

Community Preservation Committee (CPC)

CPC/CPA Public Meeting and Hearing March 12, 2013

City of Waltham, Massachusetts

CPA/CPC Office, 11 Carter Street, Waltham, MA 02452

FROM: William W. Durkee Jr., CPA Program Manager

Carl Zinnell: Acting Clerk, Waltham Community Preservation Committee (CPC)

SUBJECT: Minutes of March 12, 2013 CPC Public Meeting & Hearing

A. Call to Order at 7:00 PM

Call to order by Chairman Barrett. An announcement was made to alert all in attendance that the Waltham Cable Access Channel (WCAC) was recording the Meeting.

Chairman Barrett introduced Bob LeBlanc as the replacement of Scott Hovsepian as the representative of the Waltham Housing Authority. He thanked Scott for his years of service to the CPC.

Due to the absence of the Clerk, Mr. Dwyer, the Chairman noted that Carl Zinnell had volunteered to act as Clerk for the meeting. Carl Zinnell was nominated by Mr. Fowler to act as Clerk, second by Dan Melnechuk and the Motion passed by acclaim.

B. Roll call by Acting Clerk (Zinnell)

Present: Chairman Barrett, Mr. Zinnell, Mr. Leblanc, Mr. Dufromont, Mr. Fowler, Mr. Melnechuk, Ms. Young, Program Manager Durkee

Absent: Mr. Craig, Mr. Dwyer

C. Minutes

1. Minutes of February 12, 2013 Meeting

Motion to accept Minutes as written by Mr. Fowler, Second by Mr. Melnechuk, motion passed by acclaim.

D. NEW BUSINESS

1. Public Hearings:

1a. Hearing Meeting - Historic Application -Mayor -City of Waltham Wellington House-Interior \$160,000.

Mayor McCarthy present, with Mr. Alex Green of the Waltham Historical Commission (WHC) to address the CPC. Mgr. Durkee noted that a letter of support was received from Angie Emberley, former Chair of the WHC, in support of the proposal.

Mayor McCarthy reiterated that this is the Application to complete the interior of the Wellington House located at 635 Trapelo Rd., Waltham. It is historically significant, Georgian style residence, built about 1779. It is situated on a 22,000 sq. ft. plot (.53 acres). The goal is to provide public access to the site acting through the WHC, while preserving and maintaining its historic structure and amenities. The WHC has long sought protection of the building. The timeline for completion is as soon as the funds are made available. The architect, William Sloan Assoc., have more than 20 years experience with restoration of historic structures. The project budget line items were read. Questions from the CPC were solicited by the Chairman.

Ms. Young asked for the value of the work donated by the Bennett St. School. Mr. Green said the school does historic plastering and woodwork restoration. The School benefits by its oversight of students actually doing the work. The fine details which would include the work are not identified until later in the construction as they are revealed. Other items such as the appropriate electrical fixtures will be identified for input from the HNE/Lyman expert Sally Zimmerman. The Mayor noted the No. Bennett School has also offered to do detail work on the fireplace. She will request a quantification for the work which is also needed for a letter to thank the School from the Council. In answer to Mr. Melnechuk Mr. Green said that the value of the Bennett St. School was in addition to the grant request.

Mr. Fowler noted that the electrical wiring was already complete, and only fixtures were included in this proposal. The

Mayor agreed that the gross electrical wiring had been installed including the fire alarm with other funds. The Wires Dep't paid for the security system. Continuing, Mr. Fowler, asked whether it would be aesthetically attractive for a tenant, to which the Mayor assured him it would and that the WHC could move there. The Council would have to assign it to the WHC for their usage. And he asked whether this is the end of the project. The mayor said that the House would be complete but the land needs work. The Ward Three Councillor together with the Waltham Land Trust (WLT) want to work on the land project starting with a clean-up and to develop a master plan for the land.

Mr. LeBlanc asked for the Timetable for the project. Per the Mayor, other than the unknown time to do the lead paint abatement, all of the rest of the work is scheduled to start as soon as abatement is done. The details of the hazards are not known to her. The Mayor will ask the City Clerk of the Works, Don Cusano, for the details, working with the architect.

