



COMMUNITY PRESERVATION COMMITTEE

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Town of Fairhaven, MA
COMMUNITY PRESERVATION COMMITTEE
November 9, 2022 Minutes

FAIRHAVEN TOWN CLERK
ROUTED 2023 JAN 9 PM 4:04

1. Administrative Business

Chairman's Welcome Media Notification: Jeff Lucas, Chair, opened the meeting at 6:30 PM and welcomed all. He then proceeded to 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, Gary Lavalette, Roger Marcoux, Beth Luey, Terrance Meredith.

Paul Foley, Planning Director, was also present.

Marcus Ferro and Gary Souza were not present for this meeting.

Minutes:

Ms. Richard made a motion to approve the October 5, 2022 minutes and was seconded by Ms. Luey. The motion passed unanimously via roll call vote.

Correspondence:

Mr. Foley received an email from Stuart Saginor of the Community Preservation Coalition that Fairhaven's share of the state's \$20 million surplus should arrive on November 15, 2022.

2. Public Hearings

There were no public hearings for this meeting.

3. General Business

No administrative bills but other bills would be covered in later business.

Overview of the FY24 CPC Applications Received

Before starting the overview, Mr. Foley noted that the total amount requested for FY24 projects is **\$1,136,068**. Estimated CPC Funding includes the existing unreserved fund running balance of \$568,021 and the estimated FY23 receipts of \$541,642 for a total of \$1,109,663. However, subtracting the FY23 appropriations of \$293,500 leaves a running balance of only **\$816,163**. The three reserve funds with their FY23 appropriations currently amount to \$96,594 for Open Space, \$66,560 for Historic, and \$125,480 for Community Housing.

Historic Preservation

Fairhaven High School - Southeast Gable Repairs - Phase I Work Scope (\$200,000)

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The main issue in the eyes of the committee is defining how the money would be specifically used and if the repairs noted were already covered by the funds appropriated during the June Town Meeting. (June 2022 Town Meeting Warrant, Article 13: General Fund Capital Plan, Item E: High School – Repair and Replace Southeast and Southwest Gables for \$2,275,000). Ms. Richard requested that Mr. Foley forward the committee's questions to the representatives from the High School to clarify the situation.

Ms. Isherwood pointed out that the CPC application mentions that the cost estimate prepared by Spencer Preservation Group lists a work scope cost of \$1.75 Million for the southeast gable, which only added further questions as to what is presently paid for. Upon re-reading the application, she pointed out the line, "A supplemental CDC [sic] grant of \$200,000 may allow a portion of the main roof to receive new slate roofing and new copper flashing," and surmised that this application is specifically for the roof.

Mr. Foley began to relay his correspondence with Spencer Preservation Group regarding their current project with the Unitarian Church which had received CPC funding. Mr. Lucas commented that CPC applicants should have to present any amendments or additions to CPC funding projects to the committee. Before the conversation could continue, Ms. Richard requested to continue with the business at hand.

Fairhaven Historical Com. – Town Hall Street Lamps (\$50,000)

In his conversations with Mr. Saginor, Mr. Foley noted that the proposed reproduction lamps could not qualify as part of the historic structure of the buildings and thus were ineligible for CPC funding. Ms. Luey also voiced her concerns that the photos of historic lights presented as the template for the reproductions were of the wrong era and technology.

Mr. Lavalette reiterated his concerns in regards to the Town Hall sidewalks not meeting the proper lumen law or accessibility standards and that using reproduction lamp posts would maintain the character of the historic area. Mr. Meredith prompted Mr. Lavalette to consider one of the other CPC categories for the applications. When Mr. Lavalette brought up the ramp built at the Academy Building as a comparable CPC project, Mr. Lucas countered that the two projects were functionally different. He then went on to question the exact location of the street lamps as outlined in the application.

Ms. Richard pointed out that as Mr. Foley stated at the start of the discussion and as mentioned at the last meeting, the project failed to meet the CPC Historic standards. She suggested sending correspondence to the Historical Commission that CPC would be denying their application and they should instead contact the Capital Planning Committee. Mr. Lavalette noted that the Historical Commission had privately raised the funds to install several street lamps in front of Town Hall but not matching ones for the Library. Ms. Richard asked if the Library Board of Directors was also involved in these discussions. The committee noted that the sidewalk restoration projects in the center of town had added conduits for the possible addition of street lamps.

At the end of the discussion, Mr. Lucas stated that this project would not be moving forward.

