

HAMILTON COMMUNITY PRESERVATION COMMITTEE

Minutes of the Meeting

Teleconference

August 12, 2021

Members Present: Chair Jay Butler, Robert Preston, Shawn Farrell, Kim Dietel, Rick Johanson, and Sherry Leonard

Members Absent: Richard Boroff

Call to Order and Roll Call

Chair Jay Butler called the Community Preservation Committee (CPC) meeting to order at 7:05 p.m. with a quorum of five present. Sherry Leonard arrived later in the meeting bringing the total to six.

Committee Vacancies—

- **ConCom [Conservation Commission] and HHDC [Hamilton Historic District Commission] Reps**
- **Coordinator Vacancy**

Progress on filling the vacancies is still ongoing.

Approval of Meeting Minutes/Notes

- **Meeting Minutes of March 11, 2021**
- **Wenham CPC Joint Meeting Notes of May 20, 2021**
- **Meeting Notes of June 10, 2021**
- **Meeting Notes of July 8, 2021**

Mr. Preston made a motion to accept and approve all the minutes as a bundle. Mr. Farrell seconded the motion. A roll-call vote was taken with “ayes” from Mr. Preston, Mr. Johanson, Ms. Dietel, Mr. Farrell, and Mr. Butler, (5-0) unanimous among those present.

Committee Member Reports

No reports were given.

Review of New Application for 550 Highland St. Dodge House Preservation Project

Kevin Kaminski, curator of the Dodge House in Bradley Palmer State Park, appeared before the CPC for the eligibility hearing via Zoom along with Peter Britton, 466 Highland St. Mr. Kaminski said the property is a State historic asset contributing to the quality of life in Hamilton for which the State reimburses the Town \$145K per year. He said he thought the State would like to see some of that money go back to its upkeep. He detailed documents he had provided, now and in the past, which included a copy of the 1966 Historical Preservation Act, a letter submitted to the 2017 Board of Selectmen (BOS), *now informally known as Selectboard*, and letters of support from DCR [Department of Conservation and Recreation] and the National Trust for Historic Preservation.

The CPC asked questions. Mr. Butler clarified the ask was \$15K out of a project cost of \$17,800-\$20K and that Mr. Kaminski had already started the job. Mr. Kaminski said he had started it in November of last year. Mr. Butler explained grant money is generally approved before project is started and then receipts are reimbursed as the work goes along; he said this could be a problem. Also, the CPC has never given money to an individual before. Mr. Butler noted that as a member of the curatorship program, Mr. Kaminski and his wife live at the Dodge House rent-free and are responsible for its maintenance/restoration. Therefore, the Kaminski-Clarkes would be completing the roof project presented in the grant request whether or not they receive any money for it. Mr. Kaminski confirmed this, but he explained he had chosen materials more in keeping with historic preservation that were more costly than the basics required.

Robert Preston said the CPC had never funded a building that was not open to the general public. He also noted a lack information about it online and implied this could just be a case of a private citizen needing a new roof. The “public purpose” required by the curators was explained. Mr. Kaminski is required to open up the house to the public twice a year, and he said there was most likely information listed on the DCR website. Mr. Preston countered that the average person would not know to look there for the information.

Mr. Kaminski and Mr. Britton stressed that Mr. Kaminski did not own the title to the property and explained that the Kaminski-Clarkes were unfairly taxed by the Town for 12 years. Mr. Britton insisted \$15K was a small amount of money to support an ongoing historic construction project. He said Mr. Kaminski—who was essentially a contractor not an owner—had lived for 12 years under the burden of a false statement by the Assessors on a property card. He said they were trying to avoid “heavier lifting” and keep it to “gratitude” that there is a historic asset available falling within the CPC’s purview. He said the Home Rule petition passed after three Town Meetings and brought up the \$145K P.I.L.O.T. (payment in lieu of taxes) given to the Town by the State. Shawn Farrell, Selectboard liaison to the CPC, said that cherry sheet money goes into the Town’s General Fund and how that is spent goes a through Town Meeting vote on the budget; it is not controlled by the Selectboard.

Rick Johanson said while the idea was good, the procedure was wrong as the curators only approached the CPC well after the project was started. Mr. Butler asked how much of the job was complete; Mr. Kaminski replied 90%. Mr. Farrell said he had not realized only 10% remained undone. Mr. Kaminski said he didn’t know if they were talking about the whole project

or just the portion in the grant request. He said it was more like 85% complete. There was more discussion on work done, for which Mr. Kaminski has receipts, as well as history of the taxation issue. Mr. Butler talked about the relationship between the years the Kaminski-Clarkes felt they were unfairly charged, a threatened lawsuit if the tax money is not refunded, and the current request. He said as it stands now, he cannot support it.

Kim Dietel asked specifics about the location of the Dodge House within Bradley Palmer and about its ownership. Mr. Farrell said the Kaminski-Clarkes were paying for their lease in sweat equity and cost of building materials. Mr. Farrell said from what he knows, the Towns had the option to tax or not tax and had chosen to tax in the past, but now, as a result of the Home Rule (citizens' petition), the Town was choosing not to tax moving forward. Mr. Britton said there was never any entitlement to tax as a property tax is based on ownership and the curators are not owners.

