

Date: March 18, 2008

From: Joseph T. Maguire, Chairman
Community Preservation Committee (CPC)

Cc: William W. Durkee Jr.
CPA Program Manager

Subject: Minutes of March 18, 2008 CPC Meeting

A. Called to Order 7:30PM

B. Roll Call

Present: Joseph Salvo (Clerk of the CPC), Carl Zinnell, Richard Pizzi Jr., Joseph T. Maguire, Scott Hovsepian (departed after the American Legion presentation).

C. Announcements.

Program Manager Durkee noted most information received since the prior CPC Meeting would be included during the discussions of the Applications. A brief review of the procedure for the Application discussions followed. As the Applications appear on the Agenda, the Program Chairman would provide a status and CPA relevance statement. The Applicants will then be invited to make a brief (five minute) update and a review of the project highlights. Questions should be directed to and through the Chairman.

A request for a Motion from the CPC was made to suspend the rules to join the late filed Application of Sally Collura (Councillor at Large) with the Application of the Planning Department for 131-151 Moody St. The Motion was made by Carl Zinnell, seconded by Rick Pizzi, Jr. and passed unanimously.

It was noted that the Application for a study of the Woerd Ave. landfill from the Planning Dep't which was sent to the Long Term Debt Committee (LTDC) was approved there. However, Pat Azadi of the Law Dep't asked that the Application be returned to the Law Dep't. as new information might change what can be done on a portion of the landfill.

D. Correspondence.

(1) Conservation Tax Incentives Program. Audubon announced that a new Bill passed the House which might affect some of the future CPC/CPA grants.

(2) Environmental Bond Bill Status. A rally in favor of passage was held at the State House by a Coalition of 250 organizations representing 400,000 members. The Bill passed the House. It will take awhile to make funds available if approved.

(3) Joseph Salvo CPC Member. Civic accomplishments as student Voting Officer and reappointed Girls Softball Coach were noted.

E. Old Business.

(1) Minutes of CPC January 8 CPC Meeting. Chairman Maguire noted that of the ten Recommendations sent to the Council, 9 passed and one was delayed. A motion was made by Scott Hovsepian, second by Joe Salvo to accept the minutes, and passed unanimously.

F. New Business

(1) Site Views for Second Round Applications. Chairman Maguire described the changes in the process as they evolved during the First Round. The CPC will hold its Public Hearings from the Applicants tonight, followed by site views, then in a change since the last site views, the CPC Recommendations will go to the Law Dep't, come back to the CPC at a CPC Meeting, then go to the Council as Recommendations. A Motion was made by Rick Pizzi Jr., second by Carl Zinnell to hold the "Second Round" Applicant Site Views on March 25, starting at the Kennedy Jr. HS at 2:30 PM. It passed unanimously. Applicants were invited to accompany the CPC in its transportation vehicle.

(2) Annual Public Hearing. Chairman Maguire noted that an Annual Public Hearing is needed each year and will need to be scheduled for the taxpayers to be heard.

(3) Second Round Application Hearings.

I. HOUSING

Waltham Housing Authority – (also Historic Preservation) – 101 Prospect St. \$517,500

The Program Manager assessment was that the historic Chauncy Newhall School is eligible under Historic Preservation for both the structural and slate roof, and as a current Community Housing development, eligible for Housing Support. WHA Chairman Walter McGuire noted the first portion was built in 1895, and rebuilt after a partial fire in 1922. the WHA acquired the School in 1979 and converted it to Housing with a new addition. The roof was rebuilt in 1982 and several times since. A request was made by the WHA for funds as an emergency. A Dep't of Housing and Community Development staff architect visited and recommended repair of the structure and suggested alternatives and estimated costs for slate or synthetic slate. The WHA then requested that a structural engineer prepare plans. The newer five story addition is not part of this application. Due to the WHA need to employ a project architect and engineer which would take about six months before any RFP, the actual cost of the construction could be deferred, and encumbered by the CPC. The total Application is for \$517,500 of CPA funds..

