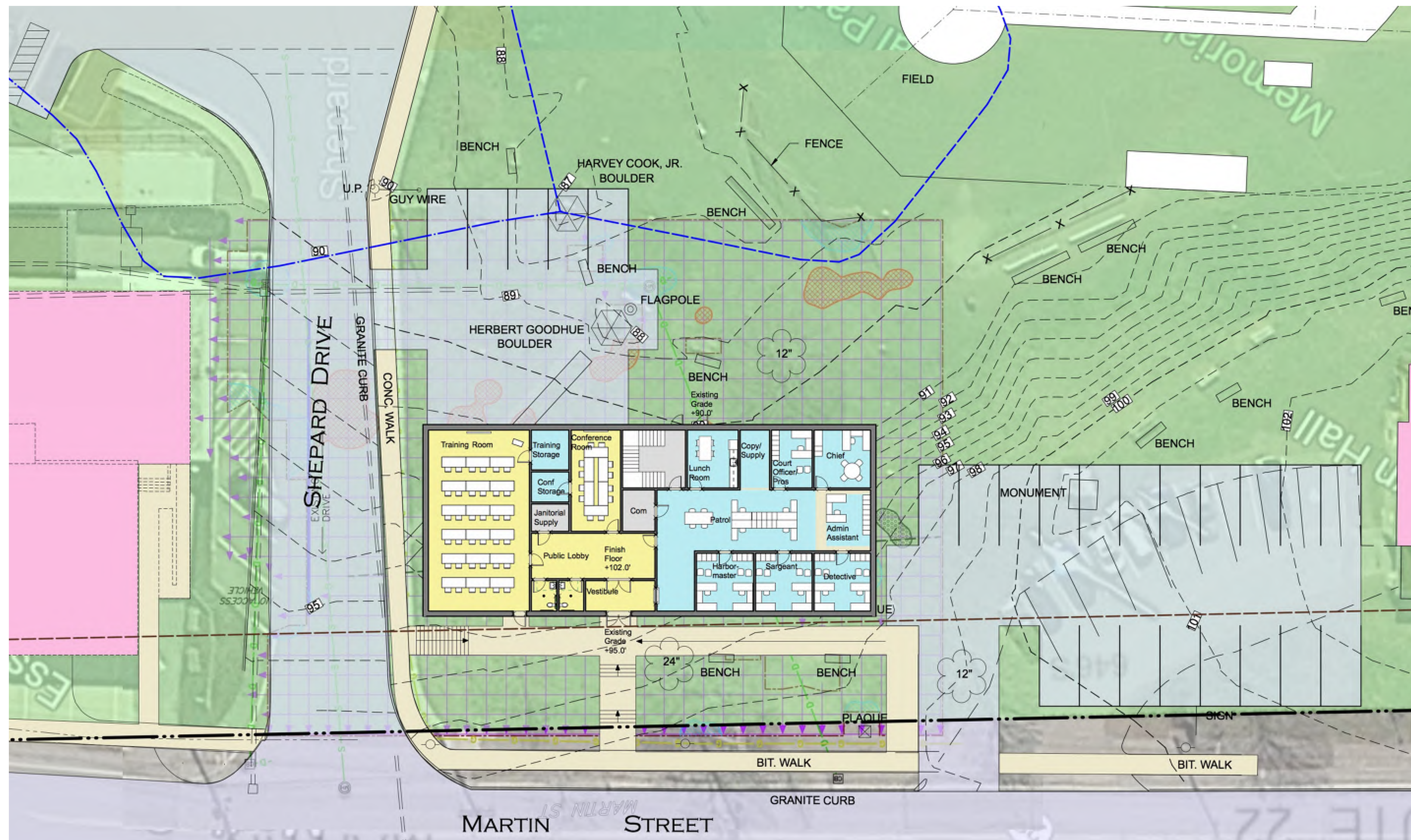
Existing Site: Police



Lower Level

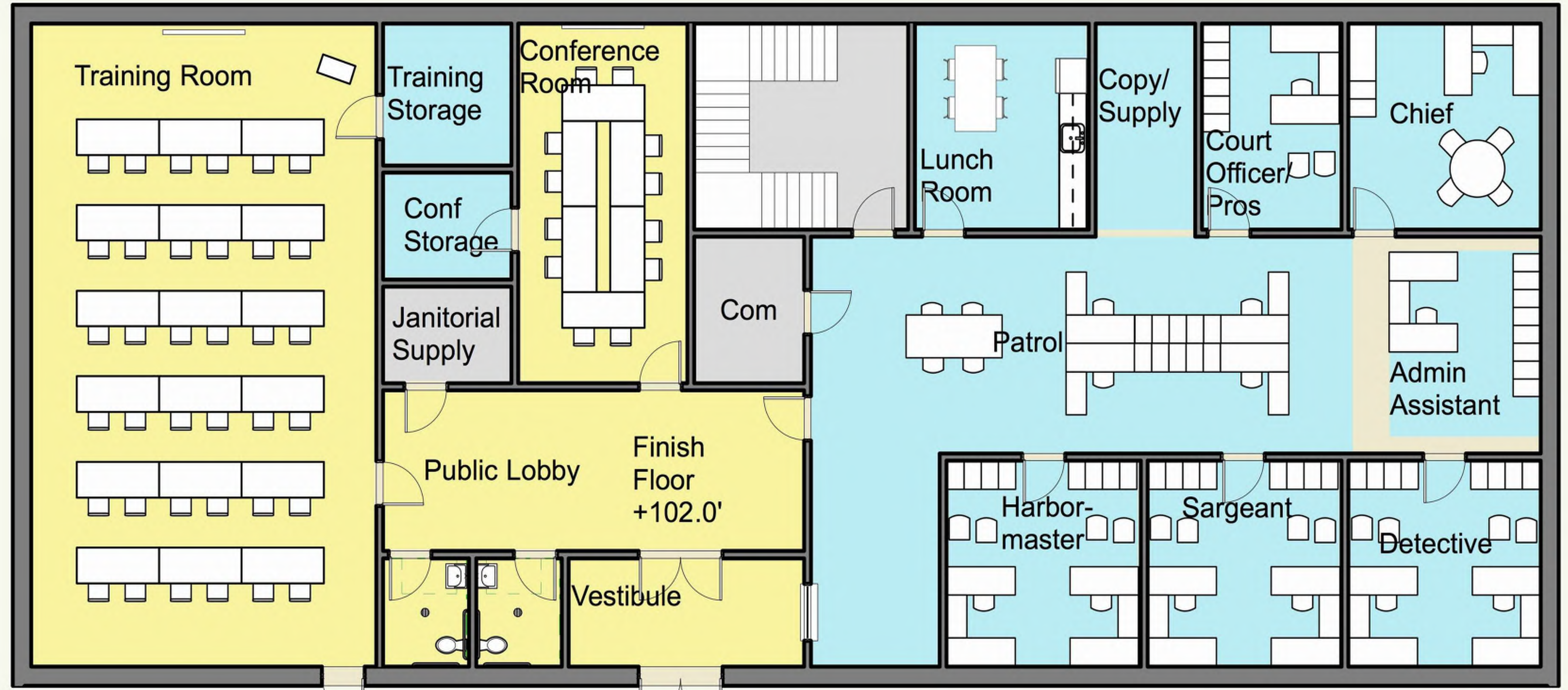
Essex Public Safety Building Project

