

TOWN OF ACTON COMMUNITY PRESERVATION COMMITTEE (CPC) VIRTUAL MEETING MINUTES
March 09, 2021
7:30 PM

MEETING HELD BY ZOOM TELECONFERENCE AND AVAILABLE TO THE PUBLIC

Note: The Town of Acton in response to the COVID-19 (Corona Virus) is currently following the guidance from the Acton Board of Health, Massachusetts Department of Public Health and the CDC regarding the virus and steps communities can take to prevent the spread. The Town Hall is closed to the public.

Present: Mr. Ray Yacouby (Chair), Mr. Steve Trimble (Clerk), Mr. William Alesbury, Mr. Dean Charter, Mr. Walter Foster, Ms. Carolyn Kilpatrick, Ms. Nancy Kolb, Ms. Alissa Nicol (Associate); Mr. Jim Colman, Ms. Victoria Beyer

Absent: none

Others Present: Kristen Guichard, Mr. Joe Will, Ms. Clare Siska.

Mr. Yacouby (Chair) opened the meeting at 7:31 PM. The Chair read the notice regarding virtual meetings and how the public could access and participate in the meeting. All votes will be by roll call.

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I. Regular Business

1. Citizens' Concerns (7:36 PM - 7:35 PM)

Mr. Yacouby requested from Ms. Guichard if there were any attendees with citizens' concern. Ms. Guichard responded no.

2. Review Meeting Minutes (7:35 PM – 7:40 PM)

- a. Mr. Yacouby requested a motion to approve the February 23, 2021 CPC Minutes.
- b. Ms. Kolb moved to approve the minutes for February 23, 2021 seconded by Mr. Alesbury.
- c. Committee Disposition: "Ayes" Ms. Kilpatrick, Mr. Alesbury, Ms. Kolb, Mr. Charter, Ms. Nicol, Mr. Foster, Ms. Beyer, Mr. Colman, Mr. Yacouby, Mr. Trimble.
- d. Motion approved unanimously to accept the February 23, 2021 Minutes as amended as final.

3. Administrative Updates & Scheduling (10:02 PM – 10: PM; agenda item handled out of stated sequence)

- a. Ms. Guichard noted the Committee's spreadsheet would be out Thursday and back in a week. Reminder to respond to planning. Mr. Yacouby Next step is hard number input. We may just not fund projects. Each person fills out their initial recommendations. We send in to Kristen and she tabulates.
- b. Mr. Yacouby requested a motion to adjourn. Motion to adjourn made by Mr. Foster seconded by Mr. Kolb.
- c. Committee Disposition: "Ayes" Ms. Kilpatrick, Mr. Alesbury, Ms. Kolb, Mr. Charter, Ms. Nicol, Mr. Foster, Ms. Beyer, Mr. Colman, Mr. Yacouby, Mr. Trimble.
- d. Motion to adjourn the March 09, 2021 meeting approved unanimously.

II. New/Special Business

1. **Review and discussion of 2021 CPA project applications (7:37 PM – 10:13 PM)**

