

**COMMUNITY PRESERVATION COMMITTEE
MINUTES OF NOVEMBER 7, 2018
SILVA CONFERENCE ROOM, FLYNN BUILDING**

Present: Chairwoman Sherrill Cline (via phone), Lynne Remington, Scott Smigler, Pat Brown, Mara Huston, Thomas Friedlander, Eric Poch and Nancy Kilcoyne.

Absent: Diana Warren

Staff: Acting Director of Planning and Community Development, Beth Suedmeyer

At 7:30 p.m., Vice-Chairwoman Ms. Remington called the meeting to order.

Review of applications and public hearing schedule:

Vice-Chairwoman Remington opened the discussion and explained the purpose of tonight's meeting was to review the proposals submitted and collect data regarding the applications for the public hearings which are scheduled for December 5 & 19, 2018. Vice-Chairwoman Remington noted there will not be a decision tonight on the proposals. Vice-Chairwoman Remington stated emails had been sent to the applicants and some responses were received and the applicants are present to give the Committee further information on their applications.

Vice-Chairwoman Remington started by having the first applicants introduce themselves and answer the questions the Committee had posed to them. Ms. Liz Rust, from the Regional Housing Services Office (RHSO) and Mr. Jesse Kanson-Benanav, Senior Project Manager, from B'nai Brith Housing were present. Mr. Kanson-Benanav explained that the upcoming project for Coolidge of Sudbury, Phase 2 is comprised of 56 independent living units for 55 and older.

Mr. Kanson-Benanav explained that his company is a nonprofit independent developer which owns and manages Coolidge of Sudbury, Phase 1 which was opened in 2014 and encompasses 64 units of affordable housing for independent living located on Boston Post Road. Mr. Kanson-Benanav stated they have partnered with the Town and the Sudbury Housing Trust, and have received a comprehensive permit for Phase 2.

Over the summer they were awarded their tax credits and other State subsidies from the Massachusetts Department of Housing and Community Development. Mr. Kanson-Benanav stated they are addressing financing issues so they can break ground in the spring of 2019. Vice-Chairwoman Remington noted the request for funding had been reduced from \$625,000 to \$465,000 and the Committee appreciates that reduction. Ms. Rust stated this lower figure was in anticipation of receiving another grant from the HOME consortium in the amount of \$171,094. However, the amount has not been voted on yet so that figure may not be the exact amount.

Mr. Kanson-Benanav responded to the questions from the Committee regarding the HOME Consortium request. Mr. Kanson-Benanav noted the HOME consortium has funding available for \$171,094. Mr. Kanson-Benanav stated they had applied for the full amount. Ms. Huston asked if there were any other requests for part of the \$171,094. Ms. Rust stated \$2600.00 had

been requested by another applicant. Ms. Rust stated it seems likely Coolidge would be awarded the remaining \$168,452.

Mr. Friedlander asked if that number was difference in the number Ms. Suedmeyer was referencing and what was requested. Ms. Rust stated the total request from Coolidge was \$631,000. minus the \$171,094.

The second question asked was if any alternative funding sources were sought out. Mr. Kanson-Benanav stated they had spoken with the Housing Trust over the summer and asked for support from them. Mr. Kanson-Benanav stated they had submitted letters of interest to some Philanthropic foundations but unfortunately that is not an option at this time.

Ms. Huston asked what the Housing Trust had committed to fund. Mr. Kanson-Benanav stated \$250,000 will be received from the Sudbury Housing Trust. Ms. Rust clarified that this was the sum that was committed by the Housing Trust and approved by Town Meeting in May 2018. Mr. Kanson-Benanav pointed to the budget submitted with the application to note that there were a total of 8 funding sources supporting the project.

Mr. Kanson-Benanav addressed the third questions raised, which was why could the funds requested not be raised by BBH. Mr. Kanson-Benanav stated it was due to industry wide challenges such as cost of materials, labor shortages and the cost of transporting materials. Mr. Kanson-Benanav noted as a result of the external factors, the construction budget has increased to \$631,000 since they submitted their tax credit application to DHCD in February 2018.

