



Town of Sudbury

Community Preservation Committee

cpc@sudbury.ma.us

Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776
978-639-3387
Fax: 978-639-3314

www.sudbury.ma.us/cpc

MINUTES

NOVEMBER 20, 2019

LOWER TOWN HALL, 322 CONCORD ROAD, SUDBURY, MA

Members Present: Chair Sherrill Cline, Vice Chair Lynne Remington, Pat Brown, Thomas Friedlander, John Hincks, Mara Huston, Anuraj Shah, and Diana Warren

Members Absent: Eric Poch

Others Present: Director of Planning and Community Development Adam Duchesneau

At 7:00 p.m., Ms. Cline called the meeting to order.

Public Hearing for Applications Submitted for May 2020 Annual Town Meeting

Ms. Cline opened the public hearing regarding four applications seeking FY21 Community Preservation Act (CPA) funding. Ms. Cline explained the Community Preservation Committee (CPC) would hold two public hearings this year and the CPC would hear presentations for the remaining applications on December 4, 2019. She stated the public hearing had been duly noticed and indicated it allowed the community to hear about the various projects from the Applicants.

Historic Resource Inventory Survey

Taryn Trexler of the Historical Commission and Christopher Hagger, Chair of the Historical Commission, were present to discuss the application with the CPC. The proposal requested \$30,000 of CPA funds to conduct surveys on 30 homes and two area surveys.

Ms. Trexler opened her presentation with a brief overview of what a Historic Resources Inventory Survey includes. She noted the three important steps to any historic preservation effort were identification, evaluation, and protection.

The criteria for buildings to be included in these surveys are those constructed pre-1940, looking at the architectural period and style, the architectural integrity, the setting and neighborhood, properties and resources that may be under threat in some way, connections to the history and development of Sudbury, and the architectural value and importance.

Ms. Trexler explained the Massachusetts Historical Commission (MHC) Inventory Forms are used to perform the surveys and the identification process was the first step. She noted a majority of the existing Sudbury surveys used Form A - Area or Form B - Buildings. Ms. Trexler explained what information is included in the Form B and the usefulness of that information. Ms. Trexler stated the evaluation step was conducted using the criteria set forth by the National Park Service for listing in the National Register of Historic Places. She then explained the last step, protection. Ms. Trexler indicated the strongest form of

preservation protection was on the local level and included a Demolition Delay Bylaw. Other forms of protection included the establishment of Local Historic District Bylaws, and other preservation bylaws and ordinances.

Ms. Trexler listed the benefits of inventory surveys including proactive preservation planning, a basis for determining eligibility on national registers, and inclusion in the Massachusetts Civil Resources Information System.

Mr. Hagger stressed how important the use of the Form Bs were to provide information for these surveys, using as an example the information learned regarding one of the earliest Cape style houses built in Sudbury in the 18th century. He explained that Sudbury has about 5500 properties, 460 of which were built before 1940. Of these, only 137 are in historic districts. About 200 of these homes are outside historic districts and have not been surveyed. He hopes that with the funding from this application, all the remaining houses on the list will be professionally surveyed. He also noted there was pressure to get these houses surveyed before they were demolished by developers.

Mr. Friedlander indicated he felt the proposed project did not fall into the historic resources category of the CPA legislation which states the use of funds needed to be for acquisition, preservation, rehabilitation, or restoration. As such, Mr. Friedlander felt the inventory should be funded using general funds rather than CPA money. Ms. Trexler noted the Sudbury CPC general criteria stated the use of funds to protect, preserve, enhance, restore, and/or rehabilitate historic, cultural, architectural, or archaeological resources, especially those that were threatened, met the criteria of this category.

Mr. Hagger indicated the Massachusetts Historical Commission viewed the Form B as the foundation of preservation and advised that surveys were funded by the CPC in most Massachusetts communities.

Ms. Huston asked if the surveys included interior inspections of the buildings and Mr. Hagger stated that action was not a requirement.

Ms. Huston asked if there were any implications to a homeowner if their house was listed as being historic in nature. Mr. Hagger stated he felt that from a preservation standpoint, being listed in the state register would enhance the property by providing knowledge and history of the property.

