



**Town of West Newbury
Board of Selectmen
Monday, September 9, 2019 @ 7pm**
381 Main Street, Town Office Building
www.wnewbury.org
AGENDA

RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2019 SEP -5 PM 4:06

Open Session: 7pm in the First Floor Hearing Room

Announcements:

- This meeting is being broadcast on local cable TV and recorded for rebroadcast on the local cable channels and on the internet.
- The Carr Post Building Committee will meet with the project consultants at 6 PM in the First Floor Hearing Room, and may offer recommendations at the Board of Selectmen meeting at 7 PM

Regular Business

- A. Vote to accept funds gifted to Carr Post Building Gift Account, and to authorize use of funds
- B. Presentation by Sullivan, Spencer & Vogt architectural/historic preservation consultant team; and Board review and recommendations regarding draft proposal to the Community Preservation Committee for restoration of the Soldiers & Sailors Memorial building (Carr Post)

MEETING NOTICE

Amended for time change

West Newbury Carr Post Building Committee

DATE: September 9, 2019

TIME: 6:00 p.m.

PLACE: First Floor Hearing Room
1910 Town Office Building
381 Main Street
West Newbury, MA 01985

AGENDA

Meeting of committee to review last minute items before attendance at Board of Selectmen's meeting to discuss pending Soldiers and Sailors proposal to the Community Preservation Committee.

Town Manager

From: [REDACTED]
Sent: Wednesday, September 4, 2019 1:30 PM
To: Bob Janes; Rick Atwater; Peter Ringenbach; Town Manager; Ann O'Sullivan
Subject: Meeting minutes and...
Attachments: CARRminutes_082819.docx; CARRvisit_10.10.18.docx; Summary Carr Meeting_071519.docx

Attached are the 8.28 meeting minutes. Committee members, please proof them and amend, if required. We can quickly approve them at the meeting Monday night. *

I also have attached unofficial minutes from the 7.25.19 Committee meeting that I did for myself but could have interest for context.

And I have attached my summary of an assessment visit to the Carr building from 10.10.18. It provides a comparison to the current dire conditions.

* I'd like procedural direction for including documents from the meeting to be posted with the minutes on the town website. I referred to Peter and Curtis' e-mail exchange in the 8.28.19 minutes.

Marley

Marlene Switzer
"The Write To Know"

Carr Post Building Committee
Meeting Minutes
Wednesday, Aug. 28, 2019
1st-floor Hearing Room, Town Office Building

Present: Richard Atwater Jr., Robert Janes, Peter Ringenbach, Marley Switzer, scribe

The meeting was called to order at 7:09 p.m.

Ω

On a unanimous vote, Marley Switzer was elected recording secretary for the committee.

Ω

Committee members shared relevant information they had gathered:

Peter Ringenbach highlighted the responses to questions he e-mailed to the consulting architectural firm of Spencer, Sullivan and Vogt (SSV). His queries included technical, procedural and cost-related subjects. (See attached e-mail communication of 8.22.19 between Ringenbach and Curtis Perrin, SSV project manager and architect.)

- Noting the chronically high water table, Ringenbach asked about the option to fill the cellar hole and lay a concrete slab (cost comparison, interior floor choice).
- He advocated for installing an interior sprinkler system, which is viable because the Drake's Landing builder was required to improve water pressure to his development.

At Perrin's request, a cost estimator and a hazardous material tester each inspected the Carr building earlier today. Initial reports from these contractors were expected next week. Marley Switzer was on site and noted new paving of the designated rear parking area. Grade change is significant.

Robert Janes, who also chairs the Historical Commission, said a list of grant sources was given to him by Jennifer Conway, another Historical Commission member. Switzer is requesting relevant information from Tom Kolterjahn, who co-chairs the Newburyport Preservation Trust.

Ω

Members of the audience offered input:

Tom Atwood recommended creating a contingency amount in the CPC application to cover unexpected costs. As a member of the Conservation Commission, Atwood said the Carr building project will trigger a Request for Determination (RDA) because it is located within 100 feet of wetlands. Ringenbach suggested Cammett Engineering could do elevational drawings.

Ann O'Sullivan said the Carr Post Building Committee should not participate in the public outreach for supporters (signs, online information) prior to the Special Town Meeting vote on the funding. She said that should be left to residents motivated to get involved. She offered to speak with Town Manager Angus Jennings about asking State Rep. Lenny Mira for help with funding. She suggested that KC Swallow could agree to lend her expertise as a grant writer.

Ω

Discussion of the appropriate name for this building:

Soldiers and Sailors Memorial Building or Charles L. Carr American Legion Post 240? Janes is attempting to connect with former and current Legion members, and their families for any useful information. Ringenbach will ask the Town Manager about the official name associated with the National Historic Places designation.

Ω

The next meeting of the Carr Post Building Committee will be Wednesday, Sept. 4, at 7 p.m.

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,
Marley Switzer

cc: Town Manager

Summary of Carr Post Building Committee Meeting
Town Offices * Monday, July 15, 6:45 p.m.

Present: Richard Atwater Jr.; Robert Janes, chairman; Marlene Switzer

Ω

The Carr Post Building Committee met at the Town Offices on Monday, July 15, at 6:45 p.m. The three members discussed preliminary findings of an extensive recent inspection of the Soldiers and Sailors Memorial by Spencer, Sullivan & Vogt. This firm (aka SSV) specializes in preservation of historical architecture and delivered the Phase 1 report in 2014 for emergency stabilization of the Carr Post structure.

Janes and Switzer both have been present for separate site inspections in recent weeks and shared with Atwater what they had learned to this point. To wit: Phase 2 of the preservation and renovation process cannot proceed without a detailed professional assessment of the current condition of the building. Time is short to secure funding and to put in place critical stabilization measures before winter. The Town Manager has created a proposal to use some CPC Administrative Funds to underwrite the projected cost of short-term SSV services.

That proposal received the support of the Historical Commission at a meeting last week, and the Board of Selectmen was expected to endorse the proposal at the meeting which was about to be convened. Atwater, Janes and Switzer each independently stated that they favor the funding measure as proposed by the Town Manager that will come before the CPC Thursday night.

The Carr Post Building Committee meeting ended at 7:10 p.m.

Marlene Switzer
Scribe

Note: Gift Account was approved 8/5. Included for reference re eligible uses of funds.

