

**Town of Kingston  
Community Preservation Committee**

MINUTES  
December 29, 2009

Chairman Dalton opened the meeting of the Community Preservation Committee held on December 29, 2009 at 7:05 pm in room 203 at the Town House, 26 Evergreen Street, Kingston, MA.

Present: Craig Dalton, David Gavigan, Mathew Hamilton, Marilyn Kozodoy,  
John LaBrache, Ken Moalli

Absent: Paul Ricci

Arrived Late: Pine duBois

Upon motion by Mr. Hamilton and seconded by Mr. LaBrache, following discussion and a 6-0-0 vote, it was

VOTED: to accept the minutes of December 9, 2009 as amended

Upon motion by Mr. Moalli and seconded by Mr. Hamilton, following discussion and a 6-0-0 vote, it was

VOTED: to accept the minutes of December 17, 2009 as amended

There was discussion whether the Committee would accept Mr. Ricci's project scores in his absence. Mr. Hamilton stated that since Mr. Ricci has done the work, we should accept them. Mr. LaBrache reminded the Committee that Mr. Dalton's scores were accepted two years ago in his absence.

The Committee reviewed the list of Recreation projects from other towns submitted by Mr. Moalli as additional evidence to the Opachinski Fields application. There was general discussion on whether these projects were purchased with CPA funds. Mr. Moalli indicated he had spoken with several towns and many were existing projects not purchased with CPA funding.

7:20 Pine duBois arrived

Mr. Dalton instructed the Committee that discussion on funding the projects would wait until the next meeting on January 14<sup>th</sup>.

Mr. LaBrache stated the CPA articles for Town Meeting could be held off until June if they are still waiting for DOR opinion and/or appraisals.

Mr. Moalli asked if DOR comes back unfavorable but SB90 was moving forward, could they still move the Opachinski project. Mr. LaBrache indicated it was a matter of when the law became effective.

Mr. LaBrache stated there is enough money to fund all but only if Calista is spread over 3 years. There is an option of bonding especially if the ½ million grant comes in. Ms. duBois is planning to call the State regarding the grant.

Ms. duBois has started work on the private donor request but stated it is a difficult process with lots of detail. Ms. duBois is concerned about conflict of interest since the Sheehan Family Foundation has supported JWRA in the past.

Ms. Kozodoy stated she has spoken with residents in the neighborhood and they are supportive. Ms. duBois added there is neighborhood support but the relationship with L. Knife and neighbors is complex.

The Committee reviewed the soil sample results sheets for Opachinski Fields.

### Project Scoring and Rating:

#### Larson/Leigh Road-\$92,000

Mr. Moalli does not support project. It doesn't benefit enough of the town, only one particular neighborhood.

Ms. duBois stated the master plan calls for protecting neighborhoods by preventing dense building. She likes the project as part of a larger conservation plan, believes there is good benefit for small money and there is good oversight from Rocky Nook Association and Kingston Shores.

Ms. Kozodoy feels there is value to the project with built in supervision of property and no cost to town.

Mr. LaBrache feels the project does not fit the spirit of the CPA. It helps Rocky Nook, not the town. He is bothered by the property broken by the middle lot.

Mr. Gavigan stated he is on the fence about this project. He can see the value of protecting open space but it's only 3 small pieces of land. Not enough value for the money. He questions the ability to develop the land.

Mr. Hamilton stated that when the economy comes back, the property will be developed especially if Larson Road comes in.

Mr. Gavigan pointed out a developer would have to go through the Planning Board to put the road in.

Mr. Moalli stated it was his understanding both the Fire and Police Chief are not supportive of this road.

Mr. LaBrache indicated the Marshall Joyce Property gave us access to the river but this one doesn't offer much value. Mr. Hamilton pointed out it allows a connection to larger open spaces.

Ms. duBois suggested holding off purchase of property until the middle lot (114) becomes available. Mr. Dalton added the applicant could come back next year but if the big lot gets sold or developed, the project is lost.

#### Town Report-\$1800 (\$985-old town reports + \$756.25-new town reports and storage)

Mr. Dalton stated it is unclear whether the new reports and storage would be covered by CPA funds since they are less than 50 years old.

Mr. LaBrache indicated the Committee set a precedent last year when they approved the project for all reports to present year.

Mr. Moalli suggested the applicant could find budget, Sampson fund, or private money to do the newer documents.

Frederic C. Adams Heritage Center-\$533,198.44

Mr. Moalli believes the application is the exact same information they came forward with last year.

Ms. duBois recognizes this committee consists of volunteers that are working on a difficult project. They got off track a little bit but are moving forward now.

Ms. Kozodoy reported the report loaned to her from Norman Tucker was very helpful to her. They are getting professional direction and looking to having groups work together to generate income through the Center.

Mr. Gavigan feels it has now been 10 years and so little work has been accomplished. He is unsure whether there is a clear vision.

Mr. LaBrache stated until the CPA came along, nothing was happening with this building. It really has only made progress in the last 3 years and you can't hold the Committee accountable for those first 7 years.

