

Amherst Historical Commission
September 17, 2007

Joint Meeting with Select Board:
Town Room, Town Hall
7:20 p.m.

Select Board members present: Anne Awad, Alisa Brewer, Hwei-Ling Greeney, Robert Kusner, Gerald Weiss (Chair); **Staff:** Larry Shaffer, Town Manager

Mr. Weiss welcomed the Historical Commission at 7:21 p.m. and briefly described the history of the Select Board's initiative to use Community Preservation Act (CPA) funds for the restoration of Town Hall. He reported he has a letter from Mr. Bard, the town counsel, regarding the issue of using CPA funds to support Town Hall masonry restoration, and that it would be a permissible use. He also noted that Mr. Musante has indicated that the issue could wait because the funds have not yet been expended.

Mr. Weiss invited the Historical Commission to hear the Select Board's "pitch", but then inquired whether Historical Commission members wanted to hear more. The Select Board believes this is a good use of CPA funds, a legal use of funds, and fits the model used for the soccer fields on Potwine Lane. Ms. Greeney expressed thanks to Mr. Weiss for bringing up the idea a couple of years ago and asserted that given the circumstances the town is in now this is all taxpayers' money and this is a public purpose and an appropriate use of funds. Ms. Awad asked for introductions from members of the Historical Commission. Ms. Greeney responded to Mr. Greenbaum's request for better sound. Mr. Kusner commented on the challenges of speaking with or without a microphone.

Mr. Kusner noted that the Historical Commission has yet to make a decision, and requested that the Commission discuss the issue with the Select Board. He inquired whether the use of CPA funds might invoke some restrictions on the building in the future; could future renovations require additional expense if CPA funds were used? Mr. Tucker said restrictions could come into play only if this were a Massachusetts Historical Commission grant project—the CPA funds were Town money and could be spent on this project without the need for a deed restriction. Ms. Brewer would like to run through a timeline: how would a proposal move from the Historical Commission to the Community Preservation Act Committee to the Joint Capital Planning Committee to Town Meeting? She asked whether this proposal would have to be launched this fall and whether it could make it to fall Town Meeting. Mr. Shaffer would like to try to make it to fall Town Meeting but if that were not possible, definitely the spring meeting. He does not want to do bond issue funding until the whole authorization is complete. CPA funds cannot be used to supplant appropriated funds, but Mr. Bard says that there is not an issue if the borrowing has not occurred. Mr. Bard had indicated that, otherwise, Town Meeting might have to rescind its appropriation and reappropriate the funds in order to meet the letter of the law

Mr. Kusner said he was not clear on what proportion of the debt funding might be allocated to CPA. Mr. Weiss said the proposal is for CPA to pay debt service on \$675,000. The Plum Brook soccer fields are being partially funded by CPA; Mr. Weiss said he believes that CPA is paying all debt on Plum Brook, but less money was borrowed than originally expected. Mr. Shaffer suggested that the Historical Commission and the Select Board prepare proposals for CPAC and CPAC then develop a proposal for Town Meeting. Mr. Kusner cited the need to balance the priorities and demands on CPA funds. Mr. Weiss asked Sonia Aldrich, Town Comptroller, for an estimate. She said the principal would be about \$55,000 and 5% interest for borrowing of \$550,000 for 10 years. Mr. Shaffer said this would be bundled with other borrowing requirements and that the borrowing would fix debt repayment. He said that the Town would also look to early repayment, and noted that the total expenditure is likely to be lower than the original \$675,000

estimate. Mr. Shaffer observed that all these factors would affect ultimate borrowing and debt service costs.

Ms. Greeney said she thought the Historical Commission had to recommend a specific amount to CPAC and inquired whether she heard that the Select Board might bypass Historical Commission. Mr. Weiss and Mr. Shaffer responded that was not the intention. Ms. Greeney said she hopes the Select Board would recommend to the Historical Commission that it fund the full amount from CPA. Ms. Greeney suggested making a motion to allow the Select Board to further its discussion. Mr. Kusner indicated he thought that was too soon to make any specific recommendation, based on Mr. Shaffer's observations. Ms. Greeney inquired about the sequence of requests as Ms. Brewer had earlier.

Mr. Weiss asked the Historical Commission what it assumes about proposals to CPAC. Mr. Wald said this request is part of a customary sequence. Mr. Tucker explained the usual sequence is for CPAC to start meeting in the fall, gather requests, and make decisions in January for Annual Town Meeting, but there can be an emergency fast track. Ms. Awad asked if that is the timeline for spring Town Meeting. Mr. Kusner posed a question to Mr. Shaffer about timing. Mr. Shaffer said he would encourage the staff liaison to the Historical Commission and CPAC to move this issue forward as quickly as possible. Mr. Kusner noted this isn't an item proposed for the fall Town Meeting warrant, and observed that experience with CPAC suggests that it might be difficult to move it to fall Town Meeting. Mr. Shaffer said he and the Select Board should make every effort to "shoehorn" this project in this fall.

