

Braintree Community Preservation Committee  
Minutes  
December 10, 2012

Present: Linda Raiss (Chair) Paul Machado  
Anne Murphy (V-Chair) Darryl Mikami  
Dick Fletcher

Absent: John Dennehy and Patrick Flynn

Also Present: Mike Laing, Member of EBCA and resident and Dave Oliva, Chair of EBCA and resident  
Rev. Leanne Walt, Craig Barnes & Rick Durham – First Congregational Church/residents  
Ron Frazier – Braintree Historical Commission /resident  
Christine Stickney, Director Planning and Community Development

Meeting convened at 7:30 PM

Elm Street Cemetery – Request for CPA Funding

Present on behalf of the application was Ron Frazier- Vice Chair of the Braintree Historical Commission. Linda Raiss summarized the status of the application, the CPA site visit and noting that the applicant had been asked to obtain 2 additional quotes. Ron Frazier provided the members with some history of the cemetery, a summary of the management plan that had been previously funded by the CPA and that the stones refurbishment were the first part of the action plan that came from the plan. He noted that many of the stones date back to the colonial days (1700s) and are in dire need of attention or they are in jeopardy of being lost forever. Ron noted the CPA committee prior comments relative to finding other vendors that did this kind of work and explained that some cemeteries like Mount Auburn have their own in house person. The stones are either slate or marble and there are very few folks that work on this type of grave stone. He reached out to those recommended by Mount Auburn and two responded. Using a handout that he provided to the members he had summarized their estimates for each of the stones for comparison. Colonial Stone, M. Trinkley and MCC of Connecticut all provided estimates shown on the handout.

Ron recommends using Colonial Stone based on their quote, the fact they came out and viewed the stones and that he is local vendor. Ron expressed his concern for the cemetery's longevity citing episodes of vandalism and his disappointment with the DPW /grounds division driving the mowers over the stones that have fallen. He had spoken to the DPW cemetery superintendent to ask them to go around the stones. The Historical Commission intends to ask BELD to put up additional lighting to discourage individuals from hanging around the cemetery during the night hours. Dick Fletcher questioned if funds were awarded to fix the stones what would prevent them from being vandalized again? Ron discussed with members an effort to get additional lighting, monitoring by the police department and more care to the cemetery (i.e. fix fence and gates). Ron has been investigating additional quotes for repairing the fence and gates. Darryl Mikami asked if there were light poles already in the area that BELD could mount lights to – Ron was unsure but he would look into it. Dick Fletcher further asked if the stone work would be offsite and could they be stored there until the vandalism issue could be addressed.

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Anne Murphy **MOTION** to put this matter on the next agenda to have the committee members do a site visit and give Mr. Frazier time to investigate into lighting, seconded by Paul Machado – unanimously voted. The matter is continued to the January 14, 2013 meeting.

First Congregational Church – Request for CPA Funding

Present on behalf of the application were Reverend Leanne Walt, Craig Barnes and Rick Durham from the Church. Linda Raiss summarized the materials and activities that have taken place since the application was filed in September. Members were reminded another application had been submitted last year but withdrawn and the applicants downsized the area of the park and estimated costs. The Chair questioned the status of the different estimates regarding the kiosk. Craig Barnes explained where that matter stood. Anne Murphy noted her concern with the cost of plantings and the discrepancy of costs from each landscaper given the plant species. Craig Barnes explained how the landscapers set the plants on the site for the church to approve and then adjust if needed. The cost is based on the number of plants used – difficult to estimate the fine details of the landscaping with each estimate at this point in time.

Dick Fletcher asked about the restriction and where that matter stood. Rev. Walt explained that the church was led to believe a Memorandum of Understanding would be signed with the Town and that a plan showing the park layout could be part of an easement referenced in the MOU. Craig Barnes noted the church would have the area appraised for the church to carry the insurance on this area. Paul Machado commented his agreement that metes and bounds per a survey plan may not be necessary if they can just have a plan provided as an attachment and/or exhibit and treat it as an easement. He noted this is a standard process with utility companies to provide a perpetual easement and reference an area by attachment to a recorded document which in this case would be the MOU. Linda Raiss expressed her opinion that CPA funds should not be used for 1) re-do of the landscaped plan and 2) the recording of the instrument (restriction/easement). Darryl Mikami asked for clarification that the current plan now does not include the walkway. Rev. Walt stated that the elimination of the walkway was due to the church's use of that area for Sunday school and the concern that it might become an attraction in the night time hours and also that folks might use the parking lot that is currently leased to the corner stores. Darryl commented that a tighter project is better all-around but he too shares concerns with the \$3500 cost for landscaping. Rev. Walt commented that was the estimate they would appreciate whatever the committee feels is adequate. Craig Barnes noted that if they had a vote to proceed we would not let it look sparse we want it to look good out in front of the church as well. Linda Raiss commented that she was extremely pleased with this application and the cooperation from the First congregational church to address the CPA's concern – she suggested the matter be continued to the next meeting to address the MOU with Town Counsel. Anne Murphy **MOTION** to continue the matter to the next meeting (1/14/13) to address those outstanding matters with the MOU and easement, seconded by Darryl Mikami – unanimously voted. Rev. Leanne Walt asked for clarification – that she will email the MOU to Christine to be forwarded on to Paul Machado – then on to Town Council – members agreed.