MOTIONS FOR BOARD OF SELECTMEN

1. I move to establish the Carr Post Building Gift Account in accordance with the provisions of MGL c. 44 §53A; and
2. I move to accept gift funds for said Carr Post Building Gift Account and authorize the expenditure of such funds for the study, support, maintenance, repair and all other costs pertaining to the building and grounds commonly referred to as the Carr Post.

NOTICE TO TOWN ACCOUNTANT

To: Laurie Zywiak

Please be advised that on the 5th day of August, 2019 at a duly posted and convened meeting of the West Newbury Board of Selectmen, on motions duly made and seconded, it was voted, by a vote of three in favorite and none opposed, to:

1. Establish the Carr Post Building Gift Account in accordance with the provisions of MGL c. 44 §53A; and
2. Accept gift funds for said Carr Post Building Gift Account and authorize the expenditure of such funds for the study, support, maintenance, repair and all other costs pertaining to the building and grounds commonly referred to as the Carr Post.

Date

David Archibald, Chair
Board of Selectmen



Town of West Newbury
381 Main Street
West Newbury, Massachusetts 01985

Angus Jennings, Town Manager
978-363-1100, Ext. 111 Fax 978-363-1826
townmanager@wnewbury.org

TO: Board of Selectmen
FROM: Angus Jennings, Town Manager
DATE: September 6, 2019
RE: Updated cost estimates, Soldiers & Sailors Memorial Building

Late this afternoon we received the updated cost estimate for the Soldiers & Sailors Memorial Building (Carr Post). I spoke with Lynne; while this is still preliminary, their team has gone through every line with a fine-tooth comb, and the numbers – prepared with a professional cost estimator – take into account current bid conditions, i.e. recently bid/awarded jobs, and actual costs from completed jobs.

These numbers do include healthy contingency, and some add-ons that are not necessary. At Monday night's meeting, the consultants will be prepared to advise the Board re what elements could be pulled out of the budget without compromising the overall effort. I have enclosed in this packet the slides presented at the August 22 meeting; updated slides will be presented on Monday evening, including regarding work that has been ongoing in the past couple of weeks among my office, the Town Planner and others regarding the challenges associated with providing adequate parking to support active use of the building for public assembly.

My goal from the beginning of this has been to present the voters with a true cost (estimate) of what it would take to restore this building, and let the voters decide based on sound information. I think we're well on track to achieve that. Whether the Town wishes to make this level of investment is a decision the voters can make. Our next steps are to assemble and submit the CPC application by the end of next week.

cc: Carr Post Building Committee

PRELIMINARY COST ESTIMATE - SOLDIERS & SAILORS MEMORIAL							
DIVISION		QTY	UNITS	UNIT RATE	COST		
01 - General Requirements							
	Scaffolding, disposal, general equipment	1	LS	\$30,000	\$30,000		
	Subtotal				\$30,000		
02 - Existing Conditions, Site, and Selective Removal							
	Demolish existing bathrooms and kitchenette & selected interior partitions	1	LS	\$1,500	\$1,500		
	Hazardous materials removal and disposal	1230	SF	\$15	\$18,450		
	Subtotal				\$19,950		
03 - Concrete							
	Infill cellar with flowable fill	274	CY	\$150	\$41,100		
	Concrete slab	1230	SF	\$35	\$43,050		
	Subtotal				\$84,150		
04 - Masonry							
	Disassemble and rebuild brick tower, incl. crenellations & chimney; re-use existing brick as much as possible	1	LS	\$157,600	\$157,600		
	Fill in existing basement windows with brick	25	SF	\$100	\$2,500		
	Rebuild chimney top	50	SF	\$100	\$5,000		
	Brick infill at removed Floor 2 south door with reconstructed window opening	1	LS	\$7,500	\$7,500		
	Repair areas of stone foundation where stones have fallen out or are loose	48	SF	\$100	\$4,800		
	Cut and re-point all mortar joints at all locations on all elevations, brick & stone	2990	SF	\$35	\$104,650		
	Provide backer rod and sealant at joint at gable-end wood rake moldings	100	LF	\$5	\$500		
	Restore two granite steps at main entry	1	LS	\$4,500	\$4,500		
	Subtotal				\$287,050		
06 - Wood, Plastics, & Composites							
	Sub-floor on sleepers at first floor	1230	SF	\$3	\$3,690		
	Selective wood repairs at entry	1	LS	\$10,000	\$10,000		
	Minor repairs to soffit and rafter tails	1	LS	\$4,000	\$4,000		
	New tongue-and-groove flooring at first floor	1230	SF	\$13	\$15,990		
	Interior casing for new doors and restored windows	1000	LF	\$8	\$8,000		
	Wood base and wainscoting in renovated areas to match existing	1000	SF	\$8	\$8,000		
	Framing for new partitions	1	LS	\$15,000	\$15,000		
	Subtotal				\$64,680		
07 - Thermal & Moisture Protection							
	Replace missing and broken slates	1	LS	\$12,000	\$12,000		
	New copper gutters and downspouts	1	LS	\$10,000	\$10,000		
	New flashing at chimney	1	LS	\$2,500	\$2,500		
	New roofing and flashing at rebuilt tower (through-wall flashing at crenellations)	1	LS	\$18,250	\$18,250		
	Subtotal				\$42,750		
08 - Openings							
	Restore and paint existing windows	29	EACH	\$1,800	\$52,200		
	Provide exterior or interior storm windows	29	EACH	\$1,100	\$31,900		
	New replica window at south elevation (rear)	1	LS	\$4,500	\$4,500		
	New replica door at south elevation (rear)	1	LS	\$6,000	\$6,000		
	Restore north doors, add hardware (front façade)	1	LS	\$4,500	\$4,500		
	New doors for kitchenette, bathrooms & hall to match existing doors (including hardware)	4	EACH	\$1,500	\$6,000		
	Subtotal				\$105,100		

