

# COMMUNITY PRESERVATION COMMITTEE

## Public Meeting Minutes

October 20, 2020

7:00 P.M.

## Virtual Meeting

Pursuant to notice duly filed with the Town Clerk's Office, Concord's Community Preservation Committee held a virtual public meeting on Tuesday, October 20, 2020 at 7:00 p.m. using the Zoom meeting platform. Meeting ID: 865 8244 9519 Password: 199555

Committee members Tom Kearns, Peter Ward, John Cratsley, Diane Proctor, Nancy Nelson, Judy Zaunbrecher, Paul Grasso and Hester Schnipper were present. Mr. Flint joined the meeting at 8:10pm.

Others Present: Matt Johnson, Select Board Liaison

Kate Hodges  
Ryan Orr  
Ryan Kane  
Delia Kaye  
Jon Straggas  
Bob White

The Chair called the meeting to order at 7:00 p.m. by a roll call vote.

Everyone at the meeting introduced themselves and stated which board or committee they were the designee. Mr. Kearns explained how to public can use the raise hand function if they have a question or comment during the meeting.

### **White Pond Beach Improvements**

Deputy Town Manager, Kate Hodges presented the proposed project to the Committee. Ms. Hodges was joined by Ryan Kane, Ryan Orr and Jon Straggas. Ms. Hodges explained that the town is requesting \$300,000 from the CPC in FY21 to supplement the Phase I Improvements of the White Pond Beach Area. Ms. Hodges reviewed the problems with the beach area, which include erosion issues, stormwater problems, accessibility and access barriers, building code issues, dead and decaying landscaping and driveway and parking access barriers. Ms. Hodges reviewed the seven principles of Universal Design Approach that was used to come up with the current plan for the beach area. Ms. Hodges then reviewed the solutions to the problem, which include, new steps, a new pedestrian pathway that will be ADA compliant, waterfront access and restroom ADA access, as well as stormwater management and parking improvements to the site. Ms. Hodges briefly reviewed the timeline of the project and the budget and financial breakdown of the project – explaining that \$173,000 of the CPA request would go towards access improvements, and \$127,000 of the CPA request would go towards stormwater improvements on the site.

Mr. Ward asked if they anticipate any challenges due to the state owned roadway that leads down to the boat launch. Ms. Hodges explained that the town entered into an access, use and maintenance agreement with the state for the roadway so there will not be any issues with the proposed work. Mr. Keans stated that the application was very detailed, and asked if there would be any issues with the

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25' and 50' buffer zones from the waterfront. Ms. Zaunbrecher explained that the 25' buffer zone is a no disturb zone, and the 50' buffer zone is a no build zone, but the applicant can apply for waivers. Ms. Hodges stated that they will need to apply for a waiver for the 50' buffer zone, and that they intend to do so after the public comment period and design is complete. Ms. Zaunbrecher asked if there are opportunities to get funding from the state to help with stormwater. Ms. Hodges stated that the state will allow the town to use and maintain the roadway, but will not contribute financially in any way. Ms. Nelson asked if there were other options than the zig zag pathway. Ms. Hodges stated that a 5% slope must be maintained in order to meet code requirements, and that they intend to place stormwater management along the path. Ms. Nelson stated that she is concerned the path will be arduous to ADA users and that it will cause extreme disruption to the hillside. Ms. Hodges stated that they plan to meet with the Commission on Disability to ask them their opinion on the plan. Ms. Proctor asked if the stairway is necessary. Ms. Hodges stated that they have seen a natural path develop from use, and the stairs were designed to give people the option for quicker access to the waterfront and to deter people from going off the designated walkways. Ms. Cratsley asked what the plans are for the restroom facilities. Ms. Hodges stated that the current restroom trailer is functioning great and they plan to continue using that because there is no need to add plumbing, and sewer lines. Ms. Hodges stated that the plan includes a wood deck to be built adjacent to the trailer for improved ADA access. Mr. Cratsley asked what the \$250,000 previously allocated for White Pond will be used for. Ms. Hodges stated that that funding will also be used towards these access improvements. Mr. Kearns asked if there were any public comments. Mr. Johnson asked if this is the full scope of the project. Ms. Hodges explained that it depends on what the community wants and what type of feedback they get. Mr. Johnson asked if the parking down by the beach meets the legal requirements for ADA parking on the site and wondered if the path was additional ADA access. Ms. Hodges stated that the parking spaces at the boat launch cannot count towards this project, and there is space for three spots by the beach including, however two of those spots need to be dedicated 911 parking spots per the fire department. She explained that there will be one ADA spot down by the beach and an additional three spots in the upper parking lot.

