

COMMUNITY PRESERVATION COMMITTEE

Public Meeting Minutes

April 11, 2016

7:30 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 in the First Floor Conference Room at 141 Keyes Road starting at 7:30 P.M. Committee members Bouzha Cookman, Linda Escobedo, Dee Ortner, Barbara Pike and Peter Ward were present.

Committee Member Geoffrey Taylor arrived after the start of the meeting. Committee Members John Cratsley, Greg Higgins, and Paul Mahoney were not present for this meeting. Ms. Cookman called the meeting to order at 7:30 P.M.

Review and Finalize Project Conditions

It was noted that the draft conditions had been sent out to Applicants before Town Meeting and that there had been no requests for changes. Members had reviewed the draft conditions at the last meeting as well. Ms. Ortner noted that the minutes where the CPC had recommended the funding for the Ball's Hill Road land acquisition had included a condition that the CPC be included in determining the type of restriction to be placed on the newly acquired land. Ms. Kritzer was asked to confirm that this condition is in the final draft of conditions for this project.

Members next discussed the requirement that the New Church Main Steps Restoration be conditioned to require that the building be available for public use. Ms. Kritzer confirmed that the current conditions required the building to be available at least 2-4 times per year.

For the Concord Carlisle High School Field Renovations, Phase III funding, it was noted that Members had previously discussed whether the removal of the Shot Put area should be included in this year's conditions. Ms. Cookman noted that this had been discussed at a previous meeting and Members had agreed to not include it as a condition because it was not part of the current phase.

Review Project Award Letters and Agreements

Ms. Cookman noted that the Committee had revised the Memorandum of Agreement for Town Projects and the Grant Agreement for all other projects at the last meeting to streamline them. Ms. Kritzer was asked to check with Ms. Hughes for a copy of the updated draft and to prepare the award letters for all recommended projects. Ms. Kritzer was also asked to send copies of the draft letters out to Members for review before Ms. Cookman signs them.

Discussion of Potential Local Surcharge Change to 3%

Discussion began with the suggestion that Members might circulate the topic to other Town Boards and Committees to get their opinions on the change. Ms. Escobedo asked why this change should be considered now. Ms. Cookman felt that the time was right to do this because the Town would continue to see only increasing land prices for open

space and affordable housing, and the number of historic properties needing restoration going forward. She thought that it would be helpful for the Town to have a war chest so that funds were available when needed to address Town goals. She noted that the magnitude of this year's requests for funding had been eye opening and that these requests would only increase as land in Concord becomes increasingly scarce. She also noted that as more communities passed the Community Preservation Act, the State match could go down. It was noted that while the Town's local surcharge increased annually, it could not keep up with the decrease in the State funding match.

Ms. Pike asked if the Committee had an estimate of the local surcharge and how much it would change next year. Ms. Kritzer explained that Finance Director Tony Logalbo prepared annual estimates for the Committee in late summer/early fall for use in making funding recommendations. She shared the chart from last year which showed the surcharge amounts over the last few years. Members reviewed the information provided by the Community Preservation Coalition on the State Match and how new legislation was being proposed to increase the fees at the Registry of Deeds.

Ms. Escobedo asked if there had been any pushback from the Community on raising the local surcharge. No Members had heard any at this point in the process. Members discussed developing a consistent plan for getting this topic out before the next Town Meeting. Ms. Ortner stated that she had spoken with Finance Committee Member Wendy Revelli about the Fin Com's work on their five year plan. Ms. Ortner thought it would be reasonable for the CPC to work with the Fin Com on this process. It was suggested that the Commission also reach out to other Town Committees to learn what projects they might be planning to bring up in the next few years. Ms. Cookman thought that it would be good to know what projects were out there that were eligible for CPA funding. She noted that the Town had recently created an Energy Futures Task Force with the goal of reducing Concord's carbon footprint and the possibility of a net zero greenhouse gas emissions goal. Part of reaching that goal would include mitigation through carbon sequestration with open land and water. She thought that this could be another angle for the CPC to explore and that it could also dovetail with preservation and affordable housing. Ms. Ortner noted that Mr. Saginor from the Community Preservation Coalition had mentioned sustainability as a current trend with the CPA.

