



COMMUNITY PRESERVATION COMMITTEE

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Town of Fairhaven, MA

COMMUNITY PRESERVATION COMMITTEE

Town Hall • 40 Center Street • Fairhaven, MA 02719

January 19, 2022

1. Administrative Business

Chairman's Welcome Media Notification: Jeff Lucas, Chair, opened the meeting at 6:35 p.m., welcomed all and read the revised Open Meeting Law Statement per the State of Emergency issued by Governor Baker with instructions that public hearings may be conducted remotely via Zoom.

Quorum/Attendance: Present:

Jeff Lucas, Ann Richard, Karen Isherwood, Carol Alfonso, Gary Lavalette, Roger Marcoux, Beth Luey, Terrence Meredith.

Absent: Marcus Ferro

Paul Foley, Planning Director, was also present.

Minutes:

Ms. Richard made a motion to approve the December 8, 2021 minutes and was seconded by Ms. Luey, noting that a few misspellings would need to be corrected for the final version. The motion passed unanimously via roll call vote.

Correspondence:

Mr. Foley received correspondence concerning the public hearings and stated that they would be discussed during the hearings as relevant.

Mr. Foley forwarded the Acknowledgment of Receipt for the Conflict of Interest and Open Meeting Law Regulations via email to all members of the board. Please review the materials and sign the receipt. All receipts must be completed and returned to the Town Clerk's Office by March 31st, 2022.

2. General Business

Ms. Richard made a motion to pay the \$190 advertising bill to the Fairhaven Neighborhood News and was seconded by Mr. Marcoux. The motion passed unanimously via roll call vote.

Mr. Foley also noted two bills for reimbursement for approved projects that he and Mr. Lucas will look over. One is for \$24,805 from the Whitfield-Manjiro Friendship Society and the other is for \$2,890 from GCG for a preliminary review of the Livesey Skate Park.

Ms. Richard made a motion to pay \$1,750 for the Community Preservation Coalition dues and was seconded by Mr. Meredith. The motion passed unanimously via roll call vote.

Ms. Richard made a motion to approve the CPC 2021 annual report with the addition of the year each members term ends and was seconded by Ms. Luey. The motion passed unanimously via roll call vote.

Mr. Foley reviewed the planned CPC FY23 budget, making special note of the Professional Services line item, which would be used to pay for possible consultant services. If the full amount goes unused, the money allotted will be returned to the CPC funds.

Mr. Lucas asserted that Mr. Foley should receive a stipend for the extra work he does for the CPC. Mr. Foley said it was not necessary. After some discussion, Mr. Meredith made a motion to add \$2,000 to the salary line item and was seconded by Mr. Marcoux. Before the motion could be voted on, Ms. Richard brought up her concerns with the legal procedure for adding the item without first consulting with Town Counsel.

Ms. Richard then put forth a motion to approve the budget with the additional \$2,000 in salary funds, dependent upon Mr. Lucas' discussion with Town Counsel and Town Administrator, and was seconded by Ms. Luey. The motion passed unanimously via roll call vote.

Mr. Foley reiterated the information on CPC's current funds from the last meeting, covering existing funds (\$648,069), estimated FY22 funds (\$611,989), and then subtracting the FY22 estimated receipts (\$458,752), to arrive at an estimated \$801,306 in funds. He also offered a conservative estimate for FY23 of \$541,642.

Mr. Lucas noted that this year is a great time for the Committee to make plans to only spend what they have on hand and make plans for saving anticipated funds.

3. Public Hearings

Mr. Lucas re-opened the public hearings for each project individually, carrying over from the previous meeting on December 8, 2021.

Library Sidewalks Phase 2 - \$93,000

Mr. Lucas and Mr. Foley gave an overview of the project, with no details having been changed since the December meeting.

Ms. Richard put forth a motion to approve recommending that the project be funded as outlined for \$93,000 and was seconded by Ms. Luey. The motion passed unanimously via roll call vote.

Spring Street Firehouse Renovations - \$17,000

After the December meeting brought up requests to explore further options on a new sign, the Fairhaven Historical Commission reached out to Signature Signs for an estimate on a 10' sign with engraved lettering. This sign would cost \$2,100 including installation instead of the original proposed \$400 PVC sign.

In reaction to Ms. Luey's concerns about using period-appropriate iron hardware, Mr. Lavalette brought up his research in the Historical Commission to compromise on the use of iron hardware. Instead, the HC would be comfortable with painting the existing security hinges on the shutters in black Rust-Oleum paint to reduce their presence.

