



COMMUNITY PRESERVATION COMMITTEE

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COMMUNITY PRESERVATION COMMITTEE December 8, 2021 Minutes

FAIRHAVEN,
MASS.

1. Administrative Business

Chairman's Welcome Media Notification: Jeff Lucas, Chair, opened the meeting at 6:30 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,

Absent: Terrance Meredith, Marcus Ferro

Staff: Town Planner Paul Foley

Minutes:

Ms. Richard made a motion to approve the November 17, 2021 minutes and was seconded by Ms. Luey. The motion passed unanimously via roll call vote.

Correspondence:

Mr. Foley received correspondence in relation to the public hearings and stated that they would be discussed during the hearings. After both Mr. Lucas and Ms. Richard noted that they had received correspondence in regard to some of the projects, a short discussion followed over whether personal correspondence needs to be submitted for the public record. Mr. Foley noted that all official correspondence should be submitted directly to the Planning Department at Town Hall. During a public hearing people should not be soliciting Committee members individually outside of the public hearing.

2. General Business

Ms. Richard made a motion to move the discussion of the CPC Funds until after the Public Hearings and was seconded by Ms. Isherwood. The motion passed unanimously via roll call vote.

3. Public Hearings

Mr. Lucas noted before starting the public hearings that no votes would be taken at this meeting in regards to acceptance of any projects.

Library Sidewalks Phase 2 - \$93,000

Vinnie Furtado from the Department of Public Works was invited to speak on the project. He noted how in 2016, Bill Roth, the Town Planner at the time, received the original bid from Joe Booth Architects for \$80,000 for each street plus \$25,000 resetting granite curb for \$185,000 total. CPC approved Phase 1 for

\$92,000 during FY2019. In 2019, Mark Reese, the acting Town Administrator, requested that DPW work on the project. Mr. Furtado put forth \$20,000 in Chapter 90 funds to pay for additional engineering on the project, in part to add lighting conduits under the bricks. He is now seeking the remaining \$93,000 of funding in order to go forward with the project.

Ms. Richard inquired if there would need to be additional funding beyond covering the originally requested total amount, given the possibility of adding in the lighting conduits.

Mr. Furtado replied that while he had not sought bids for adding in the lighting conduits, he would fund anything over the current amount under Chapter 90 rather than make any further requests of CPC for funding.

A quick clarification followed to ensure that this funding would complete the sidewalk project on either side of the Library along Walnut and William Streets. The front section along Center Street has already been done.

Spring Street Firehouse Renovations - \$17,000

Wayne Oliveira, Chairman of the Fairhaven Historical Commission, spoke on the firehouse project. He went over the areas of the building in need of repair or replacement. A number of both the pine shutters and the security shutters would need to be rebuilt or replaced, while some of the existing ones only needed minor repairs. Due to the building being on only an 8 inch block foundation, the building's cedar shingles have instances of rot which would need to be investigated and replaced. Areas of the trim would also need replacement and repainting. As part of the renovations, the building would be power washed and painted with Thompson's Water Seal.

In response to the question brought up last meeting in regards to the sign, Mr. Oliveira noted that the sign itself would be made of wood but instead of hand-painted lettering, the lettering would be recreated via PVC vinyl lettering.

Mr. Lucas offered to provide shutters to aid with the renovation, provided that they were the correct size.

Mr. Lucas also noted that there was not a full cost break-down submitted during the application process, noting that itemizing the project helps to give more precise insight over which parts of the project can be covered via CPC funds. He also noted that he would like to see at least one other bid if possible.

Mr. Oliveira brought up the logistical issues of receiving bids with itemization being extremely difficult during the preliminary stage of the project.

Mr. Lucas then clarified that even having the project divided up into large segments – in this case, power washing, painting, and renovations – would be helpful for defining the scope of the project.

Mr. Foley noted that when work is done the bills need to be itemized for reimbursement and only CPC eligible aspects can be funded.

Ms. Richard inquired if the Fairhaven Protecting Society meets at this firehouse. Mr. Oliveira elaborated that the Fairhaven Protecting Society stores the historic fire trucks in the building and works on them on the town's behalf. In her follow-up, Ms. Richard added that as part of the renovations, consideration should be given to find a way to incorporate the memory of Fairhaven Protecting Society member, John Rogers.

Ms. Luey said it would be better to reuse the existing shutter hardware and possibility recreate it for other shutters to create a uniform look by also reworking the security shutter hardware to be more period appropriate, all of which Mr. Oliveira assured would be considered.