PRELIMINARY COST ESTIMATE - SOLDIERS & SAILORS MEMORIAL							
DIVISION	QTY	UNITS	UNIT RATE	COST			
09 - Finishes							
Exterior: prepare and paint all wood rakes, soffits, trim	1	LS	\$6,000	\$6,000			
Exterior: prepare and paint wood trim at south entry, including steps	1	LS	\$6,000	\$6,000			
Interior: painting, primer plus two finish coats, including ceilings	1	LS	\$24,000	\$24,000			
Interior: Sand wood floor at stairs & second floor + urethane	1230	SF	\$4	\$4,920			
Interior: 5/8" GWB board painted at new partitions and ceilings (restrooms, kitchenette, tower, Floor 2)	3000	SF	\$5	\$15,000			
Interior: Cementitious board restroom walls	512	SF	\$5	\$2,560			
Interior: Tile flooring in bathrooms and kitchenette	300	SF	\$25	\$7,500			
			Subtotal				\$65,980
10 - Specialties							
Signage: ADA required interior and exterior signage + exterior signage for parking	1	LS	\$1,200	\$1,200			
Stainless steel ADA fittings at toilets	4	EACH	\$95	\$380			
Soap dispenser - wall type	2	EACH	\$38	\$76			
Electric air-blade hand dryers	2	EACH	\$950	\$1,900			
Waste receptacles	2	EACH	\$450	\$900			
Plastic toilet paper holders	2	EACH	\$44	\$88			
ADA restroom mirrors	2	EACH	\$200	\$400			
Cabinet extinguishers as per fire department and code	2	EACH	\$525	\$1,050			
			Subtotal				\$1,656
12 - Furnishings							
Casework: Thermafoil cabinets at kitchenette	1	LS	\$3,000	\$3,000			
Countertops p-lam	1	LS	\$1,000	\$1,000			
Cabinet hardware	1	LS	\$200	\$200			
			Subtotal				\$4,200
14 - Lift							
Cut existing floor framing systems and provide new structure as per structural drawings. Provide new fire-rated (1-hr) hoist way enclosure walls, and new wheelchair lift for access to Floor 2. Conform to MAAB regulations for full accessibility. Type-X drywall.	1	LS	\$58,000	\$58,000			
			Subtotal				\$58,000
22 - Plumbing							
New accessible men's and women's restrooms and kitchenette. Provide all new fixtures. Conform to MAAB regulations for accessibility for restrooms.	1	LS	\$42,000	\$42,000			
			Subtotal				\$42,000
23 - Mechanical							
Install zoned HVAC system	1	LS	\$55,000	\$55,000			
			Subtotal				\$55,000
26 - Electrical							
New electrical for entire building	1	LS	\$45,000	\$45,000			
New 200-Amp service	1	LS	\$4,000	\$4,000			
Lighting fixtures	1	LS	\$8,800	\$8,800			
			Subtotal				\$57,800
28 - Electronic Safety and Security							
Digital, addressable fire alarm system with detectors for heat, smoke, and CO	1	LS	\$17,000	\$17,000			
			Subtotal				\$17,000

PRELIMINARY COST ESTIMATE - SOLDIERS & SAILORS MEMORIAL							
DIVISION	QTY	UNITS	UNIT RATE	COST			
32 - Exterior Improvements							
Accessible walk to south door (rear)	1	LS	TBD	TBD			
			Subtotal	\$0			
33 - Utilities							
Septic tank - tight tank	1	LS	\$10,000	\$10,000			
New sanitary line (to septic)	20	LF	\$60	\$1,200			
New gas line trenching & backfill	100	LF	\$50	\$5,000			
Water line (use existing)							
			Subtotal	\$16,200			

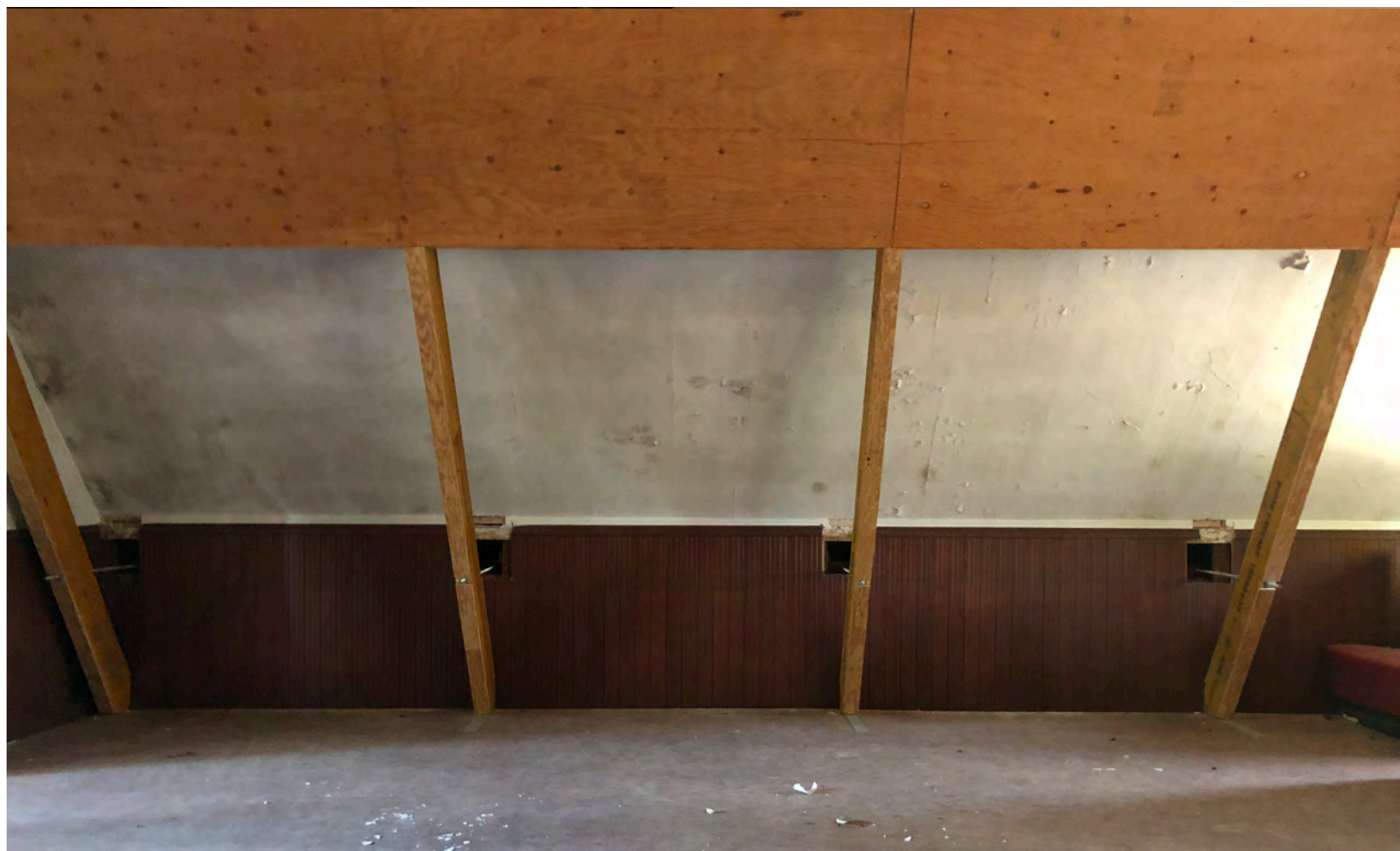
SCOPE OF WORK COST				\$951,516.00			
General Conditions (10%)				\$95,151.60			
				\$1,046,667.60			
Overhead and Profit (5%)				\$52,333.38			
				\$1,099,000.98			
Insurance (1%)				\$10,990.01			
Payment and Performance Bonds (1%)				\$10,990.01			
CONSTRUCTION TOTAL				\$1,120,981.00			
Design Contingency (5%)				\$56,049.05			
Construction Contingency (10%)				\$112,098.10			
Architectural Fees (15%)				\$168,147.15			
PROJECT COST TOTAL				\$1,457,275.30			

