

MINUTES

Nahant Community Preservation Committee Meeting
23 March 2020
Teleconference

In attendance:

Committee members:

Lynne Spencer , Chair – LS
Paul Spirn - PS
Mirjana Maksimovic - MM
Dana Sheehan – DS
Mickey Long – ML
Ellen Goldberg - EG
Austin Antrim – AA

Excused:

Ellen Steeves

Ex officio

Antonio Barletta – AB

Administrator, Town of Nahant

Guests:

Marc Cullinan (MC)

Selectman, Town of Nahant

Josh Antrim

Selectman, Town of Nahant

Convened (LS, Chair) – 7:02PM

Read the revisions to the Open Meeting Law applicable to tonight's electronic open meeting.

Invited public in attendance to address questions and comments to her email, LSpencer@SSVArchitects.com or use Zoom Chat function

I. Old business

Minutes, CPC Meeting, March 17, 2020

Approved (5Y, 2A)

Historical review of CPC (LS):

Since first adopted by Nahant Town Meeting in 2004, at the highest level (3%) property tax surtax contribution, Nahant CPC funds totaling > \$2.5M have been matched by the Commonwealth at an annual average of 55% and supplemented by additional grants and donations, public and private totaling another \$2.0M. This has achieved total funding of \$5.85M and a ratio of \$2.35 for every \$1.00 of Town funds spent. This year we have been informed of an anticipated surtax of \$220K and a conservative estimate of a 50% Commonwealth match, yielding \$330K available for funding in FY2021. Of that, at least 10% must be reserved exclusively to each of the three objectives of the CPA—Historic Preservation, Community Housing, and Open Space/Recreation. In addition, past reserves available for allocation in FY2021 are: \$200K exclusively for Community Housing, and \$170K of General Reserves available for any statutory use. These reserves added to current revenues total \$700K available for allocation in FY2021, a figure that includes funds already committed to this year’s payment on the bond for Nahant Library repairs (\$63K).

The goal of tonight’s meeting is, if possible, for the CPC to decide whether, to what extent, and subject to what conditions to approve the applications for funding that have presented to us. Those decisions will be reflected in the warrants the Committee presents to Town Meeting.

[Discussions and actions on 3/23/2020 are dated as such below. Votes of the CPC are listed after names of proposer and seconder, voting in the affirmative (Y).

#	Applicant	Project	CPA Cat	Grant Request	Match	Total Project Cost	Match Source	ACTION AMOUNT CONDITIONS	Meeting Discussion
1	Nahant Cultural Council, Town of Nahant	Ellingwood Chapel	HP	121,217		121,217		<p>APPROVED: YES - DS, PS, EG, ML, AA, MM, LS</p> <p>\$50,000</p>	<p>2/10/2020: Needs review of any funds unspent from past projects. Need for roofing repairs uncertain. APPLICANT REP(S) WILL BE INVITED TO ATTEND NEXT MEETING .</p> <p>2/24/2020: (JW) Goal of this historic preservation grant is to stabilize physical integrity of Ellingwood Chapel on occasion of 100th anniversary this spring, celebrating its role as cultural resource for the entire town. Last funding (2018- CPC \$112K, State \$50K) spoke to most pressing items in envelope needs assessment. This grant will rebuild chimney, tower south side windows, repair roof and restore interior damaged by water- details in proposal. All funding by CPC: \$112K = \$93K bespoke, \$14K contingent, \$14K architect for oversight of RFP, bids, and site work. No matching funds. Chapel has no rental income.</p> <p>3/17/2020: (DS) I would like a walk through. (LS) We will schedule a visit.</p> <p>3/23/2020: (LS) The \$121K spent on exterior repairs last year has largely succeeded in halting infiltration.</p>

