

Meeting Minutes
Stoughton Community Preservation Committee (CPC)
Meeting held in the SRA Office, 7 Pearl Street
Wednesday, June 7, 2023

Members Present: Chairperson Mark Zamanian, Treasurer Michael Barrett, Members John Linehan, Laurice Rubel and Rich Terry.

Members Attending Remotely: Members John Morton and Donald Brady; Program Administrator (PA) Barry Kassler

Members absent: Vice-Chair Dwight MacKerron and Bunmi Olotu

Preliminary Items:

Mr. Zamanian read the Governor's Order authorizing remote meetings, explained that Governor Healey extended the order through March 31, 2025, and gave the remote link information for the meeting.

1. **Call to Order:** MOTION: Mr. Terry moved to open the meeting at 7:07 pm; seconded by Mr. Barrett and so voted unanimously, 7-0: Mr. Morton, Aye; Mr. Brady, Aye; Mr. Linehan, Aye; Mr. Terry, Aye; Ms. Rubel, Aye; Mr. Barrett, Aye; Mr. Zamanian, Aye.

2. **Chairperson's Report:** Mr. Zamanian reported on the results of the votes on the CPA articles at Annual Town Meeting. All CPC-recommended articles passed.

3. **Administrator's Report:** Mr. Kassler reported on the status of the unfinished items at Glen Echo: the solar lighting has been installed. He also mentioned the Conservation Restriction (CR) Monitoring Report which he had previously forwarded to the committee. He noted that Town Counsel is working on creating a CR for the Atkinson Ave property. He added that he spoke earlier today with Town Counsel. He noted that Counsel had pointed out that, regarding municipal projects, the Town cannot make a contract with itself; Mr. Kassler suggested to him instead using a "Memorandum of Understanding" for municipal projects, which was deemed appropriate. This will allow any conditions for those projects to be spelled out on paper, which is the main purpose of having a Grant Agreement. He is still awaiting Counsel's review of the forms. He added that he created special conditions for six of the newly approved projects, which he has emailed to the committee.

Mr. Morton asked about the status of the Active Recreation CR which is still needed for the six acres at Glen Echo set aside for that purpose. Mr. Kassler noted that the Select Board suggested creating a Disc Golf course in that area. Mr. Morton stated that we need to find an organization to accept the CR. Mr. Zamanian noted that we first have to determine what kinds of uses we want before we ask someone to monitor them; he added that we're still waiting for the Town to make a final determination on that. Mr. Morton noted that we don't want an activity that interferes with the picnic area, and we need to come up with a broader range of acceptable activities than just one for the restriction. Mr. Kassler noted that the Commonwealth has defined the difference between active and passive recreation within the CMR, and he will forward that to the committee. He added that we aren't limited to allowing every active recreation activity, or a single activity; we can create the CR to fit our needs. Mr. Morton asked what role the CPC would play in this. Mr. Kassler noted that while the Conservation Commission and the Select Board have to sign any CR, the CPC can coordinate efforts with the Recreation Department and the Glen Echo Committee to come up with criteria for acceptable uses, and contribute to that discussion.

Ms. Rubel noted that she believed the area was supposed to be for passive recreation, and noted that we shouldn't overly limit our options. Mr. Morton suggested that it might be better to start with activities we know we don't want, which Mr. Linehan agreed with. Mr. Kassler agreed with that approach, noting that it is called a *Conservation Restriction*, but added that we also need to specify those uses which we *would* consider acceptable and allowable and which we are planning on, in order to prevent those uses from being challenged. He added that it is important that the CR be created in conjunction with the Recreation Department. Mr. Zamanian asked Mr. Kassler to contact Matt Cauchon and let him know what we are discussing, so that we can get the process going. He also would involve abutters to the property in the discussion.

Regarding the Benson Road property, Mr. Linehan requested adding to the MOU special conditions a 21E evaluation as a prerequisite of the Town acquiring it. Mr. Kassler noted that it would already be a pre-condition of the transaction; Mr. Zamanian said it wouldn't hurt for it to be in two documents.

4. Treasurer's Report: Mr. Barrett presented to the committee the presentation he gave to Town Meeting. It included CPA revenue and expenses from the beginning, broken down by source. Mr. Morton asked why Debt Service was listed as a separate line item under expenses; Mr. Kassler explained that those figures represent paid interest and principal, which is not otherwise included as an expense. Mr. Barrett mentioned that the *Boston Globe* has an article today about CPA funding being used to prevent affordable housing from being built in some CPA towns. He added that in

Stoughton's experience, the CPC has tried to create affordable housing, but every project we have recommended so far ran into a fatal snag.

5. **Public Comments:** None. Mr. Zamanian reported that he has been in contact with two developers who may want to provide affordable housing beyond the percentage required under our zoning.

New Business:

6. **Bonding 101: Discussion on MA Coalition Webinar:** Mr. Barrett reported that he found the webinar worthwhile. Mr. Zamanian spoke of using bonding for land purchases when appropriate, because it is the type of project most amenable to bonding, given that land is a long-term investment and has an infinite lifespan. It was noted that we previously bonded a playground renovation, but not the most recent one. Mr. Kassler noted that the life of what the CPA is paying for in the case of playgrounds is the equipment installed, which has a limited lifespan which needs to be figured into the equation.

Mr. Linehan found the video informative and asked Mr. Kassler to let the committee know of any others available on the Coalition website.

