

Community Preservation Committee (CPC) Public Meeting
and Hearing - October 21, 2014
City of Waltham, Massachusetts
CPC Office, 119 School Street, Waltham, MA 02451

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

Note: This meeting was held in the Clark Government Center Auditorium, 119 School Street.

A. Call to Order at 7:00 PM

Called to order by Chair Diana Young. WCAC (Waltham Community Access Channel) video recorded the Meeting.

B. Roll Call by Clerk Dan Melnechuk

Present: Chair Young, Vice-Chair Dwyer, Clerk Melnechuk, Mr. Barrett, Mr. Dufromont, Mr. Bob LeBlanc, Mr. Randy LeBlanc, Mr. Creonte, Program Manager Durkee. Mr. Wilson absent. Quorum declared present.

C. Approval of the Minutes Clerk Melnechuk

C1. Minutes of the August 21, 2014 CPC Meeting.

A Motion was made to approve, seconded and passed unanimously.

C2. Minutes of the September 9, 2014 CPC Meeting.

A Motion was made to approve, seconded and passed unanimously.

E. Old Business

E2. As the Vice-Chair would leave before the Meeting concluded, he was asked to present the status of the CPC project Conservation Restrictions (CR's). Both Chair Young and Member Melnechuk recused themselves and left the Auditorium until the matter was concluded. Vice-Chair Dwyer noted that one applicant, the Waltham Land Trust (WLT), was accepted to prepare and hold the CR's. The WLT is now determining the cost to have the baseline studies done and to provide the perpetual oversight.

D. New Business

D1. Fernald Site View Update. Chair Young provided a video display "quick

tour” of some of the Fernald properties visited during the recent Fernald site views.

D2. PUBLIC Hearing. Mayor Jeannette A. McCarthy –
Application for Purchase of the Fernald Property from the Commonwealth of
Massachusetts – Public Hearing.

The Mayor displayed three maps of the Fernald property derived from the work of the Fernald Reuse Committee Map A in 2009. (attached as Maps 1, 2 & 3 “Fernald Property Parcel Acreage Map Lot Division Plan”). The Mayor used these maps to describe alternatives that she could envision to meet the State plans to retain temporary use of some buildings and the Council requirements for four uses it has described which would not be acceptable under the Community Preservation Act (CPA). The Mayor would use available CPA funds for the acquisition and eventually for CPA allowed uses. If buildings were to be removed to create CPA Open Space, she could not use City bonds because cash is needed for demolition. The plans show about 148 acres for CPA uses and 50 acres for the Council uses as envisioned. Currently the entire property is zoned only for Conservation Recreation uses but the Council could change the zoning. The entire campus is historic as per the National Register, but the Mayor’s view is that less than 10 buildings are possibly worth restoring or reusing. Flood prevention is a concern downstream and in nearby neighborhoods. It is likely that the time for the City to act will require a vote of the CPC at its November 18 scheduled Meeting at which time a plot plan will be needed indicating which lands will be purchased with CPA funds. The State is doing a survey expected to be available at that time. Chair Young noted that there were “checks and balances” provided within the system of acquisition. For instance CPA funds can only be used for wetlands restoration if CPA funds are used to acquire the property needed. And the City Council has the ability to accept, reduce or deny the appropriation as recommended by the CPC.

Per Chair Young, an appraisal will be needed but should be within the CPA budget based on the existing records and the special agreement for the cost of the purchase. The Mayor noted that a real property transaction is needed with the current Governor’s administration or there is a danger that the entire process could be halted and revised. A deadline would occur no later than December 14. After the acquisition transaction is completed, there will be time available to designate which CPA categories will apply to various pieces of the CPA parcel. The Mayor spoke to points raised by individuals and stated that there are fewer restrictions when CPA funds are used than what is allowed if City “Free Cash” is used instead of CPA funds. Further, the Bond Counsel advice meets the outline she presented as best for City costs.

After determining that there were no further questions from the CPC or the audience, the hearing was tabled for the purpose of reopening it at the November 18 scheduled CPC

Meeting and Hearings.

At this time Vice-Chair Dwyer excused himself and left the CPC Meeting.

E. Old Business (continued)

E4. Available funds Report – Chair Young. During the fall of 2013, the Department of Revenue (DOR) released the State matching funds for FY 2013 about November 5, 2014 and are expected to do that again this year. She requested that the CPC vote to allocate the previous year's State matching funds and the Assessors FY 2015 Estimate of the City Surcharge this evening. The delay of the FY 2013 Match was due to a clarification of the necessity of allocating those funds before the City FY 2014 tax rate was set. A worksheet was distributed to the CPC showing the FY 14 (sic) State match and the FY 15 estimated City Surcharge (attached).

A Motion was made to approve the allocation of the FY 2013 State Match of \$1,288,644 as shown on the worksheet, seconded and passed unanimously on a voice vote 7-0.

A Motion was made to approve the allocation of the FY 15 estimated City Surcharge \$2,368,600 as shown on the worksheet, seconded and passed unanimously on a voice vote 7-0.

E1. Fernald Wetlands Study update. Per Chair Young, the bids for the wetlands study were opened 10/21/14 and the contract is ready to be granted to determine the likely benefits. The approximate cost is \$17,000, well within the CPC prior vote and budget of \$20,000. It is intended to be available in preliminary or final form in time for the CPC and Council Use Committee to make their decision whether to proceed.

E3. Status of Appropriated CPC Projects. Per Program Manager Durkee, there are four such projects still open. Chair Young distributed a list of recently appropriated projects (attached) and noted several of the projects closed by the CPC still appeared open on the Accountants Expenditure Report for September. The Hardy Pond Conservation Area (HPCA) study estimate for appraisal should be within the CPC Budget while the project has not been voted on by the CPC as it awaits the appraisal.

F. Announcements/Correspondence - Chair Young

F1. Applications

F1a. Leland House Roof. The project is completed and reimbursed, ready for closing.

F1b. 287 AFT Grove St. The project is completed and ready for closing.

F1c. Wellington House. During recent clean-up days, the House was opened for viewing and is "spectacular". The Chair asked whether the Committee would be interested in touring the site and the response was affirmative.

F. ADJOURN

The Motion was made to adjourn and passed without dissent from the 7 CPC Members in attendance.