

**MINUTES OF MEETING
COMMUNITY PRESERVATION COMMITTEE
March 22, 2021
Location: Online Meeting**

The Community Preservation Committee (the “CPC” or the “Committee”) convened a public hearing and regular meeting, duly noticed, on Monday, March 22, 2021 at 7:00 p.m. via the videoconferencing platform Zoom. CPC members present were Stephen Ober, Chair; Barry Tubman; Ken Newberg; Nina Danforth; Nathalie Thompson; Steve Wagner; and Marcy Dorna. CPC member Sue Zacharias was absent. Tree Advisory Committee Chair Lori Hess and Traffic & Sidewalk Committee Chair Jay Doyle were present. Recreation Master Plan Steering Committee member Charlie Hipwood and Recreation Director Chris Fitzgerald were present. Weston Affordable Housing Foundation, Inc. President Peter Endicott and board members Keith Gross and Susan Haber were present. Weston Affordable Housing Trust Chair Sarah Rhatigan was present. Birch Lane abutters Andrew Rostami, Lisa Cukier, Blake Tobey, and John Lathrop were present. Weston Media Center Videographer Jim Tremble and CPC Administrator Tracey Lembo were also present.

PUBLIC HEARING

Steve Ober read a statement explaining the need for a meeting conducted by remote participation in light of the emergency orders issued by Governor Baker in response to the COVID-19 global pandemic, noted that the meeting was being recorded, and invited public comment. Mr. Ober reported that the CPC would consider 5 project proposals for at least the second time.

PUBLIC COMMENT

- None.

PRESENTATIONS BY PROJECT SPONSORS SEEKING FY22 CPA FUNDING

Open Space

- **Tree Advisory Group – \$3,215 for Preservation of Open Space (Case Estates’ Trees)**

Tree Advisory Group (“TAG”) Chair Lori Hess reported that promoting community tree health was at the core of TAG’s mission and that she was requesting funding to help maintain 2 legacy trees located in the Hillcrest Corridor of Case Estates. Ms. Hess explained that climate change was leading to more frequent and more damaging storms, making the work of actively supporting tree health more urgent. Ms. Hess noted that both storms and droughts had contributed to increasing emergency tree removals in Weston over the past several years. Describing the legacy trees as living examples of Weston’s agricultural heritage, Ms. Hess presented aerial photos of them, highlighting their locations near the incinerator within the Hillcrest Corridor North of Case Estates.

Ms. Hess indicated that the bulk of the work she was proposing was for the Butternut Tree and explained that, like chestnut and elm trees, butternut trees, once a fixture of the New England landscape, had been devastated by disease and all but disappeared. Ms. Hess explained that solitary butternut trees, like the one on Case Estates, tended to do better and that this tree was healthy and

produced nuts. Ms. Hess reported that the work she was proposing (i.e., removal of invasive vines, cabling, and structural pruning) would increase the Butternut Tree's health and longevity. Ms. Hess then reported that while the Persimmon Tree still bore fruit, it had suffered storm damage in 2020 and now required structural and dead wood pruning to save it from further decline.

Ms. Hess reported that both the Butternut Tree and the Persimmon Tree had been called out in the Case Estates Ecological Management Plan as noteworthy and that a full letter of support from the Town's Conservation Administrator had been included in TAG's application. Ms. Hess presented a slide with details of the \$3,2[15] cost estimate provided by Tree Specialist, Inc. ("TS"), which she described as a highly reputable firm specializing in historic tree preservation. Ms. Hess noted that TS had 35 years of experience and many notable clients including Harvard University.

Steve Wagner praised Ms. Hess' presentation and the project. Noting that the subject trees were unique and that the project's connection to the Case Estates' purchase made it particularly interesting, Nina Danforth expressed support for the project. Ken Newberg commended the project and asked if more trees could be planted. After reiterating that solitary butternut trees had the best chance for survival, Ms. Hess reported that a comprehensive plan for planting and support for Case Estates would begin in 2021 – 2022. Marcy Dorna praised Ms. Hess' presentation and expressed support for the project. Responding to Ms. Dorna, Ms. Hess referenced a list of projects contained in the Case Estates Ecological Management Plan which could lead to future CPA Fund requests.

