

COMMUNITY PRESERVATION COMMITTEE
MINUTES
April 12, 2022

A regular meeting of the Community Preservation Committee (CPC) was held on Tuesday, April 12, 2022 at 6:00 pm via remote participation through Zoom. Present were Chair Bart Hoskins, Vice Chair Carole Hamilton, John Boris, Ed Moriarty, Joy Livramento-Bryant, Bob Callahan, Mark Pattison and Deborah Greel. Also present was Jane Guy and Patricia Kelleher of the City of Salem Department of Planning & Community Development.

Mr. Hoskins stated that a Conflict of Interest Disclosure was filed for the following applications for which the members can still vote:

- a. Deborah Greel is a member of the board of the North Shore CDC and has filed the required Conflict of Interest Disclosure stating that she can fairly and impartially vote on the matter.

Mr. Hoskins noted that Ms. Greel's husband has been engaged to work on the St. Peter's Church project, and therefore she will not be able to participate or vote on that application.

Mr. Hoskins stated that because committee members have received and read the applications, the CPC is not inviting applicants to make a presentation or to repeat information in the application. However, if there is new information, the comment period would be the time to provide it. We are going to limit all speakers to no more than 2 minutes.

Public Comment

Tim Jenkins stated he was here with Linda Jenkins and noted that they provided a letter regarding public access to the building.

Ms. Greel asked if the building is handicapped accessible.

Mr. Jenkins stated that is not fully accessible but there is access through the library at ground level. It is not accessible through the main entrance.

Patricia O'Brien stated that she was present to answer questions on the recreation applications. She also introduced Mazie Heath and her mother Courtney Heath.

Mazie Heath explained why she felt rock climbing would be great addition to the community, noting she has been climbing for eight years and that she went to a rock climbing camp in Newburyport. She noted there are many climbing gyms in the area, and added that a climbing park would be the first of its kind in the New England area.

Courtney Heath stated that there are 6 or 7 gyms within a 15 mile radius of Salem that are excited for its potential.

Deborah Greel questioned how this would be monitored, if there would be lessons that are free to Salem residents and about safety.

Tom Devine stated that he is a Senior Planner for the Department of Planning and Community Development and provided a status of the Palmer Cove Park. He stated that the City developed a community vision in 2018, with the cost requiring the work to be broken into phases. The first phase of renovations were completed last year. It is a priority for the City to completed the second, final

phase. The CPA request is 10% of total cost to complete the second phase, but those funds fill a gap that might otherwise prevent the project from proceeding and provides a local match for other funds..

City of Salem Harbormaster Bill McHugh stated that he was present on behalf of the Salem Willows Pier project. He stated that it is a phased project. The pier built in the 1800s was raised due to hazardous conditions. The project is in final design, with demolition to occur in the first phase and then construction in the second phase. There is a grant from the Fishing & Boating Access under Department of Marine Fisheries. The project is challenging due to sea level rise and the topography on the bottom and it is a pricey project, so every cent counts.

Patricia Kelleher stated that she is the City's Historic Preservation Planner and was present with City Clerk Ilene Simons regarding the application to conserve the Salem Deed. She noted that she was also able to answer any questions regarding the Dickson Memorial Chapel stained glass restoration project.

Nathan Ives stated that he was the rector of St. Peter's and was present to answer any questions.

Rick Hagis, President of Sail Salem, was present to answer any questions regarding the Floating Dock application submitted with Park & Recreation.

Approval of Minutes

MOTION/VOTE: Ms. Greel made a motion to approve the minutes of March 8, 2022. Mr. Boris seconded the motion, all were in favor and the motion so carried.

Review of Funding Applications Received

Salem Deed Conservation – City of Salem City Clerk's Office

Mr. Moriarty made a motion that it be rated low, questioning why CPA would pay to preserve something that is an historic obscenity. He questioned preserving what white colonial men did to purchase land from a native people for a ridiculous price and why it is necessary to spend civic funds on it. He felt there is no benefit to preserve an historic monstrosity and felt it would be a waste of funds.

Ms. Greel applauded conservation, because it is a document about the founding of Salem.

Mr. Pattison seconded the motion.

Mr. Callahan stated that just because we don't agree with history or the way it happened, nonetheless it is history and it did happen. What it is proposed to be preserved is a document that depicts our history, whether it be good or bad. He stated that he felt that anything that has to do with history should be restored and preserved for those after us.