Ms. Escobedo noted that other pieces could also include the Town's Junction Village Task Force and the 10 year Comprehensive Plan that the Planning Division would be working on. She noted that all of the groups mentioned were working on identifying priorities and/or budget projections that will inform the Comprehensive Planning Group which in turn should also assist the CPC in building a case for support and goal setting. Ms. Ortner noted that the Comprehensive Plan was an 18 month process and suggested that someone from the CPC could be part of the Comprehensive Planning Committee. Ms. Pike asked if the plan was to have a warrant article to increase the local surcharge for the 2017 Town Meeting. Ms. Cookman answered yes, but that the Committee would need to build support for the change prior to Town Meeting, and that if they were successful there, it would still need a ballot vote. Ms. Ortner suggested that the Committee also take a more in depth look at bonding and noted that there were several options available for dealing with large funding requests.

Ms. Cookman noted that the Concord Land Conservation Trust would need to raise \$4 million plus towards the purchase of the Ball's Hill Road parcel. Members discussed

whether there was any way to predict the trends for increasing costs in the CPA eligible categories. Mr. Ward suggested that the Commission try to develop an informal forecast in the different categories. Ms. Ortner stated that she would love to have a meeting with the representatives from the different funding categories to hear what might be coming up. Ms. Escobedo noted that the Committee had been dealing with something of an artificial funding ceiling as applicants tended to make requests based on their understanding of the funds available. Ms. Cookman thought that the Committee should consider setting aside reserve funds regardless.

Members discussed the possibility of attending some of the representative Commissions and Board meetings to hear about their upcoming projects. Ms. Cookman and Ms. Ortner agreed that they could announce the Committee's interests at the next Chair's breakfast. Members discussed the timeline for making the change to the surcharge and noted that any new warrant article would be due in December. Members agreed to try and get a read from the Town on this change before the end of the year. Ms. Cookman noted that Michael Lawson was the new Select Board Chair and that meeting with him might give the Committee an indication of what the Town expected to see in the new year that could translate into numbers.

Ms. Cookman asked if anyone on the Committee had concerns with looking further into this change to the local surcharge. All Members present agreed that it was worth further discussion. Ms. Ortner thought that the key was to learn more about what was coming up for the Town and to lay the groundwork for this change. Ms. Ortner and Ms. Cookman stated that they would meet with the Town Manager and Mr. Lawson to discuss the potential increase in the surcharge. Members from other Commissions were asked to talk with those groups about the potential change, and Members agreed to look into meeting with the Public Works Commission and any other group which might have a project or concern. Members agreed to continue adding this as an agenda item for further discussion over the next year.

Status report on existing projects including project to be closed

Ms. Kritzer explained that there were a number of projects ready to close and that further research was needed to confirm which projects might have unused funds that could be rolled back into the CPA general fund. She agreed to update the list for discussion at the next meeting. Ms. Ortner noted that the Committee would need to identify any completed projects with unused funds by June 30 in order to have those funds available for the next funding round.

Ms. Ortner noted that the question of qualified expenditures had been raised in January by Mr. Taylor during his review of the request for reimbursement of the Caesar Robbins House project. Ms. Kritzer explained that there were items such as utilities that had been paid while restoration work was underway as they were necessary for the project. There was now a question, though as to whether the work was still going on or whether the CPA funds were being requested for ongoing supplies and maintenance. Ms. Kritzer stated that she would reach out to the Drinking Gourd Project to discover more information about the status of their project.

Mr. Ward asked if there was a process for closing projects and Ms. Kritzer explained how this had been completed in the past. Ms. Escobedo noted that there was another prong to the discussion of unused funds, as some projects had requested and been authorized to use extra funds for related purposes.

Ms. Ortner stated that she had received an email from Dean Banfield expressing concern about the CPA funds expended as part of the Phase II funding for the CCHS Playing Field project. The School Committee had approved a scaled back plan for Phase II and Mr. Banfield had expressed concern that the cost of Phase II could no longer represent the 2/3 private, 1/3 public split that the Applicants had agreed to during the CPA funding discussions. Ms. Ortner explained that she had been unaware of a recent reimbursement from the Applicants and that there was only \$7,769 left in this funding account.

