

Braintree Community Preservation Committee
Minutes

April 25, 2011

Johnson Chambers – Town Hall

Present: Anne Murphy (Chair) John Dennehy Dick Fletcher
Linda Raiss (V-Chair) Michael Dorn Darryl Mikami

Absent: Pat Flynn Also present: See under each presentation – attendees for projects.
Christine Stickney, Director, Planning & Community Development

CPA Applications for Funding - Presentation and Discussion:

Vital & Preservation Historical Records (Presenter Joe Powers, Town Clerk) - members reviewed copies of the original application and supplemental information on the project. Town Clerk Powers revisited his overall proposal of records stored in the Town's vault. Town Clerk received a favorable recommendation from the CPC for \$25,000.00 for Phase I of the "vital records" project in 2010 still awaiting Town Council action. The application indicated a request for a total of \$65,000 [FY 2011 - \$25,000; FY 2012 - \$20,000; FY 2013 - \$20,000]. The first phase of this two phase project dealt with "vital records" birth & death certificates and marriage licenses to be scanned and placed on microfilm with funding from FY11.

The current application (FY12) request submitted on 3/1/11 has two parts: The first is for \$40,000.00 for the second phase of project to preserve vital records (above); the second application is for \$100,000.00 for another "preservation" project of the Town's historical records [hard copies and loose documents within the vault]. Town Clerk Powers explained that this will cover conservation, microfilming and scanning of various other documents. The quote of \$100,000.00 was from Brown's River Marrotti Company of Vermont that viewed the documents and specializes in this type of work.

Linda Raiss questioned the duration of the project. Town Clerk responded that he is ready to go as soon as funding is available. It can be done over the summer if available 7/1/11. Documents would be shipped to the vendor for the project. Anne Murphy questioned the software and microfilming. Town Clerk responded that microfilming is the most cost effective protection, since no software is needed to view with a reader, which he would purchase out of his operating budget. Darryl Mikami noted that at his last appearance before the Committee Town Clerk Powers was questioned about on-line genealogy and where revenue from such activity would go. Town Clerk responded it would go to the general fund, but that he has established a line item within his budget to maintain or expand this activity in the future. Town Clerk also noted that he is seeking capital funds, operating funds and CPA funds to accomplish the overall project for the vault and records. Dick Fletcher questioned the procurement of this project [Town Clerk explained how he would proceed] and if the "preservation project" had been deemed a historically significant project by the Braintree Historical Commission? Christine reported her conversation with the Town Solicitor that the \$40,000 project was covered by the previous BHC vote. Mr. Fletcher urged Town Clerk to return to the BHC for this second project [\$100,000]

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given that the proposed list of documents to be preserved contains more recent documents that may not fit the criteria for historical significance. John Dennehy **MOTION** to recommend approval of Phase II Vital records in the amount of \$40,000.00 to be taken from the general fund, subject to quarterly reporting on the project's progress and with funding to be administered through the Planning and Community Development Department, seconded by Mike Dorn – unanimously voted. In a second motion, John Dennehy **MOTION** to recommend approval of Phase I Historical Preservation of records in the amount of \$100,000.00 to be taken from the general fund, subject to quarterly reporting on the project's progress and with funding to be administered through the Planning and Community Development Department, seconded by Mike Dorn – unanimously voted.

