Groton Community Preservation Committee
Minutes from January 23, 2013 at 7:00pm
Town Hall, 2nd floor conference room

Members Present: Bob DeGroot, Bruce Easom, Gineane Haberlin, Laurie Smigelski, Russ Burke, Richard Hewitt
Member Absent: Dan Emerson
Others Present: Dawn Dunbar, CPC Administrative Assistant

Chairman DeGroot called the meeting to order at 7:05pm.

1. Fitch’s Bridge – Present: David Manugian

Mr. Manugian started out by saying that they had received an opinion from Town Counsel stating that the project did not trigger Mass DOT review and suggested discontinuing the road. The BOS would make this recommendation and bring it to a town meeting vote. Member Easom asked what that entailed. Mr. Manugian said that the town would essentially step back from maintaining the road as a highway. Only 300ft would be discontinued and the town would only be losing approximately $350 from Mass DOT funds.

Chairman DeGroot said that at their last meeting the Committee voted to accept the out of cycle application. He reviewed the key steps involved in reviewing an application. There was a brief discussion as to whether or not a public hearing was required. Member Easom read the following excerpt from MGL Chapter 44B Section 5(b)(1):

The community preservation committee shall study the needs, possibilities and resources of the city or town regarding community preservation. The committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the board of park commissioners and the housing authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the committee shall hold one or more public informational hearings on the needs, possibilities and resources of the city or town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the city or town.

Member Burke said that he would interpret it to mean for the adoption of the CP Plan. He said that the CP Plan was something that the Committee voted on and the Committee could on its on purview make changes to the Plan. Chairman DeGroot said that if it was not a “legislative requirement”, they could make an adjustment to the plan. He said for this application they would combine the draft and feedback steps into one. Member Easom said that the process as outlined in the CP Plan was based on a normal cycle application. He said that because this was an out of cycle application, they would do their best to work with time constraints but that it wasn’t always possible to follow a 5-6 month long process. Chairman DeGroot said that they would review the application to make sure that it met the key points it was supposed to and if everything was in order, they could vote whether or not to recommend.

Mr. Manugian took a few minutes to explain the final application. He said that the existing bridges’ abutments would remain intact, the abutments would be restored and that a prefabricated bridge would be installed. The Town Manager would act as the project manager and the Greenway Committee would be actively participating also. He said that FST was the design engineer and would be the ones to provide the daily construction oversight to include removal and construction. They would also be available to answer questions, attend meetings, etc. Mr. Manugian explained that ET&L would be the contractor and was the low bidder out of 12 bids received. Member Smigelski asked about timeframes noting that the Order of Conditions issued by the Conservation Commission specified that work could be done between June 1 and September 1. Member Easom said that the plunge pools could be done without worrying about the water levels. Mr. Manugian said that it would take a week or two to attend to the erosion controls, a week or two to restore the abutments, remove the existing bridge and stabilize the new bridge and another week or two to regrade, etc.

Member Hewitt asked Mr. Manugian to explain how the costs were broken down as it looked like it was two (2) projects. Mr. Manugian said that the BOS and FinCom both voted to fund the demolition of the existing bridge out of the stabilization...
fund which amounted to approx. $140K. He said that $140K was the low bid price from another contractor who was the low bidder on just the demolition of the existing bridge, and in turn a 10% contingency was added on top of that number. Member Easom said that it would be helpful to have the exact numbers to protect them from an audit. Member Easom said that they should use $145,000 as the number moving forward without contingency and Clerk of the Works. He said that the ET&L contract price of $330,244 minus the $160,000 the Town Manager was committing from the stabilization fund was less than the numbers they dictated to the Town Manager after the meeting the week before.

Member Burke asked if Mass Historic was notified. Mr. Manugian said that it was no on their inventory adding that they were exempt. Member Burke asked if Groton Historical had signed off on it. Mr. Manugian said that they had.

Chairman DeGroot read from page 17 of the Community Preservation Plan to see if the proposed project met the requirements of the basic criteria. Chairman DeGroot, after reading the passage, said that he thought it met the criteria so far. Member Easom asked if Mr. Manugian could speak to the issue of Mr. Shattuck. Mr. Manugian said that Mr. Shattuck owned the property on the West Groton side of the bridge. He said that they needed to work with Mr. Shattuck to obtain access. He said that Mr. Shattuck had signed off on the application and received an Order of Conditions from the Conservation Commission. He said that Mr. Shattuck had been involved in the process and approved of the project.

Member Haberlin asked if there was a concern for any lead paint that might fall into the water. Mr. Manugian said that there was not a lot of paint left on the bridge and not enough to be concerned about.

Member Easom moved that the Fitch’s Bridge project application 2013-04 met all the qualifications as laid out in the Community Preservation Plan and made it eligible for consideration for Town Meeting. Member Haberlin seconded the motion. All were in favor with a unanimous vote.

Member Easom said that the next step was to discuss and vote to recommend funding.

Member Easom moved that they recommend to Town Meeting Fitch’s Bridge project #2013-04 for funding with $31,627 from the Historic Reserve and $193,782 from the Unallocated Reserve for a total amount of $225,409. Member Hewitt seconded the motion.

Member Burke said that he would like to add a comment so as to justify the expediency of the project in case anyone questioned why it was being considered as an out of cycle application. He said that this was presented as a shovel ready project. Member Easom suggested that the Committee in the future set a higher standard for legitimate out of cycle requests. He said he didn’t believe it was imperative that the bridge be taken down now adding that this application could have been done within a regular CPA cycle. Member Hewitt agreed with Member Easom saying that he was not convinced it was a cost savings for the Town adding that he was uncomfortable with how low the standard was. Member Haberlin added that she thought it was a legitimate safety issue.

All were in favor of the above motion with a unanimous vote.

Mr. Manugian thanked the Committee adding that the Greenway Committee appreciated their quickness and sensitivity to the issue.

Member Easom moved to adjourn at 8:32pm. Member Burke seconded the motion and all were in favor with a unanimous vote.

Respectfully submitted,

Dawn Dunbar
CPC Administrative Assistant