



**Community Preservation Committee Meeting
Agenda & Meeting Packet**

May 18, 2021

7:00 PM

Meeting will be held at the **Municipal Building**
2nd Floor, Council Chambers
355 East Central Street

The public will **NOT** be permitted to enter the building or participate in person. Only pre-approved participants on the meeting agenda will be allowed to enter the Building and participate in person.

Residents can attend and participate via the “ZOOM” Platform.

***A NOTE TO RESIDENTS:** Due to the continued concerns regarding the COVID-19 virus and Governor Baker's declared State of Emergency, we will be conducting a remote/virtual Meeting for all public access and participation. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number (Cell phone or Landline Required) OR citizens can participate by clicking on the attached [link](#) (Phone, Computer, or Tablet required). The attached link and phone number will be active for the duration of the meeting for citizens to ask questions/voice concerns. If residents are just interested in watching the meeting it will also be [live-streamed by Franklin TV](#) and shown on Comcast Channel 11 and Verizon Channel 29.*

- **Link to access meeting:** April 6th CPC Meeting Link [HERE](#) -- Then click “Open Zoom”
 - Or copy and paste this URL into your browser: <https://us02web.zoom.us/j/83045071182>
 - **Call-In Phone Number:** Call 1-929-205-6099 & enter meeting ID: 83045071182 then press #

Agenda:

1. Approval of Minutes for
 - a. March 30, 2021 Minutes
 - b. April 6, 2021 Minutes
2. Recreation Presentation & Discussion

Exhibit References:

1. [Open Space & Recreation Plan](#)
2. [April 6, 2021 Open Space presentation](#)

Community Preservation Committee
March 30, 2021
6:30 PM
MINUTES

Members Present: Christopher Feeley, David McNeill, Monique Doyle, Lisa Oxford, Michael Giardino, Joseph Halligan, Wayne Simarrian, Jeffrey Livingstone, Phyllis Messere Malcom

Town staff also in attendance: Town Administrator Jamie Hellen, Assistant to the Town Administrator Chrissy Whelton, Director of Planning and Community Development Bryan Taberner,

Other Attendees: Thomas Mercer, Deborah Pellegri, Cobi Frongilo

Chairman Christopher Feeley called the meeting to order at 6:30 PM

1. CPC New Member Training -Stuart Saginor, Executive Director, Community Preservation Coalition:

- a. Mr. Saginor started the training session by explaining who the Community Preservation is. He noted the Coalition is a non profit organization made up of other non profit committees such as Mass Audubon, Chapa, Mass Affordable Housing Alliance and several others including representatives from eight communities and 6 at large citizens.
- b. Mr Saginor gave an overview of the services that the Coalition provides such as technical assistance, CPA Advocacy and legislation, ballot measures, training, webinars, workshops and much more. He ran through the Community Preservation Coalition Website and the resousource available.
- c. Mr. Saginor noted that there are currently 186 cities and Towns who have adopted CPA and 0 communities have revoked. Franklin was 1 of 9 who adopted the CPA during the last Presidential Election. He went over some of the most recent projects including 5,800 appropriations made for Historic Preservation, 31,861 acres of Open Space preserved, 2,700 of outdoor recreation projects were funded and 20,000 units of Affordable Housing units were created or supported.
- d. Mr Saginor gave the Committee a little road map of the first year responsibilities. He explained that the first responsibility is to create a Community Preservation Plan of the needs of the Town. He noted some Communities hired an outside consultant or regional Planning agencies to create the plan however many used templates and information for other community plans. He also noted the committee will need to reach out to the community for input on the plan also. Mr. Saginor made the committee aware that one of the ongoing responsibilities is repeating the public hearing every year to gain input from the community and do a light refresh on the plan.
- e. Mr. Saginor explained the Budget process for the Committee. He noted the Town Finance team would handle the budget however they should be updating the committee

with reports or copies of budgets throughout the year such as what is done with other town departments.