Mr. Weiss observed that if the Select Board were making a recommendation, they need a number. Mr. Shaffer assured him that the Select Board will have a number, and said that Ms. Aldrich, Town Comptroller, has given it to the Select Board, but it still could change. Ms. Aldrich estimates an average annual debt service of \$75,000. Mr. Kusner asked what fraction of CPA this would be. Ms. Aldrich said she is not sure of total CPA funds available since the surcharge has increased. Mr. Kusner said it looks as though this would be a large percentage if the base were around \$210,000. Mr. Shaffer asked whether the numbers assumed declining debt service. Ms. Aldrich said yes, and that \$70,000 is the average for ten years. Mr. Kusner indicated he wouldn't want to see a third or more of CPA historic preservation funds committed to one project, and suggested that he doesn't want to overspend. Ms. Brewer asked for clarification on the numbers and the schedule to move this request forward next week.

Mr. Greenbaum offered a comment on Mr. Kusner's remarks, noting that the Historical Commission already has projects planned out to 2014 based on the Amherst Preservation Plan. Mr. Greenbaum said the Historical Commission is committed to completion of these other projects, and asked if the Select Board were really asking if the Historical Commission would support entire cost of the \$675,000. Mr. Weiss said that was his starting point. Mr. Greenbaum asked if there could be a contribution that would still allow the Historical Commission to complete its other projects. Mr. Weiss replied that it is a question of priorities. Mr. Greenbaum noted the fixed contribution to Kimball House, a commitment for five years of about \$25,000 a year, and asked about a summary of percentages of CPA funds allocated by purpose in FY 08. Mr. Greenbaum made a strong personal statement on Town Hall, and asked if the Select Board would consider supporting an allocation of more CPA funds annually to historic preservation projects if the Commission agreed to a significant contribution to the project. Ms. Awad reviewed the allocation requirements for all CPA funds, and noted that they should be somewhat fluid. Mr. Weiss asked Mr. Greenbaum if the Historical Commission were looking for some commitment from the Select Board. Ms. Greeney commented on the 10% CPA distribution rule and expressed her hope that CPAC would see the whole picture and not pit one interest against another. Ms. Greeney would not want the Historical Commission to think that if a third of CPA funds went to the Town Hall project that it was taking something away from other projects like the East Village Common.

Mr. Wald commented on Mr. Greenbaum's statements, the timeline for preparation of CPAC proposals, and the priorities and policies of the Historical Commission in budget preparation. Mr. Wald asserted that the Historical Commission shouldn't be pitted against others, and said the Commission members were not present to debate with the Select Board, but the Commission does have plans and something that would force major cutbacks in those plans would be problematic. Mr. Wald stated that the Commission shouldn't have to give up long-planned projects just because something else has come along. He restated the Historical Commission's position on the use of CPA historical preservation funds for capital expenditures, and reiterated that the Historical Commission shouldn't be asked to deal with routine and predictable capital needs that have arisen because of deferred maintenance. He noted that the Historical Commission can try to educate others and that the Commission members were at this meeting basically to listen.

Mr. Kusner complimented Mr. Wald on his comments and, noting the total cost of the Town Hall project, inquired whether there might be a routine maintenance 'differential' between what constituted routine maintenance and historically-appropriate maintenance, or other ways of reducing the burden from 100%. Mr. Weiss said he sees it differently; Mr. Wald had presented the Historical Commission charge well, but the Select Board has a different charge, and does not consider the Historical Commission's position when looking at overall needs. Mr. Weiss did concede that more money might need to go to the Historical Commission from CPA if historic preservation funds had to absorb the cost of this debt service. Ms. Greeney said she was looking for information from the Historical Commission on its priorities for historic preservation projects and for information on that distribution of CPAC funds. Ms. Brewer disagreed with providing that information to the Select Board and said it is not the Select Board's job to look over what the Historical Commission has set as community historic preservation priorities. She also questioned whether the proposal could move forward this fall. Ms. Greeney indicated that she would seek the information on her own. Mr. Kusner offered a clarification of his earlier remarks, saying that he was not asking that the Historical Commission request only the difference between routine repair and historically-accurate repair, but was using that as a way of illustrating the issue.