Park Site: Police



Essex Public Safety Building Project

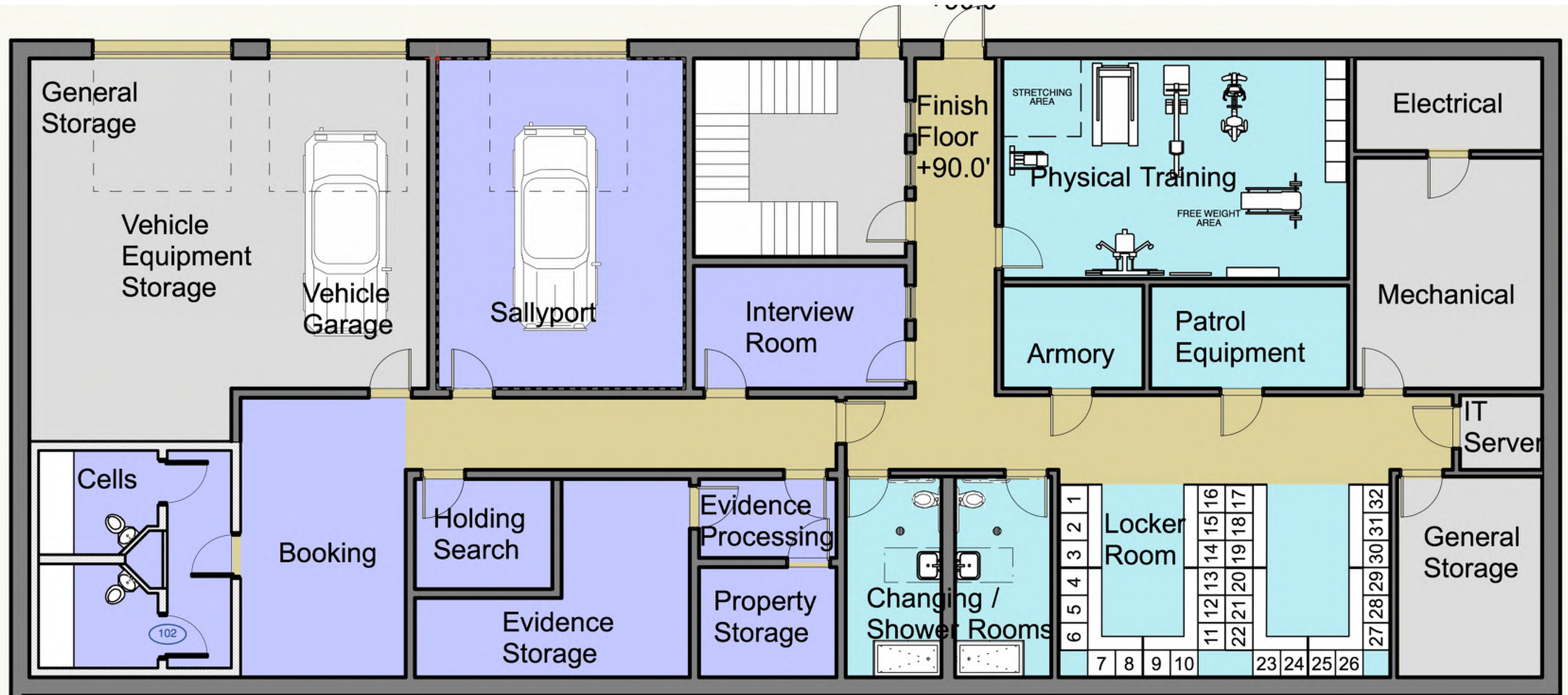
Park Site: Police



Upper Level

Essex Public Safety Building Project