II. OPEN SPACE

a1. Waltham Planning Dep't. (WPD) 131-151 Moody St. \$20,000 CPA

a2. Sally Collura, (Councillor at Large) 135-139 Moody St. \$400,000 CPA

The Program Manager stated that the Planning Dep't Application for the funds was eligible for the Appraisal and 21E Environmental Hazardous studies under Acquisition, Rehabilitation and Restoration aspects of the CPA, and Sally Collura's Application the same and additionally for the Creation of the Open Space Recreation goals expressed. Alison Steinfeld of Planning provided a site map. Sally Collura expressed the vision of an ideal, perfect location of this site as a gateway park to downtown. As the Chairperson of the Council Community Development Committee, Councillor Collura disclosed that this project was also on that docket. Sally agreed with the Chairman that the actual acquisition amount as assessed at \$365,700 could be deferred and encumbered until the hazard and appraisal are completed. The only date for construction of the current or former buildings was 1930 which may have applied to a previous building on the site which burned.

b1. Waltham Planning Dep't. (WPD)/Patrick O'Brien - Wayside Rail Trail \$2,700,000 CPA

b2. Patrick O'Brien, (Councillor at Large) - Wayside Rail Trail - \$1,000,000 CPA

The Program Manager stated that the Rail Trail project has frustrated the WPD and proponents for a decade but has recently accelerated. Related Industries has offered to complete the portion from Weston to about Lunda Street, while the WPD has news regarding the initial portion from Lunda St. to Linden St. The Planning Dep't Application for CPA funds encompasses that of Patrick O'Brien and is an allowable within the CPA rules. Ted Fields from the WPD showed an end to end map of the entire Trail. His understanding of the Related Industries section is from Rte. 128 to Lunda St., therefore the WPD Application includes the piece from the Weston line to Rte. 128. the Trail passes through Gardencrest, the commercial mid-town corridor, the Highlands, Prospect Hill Park and the Berry Farm, the ex-Polaroid site, and across 128 the Bear hill and other west of Rte. 128 Commercial area. It also passes Bentley and near the Brandeis campus as well as the downtown area. The City section is about 2.75 miles, with a lot of Street crossings and a cost of about \$1,000,000/mile. The MBTA is not now willing to lease the last mile as it runs close to the active main line. Funds have already been spent to initiate some phases of the project such as initial environmental review and design. The rough estimated time for completion is 75 weeks from the availability of all of the CPA funds. Chairman Maguire requested the cost of the Environmental assessment, \$50,000, and the final design and construction plans, \$300,000. Bonding would not be done until the costs are identified. Patrick O'Brien has followed and supported the Trail with Congressman Markey and all other proponents. He is waiting to hear the Related Industries proposal as a Councillor. Quick action is necessary and many agencies are working to complete the project.

c1. Waltham Land Trust. (WLT) - Hardy Pond Lands II - \$462,000 CPA

c2. Ed Tarallo, Councillor Ward 2 - Hardy Pond Lands I - \$392,000 CPA

The Program Manager noted that this Application includes the lands which were previously in the Application of Ed Tarallo, Recommended by the CPC and Appropriated by the City Council. The WLT has provided a CD of the Conway School study which the

WLT commissioned and would be available for viewing. The WLT Application appears suitable for CPA funds in part or whole under Open Space Acquisition, preservation, Rehabilitation, Restoration as is Recreation, which in the latter would also include Creation.