- a. Mr. Yacouby started with Mr. Foster on the three Historical Projects who then noted that they appear top fit under the 10% and are good projects. Ms. Kolb, Ms. Kilpatrick agreed. Ms. Nicol says it doesn't reach the 10% but are aligned with the Town's Master Plan. Mr. Charter favors all projects noting that the archaeological effort had a pending required by-law in the wings and could end up in set aside fund depending on timing. Mr. Alesbury supports but noted the 10% hurdle is not, in and of itself, the only criteria. The entire list has reduction opportunity review. Where we can scale back on contingencies and time phasing. That should be looked at for other projects. He thinks even though small there are opportunities here.
- b. Mr. Colman, new to the Committee, asked about the 10%. Mr. Yacouby stated a statutory requirement a minimum of each annual allocation on CPA funds (not including any carryover funding) of 10% for historical, affordable housing and open space – if not used this funding must be set aside for future work. It is not a requirement for recreation.
- c. Ms. Beyer likes all projects. She would indicate it if she did not support any of them. Mr. Yacouby agrees with Mr. Alesbury and Ms. Beyer. Mr. Trimble had no additional comment.
- d. Mr. Foster started the conversation on the three housing projects at Mr. Yacouby's request. Mr. Foster pointed to the Main Street Development as a premier project. He may favor funding 1 of the 2 years requested from regional housing. He expressed that we should be consistent at \$50k for the Community Housing Program Fund but is open to discussion. He seeks well balanced projects to go to Town Meeting. Ms. Kolb echoes Mr. Foster noting that ACHC was at 50% last year and we might consider doing this again. Ms. Kilpatrick would like Regional housing at \$68k.
- e. Ms. Nicol strongly supports Main Street Development. She favors funding each of the remaining categories at a 33% split Historical. She feels Regional Housing is important. She got the sense that ACHC has budget now and she would consider trimming here. She attended a lot of ACHC meetings and comments expressed at these meetings indicate they have sufficient funding at this time for programs. Mr. Charter supported Main Street at \$500k, \$25k and regional funding 1 instead of 2 years (\$34k).
- f. Mr. Alesbury agrees with all comments. Regional is one year at a time at \$34k. If we can reduce \$50k to less would be encouraging but noted is an important program. Main Street needs to go forward. He wondered what the implications would be if not funded. He noted special attention should be focused on each big dollar request and we should ask if we reduce.
- g. Mr. Colman agrees with comments. Ms. Beyer agrees with Main Street, can see cutting back. Regional Housing is not an issue for annual. They generally ask for two years at a time. Mr. Trimble and Mr. Yacouby noted agreement with the discourse. Mr. Trimble agrees specifically with Mr. Alesbury on any flexibility of \$500k. Ms. Nicol asked if any funding for recurring asks could be shifted to the town. Mr. Foster noted it was a volunteer position in ACHC. When Ms. Tavernier retired that was the genesis for the funding it came to CPC just for Ms. Tavernier for part time services. Then they regionalized it. Highly specialized regulatory and grant environment so regionalization allows a limited pool of resources to have the capabilities towns could not individually support. It is eligible to be in town but since regionalized it is a pooling of resources. Has become a perennial ask.

- h. Moving to recreation Mr. Foster stated Nara is the one at the top. Completing that part of Nara. Gardner is second for him and was well vetted. It was smart to split it over multi years. Elm Street next as a one and done. Jones that is the surfacing.
- i. Ms. Kolb would switch Jones with Elm street.
- j. Ms. Kilpatrick likes Nara Park, may cut Jones and Gardner.
- k. Ms. Nicol agrees with Mr. Foster (Nara, Gardner) and feels Jones and Elm Street could be left off.
- l. Mr. Charter stated Nara, no funding for Gardner, with the other 2 requiring more discussion but he prefers Jones over Elm St (last).
- m. Mr. Alesbury noted this is the most complex category. NARA important and noted previous funding diseconomies. He can't agree that Gardner is fully vetted. Discussions with representation are aspirational. The changes to \$704k with \$250k is the single largest recreation request in the CPC's 17 years. Changes made to the project in the 30 days were large. He further noted a legacy of underestimates, changes to scope and priorities in recreation work and there are no grounds to feel confident here. He is uncomfortable starting a project that is suspect with no accountability to the town. Overall, he noted lighting and other elements don't feel vetted across the various recreation projects. He wants to rank these efforts in order of value to the town. Mr. Alesbury noted we need to complete what's started.
- n. Ms. Beyer supports Nara and agreed that started projects must be finished prior to starting new ones. She expressed that she would at this time cut Elm St. if she were pressed. The Gardner request she may need to go with what others are saying. She does like that Gardner is not being run by town but a committee. This is not our average project.
- o. Mr. Yacouby would like to complete projects and would rather not fund partially. Some projects just are not going to get funded this cycle.
- p. Mr. Foster turned to the Dog Park and 53 River Street. He likes 53 River St. and it's the last part of a series of funding completing the project. He feels the Dog Park not ready for prime time. It could be controversial. He perceives the Town is not managing this like other projects and it requires more vetting. Town people should have a say on where this is located. He could see that it would be segregated out at town meeting and may not pass. Ms. Kolb agreed and clarified that Dog Park Committee did a good job presenting but Housing supported neighbors because they fully supported Main Street which is impossible without this support.
- q. Ms. Kilpatrick noted it is the easiest one to say she is not in favor. The location is not good and doesn't think it is good next to the housing project.
- r. Ms. Nicol is in support of the project 100%. Is not on the septic but the other parcel. She lives near the unofficial park and she does not think noise will be an issue. Very accessible and next to senior housing facility.
- s. Mr. Charter favors and noted it would be easier to see if housing was more advanced. There is no conflict on septic system. It is always going to be hard to find a location for dog parks. He rejects the noise argument stating traffic noise is well in access from barking dogs. The BoS voted 4-to-1 and negotiation ongoing between abutting neighbors and Town. River Street should go forward.
- t. Mr. Alesbury noted 53 River Street support. He supported the Dog Park in concept but became totally ambivalent from abutters and AHA with support at 50% of ask to total ambivalence.
- u. Mr. Colman supports River and with the Dog Park agrees with Mr. Foster and Ms. Kolb.
- v. Ms. Beyer Dog Park not in great location. Needs more vetting and could see it somewhere else. 53 River Street she will vote to support it.