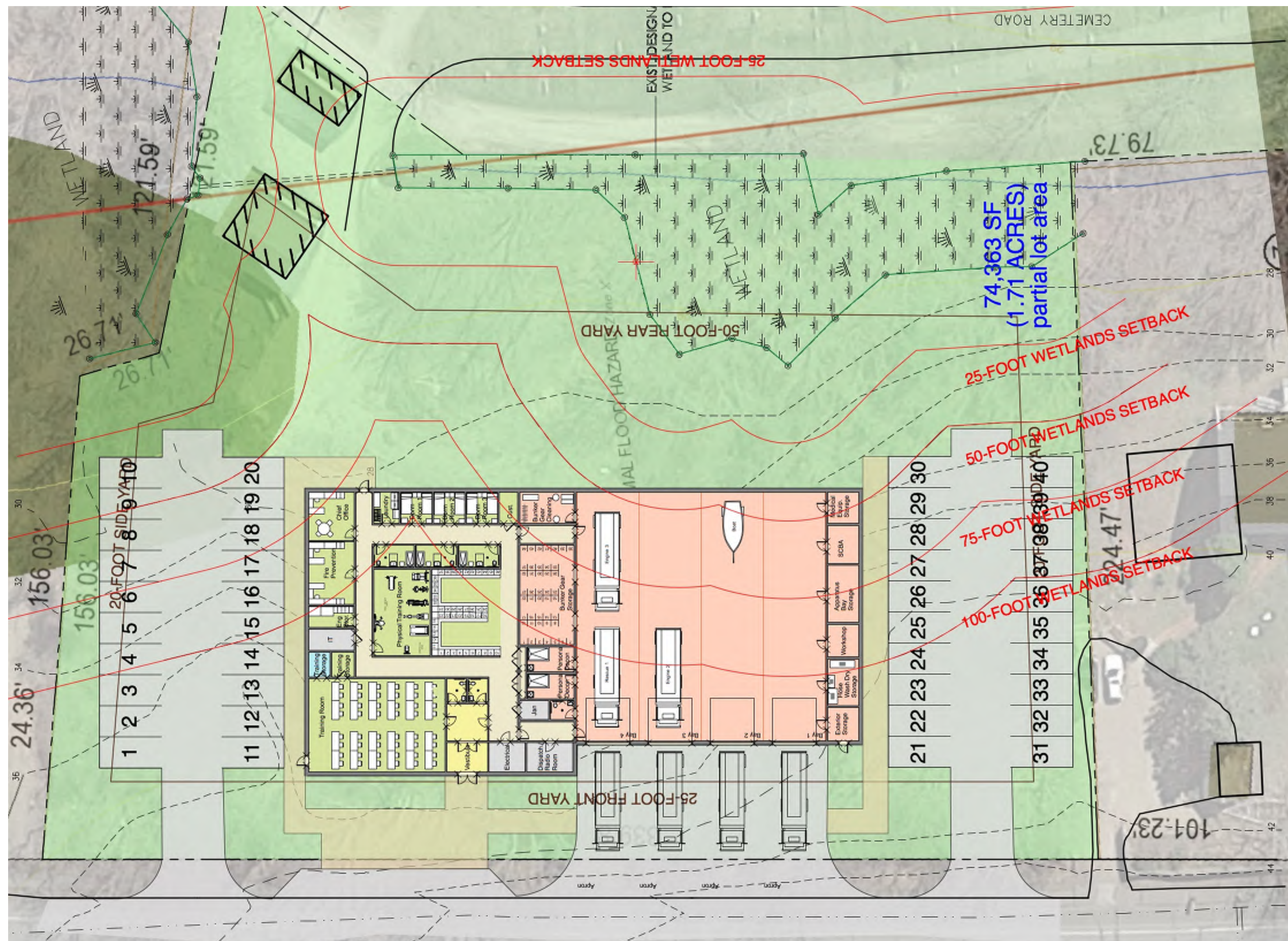
Park Site: Police



Lower Level

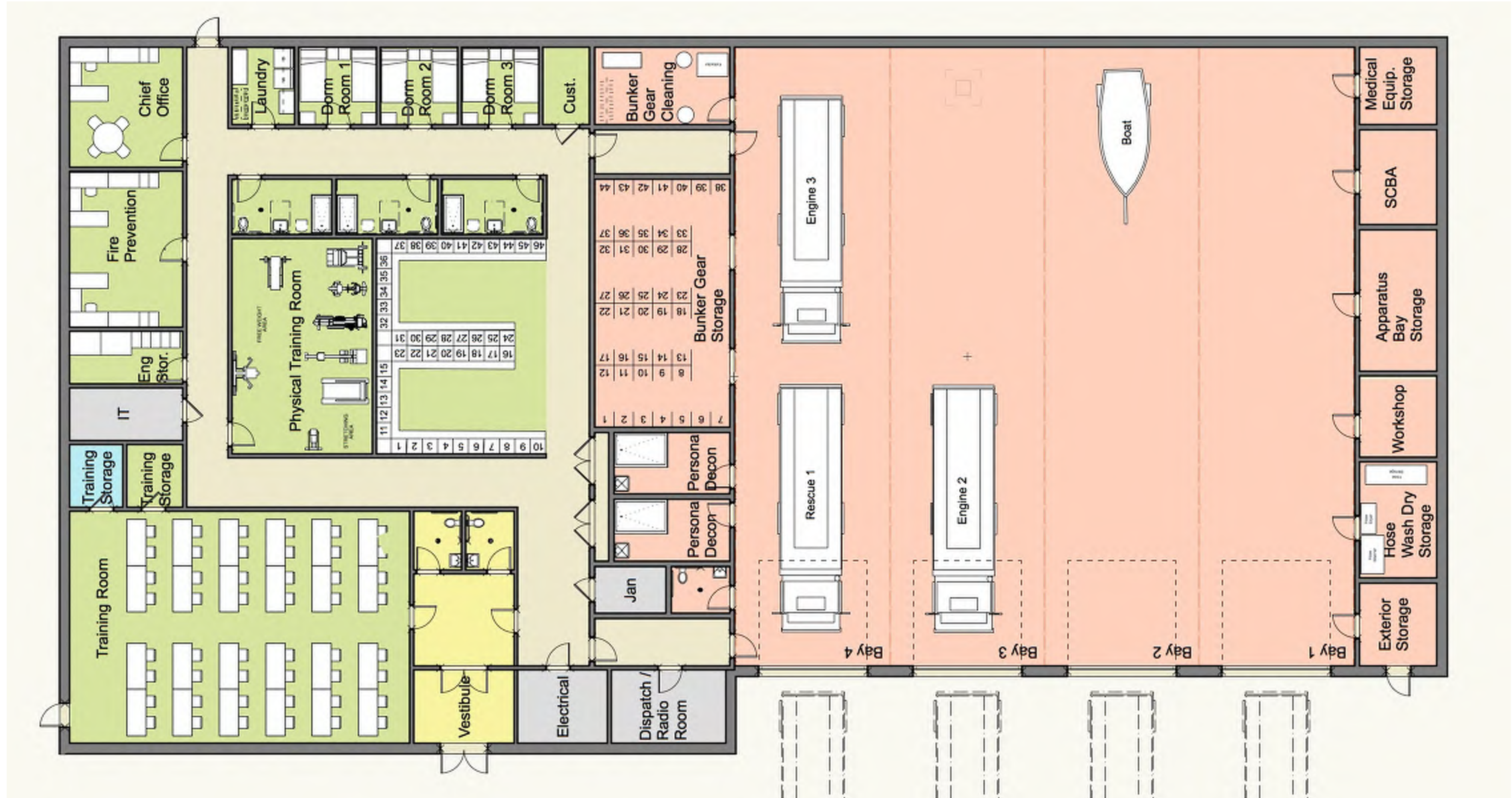
Essex Public Safety Building Project