ALTERNATES							
Landscaping	1	LS	TBD	TBD			
Sprinkler system	2460	SF	\$8	\$19,680			
New water line for sprinkler system	100	LF	\$60	\$6,000			
New underground electrical line	100	LF	\$60	\$6,000			
New slate roof	2346	SF	\$50	\$117,300			
			Subtotal	\$148,980			
			Subtotal	\$148,980			
GRAND TOTAL				\$1,606,255.30			

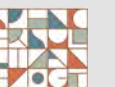


SOLDIERS & SAILORS MEMORIAL BUILDING REHABILITATION












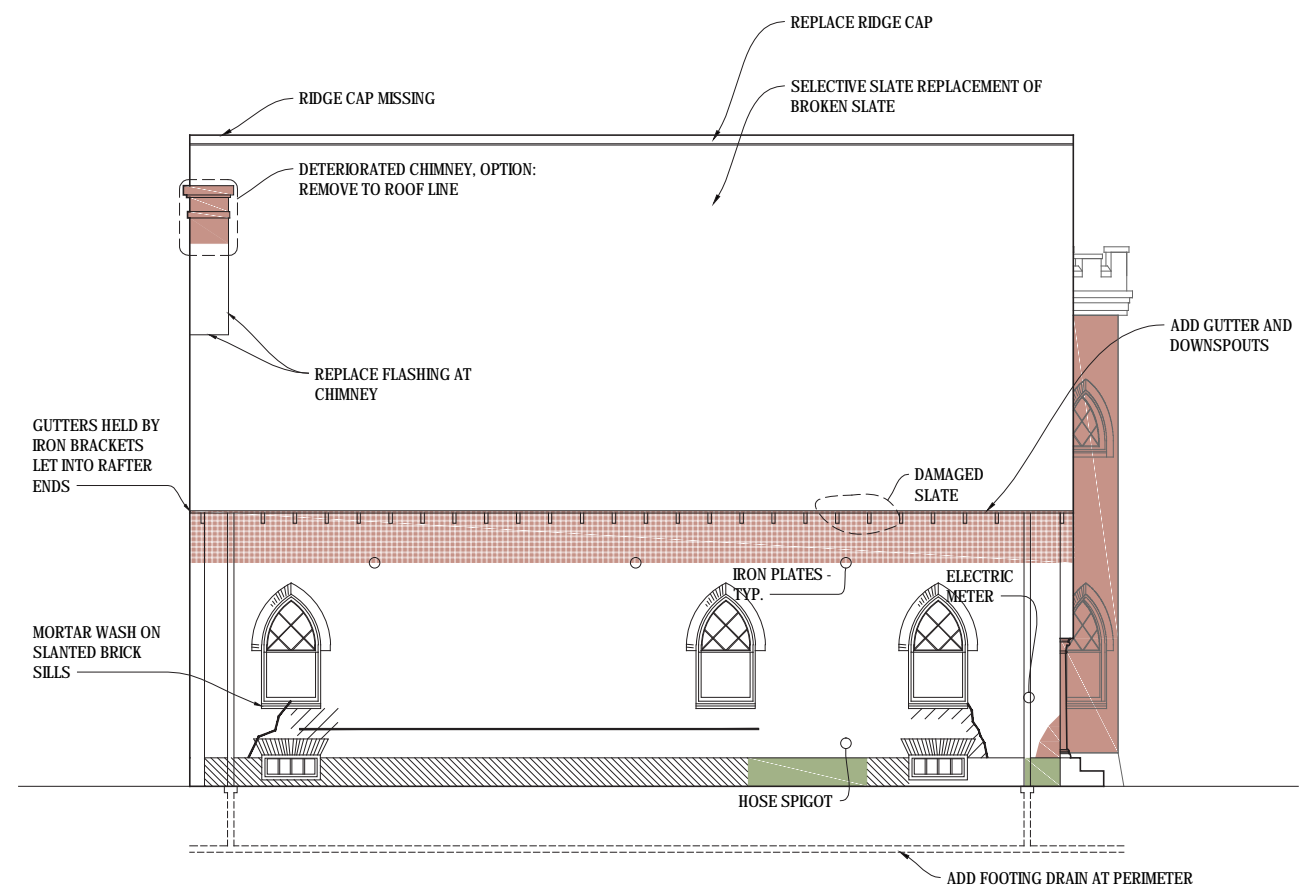
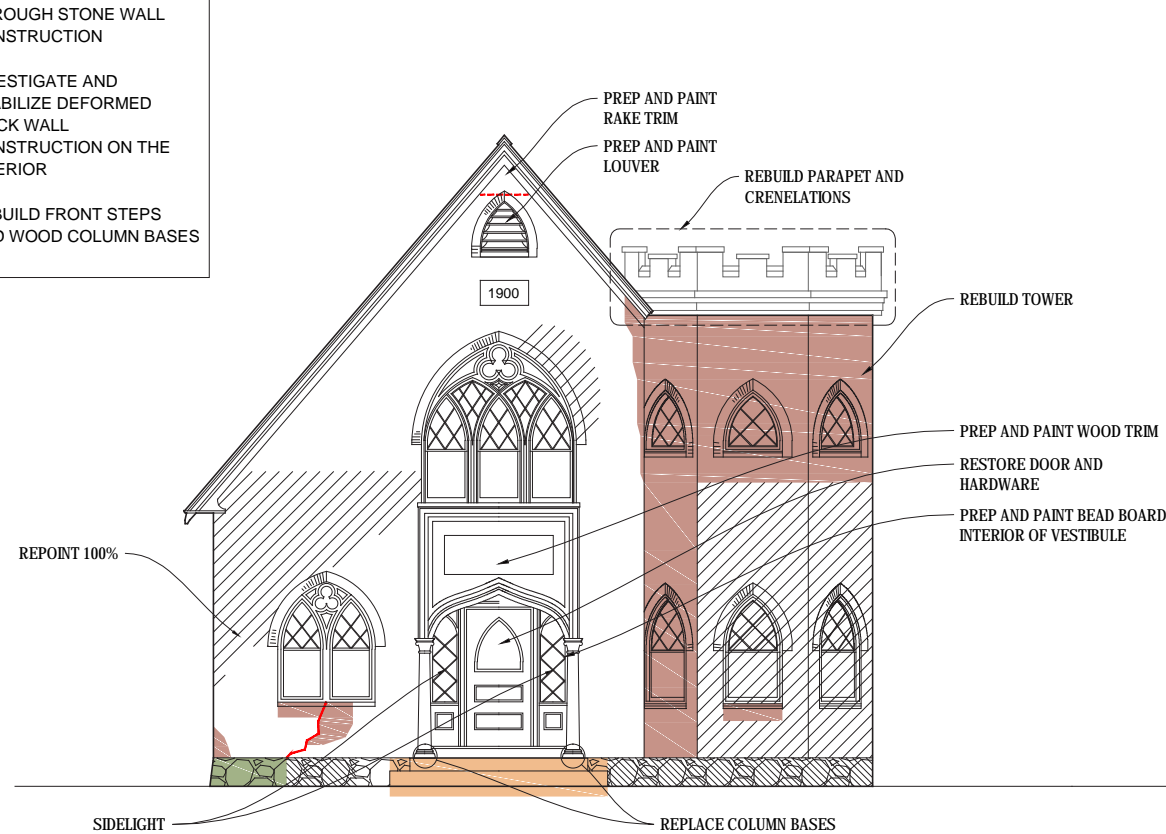