All Souls Church (Presenters Reverend Stephen Wilson and John Cobble) – Members reviewed copies of the original application and supplemental information on the project. Rev. Wilson provided background about the church and the history of the building. The project as presented entails work on the roof, gutters/downspouts, mortar repointing and possible work to the tower. Linda Raiss asked if the church has done any fundraising for the project. Rev. Wilson explained the financial situation of the church, their expenses and the fact they have not fund-raised for this work. Dick Fletcher asked for clarification as to the proposal and a prioritization of the work. John Cobble responded the gutters & downspouts were the number one priority, followed by the roof repair, fascia and tower area and then lastly the mortar/repointing. He directed members to the contractor's estimates and noted they were all contractors familiar with historical restoration work. Anne Murphy noted the letter from MHC relative to the church's standing for nomination to the National Register. Rev. Wilson introduced Bob Bloomberg who is heading up the National Register effort for the church. Darryl Mikami questioned what the applicants would they do if no funding was granted – Rev. Wilson responded that they address issues as they happen, but couldn't guarantee that they could afford materials the kept the historical integrity of the church. No action would do more harm to the overall structure. Linda Raiss questioned the church's plan and prioritization if the total funding request was for less than requested. John Cobble felt that if they had to pare down the scope of work to possibly \$60,000.00 they could wait on the repointing and mortar restoration.

John Dennehy noted comments at the recent CPA conference with regards to religious institutions and using taxpayer's funds for historic preservation. He mentioned many towns have done it and made great strides in preserving these historic structures. John also expressed his opinion that churches are eligible projects and that without funding; the applicants might tend to use cheaper replacement materials that take away from the original historic character which must be preserved. Dick Fletcher questioned representatives if they would be agreeable to a historic easement which would be essentially a commitment to the Town to maintain the historic appearance. Christine Stickney noted that the CPA act requires a deed restriction for assurance of repayment if the property & building were to be sold or demolished in the future and commented on the public accessibility of a historic easement as seen in other communities. Discussion turned to the replacement materials and the assurance the Church would not improvise with a cheaper version. Dick Fletcher suggested the Historic Commission be consulted and asked for their opinion relative to the materials intended to be used in the project at their next meeting and then

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return with something from BHC stating their approval to the CPC. In addition the applicant should ask the BHC for their thoughts regarding an historic easement. Dick Fletcher **MOTION** to table the All Souls Church request until the next meeting on 5/9/11 to seek additional information including correspondence from the Historical Commission relative to the previously discussed, seconded by Linda Raiss – unanimously voted. Reverend Wilson asked for clarification on the materials needed and the CPC suggested they work with staff.

First Congregational Church (Presenters Moderator Rick Durham and Reverend Leanne Walt) - Members reviewed copies of the original application and supplemental information on the project. Mr. Durham provided historical background on the significance of the historic speech given by John Adams known as the Braintree Instructions on the church's property that set in motion subsequent historic events such as the Stamp Act and first Continental Congress in 1765. The Church in collaboration with the Mayor's office would like to commemorate the speech with the creation of a small park area and informational kiosk to aid the Town's historical tourism efforts. Mr. Durham explained they would like to lease the area to the Town so that the Town would have to maintain it. He noted the original funding request of \$35,000.00 was increased to \$110,000.00 after further review. Funding would pay for the creation of the park, benches & trash receptacles, a brick walkway to the parking lot of the church for visitors and a kiosk similar to the one shown in the materials. Mr. Durham noted that the church is listed as a Massachusetts Historical site. He also noted further consultation is needed with the Town Council and Tom Whalen regarding the lease question and maintenance. However he pursued with members their support of the project before starting with consultation with the others.

Linda Raiss commented that she had expected more detail as to how the project met the CPA goals and historic elements under the statute and was disappointed with the supplemental information which lacked a cost estimate. Mr. Dunham noted the rendering by CBI Architects explaining the change in the funding request. Ms. Raiss responded there is no cost estimate detailing the elements of the project. John Dennehy noted that he felt this project met every historical goal and criteria he expressed his disappointment that the CPC application form does not include the chart of eligible CPA activities. John noted that he has been working with the church to fill out their application, given he is the historic representative on the CPC, and will continue to assist them. Darryl Mikami asked for specification on the proposed design as to how the funding request was developed and commented more specificity is needed, details as to the plan that Mr. Durham has been discussing in writing. John Dennehy listed the four criteria acquisition, preservation, rehabilitation and restoration stating in his opinion this project met all of these. Dick Fletcher provided his opinion that the project did not meet the criteria and guidelines but was instead "creating" something new and stated if we ere "acquiring" property to preserve a historical resource that would be different. Reverend Walt asked if leasing qualifies as acquisition. John Dennehy responded yes. Linda Raiss added that the request is working backwards and noted the CPC is a funding source and not responsible for designing a project that meets the criteria. That is the applicant's responsibility. Mr. Durham asked if they re-worked and/or re-shaped the packet could they return again and the Chair responded, of course. John Dennehy expressed his dissatisfaction that the Committee members was not responding to Mr.

