

## Community Preservation Committee

June 8, 2009

MEMBERS PRESENT: Mr. Bulman, Ms. Ivas, Mr. Leavitt, Mr. Limbacher, Mr. Scott, Mr. Trafton, Mr. Wood, Mr. Snow (arrived 7:12 P.M.)

OTHERS: Ms. Vitelli, Mr. Sharry

Call to order 7:05 P.M.

MOTION by Mr. Limbacher, SECOND by Mr. Trafton and UNANIMOUSLY VOTED 6-0 to accept the agenda as submitted.

### General Business –

Mr. Bulman informed the members that Mr. Paley's concerns had been responded to.

Application Review; Mr. Bulman asked the members if they reviewed the Town of Nantucket's application process. He is particularly interested in Nantucket's process if following a project through to completion.

Mr. Bulman is working with Town Counsel on drawing up a form for the conservation restrictions.

Mr. Bulman feels there needs to be more permanent signage on CPC funded projects. Something similar to the plaques that are on the basketball courts at the high school, a form plaque that can be bought in bulk.

Girls Softball Field – The report from Mr. Richardson states the existence of a vernal pool. Mr. Bulman reminded the members that the vote of Town Meeting was for a softball field, for \$315,000, not necessarily at the location in front of High School. So if the softball field can still fit in that area without interfering with the vernal pool okay. If there is another location where it could work within the budget he doesn't see a problem.

Mr. Sharry stated that the premise of the whole project was to have the softball field at the high school campus.

Mr. Bulman said he would double check on the revisions that are before the legislature now to make enhancements to the CPA Act, because if those revisions pass then towns that don't have open space can redo existing space. In that event the field at Cushing School would be ideal.

Mr. Sharry asked if there was a time limit on the approved funds to which Mr. Bulman answered 3 years.

Mr. Wood asked if the CPC could consider putting an article in the Special Town Meeting dropping the 3% CPA surcharge down to 1% for one year with the provision in the same article that it gets reset to 3% the following year then put in a second article that would levy a special 2% real estate tax surcharge, not CPA money but town money for one year in order to fund a softball field upgrade a Cushing.

Mr. Bulman replied that the Town can't do that because of proposition 2 ½. Additionally the monies would have to go into the general fund and Mr. Leavitt explained that the Town has a capital plan in place and this project would most likely be of lower concern than other projects.

Mr. Leavitt wanted to know if there was a way the recreation commission could appeal the finding of a vernal pool. Ms. Vitelli said that the conservation agent suggested that a feasibility study be done on the area in question.

Mr. Scott explained that just because there is a vernal pool it doesn't mean the softball field can't be built in that location. It indicates that serious environmental permitting may be required, all the way up into an IER. If the recreation commission wants to proceed down that road an engineering firm would have to determine the feasibility and the permitting requirements to see that it could be done within the budget that was provided by the CPC. Then you would go to permitting and design and then construction drawing.

Mr. Bulman suggests that if the ACT is going to be changed in the next six month then that would not be the path to take. There may need to be some wait and see. The legislative session ends in November.

Mr. Bulman suggests that the Recreation Commission get the proposals and have the engineer give a feasibility study, so it is laid out what the extra costs would be.

Mr. Scott asked if it was a consensus of the board members to allow the Recreation Commission to use CPA monies for the engineering study.

Mr. Bulman clarified; he's saying get the proposal and then the board would have to vote.

There was discussion between Mr. Sharry, Ms. Vitelli and the members as to whether or not there were other options, should the Recreation Commission get a second opinion, can the vernal pool be replicated, etc. In the end it was decided the Recreation Commission would ask Stan Humphries, of LEC, to meet with them informally and discuss the project and give an opinion on how to proceed if at all.

MOTION by Mr. Snow and SECOND by Mr. Leavitt to accept the minutes of January 12, 2009, January 26, 2009, February 9, 2009 and March 16, 2009 as amended and UNNAMIMOUSLY accepted 7-0.

Mr. Limbacher asked for an update on the PATH project and was informed that it was permitted to Wigwam, but not all the way to Hatherly Road and the width of the PATH had

been reduced to six feet. There were two conditions put forth at the previous meeting one, they needed to obtain the easement from Hatherly Country Club and two they need to permit the PATH all the way to Hatherly Road. Mr. Bangert had informed Mr. Bulman that he had a meeting with the Trustees of the Country Club and they were in the process of working out the easement form and wanted to know if the RFP could be put out. Mr. Bulman responded that he had still not heard from Ms. Lydon with respect to the NOI for the balance of PATH from Wigwam to Hatherly and as of this meeting he had not had any further response.

MOTION by, Mr. Limbacher, SECOND by Mr. Snow and UNANIMOUSLY voted to 7-0 to adjourn.

Respectfully Submitted,

Karen S. Crowell