2	Nahant Dory Club	Replace floating dock gangway	Rec	17,000	66,830	83,830	Dory Club	<p>APPROVED: YES - ML, PS, DS, EG, AA, DS, LS ABS – MM</p> <p>\$17,000</p> <p>CONDITIONS – see Discussion</p>	<p>Only minor repair of window frames and the basement entrance remain to make the building envelope waterproof. A sum of \$50K would suffice for those repairs and restoration—paint and plaster of damaged interior walls and ceiling.</p> <p>3/17/2020: (AB) With the concurrence of the wharfinger, we plan to have an engineer’s opinion whether the Town wharf can support the planned gangway. We should be able to work something out with the Dory Club. Zach Taylor will look into it.</p> <p>3/23/2020: If funded the DC will provide an engineering plan to the Town that must be acceptable to Town engineering report.</p>
3	Nahant Historical Society	Archival Conservtn, Preservtn, year 1 of 4 year program	HP	23,865	6,000	29,865	NHS: Conservtn/Acqstns Fund	<p>APPROVED: YES – ML, AA, PS, EG, DS, MM, LS</p> <p>\$6,000</p>	<p>2/10/2020: A SITE VISIT WOULD BE APPROPRIATE</p> <p>2/24/2020: (JT) First year of a 4-year historic preservation grant to professionally preserve/conservate, digitize and make available more broadly important documents actively or in danger of disintegration: incorporation of Nahant, establishment of Town Library (3rd oldest in MA) including the initial book collection, and records of police, fire, and schools-all provide a window on the inception of Town and its transformation from summering to year-round community. Matching grant, \$8K (\$5K, year 1; \$3K, years 2-4)</p> <p>3/17/2020: (CPC) Sense of the Committee the project is large and well documented, some of the materials are unquestionably of great value, aesthetic and historic. A minority favored a match closer to 1:1 and/or smaller initial grant. All accepted requesting the sponsor to prioritize materials for pre/conservation.</p> <p>3/23/2020: The sponsor, the Nahant Historical Society, has agreed to reduce the initial scope of the project to the most valuable and at-risk artifacts and to match a lower grant figure, \$6,000, dollar for dollar.</p>

4	Nahant Housing Authority	Window refreshing, 194 Nahant Rd	CH	45,000	0	45,000	<p>APPROVED: YES – LS, AA, PS, LG, ML NO – DS, MM</p> <p>\$45,000</p> <p>CONDITIONS – see Discussion</p>	<p>3/9/2020: (KC-NHA) Regional Capital Assistance Team has been helpful planning capital expenditures. This is our top priority. 50 windows were replaced 5 yrs ago. Poor workmanship has led to water damage around frames. The contractor is untraceable and no restitution is possible. Framing and water damage will be replaced and windows reinstalled. Dept Housing and Comm Devt (DHCD) will contract this job</p> <p>3/17/2020: (see #6 below).</p> <p>3/23/2020: (DS) Endorsed the project of reinstalling windows subject to a contractor’s warranty. (LS) Fin Comm was similarly concerned . (EG) No contractor was likely to warrant previously purchased windows. (AA) State oversight of this project has generally improved since the last window project. (ML) Agreed and noted Regional Capital Assistance has been very helpful in structuring and prioritizing projects and the state Dept of Housing and Community Dev’t will dictate the terms of the contract. (LS) Proposed that Nahant Housing Authority be required to contract for work to be performed according to best practices.</p>
5	Nahant Housing Authority	Replace cedar shingles with vinyl siding, 47/49 Spring Rd	CH	50,000	0	50,000	<p>SEE #6 BELOW</p>	<p>3/9/2020: (KC-NHA) Painted cedar shingles are very badly rotted. (CPC) Sense of the committee that every effort should be made to make repairs that are durable, cost effective, and aesthetically consistent with local standards, warranting investigation of initial and maintenance cost of higher standard shingle replacement. (KC- NHA) She will investigate with DHCD.</p> <p>3/17/2020: (see #6 below).</p> <p>3/23/2020: (see #6 below).</p>
6	Nahant Housing Authority	Replace windows, doors, cedar shingles with vinyl siding, Greystone multi-family	CH	300,000	0	300,000	<p>APPROVED: YES: PS, EG, ML, AA, DS, MM, LS</p> <p>\$155,000</p> <p>CONDITIONS – see Discussion</p>	<p>2/10/2020: (CPC) Desirability of replacing cedar shingles with vinyl rather than new cedar shingles. As a general rule, maintenance grants are to be encouraged.</p> <p>PROPOSE VISIT 29 FEB</p> <p>2/24/2020: (LS) We have \$200K reserves that can be used only for community housing. DS WILL TAKE PHOTOS.</p>