Ms. Greel stated that U.S. Constitution is a document written by people who owned enslaved people and is still a document that is part of our history and our founding. There were twelve presidents that enslaved people while in office. She asked Ms. Kelleher to speak to the preservation of the document.

Ms. Kelleher stated that the City is working with the Massachusetts tribe to tell an accurate story of this document and has met with the tribe several times. The project includes conservation of

the parchment document as well as the telling of the accurate history of how the document came to be, which is an important part of the project, and which is not clearly known. The Tribe is very interested in working with the City as part of that interpretation.

Mr. Pattison asked if there was anything in writing.

Ms. Kelleher stated that it is a work in progress. There was some hesitation on their part as far as how this document has been interpreted in the past, but they are eager to be part of this conversation.

Ms. Livramento-Bryant stated that she agreed with Mr. Moriarty regarding the history. She stated that she did not feel it should be moved forward with \$15,000 in CPA funding to restore the document.

Ms. Greel questioned if it should be left to rot away even for archivists or historians.

Mr. Moriarty stated that saving a document has nothing to do with talking about the history. He did not recommend spending \$15,000 to save a document that is morally bankrupt. It can be incorporated into historical discussions or a plan or new program before the CPC, but did not feel it was appropriate to save the document and then talk to the tribes later. He felt it was putting a document before the horse.

Ms. Greel was in disagreement and noted that the Peabody Essex Museum contains documents.

Mr. Moriarty stated that he felt the document is irrelevant to the history and felt that CPA funds could be spent on any other project on this list.

Mr. Hoskins stated that there a lot of documents kept pertaining to the Witch Trials which is an objectionable piece of history.

Mr. Pattison agreed, but noted that the story of the Witch Trials is being told and he did not see the story being told about this deed.

Mr. Hoskins questioned if it would be looked at differently if it were interpreted in a public place.

Mr. Moriarty stated that this is a straight-forward request to preserve a document and suggested the applicant put a program together and come back.

Ms. Greel agreed the Salem Witch Trials was a horrific time in our nation's history and we get to use those documents to move forward.

Mr. Moriarty stated he objected to spend public funds to preserve it.

Ms. Hamilton agreed it needs to be preserved and hopefully it will be used properly in the future to demonstrate that this was a horrendous act. She felt that letter the document deteriorate and not letting it be seen by people is a travesty.

Ms. Greel asked Ms. Kelleher to speak to the native people being involved in the project and their belief that the document should be preserved so that the City can go on to tell the story.

Ms. Kelleher replied that that information is correct and noted that the City Clerk is on the Zoom and that she is the caretaker of the Salem archives and certainly she has spoken with City Councillors on this and she also feels strongly about the need to preserve the history of Salem whether good or not so great history. If the CPC members have questions about the city archives and the importance of protecting and preserving those records in the future, she is here to answer them.

Mr. Moriarty stated that he did not hear anything about the Indians being on board; that is a misstatement of any representation that has been made. He stated that there has been no representation that the Indian tribe is totally on board with this; that couldn't be further from the truth. There has been some discussions is what is stated in the record, so to summarize it is inaccurate. He felt that the Indian tribe is not on board on this. He noted there was no evidence of that at all and if there were, it would be in writing.

Ms. Kelleher stated that that Elizabeth Solomon of the Massachusetts tribe reviewed the CPC application and made some edits to make it more accurate and more reflective of the history. She stated the Tribe has been involved since the initial interest of putting in the pre-application.

Mr. Moriarty asked that the record reflect that there is nothing in this application from any Indian tribe.

Ms. Hoskins stated that there is the meeting and there is the application, which are a point of distinction. He stated that he believed Mr. Moriarty was stating that there is nothing in the application to indicate the part of the Tribes, but noted that the meeting record will indicate comments from Ms. Kelleher that the Tribes have been part of the conversation as this project has been brought along.

Mr. Pattison stated that he did not believe that the narrative would magically appear after the document has been saved, but noted that he was voting in opposition to rank it low.

VOTE: The motion was voted on. Ms. Livramento-Bryant and Mr. Moriarty voted in favor. Mr. Hoskins, Ms. Hamilton, Ms. Greel, Mr. Callahan, Mr. Pattison and Mr. Boris voted in opposition. The motion did not carry.

