

Essex Public Safety Building Project	Meeting Minutes
---	------------------------

Re: Town Building Committee	Date: January 14, 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 Ave. parcel. It was noted that the property owner changed his mind about selling it to the Town as he determined he wanted to keep the land in the family and price was not the issue. It was suggested that the large undeveloped parcel of land across from the school or the parcel at 30 Apple Street adjacent to the transfer station would be better alternatives as they would not involve taking homes.
- A member of the audience noted objection to consideration of an eminent domain taking of a portion of the parcel of land at 50 John Wise Ave.
- A family member representing the Owner of 42 Western Ave. noted the family's strong objection to an eminent domain taking of this parcel of land. A summary of the family's long history of owning this parcel of land and involvement in the town was provided.

2. Approve minutes from the December 13, 2018 joint public forum and Selectmen's meeting of January 3, 2019.

- Lisa O'Donnell made a motion to approve the minutes of the public forum of December 13, 2018. The motion was seconded by Daniel Doucette, all members were in favor and the motion was approved.
 - Lisa O'Donnell made a motion to approve the minutes of the Selectmen's meeting of January 3, 2019. The motion was seconded by Peter Phippen, all members were in favor and the motion was approved.
3. Discuss preliminary public safety building comparative site matrix.
- JRA presented the preliminary comparative site matrix that had been drafted to assist in evaluating the various criteria and features of each site. It was noted that at this point some of the properties have not been fully vetted with conceptual layouts. The goal is to get feedback on the evaluation criteria and properties that may warrant further review.
 - A site location map was also presented, showing a 1-mile radius from the existing facility, which is considered to be the maximum distance for consideration of parcels in order to maintain a reasonable travel time for call fire fighters to arrive at the facility and then respond to a call location.
 - It was noted that the parcels were identified as single parcels within the 1-mile radius with enough developable area to support a combined police and fire station as a combined facility is the most cost effective approach. A combined facility does not fit on either of the Town owned parcels or on the Town owned Cemetery parcel with the adjacent private property at 11 John Wise Ave.
 - The only privately owned parcel reviewed with a willing seller appears to be 60 John Wise Avenue, however the last known asking price was \$3.5M at the time the late proposal was submitted in response to the RFP last year. Other issues with this parcel are concerns about the access from John Wise Avenue due to the curve in the roadway and the speed limit.
 - The process for pursuing acquisition of a private property either through a willing seller or eminent domain was summarized. Either scenario would require a 2/3 majority vote at Town Meeting and a debt exclusion is anticipated for funds needed beyond the Conomo Point funds. The intent would be to obtain the vote to acquire the land at a February special Town Meeting and then advance the design to establish a total project budget to obtain a vote for the complete funding at the annual Town Meeting in May.
4. Discuss possible acquisition of private property for a new public safety building by purchase or eminent domain:

- The Committee discussed their thoughts on eminent domain in general and it appeared that there wouldn't be full support for an eminent domain taking that involved a home, however properties currently occupied by a business or that are undeveloped may be considered more favorably.
- The question was raised as to whether or not the Elementary school property with the private parcel on the corner of Western Avenue had been looked at. JRA has previously looked at the Elementary School parcel but the adjacent parcel hadn't been considered as the property owner had previously indicated that they were not interested in selling the land to the Town. Since this parcel has no existing buildings on it, there may be support for an eminent domain taking. However, the parcel is less than an acre with some slope to it, so it does not appear that it would provide enough additional developable area for a combined facility. The issues with utilizing the elementary school site were also restated, which include the desire to maintain any available land for the future elementary school building project, issues pertaining to the lease with the school district and concern about mixing emergency vehicles with school traffic.
- Viability of the transfer station site and adjacent parcel at 30 Apple Street was discussed. This site was previously discussed at a meeting in December, but was not looked at closely due to concerns about access limitations with Landing Road and Apple Street. Both are narrow and have bridge crossing that are not in great condition. There are also known soil contamination issues due to the former landfill at the transfer station site and limited remaining land outside of the mound. The fire chief felt that the issues on John Wise related to access could be more easily dealt with than the issues at 30 Apple Street through the installation of a traffic signal and/or lowering of the speed limit.
- The Town owned Cemetery site with the inclusion of the private property at 11 John Wise Avenue was discussed. A combined facility was previously reviewed on this site, but appeared to overly encroach on the wetlands and did not provide for the requisite amount of parking. A fire station only option was also reviewed for this site and while it would require some work within the wetlands buffers it appears to be feasible and allows for the bays to be side loading so that fire trucks would be able to pull off of the roadway to back in. The intent would be that the police facility would likely be constructed on the existing site under this scenario. The owner of 11 John Wise Avenue had not previously been contacted since the focus has been on combined facility options, however given the concerns with eminent domain it was agreed that the Board of Selectmen should contact the property owner to inquire about interest in selling the property to the Town.
- The large 57-acre parcel across the street from the elementary school was discussed. This parcel does not have any buildings on it and appears to be used for materials storage. The cleared area along the street would be the most likely development

