

TOWN OF BELMONT
COMMUNITY PRESERVATION COMMITTEE (CPC)

2016 FEB 12 PM 2:14

Minutes: Wednesday, January 13, 2016, Town Hall Conference Room #1, 5:00PM
Present: Liz Allison, Floyd Carman, Anthony Ferrante, Gloria Leipzig, Anne Marie Mahoney, Andrés Rojas, Margaret Velie, Jim Williams
Absent: Lisa Harrington
Other: Claus Becker, Maribel Carvajal, Julie Crockett, Michael Trainor

Margaret Velie called the meeting to order at 5:00 PM.

Approve Minutes

Motion to approve minutes of December 9, 2015 as amended passed unanimously.

Review Final Applications

PQ Park Revitalization – Phase I (OSR-4) – Julie Crockett gave a brief presentation on the revised Final Application that was submitted, which she believed incorporated all changes requested by the CPC. \$5,000 of the \$25,000 project would be used to conduct a survey of the area, while the remaining \$20,000 would be used hire a landscape architect to create a schematic design of the playground. Upon the completion of Phase I, the project sponsors will have the biddable documents necessary in order to proceed to Phase II. Phase II of the project, which would be submitted as a separate CPA proposal in FY17, is projected to be a \$275,000 construction project.

Andrés Rojas had concerns with the way the revised Final Application was written and identified the following actions that need to be taken in order to ensure the final design is “shovel ready”:

1. Clearly define the Existing Conditions Survey services and procurement
2. Draft a well-defined RFP for the Landscape Architectural and Civil Engineering services for this public works construction project
3. Expand the scope of services to include all phases of the design (including construction administration) for the project
4. Clarify that the final design documents will be biddable in a public procurement environment

Julie Crockett stated that she wished these concerns had been made to her attention prior to today’s meeting, as she would have addressed them in the revised Final Application. Andrés Rojas responded by informing the CPC that he had reached out to the project sponsors with detailed information about how to correct the Final Application but they did not accept his input. Given the apparent miscommunication between the two parties, the CPC agreed to have Jim Williams act as a liaison to ensure the critical changes highlighted by Andrés Rojas are incorporated into the Final Application.

Anne Marie Mahoney noted that this was the first construction project brought to the CPC by private citizens, and suggested that the CPC look into ways of making it easier for private citizens to navigate the procurement guidelines that are required under Mass General Law.

Maribel Carvajal, a resident of the PQ neighborhood, urged the CPC to consider addressing the much needed updates and repairs to this community asset.

Motion to move PQ Park Revitalization (Phase I) Project to Town Meeting for CPA funding of \$25,000, subject to the Final Application being updated to ensure a "bid-ready" Final Plan will be created for the PQ Playground, passed unanimously.

Conservation Fund (OSR-1) – Per the CPC's request, the project sponsor provided a list of other communities who have established a similar Conservation Funds (see attached "Research Memo"). Separately, Margaret Velie noted that Acton maintains a large balance in their CPA Open Space Fund and has an additional fund specifically intended for appraisals and other legal fees associated with open space land acquisition.

Floyd Carman stated that the communities referenced in the Research Memo were not comparable to Belmont, in that they have significantly more open space and have, in some cases, even publicly committed to making open space a top priority in their community.

Andrés Rojas expressed concern over passing the decision-making authority away from the CPC to a separate committee. It is conceivable that doing so could result in the acquisition of smaller parcels of land with the intent of forcing the Town into making choices that are in opposition to Planning Board recommendations. Liz Allison further noted that ultimately the Town, not individual committees, would bear the brunt of any negative impact of these acquisition choices. Margaret Velie explained that the Conservation Fund was merely an option the Conservation Commission was pursuing to correctly position the Town in the event that a feasible Open Space opportunity arose.

Anthony Ferrante reaffirmed that his preference would be to create a CPA stabilization fund, giving the CPC the ability and necessary capital to address any potential CPA eligible acquisition opportunities presented in the future.

On behalf of the Conservation Commission, Margaret Velie rescinded the Final Application.

Construction of Intergenerational Walking Path at Clay Pit Pond (OSR-2) – Anne Marie Mahoney noted that the narrowed scope of the project is compatible with the current plans to build a new high school.

Motion to move Construction of Intergenerational Walking Path at Clay Pit Pond Project to Town Meeting for CPA funding of \$228,350 passed unanimously.

Preserving Belmont's Original Vital Records (HP-2) – Motion to move Preserving Belmont's Original Vital Records Project to Town Meeting for CPA funding of \$80,000 passed unanimously.

Digitizing Belmont's Town Meeting Records (HP-3) – Motion to move Digitizing Belmont's Town Meeting Records Project to Town Meeting for CPA funding of \$85,000 passed unanimously.

Town Hall Exterior Railings Improvements (HP-1) – Andrés Rojas confirmed that he reviewed the RFP and found no issues with the Final Application.

