



COMMUNITY PRESERVATION COMMITTEE

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FAIRHAVEN COMMUNITY PRESERVATION COMMITTEE MEETING MINUTES December 7, 2022

FAIRHAVEN TOWN CLERK
RCUD 2023 JAN 30 PM2:48

1. Administrative Business

Chairman's Welcome Media Notification: Jeff Lucas, Chair, opened the meeting at 6:00 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, Gary Souza. Paul Foley, Planning Director, was also present.

Marcus Ferro was not present for this meeting.

Minutes:

In reviewing the minutes of the prior meeting, Ms. Luey noted a spelling correction for page 3, paragraph 3 to change "Conservation" to "Conversation." Mr. Lucas requested an amendment to Page 4 regarding the Salt Winds Project to clarify that the town assigned the right of first refusal to the Buzzard's Bay Coalition.

Ms. Richard made a motion to approve the November 9, 2022 minutes with those noted amendments and was seconded by Mr. Meredith. The motion passed unanimously via roll call vote.

Correspondence:

Mr. Foley received an email and phone call from Mr. Wayne Oliveira of the Historical Commission in regards to the Old Stone Schoolhouse as discussed in the November 9th meeting. Mr. Lucas reviewed the original narrative and found that it did not include "podging". Ms. Richard also brought up other concerns regarding that project and Mr. Lucas suggested tabling the discussion until Mr. Oliveira could speak to the board.

A discussion followed in regard to the scheduling of this meeting, as applicants had been assigned specific times for their respective hearings. As there was time before the hearings, Mr. Foley covered the committee's running balances, based on his annual check with the town accountant. He noted that the estimated receipts used a fairly conservative calculation based on the FY22 Town Surcharge and the State Trust Fund Match. The final estimate of all the existing and estimated balances was \$1,104,798.52.

Existing Unreserved Balance as of 6/30/22	\$ 568,021
Estimated FY23 Receipts	\$ 541,642
Existing plus Estimated FY23 Receipts	\$1,109,663
Existing + Estimated FY23 Receipts – FY23 Appropriations	\$ 816,163
Open Space w/ FY23 Appropriation	\$ 96,594.18
Historic w/ FY23 Appropriation	\$ 66,560.77
Community Housing w/ FY23 Appropriation	\$ 125,480.57
Total	\$1,104,798.52

He brought up the committee's prior discussions about the creation of an emergency fund as well as the need to plan ahead for annual Town Hall repairs as noted by the existing FY24 application. Mr. Lucas also suggested that the Capital Planning Committee could help to fund those repairs and Mr. Foley brought up the work done by the ad-hoc Town Hall Repairs Committee in identifying much needed repairs and estimating their cost, specifically citing the \$7 million estimate to repair the slate roof at some point. The slate last a long time but the nails eventually rust away.

Ms. Richard made a motion to take the meeting agenda out of order and proceed to other business ahead of the public hearings and was seconded by Ms. Luey. The motion passed unanimously via roll call vote.

2. Other Business

Mr. Lucas and Mr. Foley had a meeting with the Town Administrator to better align this committee with the Capital Planning Committee. A list of applications would be forwarded to both the Administrator and Capital Planning Committee so that way the TA, the Finance Committee, and the Capital Planning could all be aware of possible items on the Town Meeting Warrant.

Ms. Richard pointed out that giving a list of applications in full, not simply those approved for Town Meeting could be confusing. Mr. Lucas wanted better communication between this Committee and Capital Planning, the board members citing the issue with the Bikeway Committee having been denied funding. Ms. Luey reiterated a suggestion from the prior meeting that a member of the CPC should have a spot on the Capital Planning Committee and Mr. Lucas agreed with that. Mr. Lucas noted Mr. Foley shared the list of applications with the Town Administrator.

3. Tentative Future Meeting Schedule

The committee discussed the time for the next meeting in January 2023.

Ms. Richard made a motion to schedule the next meeting for January 11, 2023, at 6:30 PM and was seconded by Ms. Luey. The motion passed unanimously via roll call vote.

4. Public Hearings

Mr. Lucas officially opened the Public Hearings at 6:30 PM.

Historic Preservation

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

Before introducing the applicants, Mr. Foley explained the discrepancy in the previously cited totals for the Gable repair - \$2,275,000 on the Town Meeting Warrant and \$1,750,000 work scope cost noted on the application. The \$1,750,000 amount is the construction cost (rounded up from \$1,749,453) while \$2,275,000 (rounded up from \$2,274,288) is the construction cost plus the additional contingency and soft costs. The \$200,000 requested in the CPC application would cover either: A portion of the roof to get new slate, and/or replacing the copper roofing pans on the dormers, and/or flashing and repairing the stone balustrade. Due to the lack of plans and difficulty of access in this area of the building they will not know exactly which they will need funding for until they go in and can see exactly what is going on inside there.