Vice-Chairwoman Remington asked if there is a possibility to go back to DHCD for an adjustment. Mr. Kanson-Benanav stated the DHCD frowns upon that. Mr. Kanson-Benanav stated that they would like to have ground breaking in the spring 2019. If they were to go back to the DHCD, it could potentially take an additional year to get funds.

Ms. Huston questioned why they are asking for funds to be approved at May Town Meeting if they were breaking ground in the spring of 2019. Thomas Friedlander asked if they could use a line of credit for the construction. Mr. Smigler asked why not just get the loan. Mr. Kanson-Benanav stated that would incur more interest.

Mr. Kanson-Benanav explained the DHCD wants secured funds to be in place. Ms. Rust explained that the process was governed by DHCD practices. Because there were so many funders involved, the state procedure was to get all the funds in place to be held by one escrow agent. Mr. Kanson-Benanav expected that the state would proceed with the project even before Town Meeting approved the Article if the CPC recommended it to Town Meeting. Ms. Rust explained that the project would have to get special permission to proceed, but would consider the Town's support and CPC's recommendation when making that determination, If not approved, Mr. Kanson-Benanav said they would have to address the shortfall if the need arose. He also advised that DHCD was interested in seeing these projects move forward.

Mr. Smigler asked if the CPC funding and HOME funds were approved, is it a certainty that they could build the 56 units. Mr. Kanson-Benanav stated they will have a definitive budget within the week and they are committed to build all 56 units this year. If the new construction numbers make that not possible, they would have to go back to DHCD and there would be a delay. Ms. Brown asked if there was a timeframe for obtaining the cost of construction. He will have a final

construction cost by the public hearing December 5, 2018. He has told his contractors that he needs the final numbers by Nov. 14.

The gap of \$631K is as of May 2018 based on 75% construction documents. Mr. Kanson-Benanav stated they now have 100% construction documents from the architects and so are ready to get final construction costs.

Mr. Friedlander asked about the budget item for developer allowance of \$1.6M. Mr. Kanson-Benanav explained that was the company's statutorily allowed allowance to cover their costs. Mr. Friedlander asked whether there was some give in this number to cover the gap in construction costs. Mr. Kanson-Benanav said it is the funds that allow B'nai Brith Housing to continue to do their work. He explained it pays their salaries. Ms. Rust presented some background on the Subsidized Housing Inventory, or SHI, and how it is determined. Ms. Rust explains the equation is based on a static number consisting of a denominator, which is the number of housing units that were built or permitted. This is computed every 10 years as of April 1, 2020 based on the census. However, it takes over a year for DHCD to compute and publish the denominator. The numerator is a rolling number, units that meet the affordable housing criteria. This number changes as the units are created. To qualify for safe harbor from the Chapter 40B developments, Sudbury must maintain at least 10% of the housing inventory as affordable housing. Sudbury is at 11.21% which includes the new Coolidge of Sudbury, Phase 2. Ms. Rust stated without Phase 2, Sudbury would fall below the required 10% in 2020.

Ms. Rust clarified that a development is included in the SHI once the comprehensive permit is issued. The developer then has 12 months to obtain the building permit or the project is not included in the SHI. Once the building permit is issued, the developer has 18 months to obtain the occupancy permit or the development is no longer included in the SHI. Once the occupancy permit is issued, the project remains on the SHI. This is the process under c40B. The Local Initiative process is slightly different.

Vice-Chairwoman Remington asked if that included Avalon. Ms. Rust stated, yes. However Quarry North is unlikely, given the timing, to be included in the 2020 census unless the process moves very quickly. Ms. Rust expects the Quarry North project will be included in the 2030 SHI calculations. Mr. Scott Smigler asked if the funding is approved how likely would it be that all 56 units would be constructed next year. Mr. Kanson-Benanav stated a 95% likelihood. When they sign with a General Contractor the price is locked in but weather can be an issue. The plan is to start in the spring and for all the units to be enclosed by winter and the project completed in 16 months.

