

MINUTES

September 8, 2009

Members present: Howard Baker-Smith, Chairperson
Jacquelyn McDonald, Vice Chairperson
Stuart MacGregor
John Sousa
Lisa Tavares
Nancy Thornton
Barry Walker

Member excused: Mark Lawton

Member absent: Charles Sisson

The meeting was called to order at 6:39 p.m.

Motion:

Ms. McDonald made a motion to approve the minutes of the August 26, 2009 meeting, as amended. The motion was seconded and approved by a 7-0 vote.

Motion:

Ms. McDonald made a motion to open the meeting to a public hearing. The motion was seconded and approved by a 7-0 vote.

The public hearing opened at 6:41 p.m.

Mr. Baker-Smith explained to those in attendance how the Committee conducts a public hearing. Three proposals were heard.

STONE BARN FARM PRESERVATION

The Massachusetts Audubon Society is seeking \$31,000 to develop plans for the stabilization, restoration and preservation of a house and barn located at 786 Horseneck Road. Gina Purtell, Director of the Allens Pond Wildlife Sanctuary, and David Cole, a Mass. Audubon volunteer, spoke regarding the application. Mass. Audubon purchased the Stone Barn Farm, a 104-acre protected parcel, in 2006. They intend to preserve the house and barn located on the property. The grant request is to provide funds for a professional assessment of the property seeking alternative approaches to stabilize, restore and preserve the buildings in a responsible way for the Society's use.

The applicant hopes to move forward with the restoration work once the plans are in place. They may seek CPC funds for that purpose, but they will seek funding from other sources, as well.

The Committee inquired about public access to the property. Ms. Purtell stated there is a trail on the property that leads to the barn. The barn can be viewed but not entered. Part of the assessment is to determine possible uses for the barn. The farmhouse is empty and unheated. Its future use may include a center for various programs or dorm space for student interns. Representatives from Mass. Audubon, the Lloyd Center and the Watershed Alliance will meet to discuss the property's potential. Neighbors' privacy will be respected.

Mr. Sousa inquired about the amount of public access expected to be available to the buildings should a restoration project be completed in the future. He feels if public funds are awarded for such a project, the public should be granted some amount of access. Ms. Purtell indicated that public access will be determined in the plans it is seeking.

WATERWAYS CLARKS COVE PUBLIC ACCESS, III

The Waterways Commission is seeking \$109,200 to complete the Clarks Cove Public Access Project. Steven Melo, Harbormaster, spoke regarding the application. The Commission has received two CPA grants from past funding rounds, but those funds will not be sufficient to complete the project. Additional funds are being sought due to the bids for the land capping coming in higher than expected. There is also a tidal flat parcel of land the town is purchasing at Zero Rogers Street. The Commission wants to purchase environmental insurance as well.

Ms. McDonald stated that the land purchase is to be paid out of the Waterways operating budget, as appropriated at Town Meeting. Edward Iacaponi, Finance Director/Treasurer, explained that if CPC funds could be used instead, Waterways retained earnings would be protected. Ms. McDonald asked about the necessity of fencing. Mr. Melo indicated that controlled access using fencing and gates is necessary to keep the site secure because it is located in a residential area. Late-night boaters will have to use a different landing.

The purchase of the land will cost \$11,500, including attorney's fees. The insurance policy will be a one-time cost of \$25,000. The policy protects the Town from liability associated with environmental factors with the use of Zero Rogers Street. Mr. Walker asked if any part of the requisition could be funded through retained earnings. Mr. Melo indicated that the fund needs to remain intact for emergencies.

Mr. Sousa feels the land purchase should come out of the Waterways budget, as appropriated at Town Meeting. He stated that the Town Meeting Members should have been made aware that CPC funds were being applied for for the purchase and could ultimately be the funding source.

Ms. Tavares left the meeting at 8:07 p.m. and returned at 8:14 p.m.

OLD TOWN HALL RESTORATION

The Town of Dartmouth is seeking \$235,411 to restore the exterior of the Old Town Hall located at 247 Russells Mills Road. Attorney Matthew Thomas spoke regarding the application. The building was most recently being used by the Park Department which has been moved to the former Smith Neck School. DCTV will be moving into the building once the interior is renovated. The exterior work will include the replacement of windows, doors, sidewall shingles, and the roof. The proposal also includes parking lot repaving. Cyndi Marland, Director of DCTV, described the interior work to be done. DCTV will be leasing the premises. There will be no public access to the premises, however DCTV facilitates public information.