7	Open Space Comm, Town of Nahant	Bailey's Hill, Fort Ruckman East Slope Restoration	Op Sp	112,025	0	112,025	<p>APPROVED: YES – PS, EG, ML, DS, MM, LS NO – AA</p> <p>\$41,000</p>	<p>3/9/2020: (KC-NHA) Initial proposal including \$141K for scraping and painting, was rejected by the State, anticipating need to repeat in 5 yrs. High expense (compared to committee members personal experience with contractors) is due in part to State requirement to pay Boston prevailing rates. (CPC)DS took photos. To avoid vinyl siding, can the project be staged, most pressing sides done first? (KC-CHA) Will get quotes.</p> <p>3/17/2020: (ML) Based on CPC strong preference for use of natural materials rather than vinyl siding, suggests keeping #4,5 and withdrawing #6. (LS) Since the \$202K is available for no other projects why not cover #4,5 and apply \$100K to #6? Sense of committee was to see what \$100K can go a long way to achieving goals of #6.</p> <p>3/23/2020: (AA) Proposed approving up to a total of \$155K for replacement of siding materials, windows and doors as necessary in both projects provided the project meets aesthetic standards in character with the neighborhood, specifically the use of traditional materials rather than vinyl. (ML) Proposed more specifically that the release of CPC funds be contingent on submission to the CPC and the Town Administrator of a plan satisfactory to them that details the project to restore the envelopes of the Spring and Greystone Road buildings, including the materials to be used.</p> <p>2/10/2020: (EA, LS) Bailey's Hill needs major clean up, regrading, new trail. Zach Taylor, head of DPW trimmed budget, combined phases, will clarify work done to combat invasives. Ocean View may help support this project.</p> <p>2/24/2020 WALK THROUGH SCHEDULED FOR 11AM, 2/29 WITH NANCY CANTELMO (OPEN SPACE COMM COMMITTEE AND ZACH TAYLOR (PUBLIC WORKS)</p> <p>3/9/2020: (AB, Town of Nahant) Budget has been reduced to \$81K by curtailing scope of project. There</p>
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8	Nahant Presrvatn Trust	East Nahant Historic District	HP	20,000	20,000	40,000	NPT	<p>APPROVED: YES – ML, AA, EG, PS, EG, MM, LS ABS – DS</p> <p>\$20,000</p>	<p>may be a contribution from Oceans Edge. 3/17/2020: (LS) Formal proposal has dropped to \$83K. CPC on site visit (DS, PS. ES) commended objective of restoring site, and the positive attitude of Zach Taylor of modifying goals and scope. (LS) Recommended proceeding with less outside professional and contractor help. (AB) DPW might be able to do a lot of the preliminary clearance of vegetation (invasive species) and trash, grading and path preparation, and submit a proposal next year for what is left to do. (LS) Propose reducing grant to \$40K. 3/17/2020: (LS) The first of a multiyear project to restore the East side of Baileys Hill, starting with clearing debris, invasives and the Heritage Trail. The expense of the project can be reduced if funds are directed to salaries of part time staff. (AA) Better to delay to another year. (DS) Project is shovel ready and deserves support. (AB) \$20K should be adequate to reach real goals even if not all.</p> <p>2/10/2020: Funding requested for the submission of an omnibus proposal to register East Nahant, including East Point as a state and national historic district, i.e, fund the work of an architectural historian to gather documentation, shepherd the application and site visits. Wiith cert, Town-owned sites would be eligible for grant funding; not clear how this would influence East Point situation where CPC has a clear interest in open space and historic preservation. Proposal alludes to massive funds match, for unspecified purpose. ASK NPT PRESIDENT TO CLARIFY.</p> <p>2/24/2020: (DM, EB) Historic preservation grant is to obtain Nation Register status for two contiguous neighborhoods of Nahant: East Nahant (roughly North Shore to Nahant Rd, Ocean St to Swallow Cave Rd, and East Point, Swallow Cave Rd eastward including North Eastern Marine Science site and Lodge Park. NR status will permit sites/ buildings owned by the Town (Town Hall, Nahant Library) or</p>
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9	Elaine White/Jen McCarthy	Dog Park	Rec	40,000	0	40,000	<p>DECLINED: YES: AA, PS, ED, ML, AA, DS, MM, LS</p>	<p>non-profits (e.g., Nahant Country Club) to apply for State and Federal grants for preservation and historically approved adaptations. There would be no restrictions of any kind relating to private homes (although NR status often elevates property values). Submission to MA Historical Comm requires extensive updating of maps, photos, inventories, other documents prepared in 1989 when a single district proposal was contemplated, and less weighty adaptation of archeological survey recently prepared by NEU for East Point ENF and PNF. Project will entail conversation with MHC regarding district boundaries, site visits by MHC, and take 1.5 to 2 years. Agreement of MHC to even entertain the application would underscore the historic significance of the East Point site in restricting its use. \$40K proposal includes \$20K from CPC, \$20K match (unspecified source).</p> <p>3/17/2020: (LS) Stressed the value of rigorous updating of historical materials for the Mass Historical Commission in underscoring the historical value.</p> <p>(AA) The Historical District designation places no constraints on private property owners (it usually increases property values), and gives the Town standing to apply for preservation grants. The level of the match is impressive.</p> <p>(ES, ML, PS) Agree.</p> <p>(LS) Favors full \$20K grant request.</p> <p>3/17/2020: CPC expressed continued support as discussed last meeting.</p> <p>2/10/2020: Precise site not specified. Purported site may be in wetland. Little support at prior Town Meetings. NEED CLARIFICATION</p> <p>2/20/2020: No specific location has been proposed. Town Manager does not support the project.</p> <p>3/9/2020: (AB, Town of Nahant) No site has been proposed by sponsors or specified by Town as suitable.</p>
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10	Town of Nahant	Lowlands Men's Softball Fields	Rec	27,000	0	27,000	<p>APPROVED: YES – AA, ML, PS, EG, AA, DS, MM, LS</p> <p>\$27,000</p>	<p>3/17/2020: (CPC) Sense of committee, that without specified site, demonstrated need or support of Town, the proposal will not be approved.</p> <p>3/23/2020: (LS) This project needs further work to specify a site that is consistent with the Nahant Open Space and Recreation plan, has a specified budget and evidence of community support in the specified neighborhood and Town-wide. (AA) Propose to decline, encouraging the sponsors to continue exploring the project.</p> <p>2/10/2020: What is condition of current backstop? Is team or spectator seating proposed? Will fencing be perimeter only, or separate the fields? SITE VISIT APPROPRIATE</p> <p>2/24/2020: PS WILL TAKE PHOTOS.</p> <p>3/9/2020: (AB, Town of Nahant) \$5K, earmarked for clay on Women's field remains unspent, could be redirected. (CPC) Any match anticipated from players? (AB) In past, there has been ample work in kind contribution by ballplayers. Backstop is larger on Men's field. 4 benches will be added to Men's and Women's fields. Goal is to complete all work before Veteran's Memorial event this summer.</p> <p>3/17/2020: (AB) Highest priorities are benches, backstop, and fencing; could reduce grant to \$22K by applying \$5K unspent as yet on clay replacement. (LS) Best to keep at \$27K and complete clay work.</p> <p>3/23/2020: (AA) propose to fund as proposed and previously discussed.</p>
11	Town of Nahant	Town Hall ADA improvements	HP	165,000	0	165,000	<p>APPROVED: YES – AA, PS, EG, ML, DS, MM, LS, AA</p> <p>\$165,000</p>	<p>2/10/2020: (AB) Proposal is limited to replacing ramp and entrance access to Town Meeting hall, much less expensive than changing access to the other side of the building. (LS) Does not provide access between ground and first floor.</p> <p>2/24/2020: (LS) Interior lift coupled with street grade access on East side of Town Hall will make entire building disabled accessible, at a lower cost than new ramp on the West side. LS WILL INVITE AB TO DISCUSS AT NEXT MEETING.</p> <p>3/9/2020: (AB, Town of Nahant) Plan includes: ADA</p>

