

## **Orchard Working Group Minutes - 4/10/2024**

Meeting was called to order at 7pm on March 5th.

Present: Matthew Nordhaus, Brad Mitchell, Amy Tarlow Lewis, Jen Clancy

Attending Remotely: Karen Morrison

Will Pickard joined at 7:20

Absent: Sarah Seaward

Also Present: Atty Jennie Merrill from Miyares Harrington

### **Approval of Minutes of 3/27/24**

Minutes were approved with minor changes. Moved by Amy Tarlow Lewis, Seconded by Jen Clancy. Motion carried 4-0 Brad Abstained

### **Discussion and Public Input - Approval of Final Sale of Orchard at May Town Meeting**

Brad Mitchell stated that he was surprised by the fact that there was no vote at town meeting to approve the sale. He stated he felt the decision was made in the interest of expediency and no one was to blame. Brad does not think the Select Board is a good choice to make the decision. Also he has a strong opinion to sell the Orchard, while with another property that might not matter.

Vin Stolo - 3 Sarah Doublet stated that he changed his mind from opposing any sale to OK to sell, but that sentiment on the neighborhood email list was that they would vote on approval of final sale and the town needs a voice.

A community member expressed their support for the RFP process to select a buyer for a local property, but suggests adding a right of first refusal for the town for any future purchase. They also propose having applicants make presentations to the community before the town meeting.

Melissa Crow - 52 Nagog Hill Rd. stated that she felt the town must have a vote. And asked whether the public can be part of that discussion to review the RFPs

Karen Morrison asked if we could hear from Town Counsel

Jennie Merrill stated that this town meeting vote could put limits on the purchaser, but the start of the RFP process states that the town has the right to dispose of the property.

Mark Rambacher stated that based on the MBTA zoning discussion it's not possible to bring multiple options to the Town Meeting and allow the voters to decide between them.

Jennie Merrill stated that public input on the RFP respondents is fine, and that there can be restrictions on the RFP to manage what can be done with the sale. A Massachusetts State review is required as well, but the RFP process can be as public as you want. She also discussed the fact that any purchase must adhere to procurement rules, Chapter 30B, otherwise there will need to be another RFI and another full cycle.

A community member discussed the possibility of the town having the right of first refusal when a private farm property is sold. The speaker acknowledged the community's concerns and expressed their belief that the current boards are acting in good faith. They propose that the select board and the agricultural board work together to make a decision, either through a select board vote or a town meeting vote.

### **Discussion of Presentation at Town Meeting**

Matthew Nordhaus stated he was going to create a presentation for Town Meeting, and would circulate it to the rest of the board prior to their next meeting. The Group then discussed ways to increase awareness about important information regarding the Orchard Working Group. They suggest utilizing mass emails, phone calls, and social media to reach more people. The town website is mentioned as a resource with extensive information, including documents, reports, and recordings. An email blast was previously sent out, but not everyone was signed up for the town email list.

### **Discussion of Clean Out of Upper Barn**

Sarah Seaward discussed her progress with cleanup of the upper Barn. The Group agreed to discuss the issue further at their next scheduled meeting on the 24th, as they have run out of time during this meeting. Sarah is working with the Town Administrator and historical society to address the repairs necessary to prevent the structures from collapsing and posing a danger to children. It appears there was a disconnect regarding the budget for these repairs, and someone needs to follow up to ensure the necessary funds are allocated. The group also mentions other small buildings in the pick-your-own area that require attention.

### **Other Business**

discuss the possibility of having to obtain another appraisal before selling a property. They are unsure if this is a legal requirement or just a practical one, but agree that they will do it if necessary. The cost is estimated to be around \$1,500. It is unclear if this topic was brought up at a previous SB meeting or joint meeting with Fincom.

### **Adjournment**

Matthew Nordhaus made a motion to adjourn at 8:55pm, Jen Clancy seconded. Motion carried 6-0