John Wise Site: Fire



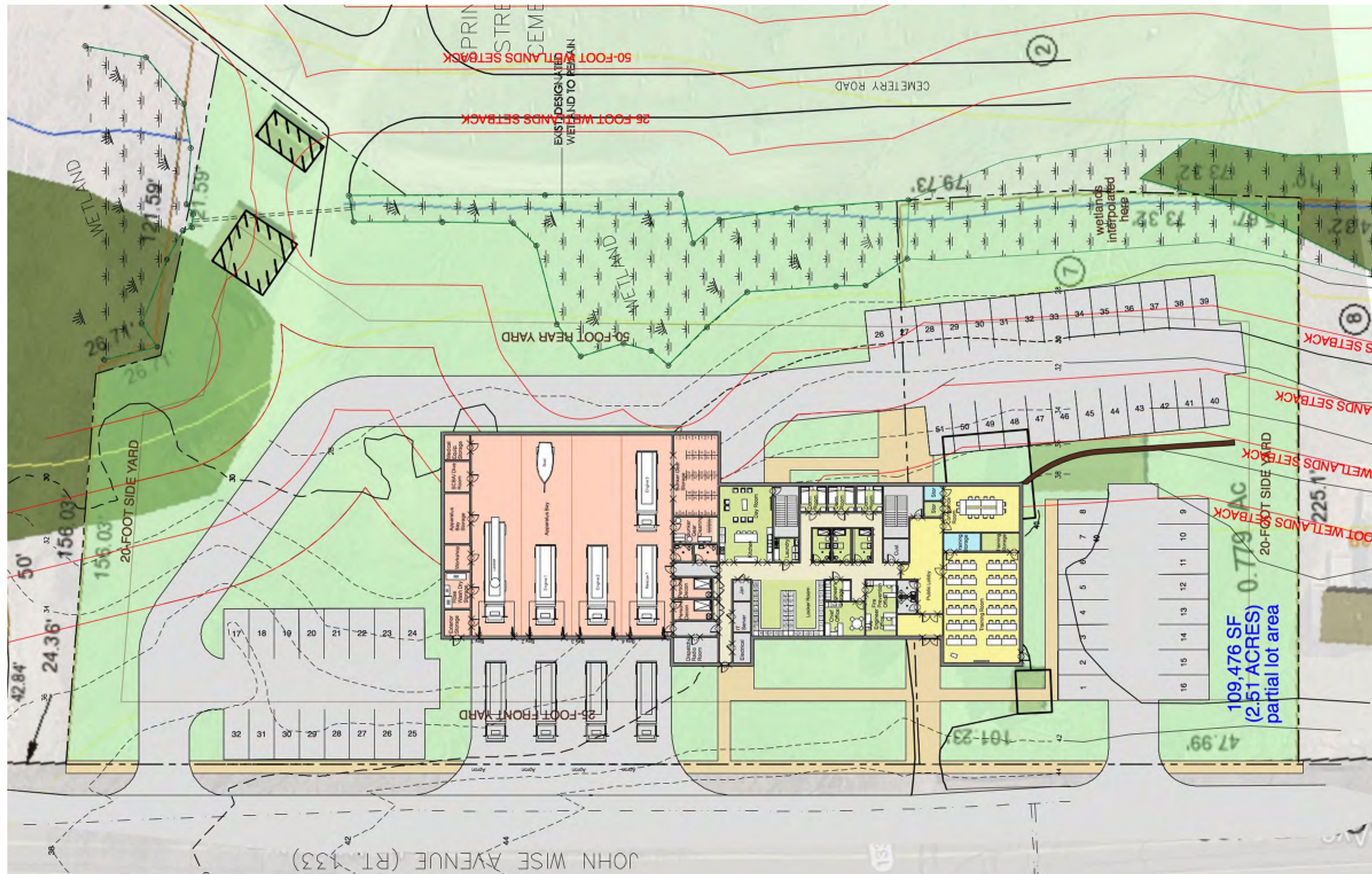
Essex Public Safety Building Project

John Wise Site: Fire



Essex Public Safety Building Project

