

HAMILTON COMMUNITY PRESERVATION COMMITTEE

MINUTES OF MEETING

January 12, 2017

Members Present: Jay Butler (Vice Chairman), Peter Britton, Chris Currier, Mimi Fanning, Shawn Farrell, and Ed Howard.

Coordinator: Dorr Fox

This meeting was called to order by Jay Butler at 7:30 pm with a quorum established.

Minutes

Motion to approve the December 8, 2016 minutes made by Ed Howard.

Seconded by Shawn Farrell.

Vote: Unanimous to approve.

Committee Member Reports

Ed Howard announced that the Planning Board Chairman resigned, stating he lived behind Winthrop School and found himself in conflict with the people who wanted to develop the land behind the school. There would be three open positions on the Planning Board. Peter Clark had decided to run again. The following Saturday morning, there would be a third site visit to view the development at Willow St., a WSOD project. The elevator shaft rose to the fifth story, which was not authorized by the Planning Board and was being contested. The Planning Board voted unanimously to request the Building Inspector to issue a Cease and Desist order which was in conjecture at this point. A hearing on the subject would be February 14, 2017.

Mimi Fanning stated the Housing Authority had submitted an application. Reportedly the original roofs were replaced in 1983. Three buildings needed to be finished, so the application was broken down allowing the CPC to approve, one, two, or three roofs. The Housing Authority did not apply for columns as they were funded from another source.

Activity of the Affordable Housing Trust was reviewed by Peter Britton who said the Trust was considering host agreement sites to include the COA, Winthrop School and the Public Safety Building Site, which as Chairman, he had put off discussing because it was a challenging site. Mr. Britton noted that people felt strongly that smart growth should occur downtown close to shopping and the railroad. The parcels that were most readily available were outlying properties, creating a tension between smart growth and availability. An e-mail was sent out because a neighborhood group felt the AHT was in favor of placing a development in the Winthrop School playground area with exits into Tally Ho Road and Mr. Britton indicated that the AHT had not discussed anything of that nature.

Peter Britton thought it was important to mention that there was only one additional CPC meeting before Town Meeting in April and he would ask for funding later in the meeting as it

may not be appropriate during his committee report. It would appear that the AHT partner in the Host Community Agreement felt that any approved site would probably require up to a \$200,000 contribution. The AHT would not be in a position to fund a project at Town Meeting because there was not enough money to contribute. Mr. Britton's request would be for \$400,000. According to Dorr Fox, there was \$780,000 in unreserved funds and the following year, the local revenue would be \$400,000 with a state match of \$80,000, creating a reserve of \$1.2 to \$1.3M for FY18. Mr. Britton thought it would be unfortunate to not be in the position to allow Harborlight to be able to approach the State due to lack of local funding. No local preference would be available within the lottery without Town funding. According to Mr. Britton, the mission of the AHT was to provide housing for local seniors and families. Jay Butler suggested talking about the opportunity at the end of the meeting.

Shawn Farrell recalled the Board of Selectmen talked about a Town Hall Building Committee being formed with a rough draft of its charge and membership being created. The committee would be comprised of two community volunteers, a Historic District Commission member, a FinCom member, a COA member, the Town Manager, and one CPC member. Mr. Farrell read the charge that included the developing of alternatives for the repair and remodeling of Town Hall, community needs, costs and time estimates, reporting regularly to the Board of Selectmen on its progress, developing Town Meeting articles, and making recommendations. The Selectmen would be reaching out to some people who volunteered to help out at Fall Town Meeting. The Selectmen also heard a report from Brian Stein (HDC) regarding Mac's property downtown and the possibility of affordable housing options for that property. The turf field responsibility was moving from the Board of Selectmen to the Recreation Committee to the School Committee.

Jay Butler announced that there would be one more CPC meeting on February 9, 2017 with April 1, 2017 scheduled for Annual Town Meeting. The Warrant would close in March.

Eligibility Applications

270 Asbury Street. Affordable Housing (Habitat for Humanity Northshore).

Donald Preston requested \$60,000 for the construction of two new units after taking down an underperforming existing structure in bad condition. Mr. Preston said there were a good number of applicants from Hamilton and the surrounding area. Habitat for Humanity was building the homes in partnership with Essex Tech. The energy efficient homes received a grant from a Salem organization who funded solar hot water with hot water costs projected to be less than \$500 per year. The project also received grants from the Federal Home Loan Bank and Home Funds. In kind services, such as the foundation and half priced excavations made the houses affordable with sale prices from \$135,000 to \$140,000. Income levels were \$27,000 for a single person and \$59,000 for a family, which was 40-60% of the median income.