7. **Historic Preservation Restriction for Stoughton Depot:** This item was tabled until a later meeting, as Mr. MacKerron is not present.

Project Updates:

8. **Update on Student Engagement Project:** Mr. Linehan noted that the end of the school year is almost here, and it doesn't appear possible that it will be able to begin before then. Ms. Olotu was not present, so this item was tabled to our next meeting. Mr. Kassler reported that one of the sticking points was that we were waiting for the Art Director to set up a chapter of the National Honor Society for Art Students, and that has now been done. Mr. Zamanian asked Mr. Kassler to contact the new Superintendent of Schools in July after he comes on board.

9. **Capen Reynolds Grant Application Update:** Mr. Terry reported that the Stanton Foundation has made a site visit, and the landscape architect will be visiting on Friday. He also reported that the Friends of Capen Reynolds wants to donate \$50,000 towards the project, and that he has sent a request for the Select Board to accept that gift. Mr. Zamanian asked Mr. Morton if Conservation's permission would be needed to take down additional trees; Mr. Morton replied that it would depend on whether the work is located in a jurisdictional area relative to wetlands. Mr. Terry reported that he had also spoken to the Town Engineer about the Town taking on the cost of the granite curbing at the site, given that the entire intersection will be rebuilt now that Town

Meeting voted as of last month to reconfigure it. Mr. Terry reported that the plans were approved by Planning Board, which indicates that the project was very likely already reviewed by Conservation.

Administrative Items:

10. Approval of Minutes of April 11: MOTION: Mr. Barrett moved to approve the minutes as presented; seconded by Mr. Linehan and so voted, 7-0: Mr. Morton, Aye; Mr. Brady, Aye; Mr. Linehan, Aye; Mr. Terry, Aye; Ms. Rubel, Aye; Mr. Barrett, Aye; Mr. Zamanian, Aye.

11. Approval of Revised Grant Agreements: Mr. Kassler presented via screen-share the Grant Agreement form as amended by Town Counsel, and special conditions for six of the projects recently approved at Town Meeting. In reviewing the documents, Mr. Zamanian pointed out that we need to require documentation be submitted to the CPC with each request for payment, and asked that the wording be changed to clarify this. Mr. Barrett agreed. Mr. Zamanian is asking that any request for payment be copied to Mr. Kassler. He will make that amendment, and notify the Town Accountant. He also reviewed the new provisions defining under what circumstances the CPC may revoke its award of CPA funds.

Mr. Zamanian expressed his concern regarding a change in principals of the applicant, referring to the situation with SYB, which changed presidents in the middle of the approval process. Mr. Kassler said we should add a provision where, if the signatory or the applicant's representative ceased to be the responsible party, written notification of the CPC would be required.

Mr. Morton asked if the grant for a project is terminated by the CPC mid-project, what would become of the grant money? Mr. Kassler said that it would be up to the discretion of the CPC whether to claw back funds already spent, or just stop paying for project expenses and rescind any unspent funds. Mr. Morton recommended spelling out our options. He added that we need to approve the final wording on these forms before submitting them to this year's recipients. The committee would have to hold a special meeting in order to have them ready before the start of the fiscal year on July 1st. Mr. Zamanian suggested June 28th. Mr. Kassler will also complete the MOU for municipal projects, including the suggested amendments.

Mr. Kassler noted that he had emailed the Special Condition sheets for six of the new projects to the committee. The committee reviewed each individually.

On the Hansen Playground project, Mr. Morton noted that the requirement that the entire grant be refunded if the property no longer serves its current purpose seems

onerous. He suggested limiting it to the depreciated value of the equipment. Zamanian noted that the responsibility for maintenance should be upon whomever owns the property. Mr. Kassler can add language specifying that, should the property be transferred, the responsibilities detailed in the MOU and its Special Conditions go along with it. He will also change the terms regarding termination of the grant to limit the requirement to the equipment's depreciated value.

On the Grubenskas Parcel Acquisition, he will add language suggested by Mr. Linehan requiring a 21E evaluation prior to the Town acquiring the property. On the Stoughton Depot project, he included a condition requiring the Town to establish a Historic Preservation Restriction on the building, which he has been recently reassured by Mr. MacKerron that the Historical Society is willing to hold.

Mr. Kassler will email the revised Special Conditions for all six projects to the CPC, in addition to the revised Grant Agreement and MOU forms.

12. Reminder on CPC Terms Expiring at the end of June: Mr. Kassler reminded the committee members that the CPC terms of Ms. Olotu, Mr. MacKerron, Mr. Terry and Mr. Morton will be expiring at the end of June. He is following up with the Select Board regarding the citizen appointment.

13. Other Unanticipated New Business: Mr. Barrett clarified his response regarding Debt Service from his presentation, noting that it includes both principal and interest.

14. Schedule Next Meeting: Given that we want to have revised Grant Agreements, MOUs and Special Conditions ready by July 1st, a special meeting was scheduled for Wednesday, June 28. There will also be a regular meeting on the first Wednesday in August, on the 2nd.

15. Adjournment: MOTION: Mr. Barrett moved to adjourn; seconded by Ms. Rubel and so voted, 7-0, at 8:44 pm: Mr. Morton, Aye; Mr. Brady, Aye; Mr. Linehan, Aye; Mr. Terry, Aye; Ms. Rubel, Aye; Mr. Barrett, Aye; Mr. Zamanian, Aye.

Respectfully submitted,
Barry Kassler
Program Administrator, Community Preservation Committee

Approved on August 2, 2023