

HAMILTON COMMUNITY PRESERVATION COMMITTEE

MINUTES OF MEETING

July 26, 2018

Members Present: Chair Jay Butler, Ed Howard, Robert Preston, Allison Jenkins, Mimi Fanning, Neil Duggan, and Katherine Mittelbusher

Members Absent: Chris Currier

Coordinator: Dorr Fox

Chair Jay Butler called the Community Preservation Committee (CPC) meeting to order at 7:02 p.m. with a quorum present.

Minutes

Robert Preston made a motion to approve both the June 18 and July 12 meeting minutes. Ed Howard seconded the motion. The CPC voted unanimously among those present (7-0) to approve the two sets of minutes.

Committee Member Reports

Allison Jenkins reported the Board of Selectmen (BOS) will interview three candidates for Town Manager at their next meeting.

Ed Howard said the Planning Board did not meet last time because it did not have a quorum. At the Aug. 8 meeting, the Board will be conduct negotiations on what has become known as the “elevator building.”

Mimi Fanning said she will have information regarding the Housing Authority later this evening.

Mr. Butler reminded everyone tonight’s meeting is only to review eligibility applications. The next meeting will be about funding.

Eligibility Application: Removal of Nuisance Vegetation in Weaver Pond, Patton Park, Bay Road

Conservation Commission (ConsCom) Coordinator Jim Hankin said that in 2009, the CPC approved the same herbicide treatment he is requesting now. The nuisance vegetation in Weaver Pond, a recreational resource, is coming back and if not treated will get worse and stick up through the ice and prevent ice skating there this winter.

The CPC had inquiries about safety. Mr. Hankin said the herbicide is applied in three separate treatments and marked with proper precautions. The work would be done in the spring.

Katherine Mittelbusher asked whether the invasive species contributed to flooding there. The answer was yes, the pond doesn't have much flow and has drainage problems when big rains come.

Neil Duggan asked what would happen if they did nothing. He was told the pond would eventually become a bog.

Mr. Robert Borsetti, 746 Bay Road, said if the pond were allowed to fill in, first it would become a marsh, then a meadow, and then grassland. He said the issue of whether or not to treat should be thoroughly studied in light of flooding and drainage issues across the street at the Council on Aging property.

Decision:

Mr. Howard made a motion to approve eligibility of this project. Ms. Fanning seconded the motion. The CPC voted unanimously among those present (7-0) to approve eligibility.

Eligibility Application: Renovation of Basketball Courts in Patton Park, Bay Road

Hamilton Wenham Recreation Director Sean Timmons discussed replacing the two existing basketball hoop systems at the Patton Park basketball courts, which get a lot of use. He showed photos. The hoops are leaning forward significantly due to kids hanging onto the rims. With a new gooseneck system, he said that's less likely to happen.

Mr. Preston asked the age of the current systems. Mr. Timmons didn't know, but thought they were at least 10 years old. The work would happen in early spring.

Ms. Jenkins asked a question about the lights. Mr. Timmons said they shut off each night at 10 p.m. Prior to that, they are activated by a 45-minute timer switch. There's a bit of a delay between them going off and being switched back on, which many don't realize.

The CPC inquired whether the Recreation Department had sought any donations for the project. Mr. Timmons said they were looking for a possible donation of the work; however, they want someone experienced to set the posts.

The CPC asked about whether the Town of Wenham would share the cost. Mr. Timmons said the two towns share costs when they have an agreement in place. In this case, they don't, and the courts are located in Hamilton.

Mr. Preston wanted more details and a more firm amount on pricing prior to the CPC's funding application hearing.

Ms. Jenkins asked if the courts are regulation size. Mr. Timmons said the new systems would bring them to 10-feet, which is regulation size.

Decision:

Ms. Fanning made a motion to approve eligibility of the project. Mr. Duggan seconded the motion. The CPC voted unanimously among those present (7-0) to approve eligibility.

Eligibility Application: Housing Authority Improvements to Existing Buildings at 15/17 Central Ave. and 14/16 Harris Ave.

Dorr Fox said Executive Director Kate McGuire had withdrawn the grant proposal after Town Counsel Donna Brewer gave a legal opinion that painting constitutes maintenance rather than preservation. Ms. Fanning said Ms. McGuire was planning to revisit the issue and wanted to discuss it. Ms. Fanning said, in her own opinion, keeping up with the Housing Authority buildings *was* preserving them so they will not deteriorate.

