

**COMMUNITY PRESERVATION ACT COMMITTEE (CPAC)
REPORT TO ANNUAL TOWN MEETING 2008**

The Community Preservation Committee is pleased to present this report to Town Meeting. We have outlined below the expenditures that we are recommending this year. We reviewed proposals submitted by the various Boards and Committees related to community housing, historical preservation, open space preservation and recreation. We were unable to recommend all of the requests that we had in the various areas, even with the additional funds which we received as the result of voters approving an additional ½% on the surcharge in November 2006, but feel confident that the recommended projects will continue to meet the objectives of the Community Preservations Act here in the Town of Amherst. Many of these projects are items that might never be accomplished with regular operating funds in the Town budget, so we all owe a debt of gratitude to the taxpayers for the importance that they have placed on community housing, open space, and preservation of historical resources.

We are recommending a total of \$694,972 in expenditures of CPA funds.

Rationale

In allocating the Community Preservation Act 1.5% surcharge and matching state funds the Community Preservation Act Committee (CPAC) committed to:

- a) Advancing projects currently underway
- b) Projects broadly supported across committees and Town departments, or
- c) Meeting ongoing legal obligations

Under the Community Preservation Act cities and towns are required to spend 10% of collected funds on each of the three following categories:

- Affordable Housing creation and support
- Historic Building and Landscape acquisition and preservation
- Open Space acquisition and preservation

The remaining 70% may be directed toward any of the above three categories or for land used as Recreation Space.

For FY2009 CPAC recommends an appropriation of \$694,972.
 The breakdown across categories in percentage terms is as follows:

| <i>Category</i> | <i>Article #</i> | <i>\$ request</i> | <i>% total appropriation¹</i> |
|-------------------------|--------------------------|-------------------|--|
| Affordable Housing | 19 | 180,000 | 26.0 |
| Historical Preservation | 20, 22 & 12 ² | 298,650 | 43.1 |
| Open Space | 21 | 152,500 | 21.7 |
| Recreation | 21 & 12 ² | 62,322 | 9.0 |
| Administration | 23 | 1,500 | 0.2 |
| Total | | 694,972 | 100 |

¹components are rounded

² Article 12 refers to debt service as part of FY09 operating budget

PROJECT DETAILS

ARTICLE 12: DEBT SERVICE

Article 12 is the Operating Budget and Debt Service is one of the functional areas that are separately voted. These two debt obligations are part of that debt service and Town Meeting votes this portion of the CPAC allocations within that functional area. The CPAC portions will show up as a financing source for a total of \$86,572.

Plum Brook Athletic Field -- year 4 of 10, \$42,322

Town Hall Masonry – This \$44,250 payment represents the first year of ten years of debt service associated with repairs to the exterior masonry of Amherst’s 1889 Town Hall, including repairs to the bell tower and south stairs. This payment is obligated under a previous vote of Town Meeting to authorize issuance of a bond to pay for the project.

ARTICLE 18: AFFORDABLE HOUSING

Mortgage Subsidy Buy Downs Amendment to Article 24 of the 2007 ATM

This article will amend the action taken under Article 24 of the 2007 Annual Town Meeting, which essentially authorized the appropriation of \$150,000 from the Community Preservation Fund Balance to provide three deferred payment loans to low- and moderate-income households to purchase homes in Amherst. Instead this article authorizes the use of funds to purchase price buy-down assistance to three first time homebuyers and to acquire affordable housing restrictions that will remain in perpetuity on these homes. This change is being requested because the Town has learned that the statute governing the use of CPA funds requires the creation of community housing. The only way that the Town can create community housing is by ensuring that the selling price of these houses be such that they are, in the future, affordable to low- and moderate-income households. The article as passed in 2007 does not require an affordable housing restriction and is therefore not in compliance with the statute. Article 18 therefore changes the terms of the program and adds this requirement.

ARTICLE 19: AFFORDABLE HOUSING

Comprehensive Permit Application-The Housing Partnership/Fair Housing Committee is recommending funding to complete all necessary engineering, site-plan and architectural work in order to request a comprehensive permit for affordable housing on Olympia Drive.

In 1987, Town Meeting authorized the eminent domain taking of about 27 acres of land on the east end of Olympia Drive, of which about 13 acres were designated for affordable housing. Though the Town has an easement over the road upon which the property has frontage, the road itself is owned by the University of Massachusetts which significantly complicates development of the property under existing zoning requirements. The only way this property can be developed is by using Chapter 40B, the comprehensive permitting law. This state law allows development to proceed with suspension of the Town's Zoning Bylaw, though it still requires ZBA approval.

