

Oak Bluffs Community Preservation Committee

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Oak Bluffs, MA

02557 – 1327



Joan Hughes, Chairman
Jevon Rego, Vice Chairman
Amy Billings
Stephen Durkee
Charles Rock
Alison Shaw
James Westervelt
Adam Wilson

Oak Bluffs Community Preservation Committee

Regular Meeting, December 19, 2011, 7:00 p.m. CPC/Conservation Office

CPC Present: Amy Billings, Steve Durkee, Joan Hughes, Jevon Rego, Charles Rock, Jim Westervelt, Adam Wilson

Also Present: Margaret Knight CPC Ass't, Walter Vail, Richard Combra, Renee Balter

General Business

It was confirmed that a letter was sent to Richie Combra saying the repair of the police station roof was not an appropriate use of CPA funds. Jevon said he is still composing letter to Mashek MacLain, and would confer with Joan, that the letter should be information seeking. Joan said at a separate meeting they'd discuss CPC process and procedures going forward. She said she has put together a letter asking questions to town accountant regarding a few separate past projects.

As far as funds left at the end of a project, Joan said Bob (Whritenhour) wants to reclaim any money left at special town meeting before the annual. Adam said that in years past, the amounts were so small that didn't happen; the most important point is to get applicants to say they're finished. Joan said the \$160K from abandoned Niantic Park project can be assigned, but will need to be received back at town meeting. Bob is looking into the \$300K that should be in OB housing trust fund. He is still investigating the \$22,700 for the Pacific Ave project; could be reclaimed at special TM, would need to be returned to Reserve since it came from there.

Jim suggested a policy to take a percentage every year to save for big projects. Adam suggested the CPC could bond out a big project, although if the CPA funds go away, the town is still obliged to pay off bonds with interest.

A motion was made and seconded to accept the minutes from Dec. 5, 2011. All in favor.

East Chop Bluff and Road Preservation Application

Walter Vail and Liz Durkee made the presentation. Liz said the Board of Selectmen, Highway Dept., Conservation Commission, and the East Chop Association are cosponsoring the proposal, requesting open space and historical preservation funds to have an engineer design a plan to stabilize the East Chop bluff. Town has done studies and work to protect shoreline from erosion and sea level rise, and they're looking for

\$25K for engineering and permitting to shore up bluff for the future. This is one piece of a bigger puzzle of shoreline protection. Richie is working on the Crystal Lake end of the bluff to stabilize there. This is one of the most beautiful roads on the island.

Walter Vail said the road is as close as six feet from the bluff in places; one big storm could take it out and road would be closed and maybe unable to be repaired. There is a need for a plan to get erosion under control. After big storm in early 1990s riprap was installed to stabilize the bluff, but it wasn't done well so sand washes under it, and there are more and more high tides. Doesn't know if riprap can be repaired; bluff is all sand.

Liz said the study would prepare the town, making it "shovel ready", for getting the big money. Richie said at other end of bluff, there is washout occasionally now, and losing the road is not an option. Joan said riprap originally put in by FEMA was at low bid, and wasn't done correctly. Deere and Ault put in six options for bluff, and the one looking best is to put a second row of riprap above the existing one, to make two plateaus, with fill behind, and vegetation on top. It would be well above storm line, good for possibly 50 years, and is a \$3 million project.

Joan said Brewster Ave to the Lighthouse is in the worst shape. CLE was original engineer who gave the estimate, although this work would go out to bid. Joan said they were told to ask for \$10million, which would include money for some other shoreline restoration work. Joan said their goal is to take care of the entire shoreline from Eastville down to the little bridge, after which it is county land.

Jevon said he's in support, but wondered where this project is in line of priorities. Liz said they'd been working with Kevin Mooney and the state, and that he's trying to get the \$10 million, that's in the works, so this is the next priority along with work Richie is doing at the Crystal Lake end. Joan said if the bluff falls and there is no existing engineering, it's much harder to get funds. With this grant, all the permits will be done, which are active for 5 years. Also, East Chop bluff would mostly be local permits. Joan said most grants institutions won't listen to you unless you have engineering studies and permits done.

