

Re: pink house

Hillman, Matthew D <matthew_hillman@fws.gov>

Thu 10/8/2020 3:03 PM

To: Maghini, Mark <mark_maghini@fws.gov>; Taylor, Graham <graham_taylor@fws.gov>

Cc: Porter, Bill <bill_porter@fws.gov>; Hayden, Mike <mike_hayden@fws.gov>

Excellent -- I have an in-person (outdoor) meeting with the group Tues of next week and we will be sure to discuss this, along with their progress is providing confirmation of available funds to close.

Matt

Matthew D. Hillman

Project Leader

[Parker River National Wildlife Refuge](#)

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Newburyport, MA 01950

Office: 978-572-5613

Cell: 774-303-9090

matthew_hillman@fws.gov



Image result for us fish and wildlife service national wildlife refuge system

From: Maghini, Mark <mark_maghini@fws.gov>

Sent: Wednesday, October 7, 2020 10:30 AM

To: Hillman, Matthew D <matthew_hillman@fws.gov>; Taylor, Graham <graham_taylor@fws.gov>

Cc: Porter, Bill <bill_porter@fws.gov>; Hayden, Mike <mike_hayden@fws.gov>

Subject: Re: pink house

Matt: We had a chance to talk with Graham and came up with the items below. We'd like you to discuss with the Pink House folks to make sure they're in agreement. If so, we will include in the instructions for the appraiser. Note that these are things the refuge will have to keep an eye on over time regarding potential violations.

- No expansion of the existing building footprint.
- No construction or placement of additional structures on the property.
- Use of the property as a single family residence and/or **public educational facility** (open to suggestions on how to best phrase the option of offering art classes, using it as a gallery, outreach venue, etc.).

Separately, we would include "a first right of refusal" to the USA in the deed, allowing us the option to acquire should the property be sold at some time in the future.

Mark Maghini

Chief, Division of Realty

US Fish and Wildlife Service

300 Westgate Center Drive

Hadley, MA 01035

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From: Hillman, Matthew D <matthew_hillman@fws.gov>

Sent: Monday, October 5, 2020 2:02 PM

To: Taylor, Graham <graham_taylor@fws.gov>; Maghini, Mark <mark_maghini@fws.gov>

Cc: Porter, Bill <bill_porter@fws.gov>; Hayden, Mike <mike_hayden@fws.gov>

Subject: Re: pink house

Hi Mark,

I agree with Graham's comments so please let me know if there's anything else you need to proceed.

Thank you,

Matt

Matthew D. Hillman

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Image result for us fish and wildlife service national wildlife refuge system

From: Taylor, Graham <graham_taylor@fws.gov>

Sent: Friday, October 2, 2020 2:43 PM

To: Hillman, Matthew D <matthew_hillman@fws.gov>; Maghini, Mark <mark_maghini@fws.gov>

Cc: Porter, Bill <bill_porter@fws.gov>; Hayden, Mike <mike_hayden@fws.gov>

Subject: Re: pink house

The only things I could think of is: that the building footprint remain as it is, in other words no additional structures (even a garage); and the property be for single family home only no businesses.

And then I was wondering if we wanted a first right of refusal, should the house be removed/demolished/lost and the property be up for sale. This would be without the structure only, ie was destroyed in a storm, or burned down. I know it may not be a restriction but I think it would be good to include.

Graham

From: Hillman, Matthew D <matthew_hillman@fws.gov>

Sent: Friday, October 2, 2020 2:31 PM

To: Maghini, Mark <mark_maghini@fws.gov>; Taylor, Graham <graham_taylor@fws.gov>

Cc: Porter, Bill <bill_porter@fws.gov>; Hayden, Mike <mike_hayden@fws.gov>

Subject: Re: pink house

Hi Mark,

From my perspective, I think no restrictions might be fine, in part because:

- (1) The Pink House is zoned as residential in addition to being within the 'Plum Island Overlay District;' further restricting development.
- (2) The property is located entirely within a FEMA Special Flood Hazard Area (Zone AE).
- (3) While the Pink House is surrounded by refuge marshes, the 10-acre unit on which it sits is not contiguous with the rest of the refuge.