There is a critical shortage of affordable housing in Amherst, both rental and homeownership opportunities for low-and moderate-income households. Amherst has owned this land since 1987 and the development of this land for affordable housing is long overdue. The envisioned housing development will be a mixed-income development with a minimum of 25% of the units available to households with incomes below 80% of the HUD defined median income.

The cost to prepare an application for a Comprehensive Permit is estimated to be about \$150,000.

Habitat for Humanity has requested an additional \$70,000 to fund the balance of the infrastructure and construction materials for Housing at Stanley Street on land donated by Amherst College. Habitat for Humanity originally requested \$60,000 for this development but only received half of that amount as part of the Town's FY 08 CPA appropriations. The Housing Partnership/Fair Housing Committee is therefore recommending that Habitat for Humanity receive an additional \$30,000 to honor their original request. If approved, the Town will then have contributed 60% of the cost of one home.

ARTICLE 20: HISTORICAL PRESERVATION

Main Street Hills Mansion Lots purchase – This request, in combination with an Urban Self-Help grant application, seeks funding to pay for purchase of two lots on the Main Street frontage of the original Henry Hills Mansion property—a contributing property in the Dickinson National Historic District, and one of the most important historic landscapes in Amherst. The preliminary asking price for the lots (\$200,000 each) has been preliminarily confirmed by the Town Assessor as a reasonable fair market value, given their location. A formal appraisal will be conducted prior to Town Meeting.

Purchase of these lots would be paid for through a Town Meeting appropriation of \$200,000 in FY09 CPA funds, and an authorization for \$200,000 in borrowing. ***The most this project will cost is \$200,000 in CPA funds.***

The Town will apply for an Urban Self-Help grant in support of this project. If the Urban Self-Help grant is successful, then only \$120,000 of the CPA appropriation will actually be used and \$200,000 will be borrowed to complete the purchase of the two lots. Following purchase of the lots, the state would fully reimburse \$280,000 (70% of the purchase price) of project costs, \$80,000 of which will be returned to the CPA fund for future appropriations.

If the USH grant is not obtained, there will be no borrowing and the \$200,000 in appropriated CPA funds will be used to purchase Lot #1, the lot directly south of the mansion lot and more historically critical of the two under consideration.

Acquisition of these lots will serve the following purposes:

- *Preservation of a Critical Historic Landscape and View* – Town ownership of these lots will preserve the last unprotected, privately-owned section of a critically-important historic landscape constituting the core of the Dickinson National Historic Register District. This landscape extends along the north side of Main Street from Sweetser Park on the west to the Leonard and Henry Hills mansion grounds on the east. The current owners are clearing their portion of the overgrown hedge line between the two properties to restore and enhance this view. Permanent protection of this view of the Henry Hills mansion will be obtained under historic preservation agreements being negotiated for the mansion lot (#6) and one other adjacent lot (#3).

- *Future Historic Landscape Park* – The Historical Commission is proposing the acquisition and preservation of these lots as an open historic landscape park to: 1) preserve the eastern entrance into the Dickinson District, 2) provide a potential historic interpretive site along the street edge, and 3) preserve green space that will complement and balance the commercial development south across Main Street.

The Woman’s Club Carriage House – Built around 1864, this historic outbuilding is a contributing original structure in the Dickinson National Historic Register District. The \$8,800 requested by The Woman’s Club is for scraping, power-washing, and repainting (\$8,000) and removal of adjacent trees (\$800) to protect the carriage house walls from excessive moisture. The Woman’s Club is a private organization bound by the terms of its ownership of the property to preserve the buildings and landscape. The Club has agreed to the conveyance of an historic preservation restriction to the Town in exchange for this CPA funding support. The content of the restriction would be resolved prior to Town Meeting.

Archival Documents Preservation – This \$20,000 is part of a multi-year program that is conserving and restoring important historic Amherst documents kept by the Town Clerk’s office and the Special Collections division of the Jones Library. Funds appropriated for this purpose to date will have been expended by the end of FY08 (June 30, 2008).

The following project represents a multi-year investment in the community’s critical historic resources:

575 North East Street (Kimball farmhouse) – The \$25,600 requested represents the second year of five years of payments to the Mass. Department of Agricultural Resources (DAR) in compensation for the release of APR property as part of a larger land swap that preserved the pre-1815 Federal brick farmhouse and its immediate surroundings. This payment is obligated under a binding agreement with the state previously authorized by Town Meeting

ARTICLE 21: OPEN SPACE

Appraisals & Surveys - Funding for required appraisals and surveys (\$20,000) can often mean the difference between a land preservation project moving forward or not. Currently, the Conservation Department budget does not include funds for appraisals or any of the other due diligence costs. This funding is critical to get projects started and establish value.