Recreation

- **Recreation Master Plan Steering Committee - \$75,000 for Rehabilitation/Restoration of Recreational Land (Burchard Park Fields)**

Charlie Hipwood identified himself as the Weston Little League ("WLL") representative to the Recreation Master Plan Steering Committee ("RMPSC"). Mr. Hipwood reported that the Recreation Master Plan ("RMP") tried to find ways to use existing facilities rather than build new ones and that the rehabilitation of fields at Burchard Park was one of the first projects identified in the RMP.

Mr. Hipwood referred to an aerial photo of Burchard Park, located at 269 Concord Rd. near the Boston College Weston Observatory, and noted that it featured 2 softball fields, 3 baseball fields, 2 tennis courts, a ½ basketball court, and numerous walking and running trails. Mr. Hipwood stated that the baseball and softball fields at Burchard Park were renovated/constructed in 2007/2008 with private donations totaling \$2.5 million and that they were now largely maintained by WLL at a cost of approximately \$35,000/year in addition to hundreds of hours of volunteer labor. Mr. Hipwood reported that 13 years of heavy use (including by walkers, bicyclists, and the High School Cross Country Team) had led to the current request to rehabilitate the fields and that WLL would continue to maintain them.

Mr. Hipwood displayed a photo of one of the fields after a rainstorm to illustrate flooding, erosion (e.g., the pitching mound), and dangerous grade changes along the base paths. Mr. Hipwood next referred to a detailed estimate of the work proposed at Field 1, noting that the RMPSC had obtained 2 cost estimates to complete the work at all 5 fields totaling from \$48,000 to \$65,000 and that the RMPSC was working with the Town to run a competitive bid process now that the snow had melted.

Referring to a more extensive undertaking than what the RMPSC was proposing (i.e., 2 softball fields

on Route 16 in Wellesley which had recently been renovated with \$600,000 in CPA funds and \$300,000 in general funds), Mr. Hipwood indicated that there was precedent for this type of project. Mr. Hipwood stated that the RMPSC's request was for up to \$75,000 to renovate all 5 fields at Burchard Park, suggested that the proposed extraordinary repairs and improvements would make the assets functional for their intended use, and reiterated that the RMPSC was working to obtain formal bids, which it hoped to have soon.

Ms. Danforth asked how future compaction of the base paths could be prevented. Mr. Hipwood hoped that planned renovations would enable the fields to better withstand harsh weather conditions and normal wear and tear. Mr. Hipwood acknowledged that WLL had made mistakes while maintaining the fields without much guidance and hoped that coordination with the Town's Fields & Grounds Coordinator Ben Polimer would extend the useful life of the fields to 20 years instead of the current 12 or 13. Ms. Danforth suggested that recurring requests might be considered maintenance, which is prohibited under CPA. Mr. Hipwood indicated that the proposed work was a complete rebuilding of the infields, not regular maintenance, and that the fields would not be playable next season should this work not occur.

Ms. Dorna suggested that in his Town Meeting presentation, Mr. Hipwood stress that his proposal was for extraordinary repairs, not maintenance, and that, in consultation with Mr. Polimer, a long-term maintenance plan be implemented. Mr. Hipwood noted that the language on his slide (i.e., "extraordinary repairs and improvements will make these assets functional for their intended use") had been taken verbatim from CPA regulations and that discussions with Mr. Polimer, a member of the RMPSC, about a long-term maintenance plan were ongoing.

- **Traffic & Sidewalk Committee - \$400,000 for Creation of Recreational Land (Ash St. Walkway)**
Traffic & Sidewalk Committee ("TSC") Chair Jay Doyle indicated that he would present an update to information he had submitted to the CPC in February. Mr. Doyle reminded the Committee that the Town had completed a Sidewalk Master Plan (the "Plan") approximately 10 years ago and that the TSC had been working through the projects in the Plan, including Brown/Winter St. and Merriam St., since that time. Mr. Doyle recalled that the TSC tried to leverage existing walkways and noted that the proposed Ash St. Walkway would connect the recently completed Case Estates walkway to the north and the Ash St. Reservoir to the south (which, in turn, connects to Route 30 via an existing sidewalk). Mr. Doyle reminded the Committee that the TSC was trying to create a safe environment for walkers and to link existing walkways through a modest expansion. Mr. Doyle reported that walkways had health, safety, and community/social benefits.