location, but is limited by the wetlands that run along the north side. The remaining land appears to have topographical challenges and would be too far setback from the roadway. It was agreed that the design team should review this parcel further to confirm if there's enough developable area and if there is, to look at a conceptual layout.

5. Board of Selectmen: The following votes were continued to the next scheduled meeting:

- Vote to hold a Special Town Meeting on February 11, 2019 at 7:30 p.m. at the Essex Elementary School.
- Vote to open the warrant for said Special Town Meeting.
- Vote to include on the warrant an article or articles related to the acquisition of private property or properties for a new public safety building, including via purchase or eminent domain.
- Vote to close the warrant for said Special Town Meeting.
- 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 Town Counsel.

6. Public comment.

- An audience member raised the question of looking at the combined facility at the existing site/Memorial Park site in light of the negative feedback on eminent domain. Specifically, would the cost premiums be less than the costs and risks associated with an eminent domain taking. The Town Legal Counsel indicated that he could come up with an order of magnitude estimate for the legal fees associated with potential litigation, but could not put a value to the potential risk of a determination regarding value of the property. The design team will evaluate the differential costs associated with this option, including phasing premiums, relocating utilities and risks of encountering contaminated soils.

The next TBC meeting is scheduled for Wednesday, January 23, 2019 at 7:00 in the Town Hall, 3rd Floor Auditorium.

Attachments:

- JRA Presentation
- Sign in list

-End of Minutes-

Tim Dorman, NV5

Lisa O'Donnell, Committee Chair



OFFICES NATIONWIDE

PROGRAM MANAGEMENT • CONSTRUCTION QUALITY ASSURANCE • INFRASTRUCTURE • ENERGY • ENVIRONMENTAL

**JOHNSON
ROBERTS**
ASSOCIATES INC.

ARCHITECTS

Essex Public Safety Building

Essex, Massachusetts

Design Presentation January 14, 2019

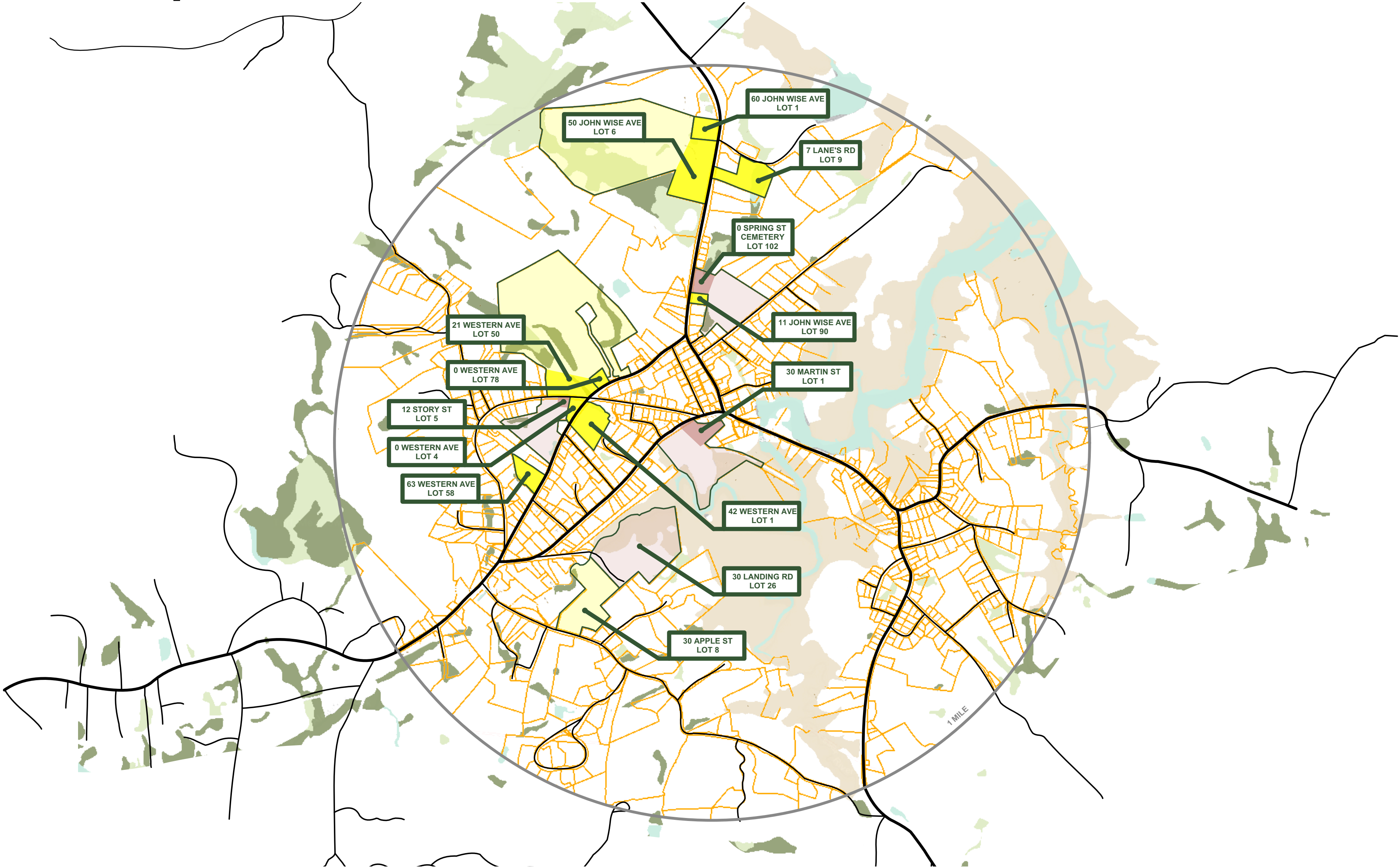
**JOHNSON
ROBERTS**
ASSOCIATES INC.

ARCHITECTS

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.

Essex Public Safety Building Project

Town Building Committee

Sign-In List

Location: 3rd Floor, Town Hall

Date: 1/14/2019

Name

Email

- 1 Tim Dorman tim.dorman@NVS-Com
- 2 PHIL O'BRIEN pobrien@johnson-roberts.com
- 3 Gregg Corbo gcorbo@K-PAW.com
- 4 Brendon Zubricki bzubricki@essexma.org
- 5 LISA O'DONNELL lodonnelle@essexma.org
- 6 Andrew Spinney andy@anchorseal.com
- 7 Colleen Enos colleenmenos@gmail.com
- 8 Ramie Reader Ramie6582@comcast.net
- 9 Daniel Doretti ddoretti@essexma.org
- 10 PAUL FRANCIS pfrancis@essexma.org
- 11 Charles Storey cstorey@harpoon.com
- 12 PETER SILVA PSILVA@ESSEXMA.ORG
- 13 Peter Shippen on file
- 14 Mark McKenna mmckenna@pags.com
- 15 PETER LEVASSUR peterlevasseur2@gmail.com
- 16
- 17
- 18
- 19
- 20