

COMMUNITY PRESERVATION COMMITTEE

Public Meeting Minutes

January 9, 2018

7:30 P.M.

Second Floor Meeting Room

141 Keyes Road

Pursuant to notice duly filed with the Town Clerk's Office, Concord's Community Preservation Committee held in the Second Floor Meeting Room at 141 Keyes Road at 7:30 P.M. Committee members Dee Ortner, Linda Escobedo, Barbara Pike, Terri Ackerman, John Cratsley and Peter Ward were present. Senior Planner, Heather Lamplough was also present.

Ms. Ortner called the meeting to order at 7:30 p.m.

Discussion and Update of any Project Changes

Ms. Lamplough briefly updated the committee on the discovery that 51 Walden, Inc. will need to follow state procurement laws for their project if they are using CPA funding. This is because they are a town owned building. The committee asked Ms. Lamplough to follow up with 51 Walden, to ensure that they still plan on using CPA funds should they be allocated at Town Meeting in the spring.

Ms. Lamplough updated the committee on the Concord Housing Authority's application for funding for Bedford Court. She explained that Town Counsel requested to review the applications for CPA funding following the commission's vote to recommend funding at Town Meeting. Town Counsel's memo, dated December 21, 2017 stated that the application is ineligible for CPA funding as submitted. The memo further stated that "because the Bedford Court unit was acquired by CHA in 1981, it was presumably not acquired or created under the Community Preservation Act, which was enacted in 2000. CPA funds therefore may not be used for the restoration or rehabilitation of the property. The proposed improvements would therefore have to qualify as "preservation" of community housing to be eligible for CPA funds. Preservation is defined by the statute as the "protection of personal or real property from injury, harm or destruction." G.L. c. 44B, § 2. The proposed project would therefore only be eligible for funding to the extent that the repairs and improvements listed above are necessary to prevent harm to the property itself." Ms. Lamplough explained that she has had further communication with Town Counsel regarding this, and that she has informed the CHA of Town Counsel's opinion. Ms. Lamplough stated that the CHA may be able to reword the application to make an argument that the front porch and the back stoop replacements qualify under preservation. Ms. Escobedo stated that the CHA is meeting on Thursday, January 11th, and they will discuss the issue and let the CPC know how they would like to proceed.

Discussion of Warrant Articles for 2018 Annual Town Meeting

The committee reviewed the three warrant articles that have been submitted for the Town Meeting warrant. Ms. Ortner stated that she received an email that evening from Kerry Lafleur stating that the second warrant article, for the re-appropriation of administrative funds does not require a Town Meeting vote. If it is too late to remove the article from the warrant, the CPC can simply make no motion on the article at Town Meeting.

Mr. Ward observed that the division of funds for the Land Acquisition is inconsistent with the other projects in the Open Space and Recreation category. He stated that right now it is skewed more towards recreation, which is making the recreation percentage much higher than the 50/50 allocation for the other three projects in the same category.” Ms. Pike motioned to reduce the recreation amount to \$250,000 and to raise the open space amount to \$130,000 – for a total of \$250,000 from open space. Ms. Ackerman seconded and all others voted in favor. The motion passed (6-0).

Review and Discussion of Potential Draft Project Conditions

The committee reviewed the draft project conditions for the 2017 applications recommended for funding at the 2018 Annual Town Meeting.

The committee had no additional comments for the draft project conditions for the RHSO project.

The committee had no additional comments for the draft project conditions for the Bedford Court project.

Ms. Ortnier requested an amendment to the first condition for Junction Village to state that 17 of the units will be for 30% at or below AMI and 26 of the units will be for 60% at or below AMI.

Ms. Ortnier requested an additional condition for 51 Walden, which would be to require permanent signage acknowledging CPA funding following completion of the project, and a condition that requires 51 Walden, Inc. to follow state procurement laws.

The committee asked that a condition requiring a preservation restriction be added to the Corinthian Lodge’s conditions.

The committee asked that a condition requiring permanent signage acknowledging CPA funding following completion of the project be added to the Concord Museum’s conditions.

The committee amended the wording of condition one for the White Pond Slope Restoration project, and requested that a condition be added requiring permanent signage acknowledging CPA funding following completion of the project.

The committee asked that two conditions be added to the Assabet River Pedestrian Bridge project. One condition being that the funding is to go towards a survey, and the second condition being that a copy of the final survey is submitted to the CPC following completion.

The committee asked that a condition be added to the Land Acquisition project to state that the funds will go towards the purchase of the property for open space and recreation purposes.

The committee made amendments to the conditions listed for the Bruce Freeman Rail Trail project, and added a condition requiring the applicant to submit explanations for the additional unexpected expenses.

The committee asked that two conditions be added to the Emerson Field project to require permanent signage acknowledging CPA funding following completion of the project, and a condition requiring the submittal of a full set of plans prior to the start of work.

The committee also stated that they would like an additional condition added to the general provisions for all projects to state that progress reports on CPA funded projects shall be submitted every six months.

Presentation for Finance Committee Public Hearing

The committee briefly discussed the presentation for the Finance Committee public hearing, and Ms. Ortner stated that it will be a condensed version of the presentation given at the public hearing back in November.

Priorities for Upcoming Year

The Committee discussed some of their goals and priorities for the coming year. The committee stated that they've already had the discussion regarding a change in the surcharge, and previously decided to not move forward with that. The committee decided to continue holding public informational sessions in both June and September. The committee briefly discussed matching funds, and asked for there to be a specific agenda item for this discussion on the May 22, 2018 meeting agenda. The committee discussed possibly moving the September informational session to September 5, 2018 and also moving the site visits to October 6, 2018, and also changing the application due date to reflect these date changes. The committee asked that this discussion be added to the February 13, 2018 meeting agenda.

Confirm Winter Meeting Schedule

The Committee discussed their upcoming meeting schedule. The CPC's next meeting is scheduled for February 13, 2018 at 7:00pm.

Other Business

Ms. Lamplough reviewed the Open Projects Report and provided the Committee with a few project updates. Ms. Lamplough stated that the Old Manse had submitted a reimbursement request and that there was a line item on it that she felt didn't fit into the original project allocation. The committee stated that they would like a full project status report from the Old Manse prior to paying any reimbursement requests. Ms. Lamplough stated that she would pass that information along and ask that they submit a project status report for the next meeting. The committee asked that requests for project update reports be sent to all projects from 2016 and older (but not including Peter Bulkeley of CHDC projects).

Approval of Minutes

Ms. Escobedo moved to approve the November 29, 2017 minutes as amended. Mr. Ward seconded with all others voting in favor.

Ms. Ackerman moved to approve the December 4, 2017 minutes as amended. Mr. Ward seconded with all others voting in favor.

Ms. Escobedo moved to adjourn the meeting. Ms. Pike seconded the motion and ALL VOTED IN FAVOR. The meeting was adjourned at 9:30 P.M.

Respectfully submitted,

Heather Lamplough
Senior Planner

Minutes Approved on: 02/13/2018

Barbara Pike, Secretary