Ms. Young asked whether the House and site have been declared an historic site. The Mayor stated it was and that an historic deed restriction existed. Mr. Melnechuk asked whether that restriction met the CPA requirements. The Mayor believed it does and also includes a Massachusetts Historical Commission (MHC) approval. The Chairman noted that the Law Department added such restrictions or covenants in perpetuity whenever a property is acquired. The Chairman assured Mr. Fowler that this has been the practice over the previous several projects. If not presently done, it would be added in the future when the project is approved. The Mayor referred to the Application to add that Michelle Learned had stated that the rehab would confirm to all of the Secretary of the Interior Standards, and further would have to be approved by the MHC. The Deed has been recorded with those restrictions. Further, the original Deed also had a development restriction. In addition to the Law Dep't reviews it was the subject of a City Council Special Permit.

Hearing no one in the audience in favor or opposed, the Chairman closed the Public hearing. The Chairman asked whether the CPC would table this to the next CPC meeting. Mr. Melnechuk suggested that the CPC hold to the Plan and wait until the following Meeting to discuss whether or not the project should

be approved. If there was a demonstrated hardship which would occur if there was a month delay he might change his position. The Chairman asked the Mayor for the project Timetable to which she replied it is ASAP. There are delays in the process which require Council approval. Mr. Melnechuk calculated that the normal process would make approval likely by June if it follows the Plan, and that should be the maximum delay. He was concerned with the No. Bennett St. School Timetable if that work was to be delayed. Alex Green noted that the Bennett School was continuous unlike the public schools. The House itself is stable and the project approval could proceed without emergent action. Mr. Dufromont wanted to have the job finished and occupied without delay. Mr. Melnechuk would prefer that the Plan process be used as it has not been followed for good reasons recently. If there was a unanimous desire to suspend the rules for approval tonight he would not object. Mr. Dufromont has no objection to the process. But he believed the long and multiple discussions and site view to date for the Wellington House will lead to approval and there is no benefit to delay a month. Mr. Fowler agreed that the Plan process is good for a new project. However he recalled that each stage of this project has been approved and the work that remains is known. Ms. Young agrees that the Plan is useful where a new project with difficult aspects exist is presented. But she also agreed that this House is very familiar and does not envision a benefit from delay. The recent Paine Estate project approved is similar to this one in that the approval was ready when all of the issues were resolved by the applicant. Mr. LeBlanc noted that his construction experience has shown that the later that a project is started during the summer months, the contractors get busier and the difficulty of coordinating the tradesmen in their crafts on site becomes much greater. He suggested that the delay of a month might result in a real delay of two to three months. Mr. Zinnell has been involved with the House for many years and would prefer to act as soon as possible (ASAP). Mr. Melnechuk then motioned for suspension of the Rules to vote on approval, second by Mr. Fowler, which passed by acclaim. Mr. Fowler then Motioned to approve the Application for \$160,000 for the last phase of the Wellington House, second by Mr. Dufromont. Mr. Melnechuk noted that there were Criteria now in the Plan, and Goals would follow. He reviewed by reading the Historic Criteria of the Plan and stating this project appeared

to meet all of them. The Chairman believed that each Historic project must meet the Criteria and the Plan should state that. Mr. Melnechuk intended to read the Criteria earlier in the process during the Acceptance meeting. Mgr. Durkee stated he did use the Criteria in his Manager's Review and also distributed in the Meeting packets an excerpt from the Plan showing the Criteria for Alex Green's presentation. The vote was made by acclaim and recorded by the Clerk without dissent.

## 2. Public Meeting

### 2a. Waltham Historical Commission (WHC)- Alex Green overview of the WHC Historic Plan and updates of Historic Projects

Alex Green noted he was aware of the CPC efforts to add the Goals and Criteria to the CPC Annual Plan for selection of Historic projects, and to the higher than expected number of historic Applications. He would update the ongoing, completed and expected projects. The agencies for historic preservation needed a CPC to organize the historic assets of the City. As those agencies are strengthened he foresaw more, but smaller Applications to continue updating existing assets. He would not include projects such as the Watch Factory which have not come before the CPC.