OVERVIEW












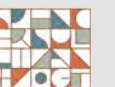
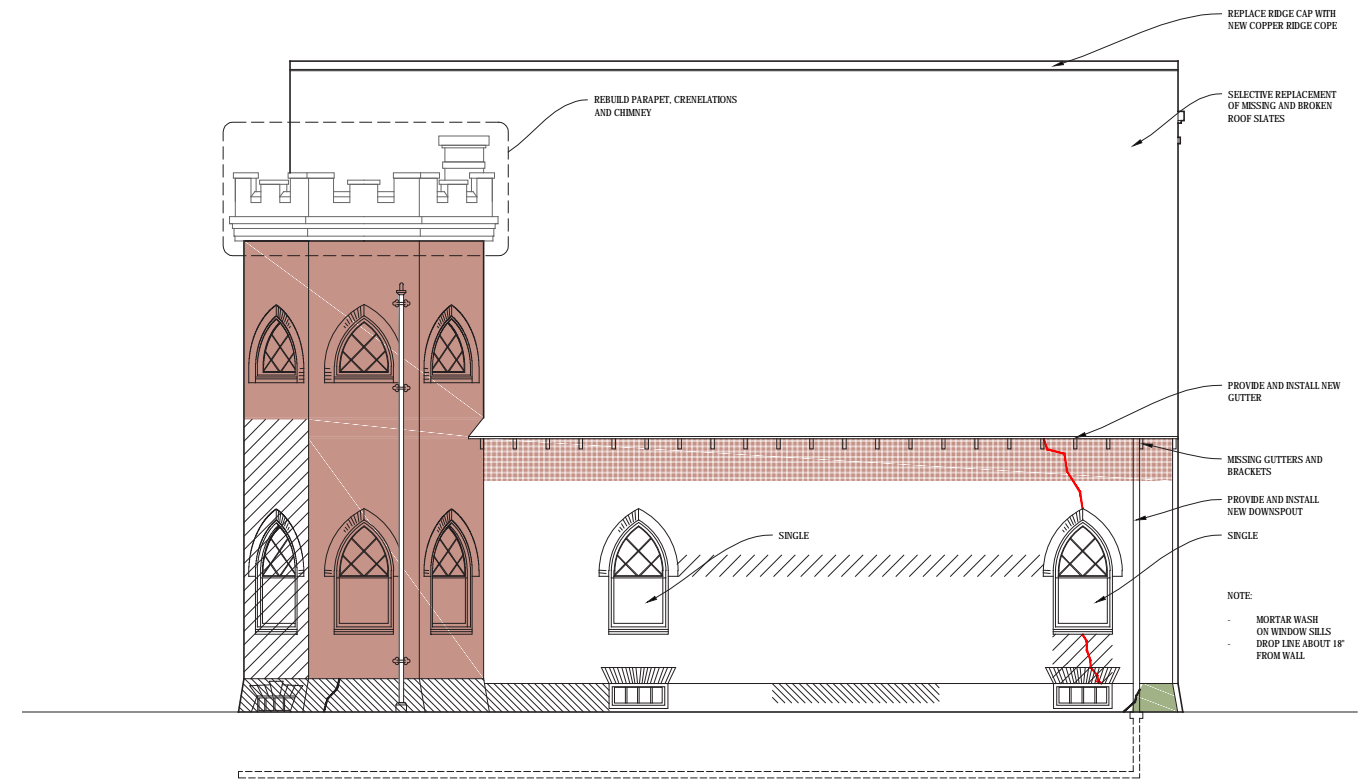
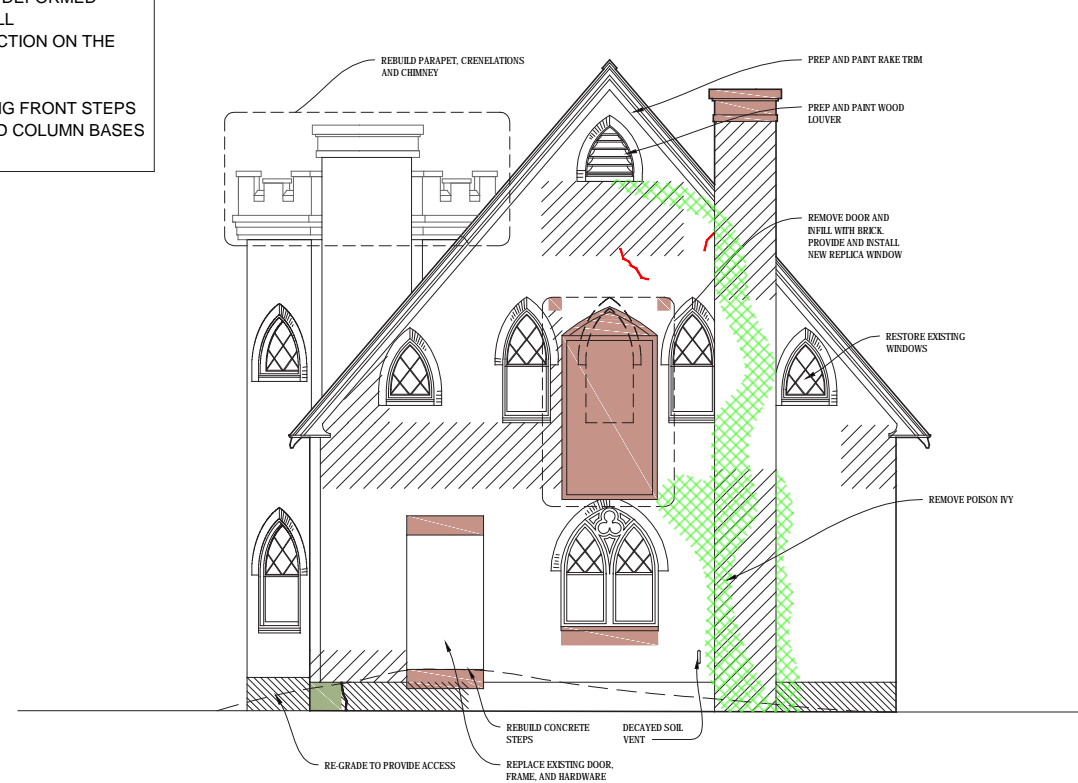
KEY TO SYMBOLS:

	DISMANTLE AND REBUILD BRICK WALL CONSTRUCTION
	DISMANTLE AND REBUILD STONE FOUNDATION CONSTRUCTION
	100% REPOINTING BRICKWORK TO REMAIN
	CUT AND POINT STONEMASONRY TO REMAIN
	RE-KNIT CRACK THROUGH BRICK WALL CONSTRUCTION
	JET CLEAN, POINT AND GROUT HORIZONTAL JOINT CRACK THROUGH BRICK WALL
	POINT AND GROUT CRACK THROUGH STONE WALL CONSTRUCTION
	INVESTIGATE AND STABILIZE DEFORMED BRICK WALL CONSTRUCTION ON THE INTERIOR
	REBUILD FRONT STEPS AND WOOD COLUMN BASES



KEY TO SYMBOLS:

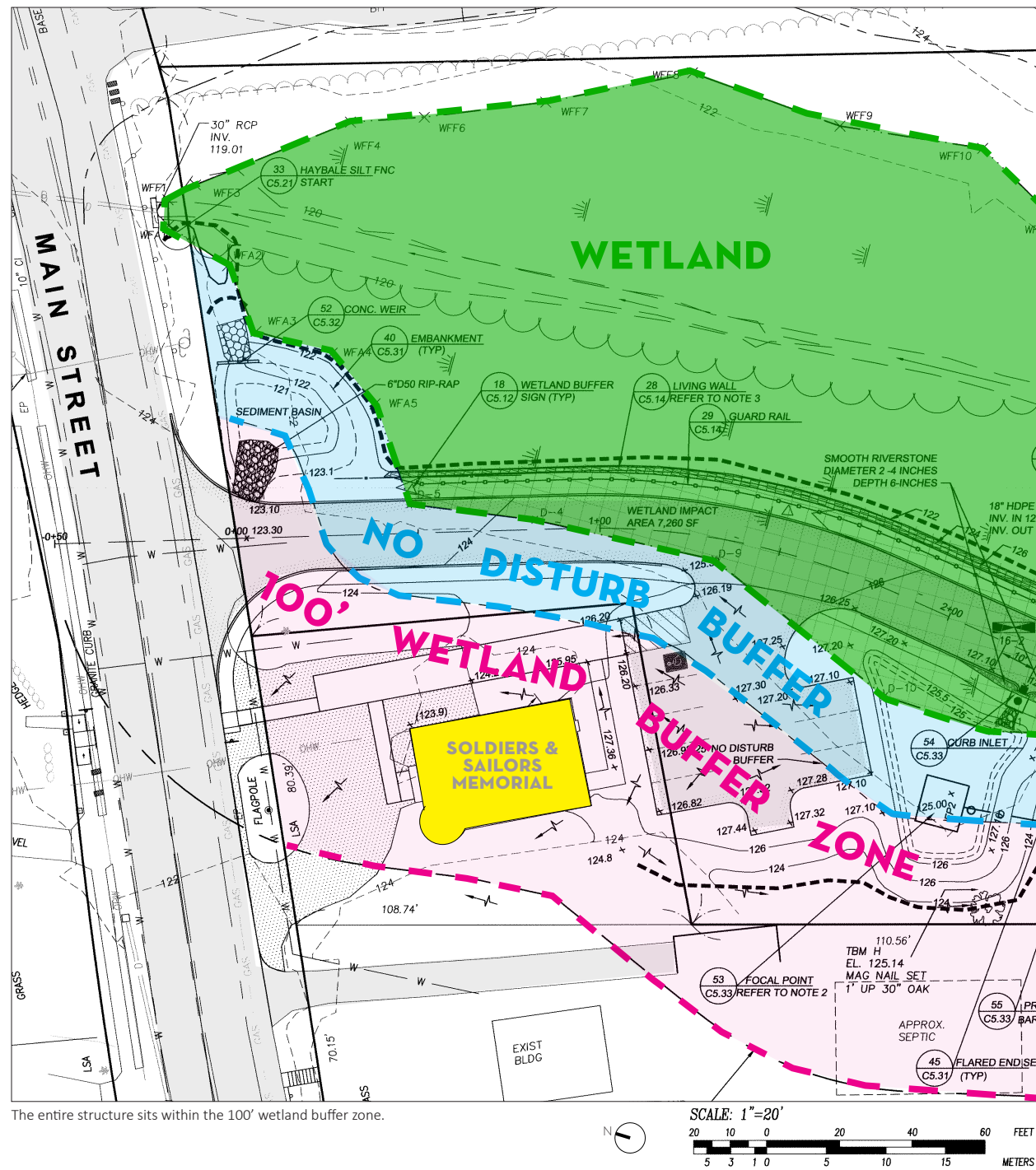
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-  INVESTIGATE AND STABILIZE DEFORMED BRICK WALL CONSTRUCTION ON THE INTERIOR
-  REBUILDING FRONT STEPS AND WOOD COLUMN BASES



