

MEETING MINUTES

Town of Acton Community Preservation Committee

January 8, 2009
Acton Memorial Library

Attending: Ron Schlegel, Walter Foster, Peter Berry, Roland Bourdon, Corrina Roman-Kreuze, Nancy Tavernier, Jon Benson, Ken Sghia-Hughes, Susan Mitchell-Hardt, Tory Beyer, Janet Adachi, Roland Bartl, Town Planner. Also present were Pat Clifford (Fin Com Observer), 2009 CPA project applicants, and members of the public.

The meeting was called to order by Chairman Ken Sghia-Hughes at 7:35 p.m.

I. Appointments

A. Project Applicants (3 of 13)

1. Acton Memorial Library Civil War Exhibit Enhancement. Request for \$15,300; presentation by Frank Joyner. Mr. Joyner reviewed the reasons for the cost overrun. The Committee generally prefers to have expense contingencies cover up front, rather than have to consider new applications for previously funded projects that need more funding; proponents should notify the Committee earlier, as soon as they realize that the approved funds will fall short. Mr. Joyner confirmed that the estimate for lighting is \$1,550, and that the \$1,000 and \$15,550 figures appearing in the proposal are incorrect. The Committee requested a coherent explanation of the cost overrun, so that the Committee can, in turn, explain the overrun at Town Meeting. Proponents also should provide a succinct explanation of the deferred billing issue for the Committee's use and reference if it determines that the appropriation for the deferred payment should be a separate Town Warrant article.
2. John Robbins House. Request for \$30,000; presentation by Larry and Kimberly Powers. The proponents have spent about \$400,000 on restoration of the house, on top of the \$750,000 purchase price (2005). The proposed new roof would be 30-year architectural asphalt shingles. The skylight is antique and provides ventilation for the attic; the replacement skylight would be wood. The gutters, which Historic New England Stewardship Program has approved although they are not historically true to the house, would be aluminum, which is more inconspicuous than and therefore preferable to copper. The 10% contingency is intended to cover the cost of any replacement boards for the roof underlayment. The October 2008 roofing estimates were valid for only 14 days, so the proponents will need to provide the Committee with updated estimates that optimally would be valid until sometime after Town Meeting, for example, through May.

Committee members noted that the property is on the National Historic Register, so Historic Commission approval is not required but would be helpful for the Committee to have; the private, for-profit use of the property might be an issue for some residents at Town Meeting; the 10% contingency may not be sufficient and it would be better for the proponents to request a larger contingency, if it can be justified; the Town need not hold the preservation restriction (the Town does hold some restrictions, notably the Jones Tavern restriction), but Town Counsel must review the proposed text. Roland Bartl noted that Stamski & McNary has prepared a plan for the trail easement across the property, providing access from the Bruce Freeman Rail Trail to Route 2A, and that perhaps the Board of Selectmen should include the easement in the Town Warrant for Town approval.

3. West Acton Boardwalk and Nature Center. Request for \$45,716; presentation by Pat Easterly. The proponents met with the School Committee, which authorized them to present the latest proposal to the Conservation Commission. The latest proposal would involve a transfer to the Conservation Commission of the portion of the property that includes the boardwalk. The Superintendent will confer with School Counsel, who, in turn, will confer with Town Counsel regarding appropriate Town Warrant article language. The proponents have kept Natural Resources Director Tom Tidman apprised, but have not yet met with the Conservation Commission. If the transfer were approved, Conservation Commission approval would be necessary for any work, including displays.

The transfer would require a 2/3 voter approval at Town Meeting, with the price being anywhere from \$1 to appraised value. The proponents would like to accomplish the approval-of-transfer and approval of CPA-funding at 2009 Town Meeting. The CPA amendment pending in the state legislature would address the limitation respecting recreational projects that Seideman enforced, but is unlikely to progress in the near future, given the current fiscal crisis. The proponents should seek feedback from Doug Halley, Health Department, regarding the proposal to carve out a strip between the two schools, which the state considers to be a single septic system. The proponents need more time and probably will be back to provide the Committee with an update.

Other: Parker-Damon Playground Shade Structures. Not scheduled for formal presentation. Town Counsel indicates that this project does not qualify for CPA funding based on the Seideman decision.

- B. Exchange Hall Update. Presentation by Glenn Berger. Mr. Berger's consultant filed Federal Historic Preservation Application Part 2 with the U.S. Interior Department in November 2007; Mr. Berger has not heard back from Interior. Application Part 2 simply says that the applicant is adhering to federal standards for materials, and the like. Application Part 1 was included with the original application to the Committee. Mr. Berger has provided the Committee with a collection of Interior Department Preservation Briefs on subjects relevant to the Exchange Hall project. The essence of

the briefs: don't make changes; if changes are necessary, don't add unnecessary details. Mr. Berger is doing restoration only and not making any changes. He said that the Historic District Commission has not been by much to inspect and assess the progress of work; the HDC and Committee still are welcome to tour the building on Fridays at 2:00 p.m.

Mr. Berger presented slides showing the current condition of the building exterior, including completed work. The exterior is 40% completed. Work on the west side will continue through January, followed by work on the porch and then painting in the spring.

The building is up for sale or lease. Committee members and Mr. Berger discussed what would happen if Mr. Berger were to sell the building without completing the restoration work. Future award letters perhaps should address the circumstance where the subject property is sold before the CPA-funded project is completed. If the building were sold, Mr. Berger would forgo the previously approved CPA funding and the new owner would have few limits on what he could do with the building. Mr. Berger noted that he has filed for tax credits (percentage of capital costs for exterior and interior restoration of the main building), spread over five years; the credits go to the filer so Mr. Berger must remain as a principal for five years in order to get the full benefit of the credits. If he sold the building, the new owner thus would take ownership in Year 5. Mr. Berger said that the combination of future tax credits and CPA funds would be too much to walk away from. He noted that the Board of Selectmen could refuse a future owner access to the parking area across the street if it did not approve of the new owner's proposed use. Although Mr. Berger indicated at 2008 Town Meeting that bank funding was contingent on his having a tenant, he currently has sufficient funds, in the absence of a tenant, to finish the exterior and market the property in the spring. He said that there has been lots of interest in tenancy and future purchase.

II. Approval of 12/18/2008 Minutes. The minutes of 12/18/2008 were approved as amended.

III. Other Business.

- Proposed Appointment with State Legislators. Rep. Atkins is unavailable on the proposed 1/22/2009 meeting date, the availability of Sen. Eldridge is uncertain. Roland Bartl will determine whether they and Rep. Benson would be able to meet with the Committee on March 12th or March 26th, after the Committee has completed its review and decision respecting the 2009 project applications.
- Acton League of Women Voters Town Volunteer Fair, 2/11/2009. Ron will be representing the Recreational Committee at the Volunteer Fair, and agreed to make a brief presentation, disseminate information and answer questions on behalf of this Committee, as well.

- Schedule.
Thursday, January 22nd, 2009 - Discuss and “brainstorm” about the 2009 applications
Thursday, February 12th, - Assign dollar amounts to the projects
Thursday, February 26 – Finalize recommendations
- Proposed Warrant Article to Re-Authorize CPC Projects. The Committee will ask project proponents to appear before the Committee to provide project updates.

The meeting was adjourned at 10:25 p.m.

- Janet Adachi, Clerk

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