Motion to move Town Hall Exterior Railings Improvements Project to Town Meeting for CPA funding of \$75,000 passed unanimously.

Winn Brook Tennis Courts (OSR-5) – Jim Williams and the other members of the Board of Selectmen (BOS) support the project proposal, as a response to the tennis courts that will be lost to at the Chenery Middle School and the Belmont High School over the coming years. The Tennis courts at the middle school will house modular classrooms starting next school, and the courts at the high school will likely stage equipment during the upcoming new construction project. While the Tennis Working Group could have an influence over how to move forward after the Winn Brook Tennis Courts are replaced, the BOS believe that these courts should be replaced. Without immediate action, the tennis courts could be “out of commission” for at least the next two years. Floyd Carman noted the Selectmen’s Office will be barraged with angry phone calls should the tennis courts fail. Additionally, Winn Brook residents expect their neighborhood tennis courts.

Anthony Ferrante reaffirmed his position that the Tennis Working Group should be given the opportunity to finish their usage study. The study would be completed by August 2016, leaving the project sponsors reasonable time to resubmit their application in October 2016 should the results indicate tennis courts are indeed needed in that area of town. However, the results of the study may indicate that Belmont does not require the twenty tennis courts currently in its inventory, and the Grove Street facilities may be of a higher priority than those at Winn Brook. Since all of the tennis courts are in similarly poor condition, the decision to replace tennis courts using taxpayer money should be determined by where the courts are most needed and not by which courts are in a greater state of disrepair. The Tennis Working Group should be allowed to continue their work to determine what facilities require immediate focus.

Four new tennis courts at PQ Park will be available in the spring of 2016, which can accommodate those who used to play at the two courts that will be lost at Chenery Middle School. Since construction work for the Belmont High School project will not commence for at least two years, new tennis courts at Winn Brook could still be created before the courts at the high school become unavailable (should the Tennis Working Group’s study determine this is warranted by current usage data). In the event that there are no available courts in the town for the high school tennis teams to play on, arrangements could be made to use various offsite locations in nearby municipalities.

Anne Marie Mahoney added that the CPA is not the first avenue of funding for a project of this nature and the CPC can reject the Final Application without “feeling guilty.” If the issue was truly of high importance, other entities would be stepping forward to address the failing Winn Brook Tennis Courts.

Jim Williams retorted that the tennis courts are of high importance, and the Town has chosen to address it through the CPA application process. Gloria Leipzig added that, having voiced skepticism to the concept of a CPA Stabilization Fund in the past, she is uncomfortable with maintaining a large balance in the CPA fund. As this is taxpayer money, the residents could view holding back funding as evidence that the CPC is not fulfilling its purpose of annually supporting

community assets.

Liz Allison noted the project sponsors are requesting a significant sum of money and that the tennis courts—while appealing recreational assets—are not critical aspects of the Town, such as ambulances and fire engines. Therefore, the CPC could afford to wait until the Tennis Working Group's study has been completed. It was also questioned whether there is strong public support for replacing the Winn Brook Tennis courts, as no supporting letters were provided with the Final Application.

Motion to move Winn Brook Tennis Courts Project to Town Meeting for CPA funding of \$325,000 passed with five votes.

- Liz Allison, Anthony Ferrante, and Anne Marie Mahoney voted to reject the motion.

Gloria Leipzig left the meeting at 6:30pm

CPC Timeline to Town Meeting

The Warrant Committee will discuss the proposed CPA projects at their meeting on Wednesday March 2, 2016. Floyd Carman will send copies of the approved Final Applications to the Warrant Committee on January 15, 2016, excluding the PQ Playground (Phase I) Project. The PQ Final Application will not be forwarded to the Warrant Committee until the CPC has approved the previously discussed revisions at the February 10, 2016 CPC meeting.

Prior to the CPC meeting, Jim Williams presented the project proposals to the other members of the Board of Selectmen and it was determined that a supplemental meeting with the CPC was not necessary. The Board of Selectmen has sufficient information to decide whether they can support the proposals at Town Meeting.

Projects Discussion

Motion to grant the Irrigation Improvements at Rock Meadow Community Gardens Project a deadline extension to June 30, 2016 passed with seven votes.*

Motion to grant the Preserving and Digitizing Belmont's Vital Records Project a deadline extension to June 30, 2016 passed with seven votes.*

The CPC was informed that the Comprehensive Cultural Resources Survey will not require an extension. Lisa Harrington will provide further information at the next CPC meeting.

Other Business

- Motion to approve for payment of \$441.51 (11 hours @ \$40.41) to Michael Trainor for December/November administrative work passed with seven votes.*

**Gloria Leipzig was not present at the time of voting for these three motions.*

The next meeting is scheduled for Wednesday, February 10, 2016 at 5:00PM, Town Hall Conference Room 1.

The meeting was adjourned at 6:40PM.

