

**TOWN OF ACTON COMMUNITY PRESERVATION COMMITTEE (CPC) VIRTUAL MEETING MINUTES**  
**February 09, 2021**  
**7:30 PM**

**MEETING HELD BY ZOOM TELECONFERENCE AND AVAILABLE TO THE PUBLIC**

**Note:** The Town of Acton in response to the COVID-19 (Corona Virus) is currently following the guidance from the Acton Board of Health, Massachusetts Department of Public Health and the CDC regarding the virus and steps communities can take to prevent the spread. The Town Hall is closed to the public.

**Present:** Ray Yacouby (Chair), Nancy Kolb, William Alesbury, Dean Charter, Alissa Nicol (Associate), Carolyn Kilpatrick, Steve Trimble (Clerk), Victoria Beyer, Walter Foster

**Absent:** none

**Others Present:** Mr. Robert Hummel, Ms. Melissa Rier, Mr. Joe Will, Mr. Tom Tidman, Ms. Laura Post, Mr. Matt Post, Mr. Tom Gillispie, Ms. Cathy Fochtman, Mr. David Martin, Ms. Hema Santhanakrishnan, Mr. Jim Colman. Other attendees did not register in the meeting with their full name.

Mr. Yacouby (Chair) opened the meeting at 7:30 PM. The Chair read the notice regarding virtual meetings and how the public could access and participate in the meeting. All votes will be by roll call.

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**I. Regular Business**

Meeting start Committee disposition: "Ayes" Ms. Kilpatrick, Mr. Alesbury, Ms. Kolb, Mr. Charter, Ms. Nicol, Mr. Foster, Mr. Trimble, Ms. Beyer, Mr. Yacouby.

**1. Citizens' Concerns (7:34 PM - 7:35 PM)**

- a. Mr. Yacouby requested from Mr. Hummel if there were any attendees with citizens' concerns outside of the planned project overviews. Mr. Hummel responded no.

**2. Review Meeting Minutes (7:35 PM – 7:38 PM)**

- a. Mr. Yacouby requested a motion to approve the January 26, 2021 CPC Minutes.
- b. Mr. Alesbury moved to approve the minutes for January 26, 2021 seconded by Mr. Foster.
- c. Committee Disposition: "Ayes" Ms. Kilpatrick, Mr. Alesbury, Ms. Kolb, Mr. Charter, Ms. Nicol, Mr. Foster, Mr. Trimble, Ms. Beyer, Mr. Yacouby.
- d. Motion approved unanimously to accept the January 26, 2021 Minutes as written as final.
- e. Mr. Yacouby noted that Mr. Colman added as panelist in a non-voting role this session as he is not sworn in at this time.

**3. Administrative Updates & Scheduling (agenda item handled out of stated sequence; (9:30 PM – 9:34 PM)**

- a. Mr. Yacouby asked Mr. Hummel for any other items.
- b. Mr. Hummel noted the next Committee meeting is scheduled for February 23, 2021.
- c. Mr. Foster wanted to adhere to future presentation duration as it limits audience participation. The Dog Park presentation exceeded both its allotted presentation time as well as the Q&A time.

- d. At Mr. Yacouby's request, Mr. Foster moved to adjourn the meeting, seconded by Ms. Kolb.
- e. Committee Disposition: "Ayes" Mr. Yacouby, Ms. Kilpatrick, Ms. Beyer, Mr. Alesbury, Ms. Kolb, Mr. Charter, Ms. Nicol, Mr. Foster, Mr. Trimble.
- f. Motion to adjourn the February 09, 2021 meeting approved unanimously.

## II. **New/Special Business**

### **Project Hearings**

#### **1. Discussion – Using private funds prior to CPA award funds (9:17 PM – 9:27 PM)**

- a. At the last meeting Mr. Alesbury noted that on page 23 of our plan it states that when there is private funding aligned with CPA projects on municipal property all private funds must be given to the town and all private donations must be spent before taxpayer money.
- b. Mr. Hummel reported that, in context with Gardner last cycle, the award letter did not direct said condition and whatever the committee wants to do in future would be fine.
- c. Mr. Yacouby stated we must be clear in the future and that the intent is that a project spends private funds on such projects.
- d. Ms. Nicol agreed going forward and noted that the Gardner presentation made last cycle clearly pointed out they would be retaining leveraged funds.
- e. Mr. Foster suggests we ask applicants to raise as much as possible and update the CPC. Historically when we vote we vote on an award amount it is predicated on an amount including the leveraged funding. He suggests amending the award letter stating private funds will be applied "first in" and any monies remaining is CPC money not private money.