(1)HNE/Lyman "Weatherization" project is 98% complete. The City involvement has expanded access to the area wide resources of HNE (Historic New England). Their staff is steeped in historic expertise, and much of their work initiates from the Lyman. One of their experts for historic wallpaper, paint and electrical fixtures is at the Lyman, and the CPC grant for interior restoration created a liaison for assistance with Waltham's agencies. Workshops, classes and seminars open to the public have been done at the Lyman.

(2)Citywide historic building survey. WHC has been studying the results since its completion in October. A suitable way of presenting the information to the public is now underway. One hundred historic buildings and an Historic District were identified. These buildings may be ranked and those of significant importance identified. Where significant deterioration is found the best way to restore and preserve these buildings may then be addressed. Future smaller but more

frequent Applications for updates are likely. It is more helpful to research 5 to 10 properties annually than the 100 which were done in 27 years with the recent survey. He would expect MHC to match the CPC funds every three to seven years. To Mr. Melnechuk Mr. Green noted that the MHC provided funds matched by the CPC funds. And that the survey did not include the Fernald. In fact the survey focused on the area near Ellison Park - Rte. 60, south of the Lyman Estate which was an early residential center of the community and the location of 40 significant homes. There were several other locations also reviewed. The Fernald would require a survey similar in scope to the one just completed. Mr. Green noted it was not a City property now, but volunteered to ask MHC whether any work has been done there. Ms. Young and Mr. Green agreed that Marie Daly might have some additional information. In any case Mr. Green believed the the Fernald fits within the "landmark status" definition of the Secretary of the Interior.

(3) Gore Place Carriage House. The City/Gore Place Agreement is in place and work can begin on the movement of the carriage house. Gore Place is a significant asset.

(4) Paine Estate Elevator Project. The project is underway and the rental season is now open for functions of this significant place. Mr Zinnell concurred. The Chairman asked whether there was CPC signage currently at the House which Mr. Green did not know.

(5) Wellington House Application. CPC Approval has brought the long sought completion of that building likely soon.

(6) Paine Estate Fire Suppression. The Mayor has tasked the WHC to meet with the Fire Chief this month regarding that project. The CPC grant to the Gore Place for its fire suppression system led to a phenomenal system. Collaboration with Susan Robertson now for the Paine Estate system is likely. A CPC Application in June is probable.

(7) Paine Estate Signage project. This will bring the Paine Estate to a level of preservation to equal the Lyman Estate. Per Mr. Dufromont, he and the ConCom have been working on this and it is fully funded. Mr. Green agreed and concurred that the

project is underway. Mr. Dufromont added that landscape work was needed.

(8) Boston Manufacturing Company aka the Charles River Museum of Industry and Innovation (CRMII). It is likely that Applications to restore the damage done by the floods will occur as soon as issue are resolved. These are the oldest industrial buildings in the hemisphere. It is the bicentennial of their establishment here. Chairman Barrett noted there is a question regarding the ownership of the buildings which could affect future CPC grants. He and Mr. Green knew of the issue and Mr. Green believed they were seeking a way to resolve it.

(9) Bright School. In answer to Mr. Dufromont, Mr. Green and Chairman Barrett agreed there was no historic component to the City CPC historical records center archive projects.

In summary Mr. Green stated it was a mission of the WHC to keep the CPC informed regarding historic issues. Typically the WHC is limited to the exterior portion of city buildings and their landscapes. Ms. Young questioned whether a known historic property such as an Olmstead designed landscape is considered to be historically significant. Per Mr. Green, the Paine Estate may be unique in its deeds and restrictions but is similar to other such sites. At the Paine, the "inner core" land within seven to ten acres immediately surrounding the House are considered historic. Per Mr. Dufromont it is six hundred feet around the House. Mr. Green cited the curator, Ann Clifford who indicated that the MHC regards the core lands as historically significant. As it has been well maintained the actual designation of landmark status has not been needed. Mr. Fowler added that any work on the landscape has to be approved by the Conservation Commission (ConCom).