Mr. Preston said there was no argument the community would like to take care of the properties, but he questioned whether the use of CPC funds was the right way to handle it.

Ms. Jenkins commented that a memo from Mass Housing shared a similar opinion to that of Ms. Brewer.

The CPC decided to table the discussion to its next meeting.

Eligibility Application: Restoration of Cannons in Patton Park, Bay Road

Mr. Fox spoke on behalf of Department of Public Works (DPW) Director Tim Olson, who could not make the meeting. He said the cannon wheels were finished being restored, but before putting them back on, they thought the cannons should be restored also. An Eagle Scout had expressed interest, but the DPW thought it should be professionally handled due to the historical significance and blasting involved.

The CPC discussed reaching out to the Town for donations.

Mr. Fox said the Boy Scouts were going to be repainting the tank in Patton Park and redoing the horseshoe pits. A Scout had reached out to the public online with a GoFundMe page and had received donations for the work on the tank.

Ms. Jenkins said she was new to the CPC and asked if there was an expectation for the grantees to get funding other than that of the CPC. Mr. Preston said yes, the CPC asked for complementary funding. Ms. Jenkins said asking for donations to go toward municipal assets needs to be handled a certain way, according to a certain protocol with accounts set up, etc. She thought they should discuss it with Finance Director Marisa Batista.

Another issue addressed was a potential lead paint issue. Mr. Fox said the Scouts had tested the paint on the tank for lead and found there wasn't any. He had also done a follow-up test.

Decision:

Mr. Howard made a motion to approve the eligibility of the cannon project. Ms. Mittelbusher seconded the motion. The CPC voted unanimously among those present (7-0) to approve its eligibility.

Other Discussion:

Mr. Butler said Tim McCarthy of The Chronicle had contacted him about reporting on what grants the CPC would be moving forward to Town Meeting Mr. Butler said he will notify the newspaper that the CPC had approved eligibility for these projects, but is asking about donations from the Community prior to deciding on whether to fund them.

Eligibility Application: Affordable Housing Trust Request for Funds for Longmeadow Way Project

Mr. Fox explained the Hamilton Affordable Housing Trust had previously asked for an additional \$200K grant (bringing the total to \$800K) to go toward the Willow Street project, for a total of 7 affordable family housing units. The CPC had thought that too much to spend per unit. Following that Andrew DeFranza of Harborlight Community Partners had said he could develop 200 market-rate units at Longmeadow and not connect with the Town on it. In response, the HAHT approached Mr. DeFranza with the idea of developing a project with a maximum of 100 units and minimum of 48 units. The more contribution from the Town, the smaller the project. Every additional \$25K that the CPC could grant would bring the project down one additional unit. The grant was written as a minimum of \$200K, but could go higher. This would only be for the Miller property; it did not involve the Farnham property.

Mr. Preston asked if anyone anticipated being able to sell the houses there that could front 200 units. Mr. Fox said it was possible the houses could go toward affordable units. Mr. Preston noted if the CPC gives its approval, the matter will go to Town Meeting to decide.

HAHT member and Selectman William Olson voiced support for the project. The Town only wants about 40-50 units, he said, and needs to build affordable housing.

Ms. Jenkins said she thought Harborlight was overpaying for the property and inquired about the income level of the residents who'd be living there. She said she thought the Town needed to help young people and seniors afford to live in Town. As presented to her, she said she was not in favor of funding the grant proposal. She said it was her personal opinion, not speaking as a Selectman.

The CPC discussed that Town Counsel Ms. Brewer had given a legal opinion that the CPC may give funds to the Trust and this project would qualify. They also discussed that the project at 59 Willow Street, for which they'd already granted \$300K, hinged on Longmeadow moving forward.

Mr. Borsetti singled out Mr. Olson and asked him to identify himself.

Bill Shields, 721 Bay Road, said what was before the CPC was not a project, but rather four options. He noted no studies had been done about the effect of the additional kids in the school system, and the impacts on septic, water, etc. Rather than community preservation, he called the proposal a "community destruction project." He said according to the three categories of CPC projects noted on its website, this fell into Category C, as it was not defined.

Mr. Butler explained the CPC is the primary funding source for the HAHT and said multiple times the CPC had given money to the Trust with no strings attached and no project definition.

Mr. Olson said if this project [48 to 100 units] doesn't go through, the Town can't stop a developer from putting 200 units there.