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Durham's request. Dick Fletcher noted that as a CPC member he is committed to the Town and to ensure that funding recommendations meet the statute's guidelines. It was agreed at this point in the meeting that the applicants should work on their application to provide more detailed information and return to the CPC at the June 13, 2011 meeting.

Highland's Playground (Presenters Bill Hedlund, Director of Recreation and Community Events, and Bill O'Neill from Northeast Playground Builders) Members reviewed copies of the original application and supplemental information on the project provided by staff. Mr. Hedlund provided background of the charge directed to him and the playground subcommittee from Mayor Sullivan. Using a variety of poster boards, Mr. Hedlund located the proposed playground within the "nose" of the former Norfolk County land and other items on the property including a house and parking lot. He added the proposed area of the playground is approximately 26,000 SF and in response to a member's question larger than the Hollis playground. He added the Mayor has decided that the existing house will be demolished. The proposed playground is 100% handicap accessible and there are 47 parking spaces adjacent to the proposed location. Test pits were performed revealing good material to support the rubber material for the pathways and the fiber mulch beneath the playground equipment. He reviewed the scope and schedule of work, the proposed estimate for the equipment, a private donation of 10,000, the Mayor's directive for it to be completed and open for dedication by Labor Day and the in-kind services from town departments primarily DPW. Mr. Hedlund noted he consulted the Town Solicitor who informed him there were no deed restrictions.

Bill O'Neill, playground vendor, was introduced next and members were walked through the proposed equipment list with the use of poster boards showing the site and equipment locations for the two different age groups. John Dennehy questioned if any trees will need to be removed and was assured by Bill Hedlund they would not be removed. Additional trees will be planted. Mike Dorn asked specific questions relative to the height of the fence, gates for DPW maintenance and the overall size in relation to Hollis. Darryl Mikami questioned how the committee ended up with this vendor and if there was a public bidding competition. Bill Hedlund explained four vendors met and interviewed with the subcommittee upon the request of the Mayor and Northeast, listed on the state's approved vendor list, was chosen. Bill added the installation and fencing will require solicitation of sealed bids. Darryl further asked then how was the number of \$275,000.00 established? Bill Hedlund responded this was a target given to the four vendors from the Mayor. Theresa Nott, 20 Plymouth Road, noted that this is a good deal for the Town – "biggest bang for the buck". Northeast Playground builders are a Braintree business that is providing a great product for a lot less.

Linda Raiss had provided members and Bill Hedlund with a two page list of questions she had developed after reading the proposal in detail. She stated her support for the playground, but her disappointment that the house is to be demolished since it was one of the purposes for community housing that is needed in Braintree. She noted the Town Meeting approval in 2007 for the acquisition and the purposes outlined. Mr. Hedlund stated the Mayor's office had