Mr. Weiss asked whether the Historical Commission could meet with the Select Board next week for the Select Board vote on an amount. Ms. Greeney said she was trying to resist her own tendency to insist on going forward with a request for 100% of funding. Mr. Kusner returned to the question of maintenance versus historic restoration. Mr. Shaffer commented on project costs, which include scaffolding with its attendant insurance, and labor, which are quite independent of materials used, but said he would try to answer Mr. Kusner's questions. He believed the differential in cost would be minimal. Mr. Weiss asked when the Historical Commission might come back next week. Mr. Tucker said the Commission was scheduled to meet at 7:15 but had a continued Demolition Delay hearing scheduled for 7:30 p.m. Mr. Tucker and Mr. Shaffer will try to arrange a time for the Commission to join the Select Board meeting. Mr. Weiss bade the Commission farewell, and expressed his expectation of seeing the Historical Commission next week.

Historical Commission Meeting
Second Floor Meeting Room
8:15 p.m.

Present: Gai Carpenter, Lynda Faye, Louis Greenbaum, Michael Hanke, Elizabeth Sharpe, James Wald. **Absent:** Lyle Denit, **Staff:** Jonathan Tucker, Director of Planning. **Guests:** Barry Roberts, Peter MacConnell

Mr. Wald opened the meeting at 8:15 p.m. Mr. Tucker commented on the Executive Session possibility on the Commission's agenda. Mr. Wald reviewed the Planning Board joint meeting with the Zoning Subcommittee scheduled for September 19 regarding Spring Street rezoning at 5:00, South East and College Streets at 5:15, and a public hearing at 7:15. Mr. Wald and Mr. Tucker spoke on possible position(s) from the Historical Commission. Mr. Wald noted Paul

Norton's death, and mentioned his role at UMass, as a scholar, and a former member of the Historical Commission. Mr. Wald mentioned that Northampton is to dedicate a plaque in honor of Leonard Baskin and the Gehenna Press under auspices of Historic Northampton and the Massachusetts Center for the Book, and suggested their work as an example for the Amherst Historical Commission.

Mr. Wald opened discussion of the Hills House with a review of the demolition delay hearing about the Chapin-Ward house and a review of issues raised in that discussion. Public interest in that conversation was largely based on the planned destination of the Chapin-Ward house at the Hills estate. Mr. Roberts brought his attorney, Mr. MacConnell, because of his pending request for a flag lot and the currently proposed placement of the Chapin-Ward house on lot 3 of the Hills property. He said that proposal is tied to the issue of whether they might get permission for a flag lot. Mr. Roberts reported on his conversations with DPW Superintendent Guilford Mooring and said he would have chosen the northernmost lot on Gray Street for the Chapin-Ward house, but had to wait until there is positive action on the flag lot.

Mr. Greenbaum raised questions about the lot and planned use of the land; he praised the Chapin-Ward house, but raised concerns about a "subdivision" in the Emily Dickinson Historic District. He also noted that the Hills House needs attention and it is fortunate to have someone like Mr. Roberts interested in repairing it. Mr. Roberts responded that the division of the Hills property was a zoning protection issue—an attempt to ensure the current zoning if the land or area were rezoned. Mr. Roberts offered his thoughts on saving the Chapin-Ward house and Mr. Greenbaum responded with his observations on why the creation of frontage lots on the property was so worrisome to citizens. Mr. Roberts commented on changes in the economy since the property was purchased and said he plans to put the whole property on the market. He indicated that he thought there was a market for high-end condos when he began the Amity Street project, but he is not ready at this point to invest hundreds of thousands of dollars in the Hills house. Mr. Roberts said he thinks that a potential buyer might be found for the house and all the lots. Mr. MacConnell pointed out that the plan just freezes the Hills property against the contingency of possible zoning changes, and cited a recently-filed petition article as an example. He observed that Mr. Roberts has looked at a lot of options and continues to advocate moving the Chapin-Ward house. Current plans would keep 1.7 acres with the Hills house. Mr. Tucker explained the issues with Main Street zoning change requests; the Planning Board has been looking at that area, and someone could try to rezone it for other uses.

Mr. Tucker asked a question about Mr. Roberts' intention to sell the property; would Mr. Roberts be interested in restricting the use of the lots at the corner of Main and Gray Streets to preserve the view from Main Street? Mr. MacConnell said that, at the moment, no options are off the table and noted that the lots are not attractive for resale. Members of the Commission questioned that assertion; Mr. MacConnell and Mr. Roberts responded that is what the appraiser says. Mr. Hanke questioned the placement of the Chapin-Ward house, and how that affects the potential sale of the Hills house. Mr. Greenbaum asked Mr. Roberts and Mr. MacConnell how they could do anything if the Hills house is going on the market and inquired whether they could move the Chapin-Ward house and sell the Hills house at the same time. Mr. Roberts responded yes, and he has contractors lined up and ready to go with the Chapin-Ward move.