Mr. Hincks felt the Applicant had fulfilled the request from the CPC to provide a more specific list of properties to be inventoried as part of the survey.

Ms. Brown asked for clarification regarding the list containing more than 45-50 properties. Mr. Hagger stated they were aiming to survey approximately 100 properties on the list depending on how the bids were received as this would dictate how many surveys could be funded. Mr. Hagger also noted money could be saved by conducting an area wide survey.

Ms. Trexler added the Sudbury Historical Commission had applied to the Massachusetts Historical Commission for a matching grant up to \$15,000 which was reimbursable. If approved by the CPC and the MHC, \$15,000 would be allotted by the CPC and then matched by MHC.

Ms. Cline stated her understanding was that the purpose of the Historical Commission was to protect the historic resources of Sudbury. Mr. Hagger indicated that was correct.

Removal of Invasive Species from King Philip Woods

Conservation Coordinator Lori Capone was present to discuss the application with the CPC. The proposal requested \$47,600 to manually remove invasive species from a 3 acre portion of the site to restore Old Berlin Road and its stone walls, as well as the wells and foundations associated with the Tavern of the Damned.

Ms. Capone explained the environmental resources of the parcel as having two potential vernal pools and one certified vernal pool. She indicated the land is part of the endangered species priority and estimated habitat. This property is also part of the Critical Landscape which are large intact forests which are essential for maintaining biodiversity. Ms. Capone stated the parcel was connected to the Native Americans as it contained a portion of Old Berlin Road, which was originally a Native American pathway, foundations of the "Tavern of the Damned", and abuts the Haynes Garrison House.

Ms. Capone explained the main trail that runs through the woods is the focus of this project.

Ms. Capone also noted the existing beaver deceiver was non-functional and would require professional repair to maintain the water levels between the potential vernal pool and the stream that feeds into it. She showed a photograph of the certified vernal pool surrounded by invasive species. She indicated another portion of the project would be to install interpretive signs to educate the public on the importance of vernal pools and the rare species that are contained within them as well as invasive species and how to manage them. She also proposed educational signs regarding the Native American use of the property and the Native American settlements in Sudbury

Ms. Capone explained the historical resources of the property including the Old Berlin Road, the trail connection to the Haynes Garrison House, the foundation of the Tavern of the Damned, and the extensive stone walls covered by invasive species.

Ms. Capone indicated the initial proposed work would remove the invasive species manually utilizing volunteers. The material would be removed by a local contractor at no cost. After initial removal, a professional would be hired to treat vegetative species that had not been removed with an herbicide.

The funds requested for the project totaled \$47,600. \$45,000 would be for the removal of invasive species, \$2,000 would be allocated for the installation of the beaver deceiver, and \$600 would be used for the interpretive signs.

Ms. Capone explained how the project met the open space and historical objectives listed in the Sudbury objectives. She noted the project preserved the habitat of indigenous fauna and flora, provided the restoration of wildlife habitat for rare and endangered species, protected the integrity of environmental resources, enhanced the passive recreation on a current Town asset, and improved recreational experience with environmental educational signage.

Ms. Capone further explained how this project fell into the historic preservation category of the CPA legislation with the key points being the preservation of the foundations on site, opening up the stone walls along Old Berlin Road, the restoration of Old Berlin Road and rehabilitating and restoring the historical significance of the property

Ms. Capone noted the property was located in the Old Sudbury Historic District and approximately only one fifth (1/5) of the project was outside of this district.

Ms. Brown asked what additional work would be needed to maintain the cleared areas. Ms. Capone stated the areas would be replanted with native wildflowers and grasses.

It was noted the Conservation Commission had established a land management committee who would oversee the management of the trails and conservation restrictions.

Ms. Cline asked if the removal of the invasive species was going to be conducted manually. Ms. Capone stated the majority would be removed manually, but the Japanese Knotweed and bittersweet were almost impossible to remove manually and might need to be treated with an herbicide.

Ms. Cline asked if a permit would be obtained through the Conservation Commission. Ms. Capone stated that was correct and the work would be performed by a licensed herbicide applicator.

Ms. Capone also advised that the contractor who removed the invasive species would burn the material which did not spread seeds.

