MEETING MINUTES
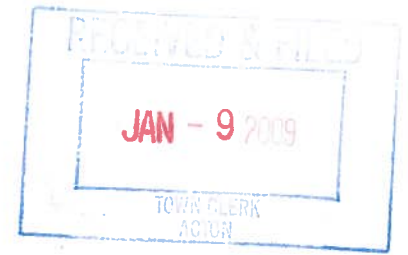
Town of Acton
Community Preservation Committee

December 18, 2008
Acton Town Hall, Room 204

Attending: Ken Sghia-Hughes, Walter Foster, Corrina Roman-Kreuze, Nancy Tavernier, Roland Bourdon, Susan Mitchell-Hardt, Jon Benson, Tory Beyer, Janet Adachi, Roland Bartl, Town Planner. Also present were Pat Clifford (Fin Com Observer), 2009 CPA project applicants, and members of the public.

The meeting was called to order by Chairman Ken Sghia-Hughes at 7:35 p.m.

I.   Appointments with Project Applicants (4 of 13)

A. Acton Housing Authority Pre-Development Funds. Request for $152,000; presentation by Kelly Cronin and Bob Whittlesey. This is a revised version of the proposal pertaining to AHA's Sachem Way property that was voted down at 2008 Town Meeting. AHA acknowledges that it did not communicate sufficiently with the neighbors prior to Town Meeting. Since Town Meeting AHA has met with abutters and has reduced the number of proposed units from 20 to 12. Abutters are satisfied with AHA's communication efforts but expressed concern about the potential impact of the proposed septic leaching field in the northeast corner and stormwater runoff on adjacent properties. The current design is conceptual, not final, and the leaching field location could be changed. The units would be low-income rentals and would count toward the Town's Chapter 40B affordable-housing percentage. AHA would like to build "green" though that could increase construction cost.

State subsidies are available for new construction of low-income public housing, but not for conversions of existing residences to low-income rentals, for example, via "condo buy-downs"; AHA does not use condo buy-downs whereas the Acton Community Housing Program does.

B. Acton Housing Authority Capital Fund. Request for $150,000. (Town Counsel evaluation: Yes/Judgment Call.) The eligibility of this application for CPA-funding depends on whether AHA's proposed uses are clearly "preservation" of community housing rather than "maintenance."

C. (a) Open Space Acquisition and Preservation Set-Aside. Request for $350,000. Presentation by Andy Magee.

(b) Open Space Acquisition and Preservation Fund. Request for $25,000. (Town Counsel evaluation: Judgment Call.). Among the concerns relating to this application are, one, the permissibility under the CPA of expenditures from the

proposed fund for preliminary land-acquisition expenses, particularly in cases where the acquisitions do not close, with one suggested solution being that the Town set aside funds to reimburse the fund where acquisitions do not close; two, the proposed administration of the fund, perhaps with the Selectmen having control over the fund; and the procedure for replenishing the fund, perhaps as part of the regular Town budget. Mr. Magee will provide a detailed description of the proposed process, for review by Town Counsel.

    D. <u>Acton Community Housing Program Fund</u>. Request for $50,000. Presentation by Nancy Tavernier.

II.   <u>Approval of 12/11/2008 Minutes</u>. The minutes of 12/11/2008 were approved as amended.

III.   <u>Other Business</u>.

<u>2009 Application - West Acton Boardwalk Telephone Conference</u>. Ken, Roland Bartl and the West Acton Boardwalk proponents participated in a telephone conference on December 17, 2008 with Town Counsel. Certain language in the <u>Seideman</u> decision suggests that CPA-funding could be permissible if the Acton Public Schools transferred custody and management of the boardwalk area to another Town department , for example, the Conservation Commission, and the area were subject to significant conservation and other restrictions. The project proponents plan to meet with the School Committee.

<u>Proposed Bylaw</u>. Roland Bartl reported that the final version has been submitted for inclusion in the 2009 Town Warrant.

The next regular meeting will be on Thursday, January 8th, 2009, when the Committee has scheduled appointments with the final four 2009 CPA project applicants.

The meeting was adjourned at 10:20 p.m.

- Janet Adachi, Clerk