

# Community Preservation Committee

April 7, 2022

Via Zoom Webinar  
Meeting Minutes

## **Call to Order**

Katelyn Sullivan of the Planning Office announced the meeting would be recorded and broadcasted.

Chair Mike Dissette called a meeting of the Community Preservation Committee to order at 7:02 p.m.

## **Roll Call**

In attendance were Chair Mike Dissette, Vice Chair Jane Healey, Don Little, Chuck Griffin, Don Walters, Tom O'Brien, and Joe Morgan.

Andrew Port and Katelyn Sullivan from the Planning Office were also present.

Not in attendance: Paul Healy and Mark Rosen.

## **1. Welcome by the Chair**

Mike Dissette welcomed all to the meeting. He explained the first item to address would be the Emergency motion to present an application. He reviewed following the Emergency motion applicants would begin their presentations. Also, he reviewed the Committee Members have read the applications and are familiar with the requests so the presentations should highlight the most important points of focus and add any information that was not submitted with the application. It was requested each applicant limit presentations to 15-20 minutes, which should include time for the Committee & Public to ask questions.

## **2. Outdoor Multipurpose Area at Senior/Community Center CPA application withdrawal**

Mike Dissette referenced the agenda and packet and noted that the Outdoor Multipurpose Area at Senior/Community Center CPA application was withdrawn.

Also, in the Staff Report it shows the full City Council approved the recommendation for the tennis court at the Nock Middle School at a lesser amount of approximately \$26,000. CPC had recommended \$40,000, but other funding from other sources was available and therefore the amount reduced.

## **3. Letter from the Mayor's Office regarding City CPA applications**

Mike Dissette explained the letter received from the Mayor's Office regarding applications submitted by the various City Offices. Letter was sent to help inform the CPC as to what the Mayor's Office considers to be prioritizations of the projects and areas where other funding may be available, with particular reference to the Atkinson Fields application.

#### **4. Letter from Lise Reid, Parks Director regarding Bartlet Mall specimen trees**

Mike Dissette invited Lise Reid to review the letter.

Lise Reid reviewed there is \$7,724 remaining from the prior funding received to plant trees. Due to the size of the trees being smaller and less costly than they expected, this resulted in money being left over. They would like to purchase & plant more trees at Bartlet Mall, which may include removing some invasive Norway Maples.

Mike Dissette concurred that one would expect some removal would be necessary to plant new trees.

Lise Reid added they are following the plan approved by the Parks Commission in 2021.

Mike Dissette asked if there were any questions? He clarified that the CPC would not require a new application for this request, where it does not go outside the scope of the original request. It is the same scope and efficient use of money.

Mike Dissette opened the call for comments, which resulted with no responses.

Mike Dissette called for a confirmatory vote and a motion.

Chuck Griffin made a motion to allow funds to be used as presented.

Don Walters second.

Roll Call resulted with all in agreement.

#### **5. Bartlet Mall Walkway Project Emergency CPA Application for Supplemental Funding Newburyport Parks Department / Commission \$51,000**

Mike Dissette welcomed Lise Reid back to present.

Lise Reid reviewed the CPC funded \$83,000 in 2020 to replace some walkways of the Upper level of the Bartlet Mall. The project was shut down due to the pandemic and when it went out to bid, it came back significantly over \$83,000. The lowest being \$38,658 higher than the original and then a 10% project contingency was added bringing the request to \$51,000.

Mike Dissette clarified amount \$51,000 includes actual bids?

Lise Reid confirmed actual bid and the winning bidder agreed to extend the offer to the end of April.

Mike Dissette opened the call for any questions.

Don Walters questioned if there was enough time to be approved by the bid deadline; end of April?

Lise Reid advised she talked to the Finance Department and was advised if approved by the CPC today that it would have time to go through City Council in time.

Andy Port advised the Council's next meeting is 4/25 and the request will be expedited just like the last Emergency motion.

Mike Dissette asked if there were any other questions from the Committee or Public? No responses.

Mike called for a motion to approve the recommendation for City Council to appropriate this request.

Chuck Griffin moved for \$51,000 to be approved with Joe Morgan as a second.

Roll call vote was taken with all in agreement.

Mike Dissette confirmed motion approved.

## **6. 2022/FY 2023 Presentations**

### **a) Newburyport Black History Initiative Newburyport Office of Planning & Development \$53,000**

Mike Dissette invited Geordie Vining to present.

