

MEETING MINUTES
Town of Acton
Community Preservation Committee

December 11, 2008
Acton Memorial Library



Attending: Corrina Roman-Kreuze, Jon Benson, Walter Foster, Peter Berry, Roland Bourdon, Ken Sghia-Hughes, Ron Schlegel, Susan Mitchell-Hardt, Tory Beyer, Nancy Tavernier, Janet Adachi, Roland Bartl, Town Planner. Also present were Pat Clifford (Fin Com Observer), 2009 CPA project applicants, and members of the public.

The meeting was called to order by Chairman Ken Sghia-Hughes at 7:40 p.m.

I. Proposed Eagle Scout Project. Adam Morse, a senior at the high school, described the potential recreation-space project as to which he proposes to apply for \$200-\$300 in CPA funding belatedly after the November 10th deadline. He would like to create a "Zen" garden near the Merriam and McCarthy-Towne schools, by the retention pond and Administration Building. The area currently is used as outdoor-classroom space. The garden would benefit the students by supporting the project-based orientation of the school and introducing them to other cultures. Adam would start the project no sooner than April, due to the weather, and would plan to finish by June. The fundraising rules for Eagle Scout projects do not limit Adam to car washes and the like to raise money for his project but permit applications for funding. The Committee advised Adam to submit an application, which will be subject to initial review by Town Counsel; Adam will have an opportunity thereafter to make a formal presentation to the Committee.

II. Appointments with Project Applicants (5 of 13)

A. Historic Preservation and Adaptive Re-Use of the Windsor Building. Dean Charter, Town of Acton Municipal Properties Director, presented a proposal requesting \$315,000 of CPA funds for the restoration of the full exterior and first-floor interior of the Windsor Building, 18 Windsor Avenue, for use as a 30-person public meeting space. The restoration will preserve the only old fire station in town, and add much-needed public meeting space and space for other community activities that will draw more people to West Acton and the businesses there.

The building, currently vacant, formerly housed the West Acton Fire Department from 1904 until 1960 and subsequently was a teen center, headquarters for the Acton Minutemen and, until July 2008, headquarters for the Acton Food Pantry. The project would re-create the façade of the fire station by adding two fire engine doors that preferably would be stationary and non-functional to keep the building weather-tight (perhaps one door would function as a secondary, emergency access); restore or replace windows (the windows vendor would be the same used for the restoration of West Acton Library located across the street); move the main entrance to the side of building and make it handicapped-accessible;

replace the roof; install a new septic system and landscaping using some Town staff labor; restore the fir floorboards (which originally supported two fire engines), ceiling and bead board walls on the first floor, which is 1,032 ft²; upgrade the first-floor restroom and make it handicapped accessible; and add a small, first-floor kitchenette. The proposed work would include only minor repairs and restoration on the second floor to make it weather-tight; the second floor still would be handicapped-inaccessible and therefore closed to the general public, but perhaps could be used for Town-records storage. Work would begin in April–May and be completed in one year. Mr. Charter would serve as the general contractor on behalf of the Town. The project probably would be split into parts, with different subcontractors for each part.

The Town also considered an alternative proposal, included in the application, that would have provided full restoration and accessibility of the building, including the second floor to which a new stairway and elevator would have provided public access. The expanded project would have cost an estimated \$641,500, which the Town did not consider to be justified.

In response to Committee questioning, Mr. Charter acknowledged that on-site parking was limited and said that he was exploring the availability of space elsewhere, including, for example, the lot behind the West Acton library. Mr. Charter said he was comfortable with the comparatively modest \$2,000 contingency allowance, given the expectation that many contractors will be looking for work in the near term. He would be amenable to dividing the project into phases, for example, doing the exterior first. He has conferred with the Historic District Commission (HDC), which is supportive of the proposal. The Committee asked that Mr. Charter return to the Committee with the kitchen design when it is available. In response to Committee concern, Roland Bartl said that the proposed septic-system work would be eligible for CPA funding as part of the overall restoration work. There was some discussion of the proposed security system for the building, which will not have a person responsible for opening and closing the building. The Town has no plans to rent out the space because of, among other things, the public need for the space and the fair-access concerns that rentals would create.