Mr. Roberts spoke more about his objectives, and said he has talked with the Amherst Woman's Club, particularly about their concerns with the view. He would still like to push the Chapin-Ward house as far back away from Main Street as possible. Mr. Hanke joked that he thought the house would be perfect for either a contractor or lawyer. Ms. Faye raised the question of possibly placing preservation restrictions on Main and Gray streets and observed that the tax advantages of doing so might make the whole property more attractive to buyer(s). Mr. Tucker returned to Mr. Hanke's question about what happens if Mr. Roberts gets the flag lot and moves the Chapin-Ward house to Lot 2 (northernmost), and how that affects a potential sale. Ms. Sharpe asked about the view of the Chapin-Ward house from the Hills house; Mr. Roberts said that Chapin-

Ward enhances Hills. Mr. Hanke, Mr. Roberts and Ms. Faye commented briefly on the fate of other houses moved from Kendrick Park.

Mr. Tucker noted that the Commission, like Mr. Roberts and Mr. MacConnell, is now waiting for the Zoning Board of Appeals to make its decision. Mr. Roberts said he expects that if he is successful on Thursday, he would like to tell Mr. Mooring that he is planning to move the Chapin-Ward house to lot 2. Mr. Tucker suggested that there should be a presentation on status of the whole project when the public hearing on demolition delay resumes on September 24. Mr. Roberts said he would be willing to come to that meeting. Mr. Wald and Ms. Faye spoke about preservation restrictions and their possible impacts, noting places where they were not considered, and what had happened. The Commission discussed preservation restrictions, what they might mean, and how they could impact the value of the property; Mr. Tucker commented on the tax impact of preservation restrictions. After some additional conversation about issues already addressed, Mr. Roberts and Mr. MacConnell left the meeting at 9:16 p.m.

Mr. Tucker distributing some background information on the proposed Spring Street rezoning, and the Commission reviewed the structures on the street. The Commission noted there has been some conversation about the structures and there are competing arguments about rezoning: if rezoned, the properties will have greater value and be preserved; or if rezoning is allowed, some restrictions should be imposed on Amherst College. Mr. Hanke suggested that Amherst College be asked to move one house to be another Habitat structure. Mr. Tucker reviewed Mr. Brassard's presentation on Amherst College's early conceptual planning for expansion of the Lord Jeffrey Inn, and mentioned the idea of creating a transportation center in the Alumni House parking lot. Mr. Tucker repeated some issues raised by the public about the "domino" theory about how such a rezoning might affect other downtown neighborhoods. Mr. Tucker mentioned that two of the houses on the south side of Spring Street might have a role as adjunct lodging space for the Lord Jeff.

Mr. Greenbaum returned to the subject of the Hills house; and said he was sick to hear of Mr. Roberts's plans to sell the house. Mr. Hanke said he thinks Mr. Roberts would cooperate with a restriction, but not without a price. The Commission engaged in some further discussion of what might happen to, with, or about the Hills lots. Mr. Wald summarized the status of Mr. Roberts' lots, and questioned why a continuance of the ZBA hearing on September 19, as suggested by Mr. Greenbaum, would affect the eventual outcome. Ms. Faye suggested some possible conditions that the ZBA might set on the Gray Street lots. Mr. Greenbaum said the Historical Commission has the right to interpose all sorts of historic objections. Mr. Hanke commented on his perceptions of Mr. Roberts' objectives, and Mr. Greenbaum offered more comments on what he thinks Mr. Roberts is planning. Mr. Tucker suggested that there could be people with various interests who might want to buy different configurations of the Hills property. Mr. Hanke noted the need to work with the politics of the situation and maintain Mr. Roberts' cooperative stance.

Conversation continued on Mr. Roberts and his plans. Mr. Hanke raised the questions of public awareness of the situation and issues and what the Commission might say to the ZBA. Ms. Faye urged that the Historical Commission not make a formal statement to the ZBA. Ms. Sharpe questioned what useful effect imposing a demolition delay on the Chapin-Ward house could do vis-à-vis Mr. Roberts. Ms. Faye offered more information on preservation restrictions and asked why the Commission would want to be confrontational with Mr. Roberts. Mr. Greenbaum suggested going on record as supporting the flag lot, provided that Chapin-Ward house is sited on the north lot. Ms. Faye suggested exploring restrictions and checking on the assessor's valuation of lots. Ms. Sharpe urged exploring historic preservation restrictions on four, not three, lots. Mr. Hanke commented on the value of the lots on Main Street versus those on Gray.

Ms. Faye moved to adjourn; Mr. Hanke seconded her motion, and the Commission adjourned at 10:08 p.m.

Next meeting: September 24.

Respectfully submitted,

Gai Carpenter, Clerk