Lawrence Swamp Complex - Amherst has worked for more than thirty years to protect over 600 acres of land in and around Lawrence Swamp in an effort to safeguard one of our critical drinking water sources. In the process, an extensive complex of public and private lands has been conserved in a mosaic of parcels that provide contiguous wildlife habitat and a working landscape for sustainable

farming. The Tietjen land is one of the largest unprotected parcels remaining in this complex. Funding request is \$80,000.

Tietjen
Acreage: 38.46
Conservation Method: APR with possible fee acquisition of forested land
Resource Values: Prime soils, APR/Conservation block, watershed protection, wetlands, wildlife habitat, stream corridor, existing trails and viewshed
Willing Seller: Yes
Priority Level: High
Identified on OSRP: Yes
Threat: Moderate
Exclusions: 1-2 on frontage
Funding Sources: CPA, APR Program and local land trusts

Nielsen Appraisal – Match for privately raised funds to be used to appraise the Nielsen property. At this time we do not have a willing seller (\$2,500).

Recreation - Appraisals, surveys, wetlands delineations and associated studies to support the purchase of land for recreation in Amherst (\$20,000).

ARTICLE 22: OPEN SPACE

Kimball House Compensation Agreement – To correct an earlier appropriation of funds to fulfill the compensation agreement with the Commonwealth of Massachusetts for the preservation of the pre-1815 Kimball House at 575 North East Street (\$50,000).

ARTICLE 23 ADMINISTRATION - This is for administration costs such as fees for membership fees in the statewide Community Preservation Coalition (\$1,500).

Respectfully submitted

| | | |
|---------------------------|-------------------------|----------|
| Peter Jessop (Chair) | Housing Authority | 549-1440 |
| Mary Streeter (Clerk) | at Large | 253-2441 |
| Ellen Kosmer | at Large | 253-7690 |
| Stanley Ziomek | LSSE | 549-1717 |
| Denise Barberet | Planning Board | 253-9675 |
| Louis Greenbaum | Historical Commission | 549-6478 |
| Vincent O'Connor(V Chair) | at Large | 549 0810 |
| Liv Baker | Conservation Commission | 256-5497 |
| Vladimir Morales | at Large | 256-1344 |

CPA FY2009 Recommended by Category for TM Report

**TOWN OF AMHERST, MASSACHUSETTS
COMMUNITY PRESERVATION ACT COMMITTEE**

15-Apr-2008

FY 09 FUNDING RECOMMENDATIONS - BY CATEGORY

| | | | Community Housing | Historic Preservation | Open Space | Recreation | Admin | TOTAL |
|---------------------------------|--|--|----------------------|--------------------------|----------------|---------------|--------------|----------------|
| moved/second | | Project | | | | | | |
| Baker/Jessop | 5/0 | Administrative appropriation | | | | | 1,500 | |
| Baker/Jessop | 5/0 | Olympia Drive | 150,000 | | | | | |
| Baker/Greenbaum | 4/0 recuesd Jessop | Habitat for Humanity | 30,000 | | | | | |
| Baker/Greenbaum | 4/0 1 obstention O'Connor | Women's club carriage house | | 8,800 | | | | |
| O'Connor/Greenbaum | 5/0 | Archives Conservation/ Restoration | | 20,000 | | | | |
| | | 3/2 Baker & O'Connor (? Came up that Greenbaum should recues himself as an abutter to the property) will be moved again on 4/15/08 meeting | | | | | | |
| Jessup/Greenbaum | | Main street Hills mansion Lot #1 & 2 | | 200,000 | | | | |
| Baker/Greenbaum | 5/0 | 575 North East street(Kimball Farm) contribution (year 2 of 5) | | 25,600 | | | | |
| Baker/Greenbaum | 4/0 1 abstention O'Connor | Town Hall - Debt service (year 1 of 10) | | 44,250 | | | | |
| Baker/Jessop | 2/1 O'Connor 2 abstention Baker & Barberet | Plum Brook Athletic Fields - Debt Service | | | | 42,322 | | |
| Baker/O'Connor | 5/0 | Surveys and appraisals | | | 20,000 | | | |
| Baker/O'Connor | 5/0 | Lawrence Swamp Complex (Tietjen) | | | 80,000 | | | |
| | | Nielson Appraisal | | | 2,500 | | | |
| Baker/Greenbaum | 5/0 | Kimball House compensation agreement with state | | | 50,000 | | | |
| Baker/O'Connor | 4/1 Greenbaum | Surveys and appraisals - recreation | | | | 20,000 | | |
| Total Appropriated FY 09 | | | 180,000 | 298,650 | 152,500 | 62,322 | 1,500 | 694,972 |
| % of Total By Category | | | 25.9% | 43.0% | 21.9% | 9.0% | 0.2% | 100.0% |