### **Old Rifle Range**

Delia Kaye presented the proposed project to the Committee. Ms. Kaye was joined by Bob White. Ms. Kaye explained that the Town of Concord Natural Resources Division is requesting CPA funding in the amount of \$34,500 for survey, design and permitting to improve a 0.25 mile section of the main trail through the Old Rifle Range. Ms. Kaye reviewed the project goals, which include safety, accessibility, and connectivity. Ms. Kaye explained that this section of the trail is seasonably impassable due to its very narrow width at the edge of a steep hill.

Ms. Zaunbrecher asked if they intend to come back to the CPC for construction funding. Ms. Kaye said that they do intend to come back to request funding towards the construction, and that they also intend to apply for a masstrails grant. Mr. Ward asked if there are other portions of the trail that they anticipate needing similar work. Ms. Kaye stated that there is one other narrow section of the trail, but that they could likely do the work to that section of the trail in-house due to the terrain and topography of that section. Mr. Cratsley asked if the targets have historical significance. Ms. Kaye stated that the target are over 50 years old, so they do have some historical significance. She explained that 3 of the 4 structures still have the structures that were used to raise and lower the targets, and that these structures will all remain as part of this project. Mr. Kearns asked if there were

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any public comments. Mr. Johnson asked about the connectivity to the Bruce Freeman Rail Trail. Ms. Kaye stated that they do not want to increase the connectivity to the rail trail both due to issues with parking over the summer and unsafe crossing conditions. Ms. Kaye stated that the police have recommended to not install a crosswalk here because there are no safe locations for one. Ms. Zaunbrecher noted that the trail does allow for pedestrians to not have to walk along Harrington Avenue which is dangerous. Mr. White stated that this project is far beyond volunteer work, that is the worst trail conditions of all the town owned conservation areas, and that it is essential to get funding for this project.

### **Chamberlin Park Bridge**

Ms. Kaye presented the proposed project to the Committee. Ms. Kaye explained that the Town of Concord Natural Resources Division is requesting CPA funding in the amount of \$35,000 for the survey and permitting to replace the footbridge and repair the walkway between Chamberlin Park and the Keyes Road municipal parking lot. Ms. Kaye explained that the bridge is over 40 years old and is nearing the end of its lifespan. Ms. Kaye explained that the project goals include safety, accessibility and connectivity. Ms. Kaye stated that they do intend on coming back to the CPC to request funding for the construction of the bridge, and that they will also be asking the Trustees of Town Donations for funding towards the construction.

Mr. Grasso asked if the bridge was ADA compliant. Ms. Kaye explained that the bridge does not current meet the grades required for ADA access. Ms. Proctor asked why the Trustees of Town Donations denied past funding. Ms. Kaye stated that the 2013 request was denied because it wasn't specifically for the bridge.

Burton Flint joined the meeting.

Mr. Cratsley asked if they plan to keep the existing zig zag design. Ms. Kaye stated that they do, because most of the pilings can remain or be sistered. Mr. Kearns asked for public comment. Mr. Johnson noted that the applicant should be careful about submitting too many initiatives like this one that do not yield a physical result in the same year.

### **Emerson Conservation Restriction**

Ms. Kaye presented the proposed project to the Committee. Ms. Kaye explained that the Town of Concord Natural Resources Division is requesting CPA funding in the amount of \$210,000 towards the acquisition of a Conservation Restriction on a parcel of land between the Emerson House and Heywood Meadow. Ms. Kaye briefly summarized the history of the town's acquisition of adjacent land and explained how this purchase will bolster the endowment of the Emerson House. Ms. Kaye should the Committee a map of the parcel and indicated that a portion of the historic ambler is located on the property. Ms. Kaye reviewed the cost of the restriction, and the CPC and town funds being used for it.

