



Malden Community Preservation Committee

Hybrid Committee Meeting

City Hall, Room #105; Zoom

May 18, 2022 6:00 p.m.

Meeting Minutes

Committee Members in Attendance: Lisa Sulda, *Chair*, Inna Babitskaya, Eric Henry, Cameron Layne, Khalil Kaba, Monique Ching (late)

Daniel Koff, CPA Administrator

Committee Members Absent: Rachael Running, Brendan Brett

1. Meeting Called to Order: Sulda called the hearing to order at 6:09 p.m.

2. Approval of April Minutes

Henry made a motion to approve the March minutes. Kaba seconds. Approved 5-0

3. Woodland Street Application

Ching arrives

Sulda expressed that there are two ways this project could be funded: as an Administrative expense from the Administration Reserve, or as a project expense from the General Fund.

The Coordinator provided an update that there is currently \$16,500 available in the Administration Reserve for this fiscal year.

Sulda inquired as to whether there was urgency to this issue.

Councillor Winslow attended the meeting and expressed that the landowner is now ready to discuss a possible sale of the property after being reluctant to engage in conversations on the topic. The landowner could change their mind at any point. Although Malden does not have a land trust, if the CPC were interested in funding the acquisition, Councillor Winslow expressed that he is in communications with organizations who may opt to hold the Conservation Restriction.

The neighborhood surrounding this parcel is being impacted by flooding in their low-lying areas, and they are committed to seeing change. Councillor Winslow has a concept to connect this parcel to neighboring parcels that are City-owned, and to a public street. It would be a project similar to Crescent Lane.

Babitskaya inquired whether this parcel would be left in its natural state, or whether there are additional sources of funds for improvement.

Councillor Winslow expressed that a developer proposed a rain garden that would alleviate flooding from a development that was created in the 1990's. Councillor Winslow is heading the ARPA Committee, and is looking into investing in rain gardens. This was a project that has been worked on for years, but only recently has the owner expressed interest in selling. Making this modest investment could help open up the pursuit of additional grants. Acquiring this property could unlock several million dollars to install rain gardens there and throughout the City. Haynor Swanson is the civil engineering firm that is evaluating storm drainage pipes which are in poor condition. Councillor Winslow is using this CPC process to show that the City has a special interest in purchasing this property. Having a real estate appraisal in place is an initial step to work towards other avenues to purchase property.

Babitskaya inquired whether additional studies should be put in place prior to its appraisal and/or acquisition. Winslow expressed that because the City doesn't own the property, the first step is to get a Purchase in Sale in order, and then further studies may be conducted. The idea is for it to remain as natural land and perhaps support stormwater management.

This proposal is a way to be transparent about the City's intent to purchase the property and to bring this project to the attention of fellow City Councillors.

Sulda expressed that the full request does not need to be awarded. She inquired as to how Committee members feel about the project.

Henry mentioned he had the opportunity to drive by the property and has seen and heard from his experience on the Planning Board that the ledge in the area creates a flooding hazard. He requested clarification that this parcel is between two existing city-owned conservation parcels.

Winslow clarified that the City came to own the two properties due to tax titles, and the Council has voted to preserve them as conservation land. The parcel is semi-developed, and sits between two conservation parcels. There is some broken pavement on the property for a former driveway that would need to be removed.

Henry inquired as to whether there is other conservation land nearby.

Winslow clarified that there is a stormwater retention basin above the property in question from which water flows into this parcel. It is a significant parcel encompassing several acres of land through the ledge.

Henry inquired whether Councillor Winslow has experience with raingardens.

Winslow expressed that he has not personally built one, but has helped with the design of parks, and that the idea here is to retain water on site. Some of these types of basins were created on the bike trail that he was involved with. The goal is to slow down the flow of water

Henry has never seen a functional rain garden, and wanted to better understand how it might work.

Winslow clarified that a raingarden on this parcel would provide a modest improvement to the area. This land marks the headwaters of the Linden Brook watershed. The 100-year-old stormwater culvert that carries the old brook is currently collapsing. Obtaining an appraisal to potential acquire the property would be a modest improvement compared to the City-wide stormwater plan that is in progress. They are working on the larger stormwater issues. At this spot three drains and water from route 60 converge. This area experiences some of the worst flooding in the City. This property can make modest improvements compared to other larger issues that are being studied.

Winslow hosted a climate forum with Senator Lewis, showing how one may try to address stormwater from the lowest point to the highest point, working systematically. This project would be one of many projects in this area to address the issue. If the City does not own the land, they cannot move forward with further studies and plans for the area. Winslow reiterated that it took a year for this owner to express interest in selling. This is the first step to come up with a fair price with which they can negotiate a sale of the property. Winslow has discretionary funds that he can commit to the project as well. Getting some amount of buy-in from the CPC would help show interest from the City.

Henry inquired about the size of the combined parcel. Winslow clarified that this property is 9300 sq/ft. Combined with other properties he estimates that it would equal approximately an acre.

Babitskaya expressed that rain gardens may create flooding and that it necessitates a certain type of soil. A landscape architect, engineer, and arborist may be needed to complete this project.

Councillor Winslow clarified that he cannot have someone even test the soil without owning the property. He wants to show first that the City is a willing buyer, so that further studies may be conducted. The property is currently partially impervious which may be rectified quickly, and he is hoping to work with additional professionals moving forward once the sale is in place.

