

# COMMUNITY PRESERVATION COMMITTEE

## Public Meeting and Hearing Minutes

October 15, 2019

7:00 P.M.

First Floor Conference Room

141 Keyes Road

Pursuant to notice duly filed with the Town Clerk's Office, Concord's Community Preservation Committee held a public meeting and hearing in the First Floor Conference Room at 141 Keyes Road, starting at 7:00 P.M. Committee members John Cratsley, Tom Kearns, Peter Ward, Hester Schnipper, Judy Zaunbrecher, Paul Grasso, Nancy Nelson, Diane Proctor and Burton Flint were present.

Mr. Cratsley called the meeting to order at 7:00 P.M.

Each committee member introduced themselves and what board or commission they represent on the committee.

### **Eligibility of Projects for Community Preservation Act Grants**

The Committee reviewed the memorandum from Town Counsel dated October 4, 2019 on the Eligibility of Projects for Community Preservation Act Grants in regards to the two applications submitted by religious organizations. Mr. Cratsley explained why the memorandum was not distributed prior to the meeting. Town Counsel stated that they believe the application by First Parish is likely eligible for CPA funding without running afoul of the Anti-Aid Amendment. Town Counsel stated that the CPA grant fund to the Holy Family Parish may cross the line, and violate the Anti-Aid Amendment; but with more information some small segment of the project may be eligible.

### **Commonwealth Avenue Project, Concord Housing Authority**

Rick Eifler, Chair of the Concord Housing Authority and Marianne Nelson, Director of the CHA presented the proposed project to the Committee. Mr. Eifler stated that the project proposes to construct a two bedroom single family home for the purposes of affordable housing (rental). Mr. Eifler summarized the history of the land purchase and Gerow Park. He explained that Town Meeting voted to transfer the ½ acre parcel of land to the CHA; and that the feasibility study for the house has been completed. Mr. Eifler explained that the project goals include adding to the CHA's affordable housing stock, providing an equal opportunity for young families of low to moderate income the ability to live in Concord. Mr. Eifler stated that they are also going to be making some improvements to the existing house at 365 Commonwealth Avenue to be able to meet the requirements for SHI. Mr. Eifler summarized the number of applicants the CHA has and the waitlist time. Mr. Eifler reviewed the selection criteria and how the project aligns with the goals identified in numerous town studies. Mr. Eifler summarized the budget for the project and the proposed timeline for the project. He stated that they hope to be completed with construction and leasing the unit in Spring 2021.

Ms. Schnipper disclosed that she sits on the Concord Housing Authority; and asked about the high numbers on the waitlist. Ms. Nelson stated that the online application system has increased the applications in Concord, and stated that the waitlist for non-Concord preference

applicants is about 15 years; and the waitlist for local Concord preference applicants is about 6 years. Ms. Proctor asked about the right-of-way over the Bruce Freeman Rail Trail. Mr. Eifler stated that they have a commitment from the State, but it has not been finalized yet. Mr. Kearns asked if the project will move forward in the event that the right-of-way issue is not resolved for a number of years. Mr. Eifler stated that it probably would not, as they wouldn't want the main access for the park directly adjacent to the house. Ms. Proctor asked what other potential funding sources there are. Mr. Eifler stated that the CHA could potentially take out a mortgage, use HOME funds, and use other town funds for affordable housing. Ms. Proctor asked why they are not looking at the vast amount of land owned by the Town. Mr. Eifler stated that a lot of the time there is conservation restriction on the land, which cannot be un-restricted, and is therefore not buildable land. Mr. Flint stated that he has concerns about the PRD, the state granting the easement over the BFRT, and the fact that we are clustering affordable housing in one area of town. Mr. Flint stated that the need is undeniable, but questioned whether this was the best use for \$300,000. Mr. Eifler stated that they are trying to do what the town wants the CHA to do. Ms. Zaunbrecher asked where the sediment from the dredging project will be deposited and asked about sequencing all the projects around Warner's Pond. Mr. Eifler stated that they will need to sequence the projects for construction access. Mr. Ward asked how the project will move forward if the CPC cannot fund the application in full. Mr. Eifler stated that they would try mortgaging to make up some of the difference. Mr. Kearns asked if this is the best site and best use of funding. Mr. Eifler stated that it is the best site and use of funding to be able to get an affordable unit for \$300,000. Linda Escobedo, Select Board liaison, stated that town meeting did include the request for an affordable unit on this property; and indicated that Kate Hodges has a letter from DOT stating that the easement is likely.