Town Hall – Town Hall Repairs Windows & Granite Stairs (\$350,000)

Mr. Foley explained to the committee that the window project contains two phases. The first is any needed maintenance and repairs of the approximately 105 double-hung windows, with a focus on their weather stripping. The second would be replacing the previously installed Lexan cover of the stained glass windows with

acrylic. At the same time of the replacement, a conservator could be hired to examine the current state of the stained glass windows. Mr. Foley has spoken to Booth Architects for help with hiring a conservator.

The current estimates for the two projects are \$168,865 for the smaller windows and \$148,080 for the replacement acrylic. Additionally, included in this project would be \$34,000 in funds to reset one of the front granite steps and re-caulking one of the side granite steps.

Mr. Lavalette suggested speaking with the same architects who worked on the High School window restoration and Mr. Lucas followed up by inquiring if the conservator could inspect the windows from the inside before the outer Lexan is removed. Mr. Lucas and Mr. Foley then discussed the statement of probable construction cost included in the application, which broke down the total costs cited in the previous paragraph, though the cost listed for the granite stair repairs totaled \$110,588, which would be the price for a larger project beyond the two areas most in need of repair.

Mr. Foley and Mr. Lavalette had a side conversation about the future repairs to the Town Hall roof, estimated in the structure report to cost \$8 million, as well as the restoration of several gargoyles. Mr. Lucas directed the conversation back to the current application, joining Ms. Isherwood in breaking down the cost for the repairs of the 105 windows to be over \$1,000 per window. Mr. Lucas noted that given the CPC's current running balances, this project may have to be split into phases in order to fund it over multiple fiscal years.

Ms. Richard agreed with breaking the project into phases and prioritizing the order, suggesting focusing on the smaller windows and the stairs first and then focusing on the stained glass windows in the future. Following up, Ms. Luey brought up breaking up the smaller window project into two phases if necessary, working on one floor at a time. Mr. Foley pointed out that doing all the smaller windows at once would allow for greater consistency and lower costs overall due to the economies of scale. He also agreed with the committee that ensuring that there could be a conservator present during the acrylic replacement would be a factor in prioritizing the projects. For the public hearing, Jeff Osuch and Keven Fournier should be in attendance to provide further answers to the committee's questions. Ms. Richard also suggested speaking to the Millicent Library facility manager, Debbie Charpentier, on the process of their own stained glass restoration project.

Open Space

BPW - Mattapoissett River Valley Water Supply Resilience Project (\$85,000)

This would be Fairhaven's portion of a larger project to purchase property along the Mattapoissett River Valley to ensure land preservation along the water supply. At Mr. Lavalette's request, Mr. Foley will be forwarding his questions regarding the price negotiation process to the Buzzard's Bay Coalition. Mr. Meredith put forth his support of the Coalition given their previous projects and Mr. Foley noted that Fairhaven's contributions would amount to 1.4% of the total projected \$6 million project cost.

BBC – Salt Winds (732 SNR) Conservation Project (\$50,000)

When the 61A property went up for sale the town assigned its right of first refusal to the Buzzard's Bay Coalition who will be purchasing it. The property will be split but multiple lots will be under a conservation restriction and this request is to cover the costs of one of those conservation restrictions. The land will continue to be used for hay farming and a walking trail will be constructed leading from Sconticut Neck Road down to the beach.

When Mr. Lavalette asked about the creation of a new parking lot, Mr. Lucas noted that the application included a reference to parking considerations. After Mr. Foley assured Mr. Lavalette that this project would include public beach access, the conversation then turned towards concerns about more generalized public beach access, especially in light of the recent increases in summer temperatures. He specifically brought up the issues on West Island which Mr. Meredith concurred with given the complexity of the original deeds and beach rights.

Recreation

BPW – Livesey Skate Park - Phase 3 (\$150,000)

Mr. Foley gave an overview of the previous phases of the project, noting that some of the older elements of the park are now eroded and will need to be replaced. Phase 2 will have the park be resurfaced in concrete and this next proposed Phase 3 would add several “skatelite” structures.

When the committee had questions regarding the different phases, Ms. Richard offered to clarify that the Phase 2 resurfacing and removal of older elements will happen in the spring of 2023, and only after that will Phase 3 begin. Mr. Furtado of the BPW will be handling the removal of the older elements to help reduce costs and any leftover costs could be forwarded to help fund Phase 3. Ms. Richard also clarified that this project is far below the normal costs for a skate park, which can often cost over a half million dollars or more. She cited the comparable projects in Agawam and Longmeadow.