#### **2. Discussion – Counsel Recommendations (9:27 PM – 9:30 PM)**

- a. Town counsel returned information on three projects.
- b. It stated the Fund for Historical Commission Survey Fund Preservation was up to the committee. It was like the open space set-aside fund where the spending is assigned by the Historical Commission and not CPC.
- c. Jones and Elm street: no issues.

#### **3. 7:40PM – NARA Sports Pavilion (7:37 PM – 8:03; presented by Ms. Rier)**

- a. Ms. Rier introduced the project which seeks \$250k to complete the South Building. It would deliver department offices, NARA Summer Camp Headquarters, storage & snack bar. Ms. Rier noted ~\$53k left from previous awards. Refer to materials for further details and past spending. She noted the stairs (\$15k) will be in-kind and subtracted. Several 2020 leverage items were noted as the Recreation Department moves the work forward. This is a shovel ready project and would complete in the Fall, 2020 if funded.
- b. Ms. Kolb inquired if can they do construction with camp in session. Yes, camp is located elsewhere.
- c. Ms. Kilpatrick asked about camp revenue generation being the largest and Ms. Rier responded yes. It was noted this effort has spread out the attendees across the NARA site.
- d. Ms. Nicol asked about funding \$150k for phase 1 by Eldridge and another \$150k. Ms. Rier responded the request was not awarded. The \$150k was used on the North building in addition to CPA funds. Ms. Rier noted a typo in the presentation where the parking lot year was incorrectly noted.

- e. Total funding will be sent out by Ms. Rier as requested.
- f. Mr. Charter noted the project and past challenges due to unrealistic estimates. Wants to push forward and complete.
- g. Mr. Foster asked if shovel ready. Melissa said yes it just needs to go to bid noting the leveraged work and anticipated cost figures are hard and fast. Ms. Rier noted the department will provide exterior and interior furnishings.
- h. Mr. Alesbury requested that Ms. Rier submit documentation on the project funding history. It would be useful to understand additional costs were due to awards that were less than requested). Ms. Rier noted that the cost of rehabbing the donated buildings was higher than envisioned.
- i. Ms. Beyer supported getting this work done as noted by Mr. Charter, Mr. Trimble, and Mr. Foster. She thinks the CPC did give as much as they could at the time of the requests to try to complete the project.
- j. Mr. Yacouby noted some historical frustration on lingering projects and acknowledged Ms. Rier moving several efforts forward. He is a fan of recreation projects since they provide leverage to the town's population.

**4. 8:00 PM – Elm Street Courts Resurfacing (8:03 PM – 8:27 PM; presented by Ms. Rier)**

- a. Ms. Rier provided status noting that the school project will not use the parking lot, so this effort is desired. Please refer to the presentation for more details. The project requests \$200k noting that an updated quote came in for \$165k but the quote clearly stated it was a quote. Ms. Rier noted the playing conditions are horrible and should be considered a reconstruction like the playground projects. This addresses a new need for pickleball courts and is primarily aimed at adults and seniors. Like NARA, it is a shovel ready project and would complete in Fall, 2021. Pickleball and tennis use exploded in the pandemic. The courts were last resurfaced in 2002 and repaired in 2013. The courts use an online reservation system set up recently for the pandemic but generally not requiring management.
- b. Ms. Kilpatrick noted it was nice to see the use during the pandemic.
- c. Ms. Nicol asked if the project could go with \$165k. Ms. Rier hopes so but historically estimates have not held as seen on other Recreation efforts.
- d. Mr. Charter noted the BoS did not support initially as it thought the school project would cover the work, but we now know that is not happening. Mr. Charter was involved with the initial work and directed Ms. Rier to bid documents on the original firm that built the courts. Mr. Charter noted they reside in a flood plain which leads to some instability so 20 years of service was very good. He thinks total reconstruction is a good idea. He noted that due to the high-water table Ms. Rier pay attention to decisions to bury fence posts 4 feet to prevent frost heaves (norm is 24-30 inches). He inquired if the use of the surrounding area for parking will impact taxpayer use for 2 years. Ms. Rier responded that there are 6 spots reserved for town use (2 handicapped).
- e. Mr. Foster reiterated Ms. Nicol's comment on the large \$35k contingency line item. He also noted it was shovel ready.
- f. Mr. Alesbury asked about usage statistics and if the electronic reservation system could provide a rough order or magnitude? Ms. Rier noted the system was just implemented for crowd control during the pandemic (Signup Genius). She is not sure the data will be viable. Mr. Alesbury and Yacouby ruminated that given operating hours, the number of people assigned 2-hour timeslot it could be derived for a ballpark figure (e.g. utilization was 70%).
- g. Ms. Beyer commented she would like to see this project done. She pointed out the presentation estimate explicitly stated it was an estimate only.