Brian Bendig, HDC reiterated the HDC's strong support for the proposal and noted that the HDC has few issues with the design, aside from the proposed exterior elevator in the more expansive, alternative proposal.

- B. Restoration of Historic Streetscapes through Planting of Public Shade Trees in Acton's Historic Districts. Dean Charter, Town of Acton Municipal Properties Director and Tree Warden, presented a proposal requesting \$10,000 of CPA funds for the purchase and planting of 35–50 deciduous trees in the Historic Districts on public land or adjacent private property.

The new trees would replace trees that have died and have been or will be removed. Most of the planting would be on public property, in road shoulders where possible; under Massachusetts law, those trees planted on private property within 20 feet of the public way also would be “Public Shade Trees” protected from removal unless the Tree Warden

determined them to be hazardous. The project would span three years, with the Town using Town labor to plant up to 15 trees per year. The Town would try to spread the plantings evenly among the Historic Districts, focusing first on commons and other public spaces and then high-visibility locations on private property. The Town typically plants up to 6 trees per year, and relies upon funding from sidewalk projects and donations from, for example, the Garden Club and NStar; CPA funds thus would provide some 15 more trees per year.

In response to Committee questioning, Mr. Charter said that certain tree species, such as elm and oak, are salt-tolerant. Longhorn beetles, of recent concern in the state, are drawn to maples, elms and many other trees but do not like pines or spruce. The plantings would be native-grown, North American trees. Examples of non-native, invasive species include Norway maples, which have reproduced successfully and are numerous in town; and sycamore maple. There was a discussion of other means for the Town to protect trees: the idea of a Town Tree Fund, comparable to the existing Sidewalk Fund, to which the Town could require developers to contribute; the existing subdivision regulations that require developers to plant trees and to replace trees removed due to construction work on an inch-by-inch basis, for example, replacing a 30"-diameter tree with two new 15"-diameter trees; and the Open Space Committee's consideration of a possible restriction on the clear-cutting of trees. More concrete information from the Town about the plantings would help the Committee and the public to understand where the CPA funds were going.

- C. 17 Woodbury Lane – Schematic Design of Building Re-Use. Peter Grover, Historical Commission (HC) and Brian Bendig, HDC, presented a proposal requesting \$13,000 of CPA funds to cover the cost of a schematic design and construction-cost estimate for the rehabilitation of the house for use as a Town Hall annex for file-and-data-storage.

The house is located in the Center Historic District. The original part of the house dates back to 1860, or possibly earlier, but has more recent additions. The structure has been in disrepair for some time. A study done in 1997 concluded that the cost of renovating the house and making it handicapped-accessible would be \$800,000. If the house were used instead for Town file-storage, the expensive accessibility upgrades would be unnecessary. The original portion of the house encompasses 700-800 ft². The design would cover selective demolition of the additions to the original house. The Town also would have to assure that there was sufficient structural support for file-storage, for example, by filling in the basement to support the floor above. At the recommendation of Dean Charter, Town of Acton Municipal Properties Director, the applicants propose to increase the request for CPA funds to \$20,000 to allow for contingencies. The applicants propose to delay use of the funds until after the Town has completed a space-needs survey of all municipal buildings.

Mr. Charter summarized the record-retention requirements with which the Town must comply and which give rise to the need for storage of large quantities of files. The Woodbury Lane house would be a more convenient location for Town Hall workers than the South Acton Fire Station, where some Town records are stored. Mr. Charter estimates that the cost of the reconstruction work itself would be around \$200,000.

The Committee expressed concern that the application limits the scope of the design services to the proposed file-storage use, although the Town's space-needs survey might indicate that file-storage is not the best use of the house. The Committee also noted that the application includes only one quotation for the proposed design services. The Committee suggested that the applicants pursue more quotations; and amend the application to reflect the increased funding request of \$20,000, and to reflect that file-storage is not the only new use that the design services may address.

