

Community Preservation Committee

January 26, 2009

PRESENT, Members; Mr. Bulman, Ms. Ivas, Mr. Leavitt, Mr. Limbacher, Mr. McKain, Mr. Scott, Mr. Snow, Mr. Trafton, Mr. Wood

Others, Mr. Wait, Ms. Connolly, Ms. Bailey, Mr. Ball, Mr. Corbin, Mr. Rosen, Ms. Robbins, Ms. Fenton

Meeting Called to Order – 7:05

I Agenda

MOTION by Mr. Leavitt, **SECOND**, by Mr. McKain and UNANIMOUSLY VOTED to accept the agenda as submitted.

II Vote on Fiscal Year 2010 Applications

1. Hennessey Proposal, Mr. Limbacher excused himself from discussion and vote.

MOTION by Mr. Bulman that the CPC vote to recommend funding in the amount of \$355,200 or the amount of the appraised value plus \$5,000 for legal fees, whichever is less, for the acquisition of 20.6 acres shown as Lot A on the application, **SECOND**, by Mr. Snow.

Discussion - Mr. Leavitt explained the reasons why he is opposes this application. Mr. Scott also explained his reasons for opposing the application. He cited the Water Resource Committee's ranking of priorities and noted that this parcel was given 17 points out of a possible 47 points. Mr. Scott also indicated that he had had a discussion with the Town Administrator and pointed out to the Committee that the Selectmen were actively engaged in discussions with a land owner for property that would provide a future water supply and the cost of the said land would be considerable and of higher priority than the Hennessey parcel. Both gentlemen felt that the land didn't impact Scituate's water supply significantly enough to warrant the price, that there was substantial open space already in the west end of the town and that some other pieces of land with a direct impact on the Town's water supply would be available for purchase with in the year and the money would be better off spent on those parcels. Mr. Snow voiced his support of the purchase, sighting in particular that the fact the parcel was contiguous to other open space was very important. Ms. Ivas is still undecided.

Mr. McKain wanted to correct the price per acre to \$17,000, which he reminded the committee is consistent with what the town has paid in the

past per acre. Mr. Bulman asked to **AMEND** voting to include that they (the Hennessey family) provide the town with an easement for access from Summer Street as well as an easement for parking of vehicles in a small area on Summer St. **So moved** by Mr. Leavitt. Mr. McKain noted that Mr. Gene Babin (head of the water department) unanimously supported the purchase of this property. Mr. McKain like Mr. Snow doesn't see the issue of whose water supply does it impact more directly as an issue as water is important to all communities. He is in favor.

Mr. Wood noted that one member of the Water Recourses Committee filed a strong dissent to the prioritized list and is in strong support of the purchase of this parcel. He also mentioned that CPC did not approve any open space projects last year and Hennessey is the only open space before the CPC this year. He cannot see CPC not approving this application especially in light of the fact the open space is suppose to be a priority of the CPA. Mr. Trafton is in favor. Mr. Bulman supports the proposal not only as a secondary water supply but more importantly as an addition to a significant investment the Town has already made which augments the lands the Town already owns.

VOTE 6-2 with Mr. Leavitt and Mr. Scott opposing

MOTION by Mr. Bulman that the CPC vote to recommend funding in the amount of \$17,000 per acre or the amount of the appraised value whichever is less, for the acquisition of .92 acres shown as Lot A on the application, **SECOND**, by Mr. Snow.

VOTE 7-1 with Mr. Scott opposing

2. WPA Building

MOTION BY Mr. Limbacher that the CPC vote to grant the expenditures of \$210,600, **SECOND** by Mr. Scott.

Discussion – Mr. Scott complementing Mr. Smith of the Historical Commission for their ranking of projects is in favor as well as Mr. Wood. Mr. Trafton has concerns as to whether or not the property could be financially maintained. Mr. Leavitt's reservation is the viability of the building as a visitors' center, however with the arrival of the train he can see the building becoming a central location of the N. Scituate community.

