

**Minutes for CPC Meeting of 6/23/05, 7:30 pm - 9:30 pm, Library Meeting Room**

*Attending:*

Susan Mitchell-Hardt, Catherine Coleman, Nancy Tavernier, Ken Sghia-Hughes (8:25 pm), Andy Magee, Peter Berry, Matt Lundberg, Kristin Alexander

Audience: Jonathan Chinitz of FinCom (7:30 - 8:20), Kathryn Welch of Acton Weekly; Anne Forbes, 9:10-9:30

Absent: Stacy Rogers, Bob Coan, Walter Foster

**1. Approval of Minutes from 6/9/05**

The minutes of 6/9/05 were approved as amended.

**1.a. Miscellaneous**

The Board of Selectmen meet on 7/18 and will make re-appointments to boards at that time.

**2. Discussion re:**

**Election of Officers**

Catherine had planned to accept the position of Chair of the CPC until she was offered (and accepted) a new paid position, which in addition to her other prior commitments, will not give her adequate time for the Chair position. Susan indicated that she is not interested in the Chair position but would consider the Vice Chair position. Matt would prefer not to be Chair due to time constraints, however, he would consider being Clerk. Ken might be the next Housing Authority chair which would preclude his chairing the CPC. Catherine will continue to do Publicity.

Peter reiterated the importance of rotating roles for the success of the CPA. Peter will work on this and will ask Walter if he would consider being Chair.

**Memberships**

Ken's and Bob's appointments to the CPC, representing the Housing Authority and Historical Commission respectively, expire on 6/30. (They were replacements for prior appointments). The Board of Selectmen re-appointed the entire Committee for 30 more days.

The Housing Authority, Historical Commission, and Conservation Commission must tell the Board of Selectmen they recommend Ken's, Bob's and Andy's respective appointments.

It was asked if the Volunteer Coordinating Committee had made any recommendations for the Associate Position.

ACTION: Kristin will ask Roland.

**Bonding Issues**

John Murray continues to be concerned about the bonding issue. His concern is that the Town could vote to reduce the CPA surcharge to 0 and would be unable to pay the bond off with CPA funds. DOR has stated that if a town pulls out of the statute that the CPA surcharge must be set at a level that pays off the bond.

**Subcommittee**

The Committee voted unanimously to appoint Peter and Andy to a subcommittee to meet with the Assistant Town Manager to resolve the bonding issue. It was

commented that the purpose of the meeting should be to educate ourselves, not to change the law which would not be in our best interests knowing that other towns such as Westford, Newton, Carlisle, etc., have used bonding successfully.

It was reiterated that we got our answer about bonding at the CPA Conference.

#### **Old Business**

#### **Updates on Projects:**

##### **Leary Field:**

- Excavation is four days behind; however, a 9-10 day buffer is built in to the project which will enable the field to be finished in the fall.
- It will take one week to put in the Field Turf
- Stumps and phone poles were buried in the field which took extra time to remove.
- The drainage lines under the field were broken.
- The school department said to leave D areas as they are. One is paved already.

##### **Fundraising update:**

- The final pledges are being collected, and once collection is complete it is expected that FOLF's fundraising goal will be met.
- CPA funds may not be used until the school's money is spent.

Matt spoke with Tom Tidman about how conforming with the intramunicipal agreement will be accomplished in the absence of a Rec. Director. His plan is for the Recreation Commission and Linda Mathinos, Community Education Director, to meet to discuss the agreement. The Rec. Leagues have submitted their requests.

##### **Morrison Farm Re-Use Committee:**

The committee hasn't met since the last update for the CPC meeting of 5/5/05. It was reiterated that if the Committee comes to an agreement about the farm with the information available, they won't have to spend the \$50,000 for a consultant, and the funds will revert back.

##### **Housing Authority Update:**

Nancy commented that condo conversion on Wampus Ave. and Somerset Hill, the old Jenks apartment complex, is moving forward. Betty McManus and Nancy negotiated four affordable units for the first time home buyer, and the Housing Authority bought the fourth unit for a rental property. They will use CPA funding and the Sweeney Funds.

A one bedroom condo will be sold for \$120,000 and a two bedroom condo will sell for \$145,000. Wellesley Capital, Joe Mullin's group, owns it now.

##### **Jones Tavern Restoration:**

The best price for the chimney restoration by a qualified mason is from a mason who is available immediately. He works for Landmark Services, and Larry Sorli (applicant) has worked with him before and attests to the quality of his workmanship. It was commented that the mason can begin work now, but can't be paid until the work is done.

The Committee discussed whether the existing Preservation Restriction, which was conveyed to the MHC in connection with the Mass. Historical Commission's grant to re-shingle the roof in the mid '80's, is adequate.

Ken proposed the following motion:

That the Committee authorizes investigation of the issue so we understand if the Act requires the PR, and if the funds can be issued without having a PR in place based on a letter of intent.

The motion carried unanimously.

Andy commented that Section 12a states "A real property interest that is purchased with monies from the CPA Fund shall be bound by a permanent deed restriction that meets the requirements of chapter 184, limiting the use of the interest to the purpose for which it was acquired." Town Counsel stated that expenditures to historic resources don't have to be on public property; the intent is to expand community assets. If the town funds this project, it is prudent to insist on a PR in exchange for granting of CPA funds.

ACTION: Peter will call Don Johnson and Town Counsel.

Anne Forbes commented that the applicants will cover the expenses somehow because they need to get the mason started. They will make a personal short term loan. (Hiring this mason now will save the CPA \$5000).

It was asked if there is an expense for going through the PR process. There is a registration fee, but no legal fee or review. If the town requires it, those costs are eligible for funding.

### **3. CPA Plan - FY 2006**

#### **Review and Update of:**

##### **General Sections - Preamble, Criteria for Selection, etc.**

Kristin recorded small changes on various pages of the Plan which will appear in an updated version.

- On p 6 in the third paragraph under A. Open Space Resources and Needs it was added that CPA funds may be used to protect open space by outright purchase alone, or through BONDING, etc...
- The Committee discussed Appendices 2A and 2B and that the \$20,000 Affordable Housing Admin. Support fee was withdrawn.

#### **Historic Resources Section**

Anne Forbes made some changes to the Historic Resources section on p 11.

Page 13, Steps 2.A.2 and 2.A.4 were discussed. 2.A.4 Asks the applicant to have the property owner sign off on the proposed project. It was decided to leave 2.A.4 as is because the chance that the CPC won't need a signature is small and the chance that the project will contain an eminent domain taking is even smaller. (It was noted that the statute gives the CPC eminent domain powers).

P. 20 states that the applicant is to attach USGS topographical map showing regional location of project. In Mass. the topographic maps are huge. It was felt that this request makes it clear that the applicant is asked for part of the map and therefore, it will remain as is.

P. 21 It was suggested that a statement of understanding could be added that the Committee may or may not require a deed restriction.

#### **Schedule and Process for Public Hearing**

It was decided to cancel both meetings in July, as well as the Aug. 11 meeting due to vacation schedules and the likelihood of not having a quorum. The Aug. 25th meeting was re-scheduled to Aug. 24. At this meeting officers will be elected, the Committee will prepare for the Public Hearing, and the Friends of the Bruce Freeman Rail Trail will be invited to give an update as to whether or not they plan to submit a proposal for Fall '05 and if so what will be the size of the request.

It was decided to advertise broadly that the CPC has released its draft CP Plan for public review, has set the Public Hearing date of Sept. 8 to answer questions and finalize proposed changes to the document, and that proposals for CPA funding should be submitted by Nov. 14.

Respectfully submitted:

Susan Mitchell-Hardt