

**Amherst Historical Commission**  
**October 4, 2007**  
**Town Room**  
**7:15 p.m.**

**Present:** Gai Carpenter, Lyle Denit, Louis Greenbaum, Michael Hanke, Elizabeth Sharpe, James Wald.  
**Absent:** Lynda Faye. **Staff:** Jonathan Tucker, Director of Planning. **Guests:** James Chumbley, Larry Shaffer, Hilda Greenbaum, Sonia Aldrich, Peter Jessop, Gerry Weiss, Janet Chevan, Hwei-Ling Greeney, Robert Kusner

Mr. Wald called the meeting to order at 7:23 p.m. and invited Mr. Shaffer to present his comments on CPA funding for the Town Hall restoration project. Mr. Shaffer noted the "historic preservation" project underway at Town Hall and expressed his desire to help the Historical Commission wrestle with the issue of funding the repointing of Town Hall masonry. He noted that he had a packet of material to distribute. Mr. Shaffer said that "by definition" this is an historic preservation project; he was on the Connecticut State Historical Commission and reviewed projects in that state. In that work he looked at many projects including Town Hall projects and he reiterated that the Amherst Town Hall project is "by definition" historic preservation. Mr. Shaffer suggested that the Historical Commission could go through CPA documents and review the historic restoration criteria for the project. Included in the information packet Mr. Shaffer also noted a letter from the architect who was unable to attend the meeting, but who says that at least 50% of the project cost is attributable to historic preservation. Mr. Shaffer pointed out that he spent a lot of time working with John Musante and Sonia Aldrich on CPA funding and available CPAC funds. Mr. Shaffer also said there are significant unencumbered funds available in the CPAC coffers. Mr. Shaffer proposed that \$100,000 of the \$200,00 unencumbered FY08 balance be allocated to two parts of the project that have not yet been started—repairs to the clock and south stairs. He also recommended that an additional \$41,000 year for 10 years be used for debt service on \$457,000 of borrowing for restoration.

Mr. Shaffer distributed materials to the Historical Commission, and observed that actual borrowing will not occur for some time as the Town waits to bundle several projects before borrowing. He reviewed a worksheet headed "Financial Status for CPAC Funds." He also provided a letter from Joel Bard regarding the legalities of CPA funding and reviewing potential issues raised by the procedures used to bring this proposal forward. Mr. Bard's letter was quoted on the subject of CPAC recommendations and on the subject of possible issues that could be raised by the Town's bond counsel. Mr. Greenbaum raised a question about expenditures and payments to date versus funding borrowing. Mr. Shaffer provided assurances that "we're rock solid" so long as the funds are being used for a project not yet started like the clock and stairs or to finance debt. Mr. Shaffer returned to the letter from the architect on special issues raised by this project; he asserts virtually every aspect of the project is dictated by its being preservation. Ms. Sharpe asked about the stairs; Mr. Shaffer responded that the foundation under the back stairs needs to be taken down and redone. Ms. Sharpe asked when the stairs were rebuilt. Mr. Shaffer said he didn't know. Mr. Tucker volunteered that some work was done to reset the stairs in the 1996-97 renovation. Mr. Denit raised a question about maintenance versus historic preservation; does any work on an old civic building become historic preservation? Mr. Shaffer described his experience in building appraisal and the costs and value of rehabilitation versus restoration; he cited the ROI example of vinyl siding meeting a utilitarian need while restoration pays respect to a structure's aesthetic.

Mr. Wald commented on documents forwarded by email to members of the Commission by Mr. Weiss; noting particularly that CPA funds can now be used for capital projects, and that the CPA legislation has been broadened since its inception. Mr. Denit said he understands the difference Mr. Shaffer describes, but notes that as CPAC evolves, he is concerned with precedent, and the possibility that CPA could be seen as perpetual source of repair funding. Mr. Shaffer asserted that maintenance is typically funded in the Town's operating budget but this project wouldn't be put into an operating budget because the scale of the project and amortization life of restoration make it clear this is a capital project.

