

Community Preservation Committee (CPC) Public  
Meeting and Hearing - February 7, 2017  
City of Waltham, Massachusetts  
CPC Office, 119 School Street, Waltham, MA 02451

Recorder: William W. Durkee Jr., CPA Program Manager,  
90Waltham Community Preservation Committee (CPC)

Note: This meeting was held in the Waltham City Hall, City  
Council Chambers, 610 Main St., Waltham, MA 02452.

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 FY 2017 Clerk Dan Melnechuk

Present: Chair Diana Young, Justin Barrett, Dan Melnechuk, Bob  
LeBlanc, Jerry Dufromont, (7:14) Sean Wilson. Absent: Tom  
Creonte, Kevin Dwyer, and one vacant member. Program Manager:  
William Durkee - present. A Quorum of 5 was declared present,  
and later 6. The Chair noted that all actions requiring a vote  
tonight would need 5 to pass.

The Chair noted that an ad hoc Committee of the City Council was  
preparing to seek nominees for the vacant CPC Member seat.

C. Minutes - Clerk.

Minutes of November 15, 2016 CPC Meeting. A motion was made to  
accept the minutes. The motion was seconded, and passed  
unanimously with six in favor and three absent.

Minutes of November 23, 2016 CPC Special Meeting. A motion was  
made to accept the minutes. The motion was seconded, and passed  
unanimously with six in favor and three absent.

F. Old Business (not Public Hearings)

1. As a courtesy to the applicant, the Director of the  
Charles River Museum of Industry and Innovation (CRMII) Mr.  
Robert Perry, was heard first.

The CPC sought information from Mr. Perry regarding the term of the lease proposed by the site owner's representative, Mr. Robert Kargman. Mr. Perry read from a letter from Mr. Kargman which provided a sense of cooperation but no specific period of years for the HR extension. The CPC decided to make the Recommendation contingent on a minimum 10 years but preferably longer. Also, Mr. Perry explained that the short time from the recent site views prevented getting more firm bids for the architectural, engineering or construction services for the grant. To expedite the application the CPC voted to change the dollar costs to a total of \$350,000 to be noted on the application by the Chair before sending the recommendation to the Council. A letter of intent (LOI) would be acceptable from the owners to be included in the recommendation to the Council. The normal sequence of Council actions would require the presence of Mr. Perry and the Chair at the committee of the Council delegated to act on it on February 21. The Chair would prepare a package of information acceptable to all parties including the Mayor. The Chair and the applicant would also begin work on the compliance documents required by the Purchasing Department for submission after Council approval. A Motion was made and seconded with a roll call vote to include \$350,000 for climate control systems, two handicap ramps, with a lease to CRMII to be extended at least 10 years, and would include a letter of intent for the extension from the landlord, which passed with 6 in favor, none opposed and three absent or vacant.

#### E. Other New Business -

1. Annual Budget Commentary for the Mayor. The Mayor seeks calendar year budget data and justification from all City departments. The CPC administrative and project budgets are done on the fiscal year. The Chair discussed a plan to provide information to the Mayor, as do City departments and other Commissions, in the form the Mayor requested last year. Note that the Mayor did not make a request this year, but a request is expected.

2. Deed restrictions on projects funded by the CPC.

The Chair outlined her understanding of what is necessary for

CPC restrictions. The CPC has not filed appropriate historic deed restrictions (HRs) in the past. If the CPC funds a proposal for a place which already has a restriction, then the CPC does not have to file a new HR as they already exist. For other projects, the Chair and Luke Stanton of the City Law Department concurred that only when local oversight does not exist, deed restrictions should be filed. The owner of the Sacred Heart Church proposal site is the Archdiocese of Boston which requested some minor changes in such an HR. The CPC must put "perpetuity" as the time limit for any property it acquires. However, if it is not an acquisition, there is leeway as to what period of time is needed. Other CPC communities have created a graduated scale of longevity of HRs based on the cost of such proposals. The Chair created a similar HR table (attached with the typo amended to \$100,001 in the 40 year line by the Clerk). There is no third party endowment needed to oversee the project as the City is the holder of the restriction. The members discussed concerns for the enforcement of restrictions as there is currently no way for the Building Department to know of the restriction and the Historical Commission is only notified when a demolition of a building is planned. It was suggested that the City Building Department's building card include the fact that an HR exists on any such property. This will be discussed with the Building Inspector, Mr. Forte. A motion was made and seconded with a roll call vote to accept the proposal of the Chair for the HR guidelines with the modifications agreed, and passed with 6 in favor, none opposed and three absent or vacant.