Adam said this qualifies under open space as preservation from destruction or decay. Liz said it was under historic preservation as well because of the Lighthouse. Jevon added that it qualifies under vista also, and asked how far this covers. Joan said to Brewster, a little past the lighthouse; where Richie is working is a totally different problem, is beach erosion. Charles asked if funding takes them through preliminary plans, who pays to convert to construction drawings. Joan said that's usually part of the grant; this takes them up to point of being ready to get a grant. The biggest decision was how to fix the bluff; there will be enough planning done for the grant application. Charles asked if they are expecting any other type of permit. Liz said the CPA proposal is just standard wording, and may not need even all the listed permits. Joan said a jetty to the north of Brewster is somewhat problematic; they will be considering whether to take it out or move it, needing the most permitting. Liz said jetties were put in to keep sand on beaches. Later they were thought to be bad, and now the thinking is they are good in certain places to protect the beaches. Liz has map showing history of Army Corps of Engineering work in town. Walter said there were once tennis courts on the water side of East Chop drive.

Niantic Park Application

Richie Combra presented the proposal saying this was for preservation of the basketball court, which is used by up to 400 kids in summer. There are two inch wide cracks in the playing surface, and the chain link fence is rusted. Amy said she had a hard time with the word "maintenance" but felt it fell under "safety." Adam said he had walked the court and would defend the right to allocate funding, and would like to see the fences moved further back. He also said the lighting is bad. There was mention of a problem with neighbors re: Veira Park changes, and that these are some of the same neighbors. In a discussion of the fence, Richie said it could be lower and green plastic coated. Jim said he thought the court and fence came under safety

issues, but not necessarily the lighting. Joan felt it's an extremely worthwhile project, and very visible, and as far as problems, that there would be a period during which appeals could be made before funding came through. Richie agreed it could not be done before summer.

Charles made a case for the project under the historic preservation category, the park being an integral part of the summer culture for over fifty years, and also the precedence of Hartford Park and the bandstand. Jim suggested funding it for safety, and leaving out what looks like maintenance, and if the "Newton bill" is passed, they could apply for lighting if there's money left. Amy said if the park isn't fixed, in five years it'll be so bad no one is playing. Richie said he was agreeable to whatever worked in terms of wording, but has the fear of someone being hurt, and possible litigation.

Steve asked about neighborhood feedback but Richie said there had been none, and that there wouldn't be changes, just improvement to what's there. Adam asked why money had not been allocated by the town since it had been a problem for years. Richie said it had never made it to the top of the list for funding. He said White Lynch would probably be the successful bidder on pulverizing and resurfacing, and that the fence would be a separate contract, although White might be able to do both. Adam asked about landscaping. Amy said she'd like to see parking improved so people could watch games. Jevon said there's already a lot of asphalt there. Richie said maybe there could be a landscaping component. Adam said anything with a "green component" is beneficial. Steve suggested taking out the word maintenance, and play up safety. There was discussion of possibly moving the park, but Richie said they would like to just repair what's there, not ruffle feathers. The project wouldn't be able to be started until fall.

Frye Property Application

Richie said this property has been for sale for two years, originally for \$600K, and that he thought this was a great opportunity to do something under open space. He said it's an eye sore now, and unsafe. It does provide needed access to the restrooms, and may be available for less than \$400K, after having met with Mr. Frye. \$25K would allow a brick walk and lamp post and landscaping. Amy said an official offer had been made, and Richie said they'd like to have a purchase and sale by Feb. 2, that they offered \$280K and are waiting to hear back. The offer is less than the assessed value of \$313,600. Adam said they could come back for landscape plan \$ at a special TM. Richie said he didn't think benches were a good idea, that it might become a gathering place with trash, and would be best kept as a walkway. Adam said it's B-1 property and could be built up to 50 feet high, 12 feet wide. Jevon mentioned Alison's viewpoint that she would rather see a building keeping the façade line. Joan said she thought the neighboring buildings were unrelated, so a break is better looking, and would like to see trees and ivy, a small green space for town. In answer to Charles question, Richie said Bob didn't think an appraisal is needed.