Mr. Doyle reviewed the status of priorities totaling over 9,000 linear feet in the Plan as follows: 1) Brown/Winter St. (completed in 2016), 2) Merriam St. (completed in 2020), and 3) Ash St. (in final design). Mr. Doyle presented a map showing the location of new walkways and reported that the TSC was also advancing 2 State funded projects with sidewalk components (i.e., Wellesley St. at Route 20 and the Route 30 corridor).

Mr. Doyle presented an aerial photograph of the proposed project, reminding the Committee that the speed limit along Ash St. was 40 mph and that there was currently no walkway connecting the Ash St. Reservoir to the recently completed Case Estates Trail. Mr. Doyle presented photos of the proposed walkway's starting and ending points while describing the proposed alignment. Mr. Doyle next

presented an overhead view of the project's preferred alignment, noting that a 17-inch pine tree would have to be removed. Finally, Mr. Doyle presented a series of 3 slides showing detailed segments of the proposed alignment moving south to north along Ash St. Mr. Doyle reviewed some alignment particulars including the following: 1) the walkway's location in front of the existing parking lot, 2) the need to remove a mailbox, 3) the need to remove a 17-inch pine tree, and 4) the need to relocate a utility pole.

Mr. Doyle presented a breakdown of the project's \$400,000 construction budget which he explained had been refined since the TSC last presented to the CPC. Mr. Doyle highlighted a \$20,000 line item which would fund additional support during construction and any additional survey work. Mr. Doyle displayed a slide listing next steps after CPC approval as follows: 1) complete final design (end of March), 2) relocate utility pole (in process), 3) obtain easement (if necessary), 4) obtain MWRA permit (April), 5) obtain Planning Board ("PB") approval (following March 23rd site walk), 6) file amended Notice of Intent with the Conservation Commission, and 7) bid the project (July – August 2021). Mr. Doyle presented details of the project's construction cost estimate noting that it was based on the average of Merriam St. bid prices (i.e., \$250 per linear foot).

Responding to questions from Mr. Ober and Barry Tubman, Mr. Doyle reported that the project as currently proposed had no impact on the home at the top of Ash St. on the west side and that an easement would only be required from 180 Ash St., located approximately halfway up the proposed walkway, if the 17-inch pine in front of that property could not be removed, a subject which the TSC intended to discuss on its March 23rd site walk with the PB. In response to Mr. Newberg's question about contingency, Mr. Doyle indicated that Ash St. was less complex than Merriam St. (e.g., fewer stone wall and tree impacts and easements) and that he felt that the budget was sufficient. Mr. Newberg thanked Mr. Doyle for his hard work and for making it safer to exercise.

Ms. Danforth expressed surprise that the walkway alignment described in a 2018/2019 site walk with the PB which had been located in the woods on MWRA land [on the west side of Ash St.] was no longer being contemplated and asked for an explanation. Mr. Doyle reported that DPW had thought that alignment was too difficult to maintain but noted that the current alignment still located the walkway on MWRA property in the woods beginning at the Ash St. Reservoir and continuing along the first 50 – 100 ft. of the new walkway on the east side of Ash St. Ms. Danforth expressed disappointment that the project would not protect canopy and a preference for locating the walkway to the left of the 17-inch pine in order to save it. Mr. Doyle explained that saving the 17-inch pine would require an easement, which takes time, and emphasized that over the entire length of the 1,500-foot walkway, at most 2 trees would need to be removed. Ms. Danforth lamented the absence of PB input, urged Mr. Doyle to pay more attention to Ash Street's canopy, and suggested that pedestrians rarely used Ash St. Mr. Doyle cited the TSC's experience with Merriam St. and reported that both the volume (e.g., walkers and joggers) and diversity (e.g., families with young children) of users had increased after the walkway's completion. Mr. Doyle indicated that PB input had helped to mitigate impacts on Merriam Street's trees and suggested that the street's canopy had not been diminished.