Mr. Walker asked if the restoration could be done as a capital improvement project. Mr. Iacaponi indicated that the work is not a priority for a CIP except for emergency repairs. Mr. Sousa believes the work should be done as a capital project. He feels funding this project would set a precedent. He also feels that the Old Town Hall has not been referred to as a historically significant building in the past.

Mr. Baker-Smith is requesting the credentials of the architect, John Montano, regarding his expertise on historic preservation. He also has consulted with the Mass. Community Preservation Coalition regarding the parking lot resurfacing. A representative of the Coalition indicated that that kind of work is generally not considered historic preservation. Town Counsel will be consulted.

There is a concern about the restoration being done properly. The materials used must be as historically correct as possible. An architectural history of the building would have been beneficial. No historical assessment was done.

An amendment to the Community Preservation Act in 2002 allows municipal buildings to be brought up to grade for their continued use. Mr. Thomas indicated the work must meet Department of the Interior standards. Mr. Sousa feels the work should be done right the first time.

Motion:

Ms. McDonald made a motion to close the public hearing. The motion was seconded and approved by a 7-0 vote. The public hearing closed at 9:06 p.m.

The Committee took a recess and reconvened at 9:15 p.m.

Mr. Baker-Smith distributed examples for the general wording of motions the Members will entertain as they deliberate the proposals. The Members were apprised of the steps that are taken following a project's recommendation. A discussion followed.

The three proposals were discussed.

STONE BARN FARM PRESERVATION

Ms. McDonald and Mr. MacGregor spoke in favor of the project.

Motion:

Mr. Sousa made a motion to recommend to Town Meeting \$31,000 for the Mass. Audubon Society. The motion was discussed. Mr. Sousa amended his motion as follows: That the CPC recommend to Town Meeting the appropriation of \$31,000 from historic preservation funds of the Community Preservation Fund to the Mass. Audubon Society for the purpose of the development of plans for the stabilization, restoration and preservation of the main house and stone barn (at Stone Barn Farm) in accordance with the terms and conditions of the CPC Grant Agreement. Mr. Walker seconded the motion, and it was approved by a 7-0 vote.

Motion:

Mr. Walker made a motion that the CPC recommend to Town Meeting the appropriation of \$3,000 from the unreserved fund balance of the Community Preservation Fund for the legal fees associated with the execution of the CPC Grant Agreement with the Mass. Audubon Society. The motion was seconded and approved by a 7-0 vote.

WATERWAYS CLARKS COVE PUBLIC ACCESS III

Ms. McDonald feels this project needs to be completed. Mr. Walker feels the land should be purchased using Waterways funds. Mr. MacGregor agrees. The purchase of the land should not be recommended.

Motion:

Mr. Sousa made a motion to approve the funding for the Waterways Commission (in the amount of \$97,700). The motion was discussed. The full amount is to be taken from the unreserved fund balance. The recommendation will include the closing costs associated with the land acquisition but not the \$9,500 requested for the purchase of the land because Town Meeting has authorized Waterways enterprise funds for this purchase. Mr. Sousa amended his motion as follows: That the CPC recommend to Town Meeting the appropriation of \$99,700 from the unreserved fund of the Community Preservation Fund to the Waterways Commission for the boat access at Zero Rogers Street in accordance with the terms and conditions of the CPC Grant Agreement. The motion was seconded and approved by a 7-0 vote.

Motion:

Mr. Sousa made a motion that the CPC recommend to Town Meeting the appropriation of \$3,000 from the unreserved fund balance of the Community Preservation Fund for the legal

fees associated with the execution of the CPC Grant Agreement with the Waterways Commission. The motion was seconded and approved by a 7-0 vote.

OLD TOWN HALL RESTORATION

Motion:

Ms. Tavares made a motion to approve \$235,411, of that \$35,411 to come from historic preservation funds and \$200,000 to come from unreserved funds for the Old Town Hall on Russells Mills Road's restoration and rehabilitation for adaptive reuse. Ms. McDonald seconded the motion. The motion was discussed. Mr. Walker wants assurance the windows proposed meet Department of the Interior standards. Ms. Tavares stated that the 2002 amendment allows for some discretion on publically-owned buildings. Ms. McDonald stated that the window work could be a contingency.