Mr. Dalton stated the Heritage Committee has put lots of work into project. They don't want to waste money so have been holding it to get more value for their money. It may actually come in under budget. Many of their efforts have been thwarted through the years by Town Administrator, Planner and Procurement Office.

Mr. Hamilton stated this building is the center of Kingston and he wants this project done.

Powder House-\$35,000

Mr. Moalli is concerned about the private owner who took this building from the town. He doesn't think its public benefit.

Bradford House-\$61,000 (\$39,000 FY11 and \$22,000 FY12)

Mr. Gavigan feels this organization should have lots of funding sources available but they continually come to the CPA for funding and the work doesn't appear to be urgent.

Mr. Dalton pointed out it is a private organization.

Ms. duBois pointed out they are only doing immediate need projects. They have received money from the State Historical Commission. She admits the CPA is making it easier for them but that was the point of the CPA.

Mr. Dalton doesn't want to see applicants coming back year after year. This is a non-profit but would like to see them put effort into looking for other funding.

Ms. duBois stated they excavated artifacts that have sat at Plimoth Plantation for 25 years because they couldn't afford to catalog them.

Mr. Dalton reminded the Committee a Preservation Restriction would be required.

Reed Terrace-\$68,000

Mr. Moalli they are trying to find someone to look at the handicap access issue.

Mr. Dalton stated this is a very applicable project but is concerned about some of the information brought forward. He would like to see it beefed up and brought back next year.

Mr. Moalli stated this project has been before the Committee before and needs to be done now. Sue Woodworth is trying to work on the handicap issue.

Mr. Dalton feels like this is an unfinished project application. There are too many changes.

Mr. Moalli stated the time frame was too short to bring in ADA compliance issues and any improvement is better than what is there.

Ms. duBois questioned how we can use public funds for a recreation area that is not ADA compliant. Mr. Moalli indicated the project was a restoration, not rehabilitation. Ms. duBois stated the Adams is a restoration and they are making it ADA.

Mr. Gavigan would like solid figures in front of Committee before money is portioned out.

#### Opachinski Fields-\$79,000

It was pointed out that in-kind services would not apply to this project.

It was pointed out that Mr. Ricci did not score this project. Priscilla will email him to get scores before next meeting.

#### Brentwood Park-\$50,000

No comments

Calista Property-\$1,000,000 (\$333,333.33 for FY11, FY12, and FY13)

No comments

The projects were scored with the following results:

Calista Property-	530
Bradford House-	525
Adams Heritage Center-	524
Reed Terrace	416
Powder House	407
Opachinski Fields	354* incomplete score
Town Report	352
Larson/Leigh Road	326
Brentwood Park	179

Discussion of which projects will receive funding will take place at the next meeting set for January 14, 2010.

Mr. LaBrache reported there is a \$400 shortage on the Triphammer Park project due to an error in warrant article last year. Ms. duBois stated they could handle the shortage if the Committee would pay for the appraisal from Administrative funds.

Ms. duBois reported the appraisal estimate she received for a total of \$6450 for the 3 properties, Calista (\$3200), Larson/Leigh (\$1400) and Triphammer (\$1850).

She stated that Calista is complicated because of the subdivision plans. The appraisal will be done according to state standards which will be helpful for the future self help application. Triphammer is complicated because it's a commercial property and needs a general appraiser. The Town won't close without an appraisal. Price of \$3200 seems reasonable.

Ms. duBois suggested holding off the Larson/Leigh appraisal until next meeting since the project may not be funded. Paul Gallagher was recognized and asked if the appraisal would help decide if the project would move forward.

Upon motion by Mr. Gavigan and seconded by Ms. Kozodoy, following discussion and a 6-0-1 vote, it was

VOTED: to fund appraisals on the Calista (\$3200) and Triphammer (\$1850) properties from the CPA Administrative Fund.

Ms. duBois abstained

Ms. duBois will get contract and take it to Town Administrator for signature.

Mr. Dalton reminded the Committee about the need for a Conservation Restriction on the Marshall Joyce property. The town wants restrictions on all town owned property. After speaking with Maureen Thomas, Ms. Kozodoy reported it would have to come before the Conservation Commission which next meets on January 19th. Ms. duBois indicated that Conservation owns the property.

Mr. LaBrache stated he would speak with Town Administrator about holding slots for CPA articles at Town Meeting.

A meeting was set for February 23, 2010. This may be the public hearing depending on the outcome of funding projects at January 14, 2010 meeting.

Mr. Moalli asked for clarification on the Reed Terrace project. Will the Committee accept an estimate on ADA compliance since the Recreation Commission does not have any money for a design plan. The Committee is just looking for an estimate.

Upon motion by Mr. Moalli and seconded by Mr. LaBrache, the meeting was adjourned at 9:10 pm.

Future Meetings:    January 14, 2010 at 7pm in Room 203, Town House  
                             February 23, 2010 at 7pm in Room 200, Town House

Respectfully Submitted,

Priscilla W. Brackett  
Secretary