Discussion turned to the sign replacement, with the possibility of using CDC recessed cut wood to recreate the look of the hand lettering being used rather than PVC vinyl. It was noted that hand-painted lettering would be cost prohibitive, but CDC cutting is easily done and would replicate the look in a longer lasting and more visually pleasing fashion. Additionally, it may be possible to have such cutting done at the Vocational Technical High School. It was noted the purpose of CPC funds is to use authentic materials to the highest degree possible.

Action: Mr. Oliveira encouraged to explore the option of a CDC routed sign ahead of the January 19th meeting.

Pickleball at Livesey Park - \$240,000

Members of the Fairhaven Pickleball Association were invited to speak. Ken Pottel presented an opening statement regarding the rapid increase of number of members in the Association and the formation of several committees within the Association. After thanking the members who contributed to the application and the presentation, he then turned the presentation over to Al Valle.

Mr. Valle first enumerated the reasons for Pickleball being one of the fastest growing sports in the country. As for the specifics for this project he noted that no trees would be cut down, nor would it infringe on any existing pathways, and there would still be access for waste removal services as requested. This proposal runs alongside the existing tennis courts at Livesey Park. The estimate submitted by the Lawrence Lynch Corp – the same business that created the courts at Fort Phoenix – outlines all of the steps for construction and gives an exact price of \$240,256.80. The Board of Public Works has offered their unanimous support for the project.

The presentation continued, noting that the Pickleball courts would only take up 2.59% of the total park area (12,416 sq. ft out of 11 acres). Other parks in the area had been considered for this project – Cushman Park, Hastings Fields, Anthony Field, and Macomber Fields – but each presented issues that made them less viable candidates as compared to Livesey Park. The Association also offered their plan for court maintenance.

Further information was offered on how the Association functions on a day to day basis in regards to scheduling, both in terms of current meet-up times as well as the online and in-person sign-up processes open to the 190 current members.

Once the presentation was complete, Mr. Lavalette brought up his concerns over the location of the sixth court running perpendicular to the other five after speaking with three different Pickleball court construction companies.

Mr. Valle said he contacted the USA Pickleball Association in regards to this concern and they had no data on perpendicular court placement leading to disruptions of play. In the event that it does prove to be an issue, a curtain can be added to the court to help to reduce distractions.

Ms. Luey inquired about where spectators and players in the queue would be located. Mr. Pottel said that there is usually a designated area for players to gather while waiting their turns along the sidelines.

Ms. Isherwood then requested the figures for building only five courts as noted earlier in the presentation and Mr. Valle cited that estimate as \$201,000.

Mr. Lucas raised several concerns about the project including waste removal logistics, properly formatted invoices and the need for further information in regards to the exact location and sizing and the change from earlier proposals with five courts whereas the most current proposal shows six courts. He also brought up his larger concerns for a concerted effort on the Town's part to have a plan for the parks for development both in the present and the future.

Mr. Pottel noted that the Association had spoken to Mr. Furtado from DPW about the waste removal issues and other requested information was included in the project packet available on the Town's website under on the "CPC FY23 APPLICATIONS RECEIVED" page.

Ms. Richard requested further information about the DPW's involvement with the project under their jurisdiction as park commissioners. Mr. Furtado, after making some clarifications in regards to the separation of parks and recreation departments, then explained that at the time of the presentation of this project several months prior, the DPW gave their unanimous support and he personally made sure the court location would not interfere with waste removal.

Ms. Richards followed-up by asking Mr. Pottel if the association would be able to make this project work if only offered funding for five courts. Mr. Pottel said it would be a concern given their projected growth, but the Pickleball Association would still accept such an offer.

A discussion followed between Ms. Isherwood, Mr. Pottel, Mr. Lucas, Mr. Lavalette, and Mr. Valle in regards to planning to research if any existing paved areas currently set aside for other sports might be able to renovate into Pickleball Courts if more are needed in the future.

The floor was then opened to members of the public who wished to speak. Ray St. Amand brought up the Town of Fairhaven Master Plan 2040 referenced during the Pickleball Association's presentation and its goal of providing life-long recreational opportunities for all citizens regardless of age or ability. He noted that Pickleball is accessible to the growing segment of the population over age 45 and the addition of these courts would help with fulfilling that Master Plan goal.

