

Wendell Open Space Minutes  
Monday, December 16th, 2024 6:30pm  
Remote via Zoom  
[Porter comments/revisions in yellow]

**Attending:** Daniel Leahy, Adam Porter, Carolina Méndez

**Absent:** Raymond DiDonato

**Clerk:** Ashley Penna

*Meeting called to order at 6:30pm by Daniel Leahy.*

**Approval Minutes:**

(Leahy/Porter) Motion to approve the minutes of September 23rd, 2024 as revised.

(2 in favor/0 opposed/1 absent) Motion carries.

Carolina Méndez abstained from voting.

(Leahy/Porter) Motion to approve the minutes of October 21st, 2024 as revised.

(2 in favor/0 opposed/1 absent) Motion carries.

Carolina Méndez abstained from voting.

(Porter/Leahy) Motion to approve the minutes of November 25th, 2024 as revised.

(3 in favor/0 opposed/1 absent) Motion carries.

**New Business:**

*Announcement: MA Land Conservation Conference: Friday, March 21, 2025 UMASS Amherst*

- All Open Space Committee members are welcome to attend this conference on land conservation. Dan Leahy will be attending the upcoming event.

*Potential 5th member for the Open Space Committee*

- Timothy Sheehan, a naturalist and former member of the Wendell Conservation Commission, is interested in possibly joining the Open Space Committee after the first quarter of 2025. Dan Leahy will reach out to Sheehan in the Spring to invite him to a meeting.

*Participation in MIT & Harvard Wendell Renewable Roundtable*

- Dan Leahy was first interviewed as the Chair of the Open Space Committee and he shared concerns about renewable energy projects. The second meeting was with the community at large where he learned more about the project being conducted as part of a semester course. Leahy has forwarded the Places of the Heart document to his contact to provide further insights into the town's culture.

*Wendell's Participation in Feasibility Study for the Proposed Blue Heron Greenway Shared Use Path - Public Meeting Wednesday, January 22, 2024 Erving Senior Center*

- Dan Leahy will be in attendance at the public meeting on January 22nd, 2025 at the Erving Senior Center. If there are any notices in the Montague Recorder or direct email notices following the meeting, Dan Leahy will share the information on the Wendell listserv to communicate with residents about the possible project.
- This project is very complex. Leahy shares that one of the consultants, who met with the Department of Conservation and Recreation (DCR), had some concerns about which roads are presently discontinued and about using a discontinued road as part of the trail system. Members look at Google Earth at the route the possible bike trail would take.

*Post site-visit discussion of the Gate Lane and Davis Road Town properties*

- Members are in agreement that both the Gate Lane and Davis Road properties should be cleaned out and put into protection. The Gate Lane property will be suggested (to the Selectboard) to be protected and the parking area will not be proposed at this time.
- Members discuss their concerns for making the two properties safe for citizens. Both properties need to have structures demolished and removed and hazardous household waste clean-up at the Davis Rd site. Leahy shares that the Town is currently paying a special insurance premium for the Gate Lane property. The Town has posted do not enter signs at the Gate Lane property.
- Members discuss researching the recent Supreme Court's decision for the taking of land and our need for a better understanding of the process. Legal counsel with real estate experience may be necessary to advise the Selectboard prior to presenting a warrant for funding at a Town meeting.
- In regards to the Davis Road property, there is apparently no deed to Ronald Thomas and title search work will need to be completed and title search work will need to be conducted for a tax taking. Members make a list of high priority items including the following:
  - A response from Town Counsel stating that the Town is in possession of the land.
  - Meet with the Selectboard to discuss what needs to be done to clean up the property and get bids for each property.
  - Request bids for cleanup of the site before a warrant is drafted for Annual Town Meeting.
  - Contacting Representative Saunders and Senator Comerford about possible grants available to clean the properties.

*Open Space Act aka Public Land Protection Act regulation comment period extended to 1/22/2025, 5:00 pm*

- Article 97 of the Massachusetts Constitution states that conservation lands are protected in perpetuity. Currently, if a town needs to build in a particular area that is protected, they can say they need the conserved land and will replace it by conserving land in another location. Members discuss how those replacement lands can be of different (and lesser) value, including natural resource and dollar value. Environmental organizations over the last few years have pushed for legislation to state that once the

land is in permanent protections it is sacrosanct and can never be changed. The Open Space Act was recently passed without that perpetual protection, and EOEA is now writing the regulations for: 301CMR 52.00: Change in use for disposition of Article 97 (Open Space Act). Towns, Committees, organizations and citizens can submit recommendations with the deadline of January 22nd, 2025.

- Dan Leahy will send the information about submitting recommendations to both Energy Committee and Conservation Commission members. Members discuss if the letters would have higher impact if written by Town Committees in their official capacity vs. if [EOEA] will be counting individual responses, whereby letters from committee members and others in their private capacity could be more impactful. Also, the deadline for submission is before the usual January meeting time, so an earlier public Open Space Committee meeting would have to be scheduled so that the Committee could finalize and vote on the text of such a letter. Members are in agreement to write individual letters to advocate for a transparent and judicious regulatory process, and allow conservation organizations to decide what specific regulations to advocate.

*Trousdale property walk with Ed Hines and Ellen Trousdale*

- The landowner wants to move forward with conservation. There are still lots of things the landowner needs to figure out that the Committee may be able to guide her with.
- This is not a future action item for the Committee at this time.

*Presentation by Robert G. Goodby author of "A Deep Presence: 13,000 years of Native American History"*

- Dan Leahy has contacted Robert G. Goodby, an Archeologist and professor to do a presentation at the library. Members would like to invite him so we can learn more about local and regional Native American history.
- Goodby charges \$300 for his presentation as well as \$0.50 per mile.
- Members propose having the meeting the week of March 10th, 2025. Leahy will reach out to Ed Hines at the Wendell Historical Society to see if he would like to co-host the event.

**Next meeting:** January 27, 2025 6:30pm

**Adjournment:** A motion to adjourn was made by Adam Porter and seconded by Daniel Leahy at 8:33pm.