

Minutes
Town of Acton Community Preservation Committee (CPC)
April 26, 2018
Acton Memorial Library

Members Present: Bill Alesbury (Vice-Chair), Tory Beyer, Dean Charter, Walter Foster (Chair), Amy Green, Greg Johnson (Associate), Carolyn Kirkpatrick (Associate), Nancy Kolb, Joe Will (Clerk), Ray Yacouby

Others Present: Roland Bartl (Acton Planning Director), Bruce Ringwall (Goldsmith, Priest & Ringwall (GBR), Inc., Land Engineers), Tom Tidman (Acton Natural Resources Director)

Walter opened the meeting at 7:31 PM.

I. Citizen Concerns

- None

II. Minutes of March 08, 2018

- It was moved, seconded, and voted near-unanimously (one abstention due to absence from 03/08/18 meeting) to approve the minutes as presented.

III. Annual Town Meeting (TM) Debriefing

- Walter thanked all for being at TM. He commented on the question asked at TM as to whether Habitat for Humanity (HfH) had a religious affiliation. After the meeting, Walter spoke with Carolyn Read, Executive Director HfH North Central Massachusetts. She directed Walter to the HfH website. There, under "Mission," is a reference to (a non-denominational) "God" and also HfH's "Non-Proselytizing Policy" which suggests that HfH projects are independent of any particular religious faith. Bill noted that at this morning's groundbreaking for the HfH project, there was a religious "overtone," noting that at the end of the speeches there was a prayer session that gave a religious flavor to the event. In light of this concern about any HfH religious affiliation, and of the recent Acton Congregational Church litigation, Walter suggests that the CPC be prepared for religion-related concerns in the future, to the point of even asking applicants about this. Roland said that he has checked the Americans United for Separation of Church and State website and could find no mention of HfH or anything similar.

IV. Morrison Farm – project update and discussion

Mary Ann Ashton, Chair of the Morrison Farm Committee, has provided the CPC with an update of a Morrison Farm project (work on the Robbins Homestead site, the Ice House foundations, and an accessible trail along Ice House Pond) that was awarded CPA funding in 2014. Mary Ann was unable to come to this meeting, so Tom and Bruce provided a project update. Bruce gave a history of the project, particularly of the Ice House foundation work that would improve the parking at the site. Parking at the site has become critical with the opening of the Bruce Freeman

Rail Trail (BFRT, formal opening May 11), which passes along the east side of Ice House Pond. Bruce provided GPR technical drawings of the foundation/parking project that includes the parking lot, a picnic area, and a walking path that would connect with the first boardwalk alongside the pond (that would be built this fall/winter per Tom). Bruce described the changes that had taken place from what was presented in the CPA project proposal, including changes to the parking plan, treatment of water runoff and drainage to meet storm water guidelines, and the use of pervious (porous) pavement. All of this came two years after the grant was awarded. In that time estimated costs have increased significantly, with the result that bids have come in higher than had been hoped.

Mary Ann provided a \$ update for the project. The original proposal showed \$57,850 for the parking and picnic area and \$156,700 for the Ice House Pond trail to the Morrison Farm meadow. Five bids received ranged from \$192K to \$289K. (Clerk's note: The acceptable bids ranged from \$225K to \$289K as it was determined since this meeting that the \$192K bid omitted significant elements of the project.) The winning bid must be decided by next Tuesday.

The project is "teed up." It has all necessary approvals. Walter would like to see this project done. Observations from, or in response to, committee members:

- The project will remove the bulk of the Ice House foundation, but keep a piece of it.
- Will this involve transferring \$ out of the boardwalk into the parking? Money is being taken from other (later) parts to pay for this now.
- We are building this! If the project needs more \$, then come back to the CPC for more \$.
- This 2014 project is not moving at a fast pace. Such a delay is surprising. What's the driver behind the 3-year delay? Bruce described steps that took a lot of time. Also, there is the due process that civil projects require.
- The 2014 decision can't be modified.
- Let's get this contract awarded so we can get things moving. With what we have right now, we won't be able to do everything. The applicant will need to come back with a modified proposal which will then have to go through the approval process.
- It's not clear what is being looked for.
- This is a status update. We are moving ahead with part of this and, by the way, it's costing more than we thought.
- This was an informational view: In order for the project to move forward, there are increased costs. There is not a need for the CPC to now approve additional \$.
- We need to keep track of what's going on, and move on.
- There is no override under discussion here. We are simply learning the status of the project.

- Historically, a number of projects have had cost overruns and the CPC asks for such a project's status.
- Given the proximity of the BFRT, there perhaps should be thought given to how the parking lot could be expanded at some future date.

