

Community Preservation Committee

April 26, 2006 - Meeting Minutes

Committee members present: George Bailey, Corey Snow, Peg Arguimbau, Janet Sargent-Tracy, Arnold Cohen, Robert Young, Arnold Kublin. *Guests present:* Shirley Schofield, David Grasfield (part of time).

The minutes of March 9, 2006, were approved by unanimous vote.

Mr. Bailey said there was a “follow-up e-mail with Mr. Hauser” and that he had invited Mr. Hauser to attend a CPC meeting when the latter was able to.

The committee discussed some proposals that might be in the works. Mr. Kublin said that funding of new flooring and roofing at the Housing Authority properties, including the South Pleasant Street School apartments, would be applied for. Mr. Young offered to co-sponsor the proposal that pertained to those apartments since they are in the Historic District. Ms. Cheyer said that an application might be made by proponents of Town Meeting Article 19 to help acquire a portion of King Philip’s Rock area. Mr. Bailey said CPA funds might contribute to the rehabilitation of the Community Center [but see 4/27 e-mail re: timing, attachment 1]. Mr. Young said that the Massachusetts Historical Commission had asked the Sharon Historical Commission to apply to CPC for funds for a historical inventory of the Town; the last one was done in 1976.

Mr. Bailey presented the chair's report (see attachment 2). He described information he had heard at the Milton CPA Study Committee about cities consulting with the CP Coalition to become eligible for CPA funding. They might seek a commercial properties exemption from any surcharge.

Discussion then turned to May Town Meeting Articles 18 (Horizons for Youth) and 19 (King Philips Rock area). Mr. Bailey said he had written to the Finance Committee objecting to the phrase “no effect on a homeowner’s tax bill” in their recommendation for Article 19, and that he believed Article 19 as phrased, if passed but not funded by CPA, would compel the Town to fund the proposed acquisition. Mr. Snow and Mr. Cohen agreed with this interpretation of the Article language. Further, Mr. Bailey said he had spoken to one of the owners of the Article 19 land, who said he had not been approached about purchase. Ms. Arguimbau pointed out that there was a \$600,000 cap for the acquisition (stated by FinCom at the Open Warrant Meeting), that the Conservation Commission supports some form of acquisition, and that there was some history of contact with the land owner. The committee wanted to make clear at Town Meeting that there has been no application to CPC for this project yet.

In connection with Article 18, Mr. Bailey said he had done a present value analysis showing that a 20-year bond of about \$4 million was the maximum borrowing that could be repaid solely with CPA funds. The reasoning is, after setting aside the mandated 30% of state+local funds for three basic purposes and up to 5% administrative, one cannot commit the remaining 65% to borrowing, but only the

Town's portion of that, which amounts to about 50% of the total state+local CPA funds every year, or about \$375,000 (presuming 100% state match). Mr. Cohen said the figure "sounds very high." The state funds portion would still be available for other projects. If CPA funds are committed to a bond, the Town cannot opt out of the program as long as the bond remains unpaid (or if it opts out, the bond must be repaid with other than CPA funds). Ms. Cheyer said even if CPA funds could not fund the whole of a project like Article 18, they could still help with a smaller amount.

There was a question whether CPA funds could go into the Affordable Housing Trust being proposed at Town Meeting. In the final analysis, Mr. Kublin pointed out, only applications count.

Next meeting date set for Thursday, May 25, 7 p.m. Meeting was adjourned about 8:10 p.m.

*Submitted by Alice Cheyer
Interim Secretary*

ATTACHMENTS

(1) E-mail, 4/27/06, Bailey to CPC, Puritz, Selectmen, Eligibility of CPC Funds for Community Center Overrun Article

Following discussion with CP Coalition it is clear that the Community Center Building meets the criteria necessary for designation by the Historic Commission which would make it eligible for funding by CPC. However, Attorney Gelerman has established to his satisfaction that a recommendation by the CP Committee to the Town meeting (following a hearing and affirmative vote) would need to have been made on or before the time an Article for repair, modification, etc. of the eligible public building is acted upon. It is clear that very careful planning must be made if the Town is to make optimum use of these funds. The time available for this particular action (1 week) precludes action by a CPC which must meet to receive a fully documented application, hold a hearing, and act.

