

CPC Office, 119 School Street, Waltham, MA 02451

Community Preservation Committee (CPC) Public Meeting and Hearings
@ City Hall, City Council Chambers, 610 Main St., Waltham, MA 02452.
Meeting Notes for Tuesday, February 5, 2019

Recorder: William W. Durkee Jr., CPA Program Manager, Waltham
Community Preservation Committee (CPC)

A. Call to Order at 7:00 PM

Called to order by Vice-Chair Erika Jerram acting as Chair. WCAC (Waltham Community Access Channel) video recorded the Meeting. Erika introduced the newest CPC member Amanda Thibodeau. Amanda is a lifelong citizen of Waltham, working as an attorney about ten years doing civil litigation and business accounting.

B. Roll Call by Clerk - Dan Melnechuk.

Present: Vice Chair Erika Jerram, Clerk Dan Melnechuk, Tom Creonte, Bill Doyle, Bob LeBlanc, Loretta McClary, Amanda Thibodeau. Absent: Chair Justin Barrett, Sean Wilson. Program Manager: William Durkee -present. A Quorum of seven was declared present.

C. Minutes - Clerk.

1. Minutes of the November 20, 2018 CPC Meeting. A motion to approve the minutes as written was made, seconded, and passed unanimously.

D. New Business - Public Hearings

1. Mayor's Application for Demolition of Four Buildings at Fernald named the CERC, Shriver, Kelley Hall and Greene. The Mayor used a large map of the Fernald properties from the inception of the purchase of the Fernald for the CPA purposes to acquire 140 acres of the total 190 acres. Both Fernald lands and buildings were purchased December 12, 2014 for \$2,014,000. Parcel#1, parcel#2, #2A, and Parcel#3B were shown for the Mayor's planning purposes. This portion of the detailed review was not the Mayor's Application and can be reviewed through the WCAC streaming video recording.

The Mayor recommended that the Care, Custody and Control of certain buildings should be given to City departments to utilize these buildings appropriately. Now the Mayor used small colored maps to show exhibits #F1&#F2 (conditions existing in 2018, for the current Application), and exhibits #E (Part of the Master Plan) and #D2 (the boundaries as purchased) also. Originally Open Space and Recreation was intended for fish and wildlife a place to exist in a wetland. The CPC paid for that study which is underway. Water problems exist in the northeast areas also. In

the Western Greenway area the southern part was found to have mineral lead which may be removable. After removing the four buildings those lands will be tested for hazards.

There has been a lot of progress since 2014. In the rules of the function of the Mayor and the Council regarding real estate, the Council must make the proposal, then the Mayor acts to complete the disposition. She noted her preferences for areas for the fine arts, minimal reuse for affordable housing, such as done at the Banks school site. The CPC discussion noted that the normal process would provide Care, Custody and Control whereupon those Departments can seek RSP's (Request for Proposal) uses. A zoning proposal remains tabled in the Council which would allow affordable housing. The School Department did Phase 1 and 2 studies.

The Mayor then went to the specific Application. The Application for Open Space and Recreation was estimated as bid for \$2,820,000.00, with a contingency of \$180,000.00 for a total \$3,000,000.00. Flooding at the Greene building made the State and Building Inspector declare it unusable. On the site view of Shriver, mold was found throughout and it designated unusable. The CERC and Kelley buildings are also unusable. The Mayor noted plans might take 20 years to accomplish and the current status has only been four years. Unless the CPA plans continue, a large developer might succeed to change the character of the Fernald site.

The question of whether the CPC could pay for the Mayor's plan would be consistent with a letter provided by the Chair of the CPA at the time of the purchase. Once the CPC pays for the four building removals it would require that only CPC Recreation would be allowed. Further the opinion of the Law Department would support the CPA uses. If the CPC were to request the Mayor to file a Conservation Restriction (CR) for Map#2 she would submit that request to the Law Department and then the Council. An Historic Restriction (HR) would be handled the same way by the Mayor. To get a decision she needed a proposal to retain it within the CPA. She noted she needs a request for a CR from the CPC for Map #2, not for #2A nor #2B.

Following the CPC, a motion was made and passed for the public in attendance the opportunity to speak. One person rose to seek an answer to the effects of the lead found in the Western Greenway. The Mayor noted that the DEP had removed the lead and was checking the property. Further that City funds, not CPA funds, would be needed to remove any findings of lead.

A motion was made to ask the applicant for the first NOI (Notice of

Intent) to close it out with a Certificate of Compliance. The motion passed unanimously and attached as a contingency with the Recommendation.

A motion was made to provide a copy of the Law Department opinion regarding the use of CPA funds to demo buildings for Open Space and Open Space Recreation, The motion passed unanimously with the Manager to provide it to the Mayor.

A motion was made to place the area of the land under the four buildings to be demolished as having the Care, Custody and Control transferred to the Recreation Department as a contingency with the Recommendation. The Motion was discussed and agreed it was acceptable.

F. Old Business:

CR's. The Clerk provided a proposal for CR's as the CPC is delinquent in not having done them. About two years prior the CR's provided by the State were deemed inadequate by the Law Department. Further the Conservation Commission have file sharing technology instead of Email for certain things. File sharing to "the cloud" will allow everything to become available there without paper where allowed. It is inexpensive and information on the CR's will be provided at the next CPC Meeting

G. Announcements/Correspondence- Program Manager/Chair

1. The Waltham Historical Commission will submit a proposal for the entire exterior of the Paine House on the Paine Estate. The Planning Department will prepare the Application for the CPC.

H. For the Good of the Committee - The next Regularly Scheduled Meeting - Tuesday, March 12, 2019 7:00 PM

I. Adjourn: A Motion to adjourn was made, seconded and passed unanimously.