12	Town of Nahant	Little Nahant Playground	Rec	30,000	10,000	40,000	FEMA	<p>APPROVED: YES –PS, EG, ML, AA, DS, MM, LS</p> <p>\$24,000</p>	<p>renovation of bath in Tiffany Rm and meeting floor. ADA access renovations: East, ground floor; West, meeting floor (new ramp and door hardware); parking lot to Tiffany Room. MA Municipal ADA grant (apply in October) could be source of matching funds, but opens the entire building to accessibility review, with risk of entailing more projects and expense.</p> <p>3/17/2020: (AB) Reconstruct West ramp, make East entrance and ground floor rest room compliant. Have not yet investigated MA Municipal ADA funding.</p> <p>(LS) Propose consideration of \$165K.</p> <p>3/23/2020: (LS, AB) Includes necessary improvements: disabled compliant access to meeting floor via replacement of the ramp and door hardware, to Tiffany Rm from parking lot, minor improvements to East entrance, and code requirements to bathrooms in the Tiffany Rm and the meeting floor.</p> <p>2/10/2020: (AB) Instead of the expensive reconstruction proposed last year, DPW has done a great deal of restoration, and this proposal is limited to the cost of a single jungle gym, partial funding from FEMA, might be supported by neighbors/users.</p> <p>2/24/2020: (DS) There are already benches on site.</p> <p>3/9/2020: (AB, Town of Nahant) FEMA contribution is only for replacing flooded surface. \$30K is for new jungle gym structure and benches which are dangerously degraded.</p> <p>3/17/2020: (ML) Has project been designed with an eye toward flooding?</p> <p>(AB) Dune is being rebuilt. Project is insured.</p> <p>(AA) Structure should withstand flooding. Suggest \$24K.</p> <p>(AB) \$24K is minimum.</p> <p>(PS, DS, ML, MM). Concur \$24K.</p> <p>3/23/2020: (MM) Wouldn't \$20K be sufficient for an adequate playground structure? (AB) It is key to spend enough to get a structure that can withstand the elements as well as the children. This is the</p>
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								lowest cost of several professional proposals.
13	Town of Nahant	Little Nahant rights of way	OS	20,000	0	20,000	WITHDRAWN	<p>3/9/2020: (LS) \$13K unspent from previous right of way mapping can be allocated for access projects. (CPC). Sense of Committee is strong support for securing public access. (AB, Town of Nahant) Those funds are welcome. I would prefer flexibility in choosing which projects are important for safety, which are most effective and sustainable. In any case, this will require ongoing maintenance and vigilance.</p> <p>3/17/2020: (LD) \$13K available from mapping project. Will that suffice? (AB) We will make it work. Withdraw funding ask.</p> <p>3/23/2020: CPC endorsed the use of funds unspent in the rights-of-way mapping projects to achieve the goals of reestablishing safe public access to those pathways.</p>
14	Town of Nahant	Spring Rd basketball court	Rec	12,000	0	12,000	<p>APPROVED: YES – ML, PS, EG, AA, DS,; MM, LS</p> <p>\$12,000</p>	<p>3/9/2020: (AB, Town of Nahant) An excellent project which includes court resurfacing and lining, hoop and stand, and limited fencing.</p> <p>3/17/2020: (CPC) Sense of committee is to fund.</p> <p>3/23/2020: (AB) The proposal to paint and resurface the Spring Rd court, replace the backboards and posts, and partially fence the court is very high yield for an attractively low cost.</p>
15	Town of Nahant	Town Hall stage curtain	HP	7,000		7,000	<p>DECLINED: YES – ML, PS, EG, AA, DS, MM, LS</p>	<p>3/9/2020: (AB, Town of Nahant) The old curtain was removed because of environmental issues with asbestos fireproofing. Presumably there is a different, environmentally acceptable, fire retardant. EG will research.</p> <p>3/17/2020: (PS) An excellent opportunity for private funding. Sense of committee is to decline.</p> <p>3/23/2020: (ML) Propose to decline</p>
16	Town of Nahant	Town hall flagpole	HP	15,000	0	15,000	<p>DECLINED: YES – PS AA, EG, ML, AA, DS, MM,</p>	<p>3/9/2020: (AB, Town of Nahant) Although the flagpole, a repurposed sailing mast, is badly in need of work to maintain it, the project can be funded in</p>