Ms. Huston asked if there would be a future opportunity for an Eagle and/or Gold project for the signage. Ms. Capone stated that was a possibility.

Library Historic Room Conversion

Mr. Duchesneau explained this item had been placed on the agenda in error and the Applicant was actually not scheduled to present to the CPC until their December 4, 2019 public hearing.

Design of Wayside Inn Road Bridge Over Hop Brook

Public Works Director Dan Nason and Frank Riepe from the Historic Districts Commission (HDC) were present to discuss the proposal with the CPC. The proposal was a request for \$125,000 for design funds to replace the damaged Wayside Inn Road bridge.

Mr. Nason opened his presentation with a clarification of the MGL Chapter 30B bidding process noting engineering services were exempt from this process. The engineering firm Woodard and Curran were consultants often used by Mr. Nason. He stated the construction of the bridge was subject to MGL Chapter 30, Section 39m and would require the project to go out to bid.

Mr. Nason discussed the construction and history of the bridge, referencing a book titled History of Longfellow's Wayside Inn by Brian Plum. He noted construction had started in the late 1890s and was completed roughly around 1904 as evidenced by a marking on one of the beams. The bridge was superstructure of the bridge was reconstructed in 2003 by the Town's Department of Public Works (DPW). The DPW did not replace the original granite abutment walls, but did replace the precast beams and pavement, the stacked granite parapet walls, and guardrails. Mr. Nason indicated that on July 4, 2019, a vehicle had sheared off the parapet wall and damaged the wooden guardrail. He explained the current design of the bridge did not meet Massachusetts Department of Transportation (MassDOT) crash standards, and any repairs or alterations would have to meet their requirements. Ms. Huston asked if the MassDOT crash standards were the same for the bridge back in 2003 and Mr. Nason indicated they were. Ms. Huston then asked if the bridge met the crash standards back in 2003 and Mr. Nason indicated the bridge did not.

Neither Mr. Riepe nor Mr. Nason had pictures of the bridge prior to 2003.

Ms. Cline asked if there was a plan for the design of the bridge. Mr. Nason indicated he had submitted an application for a Certificate of Appropriateness from the HDC, but it had been denied because the HDC did not feel the proposed design was acceptable. At this point, the DPW does not have a proposed design.

Mr. Nason stated he had a proposal from the engineering firm to conduct design services and they were prepared to meet with the HDC at least three times to develop some options for the parapet walls as well as the guardrail attachments. He noted the engineering consultant would design the bridge to meet Chapter 85 standards, and they had also offered to prepare and submit the required permitting applications, including the MassDOT Chapter 85 review. Mr. Nason indicated the engineering firm would also develop bid documents which would include plans, specifications, and details for the public bidding process. The engineering firm would also provide bidding support which would include a pre-bid conference, responses to questions, addenda, bid review, summary, and recommendations for a contractor.

Mr. Riepe stated that, because the bridge is part of an historic landscape, the HDC would like to see a design that has a similar spirit to the design that had failed which necessitated a custom design.

Ms. Cline indicated there were three proposals submitted with the application and asked why it would cost \$125,000 to redesign a bridge that already been designed. Mr. Riepe stated those designs were not accepted by the HDC because they were concrete and the HDC would prefer to see a stone or stone veneer used.

Ms. Remington asked why MassDOT had denied the plans and Mr. Nason clarified the HDC was the entity which had actually denied the plan. Mr. Nason added he was looking into using a stone veneer but there was a limited footprint to work with on the bridge.

Mr. Shah asked if a wider deck beam could be used. Mr. Nason indicated there were options but they would elevate the cost of the project.

Ms. Cline asked if the \$125,000 was to design a bridge that was historic in appearance. The short answer is yes. Mr. Nason stated the proposal was for a not to exceed amount. The final cost would depend upon how many meetings with the HDC needed to occur, how many revisions to the design would be necessary, and how many times they would have to meet with MassDOT.

Mr. Friedlander asked whether Town Counsel was pursuing the driver of the vehicle for financial damages. Mr. Nason said yes, but was unsure as to when or whether that would come to fruition.

Mr. Friedlander asked if the project would include both sides of the bridge and Mr. Nason stated it would.