Note: this is the initial cost estimate presented at the Aug. 22 meeting which only included stabilization and exterior.

Soldiers and Sailors Memorial Building		
	Description: Scope of Work	COST
02 0000 Site		
Removals	Remove vines	\$500
Perimeter drainage	Provide foundation drain. Tie foundation drain and downpouts to a drywell	\$8,000
Stie Improvements	Accessible walk to north door	\$8,000
02 0000 Site Subtotal		\$16,500
04 0000 Masonry		
Mortar joints	100% cutting and pointing of mortar joints in brick	\$60,000
Masonry repair	Brick infill at removed north door	\$4,500
Foundation	Pointing and rebuilding stone foundation	\$4,000
Masonry repair	Rebuild turret, including new crenelations and chimney	\$110,000
Masonry repair	Rebuild chimney top	\$4,000
04 0000 Masonry Subtotal		\$182,500
06 0000 Wood & Plastics		
Exterior trim	Selective wood repairs at entry	\$10,000
Exterior trim	Minor repairs to soffit and rafter tails	\$4,000
06 0000 Wood & Plastics Subtotal		\$14,000
07 0000 Thermal and Moisture Protection		
Roofing	Replace missing and broken slates	\$12,000
Sheet metal	New copper gutters and downspouts	\$10,000
Sheet metal	New flashing at chimney	\$2,500
Roofing	New roofing and flashing at rebuilt turret	\$12,000
07 0000 Thermal & Moisture Subtotal		\$36,500
08 0000 Windows & Doors		
Windows	Restore existing windows	\$24,000
Windows	New replica window at North elevation	\$4,500
Doors	Restore south door, add hardware	\$4,500
Doors	New replica door, frame, hardware at north elevation	\$6,000
08 0000 Windows & Doors Subtotal		\$39,000
09 0000 Finishes		

Soldiers and Sailors Memorial Building		
	Description: Scope of Work	COST
Exterior painting	Prepare and paint all wood rakes, soffits, trim	\$6,000
Exterior painting	Prepare and paint wood trim at south entry, including steps	\$6,000
09 0000 Finishes Subtotal		\$12,000
Subtotal Construction:		\$300,500
General Conditions	10% of construction budget	\$30,050
General Requirements	temporary facilities & controls, etc	\$15,000
Subtotal Construction and General Conditions/Requirements		\$345,550
Overhead & Profit	10% of Construction Cost	\$34,555
Combined Construction Cost		\$380,105
Contingency	10%	\$38,011
Architectural/Engineering Expenses	15% of Combined Construction Cost	\$57,016
TOTAL CONSTRUCTION BUDGET		\$475,131



REGULATORY ANALYSIS

ZONING CODE SUMMARY

The Soldiers & Sailors Memorial is a municipal building and use, which is permitted in all districts in West Newbury.

The building is located in the following zoning district:

Residence C (RES C)

The RES C District is intended as a primarily residential area. The regulations for building height, lot coverage, and setbacks in the RES C district are established for residences, but required setbacks would probably apply for any additions to the structure. The minimum lot area is 20,000 SF. The maximum lot coverage by all buildings is 35%. The minimum depth of front yard is 40 feet, the minimum depth of rear and side yards is 20 feet. The maximum height of buildings is 35 feet. The building appears to be in conformity with these dimensional requirements.

The building is not in a Groundwater Protection Overlay District and is located in an area of Minimal Flood Hazard according to the NFIP flood insurance rate map 25009C0111F. However the building is within 100' of a wetland and therefore activity within the 100' buffer zone, which includes parts of the lot as well as the building, will be regulated by the Massachusetts Wetlands Protection Act. It is recommended to obtain a detailed wetlands survey in order to determine the exact locations of the 100' buffer zone demarcation line and its intersection with the property and building.

Changes to a non-conforming use or structure may be awarded by the Board of Appeals if it is determined that such changes would not be detrimental to the existing non-conforming use or the neighborhood. Any extension or structural change that increases an existing non-conformity or creates a new non-conformity requires the issuance of a variance.

Any planned additions to the building would need to conform to these zoning requirements.

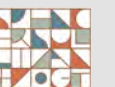
BUILDING CODE SUMMARY

This section of the report briefly describes the applicability of the 9th edition of the Massachusetts State Building Code (2015 International Existing Building Code – with Massachusetts Amendments) and architectural access regulations (521 CMR Rules and Regulations of Massachusetts Architectural Access Board, or MAAB).

The purpose of the building code is to:

- Establish minimum requirements to safeguard public health, safety and welfare.
- Provide life safety from fire and other hazards to building occupants.
- Protect the building from loss or damage due to fire or other environmental events.
- Provide safety to fire fighters and emergency responders during emergency operations.

In general, existing buildings are not retroactively required to conform to the current building code, except where existing health and safety conditions are considered hazardous by the local building official.