Winslow further clarified that the reason why the Conservation Commission is the applicant is because the City is trying to figure out and establish a process for how to acquire land for conservation. The CC has authority to hold conservation land. If a price may be agreed upon, then a third party would need to hold the easement. Groundwork Somerville has held conservation restrictions, and may be able to hold one for this property if the sale were to move forward. There is community support here. This project provides value by enhancing neighboring conservation land. There is not a lot of land to purchase in Malden.

Sulda expressed that having the CC be the applicant shows that the proposal holds weight. Sulda expressed that the CC would have to evaluate the property if an acquisition were to move forward.

Sulda expressed that there are three options: award \$4,500 from an Administrative Reserve, put it through the fiscal year 2023 process in which case the application would go through the cycle with the rest of the applications to be reviewed in September and go through the hearing process and be awarded funds in the full next calendar year, lastly less funds could be allocated to match funds from other sources.

Kaba advocated for using funds from the Administrative account so that this project could move faster given the movement in the real estate market.

Henry inquired if there is a price difference between conservation land versus other uses. Winslow expressed that this is one of the challenges of negotiating a price. Typically people buy land for development, so there can be a large discrepancy between prices for land for development versus conservation. He is looking for fairness in the price, so it would be somewhat comparable to the cost for development (which would necessitate variances from the planning board).

Henry inquired whether there was negotiation with the owner to pay for the appraisal. Winslow expressed that the owner is not very willing to sell the parcel; it was a challenge just to get them to sign off on this application, and he wouldn't do it during the CPC's normal cycle, which is why the application is coming off-cycle. He expressed that this is not a circumstance where neighbors are preserving parcels from development; there is potential to create a pocket park with a trail that connects to neighboring conservation land.

Henry inquired whether he would feel differently if this were to come before him in September. He inquired how often these types of projects for appraisals or potential acquisition come before the CPC.

Sulda clarified that this is the first time a proposal for an appraisal – and acquisition – came before the CPC.

Henry expressed this is an exception to the rule and about the benefit to the common good. He expressed that time is of the essence due to changes in the real estate market.

Babitskaya inquired what were to happen if the price were to be too high.

Sulda clarified that the applicant could go in front of the CPC or other bodies to find the funds for purchase. If the price is too high, the acquisition may not be approved – given the funders.

Winslow expressed that the price could be assessed for anywhere between \$75-200k, which is an amount that could be raised either way. An appraisal needs to determine the fair price first to have an independent review to use government funds.

Sulda expressed that the CPC likes to see other sources of funds, and suggested that the CPC agree to pay \$3k of the \$3,900 estimate – and not the contingency.

Babitskaya inquired as to whom would conduct the appraisal. Winslow clarified that the City has used Foster, a professional appraisal firm to conduct the appraisal.

Henry made a motion to pay \$4,500 out of the Administrative Reserve. Kaba seconds. Motion passes 5-0.

4. Pre-Applications for Review

No pre-applications had come in as of the time of the meeting. This item will stay on the agenda for next month.

5. Review of Chair Duties

Sulda drafted Chair responsibilities so others may take on the task and know what the position entails. No questions were asked.

6. Review Potential Projects List

Babitskaya suggested that research be conducted at potential ancient murals at Bell Rock Park.

Henry inquired about affordable housing projects. Sulda clarified that a handful of affordable housing projects have been awarded. Start Secure was awarded \$100,000 for a pilot project. After only one person out of 13 was able to qualify, the requirements were lowered, and their grant was extended for one more year. The CPC also funded an emergency housing assistance program for \$250,000.

Henry clarified that at the Planning Board, a developer opted to pay an in-lieu payment of approximately \$400,000 instead of providing an affordable housing unit.

The Coordinator clarified that \$113k will be added to the Community Housing Reserve in FY23, and that approximately \$278k will be available in the Affordable Housing Reserve in FY23.

Sulda clarified that in other cities, all affordable housing funds are automatically distributed to the Affordable Housing Trust Fund. Other cities' CPC's maintain discretion for the use of affordable housing funds.

7. Other Business

Sulda is preparing a request to get on the City Council agenda to discuss the CPC work and to advocate for a Parks or Urban Forestry Department with a professional arborist on staff. Sulda requested support during that session. Babitskaya also advocated for the hiring of a landscape architect.

8. Applicant Workshop

Maureen Camerato joined the meeting remotely on behalf of FOOGI and the Patchell Park project. She expressed thanks for support in the master planning process and rough cost estimates. She is wondering what part of the project she may apply for, and inquired as to the timeline for the use of funds.

Sulda clarified that a process is now being established to start a project within a year of being awarded. An extension may be requested.

Camerato expressed that the project may be divided into two phases, and wondered if the whole \$2m project should come before the CPC or if a phase should be proposed.

Sulda clarified that in her experience, a phased project may be more feasible.

Camerato inquired as to whether there are any specific parts of the project that may be more desirable by the CPC? The Coordinator clarified that there are general priorities in the CPC Plan and encouraged the applicant to review those items.

Henry inquired whether Camerato recently took over from FOOGI. Camerato confirmed. Henry expressed appreciation for her work.

9. Adjournment

It was moved by Layne, seconded by Ching to adjourn the meeting. Approved 5-0 at 7:35pm.

Meeting Packet:

- [Appendix 5 - Potential Projects](#)
- [CPC Chair Responsibilities - Copy](#)
- [CPC Meeting Agenda 2022-05-18](#)
- [CPC Woodland St Full FY 22 App](#)