- f. Mr. Saginor talked about the coming year and how Franklin being a head of the game is really going to benefit the Committee because the Committee will be able to recommend and submit a budget to the Town Council for FY22. This will give the committee an administrative budget starting July 1st.
- g. Mr. Saginor gave an overview of the process for the annual budget and the Statewide CPA Trust Fund and how the CPA trust Fund disbursement does not come from the State but instead from DOR. He mentioned that funds come from fees charges on documents files at the Registry of Deed. The November 2020 base match was 28.6% of what communities raised at the local level.
- h. Mr. Simarrian asked if the State Match would go up due to the present interest rates on mortgages or in general. Mr. Saginor explained that this year's match looks like it may be higher than last year.
- i. Mr. Saginor went over the Annual Spending and Set aside requirements for all accounts as well as the Administrative Budget.
- j. Mr. Feeley asked if we put 5% in the Administrative Fund can we move that to a different account at a later date. Mr. Saginor said yes however it has to be voted on by the Town Council.
- k. Mr. Giardino asked how many of the 186 cities have an administrative fund for expenses. Mr. Saginor said all but maybe 1 have an Administrative Fund. If you don't spend it, it will go back into the regular CPA Account.
- l. Mr. McNeill asked if it was defined in the CPA law what the administrative account can be used for. Mr. Saginor noted that it is not defined in the law however it has been seen through DOR letter rulings over the years what it can be used for and not.
- m. Mr. Saginor went over the CPA Annual Budget, the required minimum spending or reserve and recommended that we add an FY22 Budget recommendation on the next meeting to send to the Town Council for approval. He gave an overview of the Administrative Account, what it is and how it can be used. Some of the common uses Mr. Saginor mentioned: hiring a part time administrative assistant, professional help such as appraisals, consultants, legal assistance, general studies, due diligence on project recommendations, newspaper ad for public hearings and other misc. expenses.
- n. Mr. Saginor went into Borrowing and what is permitted under CPA such as bonding against local surcharge, not state match and that a two-thirds vote is needed to pass bound projects at Town Council.
- o. Mr. Saginor gave an overview of how CPA projects happen. He explained the committee needs to create an application and process for Applicants and that he recommends the 2 step application process. The committee will then review applications, get input from various stakeholders and committee and either recommend to the Town Council or not.
- p. Mr. Halligan asked if the committee is allowed to spend any money without the Town Councils approval such as appraisals etc. Mr. Saginor said no they do not need approval however the Council must approve the initial 5% in the budget. Mr. Halligan followed up by asking if they go through the whole process of a project and recommend to the Town Council when they vote no, what they can do. Mr. Saginor followed up by

saying that unfortunately the way our Town is set up there is no way around that however the vast majority of projects usually get approved. He notes that most of the issues are quality of life issues that do not have a place in the regular budget and most often the Town Council will approve. Mr. Halligan asked what projects are the most popular. Mr. Saginor noted that in large the most popular is Open Space as once you build on it, it is gone. It is one of the main reasons CPA exists. Ms. Doyle asked if someone comes to them with a \$100,000 project and asks you for \$50,000, hire a grant writer and then apply for a grant for the other \$50,000, is that allowed. Mr. Saginor said yes you rarely see it but it is allowed.

- q. Mr. Livingstone asked a question about rights or the asset or work being done pertaining to providing public funds to private entities. Mr. Saginor stated that is something that is usually negotiated and contracts that are signed that detail the rights assigned.
- r. Mr. Halligan asked Mr. Saginor if he has seen CPA join the private sector in construction of affordable housing. Mr. Saginor said absolutely and it's almost always a partnership with the Town and the Developer. Mr. Halligan followed up that being on the planning board they are always talking to developers and we trying to get an affordable component in town and a lot of developers complain about the cost of materials , labor, land value so for instance a 10 unit downtown building, could they apply the to the CPA to sponsor 3 to 4 affordable units in their project. Mr. Saginor said absolutely and its a tremendous way to get affordable housing done.
- s. Mr. Saginor moved on to the Town Councils Role is limited. That they can approve, reject and reduce recommendations as well as reserve amounts recommended by CPC to applicable reserve accounts rather than approving projects.
- t. Mr. Saginor gave some basic tenants of CPA
- u. Mr. Livingstone asked how they get the details of projects from various towns. Mr. Saginor explained most of the details can be found on the Coalition website. He also mentioned that he would add all members to their newsletter that capture this information.
- v. Mr. Livingstone asked if there would be any type of Conference to network as new members. Mr Saginor mentioned that they do offer those but have not recently due to the pandemic but hope to start those up again soon.
- w. Mr. Giardino asked if we are supposed to look for projects in each area every year. Mr. Saginor said they are not required and can take on projects as they see fit. The only thing that is required is to reserve those funds. Mr. Hellen briefly noted that if you chose not to do a project you can build the account for future projects that may cost more than what is funded in one year.
- x. Mr. Halligan asked if the board discovered there was a 10 acre parcel for sale and they felt in the future we could use that property for something like a park or garden but we don't know the exact use at the time, Are they required to choose the exact use at that time. Mr. Saginor said you can buy land for all CPA purposes and a committee would be designated to decide what they want it for and what type of restrictions to place on it.
- y. Stuart closed out his presentation offering his support and assistance and that he wants to see us get up and running and be successful.