Monatiquot River Walk – Request for CPA Funding

Present to participate in the discussion were Dave Oliva and Mike Laing from the East Braintree Civic Association. Christine Stickney provided members with a memo prepared by Kelly Phelan of the Planning and Community Development Office. Christine, using the handout and an aerial plan, showed the scope of the project discussed the request as to materials priced per the Town Consortium price list

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and that the work would be done by the DPW. Anne Murphy asked about the labor costs. Christine responded the CPA request is for materials/benches/kiosks and that the labor would come from DPW – Anne followed up asking if it would require overtime. Christine felt she could not comment how the DPW would use their funds to pay for the project however Mayor Sullivan has made the splash pad and replication area a priority to be done and open for next summer. Paul Machado asked about edging with the walkway to prevent wash out of the stone dust – Christine noted the explanation and diagram as to how the walkway would be installed in the application materials. Dave Oliva questioned the use of landscape fabric and Christine noted how it would be used – he is concerned with overgrowth as seen with the Toland walkway – Christine noted annual maintenance is needed to not let the Toland path get as bad as did recently. Mike Laing expressed his opinion that long term the Town will need to put some drainage in since areas puddle now near the seawall. Dick Fletcher and Anne Murphy questioned the contingency amount (\$4,000) shouldn't it be 10% of the project cost? Christine agreed 10% could be accommodated however she would like the CPA committee to provide some additional funds in case material costs increase she suggested \$25,000.00 (total) she did not want to go back to the Council if additional funds are needed. Anne Murphy noted the sum of the project was \$16,803.00 and 10% of that would be \$1,680.00 which then equals \$18,483- giving a cushion of \$2,320.24. After some discussion as to the numbers, Christine agreed to the explanation supporting a lesser amount to her request.

Paul Machado **MOTION** to appropriate \$21, 000 for the Monatikquot River walk project to be taken from the unrestricted CPA fund and be spent under the direction of the Director of Planning and Community Development, seconded by Anne Murphy – unanimously voted.

Highland Playground Project – Christine reported that she was unable to prepare this for tonight will have at the next meeting.

Historic Preservation Restriction discussion (cont.):

Paul Machado reported on his follow-up from last month's meeting – he spoke with Mr. Steinitz at MHC. If an historical preservation restriction is in perpetuity, MHC will need to review and approve. Mr. Steinitz said there are ways to do a shorter time frame with some variations. Members continue to pursue consistency and have the historic restrictions in perpetuity. Having said this they questioned the All Souls which Christine informed them is still under review at MHC and the Gallivan House is not done.

Christine explained the situation that arose since the last meeting in which the CPA agreement was given to Matt Mees, president of the Historical Society, for his signature and the trustees listed in the Trust that owned the property. One trustee would not sign and the other said they were no longer a trustee. Mr. Mees noted there are three new trustees to the Trust. Paul Machado said that they need to provide a recorded copy of trustee change. Members reviewed the draft restriction Paul Machado had prepared that will again need to be revised with the new trustees. Paul noted the changes: language about mortgages has been taken out and language added that requires BHS to replenish funds if there is a catastrophe. Linda Raiss stated her opinion that no money should be given until there is a clear and written understanding of who owns the property and who are the trustees. Anne Murphy asked Paul Machado if there is language in the document to the effect that should the trustees die or resign, the trust and their successors would assume responsibility. Paul commented that the language is the restriction.

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Dick Fletcher **MOTION** that it is the sense of the Community Preservation Committee that historical preservation restrictions are to be deemed perpetual, seconded by the Anne Murphy – unanimously voted.

Paul Machado **MOTION** to include the Braintree Historical Society as a “Guarantor” of the restriction in perpetuity for the Gallivan House, seconded by Anne Murphy – unanimously voted.

Paul Machado **MOTION** that the CPA would not advance any funds until the CPA Agreement is signed and the legal trustees identified by a recorded instrument of the Trust that is joined in ownership with the Braintree Historical Society of the Gallivan House, seconded by Anne Murphy – unanimously voted.

Administrative Matters:

The CPA committee reviewed again their fall 2013 proposed schedule – Anne Murphy **MOTION** to set the October 2013 meeting for October 21, 2013 and the November meeting for November 18, 2013, seconded by Dick Fletcher – unanimously voted.

Members were provided with two handouts from the accounting office of the financial reports for the CPA – Members discussed again that the format of the reports does not provide the original appropriation of the projects so they can see the financial progress. Linda Raiss noted that she will meet again with Mark Lin that due to time constraints he was unable to pull the report together as requested.

Members reviewed the minutes of 11-19-12 – Linda Raiss noted clarification was needed at the end of Page 2 regarding the Gallivan House discussion – Anne Murphy **MOTION** to accept the minutes as amended, seconded by Darryl Mikami – unanimously voted.

Meeting adjourned at 9PM

Respectfully submitted,

Christine Stickney, Director  
Planning and Community Development Office