Geordie Vining reviewed the slides provided in the application packet. The Project focuses on getting Public history out into the everyday landscape. Goals of the project are to take the history to highlight some unacknowledged/overlooked voices from the City, such as the Maritime history and participation in wars from a new perspective. He explained there are many sights in Newburyport related to black history that have not been preserved, have been lost or erased from development, or burned down. They are working with a team including a history professor from Northeastern, Dr Kabria Baumgartner, writer Cyd Raschke, plus a number of other Newburyport groups and historians. National parks have found signs increase appreciation and understanding, so the project will focus on signs throughout the Public landscape, following City format for layout and materials. Some ideas include 19<sup>th</sup> century Auburn Pond and Low St black American neighborhood, number of black activists from revolutionary war period, and authors who wrote about anti-slavery, the educational system history where no education was provided to black residents for many generations, as well as black mariners and sailors. They would also like to add signs to identify where businesses on various streets once existed. He also reviewed how the application falls under the CPC criteria.

Mike Dissette commented on the impressive amount of research accomplished already and opened the call for any questions.

Don Walters suggested to contact the Coast Guard for input on sailors. He commented the budget seemed reasonable for installation and questioned if the City was doing the work or a contractor?

Geordie Vining advised they are using an outside contractor who they have worked with before and is familiar with the process.

Mike Dissette asked for any further questions or comments and there were none.

**b) Joppa Park Improvement Project Newburyport Parks Department/Commission \$115,000**

Mike Dissette welcomed Lise Reid to present.

Lise Reid shared her screen and reviewed the Joppa Park renovations have been happening since 2009 in bits and pieces which includes fences, benches, panels, and lawn improvements. The walkway is an issue and in need of funding. They are hoping to complete the remaining two thirds that have not been renovated, becoming a Public safety hazard. She explained the seawall is sound but the tide comes in under it and draws out the materials from the walkways causing sink holes. In 2018 about a third of the walkway was repaired, which has held up well in the past 3 winters. She pointed out it falls into the Open Space, recreation category.

She reviewed an estimate was received last July to have a contractor come in and follow the prior renovation plan came in at \$154,035. They have \$57,438 remaining from prior funds. The difference is \$96,597 and then a 12% contingency was added to bring it to the request of \$115,000. She explained they still need to go through the bid process where it's over \$50,000. The timeline is based on whether the City Council approval is received in late summer/fall 2022. In the past they have done the repairs in the fall but it was difficult. They expect winter 2023 procurement and then construction in the Spring when it is warm enough to dig.

Mike Dissette questioned if the Morrill money is in hand?

Lise Reid confirmed, the money is in the City bank account. She added it is time to finish this project and let Public enjoy the park.

Mike Dissette questioned if there were any updates on if/when the American Rescue Plan application will come into fruition?

Lise Reid responded that the American Rescue Committee had approved using the funds for this project, but when it went to City Budget & Finance it was questioned, so now it's not guaranteed. This is the reason they are not withdrawing this application.

Kim Turner added she believes there is another budget/finance meeting next week and they will know more at that time.

Mike Dissette open the call for any questions from the Committee or Public?

Jane Healy questioned the 12% contingency and whether it may be costlier due to delays? She also questioned the reason they are hiring and not doing the work themselves?

Lise Reid confirmed they are comfortable given the time frame will allow for additional Morrill funding. The estimate was received under a year ago and generally they experience a 5-10% increase

for most projects. She explained they don't have the man power for capital projects that need to be done. They had hired some temporary help with the original strip of brick, who worked under Mike's direction, but those people are not available now.

Don Walters confirmed with Lise Reid that her presentation was related to the budget from Slide Option #2. He added they may want to provide more options.

**c) Lower Atkinson Common Improvement Project Newburyport Parks Department/Commission  
\$1,157,8035 Page 2 of 2**

Mike welcomed Lise Reid to present.

Lise Reid reviewed the importance of the project is to address safety & accessibility issues at this location. She pointed out parking along Merrimack St as a safety hazard as there is no delineation where parking ends and the street begins. The area is on a busy street with the playground is closely interconnected. The playground needs to be moved to separate the street from the parking to create a safer space. Master plan they received shows the playground in the middle of the park with the Club House moved to the center of the park with a \$3.1 million cost. Kim Turner & the Parks Commission worked with the design to reduce the cost by leaving the Club House in place, which still allows 65 parking spaces (very slight reduction in parking from the Master Plan). The basketball court remains where it is with the playground built just below it. The project also includes sidewalks with a 5ft shoulder and still big enough for a Fire Truck, should one need to get through. The schedule is based on funding being approved by the end of Fall 2022, the Design Engineering is almost complete, and they will advertise construction bid and build the playground which they believe can be done next winter. The construction is planned for the Summer of 2023, after baseball season. She summarized the safety issues are serious and they would like to be proactive to prevent a child being injured or greater, the plan meets CPC guidelines under Recreation & Open Space and covers many issues the City wants to addressed.

