

CPC Meeting Minutes
Monday, October 7, 2019
Library Conference Room

ATTENDEES: Suzanne Brennen, Ann Burbine, Skyler Chick, Tammy Durante, Dan Fennelly, Penny Scott Pipes, Doug Smith

Additional Attendees: Michael Cucchiara, Cynde Robbins, Attorney Rich Henderson, Lisa Huffman, Janet Cornacchio, Reverend Donna Cunio

The meeting was called to order at 7 pm

The agenda was accepted as amended by unanimous vote

Acceptance of prior meeting minutes: A MOTION was made by Mr. Fennelly to accept the September 9, 2019 minutes as written; seconded by Ms. Burbine; all in favor (7)

Mr. Fennelly reviewed the following fund balances:

- After the November 5th Special Town Meeting, Historic will have a remaining balance of \$905,000.97 (*this assumes the two projects totaling \$90,000 are voted favorably*)
- Open Space has a balance of \$287,000
- Community Housing has a balance of \$299,000
- Undesignated funds have a balance of \$1,230,000
- Total Balance: \$2,724,944

The State match was \$232,000 which is higher this year. Mr. Fennelly noted a shortfall of \$30,000 in two of the categories but already have put aside \$25,000. Open project funds total \$13.5M.

UPDATE ON OPEN PROJECTS:

1. 2017 - Lawson Green (1,900,000) – Michael Cucchiara

Mr. Cucchiara from the Grantham Group said that they are in the closing process. They have a meeting with State legal counsel on Wednesday and are hoping to do the financial closing on 11/22. He said that the first week of December is the targeted construction start date. There will be a community groundbreaking in conjunction with that date. Completion is targeted for November 2020, depending on weather.

Next summer they will work with the Housing Authority to facilitate the lottery process. Scituate has local preference for the housing units. There was additional discussion about the lottery process and the management of the project funds.

Mr. Smith asked about the construction costs; Mr. Cucchiara confirmed that construction costs have gone from \$240 to \$274 per square foot. They have a general contractor who has confirmed that they will deliver the project on budget.

2. 2016 - Maxwell Trust 26.7A Land Purchase (\$389,192) – Cynde Robbins, Attorney Henderson

Ms. Robbins said that they have made some progress on the title search and referenced a letter from Attorney Richardson that was sent by email to Ms. Sprague (*NOTE: it was not received in time for the meeting; it is included here for reference – read below*). Mr. Henderson said that they have a 357 page title for the Bates properties; they owned a lot of property in Scituate and Cohasset. They are working with

title examiners and the Connecticut Title and Trust Company and have identified the parcel. The final title work should take another eight weeks to complete. *NOTE: The full report by Mr. Henderson is available in a separate attachment on the CPC Town website in the minutes archive.*

Mr. Fennelly told the applicants that they should plan to come back in February with an update, unless something happens before then.

3. 2011 - Community Park & Playground (\$4,700) – Penny Scott Pipes

Ms. Scott Pipes said she thought they rescinded the money. The money for the sign came out of the administrative funds. Mr. Fennelly will check with Nancy Holt to clarify.

4. 2014 - Preservation of Bailey-Ellis (\$6,349.91) – Janet Cornacchio

Ms. Cornacchio gave the Board an updated report. She noted that they plan to spend the money remaining. The roof had to go to bid so ended up costing more. They needed to do the drainage project in phases to keep the project totals under \$5,000 or \$10,000. This phase will address the drainage basin along the driveway to keep the water out of the basement. If there is any money left over they will purchase dehumidifiers for the basement.

5. 2018 - WWI Plaque Restoration (\$5,000) – Dave Ball

Dave Ball sent the following update via email: “Skylight Studios has looked at the plaques located at Lawson Common. The plan is to restore the plaques in place rather than removing them for the work. Skylight Studios is a company that does excellent work and is very busy. We hope to have the work done in the next few months.”