17	Town of Nahant	Public library bond	HP			62,800			LS	the general budget 3/17/2020: (AB) Prefer to fund through general budget. Withdraw. 3/23/2020: (PS) Propose to decline.
18	Town of Nahant	Wildlife Preserve at East Point	OS/R EC; HP	\$1.5M (30 yr bond)	\$3.0M	\$4.5M	Private		BUDGETED (FY2021) APPROVED: YES – ML, EG, PS, AA, LS NO – AA UNAVAILABLE – MM \$1,500,000 (first year, up to \$138,000)	3/23/2020: (LS) Two questions submitted by public in attendance: 1) What are likely attorneys fees? A) Estimated to be no more than \$500,000 to complete any dispute of just compensation for the ‘taking’ of the interest in the property. If the combination of fees and property cost exceed \$4.5, more private funds will be sought. 2) Will this CPC allocation affect property taxes? A) No. The 3% surtax will not change. 3) Will the Town contribute \$750K towards principal? A) CPC contribution to principal, \$1.5M will be roughly 2/3 or \$900K, and State match should be about \$600K; private funds will be twice that total, or \$3M. CPC discussion: (LS) – Review of conditions: The proposal is to authorize the Town to borrow \$1.5M after the BOS has secured binding private donations of at least \$3.0M, and the BOS has proposed and a special Town Meeting has approved either a settlement with NEU or the initiation of an eminent domain proceeding to acquire for the Town a conservation restriction and/or easement rights for Canoe Beach and the 10-12 acre Wildlife Preserve in the East Point property owned by NEU in order to preserve their unique character as natural open space, recreation venue, and site of historic significance. The cost of acquiring the interest in the property has been appraised at \$4.0M. A second appraisal will be obtained. If the cost is higher the acquisition will not proceed until the additional private funds to cover it