Manager Durkee requested to be allowed to distribute excerpts from the Monthly WHC CPC Report which were included in Mr. Green's remarks. Further that a letter the HNE/Lyman Estate requested in support of their MHC Award for their Weatherization Project be accepted. Following distribution the MHC letter was accepted and signed. No discussion of the excerpts resulted. (attached)



### 3. Changes to the FY 2013 PLAN

3a. Mr. Melnechuk drafted a "Proposal to amend the Community Preservation Plan - 3/12/13" (attached). He was disappointed with the poor quality of the photos distributed with the recent Wellington House Application. As discussed at the previous CPC Meeting he was tasked to write a change in the PLAN to request an electronic version of each document presented by an applicant be provided if they have one. He read the changes. Mr. fowler noted and Chairman Barrett agreed that an electronic copy be provided for one of the two forms in the current PLAN. The Chairman suggested that the applicants could Email their files. Mr. Fowler and the Chairman agreed they did not want to have to bring a computer to every Meeting. Further, he doesn't want the Program Manager to then have to make nine hard copies for the CPC at its expense. Mr. Melnechuk explained the new paragraph would be inserted after where it is already required to submit 11 hard copies. He also hoped to initiate placing all documents on line for each Application, thereby allowing anyone to access the same information. Mr. Fowler would also like to see all documents stored electronically to avoid "massive files". But his preference is to start with a hard copy. The present existence of a requirement for an electronic copy was stated by Mr. Zinnell with Mr. Melnechuk and the Program Manager in agreement that only the Community Housing Form requires it. Ms. Young would like to be able to show any electronic information in the Chambers since the equipment is installed there. Some edits were suggested by the Chairman to use "if available" to rewrite that part. He agreed that the suggestion should be on the forms for all categories of CPA grant. It should not be mandatory for any applicant to avoid an expense for small projects. The Chairman and Manager suggested writing a final form for the next Meeting which was discussed. A Motion was made by Ms. Young for approval, second by Mr. Melnechuk which carried. Mr. Melnechuk will write the final paragraph and insert it in the PLAN.

Mr. Melnechuk sent out a note to the Waltham Housing Authority, the Affordable Housing Trust Fund, and the Waltham Alliance To Create Housing(WATCH)a letter to provide input for the Goals of the PLAN. The Chairman suggested he contact Bob Waters in the



Planning Department for information on the Affordable Housing Trust fund.

#### 4. FY 2014 Budget Discussion

4a.FY 2014 Budget Proposal. The Manager's Budget Justification letter was in the Meeting packet (attached). The Chairman noted it was similar to the 2013 letter. Mr. Durkee agreed and noted one significant change in the last paragraph wherein he believed that in order for either the CPC or the Council to spend the total 5% allocation of the Administrative funds, the entire amount of the total allocations must be appropriated by the CPC and the Council. In previous years it was understood that the Council could approve only the CPC Budget, but the remaining allocated 5% Administrative funds could be spent after the CPC Recommended a Supplementary spending proposal and the Council approved it. In this proposal, the total which is estimated to be available in the 5% Allocations would be \$135,000. The CPC would have the usual Administrative Budget Recommendation to include the line items which are shown in the Justification letter as a total of \$82,356. The balance of \$52,644 would be left in the Administrative Budget Reserve for possible Supplementary spending if CPC Recommended and Council Appropriated.

Chairman Barrett questioned the Manager's line item for the Part Time Grade 11, step 6 increase. When the request was made recently, he did not know that this was not an automatic adjustment. Mr. Durkee explained that the fact that his position is unique and is not a City employment was news to him. Other part time positions in Boards and Committees appear to be, and his payroll and SMART Plan are done through the City. His position was created as a Grade 11 and step raises were granted automatically for the first years. In his position he works directly for the CPC, and therefore does not receive the step raises automatically AS given to all other Grade 11 employees unless requested and granted by the CPC.