Mr. Foley brought up his concerns about the increasing amount of paved area in Livesey Park over the years, showing aerial photos of the additions of parking lots and paved recreational areas. He believes the Town should take a concerted look at how our recreational facilities are being used and not used before we continue to pave over parks with facilities for special interest groups. Right now anyone can walk here, throw a Frisbee, walk their dog or have a picnic in this location. Once you build courts it's only for this group and needs to be maintained over the years. He also brought up the correspondence he had received from town residents and Fairhaven Pickleball Association members, Joanne St. Amand and Debbie Almeida, both voicing their support for the new courts. He then continued to voice his support for a coordinated effort to research how parks are being utilized along with looking into ways we can make our facilities multipurpose, a point also raised in the Fairhaven Master Plan.

After this, Mr. Valle made some additional comments in regards to the distance of the courts from the houses. Mr. Foley pointed to the aerial photos which illustrate that there are houses about 100 feet from the proposed courts.

Ms. Richard brought up a question in regards to if the restrooms in the park would be available to the Pickleball Association. Mr. Furtado offered that he had spoken with Mr. Pottel about providing a key to the restrooms to the Association.

Whitfield-Manjiro Carriage House Repurposing - \$60,000

Mr. Foley recapped the concerns about this project put forth last meeting – mainly in regards to whether this type of repurposing can utilize CPC funds. Mr. Lucas also requested an update on the exterior renovations to the building.

Gerry Rooney, president of the Whitfield-Manjiro Friendship Society, was invited to speak. He explained that this has been an 11 year process to create a cultural center from the carriage house, noting issues with the foundation and work put in to better align with the requirements of the town Historic Commission. Presently, the plan is to complete the exterior renovations by June before work turns towards the interior. He also noted the contributions the Vocational Technical High School has made with aiding in the recreation of the cupola and weather vane and their offer to also help with the interior electrical work. He made several references of other projects that have repurposed historic buildings as a comparison to this one, including the on-going renovations at the former Oxford School. Overall, the project is projected to cost approximately \$500,000 over its full development, with the Society having sourced half of that figure so far.

Mr. Lavalette brought up his concerns that if CPC funds are used for the interior repurposing, the Society will be unable to charge for entry into the building. Additionally, he agrees with the interpretation that CPC funding can only be used for the outside of historic buildings, not the interiors.

Mr. Rooney explained that the Society does charge for the classes and tours of the museum and trail as part of keeping the organization running and over the museum's lifetime, they had received over 11,000 visitors. Updating and renovating the carriage house has been a long time goal of the Society and they have been diligently pursuing it even with changing requirements as the building came under the purview of the Historic Commission.

Ms. Richard stated that the most important aspect of the project is if CPC can legally fund the project. As Mr. Foley will be meeting with legal counsel and the Community Preservation Coalition on December 15th, he could share that information with both the CPC along with the Whitfield-Manjiro Friendship Society. In the following discussion, Mr. Lucas noted that while that information could be shared, the official approval or rejection of the project would still take place during a later CPC meeting.

Mr. Lavalette requested an estimate for how much finishing renovations to the exterior of the building will cost. Mr. Rooney did not have those figures on hand, but assured that he could request them from the engineer if needed. Mr. Lavalette then offered a compromise of having CPC help with finishing the exterior renovations, if the application could be reworked.

Following up, Mr. Lucas inquired about how much funding still existed from previous CPC grants given towards other aspects of renovating this building, with Mr. Rooney stating that \$24,000 of grant money remains. In the following discussion, Ms. Richard requested that the discussion be tabled for the time being as it did not apply to the current grant application.

Before the Committee moved on, Mr. Foley did assure that he would assist in finding funding for the project in case CPC was unable to provide.

Action: Mr. Foley to meet with the legal counsel and Community Preservation Coalition regarding the eligibility of the request and inform Mr. Rooney of the findings ahead of the January CPC meeting.

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

Mr. Foley introduced the project, showing the current dirt track at Macomber Park alongside the images submitted of the proposed replacement track.

The applicant, Chip Hawthorne was invited to speak. Ms. Richard brought forth her questions from the previous meeting in regards to the engineering and planned cost of the project.

Mr. Foley had met with Mr. Hawthorne to discuss this location and if the plans for resurfacing the Livesey Park skate park could be done in such a way that BMX biking could be accommodated as well. Mr. Furtado mentioned the possibility of funding the engineering for the project.