Mr. Hanke commented that Town Hall is the "cornerstone" building of Amherst, but said that he was appalled that Town Hall has been allowed to deteriorate as illustrated in images distributed by Mr. Shaffer. He asserted that this project is preservation because of lack of maintenance, and asked why the

exterior was not dealt with when interior was done. Mr. Shaffer said it would be easy to agree with Mr. Hanke, but the DPW can't be called upon to do this sort of maintenance. Mr. Shaffer repeated his assertions from the Commission's earlier meeting with the Select Board on scaffolding, insurance, and labor cost components of the project, and further observed that recurring maintenance on an annual basis was just not possible. Mr. Hanke suggested that perhaps the Town should get someone in regularly to check on a building like this. Mr. Greenbaum commented on the historic importance of Town Hall, but also noted the Amherst Preservation Plan, and expressed concern about how the Historical Commission could aid the Town's present needs and still maintain its long-range plan. Mr. Greenbaum said he wanted to be sure that he understood the numbers and asked if \$41,000 a year were the real number. Mr. Shaffer replied that's about it. Mr. Weiss said he thought the \$41,000 couldn't be right and the amount could be closer to \$57,000. Mr. Tucker sought to clarify the numbers with Ms. Aldrich by looking at the amounts already paid and the remaining unfunded balance. After subtracting the amounts already paid, the cited amount of \$295,000 to be borrowed yields the \$41,000 per year.

Ms. Greeney joined the meeting, followed shortly by Mr. Kusner; their appearance led to a contretemps with Mr. Weiss who suggested he would leave if neither of them did. Ms. Greeney and Mr. Kusner stepped into the hall, engaged in a brief conversation, and Ms. Greeney returned to the meeting. Mr. Kusner remained at the open door of the meeting room, and Mr., Weiss again threatened to leave if Mr. Kusner remained within hearing range of the meeting. Ms. Chevan stepped out to speak with Mr. Kusner, who remained outside the meeting with the door closed, listening attentively to a cell phone call.

Mr. Weiss, recognized to speak, mentioned the issue of Town Hall repairs as having come to the JCPC for the last couple of years. He noted that CPA funding has to go into several categories, and the requested funds would represent only about 7% of the total CPA projected revenues. Ms. Carpenter offered a comment/question to Mr. Weiss and Mr. Jessop about ongoing projects and obligations of CPA funding. Mr. Wald commented on this suggestion about partitioning CPA funds, made previously by Ms. Faye and Ms. Carpenter. Mr. Weiss suggested that the funding recommendation go to Town Meeting high, and allowing them reduce it. Mr. Jessop commented on CPAC policy on funding, noting that there are no caps or limits on funding by areas, and that CPAC has tried to juggle and balance all demands. Ms. Sharpe raised a question about the unencumbered balance of funds in CPA for FY08. Mr. Shaffer indicated that Ms. Aldrich could speak to the budget, and she provided a brief review of some of the figures. Mr. Tucker briefly reiterated Mr. Greenbaum's question about the impact of this funding proposal on out years of the Historical Commission plans, and some possible solutions.