Ms. Young proposed that the wording of the proposal should be different than that of the Justification letter. For example the position of the Manager could read that the position will be given the normal step raises and this is the number. She requested clarification of whether the format of the

Justification letter is what is requested or the way the CPC has submitted its Budget. Mr. Durkee stated that the Justification letter is his rationale as the Auditors Office provides updates of prior year and current FY 2013 Budget spending by line item, and a column to place the FY 2014 line item proposals. The Mayor used to include the CPC Budget in her Budget proposal but deferred to the Council a few years ago. The Auditors office provides the same format as the Mayor as a courtesy. Ms. Young and Chairman agreed that the CPC has not done a good job of selling its Budget. The information is in the Manager's letter but it needs to be displayed differently. It should include more reasons why the CPC should have more funds to do what it needs to do, and then sell it. She noted the example of Councillor Marchese who recently needed appraisal funds. Her reading of the Manager's letter appears to assume the Council is only going to appropriate the clerical salaries. She asked when this document is due, and when it needs to be submitted. Mr. Durkee said the update is received in March. Since the CPC is not part of the Mayor's Budget which is discussed in the Finance Committee of the Council. During 2012 the Chairman went before the Long Term Debt Committee (LTDC) on the last night before the end of the regular Meetings before the Summer break. His message was simply stated that the CPC needed the funds proposed. At that end of the year meeting with a busy agenda, they basically approved the proposal with minimal discussion and cuts and that is our Budget. The Chairman believed the letter confuses the Council. Mr. Durkee pointed out that the presentation meeting can be requested before the Finance Committee meets to discuss the Mayor's much larger budget. The Chairman will contact the Chairman of the LTDC for a Budget meeting night before the CPC April 9 Meeting. He would have Ms. Young, himself and the Manager to collaborate to have proposal for the CPC for April 9.

Mr. Dufromont has seen the CPC request funds for the clerical assistant for the Manager for each of the past three years. Even when funded, no one is ever hired. It should be part of the Budget discussions. His opinion of the stipend for evening Meetings request is that it should be paid as part of the salary.

The Manager noted a vote of the CPC is required at some point before a Recommendation is sent to the Council. The Chairman

indicated the Budget discussion will be continued to the next meeting. Any collaboration proposal will be Emailed to the CPC when it is done.

E. OLD BUSINESS

1. Status of Appropriated CPC Projects:

2. Available Funds Report. Ms Young was unable to get an updated trial Balance, but would assume the numbers have not changed significantly since the previous report.

2a. Time to Spend. The new Gore Place Agreement will allow spending for one year from the date of the Mayor's signature or March 8, 2014.

2b. Quarterly Reports. There were no problems getting the previous December Reports and updates are due March 31.

2c. Agreements: The final Agreement was received for the Gore Place Carriage House project. The Waltham Housing Authority (WHA) 101 Prospect Street slate roof project is in the Law Department. And 287 AFT Grove St. Council project is waiting for the appraisal. For City acquisitions only the Mayor can initiate and approve appraisals and a firm has been employed for that purpose.

Mr. Dufromont noted that the reason the CPC expedited the WHA project was to prevent ongoing damage. He questioned whether the Law Department could be urged to complete its review. Mr. Durkee pointed out that the Law Department first reviews the CPC DRAFT of an Agreement, then all of the signatories sign, and finally the Law Department and the Mayor sign. All of the signatories except Mr. Green of the Waltham Historical Commission who does not have to sign the Agreement have signed and now the CPC awaits the Law Department and Mayor. The Chairman will determine the status.

F. Announcements/correspondence-Manager Durkee- Mr. Durkee - completed previously.

G. For the Good of the Committee None at this time.

H. Adjourn-motion by Member Dufromont, Second by Ms Young. Motion passed unanimously, meeting adjourned.