

MEETING MINUTES

Town of Acton of Acton Community Preservation Committee

**February 14, 2008
Acton Memorial Library**

Attending: Corrina Roman-Kreuze, Nancy Tavernier, Ed Starzec, Susan Mitchell-Hardt, Ron Schlegel, Walter Foster, Andy Magee, Jon Benson, Tory Beyer, Kristin Alexander (Planning Department), Anne Forbes (HDC Observer) and Steve Noone (FinCom Observer).

The meeting was called to order by Vice Chairman, Ed Starzec, at 7:33PM.

Jennifer Friedman of the West Acton Citizens' Library appeared briefly before the Committee. Ms. Friedman confirmed that her application's revised request is for \$119,000 in CPA funding and the Library will provide \$12,500 in funds and in-kind services.

Glenn Berger made his further scheduled appearance before the Committee on behalf of his Exchange Hall project application. Earlier in the week the Committee was provided with a copy of a Summary Appraisal Report prepared by Clark & Company of Belmont on the Exchange Hall property dated June 1, 2007 and Mr. Berger's written comments to certain aspects of the report. It was noted that in "As Is" condition the property has no value and that "As Completed/Stabilized" following the exterior and interior renovations Mr. Berger set forth in his application the property would have a fair market value of \$1,630,000. It is of further note that the appraiser believes "the highest and best use for the property as a whole (131 Main Street and 2 School Street) would be for a conversion to residential condominiums". Mr. Berger responded to a number of the sharp criticisms in the appraisal report.

Mr. Berger affirmed the understanding (which he offered) that CPA funding would only come by way of reimbursement upon the full completion of the exterior and interior restoration of Exchange Hall coupled with a certificate of occupancy issued by the Town.

The Committee heard the project application submitted by the Recreation Commission dated February 12, 2008 on behalf of the NARA Picnic Pavilion. The Recreation Commission's request is

for \$250,000 for the construction of a permanent picnic pavilion at NARA. The pavilion would be in the same location designated for a picnic pavilion in the original NARA design.

(Unanticipated construction costs resulted in the elimination of the pavilion and two tents have been used in the location for picnicking and the Town's summer camp program.) The picnic pavilion would be accompanied by approximately \$247,000 in capital funds from the Town for NARA repairs and improvements. The project application noted that "(A)n opportunity to fund a Pavilion through CPA funds exists this year, as State matching funds are not expected to remain at 100% in future years." The application went on "(W)ith the Town's 275th anniversary approaching in 2010, creating this gathering space is especially urgent." The presentation was made by Cathy Fochtman, Tom Tidman and Bill Mullin.

Town Counsel gave a "Qualified Yes" to the proposal. It is another in the series of judgment calls the Committee has been required to make ("in the absence of binding guidance from the state under the CPA") between whether the Picnic Pavilion is the "creation.....of land for recreational use", a permissible use of CPA funds, or the "rehabilitation and restoration of.....land for a recreational use (the replacement of the tents and picnic tables) which is not a permissible use of CPA funds as the NARA property was not acquired with CPA funds.

Andy Magee reported on the Open Space Committee's discussions with a decedent's estate for the purchase of four parcels of land totaling 6.9 acres abutting a portion of conservation land off Newtowne Road. The four parcels carry a tax-assessed value of \$136,000 and are non-buildable. Andy indicated to the estate representatives that the Open Space Committee could offer no more than \$50,000 for the 6.9 acres. If accepted the purchase moneys would be paid from this year's Open Space Set-Aside.

The Committee turned to a discussion on funding recommendations.

Exchange Hall. Walter Foster spoke on the Selectmen's reactions to the Exchange Hall application. He noted the project is for the "public good", CPA funds are provided only when the full-project is completed and the project is subject to the federal tax credit program, Board of Selectmen permitting, approval of the National Historic Registry and other conditions of the Community Preservation Committee.

Andy Magee and Nancy Tavernier added comments that a restored Exchange Hall is historic preservation and that CPA funding is subject to fixed conditions.

The Committee approved the request for \$231,948 subject to conditions.

NARA Pavilion. Jon Benson objected to the project application on the procedural ground that it was filed more than three months after the November 5, 2007 application deadline. Jon maintained there was no extenuating circumstance or compelling reason offered to justify the late filing. To defer the project application to the 2008-2009 funding year would still allow for the project's completion in time for the Town's 275 anniversary celebration in 2010. And, to take up the project application this year would effectively give the Recreation Commission a leg-up over applications in the next year's cycle where the "state-match" is expected to be significantly less than 100%.

Andy Magee countered that the early November filing deadline is not fixed in stone and certain projects can be properly vetted on short notice. (Here, the picnic pavilion was part of the original NARA design plan.) Andy added that the Town's capital projects are not finalized until the January/February time period and this application grew out of the Board of Selectmen's decision to fund \$247,000+ in NARA improvements and repairs.

The Committee voted to approve the \$250,000 Picnic Pavilion application.

The Committee was informed of the possibility of the siting of the new senior center on land adjacent to the Conant School. The Committee requested further information and deferred discussion on the Conant Nature Trail Plan until the February 28 meeting.

The Committee approved the Open Space Committee's request for a \$500,000 set-aside for 2007-2008 from which the prospective 6.9 acre land purchase would be paid.

The minutes of the January 24, 2008 were approved as submitted.

Nancy Tavernier obtained a price of \$238 for twelve 24" x 36" signs. The Committee voted to establish a separate funding line for "CPC-Direct Expenses" and funded it with \$3,500. This

amount is intended to cover the cost of the signs and \$2,500 for Community Preservation Act Coalition dues. The Committee voted to reduce its "CPC-CPA Program Support" funding line by \$3,500. This amount would be subject to a downward adjustment if the Board of Selectmen voted at their late February meeting to pay the Coalition dues from the Town Manager's budget.

The next meeting of the Committee will be held on Thursday, February 28 at 7:30.

Jon Benson