Bruce Ramsey, 28 Goodhue St., who was attending the meeting via Zoom, said in answer to Ms. Dietel's question that the Dodge House sits a bit separately from the rest of the Bradley Palmer park. He said it had previously been in rough shape and the Kaminski-Clarkes had done a great job fixing it up. He made the point that their restoration and fact that they live there serves the public good by keeping it looking nice.

Ms. Dietel posed a question of whether anyone living in a historic house had the right to fix it up with CPA (Community Preservation Act) funds. Mr. Butler said there were projects in the past that were good ideas but were not supported by the CPC because they didn't serve enough people. Mr. Butler said Town Counsel had not wanted to rule on the eligibility request and the decision was with the CPC. Mr. Preston suggested Mr. Butler contact the Community Preservation Coalition Executive Director Stuart Saginor for guidance on the matter.

Mr. Farrell asked whether the CPC would support any State entity if, for example, Bradley Palmer State Park came to the CPC seeking funds for a stone gate. He asked whether, aside from past baggage (concerning the tax history), the CPC would deem the project eligible. Ms. Dietel asked whether the CPC would be setting a precedent if it funded a State property. There was a discussion of what may happen when/if Mr. Kaminski and his wife move out.

Mr. Britton asserted there may be a willingness on the part of the Kaminski-Clarkes to have people see what is involved when a curator restores a public building. In response to questions asked about why Mr. Kaminski seek funds to fix the roof from the Town, Mr. Britton replied it wasn't Mr. Kaminski's job to understand where the Town spends its P.I.L.O.T. funds.

Mr. Farrell raised a question about whether the grant money would need to go to the State (rather than Kaminski-Clarkes) because it is a State-owned property. It was discussed that there must be some history among CPC communities who may have been similarly approached and it would be good to find out how it was handled—which would be another question to ask Mr. Saginor.

Mr. Johanson said perhaps the CPC could help the Dodge House on a bigger scale with a different future project. If the Dodge House were to become a bigger part of the community, he said could see doors opening.

Mr. Ramsey asked how much time was left on the curatorship; Mr. Kaminski replied 13 years. It was agreed by the CPC that the time would go by quickly and research should be done to see whether the State had any long-range plans for the property.

Mr. Britton discussed an idea for expanding public access to the Dodge House, such as having Mr. Kaminski do a TV segment on a program like "This Old House." Mr. Farrell brought up having signage, and Mr. Ramsey said a sign or perhaps a booklet could be added outside the building to state the history, why it is being preserved, and some things the curators had discovered during their restoration. Ms. Dietel said she wanted to make sure that the issue of "writing a wrong" and the grant request are kept separate.

Mr. Kaminski cited verbiage in the Conservation Act about historic preservation by entities and well as individuals being encouraged. He said the citizens of Hamilton had done a great job with the Home Rule petition and now the Town had the opportunity to come out on the good side by contributing to something not only in the local area but also a program run by the State. Mr. Farrell said he felt Mr. Kaminski's point was valid, but the tricky part is that Mr. Kaminski is a resident and the money might have to be given to the State. Mr. Preston said he was not prepared to vote positively until he had more input. Mr. Johanson said maybe there was something they could do to make the property a bigger part of the community.

Mr. Britton noted the next CPC meeting is Sept. 9, but the warrant for Town Meeting closes on Sept. 7. He thought it might be too late to have this decided for this Town Meeting. Mr. Farrell said there are incidences where the Selectboard puts a placeholder on the warrant for an item to be added later. Mr. Preston also noted they could approve eligibility and funding at the same time. Steps to be taken and then reported back on were discussed. Mr. Butler said he would call the Coalition tomorrow. Mr. Preston said he should contact the Hamilton Historic District Commission (HHDC) for input also.

Decision:

Mr. Preston made a motion to table this agenda item to the next meeting, stressing he does not wish it to be noted as negative and only wants more information before making a decision. Ms. Dietel seconded the motion. A roll-call vote was taken with "ayes" from Mr. Preston, Mr. Johanson, Ms. Dietel, Mr. Farrell, and Mr. Butler, (5-0-1). Ms. Leonard abstained because she joined the meeting late and said she did not hear enough of the discussion.

Review of Open Grants

- **Town Hall Renovation, Addition, and Preservation Project—\$1M:** Mr. Butler said the project is in limbo. \$4M is in virtual escrow to protect the money until the remaining

contingencies are satisfied, which include approval at the polls and that construction be started by Nov. 15, 2022 or the grant will go away. He said nothing will happen this fall. Mr. Butler also noted there is talk of doing the project in pieces, but that could trigger having to bring the building up to code. He said Scott Clements, Chair of the HHDC was concerned that the outside of the building continues to deteriorate and was wondering about using part of the grant or asking for a new grant to complete some of the exterior work.

- **Affordable Housing Trust (AHT):** The AHT paid the money owed to the developer for the Willow Street project. There was closure on the property at Asbury Street [Habitat for Humanity project]. The AHT has a surplus of about \$370K and sees no need to ask for grants in the near term. Longer-term, they are awaiting what will happen with the proposed project at Gordon-Conwell Theological Seminary.
- **First Congregational Church of Hamilton, Belfry and Clock Tower Renovation:** The Finance Department put money in escrow for the project, but Mr. Butler does not know whether work has been started yet. There is plenty of time.