In the follow-up discussion, Mr. Lucas presented the possibility of having custom hinges produced, referencing the work of New England Welding & Iron in New Bedford. He cited the \$11,000 per window spent on the High School renovations as proof of the town's dedication to historical accuracy.

Mr. Meredith countered that while Mr. Lavalette has gone above and beyond on this project, CPC's job is to decide whether to approve projects as presented or not.

Ms. Richard asked about the price and possibility of the creation of custom-made hinges. Mr. Lucas cited that work he had done for railings cost approximately \$300. As such, Ms. Richard was comfortable with increasing the funding the help cover the fabrication of the custom hinges. In reaction to the discussion, Mr. Lavalette noted that they also could reach out to the fabricator that worked on the Fort Phoenix sign.

Mr. Foley suggested that if the committee wished, the vote could wait until the next meeting to give the Historical Commission time to update their application. Mr. Meredith expressed his concerns, insisting that the project is necessary to promptly combat the building's deterioration.

Mr. Meredith then made a motion to approve recommending the project for funding, but before voting could occur, there was further discussion on the exact amount being voted on. Eventually, a decision was reached to increase the amount allotted for the project from the requested \$17,000 to \$18,000 to cover extra expenses such as the newly planned sign.

Mr. Meredith amended his motion to approve recommending that the project be funded for \$18,000, seconded by Mr. Marcoux. The motion passed unanimously via roll call vote.

Pickle ball at Livesey Park - \$240,000

As part of the update for this project, it was noted that the Recreation Center now offers Pickle ball on Monday and Thursday from 8 AM to 10 AM and Tuesday, Wednesday, and Friday from 8 AM to 11 AM. Additionally, the new owner of the Carousel skating rink has plans to create 7 indoor courts along with a few outdoor courts. Mr. Foley suggested the Town review all recreational facilities to see how much they are being used and if not, why not. He reiterated that he has said from the beginning at the public hearing that he is not against pickle ball but is against more paving in the parks and thinks we need to do an assessment of our needs and state of our facilities.

Mr. Lucas noted the Select Board discussion at their yearly planning meeting for the creation of a Trees and Parks/Parks and Recreation type of committee. He also noted the possibility of re-purposing the existing hockey rink for the courts. Mr. Foley cited the hockey rink as an example of why a facilities review should be done. He doesn't think we should just replace the hockey without finding out how much it is used and if it is not used, why not. Maybe it's because there is a problem with the rink that has contributed to the reduction of its usage. Or maybe it just doesn't have the following it used to. Let's get the facts first before we displace anyone. If the proposed green space we are talking about becomes pickle ball courts then it's just for pickle ball. No one can walk their dog there, throw a Frisbee or have a picnic.

Mr. Lavalette presented his personal research on the existing courts in the town, measuring 130' x 80' for the four courts at Fort Phoenix. The Macomber court measures 120' x 80' and he noted that in his interviews with residents, it is very rarely used. Local Pickle ball players noted issues with the wind at both Fort Phoenix and Macomber Park. The Livesey Park hockey rink measures 150' x 84'. The hockey games have moved to another location in Dartmouth, as that rink has surface issues and needs to be repaved. During his research, he received calls and Christmas cards from about 10 members of the Pickle ball Association in support of the project, along

with calls from an additional 15 citizens who agreed with Mr. Foley on the need for a parks review and expressed their concerns over the projected cost of the project.

Ms. Isherwood agreed on utilizing an existing site if possible, to both help to reduce costs as well as explore other options before using up green space.

Ms. Luey stated her hope that the new courts being added by the Rec Center and proposed for Carousel would cover the Pickle ball Association's needs in the short term.

Selectwoman Stasia Powers was invited to speak, noting that currently, parks are under the jurisdiction of the DPW. She explained that establishing a new committee would need to go to Town Meeting and could not be done within this year. The process of establishing a committee and conducting a review would be a multi-year endeavor. She also did not want to count on the Carousel proposal to help fill the need for courts.

Discussion continued between Ms. Power and Mr. Lucas on the types of approvals and reviews that would be required for the project. Mr. Foley noted the project did receive a non-binding Chapter 65 review from the Planning Board. Even if approved by the CPC, this project would still require Conservation and DPW approval and oversight.

Ms. Richard asserted that the committee does not have to vote on the project tonight. Instead, someone could get a bid on re-purposing the hockey rink or perhaps the existing tennis courts. Ms. Isherwood followed up, noting that while this project would not need Conservation Commission approval, she still has her concerns about conservation in general along with the costs of the project.