George Bailey

(2) Copy of Chair's Report – Bailey to the CPC - April 26, 2006

To: The Community Preservation Committee

Subject: Chairman's Report: Update on CPC/CPA related activity

1. Attached is e-mail correspondence with Eli Hauser, 58 Ames St., regarding his 12 March 2006 proposal for taking Commercial Properties at corner of Pond St., PO Square. South Main St. for Open Space, Recreation, and assisting housing through provision of septic facilities.

The committee was also included on follow-up e-mail with Mr. Hauser.

It is clearly public policy that e-mail from and to committee members relating to their activities as members of a public body becomes a matter of public record. Mr. Hauser now understands this policy.

Mr. Hauser is currently out of town but may seek to meet with the committee at its next meeting.

2. Advised Jane Desberg of the clarification of the guidelines relative to "rehabilitation and capital improvement of existing buildings" .

Ms. Desberg has advised us that the Housing Authority is working on two proposals for submission prior to our 31 May deadline.

3. The CPC budget request was forwarded to the FinCom directly after our meeting. Gloria Rose of the FinCom reported that it had been approved on 4/4.

4. On 10 April - by arrangements made in January - gave testimony to the Milton CPA study Committee - on Sharon CPA. The other outside commentary was provided by Mark Cerel the Chair of the Millis CPC and Medfield Town Counsel. During the meeting the subject of how long a full 100% matching fund would be available. A Milton citizen reported that he and the Metro-Mayor's Coalition were working with the CP Coalition for a compromise to allow cities to join by voting a 1% surcharge and gaining up to 2% additional by using TD funds and similar developer-donations to reach 3%. The previous Metro Mayor's proposal would have allowed cities and towns to create a CP fund with a simple Council or Town meeting diversion of ordinary tax revenues. To limit the impact of such large scale fund demands on the match, some sort of indexing is being considered.

On 12 April while meeting with MAPC staff at the monthly Legislative Committee meeting I brought up this issue since MAPC serves as coordinator for the MetroMayors. They confirmed that such discussions were proceeding with Coalition cooperation.

5. Please note that there are two Capital items on the Warrant relevant to CPC funding, Articles 18 & 19, neither of which have been discussed with the CPC.

I found this statement in the warrant under Article 19 troubling: "If funded by this method [Community Preservation Committee] there would be no effect on a homeowner's tax bill". I have submitted a statement to the FinCom at the Open Warrant meeting challenging that point of view.

A CPC statement as to what significance the Town Meeting action might have on any application for funds should be discussed.

[There is no 6.]

7. Mission Statement: Should we consider a one or two sentence statement of the Mission of the CPC?

8. Smart Growth Principles: At the last meeting we briefly entertained the inclusion of some or most of these principles in our criteria. The intention is to provide a framework to townspeople and applicants and spell out their applicability within the goals of the CPC. I am including them for further review and possible action at the next meeting.

Smart Growth Principles

Protect and preserve environmental resources, open space, working landscapes and unique natural environments, and reduce air and water pollution.

Promote diverse housing types in all communities to enable households from a wide range of economic levels, cultures and age groups to live and work within their boundaries.

Foster economic and social equity and provide choice and opportunity for all Massachusetts residents.

Reinforce our tradition of compact, walkable cities, towns and villages by encouraging lively, mixed-use development near existing infrastructure and promoting efficient land use that minimizes sprawl.

Invest in transportation choices, including high quality public transit services, which provide alternatives to automobile use.

Encourage fiscal policies that allow all communities within a region to share in the benefits and responsibilities of growth.

Promote local, regional and state planning and investment to promote smart growth.

Promote sustainable, shared prosperity through economic investment and development policies that provide jobs and opportunity, strengthen communities, and streamline development processes that avoid sprawl.

