

**COMMUNITY PRESERVATION COMMITTEE**  
**Minutes, February 16, 2012**  
**Acton Memorial Library**

Members present: Walter Foster (chair), Janet Adachi, Peter Ashton, Tory Beyer, Roland Bourdon, Doré Hunter, Betsy Mercier, Susan Mitchell-Hardt, Corrina Roman-Kreuze, Ken Sghia-Hughes  
Also present: Steve Noone (Finance Committee observer), Roland Bartl (staff)

The meeting was opened at 7:35pm.

1. Updates on Project Proposals

A. Town of Acton/HDC - Preservation Loan Program

Kathy Acerbo-Bachmann (HDC) was present to address the Committee.

Kathy reported that Town Counsel has been working with the DOR to get an answer on the question of whether the Town can have such a loan program. The DOR will respond in 2-3 months. If they approve, then the HDC could proceed with this program through a bank or have the Town administer it. If the DOR rules that the Town cannot do this program, then the HDC will work to establish a private agency to administer this program, similar to what Arlington has. Because of this uncertainty, the HDC is withdrawing the application for this funding round. The HDC will investigate further and hopefully come back in the Fall with another proposal.

B. Town of Acton/HDC/SATSAC - Landscaping at S.A. Station

Representing the applicant were Kathy Acerbo-Bachmann (HDC), David Martin (SATSAC), David Honn (HDC), and Peter L. (landscape architect).

David Martin addressed the question of whether the SATSAC has permission to do landscaping on the site. The landscape area by the platform is Town owned. SATSAC has petitioned the MBTA to get permission to add plantings along the railroad right-of-way, and has gotten verbal approval, but no written approval yet.

Kathy stated that this project is 1 of 12 out of 8,000 reviewed that the Massachusetts Historic Commission deemed to have an adverse affect for the surrounding historic resources. This highlights how significant an issue the MHC believes it to be. Kathy stated that this adverse affect could be directly addressed with proper landscaping, which would help minimize the impact on the surrounding community.

David Honn spoke about the precise breakdown of the funds requested. A handout provide a more detailed itemization of the plantings proposed and the costs.

Peter L. provided a detailed explanation of the proposed landscaping, using a large sketch of the area. In general, the MBTA proposal would clear out all the vegetation in order to do the construction work. They will put in some minimal landscaping as part of the MBTA project. The proposed CPC project would supplement this with additional

plantings. Once these plantings are established, there should be no need for the Town to come back later for maintenance (fertilizer, etc.) since these are native plants, hardy to this area.

Kathy stated that this project is appropriate for CPC funding, since it is the embodiment of community preservation, and it will knit the area together.

Committee members had the following questions and comments (member comments *italicized*):

*Are you increasing the funding request to \$160,000 (from the original \$150,000)?* Yes, the additional request covers design fees and contingency.

*There are other sources of funding that could be used for this project. CPC money is not the same as Town money, and includes state matching funds which are not from local taxes.*

*Is this really an historic preservation project, vs. an open space project?* There are plans to spruce up that entire area, and if the historic district were to be expanded, it could include the station area. It abuts the historic district—Exchange Hall, Jones’ Tavern, and the Faulkner Homestead (all of which are National Historic resources). People who have attended HDC meetings have spoken about this issue as the most important issue for the HDC right now.

*Usually, CPC historic projects have been on historic properties, and Town Counsel has said that this project is a “judgment call” for eligibility.*

*Why not wait till next year to fund this project, once we are able to see how the MBTA project comes out?* The MBTA is interested in working with us, and can adjust their landscaping design to work well with what we want to do. If we have the project funding now, we can work with them.

*What is the cost for the MBTA project?* \$12,000,000.

*Has the schedule slipped?* The MBTA is looking to finish hard construction by the end of 2013.

#### C. Windsor Building (future building uses)

Dean Charter was present to answer questions.

Dean reiterated that there are a variety of uses for the building. There is no tenant lined up, but with a little bit of work, the Town can have a building that can help rejuvenate West Acton Village and provide a resource for events such as the Farmer’s Market, the Book Fair, and Oktoberfest.

Doug Tindal (FinCom) commented that the Finance Committee is concerned that the Windsor Building does not have a constituency. The Town has “backed into” a number

of properties to the tune of \$2,000,000. Doug is concerned that the Town will be spending \$600,000 for an old firehouse with no constituency. He would like to see the Town look at all these properties together, and prioritize the renovations that are done with specific purposes in mind.

D. Regional Housing Services Program (or local services program)

Walter directed everyone's attention to the memo from Nancy Tavernier regarding questions that the Committee had.

E. Lower Fields/Skate Park (updated numbers)

Walter directed everyone's attention to the email from the applicant showing a detailed budget for the project.

2. 2012 Projects – discuss/finalize project funding recommendations

The Committee deliberated on funding numbers. As part of deliberations, the committee had the following discussions:

Skatepark—The Committee discussed the maintenance of the current skatepark facility and whether we should provide additional funding while the current maintenance is inadequate.

Windsor Building—the Committee discussed its concern over whether the Board of Selectmen support this project.

After deliberations, the Committee reached consensus on funding recommendations for all proposed projects, except for Open Space and the Windsor Building. These two projects will be finalized at the next meeting, with the benefit of additional recommendations from the Board of Selectmen on the Windsor Building.

The Committee voted unanimously to recommend funding the projects as follows:

468 Main Street Access Project	\$70,000
Memorial Library window restoration	\$12,000
Town Hall Tower Clock	\$14,000
Regional Housing Services Program	\$40,000
McCarthy Village II Development Funds	\$300,000
Skatepark	\$210,000
CPA Program Support	\$47,942

and to not recommend the South Acton Train Station Landscape Mitigation, nor the HDC Preservation Loan Program.

The Committee discussed special conditions to be included in the Warrant Article for individual project recommendations.

3. Exchange Hall – vote: release funds / revised award conditions (holdback)

Roland Bartl reported that Town Counsel advises that since the conditions for releasing funds for the Exchange Hall project were voted at Town Meeting, we cannot simply ignore those requirements. The Town would need to give Mr. Berger a deadline for granting use of space to the Town, after which the Town could take legal action against Mr. Berger. During this period of time, the Town could withhold a portion of the allocation for the project. Roland Bartl believes that the withheld amount should be higher than what the Committee decided at the last meeting, in order to provide some additional leverage with Mr. Berger to perform under the conditions of the grant.

It was reported that Mr. Berger has an occupancy permit and is trying to get a waiver with the AAB for full accessibility. Up to now, the AAB has not granted any waivers to Exchange Hall.

The Committee provided guidance to Roland Bartl for drafting a notice to Mr. Berger, specifying a time limit of 5 years for performance under the agreement, and withholding \$31,948, until such time as the Town is granted use of the facility in accordance with the agreement.

4. Minutes of 02/09/12

The minutes of February 9, 2012, were unanimously approved as amended.

The meeting was adjourned at 10:00 pm.

Respectfully submitted,

Ken Sghia-Hughes, Clerk