

ARTICLE 9:

ARTICLE 9: To see if the Town will vote to appropriate the sum of \$564,861 for the creation and/or restoration and rehabilitation of land for open space and recreational use, including improvements to comply with, Americans with Disabilities Act and Massachusetts Architectural Access Board access standards at various public playgrounds, including Nelson Park shown on Assessors Map 12, Lot 57 and Elmer Raymond, Jr. Playground located in Plymouth, MA and shown on Assessors Map 55, Lot 12A pursuant to the Community Preservation Program, and specifically for the design, acquisition and installation of recreational play equipment for such land, including but not limited to site preparation and permitting costs; and as funding therefor to appropriate said sum from the Community Preservation Fund estimated annual reserves, fund balance, or reserves, and/or borrow pursuant to G.L. c.44B or any other enabling authority, or take any other action relative thereto.

COMMUNITY PRESEVERATION COMMITTEE

RECOMMENDATION: Approval \$476,529 (10-1-1) The Advisory & Finance Committee recommends Town Meeting approve Article 9. Approval of this article will appropriate \$476,529 from the Community Preservation Fund to build and replace ADA & AAB compliant play structures at both Nelson Field and Elmer Raymond playgrounds. If this is not addressed by the summer of 2019 the Town will be at risk of incurring substantial fines due to violations.



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Friday February 8, 2019
Re: Spring Special TM 2019: CPA Article 9

ARTICLE 9: To see if the Town will vote to appropriate the sum of \$564,861 for the creation and/or restoration and rehabilitation of land for open space and recreational use, including improvements to comply with, Americans with Disabilities Act and Massachusetts Architectural Access Board access standards at various public playgrounds, including Nelson Park shown on Assessors Map 12, Lot 57 and Elmer Raymond, Jr. Playground located in Plymouth, MA and shown on Assessors Map 55, Lot 12A pursuant to the Community Preservation Program, and specifically for the design, acquisition and installation of recreational play equipment for such land, including but not limited to site preparation and permitting costs; and as funding therefor to appropriate said sum from the Community Preservation Fund estimated annual reserves, fund balance, or reserves, and/or borrow pursuant to G.L. c.44B or any other enabling authority, or take any other action relative thereto.

COMMUNITY PRESEVERATION COMMITTEE

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted unanimously in favor of Article 9 for Special Town Meeting at its meeting held Thursday February 7, 2019.

SUMMARY & INTENT: The intent of the CPC is to appropriate \$564,861 from the Community Preservation Act Fund from Open Space Recreational, for the building and replacing ADA & AAB compliant paly structures at both Nelson Park, and the Elmer Raymond Playground. The CPC voted to recommend the application as submitted by the Town of Plymouth Recreational & Park Department, along with a cautionary note, not to use CPA funds for maintenance activities around improvement of sidewalks or pathways. The CPA understands that the Town is in a unique situation as it relates to ADA & AAB compliance in three (3) of its fifteen (15) parks. The Massachusetts Architectural Board has cited the Town for violations for not meeting accessibility requirements. If not addressed by the summer of 2019 the Town will be at risk for incurring substantial fines due to the violations. The CPC would like to accommodate the Parks and Recreational Department by making the play equipment ADA and AAB compliant, in order to avoid the added cost of State fines. The CPC also recommends to the Town that they follow the State ruling on the use of CPA funds as outlined in a court decision regarding the Town Hanover. In addition the CPC would like to extend the option to the Town for assistance in creating an ADA & AAB Self Evaluation and Transition Plan for the remaining twelve (12) parks. With this current active application CPA administrative funds could be utilized to further ADA & AAB status research for the parks as outlined in the application.