- w. Mr. Yacouby spent a lot of time on Dog Park is there is no right answer. Someone will always object. Sensitive will this be shot down? Concern is that people can move from committee to committee to stop progress. Generic issues. It was vetted and the answer is not what they want. Somewhat politicized.
- x. Mr. Trimble fully supports the Dog Park. The location is central. Parking requirements are exaggerated. The project has worked several years and looked carefully at all site opportunities. It is a good use of the space.
- y. 5% Admin and Open Space by Mr. Foster. Top priority is Open Space which was lowered last year. There are a lot of good projects here. \$400k fully funded if not provided more. Support from Planning Department and staff. Ms. Kolb, Ms. Kilpatrick. Ms. Nicol, Mr. Charter. Mr. Colman, Ms. Beyer agrees with Mr. Foster. Mr. Yacouby may look for extra \$100k. Mr. Colman supports both requests. Mr. Alesbury agrees with 5% and Planning Department support and vital Open Space but we should reach out to other towns and what their practices are in this area. Ms. Beyer notes lower open space amounts in the past. This year it's their turn again. Mr. Yacouby 5% is a great use of money and blessed with professional staff.
- z. On the possibility of a CPA surcharge, Mr. Yacouby noted it is in informal discussion and we may want to discuss in April or early May. Mr. Alesbury noted that other towns use different practices and we need to understand that before we up the surcharge making sure we are getting the most bang for the buck. Ms. Beyer said Peter Berry concluded a few years ago that it would be good to increase CPA to 3% as the Town started at 1.5%. The BoS decided not to take it in to Town Meeting at that time. The Board supported it, but it was not brought forward from a timing perspective.

2. **Discuss process for Zoom meetings (9:52 PM – 10:03 PM)**

- a. Mr. Foster summarized the impact of ZOOM on meetings and Open Law spirit. 4 things
 - Sign in with full names.
 - If anyone presents material, they must be visible.
 - Audience participation with no timed limit on these comments. The Committee Chair should measure it and set context in advance.
 - Adherence to time allocation.
- b. Mr. Colman suggested a sample presentation be sent out with a strong reminder on time boundaries. Mr. Trimble suggests stating the time as each presentation is set to begin and the secretary will give a 5 minute warning and times up signal to each presentation team.
- c. Mr. Alesbury also questioned the expectations people should have when they come in. There were statements made that the BoS already looked at it. We are not a rubber stamp and BoS approval does not equate to funding. He also feels some level setting on what to expect and how the process works noting we are not an ATM machine and take our fiduciary responsibility seriously. He suggests some guardrails be added in the materials provided in the application. Mr. Yacouby asked Ms. Guichard to propose language in applications so that our mission is clear. He stressed fiduciary funding is for the benefit of the entire town. We should strive for more definitive on liaison communication and verbiage for the application, so they know this is not rubber stamp
- d. Ms. Nicol careful on Zoom requirements because showing up in a library is different than typing into a platform. Zoom has a policy that they can share the information which impacts privacy rights. A name needs to be there and not a phone number.

Next Scheduled Meeting(s):

1. March 23, 2021

Items used at the meeting:

1. CPA Project Hearing Schedule with Times and Contact Information
2. CPC Agenda 2021-03-09.pdf
3. Draft CPC Minutes 02 23 21.pdf

Additional materials can be found here: <http://doc.acton-ma.gov/dsweb/View/Collection-13336>

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