Oak Bluffs North Bluff Landscaping

Renee Balter spoke for the Friends of Oak Bluffs application to landscape around the clay and brick bathhouse. She said there's very little left in that area of the Victorian architecture, so she's glad the post-Victorian restrooms were preserved, that it's an important area because of all the boats/ferries that come to the island there. She said the bathrooms should be around for another 100 years. The F of OB would like to beautify the area, make it sparkle even more than it does. Friends are willing to contribute \$5,000 and they figure it shouldn't cost more than \$15K. They will put it out to bid, and will need the amount above the \$5K. Joan asked if they would entertain a different plan, or only the submitted plan. Renee said they are open to suggestions, but are concerned with budget.

Joan said the conservation commission is involved because it's in two resource areas so would need to do a Notice of Intent (NOI) that would include conditions. The bank there is listed as a D- grade; there is concern it will fail. The NOI increases cost some but gives a 5 year window for maintaining property, and a chance for

easy renewal of permits. Adam said RFP should include info about coming to con com for NOI. Joan said RFP should include info about it being on coastal bank and needing vegetation that survives 12 months of the year. Amy brought up issue of town meeting wondering why more money needs to be spent on this project. Joan said this is to protect what's already been done; there is still a failing bank.

Steve suggested calling this the North Bluff Landscaping Plan, not mentioning "brick bathhouse." Renee agreed. Adam said an RFP can give budget guidelines, but that if the project runs over, the CPC will not give "one penny more." Joan said original landscaping bid from Tom Worth, expensive off-island landscaper, was for \$11K so should be able to get phenomenal job done for \$15K by island contractor. Jim asked about going to town meeting with this application as far as changing it. Renee said they could just change the name of the project to Oak Bluffs North Bluff Landscaping Project. CPC agreed the change was allowed because it was minimal. Joan said it meets qualifications because it's preserving the bluff.

Jevon brought up the issue of a project coming under two different categories as far as money from the different reserve funds. Joan said it could be 50/50; Jevon added CPC can determine amounts from each fund. Renee said if they have money by July 1, it could be done by the end of the summer. Joan said project should be done in May because summer is too hot for plants needed there, but could be planted in fall. With RFP and bidding process, project might not happen until 2013. Irrigation is part of the plan; question if con com would allow it. Joan said the RFP will need an actual plot plan because lots of stuff is underground (wires, pipes, etc.) – not every place marked on application plan can have a plant. Renee said she will go over the plan with con com.

The next meeting is scheduled for January 9, postponed from Jan. 2, to vote on projects. Charles will not be there for another meeting in Jan. Deadline for project decisions is early February. Joan said money figures should be available by 9th. She would like to see some \$ set aside. Jevon said CPC has funding available for all projects if wanted. Amy said she won't be there the 9th, so gave input about landscaping project, saying her understanding was F of OB was donating \$5K and Mark Crossland (who did plan for application) was donating \$5K. Joan said his plan was more like an \$8K design, but she'd like to leave it at \$10k and get a real plan that takes into consideration the difficulties of the site. Adam said the project should have gone out as a locally advertised request for different proposals. Amy said she thought Mark came to Michael about landscaping. Joan agreed; that was before money for bathhouse was gone. Jevon questioned Niantic Park figures as high, too, but said because of the process, the final figures usually come after the money is awarded. Adam suggested project process could proceed in a timeline that would allow the final dollar figure to be amended on town meeting floor after bids had come in. Joan said some bids came in at the dollar amount awarded even though the project shouldn't cost that much. Adam said he didn't mind asking Richie for estimates from White Lynch for Niantic Park work. Discussion of need for proper oversight so projects don't go over the budgeted amount. Adam said F of OB will need a lot of guidance. Joan said in future when CPC signs an agreement with the applicants, contracts will need to be shown to CPC before being signed. Jevon asked whether all town contracts needed to go to town counsel. Adam said it depends what the contract is, i.e. a solar array but not a sanding contract.

Meeting was adjourned at 8:45 p.m.