John Wise Site: Police Fire Combo



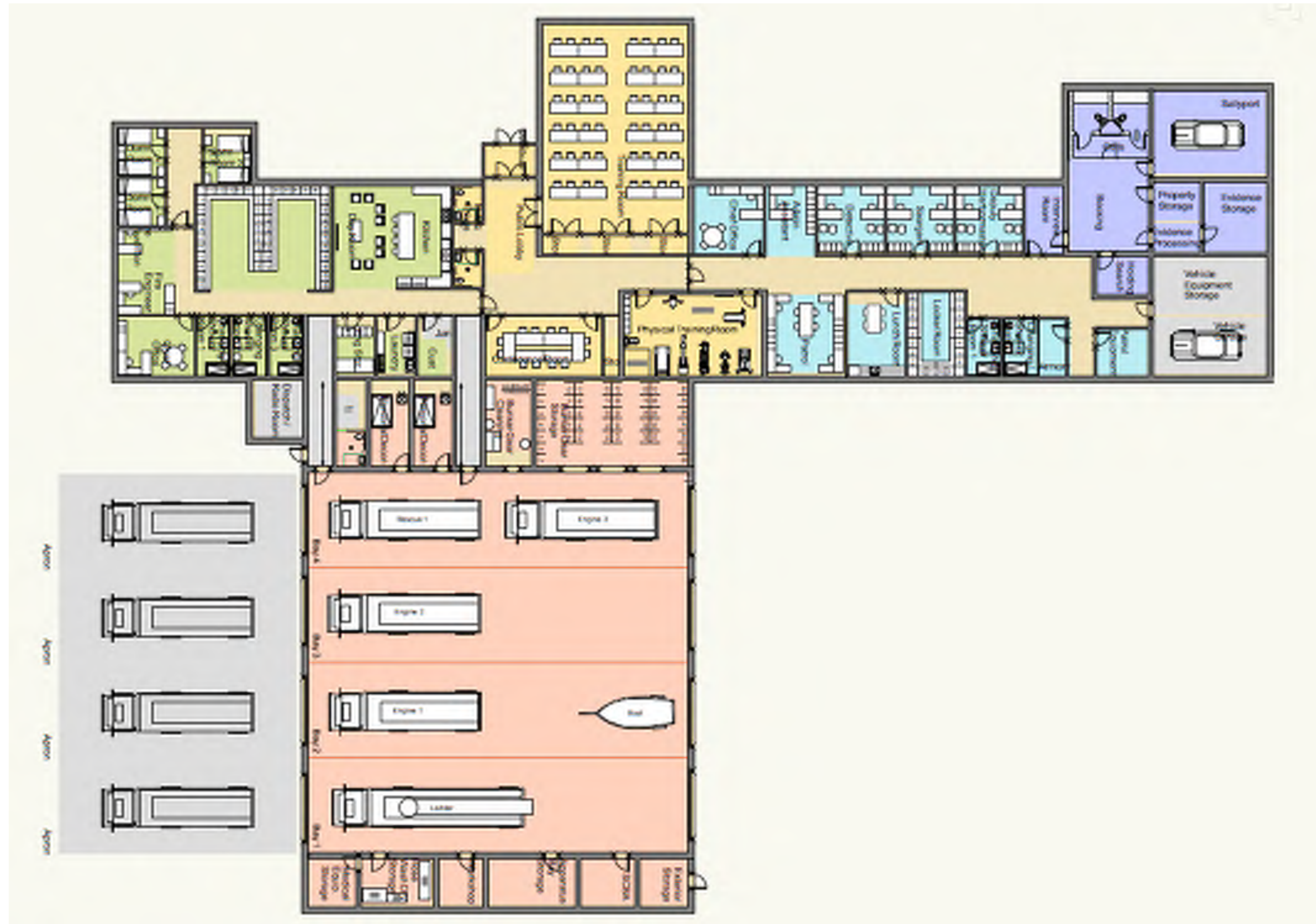
Essex Public Safety Building Project

Western Ave Site: Police Fire Combo



Essex Public Safety Building Project

Western Ave Site: Police Fire Combo



Essex Public Safety Building Project

Town Building Committee

Sign-In List

Location: Town Hall, 3rd Floor

Date: 1/23/2019

Name

Email

- 1 Tim Dorman tim.dorman@NVS.com
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