MOTION/VOTE: Ms. Hamilton made a motion to rank this project a High priority. Ms. Greel seconded the motion. Mr. Hoskins, Ms. Hamilton, Ms. Greel, Mr. Moriarty, Mr. Callahan, Mr. Pattison and Mr. Boris voted in favor. Ms. Livramento-Bryant and Mr. Moriarty voted in opposition. The motion so carried.

Salem Willows Pier, Willows Park, 200 Fort Ave. – City of Salem

MOTION/VOTE: Mr. Callahan made a motion to rank this project a High priority. Ms. Hamilton seconded the motion, all were in favor and the motion so carried.

Palmer Cove Park Renovation Phase II, 30 Leavitt St. – City of Salem

MOTION/VOTE: Mr. Callahan made a motion to rank this project a High priority. Ms. Greel seconded the motion. Mr. Hoskins, Ms. Hamilton, Ms. Greel, Mr. Callahan, Ms. Livramento-Bryant and Mr. Boris voted in favor. Mr. Pattison and Mr. Moriarty voted in opposition. The motion so carried.

Volunteer Bridge Rehabilitation, Forest River Conservation Area – Salem Sound Coastwatch & City of Salem Conservation Commission

MOTION/VOTE: Mr. Pattison made a motion to rank this project a Medium priority. Mr. Moriarty seconded the motion, all were in favor and the motion so carried.

Replacement of Floating Docks off Winter Island – Sail Salem & Salem Park & Recreation Commission

MOTION/VOTE: Mr. Moriarty made a motion to rank this project a High priority. Mr. Callahan seconded the motion, all were in favor and the motion so carried.

Rock Climbing Boulder, Memorial Park – City of Salem Park & Recreation & Mazie Heath

MOTION: Ms. Greel made a motion to rank this project a Low priority. Mr. Moriarty seconded the motion.

Ms. Greel stated that she loved the project, but felt there were other projects with greater necessity. She stated that this would provide some more time to develop a program, to reach out to the community and to formalize more solid plans.

Mr. Moriarty was in agreement with Ms. Greel and noted that he was impressed with the young applicant's enthusiasm, interest and researched. He stated that he would caution the committee, the City and the applicant, as there is probably a reason why there are no public rock climbing walls. He noted that as an attorney with 42 years of personal injury law, he felt it is a dangerous sport and the liability the City would assume is substantial, even with regular supervised hours. He questioned how to prevent use of it off hours, noting it would be an attractive nuisance. He stated that accidents happen and it would be very easy to prove a case against the City. He stated that there is a reason the vast majority are in private indoor facilities with limited hours and access with careful supervision. He stated it was a great project, but felt the liability issue is significant. He stated he would be willing to consider it again if issues of availability, supervision, training and access are taken care of.

Mr. Callahan stated that he was in agreement with Mr. Moriarty, noting he loved the concept, but encouraged the applicant to do a little more homework. He stated that there are questions that need to be answered and suggest it be resubmitted next round.

Patricia O'Brien stated that it is not the height of scale of an indoor rock climbing wall. There are others in the United States, although not in our region. The pieces are playground safety standard approved - same as any other playground that comes in. She stated that the height is no higher than the top of a slide or other playground structure. It is playground certified safe, so it is appropriate to put in a playground with the same inherent risk as other equipment. There have

been discussions on programs, along with the local climbing community, which would be similar to programs with Sail Salem, such as the kayak program, where there could be a Memorandum of Understanding to offer classes. She noted that when it is not supervised, it is the same safety as any other piece of playground equipment.

Mr. Pattison stated that he did not feel it was the same safety as it doesn't have handles, rungs and grabs. He stated that when moisture freezes, he felt it is a lot more dangerous, especially unsupervised.

Ms. O'Brien stated that playground safety certifications would not have been able to be approved and that is the standard that they go by.

Mr. Moriarty stated that he is talking about trying to avoid an accident. He stated that the standards don't have anything to do with lawsuits, risk, negligence or findings against the municipality. He stated that rock climbing is an activity that invites use and misuse. He stated that industry standards are some evidence of the care that the City took in selecting the materials and has nothing to do with where the materials are placed or how they are accessible. He felt the issues can be worked out, but it's time has not come.

Ms. O'Brien stated that there were internal discussions with legal before the application was submitted.

Mr. Pattison asked if there are other examples of this in this area.

Ms. O'Brien stated that she did not know if there are any in this area.