6. 2015 - Lighthouse Lantern Room Evaluation (\$14,177.50) – Steve Litchfield 2016 - Restoration Lighthouse Lantern Room (\$160,000) – Steve Litchfield

Dave Ball sent the following update via email: “The Scituate Lighthouse Lantern Room project is finally underway. Anne Gilbert, a structural engineer with Rivermoor Engineering, has started to evaluate the best way to restore the Lantern Room. The present Lantern Room was constructed in 1930 and consists of a steel and wood frame. The steel that secures the Lantern Room to the tower has deteriorated. Ms. Gilbert is evaluating the best way to correct the problem. Once that is determined the restoration will be done.”

7. 2016 - Evaluation of Lawson Tower as Museum (\$10,000) – Steve Litchfield

Stephen Litchfield sent the following update via email: “[This is] to respond to the CPC with the status of the Lawson Tower Evaluation. We had a preliminary evaluation of the space done at no cost and realized there are significant issues regarding public access to the water tank space. Therefore, we have decided not to pursue the museum idea at this time. Since no money was spent, the entire \$10,000 allocated to the project can be returned to the CPC account.

8. 2017 - Creation of Dog Park (\$48,700) – Lisa Huffman

Lisa Huffman said that the park is open and they are getting great feedback. The parking lot is always full. The small dog park will be done as phase 2 and the town has asked that they have \$100,000 in the bank before construction. There was a discussion on various fundraising options and donor levels. Ms. Huffman is confident they can reach that goal. Ms. Huffman said that the CPC sign will be done next.

Mr. Fennelly asked about remaining invoices; Ms. Huffman said that Sean McCarthy, town engineer, has been managing that process.

9. 2018 - Historical Survey & Planning (\$10,000) – Doug Smith

Mr. Smith said that they trying to use those funds to get a matching grant from the State. They are resubmitting the request. If they don't get the funding, he will probably rescind it.

10. 2015 - Tercentenary Markers (\$8,819.01) – Doug Smith

Mr. Smith said that two signs are done and need to be put back up. Arthur Beale, project manager, was not available to attend.

Review/Discussion New FY21 Applications:

- 1. Historic: Union Mission Chapel (\$15,000) – Reverend Donna Cunio** – *Application to replace a heating system that was installed in 1958 to prevent deterioration of a historic building.*

Rev. Cunio said she last applied to CPC in 2012 for custom storm windows. She discussed the history of the chapel, built in 1885, and some of the financial and budget issues. The building is in disrepair due to the failing heating system; there will be further deterioration if nothing is done. Rev. Cunio showed photos to the Board highlighting the damage from the old heater (*see application for photos*).

Ms. Burbine suggested that Rev. Cunio get documentation from an expert about what will happen to the building if the heating system fails, i.e. there will be further deterioration, pipes will burst and/or walls will rot and collapse. Mr. Chick suggested adding more photos showing holes in the foundation from rodent infestation, rust, and anything that takes away from the historic integrity of the building.

Mr. Fennelly suggested adding a contingency to the request and increase it to \$25,000.

Rev. Cunio will come back to the Board with an amended application with additional photos and documentation from a contractor.

- 2. Open Space/Historic/Recreation: Mordecai Lincoln Homestead (\$900,000) – Doug Smith, Historic Commission** - *Application to purchase the Mordecai Lincoln Homestead built in the late 1690's by the great, great, great grandfather of President Abraham Lincoln.*

Mr. Smith said that this is one of the most significant historic properties in Scituate consisting of the original house built in 1692, a mill and an additional house built in 1850. The 5-acre property is located in North Scituate on the Gulph River with access for canoes and kayaks. The Historic Commission was approached by the Ladd family who want to have this property preserved, and not developed. They have agreed to \$900,000 but, if appraised lower, will accept that price.

The Town will need to decide who will take ownership: the Historic Society or the Town of Scituate. The house could be rented by caretakers to generate revenue.

The Board will arrange a time to walk through the property after the November Town Meeting. There was additional discussion about getting the home inspected and when it should be appraised.

