

Community Preservation Committee

October 5, 2009

MEMBERS PRESENT; Mr. Bulman, Mr. McKain, Mr. Limbacher, Mr. Leavitt, Mr. Scott, Mr. Wood

CALL TO ORDER – 7:05 P.M.

I Agenda - MOTION BY Mr. McKain, SECOND BY Mr. Limbacher and UNANIMOUSLY VOTEED 6-0 to accept the agenda as submitted.

II Bruce Wait –

1. Bruce Wait for the Steverman and the Mirachi Families. Both families have parcels of land that abut the reservoir. Mr. Wait showed the members a map pointing out where the parcels lie. The Mirarchi Family has already submitted an application of eligibility, the Stevermans have not. Neither family realized Mr. Bangert had submitted a pre-application on the Steverman property. Mr. Wait explained that the Steverman's haven't fully explored their options for this parcel; but due to financial constraints the Stevermans were not in a position to fund an appraisal. Mr. Bulman explained that the idea is to put in an application with the idea that CPC will acquire the property, and acquisition of land almost always meets the CPA criteria. He further explained that the CPC always gets their own appraisal; if it is a parcel they are interested in pursuing. Traditionally CPC has paid \$17,000 per acre. Mr. Scott issued the opinion that some of the front land of the Steverman property is much more valuable than that. He also suggested that a wetlands study of the property be reviewed. Mr. Wait did say that the Mirarchi property is quite wet and could probably support one house lot while the Steverman property could probably support six, and he assumed that would be taken into consideration by an appraiser. Mr. Bulman summarized by saying that the CPC is looking to acquire open space but not paying top dollar for developable land. He further suggested that Mr. Wait, the Stevermans and the Mirarchis look at the Hennessey property purchase and possibly come forward with a similar mixed use plan. Ms. Robbins came forward to say that she had spoken with the APR people and they were working with a representative who will E-mail information on how to determine the value of the building rights. The representative did say that they don't get involved with anything less than five acres, this parcel would qualify. The soil would need to be tested to make sure it is worth preserving. Mr. Bulman stated that perhaps a plan could be put in place were the Town would acquire rights to the property, but it would stay undeveloped and the Stevermans could stay with some kind of a life estate. Mr. Scott asked to revisit the Mirarchi property again with regards to the wetlands and a possible house lot. Mr. Wait said that it would have to be a limited project because the upland is in the back and it would be a tough conservation approval. It is very much like the Hennessey parcel, what's called under the definition in the Act, Limited Project, where you're only access to upland is through wetlands.

III - Applications of Eligibility submitted by Mr. Bangert

1. Restore Town Hall application – Mr. Bulman said that on the face of the application he didn't see anything that proved Town Hall was historic. Just because a building is 50 years old doesn't necessarily make it historic. Mr. Scott sited that under the CPA laws historic preservation has to be either of architecturally historic value or of historic value to the community, and he doesn't see that Town Hall meets either of those criteria. MOTION by Mr. Limbacher, SECOND by Mr. Wood and UNANIMOUSLY VOTED 6-0 that based on the preliminary application the application submitted by Mr. Bangert for Town Hall as a historical structure does not seem to comply with CPA guidelines and therefore does not qualify for CPA funding.
2. Construct New Ball Fields application – Mr. Bulman read the application submitted by Mr. Bangert on behalf of the DPW to build new ball fields on the closed land fill. On the face of the application it does qualify for

CPA funding, however whether or not a study would have to be done to see if it is safe for fields is a separate issue. Mr. Scott said that comprehensive study before the State will allow you to uncap the landfill. Mr. Bulman agrees but because of the prior use it does qualify for funding. Whether or not the project is feasible is not the issue before the CPC now. MOTION by Mr. Limbacher, SECOND by Mr. Bulman, that based on the preliminary application to provide recreational space on the land fill the application does comply with CPA guidelines and therefore does qualify for CPA funding. FURTHER DISCUSSION: Mr. Wood questioned whether there should be a side comment that the project was met with negative reaction. Mr. McKain didn't feel this was the purpose. Mr. Bulman echoed that, stating an application of eligibility isn't whether or not it will be funded, it's about whether or not the projects qualifies under CPA guidelines. Mr. Scott agreed with Mr. Wood in terms of not wanting the applicant to go forward in the process if there were serious flaws with the project. Mr. Bulman reminded the members that applications were due in three weeks and with the one line application of eligibility he doubted that a serious application would be coming forth. Being no further discussion the MOTION WAS VOTED UNANIMOUSLY 6-0 that the application does qualify.