Ms. Courtney Heath stated that the vendor they are working with has built these in other municipalities in Wyoming, Colorado and Oregon. There are handholds and climbing holds on it, so that it is not just a slick surface. There are also different levels of ability. It is designed so a novice could use it, as well as more experienced youth so that they can be challenged. For the site they are looking at, the Bentley School, it would be lower in height than the swingset currently on site.

Mr. Moriarty stated that he agreed rock climbing has psychological and physiological benefits. He stated that it is something that should be carefully vetted and provided next year.

Mr. Hoskins stated that he is aware that playground standards are extremely rigorous. He stated that there may not be any in New England, but there may be some in cold climates where there is freezing.

Ms. Heath stated that this would be an exciting attraction that lots of people in our region would come to because it is novel in the Massachusetts area, but it is not novel in the United States.

Mr. Moriarty stated that it being novel in New England is what he is worried about it being attractive to people of an inappropriate age.

Mr. Pattison questioned that if it is unmonitored and it has things that are challenging for older kids, what is to stop a younger child from using the more challenging aspects.

VOTE: The motion was voted on. Ms. Greel, Mr. Moriarty, Ms. Livramento-Bryant, Mr. Pattison and Mr. Boris voted in favor. Mr. Callahan, Ms. Hamilton and Mr. Hoskins voted in opposition. The motion so carried.

Leefort Terrace (124 housing units) – BC Leefort Terrace LLC c/o Beacon Communities & Salem Housing Authority

MOTION: Moriarty made a motion to rank this project a High priority. Ms. Hamilton seconded the motion.

Cathy Hoog stated that she was present to answer any questions.

Mr. Moriarty stated that he felt it is an outstanding project meeting a need for a particular community that resides there, providing an opportunity for services, providing new housing that is affordable, sustainable and environmentally friendly, in an area that has been unfortunately prone to flooding. He noted that those currently there will have first availability for the new units at the same rent.

Ms. Greel stated that there is a letter of support from Safe Alliance for the Environment (SAFE), noting it will be an environmentally cutting-edge facility.

VOTE: The motion was voted on, all were in favor and the motion so carried.

Residences at St. James (33 housing units), 160 Federal Street – North Shore CDC

MOTION: Ms. Hamilton made a motion to rank this project a High priority. Mr. Moriarty seconded the motion.

Jennifer Kolodziej of the North Shore CDC stated that she was present to answer any questions.

Ms. Greel asked about the affordability.

Ms. Kolodziej stated that 81% will be affordable – 27 of the 33 units.

VOTE: The motion was voted on, all were in favor and the motion so carried.

Ms. Greel left the virtual meeting during the following application review.

Coping Stone Reinstallation & Cellar Window Preservation - Parish of St. Peter's Church, 24 St. Peter Street

Ms. Guy stated that application included the possibility of original material or vinyl for the basement windows. She noted that the use of vinyl material for the basement windows is not appropriate for an historic structure and would not be permitted under the Preservation Restriction that will be required if any part of the project is funded.

Bill Yuhas stated that he is a member of St. Peter's Church, is a retired architect who is on the Building Committee and is assisting the Church. They have considered two windows, including a Marvin all wood, single light window.

Ms. Guy stated that if the project receives funds, there will be a Preservation Restriction requiring that any proposed work go before the Salem Historical Commission who will determine and approve what is appropriate. The CPC does not need to make that determination, but may set conditions as part of the funding if they choose to.

Mr. Yuhas stated that they are prepared to do the wood window. He stated that two basement windows are completely deteriorated and are covered with plywood on the inside to prevent rodents from getting in.

Father Nathan stated that the coping stones on one side fell to the ground in 2018. The remainder on the other side were taken down for safety by request of the City. The stones sheds water off the stone work to protect them from deterioration.

Mr. Moriarty questioned how windows can be let go because they haven't been maintained and then become necessary for historic preservation because they are an integral part of the structure. He had no problem rating the coping stones high, but medium for the windows. He felt it was a magnificent historic structure and a wonderful member of the community, which makes the building open to all people, most recently for COVID testing and for after-school care for the Boys and Girls Club. He would rank the project high subject to those concerns.

MOTION/VOTE: Mr. Moriarty made a motion to rank this project a High priority. Mr. Callahan seconded the motion. Mr. Hoskins, Ms. Hamilton, Ms. Greel, Mr. Moriarty, Mr. Callahan, Mr. Pattison and Mr. Boris voted in favor. Ms. Livramento-Bryant voted in opposition. The motion so carried.

Ms. Greel rejoined the meeting.

