

M.N. Spear Library Reuse Committee Meeting Minutes
April 30, 2026 Hybrid Meeting Format

Committee members present: Rita Farrell, Mary Jo Johnson, Stephen Dallmus, Paul Lyons, Susie Mosher, Henry Geddes

Staff present and Guests: Brennan Mailloux, Mark Ellis, Chris Footit

The meeting was called to order at 10:30 am.

Agenda Review: As posted.

General Business:

1. Approve the Meeting Minutes for 4/9/26:
 - a. The last line of 2B was amended by Dallmus to read: "Dallmus stated the approximate cost to trench a waterline is between \$70-\$250 per foot."
 - b. Bullet 3 of "Administrative Actions" should read: "Mosher: Ask Christopher Stoddard for his thoughts on just pumping waste to the church septic tank (as opposed to installing a septic tank at the Spear Building, and then pumping to the Church's leach field)"
 - c. The vote under section 3 needs to say, "Farrell makes a motion to adjourn."

VOTE: Mosher makes a motion to amend the Meeting Minutes for 4/9/26, Johnson seconds. Roll call vote Johnson: aye, Mosher: aye, Lyons: aye, Dallmus: aye, Geddes: aye, Farrell: aye; motion carries.
carries.

VOTE: Mosher makes a motion to approve the Meeting Minutes for 4/9/26 as amended, Johnson seconds. Roll call vote Johnson: aye, Mosher: aye, Lyons: aye, Dallmus: aye, Geddes: aye, Farrell: aye; motion carries.
carries.

2. Committee Members Reports and Updates:
 - a. Mosher shared that the cost of an engineering design plan for a tight tank and a well on the Shutesbury Common is as follows: \$500 for a tight tank design. A survey, inspecting as-built drawings and a certificate of compliance would be \$2,500. The total cost would be \$3,000. The assumption is that the Town would provide the backhoe operator for soil testing, and that no town fees are required for permitting.
 - b. Dallmus asked if digging a test hole in the Town Common to look at the ledge would trigger EEA. Farrell stated that would be a good question for MacNicol. Mosher suggested also asking Donna to raise the question of building a Gazebo there. Dallmus suggested evaluating the Common space as a whole and

potentially relocating some of the stuff there including the memorials to the fallen soldiers.

- c. Lyons stated the setback distance between a well and a tight tank is actually 50 feet. The 100-foot setback/separation figure is from a well to the leach field. Lyons stated the typical cost for a tight tank installation in Massachusetts is between \$8,000 and \$20,000. A lot of the cost is associated to excavation and installation. He also mentioned permits as a big chunk of that cost as well, from the Board of Health. Potentially they could get waived and help reduce the cost.
- d. Dallmus stated if we put a bathroom in the Spear Building and keep it as a Meeting Space, it is not a change of use. But, if you put a bathroom in and move the Police Department over there, that would likely be a change of use and require additional steps such as bringing in an Engineer to discuss building codes.
- e. Lyons suggested at the next meeting, the committee should consider reviewing their Charge again.
- f. Farrell to start drafting an outline of a report for the committee, that will eventually be presented to the Select Board. She will send out a draft in advance, that the committee members can review, but will not respond to.
- g. Dallmus stated the Buildings Committee has discussed possible improvements to the Spear Building based off of the evaluations that were done, and feel it would be best to hold off due to the continuing use being unknown.

3. Report on Town Common Restrictions:

- a. Farrell discussed her email conversation with Town Counsel, Donna MacNicol. MacNicol in the email stated that the Town Common is considered Article 97 land. Therefore, the Executive Office of Environmental Affairs would be the agency tasked with determining if placing utilities underground in the Town Common would constitute a change of use for the Article 97 land.
- b. MacNicol stated it could be a complex process, but there may be some leeway with the Town owning the utilities, for a town building, and the land still being available to be used as The Common.
- c. A change of use for Article 97 land in Massachusetts is any shift from protected natural resource, conservation, or public recreational purposes to another use, or any change in physical/legal control. This requires a 2/3 vote of the state legislature, often through a Public Lands Preservation Act (PLPA).
- d. Exclusions to the change of use include temporary or revocable permits that do not change the land's purpose or transfer control.
- e. MacNicol added that if the Town was to put the utilities under the Town Common, there could later be an issue with selling the building because a utility easement would have to be granted to the buyer for the utilities.
- f. MacNicol is going to follow through with the Executive Office of Environmental Affairs.

4. Schedule Next Meeting Date:

- a. The next meeting scheduled will be Thursday, May 14th at 10:30 am.

5. Meeting adjourned at 11:22 am

VOTE: Mosher makes a motion to adjourn the meeting, Dallmus seconds. Roll call vote Johnson: aye, Mosher: aye, Lyons: aye, Dallmus: aye, Geddes: aye, Farrell: aye; motion carries.

Administrative Actions:

1. Review Committee's Charge
2. Farrell to start Committee Report Outline
3. Ask Town Counsel to continue to pursue EEA/Town Common-Related Questions
4. Lyons to give a brief report of the committee's work at the Annual Town Meeting

Document and Other Items Used at the Meeting:

1. Meeting Minutes for 4/9/26
2. Revised Options Matrix Chart
3. Email thread with Town Counsel on Town Common Change of Use

Respectfully submitted,
Brennan Mailloux
Administrative Assistant
Town Administrator/Select Board

** A full version of the 4/30/26 M.N. Spear Library Reuse Committee meeting is available to view on the Town of Shutesbury's YouTube page: <https://youtu.be/rOC4yvpjSSM>

