

Community Preservation Committee – Public Hearing  
At the Shutesbury Elementary School  
March 20, 2014

**Community Preservation Committee (CPC) members present:** Chairman and Community at Large Member Donald Fletcher, Select Board/Recreation and Parks Committee Representative Al Springer, Housing Authority Representative Rita Farrell, Conservation Commission Representative Linda Avis Scott, Open Space Committee Representative Susan Essig, and Historical Commission Representative Leslie Bracebridge.

**Community members present who signed in:** Fire Chief and Cemetery Commission member Walter R. Tibbetts, Forestry/Technician for W.D. Cows Jacob Macko, Friends of the Shutesbury Historical Commission President Joan Hanson and West Pelham Road resident Mike Vinskey.

- I. Chairman Fletcher opened the Public Hearing at 6:35 PM with introductions and welcoming remarks.
- II. How are preservation activities distinguished from maintenance work? How should Shutesbury's Community Preservation Plan criteria for determining the priorities for such preservation activities be refined?
  - a. Member Rita Farrell spoke of the differences as applied by the Department of Housing and Community Development activities (Publication 862 (4/01)). The Community Preservation Act (CPA) is not clear on the differences, different communities and town counsels interpret the Act and the allowable use chart provided by the Department of Revenue (DOR) differently. Rita suggests that some of the elements from the Department of Housing & Community Development could be carried over and applied to other categories of the CPA. Town Administrator Rebecca Torres suggested the May 30, 2013 Massachusetts Department of Housing and Community Development paper regarding Utilization of CPA Funds for Preservation of Existing Public Housing Units could be utilized as helpful guidelines by the Shutesbury Community Preservation Committee to decide whether a project was "preservation," "maintenance" or "rehabilitation", in the Historic category on the 2012 Department of Revenue (DOR) project eligibility chart.
  - b. Chairman Fletcher reads examples from Publication 862 (4/01) and finds some similar areas in the CPA, but still finds "gray areas." Donald suggests that an entire project may have a mix of both historic preservation and maintenance. Some elements may serve 2 purposes of both preservation and maintenance.
  - c. Things clearly not allowed under Historic preservation activities include: Energy efficiency measures, ADA improvements, generators, repaving/repair of parking areas, maintenance, landscaping, cleaning and repainting.
  - d. Mike Vinskey inquires how this applies to Shutesbury's buildings and Rita responds that historic preservation has more leeway.
  - e. Donald clarifies that Shutesbury has prioritized the old town hall, the hearse house, the west schoolhouse, the 1949 town hall, the M.N.Spear Library, and the am gatehouse as historic buildings. He refers to the DOR allowable use chart as a guide, and recommendations of the Historical Commission.
  - f. Allen Hanson reminds the group that it's not just buildings, but open spaces such as cemeteries.
  - g. Cemetery Commissioner Tibbetts states that the Cemetery Commission is looking to prevent future damage of headstones from falling branches by removing the old and dying pine trees. The Finance Committee has advised not to repair the stones until the trees come own.
  - h. Rita questions if tree removal is an allowable use of CPA funds.
  - i. Leslie points out that the trees have to come down. The town has a total amount of funds to work with, and questions why there is so much focus on tree removal (or any other project) being funded with CPA funds. Use CPA funds on projects easily identified as qualifying for the CPA funds and fund the tree removal as a capital expense. It needs to be done.

- j. Donald wonders if tree removal could be seen as part of the whole cemetery restoration fund and qualify for CPA funds. He calls it a gray area that we will figure out. If it is eligible, Donald asks, "Where does it fit in the list of priorities?"
- k. Al Springer reminds the group that \$5,000 has already been donated toward tree removal.
- l. Mike Vinskey: Though a lot of things should be handled on an on-going basis through operating expenses, they're not done because money is tight. When money is easier to come by, these things should be done. He asks if the tightness of money this year transitions the project into use of CPA funds.
- m. Donald thinks a lot is based on the presentation of an interested group. It is a good question: What building, what asset? The Buildings Committee should be consulted on priorities.
- n. Allen Hanson: A lot of things get done by coalition.
- o. Donald: Additional funding sources and broad support.
- p. Rita requests Town Counsel input on use of CPA funds to remove the trees.
- q. Mike Vinskey asks what would happen if the town did the project and then was told by the state it is not eligible?
- r. Rita: There have been lawsuits in other towns by their own citizens.
- s. Donald offers to email Becky to ask Town Counsel as to the eligibility of CPA funds for tree removal to preserve headstones in the old section of the cemetery.

### III. **Shutesbury's Community Preservation needs, possibilities and resources:**

- a. Donald invites ideas on other categories of needs, possibilities and resources such as recreation.
- b. W.D.Cowls Forestry Technician Jacob Macko wonders if Shutesbury CPA funds were used on the Brushy Mountain preservation project. None.
- c. Sue Essig has a lot of ideas but not the energy to put a recreation project together. She feels apathy from others in town as exemplified by no Recreation Committee.
- d. Leslie reports that the school secretary, Jessica Carlson-Boulanger, who could not be present tonight, asked that it be mentioned that the school could use new playground equipment.
- e. Rita states that is an approved use of CPA funds as of the "Newton case."
- f. Donald asks if the playground have access by the whole town.
- g. Should the school playground have been maintained along the way?
- h. Sue Essig: People have either devised their own private solution or gone to Amherst.
- i. Rita suggests a broader recreation application such as a kiosk for the Brushy Mountain trail.
- j. Sue responds that trails are the lowest priority for the Open Space Committee because there are so many available in the Quabbin.
- k. Rita sees a kiosk as an amenity to go along with a trail.
- l. Allen Hanson asks about a kayak landing.
- m. Sue Essig asks about storage of kayaks, sailing classes, storage of sailboats. She is questioned as to enough room on the Lake for significant sailing.
- n. Mike Vinskey asks: You have suggestions: a playground, a kayak landing, now what happens?
- o. Donald summarizes: We refine our plan, based on input received tonight, we inquire of town Counsel, we gather more information. We do not create proposals. A group of people create proposals.
- p. Allen: This group does not initiate proposals.
- q. Linda Scott adds that this group brings information back and forth to the committees that they represent.
- r. Sue Essig: The Open Space Plan is a reflection of their public hearing.
- s. Mike Vinskey applauds the plan. Suggests the application be pulled out of the plan.
- t. Donald explains the process of editing the plan.
- u. Leslie explains how Mike can find the application, find a group such as the Cemetery Commission, and apply to cut the cemetery trees down.
- v. Al Springer requests a simple step-by-step process.
- w. Sue Essig suggests finding people of like mind to support an application.

x. Jacob Macko states that he now understands there is money available; he just needs a project that follows the criteria of the plan.

IV. Members unanimously vote that Donald prepare the standard town meeting articles including the maximum 5% allowable for necessary and proper operational expenses, and the 10% minimums to each funding category. The next meeting will be Thursday June 19. Adjourned at about 9 PM.

Respectfully submitted,

  
Leslie Bracebridge

As approved on June 26, 2014