Jay Butler noted letters of recommendation from Scott Maddern, Michael Lombardo, and Patrick Reffett as well as the ZBA Decision. The project was a friendly 40B request in town. Peter Britton asked if there would be a lottery with local preference as it was a 40B, to which the answer was yes. One unit would be a local preference home, including town residents and handicapped applicants, drawing out of that pool and the other pool would include the locals again with the other applicants. In response to Mimi Fanning's question as to the date of occupancy, Donald Preston said dedication would be in November with applicants moving in the next day.

In response to Shawn Farrell's question regarding deed restriction, Donald Preston responded that the restriction was in perpetuity. The home would sell to another qualified family. Peter Britton asked about the price limitation on resale, to which Mr. Preston responded that it was a complicated formula. Habitat for Humanity would take it back and the selection would go under their guidelines and process. If Habitat for Humanity did not oversee the resale, the Town could hire someone to market it as an affordable unit and the price could go up to 80%, or \$78,000 for a family of four, which was still considered affordable, according to Mr. Preston. In some cases it could go up to 110%.

Chris Currier asked if all other funds were secure to date and Donald Preston replied that Wells Fargo was outstanding but all other funds were complete. A condo association would be created for maintenance and the shared septic. Peter Britton asked what the capacity of Habitat for Humanity projects would be per year, to which Mr. Preston responded four to six. Ed Howard asked about the project description, including the 1,200 sf with two bedrooms and wondered if an accessible bedroom was on the first floor. Mr. Preston responded that the designs would allow someone to age in place. The bedrooms were on the second floor but a first floor den could be converted to a bedroom as there were bathrooms on both floors.

Motion made by Shawn Farrell that the CPC approve the \$60,000 grant for Habitat for Humanity.

Seconded by Ed Howard.

Vote: Unanimous in favor.

Pingree Park Playground, Wenham, MA.

Lisa Fall, President of Pingree Park Playground, introduced other members of the organization. Ms. Fall indicated that the existing structure was removed last March because the wooden structure was no longer safe to use. The need included use by the Hamilton Wenham Youth Soccer, little league teams, and their siblings. Ms. Fall was requesting \$25,000 from Hamilton and \$40,000 from Wenham. The Playground Committee had the support of the HW Recreation Department and the Wenham Board of Selectmen. The fund raising effort had just raised \$30,000 from 75 individuals and small businesses. The HW Mother's Club were also raising funds. Grants from the Institute for Savings, Salem Five, and Biolabs were all applied for previously. The grant total was \$45,000. Ms. Fell recalled that the Wenham DPW had agreed to remove trees and growth. Maintenance, once constructed, would be the responsibility of the HW

Recreation's Revolving Fund and the Wenham DPW, which spends money from the General Fund. The group had a budget of \$125,000 for equipment, which would arrive almost assembled. There would be 12" of playground grade mulch. The community would assemble the structure to reduce the cost. The target date was set for September 16, 2017.

Jay Butler and Dorr Fox agreed it was legal to fund the project even though it was in Wenham. It would also be legal if the CPC wanted to do a codicil on their vote which included willingness to give the grant contingent on Wenham CPC giving a grant as well. The Wenham CPC meeting would be the following Tuesday.

Peter Britton thought it was unfortunate that Hamilton was put in the position, but glad the decision could be bound to Wenham's decision. Lisa Fall said she had met with the Wenham CPC in November with no response. Ms. Fell said the group created a survey with 51% of survey respondents being from Hamilton. Respondents were overwhelming in favor of the playground and using CPC funds.

Jay Butler suggested, assuming the Committee was in agreement of approving the grant for the project, approving the grant predicated on Wenham's CPC contributing as well, but not specifying the amount. Mimi Fanning suggested waiting until the next meeting. Shawn Farrell stated he was ok making a decision based on the contingency.

Motion made by Shawn Farrell to approve a grant for \$25,000, contingent upon Wenham CPC making a grant for an unspecified amount.

Seconded by Peter Britton.

Ed Howard worried about accidents on the playground and if the CPC was liable once the money had been given. Lisa Fell responded that the construction would be overseen by a certified playground instructor who inspected the community built playground before signing off on it. After construction the Town of Wenham or Recreation Department would inspect the site every 18 months to two years, report back, and make changes, according to Sean Timmons. It would be the responsibility of the Town of Wenham, if any accidents occurred. Mr. Timmons added that the previous playground was inspected and the playground did not meet the expectations and the report indicated that no repairs would bring it up to standards, so it was torn down.