Mr. Wald invited public comment; Ms. Chevan encouraged the Historical Commission to recommend the maximum amount possible. She said she would like to see Town Hall maintained and improved, and asserted that the increased CPA levy will provide additional project funding. Mr. Chumbley argued that maintenance should be a higher priority than in the past, and referred to the written statement he had provided. Mr. Wald observed that their points were well-taken and noted Mr. Hanke's earlier remarks about periodic checking. He also corrected a misstatement by noting that the Historical Commission has not acquired any properties. Mr. Greenbaum commented that he gets all sorts of email from Town Meeting members, overwhelmingly supporting efforts to restore Town Hall. He mentioned an article reporting on the prior Select Board meeting vote on its request to the Historical Commission for CPA support. He said that the writer suggested the Select Board should listen to commissions but that ultimately the Select Board should act as the representative elected body it is. Mr. Greenbaum said it is incumbent on the Historical Commission to meet the challenge, and noted that he was also looking forward to his first meeting as a member of CPAC. Mr. Greenbaum asked Mr. Jessop if something could be done to be sure that historic preservation would be kept whole, and added an observation on the importance of the Historical Commission's "doing the right thing." Mr. Wald offered a correction to Mr. Greenbaum's constituent's letter clarifying that the Select Board can advocate but cannot allocate funding from CPA; CPAC and the Select Board have to go to and through Town Meeting. Mr. Wald remarked that while the CPA law sets some parameters, there are many things that the Historical Commission could ask to fund.

Mr. Chumbley said he wrote his letter after watching the Select Board meeting at which Mr. Wald "dismissed" Town Hall as not an emergency, and said he finds it annoying when nothing is done in town.

Mr. Wald replied that we didn't dismiss the case out of hand but were defending the Historical Commission's interests and views and contrasted the Town Hall situation with that of the Strong House, where the imminent collapse of the chimney created a real emergency. Mr. Tucker commented on the relationship between CPAC and the Historical Commission, Conservation Commission and Housing Partnership/Fair Housing Committee. If proposals come from other places, CPAC refers them back to those bodies, but CPAC is the gatekeeper, not the Historical Commission. Mr. Greenbaum attempted a clarification, saying he thinks the Historical Commission thinks it's an either/or proposition if we support Town Hall or long-term plans. Mr. Greenbaum asserted that the Historical Commission did a great thing on Kimball House and thinks that public opinion now presses the Commission to "intervene on behalf of the entire community."

Mr. Greenbaum offered a motion for the Historical Commission to endorse the expenditure of \$41K / year. Ms. Greenbaum observed that that was the wrong figure. Mr. Tucker reviewed the phasing of \$100,000 now and \$295,000 in long-term borrowing. Mr. Jessop suggested the motion might include a "not to exceed" number. Mr. Shaffer attempted to offer an appropriate wording of the motion: "The Historical Commission recommends to CPAC that \$100,000 of the unencumbered FY08 CPA balance be applied to south stair and clock tower restoration; further, the Historical Commission recommends to CPAC that \$295,000 be funded over a ten-year period for restoration of Town Hall." Ms. Greenbaum questioned whether there should be any contingency; Mr. Shaffer responded no, if there were additional needs, either for work changes or other unknowns they would be passed back to Town Meeting. Ms. Sharpe seconded the motion as restated.

Mr. Hanke expressed the recurring concern that if this motion were passed it might impact the rest of the Preservation Plan. Mr. Shaffer averred that long-term relationships are important, and that he will advocate projects on behalf of the Historical Commission. Mr. Denit inquired about the structural restoration status of buildings like the East Street or South Amherst schools wondered when the Historical Commission might expect to become the body of automatic funding for old buildings that have been neglected long enough to need major repairs. Mr. Denit reiterated the nagging question of why the Town didn't address the repair of Town Hall long ago, and reminded the meeting that the Historical Commission had developed policies on priorities for use of its appropriations. He made it clear that he was reluctant to go forward without any sense of where it might end; future Historical Commissions might be obligated by what the Commission might do now. Mr. Tucker observed that the possibility of set-asides within CPA, as suggested by Ms. Faye and Ms. Carpenter, might help to address Mr. Denit's concern and asked if there might be a possible amendment to the motion or a second motion to advocate that idea. Mr. Shaffer said he would be happy to advocate that position with CPAC. Mr. Chumbley inquired what other buildings need attention. Mr. Wald reflected on the learning experience of this situation and mused on how it helps the Historical Commission work with Town Meeting and others. Mr. Jessop commented that timing makes it impossible to make any commitment to alternative budgeting models right away; the CPAC meeting on Tuesday needs to move quickly on the creation of a warrant article.