It seems there is general support for the project moving ahead as quickly as possible and keeping the CPC informed, particularly of other issues as they arise. The whole project should be done by next summer, but the CPC needs to know that things are moving forward. The next CPC meeting is May 10. If Mary Ann can come to the meeting, there can be a full discussion of the project.

V. Issuance of Award Letters need to get these letters out.

- **Habitat for Humanity: 43-45 School Street**
- **Town of Acton: Kennedy Building**

Walter wants a new bullet point in every letter, something to the effect that at least annually, say around September 1 — the beginning of the CPA cycle — the award winner will provide the CPC with a written project status update, including the projected completion date. He would also like to see a directive that, once awarded, some \$ have to be spent prior to a funding expiration date in order to encumber the award. Discussion points made:

- We want shovel-ready projects, projects that are “ready to go”.
- Why September 1? Because of the CPC’s funding cycle. The middle of September through the end of October is when the CPC reaches out for project submissions.
- Would September 1 apply to the year of the award? Yes. Also, the September 1 date would likely get the update to the CPC by October (with excuses).
- Instead of September 1, why not “upon request from the CPC”?
- Once some award \$ is spent, the remaining \$ can be spent over a long period of time. There are different circumstances for every project.
- Idea of a project update every year is a good one.
- To date, the Town bugging people seems to have always worked.
- Another suggestion: When an applicant has a proposal to “design and construct,” suggest that the applicant ask first for design funding. Then, when there is a design, come back and ask for construction funding, i.e., break up design and construction.

Walter led a paragraph-by-paragraph review of the draft of the HfH “Community Housing” award letter. Discussion points made:

- The two bullet points suggested above (annual status update, including projected end date, and spending requirement) should be added.
- The letter refers to “significant change from what is approved hereunder.” How else does the CPC define “significant change”? Possibilities: A significant dollar amount change, a change in the project design, a change in the project scope. Also, moneys

have to be used as specified. If there is desire to use moneys for other elements, the applicant has to come back to the CPC.

- The directive “. . . Upon completion, please submit a letter to the CPC detailing how the funds have benefited your project” is not rigorously enforced. If we have more reporting procedures, maybe this will fall into place.
- If we have it (see preceding bullet), and don’t do it, why have it? Such a letter would be good advertising. Perhaps such a letter would be a “minimum”. Consider the Woman’s Club reception for the CPC following completion of its project.

Walter led a review of the draft of the HfH “Historic Preservation & Rehabilitation” award letter, noting distinctions from the previous letter, particularly the third bullet on page 1 referring to the required historic preservation restriction. Discussion points made:

- Second bullet on second page referring to certification of work done: The certification tells the CPC that the work has been done correctly. Funding for this can be built into the award amount and be used from Day 1. The CPC doesn’t have to provide a list of qualified professionals to the applicant, but the CPC can help if and when help would be needed. Is there a state-approved list? Not sure.
- Add the same two bullet points suggested above (annual status update, including projected end date, and spending requirement) to this letter.
- Roland: As an fyi, project funding reimbursement has to be done after the historic preservation restriction exists. This could take 3 or 4 months. He is not sure that Carolyn Read understands this. He has sent her a sample restriction (for a second time).

It was moved, seconded, and voted unanimously to approve the two HfH letters with the two bullet points suggested above (annual status update, including projected end date, and spending requirement) included.

Walter led a review of the draft of the Town of Acton’s “Kennedy Building Rehabilitation” award letter. Discussion points made:

- The letter includes the certification-of-work bullet point.
- Should the project require a historical preservation restriction? The building is Town-owned. The Town cannot impose a restriction on itself. Such a restriction requires that there be a grantor and a grantee.
- That the building meets certain historic conditions, e.g., it cannot be changed, added to, or demolished, are not conditions of this grant. Walter wants to make sure that the Building is properly recognized and protected as a cultural resource within, but distinct from, the historic Woodlawn Cemetery within which it is situated.

Roland will write up something and share it with Walter for his approval.

It was moved, seconded, and voted unanimously to approve the Kennedy Building letter with the two bullet points suggested above (annual status update, including

projected end date, and spending requirement), and a bullet point that recognizes the Building as a Cultural Resource distinct from Woodlawn Cemetery within which it is situated.

VI. Administrative Updates

- Bruce Freeman Rail Trail ribbon cutting: 05/11, 3:30 pm at NARA.

9:05 PM — It was moved, seconded, and voted unanimously to adjourn.

Next scheduled meeting 05/10/18.