

Community Preservation Committee

Monday, November 28th, 7:00 pm at the GAR Hall, Scituate, Massachusetts

MEMBERS PRESENT: Chairman John Bulman, Mrs. Lisa Fenton, Mr. Harvey Gates, Mr. George Trafton, Mr. Paul Scott, Mr. Rich Lane, Mr. Bill Limbacher, Frank Snow (arriving after opening of meeting)

OTHERS PRESENT: Mr. Robert Morrissey, Atty Michael Hayes, Atty William Ohrenberger, Mr. John Sieminski, Mr. Steve Bjorklund, Ms. Penny Scott-Pipes, Mr. David Ball, Mr. Robert Gallagher, Ms. Betty Miessner, Mr. Gregory Morse, Ms. Cynde Robbins.

I. CALL TO ORDER at 7:03 pm

II. ACCEPTANCE OF MINUTES

MOTION to Accept the Minutes for the November 14, 2011 meeting, by Mr. Limbacher, SECONDED by Mr. Scott, and UNANIMOUSLY VOTED 7-0 to accept the minutes as submitted.

III. NEW BUSINESS: APPLICATION HEARINGS

Mr. Bulman gave a brief description of how he would like the hearings to proceed. He stated that each applicant should give a brief presentation of their request and then the Board would hear from the Liaison for the project, and the comments or inquiries from each Member. Comments/questions from citizens attending the meeting would be entertained after the presentation and Member comment/questions.

1. Kent Street / Maytime Trust: Mr. Robert Morrissey and Atty Michael Hayes were present for the Applicant. Atty Hayes introduced Mr. Morrissey as the owner of 4.65 acres of operative marsh landing off Seagull Lane and Kent Street. The acreage abuts Town property, directly to the left of Peggotty Beach and Town Way. Atty Hayes stated that they feel it is valuable to the Town because it protects open space and environmentally extensive area. It is also valuable to the future generations of the Town of Scituate, due to the piece of parcel possibly being part of Peggotty Beach with future erosion. Mr. Scott was the liaison for the project. Mr. Scott spoke of the aerial photograph, map and assessors sheet that he obtained at Town Hall. Mr. Scott discussed the assessed value of the land. The assessment has gone down. Mr. Scott had spoken to the Town Planner about the frontage off of Kent Street. Mr. Scott stated that the property does qualify for funding since it was real property. Mr. Scott's concern was for the possibility of the parcel becoming ocean front property. He felt that the property is worth having, but was just not sure of the amount that CPC should pay for it.

Mr. Trafton asked about the water supply or protection value. Mr. Bulman commented that the parcel was possibly unbuildable and that this was salt-water marsh so there was no fresh water protection value that he could see. Mr. Trafton asked how the Board would come to an agreement on the amount to purchase the parcel. Mr. Bulman stated that this wouldn't happen until after the CPC voted positively to acquire the property for a specified not to exceed value.

Mr. Snow (arrived after acceptance of agenda) asked to see the plan that Mr. Scott had shown the group. Mr. Bulman asked that Atty Hayes provide the Board with a breakdown of acreage between wetland and upland. Mr. Snow asked if there was a way to create a path or a road to get into the property.

Mrs. Fenton commented on the tides as she referred to the maps. Mr. Snow pointed out the bike path. Atty Hayes stated that Mr. Morrissey would like to have the board consider some rights to do some pruning. Mrs. Fenton asked how the asking price had been decided upon. Mr. Morrissey stated that it was the Town's assessed value of the property.

Mr. Lane asked Mr. Morrissey why he was looking to sell the property. Mr. Morrissey stated that he had the condominiums right now and would like to preserve the view. If the Town of Scituate does not want the property, then he would attempt to pursue other avenues.

Mr. Limbacher asked Mr. Morrissey what the Town of Scituate would get by owning the land. Mr. Morrissey said simply that it would be open space. Atty Hayes spoke to this response stating that it is possible that it could be buildable.

Mr. Steve Bjorklund spoke to this as well, stating that if the right person wanted the lot to be a buildable lot, it could be. Mr. Bulman restated that in his view, it isn't the concern of the Board as to whether or not it is buildable, but whether or not the Town should acquire the parcel to keep open space. It becomes a question of value. Mr. Scott spoke again to years down the road and what would come of the property and what the value is as of right now. Mr. Bulman spoke to Mr. Morrissey about the price and stated that the value is a question and if the CPC votes to try and acquire it may not be at the requested price.