Ms. Luey voiced her support of the project as it is the only youth-focused project for this fiscal year. When the costs were questioned by Mr. Lavalette, Ms. Richard assured that Mr. Furtado would be present at the public hearing to answer further questions. Mr. Lucas had his own inquiries regarding the materials and the exact features to be added to the project. Ms. Richard informed him that the features would be custom-built for the park and that the exact sizing and placement would be worked out later in the planning process. Mr. Lavalette also brought up his concerns with dealing with any possible vandalism and graffiti alongside the regular maintenance of the skatelite. He also suggested putting Plexiglas over any newly added signs for ease of maintenance.

In response, Ms. Richard offered to forward the committee’s questions regarding the planned structures, such as examples of the structures, their life expectancy, and how to maintain them.

BPW – Bike Path Resurfacing - Phase 1 (\$109,000)

The committee’s discussion started with defining which portion of the bike path would be considered the first phase. The \$109,000 cited for budget planning purposes would cover the portion of the path from Sconticut Neck Rd. to Weeden Rd. However, the area that is the most in need of repair and the most frequented is from Main St to Sconticut Rd. which is estimated to cost \$140,775.

Ms. Isherwood and Mr. Lucas had a conversation about the life expectancy of the pavement, with Mr. Lucas citing that the original path has lasted for 25 years and that the repairs done during this resurfacing could extend that life expectancy further. In terms of the order of the phases, the committee will take suggestions from both the BPW and the Bikeway Committee.

As a note, Mr. Marcoux had to leave the meeting early at 7:45 PM.

BPW – Memorial Park Walkway and Bench (\$67,068)

Mr. Foley went over the project's proposal to completely renovate the park and replace the existing slate pathway and add additional benches. Mr. Lucas noted his concerns with the current condition of the park, but he has issues with considering this project under the heading of recreation instead of historic. If so, then the project would be restricted to simply repairing the monument and replacing the slate pathway. As such, the more complex project put forth by BPW would be above and beyond what is needed. However, if it is to be considered a historic project, the Historical Commission needs to first designate the park as a historic property officially. Ms. Richard insisted that the project should be submitted by the Unitarian Church rather than the BPW. Though, she countered that this property should be considered a pocket park and remain with the scope as a recreation project.

The matter of Mr. Lavalette's recusal from discussion of this project as the one hired by the church to maintain it was brought forth, after which he left the meeting room.

The conversation returned to the exact nature of the project, how a historic property is defined, as well as how often CPC funding is used for landscaping. Part of the issue with this project was that the park was originally assumed to be owned by the town, and only later on was it found to be privately owned by the Unitarian Church. Mr. Lucas would prefer to have the project be restricted to historic restoration rather than as a full reworking of the property, and would only want to fund those parts of the project.

Ms. Richard voiced her concern that she wanted to hear more reasoning behind the submitted project before only selecting certain portions to fund and to ensure that the Unitarian Church agrees with the project as presented. Mr. Lucas agreed that he wanted to know if the Unitarian Church had input on the submitted project. Ms. Luey concurred that while she would prefer a project along historic lines, she also wanted more input from the Unitarian Church. In line with that, the committee observed that the application currently does not include a point of contact with the Church and that previous requests for communication currently remained unanswered.

Concerning Ms. Richard's question regarding who handled the landscaping, I (Ms. Fidalgo) explained that Mr. Lavalette is the current landscaper of the property, which is why he recused himself from the discussion. When asked if I had any connections to the Unitarian Church, I noted that my familiarity with this property is simply due to my brother owning the house next to it.

Community Housing

Fairhaven Housing Authority - Dana Court Brick & Balcony work (\$75,000)

After Mr. Lavalette returned to the meeting room, Mr. Lucas began the discussion of the Dana Court repair project. He had examined the property himself and agreed on the need for repairs. He also noted that the CPC would only be responsible for about 20% of the total project. Mr. Foley pointed out that there is a good amount of funding in the Housing reserve account as there were no housing projects last year. There were no major questions or concerns about this project from the committee as Mr. Souza had explained the details during the October meeting.

Before moving on to the next order of business, Ms. Isherwood brought up the previous meeting's minutes and the notes regarding communication between the CPC and the Capital Planning Committee. Mr. Foley noted that there are only a few members of that committee and a few meetings each year. To help with better presentation, representatives from committees such as CPC, EDC, and the Planning Board could be given seats on it. Mr. Lucas suggested that more projects could possibly fall under the Capital Planning Committee's

purview, even if a portion of those projects overlap with the CPC. Thus, more communication on projects would be beneficial to both committees.