VOTE9-0 in favor

Mr. Snow left the meeting

3. Ellis House Restoration

MOTION by Mr. McKain to appropriate \$210,000 for phase I, to restore and weatherize the Ellis House located on the Ellis property, **SECOND** by Mr. Trafton.

Discussion – Mr. Wood feels there is a lot of value in the building. Mr. Leavitt doesn't argue that the building has historical architectural value, however his concern is that the total cost to restore the Ellis House will be closer to a million dollars and if the CPC starts the process then the CPC will be bound to see the project through. Ms. Ivas questions what the alternative is, it's Town owned so if it's not restored what is its value. In Mr. Scott's opinion the alternative is the building will fall down and the Town will have to tear it down and then there will be additional acreage for open space, and trails and fall to the Conservation Commission to oversee. Mr. Scott is not in favor; partially because of the projects historical ranking given on a list of priority projects submitted by the Historical Commission. Mr. Scott is willing to make a motion, if this one doesn't pass, to give the SAA \$5,000 to pursue a National Historic Register Nomination, through the Scituate Historical Commission; in doing so the SAA will be able to pursue other funding. Mr. Limbacher feels the building needs significantly more money than the SAA is asking for. He echoes Mr. Leavitt's opinion that once you start the project the CPC will be under pressure to finish it. He doesn't feel it's up to CPC to take a Town owned building and restore it if the Town isn't willing to commit Town funds. Mr. Limbacher's other strong concern is; does the project meet the requirements of "use and access". He also questions how viable the SAA is. Mr. McKain cites the Historic Commission's ranking of projects and wonders if the expenditures of these funds are appropriate given the Historic Commission's recommendations. Mr. Leavitt feels that the Ellis House will be able to receive a National Historic Register Nomination, however in doing so he is concerned that it will give false hope to the SAA. Even before the recent budget cuts the Mass. Historical Commission didn't have much money. Mr. Bulman has questioned from day one the benefit to the general public. Additionally, open space is the main focus of the CPA and he feels the public would have major opposition to spending almost a million dollars. Also, given the fact that most of the structure is made of wood the upkeep going forward would continue to be costly versus the WPA building which is mostly stone. Mr. Bulman also echoes Mr. Limbacher's feelings that it is a town owned building and the town should commit funds to repair it.

VOTE 0-7-1 with Mr. McKain abstaining

MOTION by Mr. Scott that CPC recommend to the Town approval of funding in the amount \$5,000 to be used by Scituate Historical Commission to seek the National Register of Historic Places Nomination for the Ellis House, **SECOND** by Mr. Limbacher.

Discussion none

VOTE 8-0 in favor

4. Whitworth Cannon Restoration

MOTION by Mr. Leavitt that the CPC move to approve the expenditure of \$18,752 for the purposes of restoring the Whitworth Cannon, **SECOND**, by Mr. Limbacher.

Discussion Mr. Bulman asked Mr. Corbin for the documentation that says the cannon is historically a Whitworth Cannon. Mr. Corbin did have and handed out the documents asked for, and he further explained them. Mr. Ball wanted to inform the members that the Historical Society is thinking of installing at the corners of the pad granite posts with chains. The Historical Society would be contributing a minimum of 20% of the cost of the restoration. Mr. Bulman thanked the Historical Society, noting that each time they ask for funding they always contribute at least 20%.

VOTE 8-0 in favor

5. National Register of Historic Places Union Cemetery

MOTION by Mr. Leavitt the CPC move to allocate the amount of \$5,000 for purposes of acquiring a National Register Nomination for the Union Cemetery, **SECOND** by Mr. Bulman.

Discussion none

VOTE 8-0 in favor

6. Records Preservation

MOTION by Ms. Ivas that the CPC approve the expenditure of \$25,000 for Historic Preservation of the Town Archives, **SECOND** by Mr. Leavitt.

Discussion none

VOTE 8-0 in favor

7. Girls Softball Field

MOTION by Mr. McKain that the CPC allocate \$315,000 for the construction of a softball field at the high school, **SECOND** by Mr. Leavitt.