Update on the Hamilton Wenham Regional School District Athletic Facilities Improvement Working Group

The Working Group is seeking bids to add tennis courts and upgrade the softball field. The project will be well over \$10M, according to Mr. Butler who is one of the members, so it will probably need to be attacked in phases, which will include fundraising and seeking grants. It was decided that someone from the Working Group will give a report at Special Town Meeting.

Review of 8/2/21 Presentation to the Selectboard

Mr. Butler said he gave a history of what's happened this year to the Selectboard (as well as the public watching as this was the annual public hearing) and diagrammed the process of moving from a 2% to 3% surcharge and the fact that it would take about three years to make it happen. The only question from the Selectboard was where they would publicize the program offering exemptions for seniors and those of low income who meet certain State requirements.

Review of 8/3/21 Discussion with the Capital Committee [CapCom]

Mr. Butler discussed the update he gave to the CapCom. He said the CapCom has a list of capital projects, but there wasn't much there in terms of large grants that would impact the CPC. Mr. Butler said the turf field working group might want to lead the charge on raising the surcharge. Mr. Preston asked whether the tennis courts had been repaired. It was assumed that would happen this fall.

Review of Future Anticipated Projects List

Category A: Renovation of Town Hall—\$2M in 2021. Mr. Butler said at this point, this should read: \$4M in 2022. The money is in escrow. It was discussed that this item needed an asterisk that the project was approved at Town Meeting (by the last two Town Meetings) but was pending a positive ballot vote, which was not achieved. Mr. Butler thought the project might need to go back to Town Meeting for another vote because of having failed at the ballot but there was uncertainty about the procedure.

Category B: Turf Field at the High School—\$200K in 2021. Mr. Farrell asked where that number had come from in light of the fact that there are only certain things the CPC can fund. Mr. Butler said it was supplied by Recreation Director Sean Timmons, but the number remains to be determined and will depend on fundraising as well as on whether there is money for it in a future school budget. Mr. Farrell said there is money set aside in the Town's Stabilization Fund that can be used.

Affordable Housing Trust, Construction of New Community Housing—\$250K. Previously discussed. This will remain on the list unchanged.

American Legion Roof, Gutter, and Downspouts—\$42K. The Legion is not running currently.

Category C: Chebacco Lake Beach Improvements—\$20K and Sledding Slope at Donovan Hill—\$5K. These have been on the list per former CPC member Ed Howard for the past six or seven years and nothing has happened. It was decided to remove them from the list. Ms. Leonard added the idea of a skate park, which people have been recently discussing, perhaps with a flat track around the park to promote an intermingling of age groups. Mr. Farrell said his wife had been working on that project, but was unaware of the cost. Mr. Preston suggested \$25K. Ms. Leonard noted the trailer/shed at the Council on Aging (COA) could be cleared out, winterized, and utilized. One idea was for a men's shed (for woodworking, repairing bikes and lamps, and other such activities). \$15K-\$20K was suggested.

According to Ms. Leonard, the Director of the Housing Authority was hesitant to apply for grants because of a past experience, but there might be projects there that could be funded. Another item discussed was reinforcing the second floor of the COA and making it accessible to seniors (\$100K). Mr. Farrell said that may depend on what happens in the future, such as whether Hamilton and Wenham decide to share services.

Annual Election of Chair and Vice-Chair

Mr. Farrell made a motion to re-nominate Chair Jay Butler and Vice-Chair Robert Preston to their current roles. Mr. Johanson seconded the motion. A roll-call vote was taken with "ayes" from Mr. Preston, Mr. Johanson, Ms. Dietel, Ms. Leonard, Mr. Farrell, and Mr. Butler, (6-0) unanimous among those present.


Other Business as Necessary

Finance and Advisory Committee member John McGrath said he respected what the CPC members are doing and said it was quite an education. Mr. Farrell mentioned it was impressive that the CPC has given about \$12M in grants to date.

Adjournment Roll Call

Mr. Preston made a motion to adjourn the meeting at 8:39 p.m. Mr. Farrell seconded the motion. A roll-call vote was taken with “ayes” from Mr. Preston, Mr. Johanson, Ms. Dietel, Mr. Farrell, Ms. Leonard, and Mr. Butler, (6-0) unanimous among those present.

Prepared by:



Mary Alice Cookson
Minutes Secretary

Date

Respectfully submitted as approved at the Sept. 2, 2021 meeting.

Documents Discussed at Meeting:

- Meeting Minutes of March 11, 2021, Mary Alice Cookson
- Wenham CPC Joint Meeting Notes of May 20, 2021, Catherine Tinsley
- Meeting Notes of June 10, 2021 and July 8, 2021, Mary Alice Cookson
- Application for Community Preservation Funding for the Dodge House Northside, Kevin Kaminski
- Letter from the National Trust for Historic Preservation in support of restoration and preservation of the E.F. Dodge House