Mike Dissette questioned if this application would be considered for additional funding with AR (American Rescue) like the last project?

Lise Reid explained there currently is no plan of this project being funded by AR and clarified the two sources of funding are going towards court renovation.

Mike Dissette opened the call for questions.

Jane Healey questioned the main change from the Master plan now and one CPC funded. Her concern around overlapping \$25,000 CPC funds for a plan they are not using. She also questioned how the new design is safer as it still appears to have cars pulling out into the street.

Lise Reid reviewed the main change is the Club House and clarified they did use the Master plan with most of the design provided by that, only tweaked so it was not wasted money. Also, the parking is

not way off from the Master plan which had 70-71 spaces and the revised plan has 65, which is very close. They will save money using DPS too. She explained there will be a shoulder and a buffer in the parking area to separate it from the street with a travel lane to prevent backing into the street.

Jane Healey asked if it has ever been considered to include parts of the project under streets and sidewalk project for additional funding. Also, mentioned the Mayor has noted \$300,000 for the playground in the budget which is far less than what you have; any background on that on that.

Lise Reid explained she is unable to comment on that and went on to say the Mayor originally recommended to fund the entire project with \$300,000. This is the first time in disagreement with the Mayor and Parks Commission when it comes to CPC funding. The amount of \$300,000 would not be enough to address the full safety threat; may be enough to move just the playground.

Don Walters questioned if this is most unsafe/ worst playground in the City? He also questioned if Pioneer League pays for use of the park where they have the most benefits to the changes? Also, suggested they talk to Police Department to have some flashing lights or other things they can do to help slow the traffic.

Lise Reid explained it is not the worst, but one of the two oldest, along with Bartlet Mall. She clarified she is speaking more to the parking as the issue. They can do some things at the playground related to safety like removing pieces that no longer fall under compliance guidelines and can't repair, but the parking situation is where the tragedy can occur. She went on to explain Pioneers League provide landscape maintenance and have provided some capital improvements. They are currently drawing up an agreement with them. Also, Council Wallace has worked to slow down traffic and taken measures and still remains an issue.

Don Little agreed there is a safety issue and questioned in the application where it states 240 traffic issues in that area with 6 being reported as crashes, what would the remaining issues include?

Lise Reid was unable to answer that, she did not have that information.

Mike Dissette asked how many playgrounds in the City have some accessible features to them Lise Reid advised it's very challenged in accessibility with sidewalks and access. Cushing Park is intended to be accessible but isn't due to surfacing and unlikely for the children with mobility issues can get to the intended equipment.

Kristen Farrell; resident of 28 Spafford St. She explained she sits on the Newburyport Commissions on Disabilities and has two children with mobility difficulties. She confirmed accessibility to the playgrounds in the City is limited. She would like to start the ball rolling for Public awareness of what an inclusive playground is. There are accessible features in other playgrounds which have swings, however it's impossible to get a wheelchair through bark mulch at these parks. School playground is the exception, but it's only available outside school hours. Commission comes up on agenda and

strongly support it. Pioneer very visible in City and to have inclusive playground in that area is really important.

**d) Bartlet Mall Frog Pond Improvements Newburyport Parks Department/Commission \$2,790,000**

Mike Dissette welcomed Kim Turner to present.

Kim Turner presented and started by identifying the project under the Historic category. She explained she gave the presentation for this project last year and provided an overview of the history of pond which are reflected in the application documents. She also reviewed prior attempts to restore the pond, along with studies done to gage the depths of muck and contaminants in the sediment. She reviewed testing done in Nov/Dec 2021 that included sediment testing, stability of muck at bottom of pond, and water quality testing. They found no indication that ground water is feeding this pond and phosphorus was found at all depths from what appears to be results of poor water quality and run off. The engineer report provided an in-depth recommendation with a number of steps that includes Option 3a (referring to application) to remove 6 inches of sediment to accommodate liner and material to keep depth same as it is today and Option 3b to put a liner over existing muck and raise walkway by 6 inches. The options will allow keeping the depth in place. If approved next steps will be to review the study with the Park Commission at the 5/19 meeting. If approved they plan to send it out to bid to start construction in Summer/Fall 2023. She also noted this project is well suited to City plan NR-2 and Cr-5.