Kate Walker, 82 Ortins Road, said the true cost of the project isn't \$500K, it is \$1.5M, according to her information. She said the way the agreement is written is for the benefit of the developer. She said there had been no input about the costs to the Town. She said the application was overburdening a single neighborhood at a high cost to the taxpayers. Also, she said the HAHT had identified that Harborlight can use the grant money to defend itself in the case of a lawsuit from the Town's own taxpayers. She questioned if it was the intent of the CPA to do that.

Mr. Fox said the document was still a moving document and the issue about using grant money to fight lawsuits was still being discussed.

Mr. Olson noted Harborlight does great work. He said smaller communities are funding projects at over \$100K per unit; for \$1.2M they are only getting 12 units. With this project, for the same amount of money, they can get about 50 units. The Trust had decided 40-50 was the right number of units for the Town.

Ms. Jenkins said Harborlight's mission is to meet the needs of a certain resident, which didn't match up to the residents' base in the Town. She said any agreement worked out with Harborlight should be given within the view of whether it is something the majority of residents would like to see.

Mr. Olson said moving this project forward would allow Town Meeting to vote on it.

Mr. Borsetti said the grant money could be used to fight him as an abutter to the property, as well as other abutters.

Mr. Butler said that worried him.

Mr. Olson said the Trust had the money to sign an agreement for 100 units; but the CPC [by approving the grant] would be part of the solution of helping make a smaller project.

Mr. Butler said if he were an abutter, from across the street he couldn't tell if there were 89 units or 100 units there. He said he wouldn't want to see the money spent that way.

Ms. Fanning said the idea that if the \$200K isn't granted, they would go forward with 200 units was like holding the CPC hostage.

Mr. Preston said the CPC didn't have the disposable income to get this project down to 40 units without shooting itself in the foot [using up all its funds].

Mr. Fox reminded the CPC this discussion is only about eligibility of the project, not funding it.

Mr. Howard said for years the issue of Longmeadow had come up and Planning Board members have stated there is to be no further subdivision of these properties. He said the property isn't suitable for any kind of development—period.

Mr. Preston noted the CPC is looking at other large projects, such as the renovation of Town Hall, which will be coming before them. He said they had to be proactive.

Decision:

Mr. Preston made a motion to approve the eligibility for this project. Ms. Fanning seconded the motion. The CPC voted (7-1) to approve the eligibility.

Further Discussion:

Mr. Preston said he thought the Trust needed to have more structure to the grant agreement and present more facts about the project. He said if the CPC voted to approve the \$200K, the BOS and Finance and Advisory Committee (FinCom) would be asked to weigh in. He wondered if it might be prudent to consult the two boards prior to deciding.

Mr. Butler said the CPC's official FinCom liaison, Nick Tensen, would be attending the next CPC meeting and they could consult him for an opinion.

Other Business

- Planning Board Rep.—The CPC discussed it is still looking for a rep. from the Planning Board. Since the Planning Board did not have a quorum last time, it did not discuss.
- Publicizing CPC Successes—The CPC continued its discussion about using aluminum plaques vs. bronze plaques. They're concerned about people stealing the bronze to sell for scrap metal. Mr. Fox found in his research that bronze lasts 30 years and aluminum

only 15 years. The difference in cost is 10% more for the bronze. Mr. Preston suggested they use aluminum plaques in the more remote areas. Ms. Mittelbusher suggested purchasing three bronze and three aluminum. Fox will ask the company if it's possible to split the order like that.

- Signage Issue—Mr. Duggan said on Facebook people were discussing whether the signage outside the affordable housing projects was drawing negative attention for the residents living there. He said the Facebook post was taken down.
- Patton Homestead Roof—Mr. Howard expressed concern that the two existing skylights at the Homestead won't be removed properly and might just be covered over with a new roof. He wanted to protect the CPC's investment in the new roof since the skylights are likely to leak at some point. Solutions offered were that Mr. (Tim) Olson and Chair of the Patton Homestead Board of Directors Carin Kale could be invited in to update the CPC at its September meeting; the CPC can specify it wants the roofing contractor to be DCAMM-certified (as suggested by Ms. Jenkins), or Mr. Howard can reach out to the various parties personally (as was suggested by Mr. Butler).

Adjournment

Mr. Howard made a motion to adjourn the meeting at 8:45 p.m. Mr. Preston seconded the motion. The CPC voted unanimously among those present (7-0) to adjourn the meeting.

Mary Alice Cookson

Attest

Date