- D. 15 Massachusetts Avenue - Wright-Holden Farmlands Area Survey Form. Peter Grover, HC, presented a proposal requesting \$1,000 of CPA funds to hire a consultant to prepare a Massachusetts Historical Commission (MHC) Form A to document and protect the farmhouse and adjacent farmlands.

The property is owned by the Massachusetts Department of Corrections. The application lists the address as 50 Massachusetts Avenue, but the address for the house is 15 Massachusetts Avenue, while the address for the barn is 50 Wetherbee. Recent state legislation protects the farmlands from any development, but protection also is needed for the house. The new plans for the nearby traffic rotary will have no impact on the land. The local historical organization files the form with the MHC and the Department of Corrections consent is not required.

- E. Town Cemeteries – National Register of Historic Places Listing. Peter Grover, HC, presented a proposal requesting \$28,000 of CPA funds to secure listings for the three Town cemeteries in the National Register of Historic Places (NRHP). The project will require the services of a consultant, hired pursuant to a request for proposal, to prepare the necessary paperwork.

The underlying purpose of pursuing the NRHP listing, which is honorary and has no impact on the property owner's rights, is to enable the Town to secure grants to cover the cost of, among other things, repairing cemetery stones and restoring the Woodlawn hearse building and chapel. Mr. Grover said that the request for funds is a bit high and that the HC expects to use less than the funding amount and then use the excess to start collecting estimates for the repair and restoration work.

The Committee noted the need for the HC to coordinate efforts with the Cemetery Commissioners. The Committee also noted that if the HC proposes to use any excess funds for a purpose other than the NRHP application, it should amend the application to so indicate.

- III. Approval of 10/16/2008 and 11/13/2008 Minutes. The minutes of 10/16/2008 and 11/13/2008 were approved as edited and/or corrected.
- IV. West Acton Boardwalk and Nature Center. Two proponents of the project, which is one of the 13 applications filed timely with the Committee by the November 10th deadline, requested clarification of Town Counsel's opinion, in the December 8th memorandum to the Committee

evaluating the 2009 applications, about the project, which under the recent Seidman v. Town of Newton ruling does not qualify for CPA funding. The memorandum suggested circumstances in which the project might qualify for funding. The Committee has in the past allowed project proponents to speak directly with Town Counsel, and proposed in this instance that Roland Bartl set up a telephone conference among Roland, Town Counsel and the project proponents to resolve any questions the proponents may have.

- V. 2008 Annual Town Report. The proposed entry about the Committee for the 2008 Annual Town Report was approved, subject to the insertion of the dollar amounts for FY 2008 CPA surcharge total, FY2008 earned interest, amount unallocated from FY2007, and FY2008 Community Preservation Fund balance.

VI. Other Business.

- A. Exchange Hall Oversight. Walter said that, given the concerns among residents about the project, the Committee needs to monitor the project more closely. The Committee should determine what owner Glen Berger has and has not done that he is required to do under the terms of the CPA funding award.

Mr. Berger supposedly has hired a consultant; the Committee should confirm the hiring and meet with the consultant. The Committee also needs to confirm, among other things, that work on the cupola is complete as Mr. Berger has asserted, and determine whether Mr. Berger has made a federal filing, which the Committee has yet to see. The HDC notified Mr. Berger that it would not extend his permit past December, so the recent activity on the project may be an effort to persuade the HDC to extend the permit. The award letter states that receipt of the CPA funds is contingent on the completion of all exterior and interior work and the HDC's issuance of a final certificate. The Committee agreed that Mr. Berger, his consultant and representatives of the HDC should appear before the Committee to review the status of the project, possibly on January 8th or 22nd.

- B. Appointment of Clerk. The Committee approved the appointment of Janet Adachi as Clerk.

The next regular meeting will be on Thursday, December 18th, when the Committee has scheduled appointments with four 2009 CPA project applicants.

The meeting was adjourned at 10:45 p.m.

- Janet Adachi, Clerk