Encourage development that conserves resources, minimizes waste, utilizes good design, promotes health and enhances the community in which it is located.

George Bailey

Copy of E-mails – Hauser/Bailey

From: "Eli Hauser" <elimhauser@yahoo.com>
To: "George Bailey" <georgebailey@alum.mit.edu>
Sent: Thursday, March 30, 2006 9:10 AM
Subject: Re: Project Submission - 12 March 2006

George,

I will review this material and see how far I can get.

You asked for citizen recommendations or suggestions; not technical applications. In that context, your guideline below is absurd.

I believe it is the job of the committee to complete these forms or similar once an idea has been discussed as appropriate, rather than the recommender. I have another full time job.

The only people who will now work against these criteria are those with either an incredible amount of free time on their hands or someone who has been writing or reviewing applications for the last 20 years in some obscure government office.

I would be stunned if you get any completed applications from any regular citizen, except for those on a formal board in the town or who are EXTREMELY dedicated to the project they have in mind.

Is the pdf you provided the guideline from the State for CPA? or is it something we found somewhere and adopted? If your goal is to dissuade citizen recommendation while not saying that, well, this will do it for sure.

Regards

Eli

----- Original Message -----

From: George Bailey

To: Eli Hauser

Subject: Community Preservation Committee - Project Submission Form of 12 March 2006

At its meeting of 23 March, the subject application was reviewed. It was the consensus of the committee members voting: (Arguimbau, Bailey, Sargent-Tracy, and Snow, with Cohen abstaining) that we return the application so that a more complete submission can be made. Please refer to the Guidelines for Project Submission. <http://. . .>

Under Group or Committee affiliation you list several organizations. If there has been discussion and votes of support given, we would like to have the text and other record of these actions included with the resubmission.

The project cost, CPC Funds requested, other funding sources are mandatory. If only estimates can be made, the basis for these should be shown on the application. If a project would have a significant impact on tax revenues, estimates of this impact could be included. Any lands or buildings acquired with CPA funds must be owned and managed by the municipality. The means for achieving this ownership must be established and implemented in order to eligible for CPA funding. It would be helpful to have a more precise description of the parcels to be acquired as well.

The submission makes reference to Housing, Recreation, and septic waste management benefits. An evaluation of the magnitude of these benefits and a report from the responsible town bodies are needed to assist the Committee in its evaluation. The committee also suggested that the Housing Partnership, P.O. Square Committee, Planning Board, and the Economic and Commercialization Committee be included. It was the intention of the committee that applications show consistency with the General Criteria as well as the Category-Specific Criteria listed under the Guidelines referred to above.

The Committee established May 31, 2006 as the deadline for submissions eligible for consideration at the Fall Town meeting and November 30 as the deadline for the Annual Meeting of May 2007. Be assured that should the

Committee make no recommendations for expenditures in FY07, the local and State match will be held by the Town Treasurer at the prevailing municipal interest rate and combined with revenues received in subsequent years.

For the Community Preservation Committee.
George Bailey

Copy of E-mails – Desberg/Bailey

From: "Jane Desberg, Executive Director" <sharonha@lightband.com>
To: "George Bailey" <georgebailey@alum.mit.edu>
Sent: Friday, March 31, 2006 10:40 AM
Subject: Re: Provisions requested at Public meeting 3/9/06

George,
Thank you for addressing my issue. A couple of observations....The housing authority is not part of the town, should it be noted specifically. Just asking, otherwise very pleased with the addition. Thank you,
Jane

----- Original Message -----

From: George Bailey
To: Jane Desberg @SHA
Sent: Thursday, March 30, 2006 1:49 PM
Subject: Provisions requested at Public meeting 3/9/06

Jane:

At its 3/23 meeting, the CPC voted to add the following wording to a point under "Community Housing" criteria as shown by the underlined section.

Promote use, rehabilitation and capital improvement of existing buildings or construction on previously developed or Town-owned sites;

I hope this meets your request for provisions which in any event are already clearly permitted by the DOR interpretation of the Ch 44B.

Regards,
George Bailey