- z. Mr. Feeley asked the members if they would like to go ahead and have the FY22 Budget Approval on the next CPA meeting. All members were in favor.
- aa. Ms. Doyle made a motion to adjourn the meeting. Seconded by Mr. McNeill. Roll call vote was unanimous.

Meeting Adjourned at 8:39 PM

Community Preservation Committee
April 6, 2021
7:00 PM
MINUTES

Members Present: Christopher Feeley, David McNeill, Monique Doyle, Lisa Oxford, Michael Giardino, Joseph Halligan, Wayne Simarrian, Jeffrey Livingstone, Phyllis Messere Malcom

Town staff also in attendance: Town Administrator Jamie Hellen, Assistant to the Town Administrator Chrissy Whelton, Director of Planning and Community Development Bryan Taberner, Conservation Agent Jennifer Delmore

Other Attendees: Thomas Mercer, Melanie Hamblen

Chairman Christopher Feeley called the meeting to order at 7:00 PM

1. Approval of Minutes:

Mr. McNeill made a motion to approve the Minutes from the CPC meeting on March 30, 2021. Motion was Seconded by Ms. Doyle. Roll call vote was unanimous.

2. Approval of Committee Meeting Schedule:

Mr. McNeill made a motion to approve the Community Preservation Committee Meeting Schedule for 2021. Seconded by Ms. Doyle. Mr. Feeley suggested canceling the July and August Meetings. Mr. Hellen suggested to move the Housing Presentation that was originally scheduled for July to September if cancelling July and September meetings was approved. Mr. Feeley made a motion to cancel the July and August. Mr. Simarrian seconded the motion. Roll call vote was unanimous.

3. FY22 Budget Approval:

Mr. Feeley gave a quick overview of the proposed FY22 Community Preservation Committee Budget. He mentioned that the total requested is what the town believes the revenue will be including the 5% for Administrative expenses as well as the 3 required areas and the remaining for Budgeted Revenue Reserves. Mr. McNeill made a motion to approve the Budget. Motion was seconded by Ms. Doyle.

Mr. Halligan asked if the 10% for each of the required areas was a minimum or would they be allowed to allocate more than the 10%. Mr. Feeley responded that the 10% is a minimum and that more can be added however that would restrict the CPC's ability. He also mentioned that leaving the remaining balance in the budgeted reserve allows the allocation of funds to any of the 3 required areas as projects come before the committee. Mr. Hellen also followed up stating that the Committee needs to first develop a CPA Plan and that if something were to

come up the Committee would have to evaluate a very unique status to move forward. Ms. Doyle asked who would be putting the CPA Plan together and when would it be available. Mr. Hellen noted that Mrs. Whelton would be writing the plan. He also stated that the meeting schedule is designed to get the committee up to date of the goings around town, that the public hearing is an important piece to the plan and we anticipate to have that sometime in the late fall. Mr. Hellen noted that barring any unforeseen circumstances where there is a time limit or something we legally have to respond to by a certain date his recommendation would be to wait to collect funds for a whole year before spending. He also stated that making sure that we have enough feedback from the community for the plan is a critical part of the process. Mr. Feeley followed up by stating that we are about 12-18 months away from beginning to spend the funds. Ms. Doyle asked when the plan would be written as she would like to make sure people are able to read what the CPC is about and get to know the full application process. Mr. Helen responded that Mrs. Whelton would be writing the plan however it would not be available until after all the presentations. He also mentioned that this would be a working document and would be updated every year. Mr. Livingstone asked if the CPA Plan would be tied into the Master Plan. Mr. Hellen responded that yes the Master Plan will reflect the CPA Plan. Roll call to approve the Budget was unanimous.