Discussion Mr. Bulman asked Mr. Scott if the budget was sufficient. Mr. Scott informed the committee members that the town engineer looked over the plan. The one thing Mr. Scott cautioned very strongly is that the issue of wetlands replication is not addressed in the budget. Overall Mr. Montanari, the town Engineer, feels that other than replication of the wetlands, the field can be built with this budget. Mr. Bulman posed the question as to whether or not the vote should be reworded say that the Recreation Commission needs to get the design done showing there is a

need or not to replicate the wetland before they proceed with construction, therefore insuring the budget is sufficient.

MOTION TO AMEND by Mr. Bulman that the funding after the initial design and any orders of conditions were obtained that the DPW sign off that this is a sufficient budget to include any wetland replication before any construction proceeds, **SECOND** by Mr. Leavitt

VOTE on Amendment 8-0 in favor

Additional Discussion Mr. Wood asked the question to Mr. Limbacher; does a plan involving wetlands have to go before the Conservation Commission? Mr. Limbacher answered that it did. Secondly Mr. Wood asked if the application was approved and then it was determined that a vernal pool existed on the parcel what happens. Mr. Limbacher replied that it would revert back to the amendment. Mr. Bulman explained the process, citing the worst case scenario is the CPC has expended the design money, which is approximately 10%.

VOTE 7-0-1 Mr. Wood abstained

8. Driftway Pedestrian Trail

MOTION by Mr. Scott that the CPC approve \$82,000 for completion of the pedestrian trail from its current ending point, Kent Street, to the Harbor, contingent that any grant monies received reduce the amount of CPC expenditures, **SECOND** by Mr. Limbacher.

Discussion none

VOTE 8-0 in favor

9. Driftway Park/N. River Access

MOTION by Ms. Ivas to Indefinitely Postpone this item, **SECOND** by Mr. Scott

VOTE 8-0 in favor of postponement

10. Driftway Affordable Housing

MOTION by Mr. Scott to Indefinitely Postpone this item with the recommendation that the Housing Authority work with the Affordable Housing Trust, **SECOND** by Mr. Leavitt.

VOTE 8-0 in favor of postponement

11. Affordable Housing Trust

MOTION by Mr. Bulman that the CPC vote to allocate \$700,000 transfer to the Scituate Affordable Housing Trust, **SECOND** by Mr. McKain.

Discussion Mr. Leavitt voiced concerns that the Town doesn't understand the authority that the Housing Trust holds. Mr. Bulman reminds the Members that the Selectmen control the Housing Trust by both appointing the members and that the statute of the Trust requires a Selectmen to be

on the Committee. Mr. Bulman also brings up the point that by virtue of the Act the CPC has to spend money on affordable housing.

Mr. Leavitt maintains his strong opinion that when the Town fully understands the power of the Affordable Housing Trust they will be "up in arms". Ms. Fenton, from the Advisory Board, mentioned that in the past even after a group of experts agreed that a parcel was appropriate for affordable housing, and everything seemed to be a positive go, on the floor of Town Meeting one or two neighbors derailed the whole project. So if you have to choose between those two types of governing bodies, one which could be any one person rallying against a project, or one which is a Trust, that is selected by the Board of Selectmen, which has members that are professionals in finance, real estate, and affordable housing, what would be the better governing body?

VOTE 8-0 in favor

General Business

There was discussion among the member regarding closing out old articles and the procedure that involved.

MOTION by Mr. Limbacher to approve all minutes to date, September 8, 2008, October 20, 2008, November 17, 2008, and December 1, 2008, **SECOND** by Mr. Bulman

VOTE 8-0 in favor

It was suggested that a letter of thanks be sent to the Water Resource Committee and the Historical Commission for their compliance of the CPC request prioritize current and anticipated projects.

MOTION to adjourn Mr. Scott, **SECOND** by Mr. Bulman

8-0 UNANIMOUSLY VOTE

Respectfully Submitted,

Karen S. Crowell