are in hand. The total cost of the project, \$4.5M includes estimated legal fees not to exceed \$500K. Independent of this proposal, the Town has joined a current lawsuit against NEU brought by citizens of Nahant which could substantially reduce the compensation that the Town would be required to make to NEU as part of an eminent domain action. (DS) It should be made clear that the total cost of principal and interest will as estimated in the proposal will range from \$2.4 to 2.85M, based on interest rates from 4-6%. It is not clear that the Town, faced with other pressing needs for capital should be committing itself to that sum.

(PS) We should keep in mind that these interest figures are higher than likely. And I believe that for the first few years, when payments are highest, the Town has the option to pay interest only. But the broader view is the most important. By virtue of an extraordinary act of public spirit by unnamed citizens of Nahant, private funds will exceed the Town's contribution to CPA funding, already a third subsidized by the State. So that for a yearly contribution averaging less than \$100,000 (\$30 per resident) Nahant can preserve this extraordinary resource in its beautiful natural state forever.

(AA) The CPA has achieved in Nahant just what it was intended to do, provide and preserve, recreation and open space and low cost housing resources for us that would otherwise have declined or disappeared—the beautiful Life Saving Station, access to 40 Steps, Town Wharf. This is not a burden for Nahant, it is a gift of this generation of Nahanters to future generations, that the people have made overwhelmingly clear that they want to give. The CPC has the responsibility to put this before Town Meeting.

(LS) More questions submitted by the public:

4) Who will be responsibility for maintaining the property?

A) The BOS proposal is to seek an easement, not to acquire the land, which remains in the possession of

NEU, which is responsible for its maintenance. The proposal states NEU will be able to continue non-conflicting activities on the site after the easement goes into effect.

5) What happens if CPA funding stops?

A) Nahant is the guarantor of the bond and would be responsible.

6) What if legal fees are more than \$500K?

A) The estimate of legal fees is generous for an eminent domain proceeding and an expected challenge to the *pro tanto* payment.

Next meetings: 30 March 2020; 6 and 13, April 2020.

Adjourned, 10:13PM

Submitted and accepted, 20 April 2020

Paul Spirn, Recording Secretary