Mr. Wagner also expressed disappointment with planned tree removal(s) and support for taking the extra time to see if easements could be obtained to save them. Reporting that he did not like to see walkways adjacent to roadways, Mr. Wagner suggested that the TSC try to reach some compromise with DPW over maintenance issues. Mr. Doyle indicated that where possible, the TSC tried to have

walkways meander behind stone walls. Ms. Danforth suggested that it was unusual to have State owned land on both sides of the street and again expressed surprise that more of the walkway would not be located on MWRA land.

Ms. Dorna asked for clarification on utility pole relocations. Mr. Doyle explained that Eversource would not allow the utility pole near the 17-inch pine to be moved, that utility pole 24/11 would be moved closer to the road, and that the costs of moving utility pole 24/11 were included in the project's budget.

Community Housing

- **Weston Affordable Housing Foundation, Inc. – \$1,020,000 for Creation of Community Housing (8-10 Birch Lane)**

After indicating that he would be requesting funding for a duplex project located at 8-10 Birch Lane, Weston Affordable Housing Foundation, Inc. ("WAHFI) President Peter Endicott reported that WAHFI was a charitable foundation set up by Weston residents which owned and managed 6 units of deed restricted rental housing (i.e., 2 duplexes and 2 single family homes) listed on the State's Subsidized Housing Inventory ("SHI"). Mr. Endicott reported that CPA funds had supported WAHFI's previous projects and that all WAHFI's volunteer directors were Weston residents.

Referring to a site plan, Mr. Endicott reported that the property, which contained 2 small houses previously rented as affordable housing, had been donated to WAHFI in 2015 to upgrade to affordable housing which could be included on the SHI. Mr. Endicott then presented floor plans and elevations along with several renderings of the proposed duplex. Mr. Endicott reported that WAHFI had been working hard with the Historical Commission ("HC") to incorporate as many of the details of the existing houses (e.g., sloping roofs) as possible.

Mr. Endicott reported that each 3BR/2BA unit contained approximately 1,600 s.f. of living area along with 1 garage and 1 carport and that the total residential gross floor area ("RGFA") of the project (i.e., 3,900 s.f.) was within the Town's as of right size guidelines. Mr. Endicott indicated that the style of the project was in keeping with WAHFI's attempts to create housing which did not have a large impact on neighborhoods or the Town.

Mr. Endicott next presented the project's \$1,020,000 budget which he indicated was condensed from previous presentations to make it more digestible at Town Meeting. Finally, Mr. Endicott presented information on CPA funds previously approved at Town Meeting for duplexes developed by WAHFI (i.e., \$759,666 in 2009 for Pine St. and \$1,188,100 in 2014 for Viles St.) which he described as similar in scope and intent to Birch Lane.

Mr. Ober and Mr. Endicott discussed the expected time limit for Town Meeting presentations. Mr. Ober noted that though the Moderator and Select Board ("SB") had not yet met to discuss the issue, project presentations had typically been limited to 5 minutes except for significant projects. Mr. Endicott stated that though he was leery of providing too much detail, he could present more slides if the comparison to other WAHFI project costs did not seem sufficient.

In response to Mr. Tubman, Mr. Endicott reported that WAHFI was still at an impasse with abutters

over the fate of the second lot, i.e., abutters want a promise of no future development to which WAHFI cannot commit. After praising the design of the house, Ms. Danforth asked if demolition of the 2 existing homes was included in the project budget; Mr. Endicott reported that it was. Mr. Endicott then offered to add additional renderings or photos of existing conditions if the CPC thought they would be appropriate. Suggesting that one of the project's strengths was a design which drew form the existing structures, Mr. Wagner recommended adding a photo of existing conditions. Mr. Wagner reported that though the HC was sad to see the existing homes go, they understood WAHFI's rationale, appreciated WAHFI's efforts to work with the HC, and had voted unanimously to allow the homes to be demolished. Mr. Wagner also reported that the HC had asked that the existing homes be well documented and that as much material as possible be salvaged during demolition.