#### F. Old Business - (not Public Hearings)

##### 2. Metro West- Affordable Housing

A Councilor may have found a way to implement the program but details have not been provided.

3. Music Hall - Historic. The Building Inspector notified the Program Manager that all safety issues have been resolved but other code violations may need Board of Appeals acceptance.

4. FY 2017/2018 -Budget and Finances Updates Chair. The Chair noted that the CPC can only spend 5% of its revenues on administration. The current budget is about \$22,600 more than the 5% limit, so the CPC will not be able to spend its total approved budget. The CPC is limited to spend only the 5% amount.

The total funds available for new projects were \$19,678,000 as of 12/31/16. As shown on the Projects Report (one page, attached). Two additional projects are not on the list: Gore Estate waiting to finalize the Agreement, and 67 Crescent Street signature of the Mayor on the Council Order of acceptance.

5. Open Space Restrictions (CR's) - In the absence of Vice-Chair Dwyer the Chair noted there was no Law Department update yet regarding CR's. The Chair requested approval from the CPC to speak with the Law Department as to how the CPC should get its Open Space Restrictions. The City owns the CPC purchased properties but a third party must hold and enforce the restrictions. A motion was made to allow the Chair to speak with the Law Department on this issue, was seconded, and passed on a roll call vote six in favor, none opposed, and three absent or vacant.

6. Fernald - Historic Survey \$75,000. The Mayor has put a hold on the project as she believes a search for a possible cemetery on the Fernald site should be accomplished first.

7. Status of Appropriated CPC Projects.- Program Manager & Chair.

The Music Hall, the CR for Grove Street Open Space, and the Sacred Heart façade were previously discussed. The Archdiocese and the CPC Chair have signed the City/Sacred heart Agreement. The Mayor has not issued any report for the Arrigo Farm. The Auditors Budget Reports showed spending for the Fernald demolition of buildings by Costello Dismantling and verbal reports received of unexpected hazards which delayed the project. The Recreation Board Gilmore Playground is underway. However, the Director of the Board, Sandra Tomasello retired. Nick Abruzzi is the Acting Director, and Lisa Diblasi the assistant. The City/Waltham Housing Authority Voucher Program is accepting applicants with the lottery scheduled for February 24. The two Bright School projects for the Records and Vaults are closed. The Wellington House Interior project is seeking an appraiser for the Castner - Wellington items in the House. The available \$42,000 CPC funds are being considered for repair and renovation of the fireplaces. The Chairman of the Waltham Historical Commission, Clarence Richardson, plans to resign and may do so as soon as March. The Paine Estate roof design project has gone to bid and a roof replacement project is expected to be presented at the March CPC Meeting. HNE- Lyman sent a detailed Quarterly Report as required December 31. The French American Victory Club (FAVC) documents are expected soon so that their

agreement can be signed.

#### G. Announcements/Correspondence - Program Manager & Chair

##### 1. Application Inquiries - Program Manager

The Sons of Italy have inquired and requested the CPC rules and forms. The MacArthur playground design is under Mayoral review. The curator of the Paine Estate is seeking State funds which are not usually decided until June, then would seek to match CPC funds for several exterior projects.

##### 2. FY 2017 Schedule of Meetings (update)

The Chair requested a change in the CPC Meeting date of June 13 to Tuesday June 6. This would allow the CPC to act and send any recommendations to the City Council for action before the Summer break. The CPC Members present agreed by acclamation to the change. The Chair noted that the Paine Estate has offered to host the April CPC Input Meeting but the lighting is not good. HNE Lyman has a suitable room which would highlight other project sites funded by the CPC. The Chair will seek the best location for the April Public Input Meeting.

H. For the Good of the Committee - Program Manager - The ads that have been used to publicize CPC Meetings in the Waltham News Tribune will be discontinued after this meeting. The new format for the Tribune ads as legal notices appeared there for two weeks for this meeting. The Secretary of the Commonwealth ruled that every meeting established by ordinance must now provide a notice to every part of the State. A consortium of all of the newspapers already provides a service for legal ads which will be used in the future. The Law Department notified the CPC of the new rule. A website address to access all of the statewide CPC ads will be sent to the CPC by the Program Manager.

I ADJOURN. A Motion to adjourn was made and approved. The next regularly scheduled Meeting is Tuesday March 14, 2017 7:00 PM