Lynne Spencer, principal for historic preservation at Spencer Preservation Group, was invited to speak to the committee. The group has been involved with the High School since 2009 when they did a conditions assessments

master plan (2010) with updates every five years. This project is centered around the rust jacking occurring on the steel frames within the southeast gable, originally identified in that initial assessment and studied again most recently in 2021. While there has been some caulking of the masonry to slow the process, it has continued to worsen. In order to fix this issue, the stonework will have to be disassembled to allow access to the steel. Severely damaged steel will be replaced and all of the steel will be primed and coated with marine epoxy paint. The walls will then be rebuilt with a new rain screen and cavity wall system for better water drainage.

The School Committee, Superintendent Tara Kohler, and the School Business Manager Nicole Potter supported the original application at Town Meeting, along with this supplemental grant application from the CPC to cover the roofing and copper work.

When Mr. Lavalette had questions about the costs and what exactly they are asking for from the CPC. Ms. Spencer explained that the project is still in the planning phase with work planned to start in 2023. Having the additional \$200,000 will allow the roofing repairs to be included as part of the bid package. Ms. Isherwood requested further specifics for how the grant would be spent, given that the current application cites three possibilities for how it will be spent and Ms. Spencer promised a more detailed outline would follow.

Ms. Richard and Mr. Lucas both had questions as to why these proposed additional repairs were not included in the original Town Warrant. Ms. Potter answered that this project was approved to go to Town Meeting after the CPC applications for FY23 were already closed and sought this application to expand upon the current project. Mr. Lucas had his continuing concerns that it would be hard to determine exactly what the money would be spent on.

Ms. Potter explained that this project is essentially one of five and the funding would go towards starting the second phase which will be focused on the roof. Ms. Spencer followed up, outlining how the original estimate had \$30,000 allocated to the flashing, and the \$200,000 will be mainly used for the slate roofing behind the gable and dormer.

As the hearing was closing out, Mr. Foley noted that the applicants could submit supplemental material ahead of the January meeting, and Mr. Lucas also reminded everyone that CPC applications could be submitted at any time, but the deadline mainly existed for approval to go to Town Meeting for a given fiscal year.

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

As noted in the previous meeting, this application was removed from consideration due to not being eligible for CPC Historic funds.

Town Hall – Town Hall Repairs Windows & Granite Stairs (\$200,000)

Mr. Foley and the Town Hall Repairs committee have revised their previous application after speaking to Joe Booth and Ms. Spencer to gather information on working with stained glass conservators. Rather than fully replacing the acrylic, instead a conservator will perform an evaluation of the stained glass windows to determine the status of the glazing, comes, and wood on the stained glass windows. As such, the application is now for the original \$168,865 for weather-proofing the double hung windows, a maximum of \$20,000 to cover the stained glass evaluation, and the remaining approximately \$11,000 going to re-caulking the granite steps and realigning the one most in need of adjustment, for a total of \$200,000 down from the originally requested \$350,000.

Mr. Lucas wanted to be sure that if there will be a study funded for the stained glass, that eventual project would most likely need to be funded by Capital Planning. After a discussion on which and how many of the stained glass

windows would be a part of the evaluation, Mr. Jeff Osuch was invited to speak to the committee. He explained that the windows had not been worked on since the late 1990s. The previous Lexan covers were not properly vented and much of the original wood rotted and had to be replaced with epoxy. While they can be partly assessed from the inside, an expert could only judge the full extent of their condition from the outside. He also would not recommend leaving off the acrylic for an extended time in order to keep the windows protected from the weather.

Mr. Osuch stated his concern that little work has been done on the Town Hall maintenance in the last 6 to 7 years. He outlined a number of projects that had been done previously, specifically citing the 1990s window restoration, going into detail on the restoration and repainting process. He also used the windows as an example of an issue cited in a report that should have become an actionable repair sooner, noting that the issues with them have been known since 2017. Turning towards the granite stairs, he explained that not only is the caulking an issue, but so is the moisture that is seeping into the building and affecting the wooden floors of the basement. In summation, he would like to see more money and work going toward maintaining the town's historic buildings.

Afterward, Ms. Luey brought up a long-term concern of hers – the CPC specifically funds restoration, not maintenance. The Town should be the one in charge of maintenance in her view, which Mr. Lucas agreed with, citing that the reports suggested regular maintenance every five years. When the conversation turned back to the stained glass windows, Mr. Foley noted 34 smaller windows around the building, and Mr. Lucas suggested physically removing and inspecting a number of those as part of the stained glass evaluation. In regards to questions about the analysis of the larger windows, Mr. Foley outlined the plan in the application to remove some of the acrylic on the larger windows to study them while the double-hung windows were being repaired.