Mr. Newberg reported that Weston's Affordable Housing Trust (the "Trust") had voted unanimously to support the project with one abstention (i.e., Susan Haber, a WAHFI board member). Mr. Newberg recalled that he had not been in favor of last year's iteration of this proposal because of its high cost and expressed gratitude for WAHFI's work in bringing costs down and making the project as agreeable as possible to the neighbors. Noting that the duplex was sited to be equidistant from each abutter, Mr. Endicott expressed regret that a better conclusion had not been reached with the neighbors and committed to sensitivity to screening issues as well as to reusing and recycling as much material as possible per the HC's request. Ms. Dorna and Nathalie Thompson expressed support for the project.

Responding to abutter Lisa Cukier's question about project timeline, Mr. Endicott reported a 2-year time frame for families to move in. Mr. Endicott indicated that abutter Andrew Rostami, because of concerns over the release of toxic materials, had asked that demolition occur in late July/early August so that the fewest number of residents would be present. Mr. Endicott reported that though there was lead paint in the existing structures, WAHFI had experience with containment because of its Viles St. project. Mr. Endicott noted that the project timeline could slip depending on how quickly approvals were obtained and pledged to keep neighbors informed.

After expressing appreciation for WAHFI's willingness to try to work with the neighborhood, abutter John Lathrop noted that neighbors had proposed a structure to reduce dependence on Town funds in exchange for an encumbrance on the back lot. Mr. Lathrop suggested that it was somewhat disingenuous for WAHFI to propose one project while hiding the other and to refuse to work with the neighbors who would have contributed financially to lowering the burden for the Town. Abutter Mr. Rostami thanked WAHFI for its collaborative and iterative design process but suggested that the Town and taxpayers deserved to know what WAHFI's plan for the overall site was.

Suggesting that WAHFI was not being deceptive, Mr. Newberg thought it would be helpful to add legal constraints to WAHFI's presentation to highlight its obligation to develop the second lot. Mr. Newberg also suggested that should that second lot be developed in the future, abutters should trust that WAHFI would work with them with a similar level of care. Ms. Cukier expressed her understanding that the property's restriction required a total of 1-4 units on 2 lots and had, therefore, been satisfied. Ms. Cukier expressed curiosity over WAHFI's plans. Mr. Endicott reiterated that WAHFI did not intend to develop the second lot, which is limited to 6 bedrooms because of septic constraints, soon.

Responding to Mr. Ober's request for feedback on WAHFI's presentation, Ms. Danforth asked that the Pine St. and Viles St. projects be identified as duplexes and that an existing site photo be added. Mr.

Endicott agreed.

- **Weston Affordable Housing Trust/Select Board – \$38,000 for Support of Community Housing (Regional Housing Services Office & Housing Trust Staff Support)**

Sarah Rhatigan indicated that she would not present slides because this recurring request was typically disposed of quickly at Town Meeting. Ms. Rhatigan reminded the Committee that this was an annual request to fund support from the Regional Housing Services Office (“RHSO”) for all of the Town’s affordable housing needs. Ms. Rhatigan noted that the Town had contracted with the RHSO to provide housing expertise for approximately 8-9 years and that Liz Valenta (a Weston resident, former Trust member, and current RHSO employee) had been providing that expertise for the past 5 years. Ms. Rhatigan explained that Ms. Valenta’s work involved supporting the Town generally as well as the Trust and included monitoring and maintaining the Town’s existing affordable housing units and answering the SB’s and Town Manager’s technical questions.

Ms. Rhatigan reported that Ms. Valenta had been supporting the Trust’s work on the 0 Wellesley St. and Emergency Rental Assistance Program projects along with the work of the Housing Production Plan Steering Committee (“HPPSC”) in updating the Town’s Housing Production Plan (“HPP”). Ms. Rhatigan indicated that additional time and resources were expected to be needed to carry out initiatives identified in the HPP (e.g., zoning changes), which was part of the reason for the increase in the dollar amount of her request. Ms. Rhatigan reported that CPA funding for support of housing trusts and housing initiatives was both allowed under CPA and, as a practical matter, done in other towns. Ms. Rhatigan explained that the slight increase in the Trust’s request to \$38,000 was the result of the additional work she had just described.

