

Minutes
Town of Acton Community Preservation Committee (CPC)
April 20, 2017
Acton Memorial Library

Members Present: Bill Alesbury (Vice-Chair), Tory Beyer, Dean Charter (Associate), Amy Green, Susan Mitchell-Hardt, Carolyn Kirkpatrick (Associate), Nancy Kolb, Joe Will (Clerk)

Others Present: Roland Bourdon (Acton Finance Committee), David Honn (Acton Historic District Commission (HDC)), Robert Hummel (Acton Assistant Planner), Gregory Johnson (Windsor Avenue resident)

Bill opened the meeting at 7:30 PM.

I. Citizen Concerns

- None

II. Minutes of March 23, 2017

- It was moved, seconded, and voted unanimously to approve the minutes as presented.

III. Appointment – David Honn; re: award letter referral to HDC

Prior to sharing his concerns on the award letter referral, David reminded the CPC of the Committee's \$33K award to the HDC last year and gave an update: The HDC has sent a draft of its project RFP to Town Counsel. It will send out a final RFP after hearing back from Counsel and considering its input.

- David is concerned about CPC/HDC approval certification as prescribed in the following paragraph that has appeared in CPC award letters for historical preservation projects:

“e) (3) Certification by the Acton Historic District Commission or its agent that the completed work meets the Secretary of the Interior's Standards for the Treatment of Historic Properties, 36 C.F.R. Part 68. This CPA Fund award may be used to pay for such certification if prepared by a qualified outside professional.”

First, the paragraph asks for “certification”. Because “certification” carries a lot of legal weight, David suggests that “certification” not be used.

Second, “completed work” suggests that said certification occur at the end of the project. What if “doesn't meet the Standards” would result from final inspection? To avoid this, David suggests that an inspecting agent be involved right from the beginning of a project. Given that the project has to meet Federal preservation standards, such standards should be referenced periodically as the project proceeds. There could be periodic site visits or “photographic milestones” that would help avoid getting stuck at the end of the job.

David referenced his letter to the CPC regarding his final inspection of a CPC-funded project at the Acton Woman's Club. In it he points out some problems with the work that he would not have let occur had he seen them "in process."

Also, he pointed out that relying on the HDC to determine that Federal standards have been met can be a bit awkward, time-consuming, and even a potential liability as the HDC jurisdiction is limited to the outside of a building.

So, David suggests clarification of this paragraph, and a procedure that the CPC could put in place to meet the intent of the paragraph.

To facilitate periodic inspection, David suggests that a project set aside some \$ for third-party (not the project architect) monitoring of the project, as the monitoring is significant enough that someone should be paid for it. The monitoring should regularly reference Federal preservation standards that are available online.

David could assemble a list of preservation architects who could be interested in such project monitoring. Also, he will provide the CPC with a summary of what he has said and suggestions of what could be done.

Observations from the CPC:

- The CPC has to "clean up" the award letter as to how this is to work because there will be other projects that will need it.
- How do other towns handle this? The CPC should find what other towns have done and see if it can follow their leads.
- There are precedents for something like this. For example, a school lighting project needed someone to watch over the project. Perhaps such a (precedent) project would include a document that would suggest possible wording.
- The CPC could check with Stuart Saginor, Executive Director of the Community Preservation Coalition, on this.
- Town Counsel will have to be involved with this.
- What specifically are the CPA regulations on this? Per the CPA, what requirements do these projects need to meet? Everything must be done according to code, including historical code.

IV. Award Letters

- It was pointed out that each of the two historical preservation award letters have a paragraph similar to the one discussed in Part III above.

After Robert agreed to some minor corrections to some of the award letters,

- It was moved, seconded, and voted unanimously to approve all the award letters except the two cited above.
- The approved letters will go out as soon as possible.
- The CPC will try at its next meeting to "clean up" the two award letters not approved in the motion. We could ask David to read the revised award letters. Amy will check what Littleton does. Tory will try to rewrite the culprit paragraph.

V. NARA Master Plan Comments

- The Master Plan was sent to the Committee a while ago. Susan read the whole plan and “It’s good!” Tom Tidman and Cathy Fochtman will give a 20-minute overview of the Master Plan to the Board of Selectmen on Monday, 05/22/17.

VI. Annual Town Meeting Recap

- All was fine except the Acton Housing Authority (AHA) proposal, which was rejected. Apparently,
 - the proposal was presumed to be specific to the River Street property and not seen as the general funding request that it was.
 - Its wording helped make it look specific to that property.
 - It excluded the critical last sentence from the application.
 - There was no opportunity to respond to David Honn’s objection.
 - The “consent process” for the CPA articles varied significantly from the standard consent process that allows for discussion on “held” items after items not held are approved.

What the CPC can possibly do about this:

- Next year have a warrant article review process to help the CPC be better prepared for something like this.
- Next year have a “reaction plan” or “backup plan” if there is disagreement to a specific project.
- The CPC could draft the warrant articles.
- Rethink the “streamlining” of the CPC presentation as it may be erroneous to assume that everyone who comes to Town Meeting is familiar with “familiar” articles, i.e., speed might have been a problem.
- Request AHA funding again at the special Town Meeting in December. To that end, AHA wants to look at where it is development-wise this summer to help it decide whether to present another general proposal or to propose specific projects.
- In the absence of getting this resolved this winter, perhaps the AHA could expect two years worth of funding next year.

VII. Meeting Schedule – Spring & Summer

- May 11 is approved. Use the July 13 meeting to elect new officers and review the 2018 CPA Plan. Have the Public Hearing on either September 14 or 28.

8:47 PM — It was moved, seconded, and voted unanimously to adjourn.