Mr. Nason did not know what the final cost of the design or the construction would be.

Mr. Friedlander then asked if the HDC had indicated a design they preferred. Mr. Riepe stated they had some images of what they were looking for and they were attempting to capture as much of the original character as possible.

Mr. Hincks felt a veneer and a preform concrete would limit the cost of the project substantially. He asked if such a proposal would be acceptable to the HDC as an option. Mr. Riepe stated a concrete core and fieldstone veneer with wood guardrails was something the HDC was considering.

There was discussion about the appearance of a metal vs. wooden guardrail. The wooden guardrail required custom engineering and could encroach on the width of the road.

Mr. Shah asked if MassDOT had a standard concrete and wood detail bridge design, and Mr. Nason stated they did not.

Mr. Nason noted it had cost \$80,000 to implement the temporary measures now in place to make the bridge safe and operable until the matter could be addressed.

Mark Kablack, a member of the Board of Trustees of the Wayside Inn Foundation, stated his entity was working with Mr. Nason and the HDC. The Foundation wants a bridge design that fits the historic aspect of the 110 acre complex, such as the use of the historic granite in the 2003 bridge. Mr. Kablack noted he agreed with Mr. Nason that the aesthetics of the bridge did not meet safety standards. Mr. Kablack stated his Board supported the application Mr. Nason had submitted.

Mr. Nason indicated he felt the engineering costs were high because there were a lot of unknowns regarding the project.

Mr. Hagger stated he had success in the past working with MassDOT on the Boston Post Road/Route 20 underpass project.

Consideration of a letter from the Community Preservation Committee to the Legislature regarding CSX Legislation

Ms. Cline indicated the Board of Selectmen had submitted a letter in favor of the legislation. She noted she had also submitted a letter of support on her own as a private citizen. Ms. Cline stated she had drafted the letter of support for the legislation which was currently before the CPC.

Ms. Huston asked if the draft CPC letter of support had the same wording as Ms. Cline's letter of support as a private citizen. Ms. Cline stated she had modified her individual letter

Ms. Cline noted the CPC had received an email from Mr. Poch stating his support for the issuance of the letter.

Ms. Remington stated the letter of support should note the Town had voted in favor of the CSX legislation at Town Meeting in 2008 and again in 2010 and should be reflected in the letter.

There was discussion as to whether the Board of Selectmen had voted to recommend rescinding the CSX allocation

Len Simon of 40 Meadowbrook Circle stated he did not recall the BOS voting to ask for the rescinding of any funds voted unanimously by Town Meeting in 2008. He stated the most recent action by the BOS on this topic was on October 11 when it voted to send a letter supporting the legislation.

Ms. Cline asked for a vote on the letter of support for Massachusetts House Bill 1790 by the CPC.

Ms. Huston made a motion to approve the language in the letter of support and to submit the comment letter regarding Massachusetts House Bill 1790. Ms. Remington seconded the motion. The vote was unanimous, 8-0.

Approval of Meeting Minutes

Minutes October 16, 2019

Ms. Warren requested the wording “the Request for Proposals had been issued” be changed to read “the Request for Proposals would be issued in the near future to conduct these surveys”.

Ms. Huston made a motion to approve the minutes of October 16, 2019 as amended. Ms. Remington seconded the motion. The vote was unanimous, 8-0.

Minutes November 6, 2019

Ms. Warren requested the words “second list” be changed to “third list” during the discussion of the Historic Resource Inventory Survey project.

Ms. Remington made a motion to approve the minutes of November 6, 2019 as amended. Ms. Brown seconded the motion. The vote was unanimous, 8-0.

Administrative Report

Mr. Duchesneau stated he had received an email from Stuart Saginor of the Community Preservation Coalition which indicated the matching fund distribution from the state would start at 14.1% and likely go up for communities that have the full 3% local contribution rate.

Ms. Huston indicated the Lincoln-Sudbury Regional High School donation funds for the Featherland Park tennis court project were in the process of being secured.

On a motion by Mr. Friedlander, seconded by Ms. Cline, it was voted unanimously, 8-0, to adjourn the meeting at 8:40 p.m.