Mr. Kenneth Pottel, the applicant and President of the Fairhaven Pickle ball Association, was invited to speak. He brought up the Pickle ball Association's growth to over 400 members and how long members often have to wait to play, citing 25-45 minute wait times as common. The addition of a youth program would only drive wait times up further for members. While he noted that indoor courts are sufficient for the winter, most players often prefer outdoor courts. There are also currently conflicts with the boys' tennis team and the junior tennis team in the summer at Cushman Park. He insisted that this project fits in with the Master Plan to encourage lifelong recreation in Fairhaven, regardless of age or ability. He ended by requesting to wait until the February meeting to vote on the project so there is more time for discussion.

Mr. Al Valle was invited to speak, and he also cited the Fairhaven Master Plan Open Space Goals. Unlike many other recreational sports, pickle ball is accessible for adults over 45, and the increase in players in Fairhaven means that current courts are overwhelmed. If plans shifted towards reworking the hockey rink that would still involve redoing that area and the better investment would be building new courts to specification.

Mr. Lavalette brought up that the DPW will be helping with the removal of concrete at the skate park and it could be possible to also work on removing the hockey rink work at the same time to clear space for pickle ball courts.

Mr. Ray St. Amand was invited to speak. He explained that there is currently a lack of recreational opportunities for citizens over 45 north of Route 6. As existing courts don't meet the current demand, delaying this project for another fiscal year would be detrimental. Regardless of the final location of the courts within Livesey Park, he would like to see this project approved.

Mr. Sean Powers was invited to speak. He inquired about what steps Mr. Foley had taken towards creating his proposed facilities review. So far, Mr. Foley has spoken to Recreation Director, Warren Rensehausen, about the

review along with Vinnie Furtado from the DPW and he also plans to reach out for a representative from the School Department before formalizing the review.

Ms. Richard inquired if Mr. Pottel would be willing to work with the town to instead move to the hockey rink, including reworking the project's proposal and receiving a new bid.

Mr. Pottel requested to postpone the vote on this project to the February meeting to give the Association time to review their proposal after hearing the feedback from this meeting.

Ms. Gayla Reilly was invited to speak and she requested further information on the plan for the facilities review, including a possible timeline.

Mr. Foley replied that the review would have to be done during the spring and summer in order to get proper metrics regarding outdoor facility usage. As such, that timing may affect this project. In covering the need for a review, he cited the Livesey skate park as an example of a project that truly requires a systematic plan and design as the ad-hoc method of additions and repairs hasn't worked well. While this means more time spent, it would also mean better facilities overall in the long run.

When Ms. Reilly asked if it was better to wait until after the review to consider alternative locations for the pickle ball courts such as the hockey rink, Mr. Foley suggested we wait until after the review for a number of reasons. We might find a better place that isn't being used. The hockey is tempting but if it were repaired it might renew interest. He also thinks we need to consider creating more facilities that can accommodate multiple sports. Ms. Reilly then requested more information on the plans of the Carousel's new owner to invest in pickle ball. Mr. Foley has spoken to the new owner and after he expressed a great deal of interest in investing in the sport, Mr. Foley forwarded contact information of several members of the Pickle ball Association.

Ms. Joyce Pottel was invited to speak and she brought up her concerns that the private pickle ball courts at Carousel would be modeled after Pickles in Hanover, which charges fees for memberships.

Ms. Richard made a motion to postpone the vote to the next meeting on February 16, 2022, seconded by Mr. Lavalette.

Before the vote could be held, a discussion followed on the deadline needed for the project to be eligible for discussion at the Town Meeting, as well as what the Pickle ball Association needs to do ahead of the February meeting. Mr. Lavalette suggested speaking to Mr. Furtado at the DPW and giving serious consideration to repurposing the hockey rink for pickle ball courts.

Mr. Valle wanted to be sure that if a plan for utilizing the hockey rinks was brought before the committee, would that be sufficient to get the project approved. Mr. Meredith and Mr. Lucas could not guarantee approval of the project, but certainly want to consider this alternate proposal.

Ms. Richard repeated her motion to continue the hearing at the next meeting on February 16, 2022, seconded by Mr. Lavalette. The motion passed unanimously via roll call vote.

Action – Pickle ball Association to come back with further information on if the current hockey can be repurposed, speaking with Vinne Furtado from DPW.