Marc Rudnick, 144 Hardy Pond Rd., an officer of the WLT spoke of the inclusion of the Hardy Pond I Lands as part of the larger II proposal as about 25 acres of scattered parcels owned by the City and privately. Hardy Pond I included acquisition of four parcels with two being the largest other than City lands. The WLT has been working to create a single grand Conservation Area as outlined by the Conway School of Landscape Design study. The uses would include "conservation, flood control and passive recreation purposes". The intent is to create the Conway School ideas of the best uses by acquisitions and restrictions. Complications include reluctant landowners who might object to sale of property but might be amenable to compensation for a restriction. A Land Protection Specialist would be hired to negotiate the fees, easements and restrictions. A few paragraphs of the Conway PowerPoint CD highlighted trails, boardwalks, through and along swamps, marsh, wetlands and uplands. Removing fill, culverts and drains would restore water flow, storage and purification. Chairman Maguire noted that in the Area the Conservation Commission is in the process of completing a tax taking, has "Care & Control" of several parcels including the Smith St. acreage to Lexington, Keach Rd., Knollwood, and Kingsway negotiations for conservation restrictions, signage underway, and there could be adverse eminent domain questions. Therefore he suggested that the WLT contact the Conservation Commission and Ed Tarallo to get together to vet the Application. Mr. Rudnick agreed, and added that he thought the State would be more amenable to a collective broad Area for a permanent conservation restriction as required by the CPA than several tiny ones over time, and supported the Smith St. oversight. The process requires that one party own the land, ie the City, and another hold the restrictions, such as the WLT.

d. Walter E. Ohnemus, Inc. – 81 Arcadia Ave. - \$205,100 CPA

The Program Manager noted that this Application abuts former Met State Lot 1 which is now MA Beaverbrook Reservation North. Does the State have interest in owning the property? Is the City interested in acquiring the property? Then does the City have authority to provide entrance to the State property? If acquired by City, not CPA funds, some activities may be possible that would not be allowed with CPA funds, for instance parking. If the current Zoning would allow an adverse use to the neighborhood then it might be better to acquire the property. All considerations affect the value to the stakeholders which is now in the hands of the CPC. Chairman Maguire asked whether the Applicant had contacted the other City Departments as to their interest, to which the Program Manager knew of none.

Walter Ohnemus, 32 Cowasset Lane. Due to erroneous information from the City this ex-met State Lot 1 was identified as Lot 1 of the Middlesex Hospital in the Application. Access from this Lot includes access to hundreds of acres in Beaver Brook and Rock Meadow in Waltham, Lexington and Belmont. A "Negative Determination of Applicability to Wetlands" 11 years ago was given to the Program chairman as added

information for the Application. As owner 12 years Mr. Ohnemus described issues with the neighbors which led him to apply only for Open Space/OS Recreation, not Affordable Housing. The property has been used for access for at least 35 years to his personal knowledge and is used daily today for that purpose. It is a liability with people using it unauthorized for access. The lot is long, narrow about 5800 sq ft.

e. Waltham Planning Dep't. (WPD) - 370 Prospect Hill Rd. - \$45,000 CPA.

The Program Manager noted that this Application is appropriately described but does not appear to fit the definition of Acquisition or Creation of Open Space within the CPA and therefore would be ineligible for Rehabilitation.

Alison Steinfeld described the 2 acre parcel as under the jurisdiction of the Water Dep't., abutting Prospect Hill Park. The proposal would be a project to remove the abandoned water tank and system structures, which would then allow the Recreation Board to acquire the property. The Recreation Dep't will not acquire the property until the structures are removed. When it is cleaned it will be acquired, joined to Prospect Hill Park, and then be protected under State Article 97 and federal 1970's Agreement oversights. A swap of this parcel is planned for the parcel now under the two water tanks in the North end of the Park. Until the swap is completed the City is not eligible for any open space grants. Chairman Maguire note the CPA Coalition and Waltham Law Dep't could vet the Application to clarify the eligibility question. No easements by the Water Dep't are necessary if they exist.

III. HISTORIC

a. Waltham Planning Dep't. (WPD) – Paine Estate Landscape – (also Open Space) \$61,000 CPA. (A correction to the erroneous name Exterior Renovation was noted as shown on the Agenda as Historic item f which is a duplication and unneeded.)

