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Meeting Minutes

Town of Acton Community Preservation Committee

January 4, 2007

Acton Public Library

Attending: Jon Benson, Peter Berry, Tory Beyer, Catherine Coleman, Walter Foster, Matt Lundberg, Andy Magee, Susan Mitchell-Hardt, Ken Sghia-Hughes, Ed Starzec, Nancy Tavernier

Chair Catherine Coleman opened the meeting at 7:35 PM.

1. Applicant Presentation: Archaeological Reconnaissance Survey (Town of Acton)

Applicant Doug Halley presented a brief overview of the proposal for the benefit of the committee and the audience. He noted that he would be looking to leverage CPA funding with a grant from the Massachusetts Historic Commission (for somewhere between \$5,000 and \$15,000). There was some discussion among the committee as to whether it would be a good idea not to authorize the full amount so as not to give the impression that state grants are not needed.

There were some questions as to how the findings of the study will be used. Mr. Halley explained that the results would be recommendations that might apply to zoning regulations. He further stated that thresholds could be established for projects, likely related to overall project cost, above which some level of archaeological survey would be required for sensitive sites. Mr. Halley did not expect that this threshold would be so low as to include small projects such as new septic systems or backyard decks.

Roland Bartl noted that the project proponent should secure a letter of support from the Historic Commission to help justify the expenditure as a "historic" project. Walter Foster asked that the proponent include additional outreach to key groups and the public.

Mr. Halley noted that the project may result in recommendations for zoning changes which would require further polishing by the Planning Department and Planning Board, a public hearing, and then a positive vote at Town Meeting. There were some concerns from the audience that the development of the zoning language and subsequent enforcement will adversely burden Town of Acton staff.

Several commenters noted that the nature of the recommendations are unknown at this time and may not involve zoning regulations.

2. Applicant Presentation: River Street Dam Land (Town of Acton)

Applicant Doug Halley presented a brief overview of the proposal for the benefit of the committee and the audience. The site is owned by Lazaro Paving and is currently used for equipment storage. The owner has developed a plan for the site indicating

that it could accommodate 22 units of housing under existing South Acton zoning. An appraisal effort is underway to help establish the fair value of the parcel. Proposed uses for the land if purchased by the town would include passive recreation and possibly some affordable housing on appropriate portions of the site. Removing the existing dam is a key part of the project but would be funded separately, through a federal grant program. Dam removal could cost \$500k to \$1m.

Mr. Halley indicated that a 21E study would be done before the town took title to the land to identify any remaining contamination on the site. This study would hopefully be completed before Town Meeting. Any purchase and sale (P&S) agreement will be conditioned to respond to the findings of the study.

Some commenters expressed doubt that the site could accommodate 22 units of housing, given the site's environmental sensitivity and hoped that a more definitive assessment of the site's development capacity would be developed before setting a price for the land.

Another commenter expressed some concern with the proposal's lack of specificity about future use and wondered if it would be possible to bring such a vague proposal before Town Meeting. However, Town Counsel's review indicates that the committee could recommend that the land be purchased for "Community Preservation related purposes".

Several individuals highlighted the site's "smart growth" potential and speculated that a town-sponsored affordable housing component might be able to offset some of the land costs.

A member of the public asked whether remediation standards were higher for residential or recreational land and indicated support of residential if this meant that the site would be more thoroughly remediated. Concerns were also expressed regarding potential buildup of contaminated sediments in front of the dam. Mr. Halley indicated that any such sediments would be removed in accordance with applicable regulations as part of the dam removal effort.

Other members of the public expressed concern with proceeding without a full understanding of the site and its various issues. Could a partial demolition of the dam achieve the same goals as full demolition without removing too much of the site's historic character?

3. Approval of Minutes from 12/14/06

The minutes of the 12/14/06 meeting were approved with minor amendments.

4. Discussion of Town Counsel's Review of Proposals

It was decided that it would be more appropriate to discuss the Town Counsel's review of the proposals at the same time as each project is reviewed. However, committee members raised several issues:

- Town counsel's review of the AHA Capital Improvement Fund identified certain categories of proposed improvements as not fundable. Ken Sghia-Hughes will discuss the issue with the AHA Board and it will be added as a CPC agenda item for the January 25th meeting.
- Town counsel's review of the ACHC's Community Housing Program Fund proposal identified deed restriction related concerns with the down payment assistance program for town employees. Nancy Tavernier indicated that Town Counsel's recommended program modifications would likely create an administrative burden for the ACHC and that she would propose increasing the request for funding for other programs instead.
- Andy Magee indicated that he agreed with Town Counsel's assessment that the Town Meeting could vote to acquire the Water Street Dam parcel for "Community Preservation purposes" which would mean that final use does not need to be determined prior to Town Meeting.
- Nancy Tavernier recommended that the committee work to develop a definition of "open space".

5. Approval of Town Report

The town report was approved with minor amendments.

6. New Business

- Peter Berry noted that there are two land purchase proposals before the committee and that we should consider bonding. Roland Bartl will contact the Town Manager about the subject.
- Mr. Berry also noted that it would be a good idea to highlight past successes of the CPC in this year's Town Meeting presentation.
- Catherine Coleman similarly expressed interest in establishing a more comprehensive website for the CPC and volunteered her services.
- Walter Foster expressed some concerns with the proposal to light athletic fields at the high school. He indicated that he would like to see a finalized usage agreement in place and a vote of support from the School Committee before the CPC votes on the proposal.
- Mr. Foster also suggested that on next year's application form, we should ask applicants to identify all relevant user groups and stakeholders.
- Ken Sghia-Hughes asked Roland to please check to see if any of the unexpended funds from previous years' projects that have been returned to the CPC are

encumbered as historic or affordable housing projects. Roland will check into this.

- Matt Lundberg noted that the NARA park proposal presentation has been postponed and that he expects it will return in modified form. The recreation committee is meeting with the Board of Selectmen on this subject next week.

The meeting adjourned at 10:10 PM.