Vice-Chairwoman Remington noted the CPC has \$872,000 and 9 applicants this year, it is likely they will not receive the entire amount requested. Ms. Rust stated the CPC is required to provide a mandatory 10% of their budget to community housing which is \$215,000. In response to Mr. Smigler's question, Mr. Kanson-Benanav said Coolidge would "make it work" if they didn't get the requested \$475K. Ms. Rust said it would be too expensive to rework the project to reduce the number of units or start over again.

The Committee then discussed how to manage the time of the presentations for the public hearing with the balance between keeping the time manageable but still presenting necessary information to the public.

The next applicant before the Committee for review is Ms. Esme Green, Library Director, along with Ms. Karen Tobin. Ms. Green is now requesting \$25,000 down from \$30,000 for the digitization of the newspapers which are currently on microfilm dating back to 1915. Ms. Green explains the digitalization will make the newspapers accessible, searchable, and permanently protected. Digitization is a replica of the actual newspaper pages which include pictures. Ms. Green stated she believes they will receive \$5000.00 from the Goodnow Trust Fund.

Ms. Green stated they could not use a company like New Bank. They do not do digitization. News Bank only has a searchable text database. Ms. Karen Tobin stated Newsbank doesn't actually sell their materials. It is a subscription data base and last time they looked into it was \$915.00 per year. By now it is probably in excess of \$1000 per year. The database is not as complete as digitalizing the entire paper.

The Committee asked in their email if other communities were doing this type of digitization. Ms. Green stated yes, Newburyport, Holbrook and Flint Library in Massachusetts have done this to increase accessibility and protect the articles in perpetuity.

Vice-Chairwoman Remington asked if any other sources of funding have been explored. Ms. Green noted resources are tight but maybe Friends of the Goodnow Library may have some funds available. She will investigate other sources.

Mr. Friedlander questioned the availability of getting a digital copy directly from the newspapers. Ms. Green noted those are not the same as the actual newspaper article being digitized. However, she agreed to ask the Town Crier if this was available.

Chairwoman Cline asked the applicant to please provide a powerpoint presentation for the public hearing for clarification of this digitization process.

Ms. Green asked if some of the funds could be provided from the Historical funds. Vice-Chairwoman Remington stated 10% is set aside for Historical, and the Committee determines what those funds are spent on.

Chairwoman Cline noted \$872,000 budgeted for FY20 spending includes the 10% of \$210,000 each for Housing and for Historical.

Ms. Brown asked if the digitization would be performed by the existing staff. Ms. Green stated the digitization would be contracted out. They have evaluated the company they have chosen based on recommendations received.

The next applicant before the Committee for review is Ms. Sally Hild, Director of the Sudbury Historical Society, and Ms. Katina Fontes, President of the Historical Society.. Ms. Hild revised their application requesting funds for the Smoke and Fire Protection system for the renovated building to include an additional 5% which will be valid through July, 2019. Ms. Fontes responded to the question about doing additional fundraising for this project. Ms. Hild added they are still fundraising for the interiors which is phase 3 of their fundraising. This fire protection system provides early warning of the potential of fire which provides valuable time to respond. This is the same system installed in the Hosmer House several years ago which was installed without unsightly wiring.

Mr. Friedlander asked if this was for the newly constructed part of the building. Sally indicated it was for the entire building.

Vice-Chairwoman Remington asked if the \$63,000 was for the entire Smoke and Fire Protection system. Ms. Hild stated yes. Ms. Hild stated this system samples the air constantly for changes in temperature. Ms. Hild further noted if this is pushed off it will cost more later down the road.

Ms. Remington asked the applicant to please provide a powerpoint presentation for the public hearing. Mr. Friedlander asked to also have the presentation for Town Meeting.

Vice-Chairwoman Remington confirmed with Ms. Hild that December 5, 2018 date worked for them.

Responses to questions from last meeting:

Vice-Chairwoman Remington asked Ms. Huston if the Park and Recreation Committee had met to talk about the multisport courts and the questions submitted by the CPC. The Park and Recreation Commission had met to prepare responses to the questions.