New/Old Business

1) Ms. Scott Pipes noted that the parking lot paving project is going back out to bid; they are hopeful that the estimates will come back in line with the project funding.

2) Project Reporting – Mr. Smith and Mr. Fennelly discussed the project reporting form. It was suggested that Shari Moak-Young handle finalizing the form and submit it to applicants on new and ongoing projects.

The meeting was adjourned at 8:30pm by unanimous vote.

Submitted by:

Mary Sprague

Documents submitted:

FY21 Applications

Rich Henderson report

WILLIAM H. OHRENBERGER, III
JEFFREY A. DE LISI
GREG E. HARRIS

OHRENBERGER,
DE LISI &
HARRIS, LLP

ATTORNEYS AT LAW

RICHARD A. HENDERSON
ALISON SMITH PIASECKI
MICHAEL C. HAYES
PATRICIA A. HOULIHAN
MICHELLE L. NUZZO

October 7, 2019

Mrs. Wayne H. Robbins
292 Clapp Road
Scituate, Massachusetts 02066

Re: Scituate Community Preservation Committee
Vinal Pasture

Dear Cynde:

This letter is written in anticipation of your meeting with the Scituate Community Preservation Committee ("CPC") and to provide an update relating to title issues raised with regard to the Vinal Pasture property. As you know, Eric Greene, a title specialist and a Land Court examiner provided a title abstract consisting of 357 pages confirming that the Vinal Pasture property is in fact the Bates Land owned by Maxwell Trust on the Scituate/Cohasset boundary. The location and identification of the parcel was actually the principal objection raised by Scituate when the original closing was to have taken place. That issue has now been resolved to the satisfaction of both Mr. Greene and the title company

Mr. Greene's extensive title raised three additional questions all of which were addressed in my Memorandum dated September 4, 2019 to Connecticut Attorney Title Insurance Company ("CATIC"), a copy of which is attached to this letter.

Specifically, Mr. Greene suggested that a survey of the Vinal Pasture property be conducted. A survey relating to the Vinal Pasture property has already been done, has been recorded, review by CATIC and accepted. A copy of the survey is included in the September 4, 2019 Memorandum.

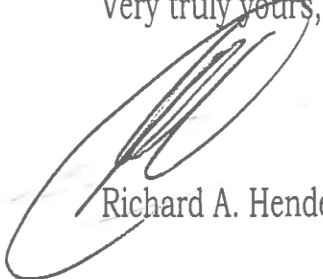
Mr. Greene also suggested cross recording of certain deeds in Norfolk County Registry of Deeds and Plymouth County Registry of Deeds. That has also been resolved. The interests of the Bates family members in the Cohasset,

Norfolk County portion of the Vinal Pasture were conveyed to the Bates Realty Trust in 1976, and recorded with the Norfolk county Registry of Deeds; and the interests of Bates family members in the Scituate, Plymouth County portion of the Vinal pasture were conveyed to the Bates Realty Trust in 1996 and recorded with the Plymouth County Registry of deeds. Accordingly, at the time of the deed to Charles Muncy from the trustee of the Bates Realty Trust the entirety of Vinal Pasture property was held by the Bates Family Trust. Therefore, no further recording of the exiting deeds is necessary.

Mr. Greene also raised the issue of the possibility of missing heirs. Each issue raised was addressed in the September 4, 2019 Memorandum to CATIC. The explanation with respect to the heirs raised by Mr. Greene and addressed in the September 4, 2019 memorandum was to be the subject of an affidavit to be recorded in both counties and the final step in the title clearance process; however, CATIC is requiring that the affidavit demonstrate compliance with REBA Title Standard 14, a copy of which is enclosed. This will require further examination to determine the origin of each grantors' interest, either by intestacy or devise; the recording of death certificates and insuring there is an existing probate for any granted interest acquired from an heir who died within the last 25 years.

I anticipate that this work will take an additional 8 weeks to complete.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard A. Henderson", enclosed within a large, loopy oval shape.

Richard A. Henderson

RAH/ags
Enclosures