4. Open Space Presentation & Discussion:

Mr. Hellen gave an overview of Open Space in Franklin noting that the current total in the Open Space Stabilization Account is \$2,372,367. He mentioned that the Town Council voted last year to appropriate 1.3 million into the fund. Mr. Hellen went over current obligations at \$275,000 for a project off of Elm Street. Mr. Hellen mentioned that the estimated annual collections would be between \$1.329 and \$1.7 million based on today's property values, state match and current assumptions. Mr. Hellen went over the Open Space Map noting the may 61 parcels of land that still remain. Ms. Doyle asked what the percentage of protected land is in the town. Mr. Hellen responded that he did not have that percentage on hand but would obtain it from our GIS department. Mr. Hellen briefly went over some of the current town projects to include the Property off of Elm Street, various parking lots to provide access to State Forest.

Mr Hellen informed the committee that the Recreation Director, Ryan Jette would be attending the May meeting and would give an in depth presentation on what's going on with Recreation. Mr. Hellen noted some of the recent projects with Recreation including the Fletch Field Rink, King Street Memorial Park Renovation, Dacey Disc Golf, Safety Netting for the Baseball fields at the High School, the new concession stand and Turf field replacement. Next on the agenda would be the Nason Street Tot Lot.

Mr. Hellen briefly went over the Franklin Greenway project which is similar to the “Emerald Necklace” in Boston and Brookline. He stated that this Franklin Greenway would connect major areas and parks through bike lanes, sidewalks, activities and tours to create a more integrated coordinated system of transportation and recreation.

Mr. Hellen described 61 land noting that 61A and 61B provide certain property tax reductions to registered land in return for an enhanced protected status but not permanently protected. He noted that Franklin currently has 59 parcels or roughly 22 Blocks of land under Chapter.

Mr. Livingstone mentioned that 4-5 years ago the town became a member of the Keystone program through UMASS which is made up of Conservation folks. Materials were given to the town regarding 61 properties and those materials reside in the Conservation Office in Town Hall.

Mr. Simarrian proposed to keep the 88 acres behind the Franklin Elks for potential passive recreation and a park on the north side of town. Mr. Feeley asked if the 88 acres is town owned land. Mr. Hellen noted that the staff would look into it.

Mr. McNeill mentioned the Open Space and Master plan goals specifically the one noting to prioritize Chapter 61 properties for potential acquisition. He asked if there has been a list compiled or prioritized of these properties. Mr. Hellen responded that it was a goal in the Open Space Plan however it is too sensitive to discuss publicly as you are ultimately talking about people's property. Mr. Simarrian asked if there is a large attractive piece of land that is privately owned, can the town purchase the land to prevent 100 houses being built on it. Mr. Hellen answered, if not Chapter 61, then no. He stated that the land owner can approach the town if there is no contract or agreement with a third party investor. Once they are in an agreement the town must stay out. He mentioned that the next opportunity for the town to engage with the property owner is after a definitive Subdivision/Development/project has been fully permitted by the respective boards, that's when the right of first refusal comes in. Once a plan is approved that is when the land owner has the choice whether to exercise and send a right of first refusal to the community and then the Town has 120 days to act on it. Ms. Fisher of the Agricultural Commission noted that the Ag Com has done outreach to Chapter 61 land owners about their land. She also offered the Ag Com to collaborate with the CPC on Chapter land and how it works. She mentioned some property owners are skeptical to put their land in Chapter because they are afraid the Town will take their property. She clarified that the town can only buy it if you take it out of chapter.

Mr. Simarrian asked if we have town properties that we want to keep as town properties and not sell or build on particularly Davis Thayer can we keep it under the town's control. Mr. Feeley

responded that that would not fall under the CPC as it would not be a purchase of land. Mr. Hellen mentioned that the School Committee voted to close Davis Thayer for school activities beginning september. The School Committee still owns the land and they need to go through a formal public vote to declare it surplus property. He mentioned that there are a lot of ideas floating around on what to do with the property however it would cost the town over \$20- \$30 million just to renovate the building. The taxpayers would be looking at a debt exclusion. Mr. Simarrian asked if there was access to any grants or funds for the renovation for a possible Police Station. Mr. Hellen noted that there are none available at this time for public safety buildings.

Mr. Feeley mentioned there are many things the town could do with the property but that the main point is to keep the property in the Towns Control. Mr. Livingstone noted that Franklin is similar to other towns whose downtown areas are dominated by a college. He explains that many people in town are worried that Dean College will try and purchase the Davis Thayer Building.

Ms. Doyle made a motion to adjourn the meeting. Motion was seconded by Mr. McNeill. Roll call vote was unanimous.

Meeting Adjourned at 8:15 PM