

Town Activities since Notice of Intent received on July 10, 2020 regarding 363 - 364 West Street (the "Morneau Trust" Property) and Chapter 61 Right of 1st Refusal (ROFR)

- **July 13, 2020:** Board of Selectmen held meeting to address waiving the ROFR. Public sentiment turned Board toward exploring the acquisition of land, while further investigating the concept of voluntary agreement with GURR.
- **Week of July 27, 2020:** Town Administrator and Water/Sewer Chair communicated with various state agencies and private entities that provide support for environmental and water protection including Metacomet Land Trust, DCR, DEP and EOE. Town was advised CPA funding, and future Open Space Planning efforts will allow access to LAND/PARC grants which are critical to future land conservation efforts. DEP can support the Town to protect drinking water resources.
- **July 30, 2020:** Parks Commission held a meeting and included the Notice of Intent to purchase. During its meeting, the Parks Commission voted to request that the Board of Selectmen hold off on any vote regarding the GURR and the Town's Right of First Refusal until all details relative to the Parklands and abutting property are communicated and understood.
- **August 4, 2020:** Conservation Commission meeting was cancelled. A meeting has been rescheduled for August 18, 2020.
- Attorney Durning sent an update relative to 120-day timeframe.
- **~July 30, 2020:** Petition received, Emails, letters asking the Board to exercise its Right of 1st Refusal.

August 5, 2020: Site Visit and Stakeholder Meeting; Attendees included: Diana Schindler, Town Administrator; Lou Arcudi, Board of Selectmen member, Don Howes, Park Commission Chair; Stephen Chaplin, Planning Board Chair; Marsha Matthews, Conservation Commission member; Michael Penko, Metacomet Land Trust & member of Upton Con Com & Open Space Planning Committee; Ed Burt, Water/Sewer Commission Chair; Tim Watson, Water/Sewer Superintendent; and Peter Durning, Special Counsel. Group performed site walk. Discussed legal updates and strategies regarding options for protecting Chapter land. Three known options were discussed, as follows:

- (1) Continue with Eminent Domain proceeding before the MA Dept. of Public Utilities. Both the Board of Water & Sewer Commissioners and the Board of Selectmen are participants in that proceeding. In that action, the Water & Sewer Commissioners made a cross-claim to take the Morneau Trust Property by eminent domain to ensure protection for Hopedale's current and potential public water supply. The Water Department would also continue to pursue protection of the water supply under state and federal statutes, including, but not limited to, the Clean Water Act and other environmental regulations;
- (2) Explore the process, identifying opportunities and challenges, for Board of Selectmen to exercise the right to purchase the Morneau Trust Property, and then take additional steps to impose land use protections including, designate the land as protected under Article 97 and imposing a Conservation Restriction, either to be owned and managed by the Town, or to be assigned to Metacomet or other land trust;
- (3) Explore the proposal GURR has tentatively outlined, first proposal of map attached. This includes the items previously discussed and on the town's website:

- Protect the 3 potential public water supply well sites identified in the September 25, 2019 study commissioned by the Water & Sewer Commission for new well locations. This protection would not allow any development on those areas until the water commission completes their study within 5 years of MOA to scientifically determine if the site is viable as a public water supply. If determined to be viable then a water distribution easement along railroad “right of way” will be included. Short of minor site grading and/or a retaining wall that will not impact the well, the 400-foot radius circle will be protected in anticipation the water source is viable and feasible.
- GU as they have historically stated is willing to partner with the Town and expand the Hopedale Parkland’s Corridor area. GURR is offering to swap many dozens of acres of natural corridor habitat that GURR will put under federal conservation protection. This would be swapped on a 1.5 to 1 ratio in benefit of the Town resulting in a significant increase in parkland acres and increase in walking trails extending the trails to the Upton/Milford Town Line on Rt. 140 at the Mill Pond (north).
- The Selectmen/Town Administrator and GURR would collaboratively work on a solution to fund an open space plan for the parklands that would be led by Parks Commission to determine what the future of the parkland extension should be, building on what Henry Manning developed - a student of Frederick Law Olmstead. This would include additional walking trails to be constructed by GURR as well as other upgrades to be given to the Town upon completion. In addition, a new Kayak launch area will be designed for Mill Pond that currently is not accessible by Hopedale residents. Further, the parties would negotiate any roll-back taxes or penalties under MGL 61 to fund these efforts.
- In exchange for GURR granting the land required for the protection of the potential public water supply and not developing that area, providing railroad easement for water distribution, GURR transferring approximately dozens of acres of corridor resources around the Mill River land including construction additional walking trails, and other items included in the PPP/MOA above we are proposing that some acres west the railroad in the parklands (away from pond) be turned over to GU for economic development to produce jobs and tax revenue for the town’s long-term benefit.

Group consensus determined the Town should have ownership of the land and, if appropriate, work with GURR in the future on possible partnership.

- **August 5, 2020:** Water Commission held a public Zoom meeting. Comments on website.
- **August 10, 2020:** Board of Selectmen held a meeting. Did not vote to exercise or waive its Right of First Refusal under M.G.L. c. 61 regarding GURR’s Notice of Intent to purchase the Morneau Trust Property, provided updates and allowed public comments. An Executive Session was scheduled with the Water/Sewer Commission and Attorney Durning to discuss the land acquisition.
- **August 12, 2020:** Finance Committee postponed their discussion on this land acquisition until next Wednesday, August 19.

- **August 12, 2020:** Planning Board held a public Zoom meeting with invited guest Michael Milanoski from GURR. Mr. Milanoski made presentation and answered questions. (Linked to town website).
- **August 18, 2020:** Conservation Commission posted meeting, intends to address. Mr. Milanoski is scheduled to attend.
- **August 19, 2020:** Finance Committee meeting at 6 pm and intends to address.
- **August 20, 2020:** Park Commission meeting at 7 pm and intends to address.

Objective: With input from Town Boards/Commissions and residents, along with support and guidance from Counsel, the Board of Selectmen can make a fully-informed and vetted decision that weighs the preservation of natural, historic and cultural resources, with the Town's finances, desire for economic development, a stronger tax base, and its tolerance for a long-term partnership with the RR.