Whitfield-Manjiro Carriage House Repurposing - \$60.000

After the last meeting, Mr. Foley reached out to Stuart Saginor of the Community Preservation Coalition and learned that the capital elements of rehabilitation can qualify for CPC funds. While furniture, fixtures, and equipment would not be eligible, the funds could cover capital elements that become part of the building such as sinks, cabinets, counters, exhaust hood, a tiled wall and the creation of a handicapped-accessible bathroom. As such, the Whitfield-Manjiro Friendship Society submitted revised estimates along with their specific plans for the cultural center, which Mr. Foley will forward to the committee. He also mentioned that Mr. Saginor wishes to feature the exterior of the Carriage House which was previously funded by CPC on the Community Preservation Coalition website.

Mr. Meredith requested to defer voting on this project at this meeting to give the committee time to review the newly submitted project plans as well as to have Mr. Gerry Rooney present to answer questions for the board.

Mr. Lavalette brought up that the Historical Commission does not agree on funding the repurposing of the interior of the carriage house if the society plans to also charge for usage.

Ms. Richard asserted that the rehabilitation of the carriage house for the purposes of education is the best use of the building and noted that the committee did not know if there would be charges for the planned classes and programs there.

Ms. Deborah Almedia, secretary and educational coordinator of the Whitfield-Manjiro Friendship Society was invited to speak. She explained that fees collected for their current teacher and cooking classes and programs are used to cover the cost of materials. As this is a volunteer endeavor, money is raised primarily to fund the Society's different events with only Mr. Rooney receiving any salary. The main driver behind wishing to finish the cultural center is that the current conference room within the museum is not conducive to classes. While the Society can certainly wait until February, they do wish to complete this project soon.

Mr. Lucas requested that Mr. Foley ask Mr. Saginor if projects funded by the CPC could charge for usage. He also asked Mr. Lavalette if he knew of any state-wide policy in regards to CPC-funded projects charging for usage, to which Mr. Lavalette answered that the decision is done on a community-level basis.

Ms. Luey made a motion to continue the hearing at the next meeting, seconded by Mr. Meredith. The motion passed unanimously via roll call vote.

Action – Ensure that Mr. Gerry Rooney is present at the February meeting in order to answer the committee's questions about this project.

BMX Paved Pump Track at Macomber Park - \$150,000

Mr. Foley gave his update on this project that DPW has \$2,000 in an engineering account, but usage for those funds needs to be approved by both the Planning Board and Select Board. Applicants Chip Hawthorne and Mike Rotondo met with Mr. Foley and the consultants working on the Livesey skate park resurfacing to see if that project can also support BMX biking. Mr. Foley once again brought up his desire for a review of facilities before funding new projects and this review should consider alternative locations for different proposed new facilities.

Mr. Lucas noted that there is a high probability that this project would not pass Conservation Commission, and as such is hesitant to support it.

Mr. Lavalette reiterated his concerns that this project would probably require several thousand dollars for a fully engineered plan and thus, the project is presently in a premature state for consideration for funding.

Ms. Luey presented her concerns that the committee currently lacks information about the number of users of the existing track at Macomber Park, comparing this project to the Pickle ball Association which could provide hard membership numbers. As part of the proposed facilities review, she would like to see metrics regarding the usage of different facilities.

Ms. Richard noted that the applicants were not present at either the town hall or in the Zoom meeting.

Mr. Foley met with the applicants at Livesey Park on January 18th. He explained that while CPC had voted on resurfacing the skate park in FY22, he would like to see some of that funding go towards further planning and design work on the skate park. About half the features present could be eliminated due to issues with their wear and tear. Ms. Richard covered the history of the skate park since its inception and the different projects that have been proposed for it.

Mr. Foley asked if he could get a copy of the previous design. Presently, the newer elements are used by local skaters, but older elements are having issues and are no longer usable.

Mr. Lucas cited this BMX project as an example of why a parks department would be beneficial to the town.

In the discussion followed between the committee members, none of them felt as though they could recommend the project for funding this year as it stands. Originally, Mr. Marcoux made a motion to not fund the project this year, seconded by Ms. Isherwood. Ms. Richard then explained that the motion should be made in the positive and then voted down.

Ms. Luey made a motion to recommend the project to be funded this year, seconded by Ms. Richard. The motion failed unanimously via roll call vote.

4. Other Business

No additional business was covered at this meeting.

5. Future Meeting Schedule

The next meeting is currently scheduled for February 16, 2022, which will continue the public hearings on the Livesey Park Pickleball Courts and the Whitfield-Manjiro Carriage House.

Motion to adjourn was made by Ms. Richard and was seconded by Mr. Meredith. Meeting adjourned at 9:03 p.m.

Respectfully submitted,
Stephanie A. Fidalgo
Recording Secretary,
Community Preservation Committee