2. Henry Turner Bailey Road: Atty. William Ohrenberger spoke representing the applicant about the property that Mr. Siemenski owns that abuts the Bound Brook/MBTA line in the back and the public road in the back. Mr. Ohrenberger presented the property as having potential value for open space preservation, and the possibility of recreational use. Atty Ohrenberger mentioned possible water supply protection value as well, due to proximity to an old well across the street. There is a vegetative buffer and an abandoned well on the property across the street. The assessor shows the property at 4.1 acres. The Siemenski's don't

have the funds to develop or do more with the property so they are looking for the Town to acquire and preserve it. The proximity to the North Scituate business district brings some possibilities to what the Town can do with the land. Atty Ohrenberger said that it is possibly developable. Mr. Bulman asked who the abutters were. Atty Ohrenberger did not know who the abutters were.

Mr. Snow, the liaison to the project, spoke about the assessor plan that he acquired from Town Hall. He said that there were some uplands on the property. He said that there is a potential of water protection and there is a spring on the property adjacent to this parcel.

Mr. Lane, also a liaison, spoke about the Train station in North Scituate being restored and asked if there was any interest in the land being acquired this way. Mr. Lane asked Atty Ohrenberger if he had thoughts on what the land should be used for. Atty Ohrenberger stated walking trails. Mr. Lane felt that the land was too wet.

Mr. Bulman asked if there was a breakdown of upland and wetlands.

Mr. Scott spoke about the well on the abutting property being in operation in the late 1930's. It has been capped for almost 40 years at this point due to unsuitable water. He was interested in the water preservation piece of the parcel.

Mr. Trafton asked about the habitat in the area and the wildlife.

Mrs. Fenton had no questions.

Mr. Gates asked about the 4 acres being mostly uplands. Mr. Snow said that the parcel is wet but that there is a piece of land off of Henry Turner that is upland and that you could access the land from there. Mr. Bulman stated he only sees this piece as either a water preservation or open space parcel.

Mr. Limbacher had no questions.

Ms. Penny Scott Pipes spoke about the Conservation Commission looking at this due to the proximity of Bound Brook to the property.

3. Justice Cushing Dallin Plaque Restoration. David Ball from the Scituate Historical Society introduced himself, as did Robert Gallagher, the current resident of the Scituate Lighthouse as well as a member of the Historical Society. Prior to his presentation of the application, Mr. Ball gave the Committee an update on the renovations at the Scituate Lighthouse. The \$85,000.00 project, which the Town contributed \$75,000.00 to, went out to bid in the spring. The major restoration was done during the summer and fall of 2011. Mr. Ball spoke

to the new heating system that Mr. Shawn Harris put into the project. Mr. Harris was able to have the boiler, the indirect hot water heater, and the new oil heater donated by suppliers. There was no cost to the Town for these supplies. Mr. Harris also donated all of his labor and time. Justice William Cushing Dallin Plaque. David Ball spoke about a recent article in Boston Globe. This particular plaque was designed and cast by a well know American sculptor, Mr. Cyrus Dallin. Mr. Dallin did a sculpture outside the MFA and also is known for his casting of Massasoit. This plaque is in an undisclosed location in Scituate. It is located near a highway. Road salts, gas and combustion, dirt and grime, etc. have impacted the plaque. Ms. Betty Miessner added that it was affected by development on Route 3A. The plaque is located near the rotary on Route 3A. Mr. Ball stated that the value of the plaque is between \$40,000.00 - \$60,000.00. This proposal is to remove the stone and plaque out of the ground and transport it to Woburn, MA , where it would be blasted and treated to preserve the casting. Mr. Ball said that there would be a duplicate made as well. The proposal is to place the restored plaque close to Town Hall. Mr. Ball said after the work was done, the Historical Society would donate the plaque to the Town with hopes of it being more visited, and to possibly put a small park with benches around the plaque. Mr. Bulman asked Mr. Ball if there was a letter from the Historical Commission pertaining to the Historical value of the plaque. Ms. Miessner said that the letter would be written. Mr. Ball said that the Historical Commission recommended the company that would do the restoration.

Mr. Gates, liaison to the project stated that he has spoken to Mr. Ball about the value of the project.

Mr. Scott asked where the Historical Society would keep the duplicate and rubber mold of the casting. Mr. Ball stated that it would probably be kept at the Little Red School house. Mr. Scott also asked why the plaque was put where it is put. Mr. Scott wanted to know if there was significance to where it was placed and if it was an issue to move it. Mr. Ball said that it is in relation to Chief Justice Cushing's grave but that if it is moved, it would have more of an educational significance for the Town.

Mr. Trafton had no questions.

Mr. Snow discussed the historic value and how it would be devastating to see something happen to the plaque. Mr. Gallagher spoke about the prominence of Chief Justice Cushing and felt the same as Mr. Snow that something should be done to protect this piece of history. Ms. Miessner stated that the Cushing farm was originally located where the plaque is.