Ed Howard thanked the group for being involved with the community and applauded their courage to be in front of the CPC, complimenting them by choosing material that was not bright, shiny, plastic.

Vote: Unanimous in favor.

Buker School Playground, Wenham, MA

Lisa Bial recalled coming before the Committee in September and at that time, they decided not to pursue and withdrew the application. Ms. Bial noted this was the same application before the Committee. According to Ms. Bial, the group had raised \$40,000 and that grants, some of which had been received, included Biolabs, the First Church of Wenham and the Institute for Savings.

Ms. Bial said she had submitted an application to the Wenham CPC from the School Committee and was waiting for a review date. Ms. Bial said she was asking for \$50,000 from both the Hamilton and Wenham CPCs, pending contribution from the School Committee.

While there was a hesitancy to start funding a school project, the Hamilton CPC had contributed to the Winthrop School playground. The Friends of Winthrop School had raised 80% of the funds, with \$10,000 from the School Committee and \$25,000 from the Wenham CPC. Hamilton CPC granted \$20,000. The funding did not follow the 1/3 Wenham, 2/3 Hamilton rule of funding for school projects, but the Committee wanted to reward those that did the hard work. Peter Britton said he was surprised that everything came to a halt and was worried for the applicant. Lisa Bial said the Buker School Principal had handled it very carefully so it wouldn't happen like the Winthrop School playground. When the school realized how much money the parents had raised, the School Committee members voted unanimously to have them file an application for the Wenham CPC.

Jay Butler stated the CPC funded playgrounds at Patton Park, Pingree Park, and Winthrop School, now Buker and expected to see Cutler School next and found it to be a dilemma that they had established a precedent. However, Pingree was approved for \$25,000, Winthrop for \$20,000, but now the Buker School was asking for \$50,000. Peter Britton asked the school administration to take a stand as to how this was educationally of value and have heard nothing from the school as to how they value playground experience as part of the children's education.

The Wenham CPC had not provided a review date but the application was filed by the HWRSD. Shawn Farrell worried about the funding from the Wenham CPC and that he had heard that they were not funding any more friends' groups. Lisa Bial said she had intended to file with Wenham and that she heard about the friend group issue, which was why the School Committee was filing as the applicant. Jay Butler asked Dorr Fox about the reasoning regarding the lack of funding for friends' groups and wondered if it was due to the Winthrop School playground situation. Mr. Fox agreed. It was unclear if the grant would be approved if the School presented for a grant from the Town as there was a separation of School and Town.

Jay Butler wanted to help the community people who felt strongly about their children, to which Lisa Bial responded that the administration was not doing the fund raising, but officially their name had to be on the application. Peter Britton was happy making a contribution, but \$50,000 was more than he was prepared to give. Mr. Britton thought the reward effort was comparable to the Pingree Park playground award of \$25,000 which was contingent on Wenham making some kind of donation. Mr. Butler agreed and thought offering more would cause a problem. Mimi Fanning suggested giving \$20,000 and if Cutler came in, they could be awarded \$20,000. Shawn Farrell concurred with Ms. Fanning that there would be precedent set. There were other grants to be funded soon, such as Town Hall and Patton.

Motion made by Shawn Farrell to offer a grant of \$20,000 with the proviso that the Wenham CPC approve a grant and the HW Schools Department contributed some monies.

Seconded by Ed Howard.

Vote: Unanimous to approve.

Lamson Crossing at 121 Railroad Ave (Hamilton Housing Authority).

Kate McGuire, Director of Hamilton and Ipswich Housing Authority explained the project had the same capital issues to deal with and thanked the CPC for funds received for roofs at 31 Union St. Ms. McGuire said a bad roof would cause a number of issues. The Hamilton Housing Authority had fixed funds for capital needs which had not been increased by the State for eight years. The applicant was replacing two roofs currently. There had been ice damage from the bad winter of 2015. The applicant was looking to get three roofs done, which would save money from further damage allowing capital funds to go for other things. The Hamilton Housing Authority had 59 households and was built in 1963. The main goal was to improve the properties so residents had a nice safe place to live.

The application had a budget breakdown and would be using 50 year roof shingles with an ice and water shield giving 50 years of protection. Kate McGuire stated that there was a recent change of policy that antennas were no longer allowed. The applicant said Hamilton Housing Authority was trying to do more in-house to manage costs. Also to be included in the application was a letter from Chairperson, Joseph Hughes.