CPA Votes Spring 2008

3/25/08 Present: Baker, Barberet, Greenbaum, Jessop, O'Connor
Absent: Broderick, Morales, Streeter, Ziomek

4/15/08 Present: Baker, Barberet, Greenbaum, Jessop, Kosmer, O'Connor (left at 7:55), Streeter, Ziomek
Absent: Morales

| Date | Moved | Seconded | Vote | For | Amount |
|---------|----------|-----------|---|---|-----------|
| 3/25/08 | Baker | Greenbaum | 4-0-1 abstained - O'Connor | Article 12. Town Hall Debt Service (year 1 of 10) | \$44,250 |
| 3/25/08 | Baker | Jessop | 2-1-2 O'Connor; abstained - Baker & Barberet | Article 12. Plum Brook Debt Service (year __ of 10) | \$42,322 |
| 4/15/08 | Baker | Ziomek | 7-1 O'Connor | Article 12. Plum Brook Debt Service (year __ of 10) | \$42,322 |
| 4/15/08 | Baker | Ziomek | 7-0 | Article 18. CPA - Affordable Housing Purchase price buydown assistance | \$150,000 |
| 3/25/08 | Baker | Jessop | 5-0 | Article 19A. CPA - Affordable Housing Olympia Drive pre-development funds | \$150,000 |
| 3/25/08 | Baker | Greenbaum | 4-0 recused Jessop | Article 19B. CPA - Affordable Housing Habitat for Humanity | \$30,000 |
| 3/25/08 | Baker | Greenbaum | 4-0-1 abstained - O'Connor | Article 20A. CPA - Historical Preservation Women's Club Carriage House | \$8,800 |
| 3/25/08 | O'Connor | Greenbaum | 5-0 | Archival Documents Conservation/Restoration | \$20,000 |
| 3/25/08 | Baker | Greenbaum | 5-0 | 575 North East Street (Kimball House year 2 of 5) | \$25,000 |
| 3/25/08 | Jessop | Greenbaum | 3-2 Baker, O'Connor; ? should Greenbaum recuse as abutter | Article 20B. CPA - Historical Preservation Purchase Main Street lots | \$200,000 |
| 4/15/08 | Ziomek | Baker | 4-2-1 Barberet, Streeter; recused - Greenbaum; absent - O'Connor | Article 20B. CPA - Historical Preservation Purchase Main Street lots | \$200,000 |
| 3/25/08 | Baker | O'Connor | 5-0 | Article 21. CPA - Open Space A Appraisals and surveys APRs Open Space | \$20,000 |
| 3/25/08 | Baker | O'Connor | 4-1 Greenbaum | B. Appraisals and surveys recreation | \$20,000 |
| 3/25/08 | Baker | O'Connor | 5-0 | C. South Amherst APR Tietjen | \$100,000 |
| 4/15/08 | O'Connor | Ziomek | 8-0 | C. South Amherst APR Tietjen | \$80,000 |
| 3/25/08 | Baker | O'Connor | 3-2 Jessop, Greenbaum | D. appraisal of parcels 17D-24 and 17D-21 | \$2,500 |
| 4/15/08 | Jessop | Ziomek | To dismiss -failed 4-4 Greenbaum, Kosmer, Jessop, Ziomek | D. appraisal of parcels 17D-24 and 17D-21 | \$2,500 |
| 3/25/08 | O'Connor | Baker | 3-2 Jessop, Greenbaum | E. purchase of parcels 17D-24 and 17D-21 | \$35,000 |
| 3/25/08 | Baker | Greenbaum | 5-0 | Article 22. CPA - Kimball House Compensation agreement | \$50,000 |
| 3/25/08 | Baker | Jessop | 5-0 | Article 23A. CPA - Administrative Expenses | \$1,500 |
| 3/25/08 | O'Connor | | Motion to dismiss - No vote | Article 23B. CPA - Reserve Fund | \$150,000 |
| 4/15/08 | Streeter | Baker | 4-1-2 Greenbaum; abstained - Barberet, Ziomek | Article 24. CPA - Ballot Question to 3% | - |