Recognizing that the warrant was ultimately within the SB’s purview, Mr. Newberg recalled that pre-pandemic, the CPC had agreed that CPA articles should not be on the consent agenda. Mr. Newberg then suggested that, because it was an administrative request, the RHSO/Housing Trust Staff Support article should be an exception. The Committee concurred.

CPA FUND STATUS

- **Review of CPA Fund Status and Proposed Appropriations and Allocations for FY22**

Mr. Ober recalled that at its last meeting, the CPC had reviewed 30-year projections and indicated that at this meeting, he would focus on near term projections of the CPA Fund as he typically did at Town Meeting. Mr. Ober presented slides showing the following: 1) an anticipated CPA Fund balance of approximately \$5.1 million at the end of FY21, 2) life to date sources of revenue through FY21, 3) a pie chart showing net appropriations, including the principal portion of committed debt service, in each CPA category, and 4) 6 applications for FY22 CPA funding totaling nearly \$1.8 million (including the previously approved Memorial Pool request). Mr. Ober next presented a slide rolling forward the estimated FYE21 balance to an estimated \$4.4 million FYE22 balance and then a slide showing a side-by-side comparison of the projected CPA Fund balance at FY21 and at FY22. Mr. Ober noted that his slides assumed that all 6 requests for FY22 funding were approved at Annual Town Meeting but did not consider any requests to be considered at a fall Special Town Meeting should one occur. Mr. Ober’s last slide showed proposed bucket allocations and an administrative allowance. Mr. Ober reported that proposed allocations covered existing debt service in 2 categories (less a beginning bucket balance in the Historic Resource category) and the statutory minimum 10% of revenues in the

Community Housing category (based on a state match exceeding the estimate used in Fund projections).

Mr. Newberg suggested allocating an even larger figure to the Community Housing bucket to avoid having to bring a warrant article to Town Meeting for allocation “catch up” (i.e., to achieve the 10% statutory minimum). Mr. Ober reported a sizable balance in the Community Housing bucket; Tracey Lembo noted that absent Town Meeting approval of the Birch Lane Project, the Community Housing bucket would continue to grow. Responding to Mr. Ober, Mr. Tubman suggested there was no compelling reason to change the proposed allocations.

Mr. Ober noted 3 minor changes to CPA Fund projections from those discussed at the last CPC meeting as follows: 1) JST debt service changed from projected to actual, 2) RHSO/Housing Staff Support request increased from \$30,000 to \$38,000, and 3) investment income fluctuation based on these changes.

MEETING

Committee Business

- **Proposed Annual Allocations and Administrative Allowance for FY22**

VOTE: *Mr. Ober entertained a motion to approve the following FY22 allocations:*

- 1) *Open Space/Recreation – \$524,000;*
- 2) *Historic Resources – \$885,000;*
- 3) *Community Housing - \$310,000; and*
- 4) *Administrative Allowance - \$132,000.*

Mr. Wagner made the motion, seconded by Ms. Danforth. The motion was approved unanimously by roll call vote with Sue Zacharias absent.

- **Projects Recommended to 2021 Annual Town Meeting (FY22)**

The Committee voted on pending applications to be placed on the warrant for the 2021 Annual Town Meeting as follows:

- 1) **VOTE:** *Mr. Ober entertained a motion to support the appropriation of \$3,215 for the preservation of Case Estates’ trees. Mr. Wagner made the motion, seconded by Ms. Dorna. The motion was approved unanimously by roll call vote with Ms. Zacharias absent.*

Ms. Danforth expressed concern over the implications of the high cost of tree preservation on future CPA Fund requests. Responding to Ms. Danforth, Ms. Lembo noted that the Case Estates Master Plan Project, which was defeated at Town Meeting, had included tree plantings. Mr. Ober recalled that the Case Park Project had a tree component. Mr. Wagner thought the CPC could take a harder look at funding tree preservation requests should their numbers significantly increase in the future.

- 2) ***VOTE:*** Mr. Ober entertained a motion to support the appropriation of \$38,000 for participation in the RHSO and other staff support for community housing. Mr. Newberg made the motion, seconded by Ms. Thompson. The motion was approved unanimously by roll call vote with Ms. Zacharias absent.
- 3) ***VOTE:*** Mr. Ober entertained a motion to support the appropriation of \$75,000 for the rehabilitation of fields at Burchard Park. Mr. Tubman made the motion, seconded by Ms. Danforth. The motion was approved unanimously by roll call vote with Ms. Zacharias absent.
- 4) ***VOTE:*** Mr. Ober entertained a motion to support the appropriation of \$400,000 to construct a walkway on Ash St.