Mrs. Fenton asked about the costs on the proposal. Mr. Ball said that a sign company would produce the history of the plaque and the signage, providing an

exterior sign similar to the one on Lawson Tower. Mrs. Fenton stated that she felt that it was a wonderful project that she would support.

Mr. Lane felt the same and was excited to see where it could be placed at Town Hall. Mr. Lane thought it could be located in conjunction with the softball field and playground projects happening at Town Hall with the Recreation Department.

Mr. Limbacher had no questions.

Mr. Bjorklund commented on how the park over off Neal Gate Road, Chief Justice Cushing Park, is the smallest state park in Massachusetts. Mr. Bjorklund thought that maybe the State would get involved and maybe grant funds for the project. Mr. Ball stated that the biggest concern right now is the location of the plaque. The Historical Society wants it moved before it is damaged or vandalized. Mr. Ball said that he would like to continue to be vague about its location. He would like to see it removed as soon as possible. Mr. Bjorklund stated that maybe all should leave the value of the plaque out of the conversation until after Town meeting.

4. The Scituate Lighthouse Books: Mr. Ball brought a copy of one of the old Scituate Light House logbooks to show the CPC. Mr. Gallagher spoke about the book being significant for the Town and for research. Mr. Gallagher found the book in a closet at the lighthouse. Mr. Ball proposed using Brown's River Company to restore the books. Mr. Ball said that the Town Clerk had used the company for the Town archives and that they are a premier company. A representative from the company can come to Scituate and see the books, which keeps it in our possession as opposed to us sending them out to be reviewed, with the possibility of damage or disappearance. Mr. Ball said that we are very lucky to have these logs. Most lighthouses do not have their books. Scituate is very lucky to have possession of these logs. They are dated from 1891-1911 and further. Mr. Ball discussed the chemical makeup of the book. The books need to be de-acidified and re-bound. The books cover needs to remain the same. The Historical Society contribution would be \$200.00. Each of the books is in similar condition of disrepair. Mr. Gallagher said that two of the books' covers have completely come off. Mr. Bulman addressed Mr. Gates and referenced some prior concerns voiced by the Historical Commission about the qualifications of Browns River Printing. Ms. Cynde Robbins stated that it was a concern in the past because there was a thought that the Browns River was not restoring the product correctly. Mr. Ball stated that this isn't a complex project as long as the product is not damaged itself. Mr. Bulman stated that he just wanted to have Mr. Ball be assured that the work being done by Brown's River was being done correctly. Mr. Bulman was concerned more of the proper restoration of the books. Mr. Ball wants to be sure that the value of the books is not compromised.

Mr. Ball assured Mr. Bulman that he would speak with the Historical Commission before going forward with Brown's River, in case of any concerns.

Mr. Trafton asked about the covers of the books being protected. Mr. Ball said that they would be re-secured and possibly covered with laminate sleeves.

Mr. Bulman asked if there were going to be copies made in case anything were to happen to the copy at the school house. Mr. Bulman also asked if the copies would be made so that people can view the actual book, but look at the copy instead of the actual. Mr. Ball stated that this was done for the 1903 Atlas. Mr. Ball said that Mr. Bjorklund was on the Committee at the time and Mr. Ball said he asked that it be put on a disc so that it is accessible. Mr. Gallagher spoke about what was found and how he has put a lot of the items behind glass so that they are not touched but just viewed.

Mrs. Fenton had no questions.

Mr. Lane had no questions.

Mr. Limbacher felt that the second copy was also a very good idea.

Mr. Scott wanted to be sure that Mr. Ball's request for funds is sufficient for the project.

5. Old Oaken Bucket House: Mr. Ball presented the application, which requested CPC funding of \$20,000.00. The Historical Society would be putting in \$4,000.00. The total cost of the project is \$24,000.00. The Old Oaken Bucket house is on the National Register of Historical Sites. The main house was built in 1825 the back part was built in the 1650's. The "L" shape of the house was significant in the King Phillips War. The Indians, trying to set the Mill on fire, attacked Greenbush. People were hiding in the Old Oaken Bucket house and the Indian's never found them. It is stated that the walls of the "L" were built to withstand attack. This part of the house needs restoration. The roof decking needed to be started immediately. One part of the roof is being done now, but the windows and some sill work still remains. The estimate is a comfortable estimate and Mr. Ball feels it is sufficient to get the work done. Mr. Ball felt that the \$20,000.00 with the Society's \$4,000.00 will be enough. Mr. Ball also said that this amount is also under the \$25,000.00 that triggers the public bidding process.

Mr. Scott had no questions.

Mr. Trafton asked about the CPC allocation of funds to the property. Mr. Bulman assured Mr. Trafton that this is exactly what CPC funds are for, the restoration of a Town Historical Site.