A discussion of adding water filling stations in association with the recreation proposals was initiated by Ms. Suedmeyer after she had a discussion on the project with the Town Manager. Ms. Suedmeyer inquired whether Park and Rec would be willing to install water filling stations at the Featherland Park and the Splash Park and whether the CPC would consider accepting revisions to the applications to consider these. Ms. Suedmeyer informed the Committee that Ms. Melissa Rodrigues, Town Manager, had considered a unique application for free-standing and wall mount water filling stations located at various parks. This did not occur so the only stations that would be proposed for CPA consideration at this time are in conjunction with the Featherland and Splash Park project applications, if the Park and Recreation Commission supported it. A citizen has proposed these stations and was working with the Town Manager; the research suggests that the project would cost about \$6500.00 per station.

Ms. Huston stated the Featherland Park multisport courts, Phase 2 location had no water or electricity at the courts. There is water & electricity at the snack shack location. Ms. Suedmeyer acknowledged the installation would not be directly by the project location, but at the snack shack, and would require a different contractor.

Vice-Chairwoman Remington expressed concern with the timing of the request, and Mr. Friedlander and Ms. Cline expressed concern with whether water filling station installation was a valid use of CPA funds. Ms. Suedmeyer indicated it was just a question to explore to see if there would be any interest in the filling stations being added onto the project requests, but it is fine for them not to be added.

For the Featherland Park Multicourt, Phase 2 project, the Parks and Recreation Commission will be asking for \$220,000; there has been an increase in the request. However, Lincoln-Sudbury will be getting some funds but there is no number yet. Ms. Huston noted they may want to move their public hearing to December 19, 2018 to have a number ready. Ms. Huston said they are in receipt of a letter of support from DPW. Ms. Huston stated there is \$36,000 remaining from Phase 1, therefore if the CPC approves \$220,000, there may be some reduction from funding received from Lincoln Sudbury and from free cash.

Mr. Smigler asked if the multisport courts will have heavy use. Ms. Huston stated the courts have been in use, and they are in a good location to get good use. Ms. Huston noted the need for the next two courts is driven by the need of Lincoln Sudbury for full courts for JV tennis. The courts are full tennis and ½ court basketball.

Vice-Chairwoman Remington asked the status of the Splash Park. Ms. Huston stated with the failure of the renovation of the Community Center, they don't know what is happening with the building. Therefore, they are considering withdrawing their application for the Splash Park.

Ms. Huston stated they are unsure if the application should be amended or withdrawn. Ms. Huston would like to delve into the use of administrative funds for the design work. The idea discussed was to locate the Splash Park near the Town pool and tie the fees into the pool fees and also utilize the pool filtration system. Chairwoman Cline suggested administrative funds were available for a viable project. Ms. Huston asked whether they should update the proposal to only include administrative funds.

Ms. Suedmeyer Suedmeyer stated there are two options: one is to modify the application, the other is to submit an administrative request memo.

Chairwoman Cline stated the administrative line item for FY20 is \$120,000. The use of the funds would be by vote of the Committee at any upcoming meeting.

Mr. Eric Poch stated he does not believe the administrative funds can be used for the design study of the Splash Park.

Hearing schedule for upcoming meetings:

December 5, 2018 @ 7 pm – Sudbury Housing, Historical Society, Goodnow Library, and Playgrounds.

December 19, 2018 @ 7 pm - Park and Recreation, RHSO, Town Hall, and Camp Sewataro.

Ms. Suedmeyer discussed the status of Camp Sewataro. There has not been an updated appraisal. She has sent a request to the Community Preservation Coalition to ask whether a financial assessment to include general possible revenue and the operating expenses of the Camp would be an allowable CPA Administrative Fund expense. She has not heard back.