Ms. Dorna wondered whether it was worth waiting to pursue easements to preserve the tree canopy. Acknowledging both that the Ash St. Walkway had been planned for a while and that there was an increased need for safe walkways because of the pandemic, Mr. Wagner described conflicting sentiments. Ms. Dorna agreed.

The Committee discussed whether easements had been obtained on the Merriam St. Project before or after Town Meeting approval. Ms. Danforth suggested easements were obtained before Town Meeting; Mr. Newberg thought that at least one easement had been obtained after Town Meeting. Anticipating input from the Conservation Commission and the PB, Ms. Danforth indicated that there were too many unanswered questions beyond easements for her to support the project. Mr. Ober wondered whether the project would be pushed back a year if it were not approved at this Town Meeting. Ms. Danforth did not think the timeline was urgent since the TSC had been working on the project since 2017.

Mr. Doyle confirmed that easements on the Merriam St. Project had been obtained after Town Meeting approval. Mr. Doyle then reiterated that at most 2 trees would be removed: 1) the 17" pine and 2) the black oak. Mr. Doyle reported that no easements were needed for the current plan but that an easement from 180 Ash St. would be sought if the PB directed the TSC to save the 17" pine. Mr. Ober and Mr. Doyle discussed the timing implications of not getting approval at May 2021 Town Meeting. Mr. Ober concluded that there would be a potential construction delay of 7 months to a year from the currently planned November 2021 completion date. Mr. Doyle concurred.

Ms. Danforth again expressed her discomfort with voting on the project before the Conservation Commission and PB had weighed in. Ms. Danforth also suggested that, like the buildings to be demolished at Birch Lane, any trees removed because of this project be photographed and documented (i.e., species, height, and diameter). Mr. Doyle thought the Town Engineer could easily fulfill this request since, at most, 2 trees would be removed.

Ms. Dorna made the motion, subject to the condition that all healthy trees removed because of the project be documented including photographs, species, height, and diameter. The motion was seconded by Mr. Wagner. The motion was approved by a 6-1 roll call vote with Ms. Danforth voting against the appropriation and Ms. Zacharias absent.

VOTE: Mr. Ober entertained a motion to support the appropriation of \$1,020,000 for the creation of community housing at 8-10 Birch Lane.

Mr. Ober raised 2 issues regarding the Birch Lane Project as follows: 1) whether development of the first lot should be conditioned on more information about development of the second lot and 2) \$510,000 per unit development costs. The Committee acknowledged that costs per unit were between WAHFI's Pine St. and Viles St. Projects and, according to Mr. Newberg, less than those projected for the Elderly Housing Committee's Brook School Apartments Expansion Project. Ms. Thompson noted steep increases in material costs in the recent past. Mr. Wagner thought renovating, but not expanding, the existing 2-bedroom homes without relocating them out of the right-of-way, could have been accomplished more cheaply than the current proposal. Ms. Thompson and Mr. Wagner were not troubled by the potential for future development and thought the Town's appetite for additional affordable housing projects could be impacted by the proposed development of large 40B projects. Ms. Danforth agreed, expressed her belief that the CPC should support the project in honor of former CPC member Polly Dickson's amazing gift, and predicted that neighbors would ultimately be pleased with the development. Mr. Newberg noted that any development of the second lot beyond a single-family home would require a stringent comprehensive permit review process and would likely require CPC approval for funding.

Mr. Tubman recalled that Ms. Zacharias had significant concern over the lack of neighbor support. Expressing regret that Ms. Zacharias was not at the meeting, Mr. Ober suggested that she had multiple questions about the project. Ms. Dorna recalled that Ms. Zacharias's concerns included landscaping, stone wall repair, and reconstruction of the roadway. Ms. Thompson and Ms. Danforth questioned the need for a 16-foot-wide lane; Mr. Newberg reported that roadway width was within the Fire Chief's purview.