### **Emerson Field Improvements, Public Works Division**

Aaron Miklosko, highway and grounds superintendent presented the proposed project to the Committee. Mr. Miklosko stated that they are currently in the master planning phase. Mr. Miklosko summarized the infrastructure improvements proposed at Emerson Field, to include: irrigation system upgrades, field renovations, spray fountain improvements, ADA accessibility upgrades, repair of fencing, backstops and player bench areas, installation of park features (fountains, seating, shade trees), and improvements to the seasonal winter ice skating rink. Mr. Miklosko summarized the history of Emerson Field and when certain features were originally installed/constructed. He reviewed the project budget and the proposed funding sources. Mr. Miklosko indicated that the current master plan is set to be completed in December. Mr. Miklosko summarized the feasibility, sustainability and timeline of the proposed improvements at Emerson Field.

Mr. Flint expressed his concerns about the escalating budget of the project over the past three years. Mr. Miklosko stated that he cannot speak to how the project was budgeted prior to his employment in Concord, but stated that the scope of the project has increased and that more work has been identified since the projects conception. Mr. Grasso asked what the plan is to accommodate all of the different sports groups. Mr. Miklosko stated that once the master plan is complete, they plan on having a roundtable discussion with all of the users, sports groups, residents and the community. Mr. Ward asked what a phased plan would include. Mr. Miklosko stated that accessibility, the splash pad upgrades, and water irrigation system are the highest needs. Mr. Kearns asked if the master plan will include phasing recommendations and updated cost estimates. Mr. Miklosko stated that it will include these. Ms. Zaunbrecher asked how the facilities may

accommodate new sports. Mr. Miklosko stated that they are currently focused on the organized sports groups that utilize the facility, however the fields can accommodate many sports including cricket, Frisbee golf, and other sports. Mr. Grasso asked what the sports groups contribution is. Mr. Miklosko stated that they do not have anything official in writing yet. Mary Hartman, the Finance Committee observer, asked a clarification question on the budget and asked if persons that use the facility for personal exercise and dog walking will have a voice at the table. Mr. Miklosko stated that all users will be invited to participate in the discussion during future community outreach.

### **Accessible Outdoor Oasis Recreation Park for People with Disabilities, Minute Man Arc for Human Services Inc,**

Stephanie Parish and Jean Goldsberry presented the proposed project to the Committee. Ms. Goldsberry summarized the history of the organization stating that they have 61 years of service, and serve 850 people from 9 communities. Minute Man Arc is the fourth largest employer in Concord, with 240 employees. They have 7 different programs, including day habilitation, employment services, early intervention, and residential services. The organization has 8 group homes, 4 of which are located in Concord. Ms. Goldsberry stated that the goals of the project include recreation/sports for all abilities, musical expression, swings for wheelchair and other users, natural environment (calm autism), and connection to Concord Trail System. Ms. Goldsberry provided more details about some of the proposed features, and explained that they want the community to utilize the park. Ms. Goldsberry stated that they are hoping to begin construction next summer, and they are looking for \$100,000 for partial support.

Ms. Proctor asked what percentage of the project is other funding sources. Ms. Goldsberry stated that they have raised over \$100,000 (which is little over 1/3), and that they are requesting 1/3 of the funding from CPA, and that they are confident that they will be able raise the remaining 1/3. Ms. Proctor asked if the park will be used in the winter months. Ms. Goldsberry stated that they will be able to snow blow the path, so they will keep it open as much as they can. Ms. Zaunbrecher asked for clarification on the funding gap, to which Mr. Goldsberry explained that it will be fundraised. Mr. Ward asked about permitting with other town boards and asked about the gas line. Ms. Goldsberry stated that they are working with the gas company, but that there is a way to turn the path to avoid the gas line. Mary Beth Barker, member of the Concord Disability Commission, stated speaking as an individual, she supports the project. Ms. Barker asked how the public can access the park. Ms. Goldsberry stated that you can park in the parking lot at Minute Man Arc, and that there are 4 handicapped accessible parking spots.

### **Holy Family Parish Rectory Renovations, Holy Family Parish**

Father Bill Robinson, and project architect Martin Dermandy presented the proposed project to the Committee. Mr. Cratsley asked if they have reviewed the memo from Town Counsel. Fr. Bill stated that they had, and they will address that in their presentation. Fr. Bill presented the project goals, which includes: Improvements to comply with Massachusetts Building Code, Improvements to achieve Handicap Accessibility, Improvements to achieve Energy Efficiency and Environmental Harmony, Improvements to Preserve and Revitalize a Concord Historic Building, and Improvements to provide free program space for Concord Organizations. Fr. Bill showed some of the organizations that use the facilities free of charge. Mr. Dermandy, presented the site plan, the history of

the structure, and exterior renderings. Mr. Dermandy summarized the improvements of handicapped accessibility, improvements to the energy efficiency, and the replacement of the existing roof. Mr. Dermandy presented a sample roofing tile and explained that the roof is over 90 years old and quickly approaching the end of its 100 year life span. Mr. Dermandy stated the roof replacement is the basis for the request for CPA funding, and explained that the roof replacement will cost \$579,603.

