

Community Preservation Committee (CPC) Public  
Meeting and Hearing - November 18, 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 City of Waltham, City  
Hall, Council Chambers, 610 Main 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 Kevin Dwyer, Clerk  
Melnechuk, Mr. Justin Barrett, Mr. Jerry Dufromont, Mr. Bob  
LeBlanc, Mr. Randy LeBlanc, Mr. Thomas Creonte, Mr. Sean  
Wilson, Program Manager William Durkee. Quorum declared  
present.

Chair Young announced that a revised Agenda would be used and  
a continuation of the Fernald Hearing with the first item  
being the Mayor's presentation. The public would then be  
invited to speak.

D. New Business

D1. PUBLIC Hearing. This hearing was a previously  
tabled public hearing. Mayor Jeannette A. McCarthy -  
Application for Purchase of the Fernald Property from  
the Commonwealth of Massachusetts - Public Hearing.

The Mayor provided three maps that split the property into  
two parcels. She proposed that Map 2 be the one that the CPC  
should adopt, with Parcel 1 being acquired using CPC funds.

She proposed that Parcel 2 be acquired with other City funds. The Mayor mentioned that she is having an appraisal done on the property to show that the City is not paying too much for the property. She also mentioned that she had signed the contract for the wetlands study.

The Mayor described the building inventory and distributed information (attached). The Commonwealth will retain certain building parcels known as Marquardt, Malone, Site 7 and Green. She was not certain that the State would need to retain Malone Park and Site 7 as the last resident has left Malone. The State will remove records and other items from these two sites.

Therefore she would ask for a minimum CPA amount of \$2,697,906.93 to a maximum of \$2,734,867.78. Any non-CPA acceptable expenditures would revert to the CPA funds.

Chair Young confirmed that the plan before the CPC is to exclude the four State parcels for a total of \$2,697,906.93. Then to add \$16,407 for acquisition of Site 7 and Malone if the state did not exclude those two properties from the acquisition.

The Chair noted there were certain CPA purposes which could be funded under its allowed categories of Historic Preservation, Open Space, Recreation or Community Housing. The original Application did not include Community Housing. The Mayor responded that she does not wish to have "clustered housing", "400 apartments" or a build-out of Housing. However if there is a rehabilitation of existing buildings for Housing she would be amenable for that. Chair Young said she had contacted the DOR and was told that if a building was included in the acquisition with CPA funds and later deemed appropriate for CPA Housing, it would be acceptable as CPA Creation of Housing or under Restoration/Rehabilitation of Housing. This would only be possible for the Historic buildings on the site originally purchased with CPA funds. The Mayor noted that the buildings outlined in dark green were designated as Historic and are in Parcel 1.

The Mayor then discussed the buildings in Parcel 2 such as

Bowen, West, Shipman, and Belmont buildings which are now fenced in. The State outlined them with dark lines as buildings they wanted to remove. These have to go through the process of deciding which are historic and should be preserved or converted to other uses, and are not in her jurisdiction. To CPC Member Wilson, she noted there were some historic buildings in both Parcels but she would need a building analysis to decide whether they were useable.

The Public Hearing was opened to the audience.

Dee Kricker recommended that the CPC approve the Mayor's Plan and do what is needed to meet the deadline for the end of the year. Georgie Hallock noted that there was a major oil spill on the Fernald property at the Thom Building now called Marquardt. She asked that the CPC approve the purchase at "all due speed" prior to the arrival of a new State administration. She suggested that a portion of the CPC grant be used for "ground penetrating radar", using modern "archeological dig" techniques to scan the entire property. Numerous utilities and known hazards were named as found within the parcel. At the Power Plant she said the alternative use of long poles to sample beneath the surface was done, but radar was a low cost alternative.

The public hearing was closed.

The Clerk noted a Suspension of CPC Rules was required to vote that night since the Public Hearing had just been closed. A Motion was made by Mr. LeBlanc to suspend the Rules, seconded by Mr. Wilson and passed by acclamation.

Mr. Barrett made a Motion to Recommend the Mayor's Plan as described on Map 2 of a total of \$2,697,906.93 for acquisition of Map 2, Parcel 1 (139.7 acres), less 1.888 acres of four State licensed parcels for a total of 137.8 acres for the purposes of Community Preservation of Open Space(OS), Historic Preservation and Recreation uses with an additional \$100,000 for contingencies. This amount is without the four State parcels. A friendly amendment was added by Chair Young to include funding for the two State parcels known as Site 7, 0.46 acres \$9,017.04; and Malone Park 16,492

ft sq or 0.38 acres \$7,407.83 if those become available, which was accepted by Mr. Barrett. Seconded by Mr. Randy LeBlanc, and a Roll Call taken which passed unanimously with 9 in favor and none opposed.