3. Revolving Funds to Maintain Assets Built with CPA Funds- applications submitted by Mr. Bangert. Mr. McKain felt it was unnecessary to bank money to renovate, restore, or to fix things bought with CPA funds. Mr. McCain's position is the money is there, if there is a project that needs renovation or restoration come forward with an application and it will either be accepted or rejected. Mr. McKain also thought \$150,000 was a silly amount. Although the pre-application doesn't state it, Mr. Bulman assumes that the DPW would manage the funds and that wouldn't qualify under the CPA guidelines. Mr. Scott questions whether any maintenance could be funded with CPA funds. Mr. Bulman assured the members that if a recreational use is built with CPA funds, then you are allowed to maintain it under CPA regulations. There was continued discussion among the members about how and when CPA would fund maintenance expenses. Historically the CPC has asked applicants to build into their budgets maintenance costs, and the CPC has been conscious of not creating things that add an additional burden to the Town. Mr. Leavitt cautioned that; if applicants thought they could apply for capital funds as well as maintenance funds, a great deal of the CPC resources could be undesirably targeted. MOTION by Mr. Bulman, SECOND BY Mr. Wood and UNANIMOUSLY VOTED 6-0 that the application for eligibility to create a Revolving Fund to Maintain Assets Built with CPA Funds, assuming it is to be managed by the DPW, does not qualify for CPA funding.
4. Purchase Property along Country Way, Town of Scituate – The application submitted by Mr. Bangert is to purchase the property known as Steverman Farm for the purpose of creating recreational playing fields. MOTION by Mr. Bulman, SECOND by Mr. Wood and UNANIMOUSLY VOTED 6-0 that the application of eligibility to purchase property along Country Way qualifies for CPA funding under the provisions of the Community Preservation Act.
5. Restore the Gates School as a Community Center, requesting CPA funding in the amount of 2.1 million dollars. The project recommends applying CPA funds for the restoration/conversion of the Gates School to a multi age community center and supplemental services office. Mr. Scott questioned if the school department had been approached with the plan. Mr. Bulman stated that on the face of the application the applicant didn't provide evidence that the school was historic or historically significant. If it was, Mr. Bulman doesn't feel the applications meet CPA guidelines because of the clause "conversion of use to a multi age community center". If the project was to use the building in its preserved form that would be one thing, to the extent that monies are used inside to change the structure to something else fails to qualify under the CPA guidelines. Mr. Leavitt did say that the Gates School has some marginally historical aspects. Mr. Leavitt feels the application is a contradiction; you can't preserve a building on the one hand and then convert it on the other. MOTION by Mr. Leavitt, SECOND by Mr. Wood, that the application to restore and convert the Gate School be denied because it does not qualify for CPA funding under CPA laws. FURTHER DISCUSSION;

Mr. McKain questioned how old the original school was. Mr. Scott believes it dates back to the early 1900's. There was discussion on restorations already done to the school. Mr. McKain disagrees with Mr. Bulman with regard to if the pre application meets eligibility requirements, on the grounds that if it is historic then it can be used for the proposed purpose. Mr. Bulman clarified that it can be used for any purpose as long as you restore it without changing it. Mr. Leavitt cautioned the members that the CPC is not interested in every historic building; they are interested in qualitative historic buildings. Mr. Bulman stated again, that historic isn't just about age, it's about historic significance, and you need something from the local historical society or being listed on the National Register. Mr. McKain read an excerpt from the CPA website that he felt addressed this application and provided provisions for its acceptance within CPA guidelines. Mr. Scott read another CPA publication that seemed to substantiate Mr. McKain's opinion. Mr. Wood asked Mr. Leavitt what the Historical Societies determination on the Gates School was when an application had been presented previously to the CPC for monies to refurbish the Gates School. Mr. Leavitt said that at the time the Historical Society determined the building not worthy, although it did meet all the technical requirements. There being no further discussion the motion was VOTED 3-3 that the application did not qualify for CPA funding. MOTION by Mr. Scott, SECOND by Mr. McKain and VOTED 4-2 that the Gates School project qualifies for CPA funding with the provision that the applicant seek from the Historic Commission a determination that the building is of historic significance to the community.

IV - General Business

1. The CPC received letters of thanks from Claire McDonough and St. Mary's. Mr. McKain read them aloud to the members.
2. Mr. Bjorklund informed the members that he will probably be filing an application that would fall under the Open Space category.
3. Mr. Leavitt asked if any progress had been made on the Goulston Property and as of this date there has been none.
4. Meeting scheduled for October 19, 2009 will be canceled.

MOTION by Mr. Limbacher, SECOND by Mr. Bulman and UNANIMOUSLY VOTED 6-0 to adjourn the meeting.

Respectfully submitted,

Karen S. Crowell