Jay Butler asked who created the budget, to which Kate McGuire answered that she had. Mr. Butler wondered about the validity of the \$89,000 budget and Ms. McGuire responded that it was based on the roof being constructed currently. While bidding was like a roller coaster, sometimes high and low, and in her experience of doing roof replacement, this was a solid cost. One Hamilton Housing Authority Board member said he remembered the roof being replaced in 1983, with the original shingles from 1963 removed. Mr. Butler asked if the contractor could provide an estimate, to which Ms. McGuire said no because the project needed to go out to bid. There was a good likelihood that the contractor could get the contract as he had been doing several projects in the past. According to Ms. McGuire, if the estimate were to come in over the grant amount, the understanding would be that the Hamilton Housing Authority would pay the balance.

Motion made by Shawn Farrell to approve the request for \$89,075 for the roof replacement at Lamson Crossing.

Seconded by Peter Britton.

Vote: Unanimous to approve.

Horseshoe Courts, Patton Park

Shawn Farrell could not locate the plans for the project but would provide them. Peter Kane did a plot plan for the project. The National Horseshoe Association created side elevations. Shawn Farrell said he had let the applicant know that Peter Britton might help with the asphalt and had asked the contractor to see if they could use recycled asphalt. The runways between the pits were 40' x 4'.

Jay Butler reported that he went and looked at the courts and they looked terrible. It was determined that there were only two or three members of the group who lived in Hamilton, so the grant would not be servicing the community. The group was not recognized by the HW Recreation Department. Shawn Farrell responded that the courts had been there 40 years. There was no marketing, website or fundraising that had been completed. The CPC considered tabling the topic until the next meeting so more information could be obtained. Mr. Farrell said he could get members, Bobby or Jim Hansen to tell them what the CPC was looking for to see if some publicity could be advertised, possibly by putting a profile in the HW Chronicle looking for new members.

Mimi Fanning suggested asking Sean Timmons why it was not backed by the Recreation Department and thought putting a flyer out so people could join the group would be beneficial. Shawn Farrell said the group had gone to the Recreation Board in the last four years seeking funding to repair the pits. The Recreation Board was on board, but then thought the CPC was the way to go. The Horseshoe Club budget was \$5,000 to \$6,000 annually. Peter Britton said approving the ask might create a potential tsunami of asks and that groups that come to the CPC had friend organizations for their particular project showing ingenuity of performance as a higher standard, which should be recognized.

Motion made by Shawn Farrell to table the Hamilton Horseshoe Courts at Patton Park.

Seconded by Mimi Fanning.

Vote: Unanimous to approve.

Hamilton Historic District Sign

Dorr Fox reported that there was an accident and someone had taken the sign during the cleanup. Ed Howard said the opposite sign was in the wrong place and needed to be replaced. Mr. Fox talked to Penny Barnard who gave a quote (\$667.90), which was lower than Jen Wright (\$680.90) for the making of the signs. Peter Britton supported different talent in the community especially Ms. Barnard who produced superior signs under extraordinary circumstances and there would be a push to take the lowest bid. Mr. Britton would move to have Ms. Barnard replace the sign.

Jay Butler asked if the Committee should table the request until the next meeting. Mr. Fox said the Historic District Commission would be in charge of the decision as to who would be the artist. Mimi Fanning stated she wanted to see Penny Barnard get the job.

Motion to approve the request for \$680 made by Peter Britton.

Seconded by Mimi Fanning.

Vote: Unanimous to approve.

Dorr Fox would provide evidence of six members voting yay with no nays in the report for Town Meeting. The Committee discussed the sunset policy. Jay Butler said it was written into the policy and procedures but Town Counsel opined that the CPC didn't have the power, therefore

the expiration date needed to be in the Warrant Article. Peter Britton offered his concern about approving funds for a 40B project as the duration of the project would exceed two years. Harborlight would have projects that would take ten to fifteen years, according Shawn Farrell.

Ed Howard thought the CPC agreed they would attach specific sunsets for each projects such as Town Hall, which would take a long time, versus the sign replacement, which would take one month. Jay Butler agreed that affordable housing would need a longer time. The limit on Winthrop School was two years. Shawn Farrell said the friends' group would need to return to reapply.