Front Façade Replacement, Pickering House, 18 Broad Street – Pickering Foundation

MOTION/VOTE: Mr. Pattison made a motion to rank this project a High priority. Mr. Callahan seconded the motion, all were in favor and the motion so carried.

Dickson Memorial Chapel Stained Glass Window Restoration, Greenlawn Cemetery, 57 Orne Street – City of Salem

MOTION: Ms. Hamilton made a motion to rank this project a High priority. Mr. Boris seconded the motion.

Mr. Moriarty stated that he would not rank it high. He acknowledged the historic value and beauty. He stated that he had a problem with its location and ancillary uses. He stated that it was designed primarily for the location in the cemetery for memorial services. He stated that the 21st century usage has changed from the 19th or 20th century. He acknowledged the support and the historic value but questioned if it should have the undivided support of the CPC because of its location and limited use. He felt cemeteries are not as utilized or populated as they were

before and have a different function going forward in the 21st century. He felt there was a lack of utilitarian value and accessibility to the community that is ever-changing in Salem.

Mr. Callahan stated that he agreed cemeteries are changing, but they are changing for the better. He stated that he felt that Greenlawn is one of the highest utilized areas of the city as far as public access and use. It is used for walking activities, meditation and to visit loved ones. The application appears to show it is intended to make the area more user friendly and to make additional uses of the building to be open to the public for meetings, etc. He felt it was a worthy endeavor.

Ms. Greel stated that stained glass is artwork and to restore it to the beauty that once was is like restoring a painting, so that you can see the beauty of a skill that stain glass artists have made.

Mr. Moriarty stated that he does not deny it is used. He questioned who in our community is not using it.

Mr. Hoskins stated he lives nearby and it is a very busy cemetery, but perhaps it is not used city-wide. He felt it a remarkable little building and it would be practical to have it open more.

VOTE: The motion was voted on. Mr. Hoskins, Ms. Hamilton, Ms. Greel, Mr. Moriarty, Mr. Callahan, Mr. Pattison and Mr. Boris voted in favor. Mr. Moriarty and Ms. Livramento-Bryant voted in opposition. The motion so carried.

Vote to Recommend FY23 Budget & Available funds update

Ms. Guy requested a vote to recommend the FY23 budget to the City Council. As in prior years, the draft budget is for 10% in each of the three categories, 5% in administration and the balance in the budgeted reserve. The FY23 estimate for the State match is 35%. This year's budget revenue does not include Year 4 of 10 of the Footprint Community Benefits Agreement Contribution for \$75,000, as they have filed for bankruptcy. This year does include the Bertram Field Bond payment of \$100,000. She noted that the budget is submitted to the City Council at the same time as the recommended projects, so this submittal is effectively procedural.

ESTIMATED FUND REVENUES	
	FY23
Estimated CPA Surcharge	\$790,000
State Match 35%	\$276,500
SUBTOTAL	\$1,066,500
Footprint Community Benefits Agreement contribution (Year 4 of 10)	\$0
TOTAL	\$1,066,500
RECOMMENDED BUDGET	
Administrative Expenses	\$53,325
Housing Projects Reserve	\$106,650
Historic Projects Reserve	\$106,650
Open Space & Recreation Projects Reserve	\$106,650

Bertram Field Bond Year 2 of 20	\$100,000
FY22 Budgeted Reserve	\$593,225
TOTAL	\$1,066,500

Ms. Guy stated that the CPC also has \$259,903.66 carried over funds. With the admin set aside and the Bertram bond deducted, there will be a total of \$1,173,078.66 available, if the budget is approved to be submitted to Council.

MOTION/VOTE: Mr. Callahan made a motion to submit the budget to the City Council as proposed. Mr. Hamilton seconded the motion, all were in favor and the motion so carried.

Other Business

Ms. Guy reminded members who have not done so to please submit their acknowledgement of receipt of the annual Conflict of Interest information and to complete the annual online training, print the certificate and send in a copy.

Next Meeting(s):

Ms. Guy stated that the next meeting is scheduled for Tuesday, April 26, 2022, when the CPC develops its funding recommendations. She noted that the Zoom link will be different from the regular monthly meetings, so members should check their email to use the correct link.

There being no further business, Mr. Pattison made a motion to adjourn. Mr. Callahan seconded the motion; all were in favor, and the motion so carried.

Respectfully submitted,

Jane A. Guy
Administrator