Mr. Hanke said he sees another juggernaut coming on Main Street, and potentially another competing interest. He echoed Mr. Denit's comments, and Mr. Wald observed that the DPW director had asked why the Historical Commission could not buy that property. Mr. Wald cited an earlier comment, made several meetings ago, on the "blackmail" potential for encouraging land purchase to avoid development. Mr. Greenbaum expressed his respect for his colleagues' views on future projects, but said he was not concerned about that, and suggested that the Historical Commission might not be able to do some things that it otherwise would have if it voted to support the Town Hall project. Ms. Sharpe commented that the historic preservation part of CPA funds could become so encumbered that there wouldn't be any flexibility in the future, and expressed the hope that there would be funding for both sorts of things. Mr. Wald noted the need for a review of the Preservation Plan. Mr. Denit reflected on the expected sharing of the burden for the Kimball House and the fact that only the Historical Commission had ultimately requested funds as part of its budget. Mr. Chumbley and Mr. Tucker exchanged observations on that process.

Mr. Denit probed the issues of timing and dollars and asked about the schedule for CPAC discussion. Mr. Jessop responded that there was the potential for future discussions but the immediate timing has to

do with preparing a warrant article for fall Town Meeting. Mr. Shaffer echoed Mr. Jessop's statement on timing and urgency. Mr. Wald and Ms. Sharpe suggested it was time to call the question; Mr. Wald stated his assumption that the vote had been called. The Historical Commission voted four in favor, one opposed, one abstention.

Mr. Tucker noted that the DPW has removed small graffiti from the West Cemetery mural and requested authorization to contact the mural artist to come to fix one more serious instance of damage. Mr. Tucker also reported on the LED lighting plan for the mural and said he hopes to get pricing information for the Commission's next meeting. Mr. Tucker mentioned agenda items for the October 22 meeting and said he would like the Historical Commission to look at the draft study of the East Common.

In other business, the Commission undertook approval of minutes for three previous meetings. September 6: Mr. Denit moved approval, Mr. Hanke seconded the motion; the minutes were approved unanimously; September 17: Mr. Denit moved approval, Mr. Greenbaum seconded the motion, the minutes were approved unanimously; September 24: Mr. Denit moved approval, Mr. Hanke seconded the motion, the minutes were approved unanimously.

Mr. Tucker recommended a review of Town Meeting warrant articles at the Commission's scheduled meeting of October 22. He provided some information on the houses on Spring Street and their dates of construction; some may have been relocated to Spring Street, and the earliest actually built there seems to have been the Lessey House (1870). Mr. Wald asked about public questions on zoning and construction on Spring Street. Mr. Shaffer commented on the commercial and preservation aspects of Spring Street rezoning and noted there was general support for preservation of the character of that block. Mr. Hanke remarked on the effects of the Amherst Cinema development on adjacent businesses. Mr. Tucker also noted the ZBA approval of the Town Meeting article on the South East / College Street intersection, recommending village center business and VC residence zones.

Mr. Wald shared news and comments on Preserve UMass and the listing of UMass buildings on the Ten Most Endangered Places list and expressed the shared concern that a UMass person is looking at their own buildings to evaluate their historic significance.

Mr. Greenbaum asked what he should say to CPAC on Tuesday. Mr. Tucker said he would take the Historical Commission's motion forward. Mr. Tucker complimented Mr. Greenbaum on representing the continuum of concerns of the Historical Commission. Mr. Greenbaum said he thinks that the Commission's taking a position in support of the Town Hall project will stand the Historical Commission in good stead.

Mr. Greenbaum moved adjournment; Mr. Hanke seconded the motion, and the Commission adjourned at 9:40 p.m.

Next meeting: October 22

Respectfully submitted,

Gai Carpenter, Clerk