21/21/2018

Playground Accessibility Project

The Plymouth Parks Department is requesting \$564,861 in CPC funding to complete its \$764,861 Playground Accessibility Project. The goal of this project is to make three of its existing 15 Playgrounds fully accessible to individuals with disabilities. In order for them to be ADA & AAB compliant these playgrounds must have accessible pathways to all of the play structures, including a compliant pathway around the perimeter of the play area. These renovations will bring three strategically selected playgrounds up to current ADA standards and will meet the new standards about to be rolled out by the Massachusetts Architectural Access Board (MAAB). These 3 playgrounds have been selected for two reasons. They are geographically spread out across Plymouth and are located in the North (Nelson), South (Elmer Raymond) & Central (Forges Field) parts of the town, making at least one them conveniently located to all parts of the community. The second reason is that they have been recently cited by MAAB with violations for not meeting accessibility requirements. Waiting to move forward on this project is not an option, it must be addressed by the summer of 2019 or risk incurring substantial fines due to the violations.

The Plymouth Park Department understands that it is necessary for all of the town's recreation & park facilities to be accessible to every resident & visitor. It will be our goal to include further ADA & AAB improvements into our future capitol and master plans.

The Town of Plymouth is currently engaged in an ADA & AAB Self Evaluation and Transition Plan for all town run public buildings and parks. Once completed this comprehensive document will provide the town with a working plan to address all of the accessibility issues that exist throughout our community.

Scope of Project:

Step one -Make all necessary safety repairs to the existing 15 playgrounds in town (see attachments)

Cost of this project is approximately \$88,000.

Step two- Retrofit two existing playgrounds (Forges & Elmer Raymond) with accessible pathways to all play structures including solid surface landing areas. Add additional play components to meet new AAB standards. The play structures at Nelson Park will be completely replaced (due to current condition) and will have fully accessible pathways and solid surface landing areas will be added.

The total cost of this project is \$764,861. At Fall Town meeting 2018 the Parks Department received \$200,000 in funding to complete the Forges Field portion of the project, leaving a \$564,861 balance needed to finish Nelson & Elmer Raymond. Given the large diverse group that will be served by this project, we feel CPC would be an excellent source for funding.

Plymouth Community Preservation Committee FISCAL YEAR 2018-2019 APPLICATION



THANK YOU FOR YOUR INTEREST IN PLYMOUTH'S COMMUNITY PRESERVATION ACT (CPA)

Attached is the Fiscal Year 2018-2019 Application for CPA funding. Please check with the Clerk's office at Town Hall or the Town web site for Town Meeting dates. The deadline for submission of applications to the Community Preservation Committee (CPC) is the last Friday in January for Spring Town Meeting and last Friday in June for Fall Town Meeting.

These deadlines are designed to provide the CPC and Town Departments sufficient time to review and discuss applications and supporting documentation, and to vote on recommendations for Town Meeting prior to the deadlines required under the Town's warrant process. The CPC reserves the right to accept or refuse an application submitted after the above deadlines.

IN THIS PACKET YOU WILL FIND THE FOLLOWING:

1. The one-page application form with instructions.
2. A Memorandum of Understanding describing the funding process and the responsibilities of those who receive CPA funding. Please read this document carefully, sign, and return with your application to confirm that you understand the process, and what your responsibilities will be if your application is approved by Town Meeting.
3. Information on eligibility for CPA funding, the proposal review and award process, and the CPC's goals and criteria for each of the three application categories—Open Space, Community Housing, and Historic Preservation.
4. Flowcharts showing the steps involved for each application category are found starting on page 10.
5. The appraisal process. If application is for consideration of an interest in real estate, an appraisal is required. Please review appraisal process.

Applications are accepted throughout the year. The CPC carefully reviews all applications before voting on which projects to recommend to Town Meeting. Any application not recommended to or approved at Town Meeting may be re-filed by the applicant to be considered for a future funding cycle.

IT IS IMPORTANT TO NOTE THAT WHILE THE CPC IS AN INDEPENDENT FUNDING ENTITY, ALL FUNDING DECISIONS ARE ULTIMATELY DECIDED BY VOTE OF TOWN MEETING.