So, if Graham concurs, I am fine with no restrictions (which also assumes any new owners will not unlawfully access the closed refuge-owned salt marshes surrounding the property -- which should be a given and will be made clear with signage once it is subdivided/transferred).

Matt

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Image result for us fish and wildlife service national wildlife refuge system

From: Maghini, Mark <mark_maghini@fws.gov>
Sent: Friday, October 2, 2020 10:32 AM
To: Hillman, Matthew D <matthew_hillman@fws.gov>; Taylor, Graham <graham_taylor@fws.gov>
Cc: Porter, Bill <bill_porter@fws.gov>; Hayden, Mike <mike_hayden@fws.gov>
Subject: Re: pink house

Matt/Graham: I'd like to finalize the question on restrictions so we can complete the appraisal assignment. Do you think a "no dredge/fill" restriction is necessary for the wetlands associated with the property given that they are already regulated by state and local (?) authorities? If so, I'd ask you to provide the wording. Have any other restrictions come to mind? I'm not advocating for any (don't know that they're necessary) - only wanted to give you both the opportunity to consider.

Thanks

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From: Hillman, Matthew D <matthew_hillman@fws.gov>
Sent: Tuesday, September 29, 2020 2:56 PM
To: Maghini, Mark <mark_maghini@fws.gov>; Taylor, Graham <graham_taylor@fws.gov>
Cc: Porter, Bill <bill_porter@fws.gov>; Hayden, Mike <mike_hayden@fws.gov>
Subject: Re: pink house

Hi Mark,

Thanks for the email outlining next steps. I am happy to continue serving as the contact person for the Pink House group, although I do envision bringing you and/or Bill into the mix frequently as questions arise (this is, after all, my first rodeo when it comes to the federal land exchange process).

I will coordinate with Amy Wood.

One acre "more or less" is adequate.

As far as restrictions are concerned, a basic no excavate, drain, or fill restriction for the current salt marsh area is likely all we would impose. I do not believe there are any cultural resources of concern based on what I have been told. Between the Pink House group's restrictions to maintain the house (and keep it pink!), and local zoning, I think minimal restrictions on our part will do (I have also queried Bill Peterson on the same and he concurs).

I believe I have the most recent version of the AIE and will work from that (Bill, attached is what I have, do you have something more recent?).

Talk soon,

Matt

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Image result for us fish and wildlife service national wildlife refuge system

From: Maghini, Mark <mark_maghini@fws.gov>
Sent: Monday, September 28, 2020 3:26 PM
To: Hillman, Matthew D <matthew_hillman@fws.gov>; Taylor, Graham <graham_taylor@fws.gov>
Cc: Porter, Bill <bill_porter@fws.gov>; Hayden, Mike <mike_hayden@fws.gov>
Subject: pink house

Matt/Graham: I wanted to follow up with you both about roles/next steps. I'd suggest Matt continue to be the lead and intermediary with the outside entities. I would want the refuge to manage NEPA (and as part of that check in with Amy Wood soon to ensure we'll be compliant with NHPA (Sec. 106)).

Realty will manage all the various realty processes, including obtaining RD approval. Specifically:

As far as the appraisal, Realty will provide AVSO with a description of the property. I would use standard terminology and describe it as "one acre more or less and any associated improvements". Does that sound ok to you? The other question is what, if any, restrictions would you want placed on the property? These could be things like how the property is used, what can or can't be built on the site in the future, etc. I would emphasize these should be important considerations that could otherwise impact management of the refuge. I would also note that the stipulations would need to be enforced by FWS in the future.

Regarding the subdivision, Mike Hayden will identify a local land surveyor to layout the parcel as you request. The surveyor will complete the field work and file the subdivision plans. They will be paid directly by Support the Pink House.

We should also revise the exchange agreement with Support the Pink House. I don't know who has the most recent version - perhaps Matt and Bill could get together on that. In essence, Support the Pink house will pay appraisal and survey costs for the outgoing parcel, while FWS will manage the SOW and contractors. I would caveat that although not anticipated, should we identify other substantial costs associated with the Pink House, the Support group be responsible for those as well. FWS will cover the due diligence costs for the property coming into FWS in addition to our staff time and staff time from AVSO.

Thoughts?

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