Mr. Snow wanted to know if Mr. Ball had any contractors look at the property. Mr. Ball said that there had been no estimates as of yet.

Mrs. Fenton asked if the house was occupied and if the “L” was occupied. Mr. Ball said there were occupants and that the Main house itself was in good condition.

Mr. Lane asked about the public bidding process. Mr. Ball said he would need to go out to public bid if he went over \$25,000.00. Mr. Lane asked if there were different regulations to go by if it’s over \$25,000.00.

Mr. Limbacher had no questions.

6. Selection of Surveyor for the Crosbie Property: Mr. Bulman spoke to the Board about the Engineering Services for the property. Mr. Bulman presented the following chart to the Board.

	Crosbie	Hubbell	Crosbie & Hubbell	Pick up Flagging & Overlay
Merrill Associates	\$22,500.00	\$11,500.00	\$32,000.00	Included
Danena Engineering Associates	\$10,670.00	\$6,150.00	\$16,820.00	
Ross Engineering Company, Inc.	\$15,750.00	\$7,950.00	\$22,050.00	\$6,600.00
Morse Engineering	\$10,500.00	\$6,950.00	\$20,500.00	\$3,000.00
Grady Consulting, LLC	\$1,290.00	\$8,500.00	\$21,400.00	\$1950.00
Low Bids				
Morse	\$10,500.00			
Danena		\$6,150.00		

Mr. Bulman is concerned about the timing because of the closing of the property. Mr. Gregory Morse was present at the meeting. The Crosbie property was awarded to Morse Engineering, especially since the time frame for completion in the Danena proposal was 8 weeks, not the 30 days requested. Mr. Morse spoke to completion in 30 days. Mr. Bulman asked Mr. Morse how he came up with the figures on his proposal for the combined projects being much more expensive, and Mr. Morse stated that he couldn’t perform both properties within 30 days, so he proposed them separately with a higher price for Saturdays and overtime if he had to do them concurrently. The Board voted to award the proposal to Morse Engineering for Crosbie Property.

MOTION to award the Contract to Morse Engineering, for the Crosbie Property, by Mr. Snow, SECONDED by Mr. Scott, and UNANIMOUSLY VOTED 8-0 to accept the MOTION.

As an update on the AND Grant application for the Crosbie Property, Mr. Bulman said the EEA has yet to award or announce awards for the LAND Grant. Mr. Bulman said that he would check the website again tomorrow.

- V. CPC SIGNAGE: Mr. Limbacher spoke with Paul Kukstis and he said that he should have the signs completed in January. Mr. Bulman said then if we don't start seeing the signs in January, we would go with another sign company. Mr. Scott presented Mr. Bulman with a list of projects that need signs.
- VI. GENERAL BUSINESS: Mr. Snow said that he had a late application to bring to the Committee. Mr. Bulman asked that Mr. Snow go back to the applicant and have him fill out a formal application and submit it to the Board. Mr. Bulman then presented an application from the Town for Community Signage, which came in after the deadline as well. Mr. Bulman asked the Board to discuss whether or not it should be held to deadline or if we should consider the project.

MOTION not to accept the Community Signage Application for FY 2012 and to be held as an application for FY 2013, by Mr. Scott, SECONDED by Mr. Snow. Discussion ensued as to consideration of any pending grant applications or compelling timing needs for the projects, and justification for filing of the late application. The Committee did not see any pending issues requiring the project proceeds immediately. After discussion, it was VOTED 6-2 to defer the application to FY 2013.

Further discussion on the issue of any protocol for late applications followed. Mr. Gates felt that if the Committee sets a deadline for applications to be filed, then we should stick to the timeframe. There shouldn't be exceptions for applicants, because then it opens the door for all to apply at will. Mr. Snow agreed. Mr. Lane stated he didn't feel that anyone should be allowed to apply late and that the Board shouldn't waive the deadline date. Ms. Pipes thought maybe the Board should propose it for next year. Mr. Bulman and Mr. Limbacher stated that exceptions to the deadline should be considered on a case-by-case basis. Factors such as other applications affecting the projecting, availability of current grant funding, compelling need for the project (i.e. funding to complete a project already started or affecting public safety, tec.) should be considered. The Committee seemed to reach a consensus that late-filed applications should be considered on a case-by-case basis, dependant upon the circumstances of each such application.

VII. GENERAL BUSINESS: At 8:47 pm there was a MOTION by Mr. Limbacher to adjourn, SECONDED by Mr. Scott. There being no further discussion, it was UNANIMOUSLY VOTED 8-0 to adjourn.

Respectfully Submitted,

Lisa J. Potts