The Program Manager noted that this Application is appropriately before the CPC but there are questions regarding the eligibility of CPA funds for some aspects such as the parking and historic age and location of the original landscape and lighting fixtures. There is a matching funds grant with \$5000 which expires in July.

Ann Clifford noted the Application as landscape improvements on this property owned by the City since 1974. The area to the North has not been restored which is the intent. The design of the area from the parking lot to the entranceway as envisioned by Richardson and Olmstead has been lost. A member of the CPA Coalition was a designer of this Application. The total cost includes the cost of the design and City compatible signage (\$30,000) paid for by the Friends of Stonehurst and a federal grant not included in the CPA request. The Olmstead "schematic" plans do not include this area, but "never executed" Olmstead drawings do show the area and location of the drive. Olmstead envisioned plantings "100 years in the future" although some invasive weeds are there. CPA funds would be requested after the design indicates the cost of the construction, along with other sources of funding.

(b) Waltham Public Library (WPL) – Antique Light Fixtures – \$4,425 CPA.

The Program Manager noted this was an idea which had come to the CPC and only now as an Application. The Wires Dep't felt the fixtures were outside their realm of capability to rehabilitate. It appears to be eligible for CPA funds and could be forwarded tonight as a minor, straightforward request.

Thomas Jewell had a WPL archivist research the age of the three chandeliers. The Library opened September 1915, and was described in the national Library Journal, and featured in the April 1916 Architectural Record. The pictures and descriptions show the three hanging chandeliers as the originals. Photos were distributed for observation. The Wires Dep't recommended the chandeliers should be removed by them, sent to specialists, and they would reinstall them. One page from each of the Journal and Record were submitted for inclusion in the Application.

A Motion was made by Carl Zinnell, second by Rick Pizzi Jr., to send a Recommendation as a Historic Application to the Council, without a site view for the amount of \$4,425, and passed unanimously.

(c.) Robert Logan (Councillor Ward 9) – Martyn Sq. Fountain – \$40,000 CPA.

The Program Manager was contacted by Robert Logan to say he could not attend this CPC Meeting. Mr. Bennett of the Historical Commission did not respond to a request to represent Mr. Logan. The restoration has been approved as a Community Development Block Grant program in the past but not funded when the eligible neighborhood boundary moved. The project appears to be an enhancement in keeping with other projects such as the River walkway and recently approved CPA "pocket park" across Crescent Street. It is an eligible CPA Application within the Rehabilitation, Restoration and Preservation of Historic artifacts. In answer to Committee questions the Program Manager discussed some of the information from the documents provided.

(d.) Waltham Historical Society/ Building Dep't – 92 Felton St. – \$250,000 CPA.

The Program Manager indicated that all of the Application elements requested could be eligible but some details were lacking which would show the historical nature of certain aspects. The CIP Program was used to pay for certain aspects which would not now be eligible. With those caveats the Application appears eligible for CPA funds.

Waltham Historical Society (WHS) represented by Wayne McCarthy and Sheila FitzPatrick co-Presidents. As the previous Water Works Building it fits the needs of the Society for space for Rehabilitation, Restoration and Preservation of the collection of WHS artifacts and documents, as well as the structure itself. These include a large photograph collection, glass slides, documents, civil surveys and maps over 100 years old, books, and donated items since 1913. A lease with the Council is pending after the WHS created a RFP with the Building Dep't through the Mayor. The City is completing some structural work and cleaning before the lease is signed. The adjoining garages are not included. It includes the Building which is handicap accessible, and parking lot. It is not on the Historical Register but is being investigated. A separate Application for any work on the Society collections of historical items will be entered.

(e.) Building Dep't – Elevator – 25 Lexington St. – \$275,000 CPA.