D2. Allocation of FY14 State Matching Funds to required reserves: A worksheet was provided by the Chair (attached). These funds as received in the current FY 2015 need to be allocated and appropriated to the required CPA categories, CPC administration, and the balance to the CPC General Reserve. The Motion was made by Mr. Barrett, seconded by Mr. Dufromont for \$79,642 to each required category, \$39,821 to administration, \$517,674 to the General Reserve for a total of \$796,421 for FY2015, which passed unanimously with 9 in favor and none opposed.

D3. Allocation of Prior Year (FY 2013 & 2014) Unallocated Funds to required reserves \$721,840.37: A worksheet was provided by the Chair (attached). As these funds were not allocated during the Fiscal Years in which they were received, there cannot be any allocation to the CPC administrative reserve. These funds need to be allocated to the required categories and the balance to the General Reserve. Mr. Barrett made a Motion to request that the City Council appropriate \$72,184 to each of Historic, Open Space and Community Housing and the balance of \$505,288 to the General Reserv. The motion passed unanimously on a roll call with 9 in favor and none opposed.

C. Minutes - Clerk.

C1. Minutes of the October 21, 2014 CPC Meeting. A Motion was made by Randy LeBlanc to approve the Minutes, seconded by Tom Creonte, which passed unanimously with nine in favor and none opposed.

E. Old Business.

E1. Fernald Wetlands Study update - Diana Young. The Mayor signed the award 11/17. The author of the RFP was primarily the Chair of the Conservation commission. Several City agencies will be consulted including the CPC.

E3. Status of Appropriated CPC Projects - Program Manager:

a. City Clerk.

a1. Bright School Fire Suppression. The Clerk's Office is to confirm this week whether the project can be closed.

a2. Bright School Vaults. The Clerk's Office, through the Purchasing Agent, is expected to encumber and issue the P.O.'s and will not need to get an extension of time to spend the funds. A Motion was made by Mr. Barrett to extend the time to spend through 12/31/15. Mr. Dufromont seconded and the Motion passed unanimously with 9 in favor and none opposed.

b. Wellington House. The funds are being spent but the Historical Commission has not reported the status.

c. Arrigo Farm. A Motion was made by Mr. Barrett to extend the time to spend through 12/31/15. Mr. Dufromont seconded and the Motion passed unanimously with 9 in favor and none opposed.

E4. Available Funds Report - Chair Young. A report was distributed showing the status of the previously appropriated projects (attached). The Fernald Wetlands study was paid for by using \$16,900 in the administrative budget for Environmental Studies (\$12,000) and Surveys (\$4,900). There remains in the budget \$51,000 for Conservation Restrictions (CR's), \$12,000 for Appraisals, and \$1,100 for the Surveys and Environmental Studies line items.

E2. Conservation Restrictions (CR's)- Vice-Chair Dwyer. Both Chair Young and Clerk Melnechuk recused themselves and left the Council Chambers. Vice-Chair Dwyer read the Waltham Land Trust e-mail of 11/17/14 which reported that a RFP was sent to eight potential consultants (land protection specialists) to assist the WLT with the CR's. The deadline to respond was 11/24/14, with the contract to be awarded by 12/8. Then, the work was to be completed within three months of the award of the contract. Depending on the amount the WLT requests for perpetual oversight of the two CR's, there may need to be a vote of the CPC. Following this discussion, Chair Young and Clerk Melnechuk returned and the CPC Meeting resumed.

F. Announcements/Correspondence -Chair Young.

1. Wellington House Tour. The Maintenance Supervisor could conduct a CPC tour of the Wellington House any weekday during work hours. The date and time are to be determined.

G. For the Good of the Committee - Chair Young.

1. Filing Deadline for Program Manager to Accept Applications. The Clerk noted that there should be a deadline of one week before a regularly scheduled CPC Meeting. The CPC could always override its Rules. The process would allow the CPC an opportunity to read the Application before hearing the applicant present it. The ability of the CPC to Accept or Deny an Application should exist after the Program Manager's analysis. Most Approved projects have been approved in less than the required three CPC Meetings. Mr. Melnechuk would prefer to see all applications when the Program Manager receives them. The Chair suggested she be sent a copy of any Application received by the Thursday before a CPC Meeting, even before the Program Manager's review, in order to have the weekend to review the proposal. The one week requirement is in the Plan and the Plan is posted on the CPC website. The Clerk will add to the application itself the requirement that the applicant read and follow the Rules of the Plan. There is also an existing ability of any two Members to call for a Special Meeting to hear an exceptional Application at any time.

2. CPC Meetings. The Council Chambers were reserved for the CPC for Tuesday, December 9 at 7 PM in case a Special Meeting was needed. Six CPC Members were available to attend.

Next Regularly Scheduled Meeting. Tuesday, February 10, 2015. Location to be determined

H. ADJOURN