Mr. Lavalette presented his concerns about the project in terms of location and the need for details in terms of design, maintenance and conversation and thus considers the project in its current state to be too premature to consider. Ms. Luey requested information about the usage of the existing track to have a better idea of what how many residents would benefit from this project.

Mike Rotondo cited quotes for engineering that the detailed design for this project would range from \$6,000 to \$8,000 and in his following discussion with Mr. Lucas, expressed his concerns about funding that part of the process. Mr. Furtado explained that it may be possible to use money from a town engineering fund to help with this project. As of his last check of the fund, there was \$2,000 on hand

which would line up with the quote from DirtSculpt noted on the project application. Ms. Richard also presented the idea of fundraising to help cover the engineering cost.

In response to Mr. Lucas' questions in regards to track construction, Mr. Rotondo assured that any construction company hired would handle the process.

Mr. Lavalette has concerns about funding this project without all of the information needed to gain approval from Conservation Commission. A Licensed Site Professional would need to be brought onto the project in order to provide details on the track's location to the wetlands as well as concerns about drainage and the new blacktop. He estimated that this could bring the total engineering cost to \$8,000 to \$10,000.

Mr. Foley returned to his previous point of taking advantage of the Livesey Park skate park resurfacing to help make that area more compatible with BMX biking and the need to consider multifunctional facilities in general. Mr. Rotondo conceded that perhaps another location besides Macomber Park could be found, but had concerns about sharing the skate park at Livesey Park. He does not think they necessarily go together well.

Ms. Isherwood and Mr. Lucas both made comments of their concerns in regards to if the application at present would be able to pass the Conservation Commission or the Town Meeting. After Mr. Foley offered to arrange a meeting with Mr. Rotondo and Mr. Hawthorne to meet with the Engineer doing the work for the skate park, both expressed their willingness to do so. When prompted for the planned footprint of the paved track, Mr. Hawthorne cited 80' by 120' as the planned size but assured that the area could be shrunk down.

A discussion followed between Mr. Lavalette, Mr. Lucas and Ms. Isherwood about their concerns about funding the engineering of a project which might not pass other boards. Ms. Richard added that even if the project may be rejected, that further applications could be made in the following years once more information was gathered. Ms. Isherwood agreed with Mr. Foley's concerns about paying too much green space. Mr. Lucas reiterated his concern that the Town need to consider the concept of a park commission to provide an overview on these projects.

4. Other Business

Review of CPC Funds:

Mr. Foley presented the existing balances from FY21:

Open Space:	\$ 31,594.18
Community Housing:	\$ 60,480.57
Historic Preservation:	\$ 1,560.77
Undesignated Fund Balance:	\$ 554,433.87
All Existing Funds:	\$ 648,069.39

The existing balance plus FY22 estimated surcharge and State Distribution:

All Existing Funds:	\$ 648,069.39
Est. FY22 Town Surcharge (w/2.5%):	\$ 442,157
6/30/21 State Distribution (39.4%):	\$ 169,832
Existing Funds plus FY22:	\$1,260,058.39

Of the \$835,112 made in FY22 Appropriations, **\$458,752** were accounted for in estimated expenditures, and **\$376,360** were already accounted for in Running Balances.

Thus the approximate amount of funds projected for June 30, 2022 before appropriations is **\$801,306.39**. This is more money than expected due to a larger surcharge and \$75,000 in turnbacks.

Estimated receipts for FY23

Est. Town Surcharge (w/2.5%):	\$ 453,211
State Trust Fund Match (@20%):	\$ 88,431
Expected 6/30/23:	\$541,642

Mr. Foley noted that the State Trust Fund Match has fluctuated over the years and thus 20% is used as a conservative estimate even though this year it went up again to almost 40%.

Mr. Lucas and Mr. Foley agreed that between \$60,000 and \$75,000 should be saved in each reserved fund. Mr. Foley noted that we also have \$15,000 allotted to administration as well. At Ms. Richard's request, Mr. Foley offered to create some spreadsheets with further funding and projection details.

5. Future Meeting Schedule

Mr. Foley suggested the Committee should conduct site visits ahead of the January 19 meeting for the purposes of information gathering. Members of the committee agreed that this would be prudent, be it done individually or as a group and would work on scheduling those visits for early January.

Motion to continue the Public Hearings on January 19, 2022 was made by Ms. Richard, seconded by Ms. Luey. The motion passed unanimously via roll call vote.

Motion to adjourn was made by Ms. Richard and was seconded by Mr. Marcoux. Meeting adjourned at 9:57 p.m.