Review of Previously Appropriated Projects' Bills

FY22 Article 23E – FHC – Spring Street Fire House

Before a bill for a CPC project can be paid, it requires a signature by both Mr. Foley and Mr. Lucas and both were hesitant to sign off on paying the bill to cover the painting of the shutters at the Spring Street Firehouse due to the quality of the work. Several photos were shown to the committee of the shutters in question featuring green paint over visibly damaged wood. Mr. Lucas added the item to this meeting's agenda so that the committee could offer their input.

Mr. Lucas had requested that Wayne Oliveira, chairman of the Historical Commission, speak at this meeting on this project. Since he was unavailable, Mr. Lavalette spoke on behalf of the commission. He explained that the state of the shutters were the result of a timing and painting issue. A new contractor has already been hired to properly replace and paint the shutters. The flaws with the replacement Firehouse sign have also been addressed, although there were no photos shown to the committee to illustrate those issues or the following fixes.

Ms. Richard inquired if the shutters and the sign were connected and Mr. Lavalette explained that he only knew the sequence of events, not the exact order of the billing. Mr. Lucas had further questions about the order of the events and why the broken shutters were painted. Mr. Lavalette outlined that the Historical Commission was unable to find a contractor to repair the shutters before the end of the year and painters simply painted over what was present in order to get the painting done before the end of the year. Though, he did explain that the shutters were only a small portion of what they painted and they did a satisfactory job on the front of the building.

The committee had further concerns about the responsibility of the Historical Commission's chairman to properly order the projects. Ms. Richard asserted that the CPC should not pay for the original botched painting job, which Ms. Luey and Mr. Lavalette agreed with. Ms. Isherwood suggested that the CPC shouldn't have to pay for the extra work either. Mr. Lavalette outlined his plan to deduct the cost of the poor work from any future bills to be submitted to pay this contractor. Ms. Luey stated that the money should go to the new contractor who will replace and repaint the shutters, which Ms. Isherwood agreed with along with the suggestion not to work with the original contractor again. Mr. Meredith suggested that the Historic Commission submit a new itemized bill before there is any vote on paying the bill.

Mr. Lavalette then reiterated the plans for the new bills that would be submitted and explained the current plans for shutter replacement in detail. The rest of the committee seemed satisfied with this outlined plan.

FY23 Article 23D – Old Stone School House Exterior

A similar situation happened with the painting of the Old Stone School House Exterior where the painting happened before the exterior podging as a mason could not be found to podge the building before the painting was scheduled. There were further issues raised with the quality of the painting itself around the door. Amid the discussion, there was praise offered for the fence created by the Voc-Tech students.

In light of these issues, Mr. Lucas floated the idea of having a committee member be assigned as a point of contact on projects in order to keep track of and reduce issues such as these. In his communication with the committee, Mr. Sagnior also concurred that more of a hands-on approach would be beneficial, citing the use of historic paint colors as an example of the type of details the committee could focus on. Mr. Lavalette promised that he would go to the chairman of the Historic Commission to work out the new bills to be resubmitted along with addressing the issues at the Old Stone School House.

The committee agreed that more itemized and detailed project proposals may be required in order to properly judge the quality of the project. Mr. Lucas and Ms. Luey cited the rigor of the projects at the High School and Millicent Library as what all CPC projects should aim for. Ms. Richard agreed that she would like to see fewer issues with the Historic Commission before awarding them more funding going forward and that the project applicants are the ones who are responsible for paying the bills. Mr. Lucas requested that Mr. Lavalette would be the one to speak to the Historic Commission on these issues.

Budgeted Reserve Account Discussion

Ms. Richard pointed out that the information on this business item had not been forwarded to the committee members ahead of this meeting and requested that it be tabled to a future meeting. Mr. Lucas agreed and the item will be tabled until a future meeting.

Report from the CPC Representatives from Conservation, Housing, Public Works, and Historical

When the CPC Representatives of different boards were prompted for updates, no members had any major updates.

4. Tentative Future Meeting Schedule

The committee discussed how to handle the public meetings for December, given that Town Hall will be closed on December 8 for a training session. When December 14 was brought up as another possible date, that would coincide with a 40R Working Group meeting. The committee tentatively decided on December 7 and 8 at 6:30 PM for the Public Hearings. Ahead of those meetings, they would speak to Mr. Furtado to arrange for all BPW projects to be discussed on the same night and would request that the Memorial Park project be resubmitted by the Unitarian Church.

The motion to adjourn was made by Ms. Richard and was seconded by Ms. Luey. The motion passed unanimously. The meeting adjourned at 8:56 PM.

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