

## **Community Park RR Crossing Committee Minutes - July 13, 2016**

The meeting was called to order at 4:05 pm by Staff, Lucky D'Ascanio.

### **Roll Call**

Committee Members present: Lucky D'Ascanio (Staff Liaison), Nathan Poore (Town Manager), Dave Gagnon, Daniel Pearl, Steve Melchiskey, and John Adelman. Bob Shafto (Town Ombudsman), Jamie Mason (Town Engineer) and David Kallin (Town Attorney) were also present.

### **Summary Minutes**

Lucky D'Ascanio, Parks & Community Programs Director, reviewed recent steps taken following last November's presentation to the Town Council including meeting with affected property owners (Jeff Miller), legal review of conservation easements by both Falmouth Land Trust Attorney and Town Attorney in determining "Right Title & Interest".

Town Attorney, David Kallin, presented his findings (**see additional attached document**). In summary, both conservation easements present hurdles:

1. The Twin Ponds Subdivision Open Space parcel has restrictions "*that the land hereby conveyed shall remain in its natural state and shall not be developed or altered in any way. This Prohibition against any form of development shall include but not be limited to its use for parking, access to abutting properties, recreational uses other than existing walking trails.*" The easement further states "*clearing limitations*".
2. The Miller property covered by the McLaughlin Conservation Easement held by the Falmouth Land Trust, contains restrictions citing "*no structure of any kind, temporary or permanent, shall be constructed on the conservation land.*"

Following much discussion, John Adelman, moved that the committee report back to the Town Council "that the bridge crossing concept at the current location is no longer viable at this time and that the committee will continue to meet and seek alternative options utilizing existing infrastructure." The motion carried 4-0.

Dave Gagnon commented that the committee should thoroughly document its' recent efforts and should not abandon the concept of an at-grade crossing should circumstances be altered in the future.

Meeting adjourned: 4:50pm.

**Next Meeting: Wednesday, September 21, 2016 at 4:00pm Town Hall – Council Chambers**