- Application materials are revised annually by the CPC and presented to the citizens of Plymouth for review at an open forum.
- The application provides all necessary information about the CPA and the application process.
- The CPC may or may not choose to interview applicants.
- Applicants may be notified if questions arise before the CPC can vote on whether or not to present a project to Town Meeting.
- Once an application has been submitted to the CPC for consideration, all communication from the applicant, including questions, status inquiries, and addenda must be made in writing to the CPC.
- The CPC attempts to clearly outline the scope of the project at Town Meeting in order to define the project and educate Town Meeting members about benefits to the Town.
- After the Town Meeting vote, the applicant will be required to adhere to the language of the Article, as well as the presentation and supporting documents presented to Town Meeting.
- CPC oversight thereafter is only to approve invoices to ensure that expenses for a project are disbursed in accordance with the vote of Town Meeting.
- Applicants for CPA funding should include a financial and operational budget, and a preventive maintenance plan to ensure that future burdens will not be placed upon the taxpayers for a CPA funded project.
- The CPC reserves the right to rescind funding for projects.



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- To ensure progress on CPA funded projects, the CPC requires a signed grant agreement prior to release of any CPA funds.
- The grant agreement may include provisions for a liaison to be added to the directors and/or management team for the project. The term of the liaison will end when the CPA appropriation has been expended.
- On certain projects the CPC may require the applicant to accept a designee appointed by the Town to the applicant's governing body. Third party oversight is beneficial for long term projects where changes in management can lead to shifting objectives and stalled progress.
- Applicants must demonstrate how the project will be fully funded prior to approval of the application, or demonstrate that other funding sources are immediately available to complete the project.
- The CPC strongly encourages applicants to seek other funding sources through grants from government agencies and private foundations, and as well as contributions from advocacy groups and public organizations.
- The CPA should be recognized in any property signs, media coverage, or interviews involving funded projects. Suggested acknowledgment may be as follows: *This project was made possible by the residents of the Town of Plymouth, through their contribution of CPA funds and vote of Town Meeting.*
- An application for a project that will require alterations to a building for adaptive reuse must include a report from a licensed architect regarding state and local building codes, ADA and safety issues, fire department inspection, and expected costs for any changes that must be made to the building.

In 2012 an addendum was attached to the Community Preservation Act legislation that allows towns to use CPA funds for renewal of existing town-owned parks and open spaces. The CPC is careful in its deliberations with this new potential use of funds to ensure that the Town does not depend upon CPA funding for projects that were previously in a Town budget. As the CPA changes and evolves at the state level, the Plymouth CPC works to respond to the changes. The CPC therefore is reaching out to residents to involve them in the decision making process. For example, the steering committees for village centers where the projects are located can provide valuable input into the design of a project.

As the Town prepares for the 400th anniversary of the arrival of *Mayflower II*, the CPC will continue to look favorably, as it has since its inception, on applications that enhance Plymouth's economic viability and historic significance. It is important to note that since 2002, CPA funds have generated more than \$10-million dollars for some of the most significant historic restoration projects in the Town.

Your questions are welcomed. The Plymouth Community Preservation Committee meets at 7 pm on the 2nd and 4th Thursday of each month at Plymouth Town Hall, 26 Court Street, Plymouth. If you prefer, you can reach the CPC at 508 789-5012.

COMMUNITY PRESERVATION COMMITTEE

Bill Keohan, *Chair* – Member at large

Joan Bartlett, *Vice Chair* – Member at large

Allen Hemberger, *Clerk* – Member at large

Frank Drollett – Representative from Conservation Commission

John Mahoney – Representative from Board of Selectmen

TBA – Representative from Planning Board

Jeff Metcalfe – Representative from Housing Authority

Michael Tubin – Representative from Historic District Commission

Christine Pratt – Member at large



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FISCAL YEAR 2018-2019 APPLICATION

Project Name: Playground Accessibility Project

CPA Funding requested: \$ \$565,000 If the amount is unknown, will an appraisal be needed?