- h. Ms. Kolb noted the senior demographic focus on Pickleball.
- i. Mr. Colman noted if it's not useable it's a wasted town resource.

**5. 8:20 PM – Dog Park (8:28 PM – 9:16 PM; presented by Mr. Gillispie)**

- a. Mr. Gillispie reviewed the project summary and the most recent three years of data gathering and planning work. Please refer to the presentation or website for more details. He noted this was municipal property which is a Stanton Grant requirement. The lot is already cleared which minimizes site preparation costs. It was noted that the septic system for the planned housing project would be located under the park
- b. The request includes a 10% contingency requested. If funded the facility would open by the 2022 summer season.
- c. Mr. Gillispie requested an opportunity to address the CPC at the end of the any public comments.
- d. Mr. Yacouby asked whether the work would proceed if the grant is not awarded. Mr. Gillispie said it would not likely proceed.
- e. Ms. Nicol asked about the middle parcel and what is planned. Mr. Gillispie noted nothing on 352 Main Street property (upper parcel) is anticipated in this effort but he is under the impression the town is looking at it.
- f. Mr. Charter noted he originally was skeptical of the need for a dog park and is now in favor of the idea. He noted the dog park was BoS #1 priority.
- g. A dog park "friends" group is up and running but contributions were minimal until a site was chosen and so the effort isn't leveraged with individual fundraising. It was noted that any fundraising made would become part of the project and used first. Mr. Gillispie agreed to this.
- h. Mr. Yacouby asked Mr. Charter if the CPC doesn't get funding would the BoS cover the \$25k. Mr. Charter does not think that is likely. It was noted that town work can be donated. The CPC should not be asked to pay for town labor. It appeared to Mr. Yacouby that the bare minimum to move forward with this project was which appears as \$25k?
- i. Mr. Alesbury asked about anticipated usage and if 10-12 parking spaces is appropriate? He also asked about project management. Mr. Gillispie noted that the Stanton Foundation will not work with volunteers and the contact must be a town official. Matt Selby is assigned as the contact. Mr. Gillispie asked if they could use nearby towns for usage statistics.
- j. Mr. Trimble noted the presentation included comments that the Stanton Foundation may have issues due to financial impact of the pandemic. He noted not all organizations were impacted by the pandemic and asked Mr. Gillispie if he is aware of a specific threat. Mr. Gillispie stated he had no knowledge of a credible issue for Stanton given the current pandemic.
- k. Ms. Kolb noted that sidewalks would be through the AHA. Mr. Gillispie noted easier to connect planned work to these
- l. Mr. Colman noted that there would be 10-12 spots and suggested they would only a dozen at a time. Mr. Gillispie cited that Acton has 2300 registered dogs. Mr. Colman noted with more activity on weekends how would that accommodate demand? People find slots that work for them. The park will not be open after dark.
- m. Prior to opening for public comment, Mr. Yacouby noted the CPC is not involved with location or other funding suggestions received in open communications.
- n. Ms. Fochtman spoke and noted a "friends" group formed to support the ongoing dog park. She is chairman and is working on a fundraising goal of 20k by June 30<sup>th</sup>. \$5k raised to date and turned over to the town.

- o. Mr. Post voiced opposition to the park and is both an abutter and a dog owner. He noted the AHA voted against the dog park as its neighbor. He reminded the Committee the town does not have access to Isaac Davis Way. He is under the impression BoS must pass unanimously and not as it did with a 4 to 1 vote. He contends this project is not shovel ready and has not done its due diligence.
- p. Mr. Joshi, also an abutter, echoed the same sentiments as Mr. Post that it is not supported by neighbors.
- q. Mr. Yacouby reminded the audience the Committee is hearing presentations and that no voting will occur tonight. He appreciated the attendance.
- r. Ms. Nicol thanked everyone for coming.

Next Scheduled Meeting(s):

2/23/2021	7:40	53 River Street Historic Park	\$100,000 – HR, R
2/23/2021	8:00	Open Space Acquisition/Protection Set-Aside Funds	\$400,000 - OS
2/23/2021	8:20	5% Administrative Support	\$66,478.88

Items used at the meeting:

- 1. Dog Park Public Comments, ADPC Presentation & application
- 2. Elm Street Courts Reconstruction Presentation & application
- 3. NARA Sport Pavilion Presentation & application
- 4. CPC Agenda 2021-02-09.pdf
- 5. Draft CPC Minutes 01 26 21.pdf

Additional materials can be found here: - <http://doc.acton-ma.gov/dsweb/View/Collection-13029>

For more information about Community Preservation Committee contact  
[cpc@actonma.gov](mailto:cpc@actonma.gov) or 978-929-6631