Ms. Danforth made the motion, seconded by Mr. Newberg. The motion was approved unanimously by roll call vote with Ms. Zacharias absent.

Mr. Wagner left the meeting.

- **Warrant for 2021 Annual Town Meeting (FY22)**

VOTE: Mr. Ober entertained a motion to approve the language in the CPA draft warrant articles for 2021 Annual Town Meeting which had been circulated.

Responding to Mr. Ober, Ms. Lembo reported that the type of CPC vote (i.e., majority or unanimous) was recorded at the end of the CPC Report for the Warrant Book and not in the individual warrant articles. Noting that CPC requirements that are not included in the warrant are not legally binding, the Committee discussed whether Ms. Doyle's agreement to document trees to be removed because of the Ash St. Project should be included in warrant language. Mr. Ober and Ms. Thompson thought that Mr. Doyle's word was sufficient; Ms. Danforth thought the requirement should be documented in the warrant. At Mr. Ober's request, Ms. Lembo agreed to ask Town Manager Leon Gaumond for suggested language. The Committee agreed that should Mr. Gaumond, Town Counsel, or the SB determine that tree documentation language was not appropriate for the warrant, the Committee's vote

to approve the Ash St. Project would remain in effect. Ms. Lembo noted that the RHSO/Staff Support request had to be increased from \$30,000 to \$38,000.

Ms. Thompson made the motion subject to the revision of the RHSO/Staff Support request from \$30,000 to \$38,000 and to the inclusion in the Ash St. article of a stipulation that living trees removed because of the project be documented. The motion was seconded by Ms. Danforth and approved unanimously by roll call vote with Mr. Wagner and Ms. Zacharias absent.

- **CPC Report for the Warrant Book**

***VOTE:** Mr. Ober entertained a motion to approve the “CPC Report for the Warrant Book” as amended. Mr. Tubman made the motion, seconded by Ms. Dorna. The motion was approved unanimously by roll call vote with Mr. Wagner and Ms. Zacharias absent.*

- **Minutes of the March 8, 2021 Meeting**

***VOTE:** Mr. Ober entertained a motion to approve the minutes of the March 8, 2021 meeting. Ms. Danforth made the motion, seconded by Ms. Thompson. The motion was approved unanimously by roll call vote with Mr. Wagner and Ms. Zacharias absent.*

- **Tentative CPC Application Deadline for 2021 Special Town Meeting and Fall Meeting Schedule**

The Committee agreed on a tentative application deadline for 2021 Special Town Meeting of Tuesday, September 14th and on the following tentative fall meeting schedule:

- 1) Monday, September 20st at 7 p.m.;
- 2) Monday, October 4th at 7 p.m.;
- 3) Monday, October 18th at 7 p.m.; and
- 4) Monday, October 25th at 7 p.m. (Public Hearing).

Ms. Lembo agreed to circulate the CPC’s Special Town Meeting application and to remind Committee members of the agreed upon meeting dates if/when the SB set a date for Special Town Meeting that worked with the CPC’s proposed fall schedule. Ms. Lembo noted that the Committee might have to decide upon a different schedule depending on the date chosen for Special Town Meeting.

The meeting adjourned at 10 p.m.

Respectfully submitted,

Tracey A. Lembo
CPC Administrator

Appendix A

CPC Public Hearing and Meeting March 22, 2021 Document List

- 1) Case Estates' Tree Preservation:
 - a. Application
 - b. PowerPoint
- 2) Burchard Park Field Rehabilitation/Restoration:
 - a. Application
 - b. PowerPoint
- 3) Ash St. Walkway:
 - a. Application
 - b. PowerPoint
- 4) 8-10 Birch Lane
 - a. Application
 - b. PowerPoint
- 5) Community Housing - RHSO and Staff Support:
 - a. Application
- 6) CPC PowerPoint
- 7) Draft CPC Warrant Articles
- 8) Draft "Report of the CPC" for the Warrant Book:
 - a. Version Redlined from May 2020 Report
 - b. Clean Version
- 9) Draft Minutes of the March 8, 2021 CPC Meeting
- 10) CPC Special Town Meeting Schedule 2017-2021