Mike Dissette opened the call for any questions.

Joe Morgan advised he supports the project. He was concerned with the curb proposed, as it doesn't seem to fit with the original intent of landscape, using granite didn't seem natural looking. He added he didn't think it should be a contingent item, especially with the cost. He asked for a clearer understanding of whether it's in or not and when will it be installed. He also questioned when they will know the details as most likely it will cost more than they expect. Also, what plans are if funds can only support a portion of the border, whether it all needs to go in at once, and how installation of a granite curb works with the rest of the habitat protection issues.

Kim Turner explained granite edging is not necessary for the liner, but would like flexibility if they are able to save money. Granite makes sense to help stabilize it. She also advised they do have some Morrill funding leftover and could do fundraising if needed. She will work with the Engineering team to answer those questions to make the best decision.

Chuck Griffin added the foundation \$200,000 has to go in when rest of the work is done, as it can't go in after the pond is lined. They have a week old quotation for large blocks so they are comfortable with the numbers. Also if they raise the walkway 1ft around the pond, that can save the money for the granite. He added he is very comfortable they will have the money to do that work.

Don Walters questioned the rough estimate of the number of truck loads, as material amounts may be incorrect.

Kim Turner advised she didn't have that information on hand and could get back to him. She referred to the application for numbers and is confident the number will cover it. Don Little added concern with not removing 12ft of sediment, would the liner ever dry out. Also, what happens with all the large debris at the bottom.

Kim Turner explained matts are put down to set equipment to bottom of pond and will take out any large structures, garbage, and debris.

Chuck Griffin referred to the Engineer report which shows the items being discussed for pricing of dewatering, matts, membrane, and covering with gravel sand. He added it's not sophisticated work and doesn't require a lot of finish processes.

Jane Healey asked Kim to expand on design permitting bidding process and time line and disadvantages if not done.

Kim Turner advised the team met last week and number of steps for permits.

Lise Reid added her support for the project and commended Kim with the Engineering team for being so great. Also, that Charles Elliott did indicate granite edge was desirable, but didn't think the City was in favor, so changed to sandy beach.

Chuck Griffin agreed and added granite isn't new and most ponds in City's have an edge.

#### **e) Market Landing Park Expansion (Central Waterfront) Newburyport Office of Planning & Development \$4,850,000**

Mike welcomed Andy Port to present.

Andy Port, Director of Planning Office and summarized the application and referred to a Letter from Treasurer City Trust Fund Commissioners which agreed to commit \$1 million from Herman Roy Trust Fund for projects like this. He pointed out the visibility of the location and how it is greatly used by the Community. He reviewed the original funding plan vs the revised plan and how the plan has evolved. They plan to start in the Spring of 2023 if approved by current CPC application. He reviewed the existing conditions of the waterfront parking and plans to expand and areas of integration. He explained they are working with AHOC Committee and Trust. Bid ready plans from Sususki with same budget in initial submission.

Jane Healy questioned if the paths would be shared pathes with bikes or would bicyclists need to dismount? She commented that she was glad to see that climate resiliency measures had been incorporated into the park design in light of how vulnerable that area is to future sea level rise and storm surge. She then asked if the paths would be shared paths with bikes or would bicyclists need to dismount? Also, have they considered what the budget plans are on maintaining the area.

Andy Port explained the current policy is to walk the bikes, but will discuss. They will be talking about that maintenance tomorrow which includes landscaping and input of planting for low maintenance and resilience.

#### **5. Other Business**

Mike Dissette advised no further business.

#### **6. Approval of the 3/23/2022 minutes**

Mike Dissette made motion to approve 3/23/22 meeting minutes.

Chuck Griffin moved to approve with a second from Don Walters.

Roll Call to approve was conducted with all in favor (except Tom O'Brien, as he was not at the prior meeting).

#### **7. Confirm next CPC meeting date**

Mike Dissette confirmed with Katelyn Sullivan the next meeting date of Wednesday 4/27/22 at 7pm.

He asked the Committee to consider prior to next meeting to take a look at the examples of what the maximum Bonding capacity might be and how it's computed. They can reach out to him with any questions.

#### **8. Meeting Adjournment**

Mike Dissette adjourned the meeting at 9:31p.