The Program Manager described the Application as a “work in progress” within the scope of the CPA to Preserve, Rehabilitate or Restore any Historic building. Rehabilitation includes an eligible Handicapped Accessible elevator, but the details have changed as it nears fruition.

Ralph Gaudet, Building Commissioner – The present budget for the project is \$250,000 and the added CPA \$275,000 will bring the building within all of the State Codes including Handicapped Accessibility. Future tenants include MIS and possibly the Waltham Museum. The Historical Commission and Handicapped Commission support this Application. There are no changes to the exterior. The elevator will be installed in the South elevation in the garage. Plans exist from Bayside Engineering and the project was bid once, but was over budget. The current Budget is included. It is on the Historic Register, important, and downtown. The elevator was studied in other locations but this plan is optimized for Accessibility, full size, without significant historical impact, with a “functioning entrance”. As a note, the existing variance to allow the use of the front door is limited for another two years to allow for construction of an elevator or the restrictions for Handicapped persons will prevent use of the building.

(f.) American Legion Post #156 – 215 Waverley Oaks Rd. – \$275,000 CPA.

The Program Manager described the structure as a Historic building formerly named the Cornelia Warren School. New information was submitted to the CPC today to delineate the portion of the project which would be eligible for CPA funds as an addition was added in the 1970's which must be excluded. The eligible portion is about 60% as described in the estimates today (distributed to the CPC Members). The Fire Chief espoused today that all Historic structures in the City be sprinklered and brought to the current Fire Code. This is the first such Application to this CPC for the purpose and is eligible for CPA funds under the Rehabilitation of Historic structures.

Nancy Hancock, Manager of the Legion Post, accompanied by David Yarnick, Senior Post Commander. The Application is for Rehabilitation of the portion of the current site which was the Historic Cornelia Warren School. The original one room School was built in 1910. The School was transferred to the Legion Post in 1977 and an addition attached in 1978. Member Rick Pizzi Jr. questioned whether the Post had the ability to pay for the non-CPA funded portion, about \$106,000? The Engineering has been paid, about \$12,000 and a loan taken for the balance. The detailed estimates have reduced the amounts originally requested, for example heating and insulation will only be added to the Historic section for water pipe protection. Member Pizzi indicated that the CPC might need to see the written commitment. Funds do exist in the Post Bank Account and may be able to pay for the balance if no additional problems occur. For example, the Fire Alarm Control Panel now needs to be brought to the current Code although it had been grandfathered. The amended amount is \$91,536 CPA funds. The actual amount granted will depend on the supervision by a City Dep't, probably the Building Dep't.

G. For the Good of the Committee.

(1) Next CPC Meeting. Chairman Maguire noted that a CPC Meeting is needed following the site views on March 25 in order to act on the Applications heard tonight. A date of April 8, 7:30 PM in the City Council Chambers was decided with the intent of forwarding Recommendations to the Council at their subsequent Meetings April 14 or 28th.

(2) Time of Appearance at Meetings. Per the Program Manager the time is estimated only according to the place on the Agenda but cannot be stated exactly.

(3) 3rd Round. To be set following the next CPC Meeting, with the intention of addressing existing Applications prior to the Summer hiatus. Chairman Maguire noted that the available funds may be exhausted or limited after the next Recommendations.

(4) 2009 Budget. Chairman Maguire noted he had submitted a Budget and will provide copies. The only change is the number of hours for the Program Manager. Currently at 19 hours per week which is much less than his actual hours as witnessed by the Chairman. The proposed change is to go to 30 hours which was made on advice of others and won't require any Ordinance change and would compensate him for deserved performance.

A Motion was made by Carl Zinnell, second by Joseph Salvo, to accept the 2009 Budget including the increased hours for the Program Manager and passed unanimously.

G. Adjournment.

A Motion by Joseph Salvo and seconded by Richard Pizzi Jr. to adjourn was accepted by voice vote without objection at 9:57 PM.

Joseph T. Maguire, Chairman
For the Community Preservation Committee