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exhausted all possible options for re-use of the house, citing two agencies, Habitat for Humanity and the Housing Authority, and found no interest. Ms. Raiss countered by indicating that there are available funds, revenues recently received from a 40B development, which could be used for such a project. Ms. Raiss questioned if the house demolition was necessary in order to construct the playground as proposed and Mr. Hedlund responded, no. Discussion turned to the language of the Town Meeting article that required each of the uses have dedicated area and how this could be accomplished for the playground. Mr. Hedlund was unaware of the Town Meeting article – a copy of the deed and town meeting article was given to him. Domenic Rinaldi, 21 Woodedge Lane noted that the issue of the house was not pertinent to the playground and the discussion should be on the playground. Rachel Lorenz, 1 Geraldine Lane, noted the process for choosing the vendor and the time restraints and she added, in response to a question listed on Ms. Raiss' comments, that fundraising would come as the project began to take shape. Christine Stickney noted that there is an issue with the zoning of the property that will need to be addressed: a playground as a principal use is not allowed in a Residential B zone and therefore is not allowed under ZBL 601. The playground will require an amendment to the Zoning Bylaw and Town Council action that may delay the project. Members reviewed the itemized quote from Northeast as to the figures and materials. Confusion on the in-kind services was clarified that it was not an additional \$285,000 above the funding request as it appeared in the narrative. Anne Murphy questioned if there was a non-profit created such as the "friends of... for the playground and Mr. Hedlund responded there was not time for that in meeting the Mayor's deadline.

Mike Dorn **MOTION** to approve \$275,000 out of the general fund, seconded by John Dennehy Discussion: Dick Fletcher asked about quarterly reporting and administration of the funding and if Planning and Community Development could do oversight similar to what they are doing for the Highlands School project and Christine said yes. Linda Raiss and Darryl Mikami questioned the Town Meeting directive to have designation of the area for specific uses and if the Town Solicitor should be asked to clarify. Mr. Dorn and Mr. Dennehy agreed to amend – **MOTION** to recommend approval of \$275,000.00 conditional on clarification by the Town Solicitor relative to Article 4E STM of the 2007 Town Meeting and subject to quarterly reporting on the project's progress with funding to be administered through the Planning and Community Development Department – vote 5:0:1 (Murphy, Mikami, Fletcher, Dorn, Dennehy in favor – Raiss abstaining). Mike Dorn asked to address the audience and thanked them for their hard work and diligence in seeing the project through.

New & Old Business:

Mr. Fletcher provided members with a document entitled, "Suggested Appropriations for FY2012." From this document the following action was taken:

Dick Fletcher **MOTION** that in accordance with the provisions of Chapter 44B of the General Laws, the Community Preservation Committee recommends that the sum of \$75,000.00 be set aside for later use for the acquisition, creation, preservation, or support of Community Housing or the rehabilitation or restoration of Community Housing that is acquired or created as provided in Chap. 44B Section 5 of the general laws, seconded by Linda Raiss – unanimously voted.

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Dick Fletcher **MOTION** that in accordance with the provisions of Chapter 44B of the General Laws, the Community Preservation Committee recommends that the sum of \$75,000.00 be set aside for later use for the acquisition, creation, or preservation of open space or the rehabilitation or restoration of open space that is acquired or created as provided in Chap. 44B Section 5 of the general laws, seconded by Linda Raiss – unanimously voted.

Dick Fletcher **MOTION** that in accordance with the provisions of Chapter 44B of the General Laws, the Community Preservation Committee recommends that the sum of \$75,000.00 be set aside for later use for the acquisition, preservation, rehabilitation, or restoration of Historic resources as provided in Chap. 44B Section 5 of the general laws, seconded by Linda Raiss – unanimously voted.

Dick Fletcher **MOTION** that in accordance with the provisions of Chapter 44B of the General Laws, the Community Preservation Committee recommends that the sum of \$30,000.00 be appropriated from the community preservation fund for operating expenses of the committee seconded by Linda Raiss – unanimously voted.

Dick Fletcher **MOTION** that in accordance with the provisions of Chapter 44B of the General Laws, the Community Preservation Committee recommends that the sum of \$400,000.00 be appropriated from the Community Preservation Fund to the Community Preservation budgeted reserve seconded by Linda Raiss – unanimously voted.

Given the late hour, all other agenda items were continued to the next meeting.

Linda Raiss **MOTION** to adjourn, seconded by Mike Dorn – unanimously voted. The meeting adjourned at 10:45 PM.

Respectfully submitted,

Christine Stickney, Director of Planning and Community Development