When Mr. Souza asked if the Town Halls Repairs Committee would seek further funding from Capital Planning, Mr. Foley relayed his conversations with the city of Holyoke, MA, and their similarly scaled stained glass project. They are spreading the project out over several years and using a combination of CPC and Massachusetts Historic Preservation grants for funding. Mr. Foley would like to use the information from the evaluation to start planning and writing grants for further funding.

As the hearing wrapped up, the committee went over the expenses outlined in the application once again, focusing on the amounts needed for the granite stairs which may eventually require a full replacement, the price per double-hung window (approximately \$1,600 each), and how many stained glass windows would be examined. Mr. Foley said there would be a further broken down project cost ahead of the January meeting.

Open Space

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

Mr. Brendan Annett of the Buzzard's Bay Coalition was invited to speak to the committee. He explained the plan to keep the northern side of the property at 732 Sconticut Neck Road undeveloped other than creating a trail linking the road to the beach through the woods. The full project cost is \$750,000 with part of the funds being covered by a combination of selling the southern half of the property, private fundraising, and receiving a federal grant from the Buzzards Bay National Estuary Program, with the remaining \$50,000 to be covered by the CPC.

Mr. Lucas asked about the status of the southern property, and Mr. Annett explained that it would have a permanent conservation restriction that would allow for agriculture but restrict building any additional structures on the property. Ms. Richard asked for further details about the trail, and Mr. Annett compared it to the other trails that the BBC has created such as the Shaw Farm trail. Parking for the trail will be at Shipyard Farm across the street or on-street parking. Mr. Lavalette discussed the issues with the beach rights that had been discussed at the

Conservation Commission and Mr. Annett assured that the private beach property would be respected with Ms. Richard suggesting posting a sign along the property border, similar to other local trails.

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

Mr. Alan Decker of the Buzzard's Bay Coalition was invited to speak to the committee. He covered how this project is shared by several local municipalities to preserve 241 acres along the Mattapoissett River Valley. The property itself would be in Mattapoissett, Rochester, and Acushnet with property ownership split between the Mattapoissett Water Department and the BBC. Fairhaven would co-hold the conservation restrictions with the other three towns. The Mattapoissett River Valley Advisory Committee, of which Fairhaven is a member, has committed \$150,000 to this project already. In addition, the BBC has raised over \$1 million towards this project and Rochester will be contributing a municipal mini-grant. The lion's share of the money is from the Town of Mattapoissett, which received a \$4.5 million state Municipality Vulnerability Preparedness (MVP) grant. The cooperation of the multiple towns is what helped to secure that grant and make this project feasible.

Mr. Lavalette had questions regarding if the property had been buildable previously and how the negotiations had proceeded. Mr. Decker explained that there had been an independent appraisal of the property and that the previous owner had agreed to sell the land at a lower price. Mr. Vinnie Furtado of the BPW was invited to weigh in on the project, and he spoke in favor as a representative of both Fairhaven and the district as a whole.

Recreation

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

Mike Rotondo was invited to speak to the committee. He showed examples of the skate parks in East Providence, RI, and Burlington, VT to illustrate the type of bowl planning to be built on the newly re-paved surface. When Mr. Lucas had questions about the drainage of the bowl, Mr. Furtado explained that the engineers would be able to provide further information and that this new project should not require additional maintenance by the BPW once the skate park is properly revamped. Ms. Richard also noted that she often brings out kids and teens to help clean the existing skate park.

On further questions about maintenance, Mr. Rotondo had spoken to the East Providence Park and they recommended maintenance checks after 5 years. Ms. Isherwood had further questions about drainage and weather resistance as did Mr. Lucas about access underneath the bowl. Mr. Rotondo noted that the skatelite will have 3/16" gaps between the panels to allow for expansion, and the bowl would be slightly raised above the ground with the deck surrounded to prevent unwanted access. Mr. Lavalette requested information about how to handle graffiti on skatelite, and Mr. Rotondo said he could supply a small sample for testing. On Ms. Isherwood's questions on life expectancy, Mr. Rotondo explained that while skatelite has a lifetime warranty, partial resurfacing may be needed after ten to twelve years.

BPW – Bike Path Resurfacing - Phase 1 (\$140,775)

As noted in previous meetings, this application is to resurface the bike path that runs from Main St. in Fairhaven into Mattapoissett. For the past five years, the BPW has made requests to the Capital Planning Committee to fund this project and has been denied. The full project is projected to cost \$400,000 but the plan is to break up the resurfacing into three phases. Since the original application, the planned Phase 1 has shifted from \$109,000 to cover the bike path from the Mattapoissett town line to Weeden Road. to instead request \$140,775 to start with Main Street to Sconticut Neck Road at the suggestion of the Bike Committee. Mr. Furtado plans to seek out further funding and grants to attempt to condense the three phases into a single project.

