

*Drew Farm Land, Boston Rd, Right of First Refusal
BoS minutes, January 2001*

Westford Board of Selectmen - January 9, 2001

Page 3

Discussion of Town's Right of First Refusal on Drew Farm Land

Chelgren summarized a letter from Attorneys Hall & Finnegan regarding the Town's right of first refusal under Chapter 61A relative to the Drew Farm land on Boston Road. Keith Bohne of Drew Farm was present. Bohne stated that Thomas Goddard, owner of a garden center, is interested in the tract of land where the farm stand is located. Goddard plans to sell plants, shrubs and garden items. Bohne stated that he will continue to run the

orchard for the first year and will review that situation at the end of the year. Healy-Coffin noted that the land is currently under the Agricultural Protection Act. Healy-Coffin stated that the Conservation Commission feels that the land is fairly well protected and did not recommend exercising the Town's option. Healy-Coffin and McKenna were not in favor of exercising the Town's right of first refusal. The Board was in favor of keeping the area agricultural. Healy-Coffin recommended waiting for other key locations within the Town to become available. Chelgren stated that the orchard will not be disturbed for the present time. It was moved by Wrobel, seconded by Healy-Coffin, and VOTED UNANIMOUSLY, that the Town not exercise its right of first refusal.

Westford Board of Selectmen - January 23, 2001

Page 5

Conservation Commission Memo - Bohne Land on Boston Road -

Jefferies referenced a memo from the Conservation Commission dated January 19, 2001. Eric Fahle, Chairman of the Conservation Commission, stated that the Commission felt that the formal process of getting input from the Commission, Planning Board and Land Use Priorities Committee was not

followed by the Selectmen. Ledoux stated that the Board voted to not exercise the Town's right of first refusal but did not send the letter. Ledoux to check with Town Counsel whether the Board can now change its position. Jefferies asked Fahle to discuss this matter at their next meeting and provide the Board with a recommendation. Continued to the Policy Meeting of January 30, 2001.

small businesses and have the customer fill out a questionnaire. Healy-Coffin felt that an advocate should have a strong level of expertise. Thomas suggested looking into the fee schedules to provide additional customer service. Culver stated that there are wetland and zoning maps located in Town Hall and that an advocate could help a customer read those maps. Chelgren stated that the GIS system can be used as an overview tool relative to zoning and wetlands associated with a site. Chelgren to prepare a summary of the recommendations for the next Selectmen's meeting. Ledoux will be meeting with the web consultant to see how to best utilize the website.

Selectmen to Discuss Right of First Refusal on Bohne Property with Representatives of Planning Board and Conservation Commission

Fahle stated that the Conservation Commission discussed this matter at their last meeting and recommended not buying the property for open space purposes. The Commission did recommend that the Selectmen allow the Land Use Priorities Committee to look at any potential municipal needs and allow them to submit a recommendation. The Commission will make a final recommendation after the Land Use Committee's review. Williams stated that the wetland restrictions are limited due to the agricultural protection restriction. Peraner-Sweet stated that the Planning Board wanted to let the Selectmen know of its concerns relative to the continuation and preservation of the orchard. The Planning Board had recommended that the Selectmen exert influence to keep the orchard in the future. Wrobel noted that the group just discussed helping small businesses, and if the Town takes two months to make a decision, the Town will be hurting Keith Bohne and the buyer. The group discussed the original Town Meeting action relative to this property, the agricultural protection restriction and the purchase of the development rights. Jefferies stated that the Town currently owns the property across the street from this site. Jefferies did not feel that the Bohne property had a municipal use because of the agricultural protection restriction. The group discussed the advantages and disadvantages associated with purchasing this land. Peraner-Sweet asked the Selectmen to write a letter to the buyer stating that the Town owns the development rights and that the Town encourages the buyer to maintain the orchard. Ledoux reported that he has had discussions with the buyer and is trying to get in writing from the buyer that he is willing to maintain the orchard. Wrobel recommended that the Board put its position in writing to the buyer. Ledoux stated that the buyer is willing to come to a Selectmen's meeting for a discussion. Healy-Coffin suggested getting an opinion from Town Counsel regarding what can be incorporated in the Board's letter and re-vote at the next meeting.