DCTV and the Town want the building work to be done simultaneously. The interior work has begun. Ms. Tavares feels the amount requested will be sufficient. She stated that the CPC has recommended funds for projects for privately-owned properties, and the Old Town Hall is a valuable Town-owned property and should receive funds. Mr. MacGregor feels the proposal should not be approved at this time, but that the applicant should reapply in the future with a more comprehensive proposal. Mr. Walker feels the Historical Commission should be involved in the project, and the work should be done to their satisfaction. Mrs. Thornton stated that the Historical Commission will be discussing the Old Town Hall restoration at its next meeting. Ms. McDonald restated her position that the proposal could be approved with contingencies. Past projects have been approved without precise project detail.

Mr. Sousa feels the applicant will be back for more funds in the future. A professional historical assessment should have been done prior to the application being submitted. An assessment done later may come back with a cost figure higher than anticipated. Ms. Tavares feels the cost to the Town will be higher in the long run if CPC funds are not approved for the work to be done simultaneously with the interior work. She stated DCTV will need to be relocated while the work is being done, should the restoration work be pushed back until next summer. Ms. Tavares re-stated her position that the CPC has recommended funds for projects that the Town has no vested interest in. The Old Town Hall is Town-owned and should be preserved.

Ms. Tavares left the meeting at 10:05 p.m. due to a prior commitment.

The discussion continued. Mr. Baker-Smith asked the Committee to consider approving the application with contingencies such as cost overruns being the responsibility of the Town. Mr. Walker stated that the type of roof to be installed has not been determined. Mr. Sousa feels DCTV will not have to be moved to a temporary location while the restoration work is being done. A reputable contractor will be able to complete the work with minimal interruption. Mr. Walker re-stated his concern that the windows proposed may not meet Department of the Interior standards. Mr. MacGregor feels the work cannot be completed with the amount

requested. Mr. Baker-Smith feels the proposal could be approved but with a contingency that the CPC may not approve a future application should the project fall short. Mr. Walker asked if the applicant could be given more time to provide additional information to the Committee. Ms. McDonald indicated there would not be sufficient time due to Town Meeting packet submission deadlines. The Committee discussed and agreed that the repaving will not be recommended.

Ms. McDonald amended the motion as follows: That the CPC recommend to Town Meeting the appropriation of \$218,867 for the restoration of the Old Town Hall at 247 Russells Mills Road in accordance with the terms and conditions of the CPC Grant Agreement. The motion was defeated by a 2-4 vote. Mr. Baker-Smith and Ms. McDonald voted in favor. Mr. MacGregor, Mr. Sousa, Mrs. Thornton and Mr. Walker voted against.

Motion:

Mr. Sousa made a motion the Committee send Edward Iacaponi a letter regarding the action taken in declining the proposal and stating the Committee supports the project. The Committee would like to see a historic assessment done on the project and a more accurate budget put together and a master plan. The motion was set aside.

Mr. Baker-Smith asked the Committee if it would consider granting the applicant a smaller amount of funds in order for them to retain the professional services of a preservationist and obtain estimates. He estimated \$20,000 would cover that cost. Mr. Sousa stated that the proposal did not include a request to obtain those services. He feels it would not be appropriate to bring that request before Town Meeting.

Mr. Sousa amended his motion to include the following: The Committee would be very supportive of the project in the future if they (applicant) obtain Department of (the) Interior standards. A copy of the letter should be sent to DCTV. The motion was seconded and approved by a 6-0 vote.

Mr. Baker-Smith volunteered to be the CPC liaison to the Dartmouth Historical Commission for the CPC Historic Building Inventory.

Mr. Baker-Smith assigned October 13, 2009 as the next meeting. Signage will be discussed as well as the language of the grant agreement form. The Needs Assessment will also be discussed at future meetings.

Motion:

Mr. Sousa made a motion to adjourn. The motion was seconded and approved by a 6-0 vote.

The meeting adjourned at 10:34 p.m.

Respectfully submitted,

Approved,

Minutes-September 8, 2009

Susan D. Dorschied
Administrative Clerk

Howard Baker-Smith
Chairperson