Respectfully submitted,

Michael Trainor



OFFICE OF COMMUNITY DEVELOPMENT

Town of Belmont

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To: Belmont Conservation Commission
From: Mary Trudeau, Agent
Date: January 6, 2015
RE: CPA funded Land Acquisition Accounts

The following summarizes my research, to date, on land acquisition accounts in other municipalities.

Westford, MA (Carol Gumbart): The Westford Conservation Commission has an account titled: Conservation Commission Gift Fund. This account was seeded with 150K dollars, in 2014, from the CPA monies collected in Westford. The account is to be used to initiate a purchase of open space lands, and to pay for items such as legal fees, cost for appraisals, and surveys. The account has not been used, to date.

Lincoln, MA (Angela Kearney): The CPA has funded a Land Acquisition Account, and keeps a balance of approximately 100K dollars in the account. The monies are invested in a low risk investment product monitored by the Conservation Commission. Land acquisition in Lincoln is generally accomplished through a tri party arrangement between the Conservation Commission; the Land Trust; and the Rural Land Foundation. The Rural Land Trust acts as the “developer” and coordinates fundraising efforts, community support, and the logistics of the transactions. The Rural Land Foundation coordinates contributions from the Conservation Commission Land Acquisition Account and the funds from the Land Trust, as well as funds obtained as gifts towards the purchase of a specific parcel. Generally, gifts are obtained by the Rural Land Foundation campaigning in the neighborhoods adjacent to the proposed Open Space purchase. Projects funded through the Land Acquisition Account do not need Town Meeting approval, unless additional CPA funds are required.

The Commission Agent noted that the CPA process could be used to directly fund parcels that were not of interest to the Rural Land Foundation. The CPA could also be asked to fund any costs above those that could be taken from the Land Acquisition Account. The relationship between the CPA and the Conservation Commission is strong, and the common goal is the successful acquisition of lands.

Groton, MA (Takashi Tada): The Conservation Commission has had a land acquisition account since the 1960's. With the acceptance of the CPA program by the Town in 2004, the funds have been primarily sourced from CPA monies. The balance of the account is generally between 750K and 1 M dollars. The town has set a goal of keeping the account,

at a minimum balance equivalent to 2% percent of the Town Operating Budget. The account is used for land acquisition costs, and monies can be put towards the actual price of a property. If the land costs exceed the balance of the account, the Conservation Commission will request additional funds from the CPA and hold a Special Town Meeting to garner the monies. The CPA fund was proposed as a means of streamlining the purchase of Open Space in Groton, and eliminating the need to go to Town Meeting for approval of any specific project.

Duxbury, MA (Susan Ossoff): Duxbury has a CPA funded Conservation Fund that is used for the purchase and acquisition costs associated with small land purchases. The fund typically has a balance of 80K to 100K dollars. The fund is replenished on an as needed basis, rather than annually. Major land acquisition projects go through the traditional CPA approval and Town Meeting funding process.

Plimpton, MA (Susan Ossoff): Plimpton has a small CPA funded account with approximately 15K dollars. The fund is intended to be used to pay for acquisition costs such as surveys, appraisals, and environmental inspections. All actual purchases must go through the CPA approval and Town Meeting funding process. It was noted that the funds in the account are too limited to do a (21E) Hazardous Waste survey on a prospective purchase.

Harvard, MA (Liz Allard): The Town of Harvard exchanged a budget line item for land acquisition, for a CPA funded Conservation Fund. The account generally has a minimum balance of 100K to 200K dollars, and funds are added by Town Meeting approval from the CPA funds periodically. The total funds have been as much as 1M dollars in recent years. This account was used last year to purchase a 650K dollar Open Space Parcel, and funded acquisition and land costs. This fund has also been used to fund Invasive Plant Species Control and Management projects. Liz Allard noted that it is currently a "fight" to get monies put in the account, and there is concern from the CPA Committee and Town Meeting that too much control is given through the funding of this account, as land purchases do not need Town Meeting approval if purchased with this account.

Hanover, MA (Amy Walkey): The Town of Hanover does not have a Conservation Fund to facilitate the purchase of Open Space. The Town has an Open Space Committee that works with the Conservation Commission and the CPA to procure properties with CPA funds. Amy noted that the Town explains the transaction to the seller as one that takes time, and finds that most sellers understand that the process can be lengthy.

Summary: Based on this limited survey, it appears that most Towns use these accounts to facilitate the purchase of smaller pieces of Open Space OR to fund preliminary due diligence and appraisal costs. Funds are used for both acquisition costs and purchase of the properties, to the extent that the monies in the fund allow. Larger purchases continue to be made, using the traditional appropriations from the CPA and Town Meeting, for parcels that exceed the monies available in the Conservation Land funds. All towns agreed that once the monies have been placed in the Conservation Land accounts,

through a Town Meeting allocation of CPA funds, the Conservation Commission is free to spend the monies without further permission or review. It was noted by several Towns that the accounts were seen as a way of streamlining Town Meeting, and eliminating the need for review, discussion and oversight of individual projects.