Mr. Cratsley asked if the windows are being replaced. Mr. Dermandy stated that they are, and that line item is under energy efficiency. Ms. Proctor asked who will occupy the offices and where the public spaces will be. Mr. Dermandy stated that there are three meeting rooms and that the offices will be for parish employees. Ms. Proctor asked how many people the meeting rooms can accommodate? Mr. Dermandy stated that the smaller room can hold 8 people, the second room can accommodate 12-16 people, and the larger meeting room can accommodate 48 people per fire code. Mr. Cratsley asked how the meeting rooms are accessed. Mr. Dermandy stated that there will be a ramp from Monument Square into the building, stairwells and an elevator. Ms. Zaunbrecher asked if there are any restrictions on the types of groups allowed to use the meeting spaces. Fr. Bill stated that the group needs to serve the community in some way. Mr. Flint asked if these groups use this building currently. Fr. Bill stated that they do not, they use spaces in the church and the parish hall, but that this building will be more accessible. Fr. Bill stated that they have multiple group meetings per week. Ms. Nelson asked if there is currently an issue with the roof, and believes that all historic fabric should be preserved when it can be. Elise Stone, member of the building committee for the church stated that the building is not currently occupied because of the costs for heating and cooling, leaking windows, and other issues. She stated that you cannot piecemeal this work together, and that the project went thru a lengthy review process with the Historic Districts Commission. Mr. Kearns asked what philosophy was used in considering other options for the roof. Mr. Dermandy explained that the bid the project with both roof replacement and roof repair, and that the costs were nearly identical. Mr. Dermandy stated that they cannot go back to the original wood clad version of the structure. Ellen Rice, building committee member and finance council for the parish stated that their restrictions from the HDC were quite rigid, and that they are happy that they have the opportunity to preserve a historic building in Concord center. Ms. Rice stated that she also serves on a charity committee that is non-denominational group that utilizes the meeting space free of charge as well. The applicant indicated that they plan on submitting supplemental information to address the concerns in Town Counsel's memo.

### **Staff and Technical Services, Town of Concord**

Senior Planner, Heather Gill presented the application for Staff and Technical Services. Ms. Gill explained that she is seeking to increase the budget for this project this year. Ms. Gill explained that this funding is used to pay for staff support, legal, technical and consulting services, supplies and associated administrative expenses including legal ads, copying, etc., and funding to purchase CPA signage. In order to fund the work of the CPC, the CPA statute specifies that the committee may use up to 5% of the community's annual CPA revenues each year. The CPC's administrative funds can be used for the same kinds of expenses budgeted for any town department or committee to carry out its mission each year, such as employee salaries, office expenses and contractual services. Since 2008, when the CPA was adopted in Concord, the town has allocated \$30,000 each year towards staff and technical services. Ms. Gill explained that the increase in funding

will continue to pay for the Community Preservation Coalition annual membership dues, legal advertisements, signage, staff salary, administrative supplies and printing, and legal counsel and consulting fees. She stated that in FY19, there was not enough funding in this account to cover all of these expenses, and there were no signs purchased, and no legal counsel or other consulting fees. In the event that the Committee would need to hire a consultant, or obtain legal counsel, there would not be enough funding to cover it. The CPC will need funding in FY21 to purchase additional CPA signs, as we currently only have two CPA signs that we could give to completed projects. Ms. Gill reviewed the project budget with the Committee.

The Committee asked the applicant to find out more about the CPC's responsibility to pay for legal fees, more information on the overage charge to the account, and what other towns allocate for staff and technical services.

**Other Business**

Mr. Cratsley stated that the town is hosting an open meeting law training on November 2, 2019, and encouraged members to attend.

The Committee discussed the upcoming League of Women Voter's First Friday event. Karlen Reed stated that she will be the moderator of the event, and that they have three speakers lined up, including Terri Ackerman, the Lexington CPC chair and a representative from the Acton CPC. Ms. Gill reminded the committee that they should not engage in questions about current applications.

The Committee discussed the need to submit disclosure forms or recusal.

**Project Update Report and Project Status Reports**

There were no project updates to report.

**Approval of Minutes**

Mr. Flint motioned to approve the meeting minutes for the September 28, 2019 meeting. Mr. Ward seconded the motion and ALL OTHERS VOTED IN FAVOR. The motion passed (9-0).

Mr. Ward motioned to adjourn the meeting at 9:40pm. Ms. Zaunbrecher seconded the motion and ALL OTHERS VOTED IN FAVOR. The motion passed (9-0).

Respectfully submitted,

Heather Gill  
Senior Planner

Minutes Approved on: \_\_\_\_\_ 11-12-2019 \_\_\_\_\_

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Secretary