

# Daily Times Chronicle

*Landlocked parcel*

## Study panel being sought for property

By JOHN WHITE

BURLINGTON — One of the 52 articles on the warrant for the annual Town Meeting will be a request for a study committee with regard to the town-owned landlocked parcel.

Patriot Partners, the company which holds the option on commercial development on the 270-acre parcel, is seeking formation of the panel.

The annual Town Meeting commences Monday, May 12.

Town Administrator Robert Mercier made mention of the article at Monday night's meeting of the Board of Selectmen. There was no further discussion of the article during the overview of the warrant.

The article was submitted by Moderator Phillip Gallagher, who stated it is

his policy that, if requested, he will place any article on the warrant as long it conforms to the bylaws.

The option, which Patriot Partners acquired through Delaware Bankruptcy Court, expires in 2010. The firm is best known locally for its development of Wayside Commons.

The town has owned the property, located at the interchange of routes 3 and 128, since an eminent domain taking was executed in 1986. The land, which borders Bedford and Lexington, is undeveloped except for power lines and is essentially not accessible by motor vehicle.

An initial award of \$810,000 by the town to property owners went to \$10.5 million following a

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jury trial in Middlesex Superior Court in 1987. Subsequent negotiations lowered the amount to \$8.2 million (over \$14 million in costs to the town with interest) and included the first-right-of-refusal for commercial development.

In January, Town Meeting rejected a request by the selectmen for \$100,000 for consulting services regarding the property.

The stated reasons for the town's taking were to preserve open space and to protect the water supply.