Mr. Lucas inquired if Mr. Furtado served on the Capital Planning Committee. He does, but he must recuse himself from voting on any BPW projects. He then outlined the voting process and criteria for scoring projects for funding consideration by the Town Administrator. Mr. Lavalette suggested funding under Chapter 90, but Mr. Furtado countered that this project would not qualify.

Discussion followed regarding if this project would still be submitted for funding to the Capital Planning Committee, which Mr. Furtado confirmed that it would. He plans to cover as much of the project as possible from the two committees and then cover the rest with any grants he can obtain. He also cited that the bike path needs to be brought into compliance with ADA guidelines. Ms. Richard asked about some recent construction around the bike path, which Mr. Furtado explained was part of other street improvements mainly along Alden Road such as wheelchair ramps, sidewalk improvements, and updated pedestrian signals funded by a Shared Streets and Spaces Grant and the Complete Streets Funding Program.

One final part of the discussion turned towards the coordination between this committee and the Capital Planning Committee and how the Town Administrator both wanted to know of any possible project overlaps as well as to encouraging department heads in the town to bring forth their projects to the Capital Planning Committee.

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

After requesting that this project be resubmitted by the Unitarian Church, the Church has rescinded it from consideration for FY24. Mr. Lavalette noted that there may be plans to address the most pressing restoration and repair issues in the meantime

Community Housing

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

Krisanne Sheedy of the Fairhaven Housing Authority was invited to speak to the committee. She outlined that the project might be broken into two phases as there was one portion that was more in need of attention. As noted at previous meetings, this would cover 30% of a \$248,307 project focused on repointing and re-mortaring the areas of the exterior brickwork that need it most, particularly under the balconies.

There were no major questions from the committee, but Mr. Lucas did take the opportunity to request an update from Ms. Sheedy on other outstanding FHA projects on behalf of Town Accountant Anne Carreiro. She outlined the work done on projects on the doors and roof and Mr. Lucas asked that she write to Ms. Carreiro with those updates.

Other Business

Review of Previously Appropriated Projects' Bills

Before the end of the meeting, Mr. Lucas returned to the previous discussion of the project bills for the Old Stone Schoolhouse and Spring Street Firehouse. He had expected Wayne Oliveira, chairman of the Historical Commission, to be able to speak to the committee after the public hearings, but Mr. Oliveira was not present. Mr. Lucas' main concern was if the CPC was legally obligated to pay a bill where they were unsatisfied with the quality of the work, even if it was approved by the applicant. He stated that the committee would need to put forth more effort and involvement in these projects to ensure that they were done to the committee's standards.

Mr. Lavalette offered to speak on behalf of the Historical Commission and stated that plans were made to correct the issues cited with the painting of Old Stone Schoolhouse. Ms. Richard brought up her own concerns with the

quality of the work and Ms. Luey pointed out that there were no issues such as these with projects headed by other organizations in town – such as the High School, Town Hall, or Library – because they have staff on hand to manage the project. Mr. Lavalette promised that the specific issues with the painting and the lack of “podging” on the Old Stone Schoolhouse would be addressed and suggested holding off on any payments until they were rectified.

He gave an additional update on the Spring Street Firehouse that the new shutters were complete and ready for installation and painting. The Historical Commission ensured that there wouldn’t be any additional money billed and he explained that the previous painting was an issue with contracts and timing. He has been visiting sites when possible to see how projects are progressing, specifically citing his effort to have the Firehouse’s sign corrected.

Ms. Richard asked to verify that only Mr. Lucas and Mr. Foley signed the bills for CPC projects, which is correct. She continued with her concerns about the planning of this project and that the Historical Commission should be able to cover mistakes and contingencies such as this for their projects. Mr. Lavalette assured the board that the painter will complete the project at no additional cost and the bill will be resubmitted once the project is complete. Both Mr. Lucas and Ms. Richard stated that follow-through on the applicants’ part ensures that the project is completed in line with the contract requirements. Ms. Isherwood asked who the CPC holds their contracts with – the applicant or the contractors – and it is with the applicants. Thus, by her understanding, applicants should be responsible for working with contractors to rectify mistakes and should cover contingency costs outside of the contract with CPC. Mr. Lavalette assured that the Historical Commission would follow through on these projects as they had with others, citing the Fort Phoenix restoration where the Commission returned CPC funds when the project proved untenable.

Mr. Foley suggested more correspondence with the applicants and site visits to ensure compliance with completing the outlined projects. The committee agreed and noted plans to visit the Whitfield-Manjiro museum to see the progress on that project. With no other business to discuss, the motion was made to adjourn.

The motion to adjourn was made by Ms. Richard and was seconded by Mr. Meredith. The motion passed unanimously. The meeting adjourned at 8:48 PM.

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