The fire engine building and balustrades at the COA building were projects that hadn't been completed. DPW Director, Tim Olson had fixed the Rockport cannon wheels so the Town might use the same person, according to Dorr Fox. Shawn Farrell said there were other companies that did it but they were in CT and a quote in the file was from SD. Scituate funded their cannon wheels. Unused funds included \$10,000 for wagon wheels and \$15,000 for the balustrade. The American Legion called Mr. Fox and said they planned on submitting an application for a building permit and Mr. Fox would make sure everything was done correctly when the electrical inspector went. To date, a building permit had not been issued. Jay Butler would follow up. The Committee agreed to keep the balustrade, cannon wheels and American Legion on the agenda and if no new information was available, the CPC would make a motion that it would be cancelled. The applicant could appear and give reasons why it should not be withdrawn, according to Mr. Butler. The balustrade grant was six years old, the cannon wheels were several years old, and the American Legion was one year old for the electrical wire, which was not completed. The windows were completed. There was \$30,000 left.

Postcards to Advertise Surcharge Exemptions

According to the Town-wide survey, many people were unaware as to the CPC exemption, so a note was suggested to be inserted into the tax bill. Dorr Fox thought the tax bill was a better choice, so questions would be directed to the Assessor rather than the water department. The Assessor had the information on the website but didn't explain what it was. Jay Butler said it didn't explain if someone fell within the income guidelines, that they would be exempt. Tom Catalano reportedly said he would have someone in his office redo it. Mr. Fox said the information would need to be approved by the Selectmen, couldn't weigh more than the existing envelope, and would need to wait until next year when the new tax bills were issued. Mr. Butler recalled it was a three page application to which Mimi Fanning added that the seniors said it was too much to fill out. The income guidelines were from the State, but application was from Hamilton, according to Mr. Fox. Shawn Farrell suggested putting the topic on the agenda and talk to the Assessor to see if the Committee could streamline the process. Mr. Butler noted the \$62 savings was not a lot money. Mr. Farrell suggested asking Town Meeting to determine what had to be done.

Review of Open Grants

As discussed previously.

Jay Butler had distributed an evaluation sheet as the Committee agreed several years ago that they needed numerical criteria to evaluate projects. Mr. Butler published procedures to ask the right questions. Shawn Farrell liked the program to scrutinize projects more appropriately when comparing projects. When looking at recreation, Jay would look at how a project addressed the objectives of the Master Plan, Open Space and Recreation Plan, and Recreation Master Plan. The CPC would need to respond to demonstrated resident demand, for which the horseshoe pit fell down but the playground at Pingree Park would meet. Criteria would include whether the projects met the need of underserved populations such as seniors, disabled, or teens, if the project was located near population centers, or whether the project increased the availability of facilities for active or passive recreational use.

Community housing would need to meet the objectives of the Housing Production Plan or Community Master Plan and be endorsed by the Housing Trust or Housing Authority. The community housing would need to contribute to the 10% affordability with 40B projects having priority for local residents or creating senior housing. Projects should follow smart growth objectives while creating new affordable housing opportunities. It was determined that the proposals for Hamilton Housing Authority and Habitat for Humanity had addressed many of those criteria.

In response to Peter Britton's question as to why Habitat for Humanity had not approached the AHT, Jay Butler responded that it was known that the AHT was in a massive search for larger housing in town, keeping the money for that purpose so they could act quickly. Peter Britton described scenarios when the AHT would need to move forward. Mr. Britton thought a request for \$200,000 from the Town would be necessary to maximize resident preference. Andrew DeFranza could be ready with a Host Community Agreement in place and ready to file a PEL letter, so the AHT should be ready to make a contribution. Mr. DeFranza would want to move on a project contingent on the Town being able to provide the \$200,000. The AHT had three sources of funding, CPC, funding through General Funds, or donations.

Jay Butler stated the AHT had only asked twice and the CPC had given the money without ties but unfortunately last spring several residents tied the \$250,000. Peter Britton said he thought the AHT should make a formal ask that they wanted to have \$400,000 allocated for affordable housing, so the AHT could take action. Shawn Farrell suggested to keep discussing because the Town would need it as it would not require Town Meeting approval.

Ed Howard suggested having a copy of questions while discussing grants. Shawn Farrell added that the CPC could use the sheet for relevant questions to the applicant. Peter Britton said it would be useful as a way to collect information as some members knew about some projects more than others. Shawn Farrell said the CPC could discuss applicant answers together before

making a decision. Mr. Farrell said the scoresheets could be distributed with the application and Dorr Fox would tally up the responses.

Motion to adjourn made by Ed Howard.

Seconded by Mimi Fanning

Vote Unanimous to adjourn at 9:40 pm

Prepared by:

Marcie Ricker

Attest

Date