Ms. Brown stated at a Board of Selectmen's meeting they were presented with maps of an existing subdivision. The maps were hard to definitively see what was included on the parcel. She asked whether they could get better copies of the maps. She also requested a status of the subdivision which was approved in the past. The property owner currently pays over \$200,000 in property taxes. The property is not open space but is developed as a camp which Ms. Remington described. In her opinion, the Town could run it as a camp if Park and Rec would be interested. Ms. Huston noted the tax money would disappear and Sudbury would be stuck with the operating costs if the Town were to acquire the property and use it as a camp. She noted that considering the Community Center was recently not funded at Town Meeting, there were choices the Town had to make about its priorities.

Mr. Friedlander noted that the Conservation Commission did not support the purchase of this property as open space when it was brought up last year. There was further the question of the funds to maintain the property either as open space or as a camp. Ms. Brown also opined that she did not think the property was appropriate as an open space purchase.

Mr. Smigler was in favor of using Admin Funds for an appraisal.

Ms. Suedmeyer stated there is no current appraisal on the property, there was a request last year but the funds were never used. There will be a request on December 19, 2018. Mr. Smigler suggested the funds for the appraisal should be approved quickly so the CPC had more information. It was pointed out that it would take 30 to 45 days to get the appraisal.

Ms. Suedmeyer stated an appraisal would cost in the vicinity of \$20,000.

Chairwoman Cline and Mr. Friedlander agreed that the funds spent on the appraisal may be premature and not worth the money. The issue raised was the limited funds available for this project and the Town Hall project. Chairwoman Cline pointed out that the role of CPC was to recommend projects to Town Meeting that qualified for CPA funds, but also were appropriate given the available finances and the competing needs of the town. She pointed out that CPC had just spent close to \$2 million for Broadacres Farm for open space and recreation. She also pointed out that the application for Camp Sewataro did not include much information on which the CPC could make a decision. Ms. Brown pointed out that the application was submitted in haste and it was agreed that the Town Manager should have the opportunity to provide additional information. Mr. Smigler asked if there has been a good faith discussion with the Town. Ms. Brown stated the Town Manager has been in conversation with the camp.

Mr. Smigler noted there is an urgency to make a decision on this as the owners are actively marketing the property.

Ms. Huston noted the Park and Recreation are meeting December 3, 2018 and they will discuss the property and Ms. Huston will get their feedback.

Vice-Chairwoman Remington suggested the Committee do a site walk of the property. Ms. Suedmeyer said would schedule it and will extend the invitation to Park and Recreation.

The Committee discussed further the timing of approving an appraisal (either on 12/19 or in January during deliberations on the project) and the difficulty of assessing the project without a purchase price.

Town Hall Restoration:

Ms. Suedmeyer received a letter of support from the Historical District Commission. The Historical Society and HDC will be meeting to discuss specific aspects of the restoration.

Ms. Brown mentioned that the final State budget included an additional \$10 million to be added to the CPA Trust Fund. It wasn't clear whether the additional funds would be released on November 15 with the balance of the matching funds.

Ms. Brown also reminded the committee that the previously appropriated funds for CSX were not reverted last year pending special legislation to allow the use of CPA funds to purchase the rail bed. She wanted the issue of the reversion of these funds to be resolved by Town Meeting, 2019.

Mr. Poch stated he has researched the Community Preservation Coalition website regarding the use of Administration Funds. It appeared that the funding of the design of the Splash Park would not be eligible. Ms. Suedmeyer stated she would inquire of the Coalition. She also advised Ms. Huston to amend the Park and Rec application rather than withdraw it.

Minutes to Approve:

Approval of Minutes October 3, 2018:

On motion duly made and seconded, it was: VOTED: to accept the minutes of October 3, 2018.

E. Poch abstained.

Approval of Minutes October 17, 2018:

On motion duly made and seconded, it was: VOTED: to accept the minutes of October 17, 2018.

E. Poch and N. Kilcoyne abstained.

Chairwoman Cline directed the conversation to managing the time limits at the public hearing. It was agreed that each project be limited to a half hour and that the presenters should be encouraged to limit themselves to 15 minutes and 15 minutes for questioning. Ms. Suedmeyer suggested started the public hearings at 7:00 pm which was approved by the members present.

Adjourned at 9:45 pm