Dean Banfield, 73 Walden Terrace, felt that the Applicants could be considering the CPA funds from Carlisle as part of their private funding match for Concord's CPA funds and was concerned that they had misrepresented their matching funds. Ms. Kritzer stated that it had been her impression that the Applicants had agreed to a 2/3, 1/3 split over the life of the project and not necessarily for each individual phase, each of which was very different in the amount of CPA funds allocated to it. Because so much less CPA funding had been recommended for Phase III, it was possible that any current imbalance could still be made up before the end of the project. Members discussed what had been said and agreed to as part of the 2015 Town Meeting vote.

Ms. Ortner thought that Mr. Banfield had raised three questions for the Committee to consider – whether the School Committee's acceptance of the revised budget had an impact on the CPC funding recommendation; whether the project had been significantly revised and should impact the CPA funding amount; and whether there was any relevance in the Carlisle CPA funding in relation to Concord's CPA funds. Ms. Cookman noted that at the time of the 2015 Town Meeting Concord had not known whether Carlisle would allocate any CPA funding to the project. The Applicant had been asked to find alternative forms of funding for the project but Ms. Cookman did not recall the Committee saying that the CPA funds would be rescinded if the Applicant did not explicitly meet the 1/3 to 2/3 split. She noted that the CPC's concern had been to make sure that the Applicant had raised enough funds to complete each phase of work.

Mr. Banfield stated that his biggest concern was that the amenities building which had been cut from Phase II would never be built. He felt that it was a necessary part of the smooth functioning of the site and had not been sure how the Carlisle funds had been considered. It was noted that the amenities building could not be built with CPA funds. Ms. Cookman stated that the Applicant's had asked the CPC to pay their invoices directly and that the Committee had not agreed to change the reimbursement process. Ms. Ortner stated that she would work with Ms. Kritzer to investigate where the project stood.

Mr. Taylor arrived at this time.

Approval of Minutes for November 30, December 7, and January 25

Mr. Taylor moved to approve the November 30 minutes as revised. Ms. Ortner seconded the motion and ALL VOTED IN FAVOR.

Mr. Taylor moved to approve the December 7 minutes as revised. Ms. Escobedo seconded the motion and ALL VOTED IN FAVOR.

Members agreed to postpone further discussion of the January 25 minutes to the May meeting.

Fund Distributions and/or Approvals

Mr. Taylor reported that the most significant request for reimbursement had been from Concord Carlisle at Play for the Phase II work previously discussed. In addition, he had reviewed several small requests for the Heywood Meadow Stone Wall restoration which was nearing completion; the Concord Housing Development Corporation for assistance on their Junction Village Project; and the Wright Tavern for the restoration of their windows.

Other Business

Mr. Taylor stated that he had just attended the Select Board meeting to discuss the potential use of the remaining pieces of the Benson Barn, formerly located on the Ball's Hill Road well water site, to the Wheeler Harrington Park property. The Historical Commission had had the idea to move the barn to this location and thought that there were great possibilities for the future use of the site. He explained that the site was large but underused and could be a real asset in the future. The barn could also be a future storage facility for Concord's archaeological materials and Mr. Taylor explained that one of the witness houses on Route 2A was used by the National Park for this purpose. Mr. Taylor noted that the McGrath site had found 500 artifacts so far. Ms. Ortner noted that the Planning Division had discussed completing a study and public forum on the use and potential for the Wheeler Harrington house site. Ms. Kritzer stated that this could potentially be coming in for CPA funding next year. Mr. Taylor thought that this was the type of project that the Town could rally around and noted the site's river access, size, and the unusual 1700s farmhouse. He noted that Terri Rothemel had also been at the meeting to discuss the potential for using the barn as part of an affordable housing development on Ball's Hill Road, but that this was not considered to be a viable project at this time.

Ms. Kritzer was asked to look into the Committee Member's appointments to see if any were expiring in June. It was noted that Mr. Mahoney's term would be ending at that time.

The next meeting was noted to be on May 9. Members were asked to bring calendars so that the schedule for the rest of the year could be determined.

Ms. Ortner moved to adjourn the meeting. Mr. Taylor seconded the motion and ALL VOTED IN FAVOR. The meeting was adjourned at 8:50 P.M.

Respectfully submitted,

Lara Kritzer
Senior Planner

Minutes Approved on: June 14, 2016

Bouzha Cookman, Clerk