Y N (If yes see page 14 of the appraisal process)

Total project cost: \$ 765,000

Category—check all that apply: Open Space/Recreation Historic Housing

Lot and Plot: Nelson & Elmer Raymond

Assessors Map #: _____

Number of acres in parcel: 3.9 & 17 acres

Number of proposed housing units: 0

Are there any existing deed restrictions on this property? No Don't know Yes/DESCRIBE

Describe restrictions below:

No deed restrictions, Town owned Public Parks

Project Sponsor/Organization: Town Of Plymouth Parks Department

Contact Name: Ted Bubbins or Jonathan Beder

Address: 159 Camelot Dr. Plymouth MA

Phone #: 508-830-4162 x12116 E-mail: jbeder@townhall.plymouth.ma.us

[Signature]
Applicant Signature

12/18/18
Date submitted

APPLICATION REQUIREMENTS:

A complete application consists of this application page (the specific amount of CPA funding is required), along with the following:

- A detailed description of the project explaining how your proposal benefits the Town of Plymouth and how it meets CPA goals and selection criteria outlined at the end of this application packet.
- Are there any special permit, variance or other approvals required? Are there any legal ramifications or impediments to this project?
- A detailed project budget including any additional revenue sources. Will there be any annual costs to the town once the project is operational?
- A project timeline.
- Additional supporting information such as photographs, plot plans, and maps (if applicable).
- Applicant must provide all title information for the property.
- Applicant must initial each page in the space provided.





PLEASE SEND 11 COPIES (DOUBLE-SIDED) OF YOUR APPLICATION TO:
The Community Preservation Committee, Plymouth Town Hall
26 Court Street, Plymouth, MA 02360

Applications may also be dropped off at the Town Clerk's office.
or in the CPC mailbox at Plymouth Town Hall.

The deadline for submitting an application is last Friday in February for Spring Town Meeting,
and last Friday in June for Fall Town Meeting.

MEMORANDUM OF UNDERSTANDING

Project Name: Playground Accessibility Project

Applicant Name: Town Of Plymouth Parks Department

Address: 159 Camelot Dr. Plymouth MA

Phone #: 508-830-4162 x12116 E-mail: jbeder@townhall.plymouth.ma.us

I understand that there are certain conditions and responsibilities involved in receiving CPA funding.
My signature below indicates that I have read the following conditions and agree to follow them if my
application is recommended to and approved by Town Meeting:

1. I understand that the funding process follows procedures described in the Community Preservation Act, M.G.L. Ch. 44B and that this places certain restrictions on how payments may be made.
2. In order to acknowledge the Community Preservation Act, and thus the contributions of the Plymouth taxpayers, I will:
 - Order, pay for and place a temporary "Community Preservation Works" sign or banner in front of the project. The Community Preservation Committee will provide the approved design. Approximate cost for the banner is generally \$250-\$300.
 - Acknowledge the contributions of the Community Preservation Act in all press releases, newsletters, and other publicity.
 - Include recognition of the Community Preservation Act if a permanent plaque or sign is placed on the project.
3. If requested I will supply the Community Preservation Committee with quarterly financial up-dates the project.
4. As needed, I will assist in the process of obtaining the required deed restriction to help protect the property in perpetuity.
5. The Applicant agrees to adhere to the intent and the spirit of the presentation made to Town Meeting.

Ted Bubbins

Print Name

Signature

A handwritten signature in black ink that reads "Ted Bubbins".

12/26/18

Date



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Supporting project Documentation

Cost of Playground safety repairs

Playground	Cost	Labor	Total Cost
Hedges Pond	\$116.78	650	\$766.78
Forges Field	\$8,492.00	3000	\$11,492.00
Allerton	\$1,246.09	925	\$2,171.09
Manomet Recreation Area	\$8,265.62	3500	\$11,765.62
Brook	\$1,782.33	850	\$2,632.33
Elmer Raymond	\$14.43	650	\$664.43
Huntley	\$5,166.00	2500	\$7,666.00
Sirrico	\$4,791.64	2200	\$6,991.64
Stephens	\$14,137.49	6000	\$20,137.49
Veterans	\$12,513.00	6000	\$18,513.00
Siever	\$1,913.00	850	\$2,763.00
West Recreation	\$1,919.00	850	\$2,769.00
	\$60,357.38	\$27,975.00	\$88,332.38

CPC Playground Accessibility Project

Forges Field	\$200,000.00	Already funded at Fall Town Meeting 2018
Nelson Park	\$339,029	
Elmer Raymond	\$137,500.00	

Total Funding requested through CPC application

\$564,861.38