Ms. Zaunbrecher asked if the town would own the land. Ms. Kaye stated that the town would not own the land, however the town would own the development rights to the land. Ms. Zaunbrecher asked if this will help to maintain the historic landscape. Ms. Kaye stated that this would and she

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would specially add that to the conservation restriction. Ms. Proctor asked how the Emerson House will use the funding. Ms. Kaye stated that the town doesn't give the funding with strings attached, so she does not know specifically how the funding would be used by the Emerson House. Ms. Nelson asked what the landscape would have looked like during Emerson's time. Ms. Kaye stated it likely would have been open. Mr. Ward asked if the easement is in perpetuity and asked about the appraisal cost of the property. Ms. Kaye stated that it was in perpetuity, and stated that the appraised value of the land was \$650,000, and that they negotiated the conservation restriction price down to \$560,000. Ms. Kaye stated that the other parcels of land were purchased fee simple due to them being undevelopable. Mr. Cratsley asked if any trail work is planned as part of this project. Ms. Kaye stated that this funding will not go towards any trail work, but that trail maintenance is a combination of volunteer work and NRC budget. Mr. Flint stated that he was looking at the GIS and the parcel of land does not appear to be it's own lot. Ms. Kaye stated that they will need to submit an ANR plan for the property. Mr. Flint asked what the typical cost of a conservation restriction is. Ms. Kaye stated that Land Vest told the Emerson House that 96% of the fee simple, but that there is no industry standard. Ms. Kaye stated that 86% is high, but reasonable for the community benefits that will be gained. Mr. Flint asked if there is value and if it is a developable lot. Ms. Kaye stated that it is a developable lot.

### **Warner's Pond Dredging**

Ms. Kaye presented the proposed project to the Committee. Ms. Kaye explained that the Town of Concord Natural Resources Division is requesting \$250,000 towards the Warner's Pond Dredging project. Ms. Kaye reviewed the feasibility study results with the Committee and explained that there is a north dredge area and a south dredge area that will be targeted as part of this project. Ms. Kaye explained that the MEPA certificate has been received for the project and that the permitting was recently funded by the CPC.

Mr. Ward asked about the change in budget from previous years. Ms. Kaye explained that the construction costs for the project increase over the years, so this will give them a buffer. Mr. Ward asked how the invasives will be addressed in the pond. Ms. Kaye stated that dredging will dry them out, and also will help keep sunlight from reaching them (due to the increased depth of the pond) which will help get rid of the invasives in those dredged areas. Ms. Kaye acknowledged that the portions of the pond not being dredged present an ongoing challenge. Mr. Flint asked about the project budget. Ms. Kaye explained that this \$250,000 will be banked until they are ready for construction in 2022. Ms. Kaye indicated that this will be the last request to the CPC for this dredging project. Ms. Proctor asked if there is any collaboration with the towns along the watershed. Ms. Kaye stated that there is an organization that looks at the watershed regionally and how to control invasives overall. Ms. Zaunbrecher asked if this dredging project still includes the area by Gerow Park. Ms. Kaye stated that it does. Mr. Cratsley asked where the sediment will go. Ms. Kaye stated that assuming the sediment is clean, it will be used by the prison for their farm fields. Ms. Kaye stated that some of it will be used to create a wetlands shelf along the island, and that they can use any contaminated sediment for this as they would not want to remove it from the pond. Mr. Cratsley asked if the sediment will be removed via trucks. Ms. Kaye stated that it would be and that she can provide the trucking routes from the feasibility study. Ms. Zaunbrecher asked if there will be public input meetings prior to town meeting in the spring. Ms. Kaye stated that they plan to submit the notice of intent this winter, so there would be meetings prior to the spring. Mr. Flint asked how

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many cubic yards of sediment will be removed. Ms. Kaye stated that there is 35,000 total cubic yards (7 acres) being removed. Mr. Kearns asked if there were any public comments. Ms. Johnson stated that it would be helpful to have more clarity on the budget breakdown when there are multiple buckets. Mr. Johnson also wondered whether the dredging project will be worth it, with such a small area of the pond actually being dredged. Mr. Kaye stated that people in the community like the pond, reviewed the historical uses of the pond over time, and stated that if nothing is done the pond will fill in. Ms. Kaye stated that she wouldn't be pursuing the project if it wasn't valuable.

### **Other Business and Minutes**

Minutes will be placed on the next meeting agenda for review.

With no further discussion, Ms. Proctor moved to adjourn the meeting at 9:20 p.m. Ms. Zaunbrecher seconded the motion and all other voted in favor.

Respectfully submitted,

Heather Gill  
Senior Planner

Minutes Approved on: 11-10-2020

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Secretary