The International Building Code for new construction (IBC) would be referred to for any substantial renovation of the existing building, or if a new addition was contemplated. Existing buildings are governed by the International Existing Building Code (IEBC). Broadly speaking, buildings that are not being changed in use or occupancy may continue to be occupied and used in the manner they have been used historically. If significant reconfiguration of spaces is contemplated, the requirements for work in affected areas would be required to conform largely to the building code for new construction, although there is some latitude for existing or historic buildings. New building systems (mechanical, electrical, plumbing, fire protection, etc.), or upgrades to existing building systems, will need to conform to the building code for new construction in effect at the time of their installation.

The IEBC divides work on existing buildings into “Repairs” and “Alterations.” “Repairs” are considered in-kind replacements of existing materials and systems, and would be considered as guidelines for building maintenance. “Alterations” are categorized into three (3) levels depending upon the amount and scale of work involved.

Most recommendations for work to be undertaken at the Soldiers & Sailors Memorial would be considered **Alterations – Level 2**, i.e., reconfiguration of space.

Broadly speaking, buildings that are not being changed in use or occupancy may continue to be occupied and used in the manner they have been used historically.

If significant reconfiguration of spaces is contemplated, the requirements for work in affected areas would be required to conform largely to the building code for new construction, although there is some latitude for existing or historic buildings.

New building systems (mechanical, electrical, plumbing, fire protection, etc.), or upgrades to existing building systems, will need to conform to the building code for new construction in effect at the time of their installation.

The building currently has no automatic fire suppression system (sprinklers). Per Massachusetts amendment to the International Building Code (Table 903.2), alterations to buildings of more than 5,000 SF will require protection by an automatic sprinkler system. The existing square footage of the Soldiers & Sailors Memorial does not exceed 5,000 SF; however, a sprinkler system in an existing (and/or historic) building will typically allow more flexibility in how the various building code sections are interpreted.

We have summarized below what we believe are the most pertinent sections from the Code. We also recommend a consultation with the Town of West Newbury Inspectional Services Department to determine their disposition regarding required code improvements to any proposed space improvements on any of the two floors.

Applicable Codes & Standards (Model Code Basis)

International Existing Building Code (IEBC), Base Volume (2015 International Building Code with Massachusetts Amendments)

- Massachusetts State Building code (780 CMR), Ninth Edition, Base Volume (2015 International Building Code with Massachusetts amendments)
- International Energy Conservation Code, 2012 Edition (IECC)

- Massachusetts Board of State Examiners of Plumbers and Gas Fitters Regulations (248 CMR)
- Massachusetts Comprehensive Fire Safety Code (527 CMR 1.00 – 2012 NFPA 1: Fire Code with amendments)
- Massachusetts Electrical Code (527 CMR 12.00 – 2014 NFPA 70: National Electrical Code with amendments)
- Massachusetts Architectural Access Board Regulations – MAAB - (521 CMR)
- Americans with Disabilities Act (ADA)

Rules and Regulations of the Massachusetts Architectural Access Board (MAAB)

Architectural access regulations in Massachusetts (521 CMR) are written to encourage making buildings and spaces barrier free to persons with physical or mental disabilities.

Note that this building is not retroactively required to outfit its facility for Universal Access. However, there are several “triggers” where work done will need to incorporate accessibility. Note that the guidelines below describe a minimum standard. Exceeding these requirements is at the discretion of the Town.

Generally speaking, all new work including construction, reconstruction, alterations, re-modeling, additions, and changes in use should conform to the access regulations. This means all additions, reconstruction, remodeling, and alterations or repairs to existing public buildings or facilities which require a building permit.

If the building permit value of the work being performed amounts to less than 30% of the assessed building value and less than \$100,000, only new work or renovated spaces would be required to comply. The Town of West Newbury tax assessment for fiscal year 2019 is \$325,500 (\$150,700 building; \$174,800 land), so the 30% threshold of the building only would be \$45,210.

If the work value is under 30% of the assessed building value, but over \$100,000, the work must be made accessible and both an accessible entrance and rest room are required.

If the value of the work to be done is determined to be greater than 30% of the “full and fair cash value” of the building, which is \$45,210, then the entire facility would have to be made fully accessible. If spaces cannot be made accessible, a variance may be sought to allow their continued use by the public, or for exemption for certain uses. This process requires application for variance to the Massachusetts Architectural Access Board.

Whether performed alone or in combination with each other, the following types of alterations are not subject to 521 CMR 3.3.1 and do not count towards the 30% trigger. When performing exempted work, a memo stating the exempted work and its costs must be filed with the permit application or a separate building permit must be obtained. Exceptions not counting towards the 30% trigger are:

- Alteration work which is limited solely to electrical, mechanical, or plumbing systems, to abatement of hazardous materials, or to retrofit of automatic sprinklers, and does not involve the alteration of any elements or spaces required to be accessible under 521 CMR.



- Roof replacement or repair, window repair or replacement, repointing and masonry repair work.
- Work relating to septic system repairs, site utilities and landscaping.

However, if the above work alone or in concert with additional work exceeds the 30% trigger, then it is as if the work is not exempted. Note that the cost of work is tracked over a three year span, so phased projects may be cumulative.

CODE SUMMARY

The summary below identifies some basic information about the Soldiers & Sailors Memorial and how it relates to current building code requirements. The review should be used as a guide when contemplating building renovations.

A. Work Area and Classification of Work

1. It is important to note that the Soldiers & Sailors Memorial is individually listed on the National Historic Register. As such, exceptions to the building code for existing construction, described in IEBC, 2009 ed., ch. 12 “Historic Buildings” may apply to the present uses and characteristics of the building.
2. This code summary is based on the Work Area Method. The renovation in the existing building will be classified as Level 1 Alterations. The work of this project must comply with Chapters 6-8 of the IEBC.
3. Structural upgrades will take place at the basement foundation walls to ensure waterproofing.
4. Structural upgrades will take place at the basement floor to install a moisture barrier and slab to ensure waterproofing
5. Structural and framing upgrades will take place at floor 1 to increase loading capacity.
6. Spatial reconfiguration of the building will be undertaken at floor 1, where new occupiable spaces will be created.
7. Spatial reconfiguration of the building will be undertaken to include a lift serving all floors.
8. Spatial reconfiguration of the building will be undertaken to optimize the use of space in the currently existing building.
9. Additions may be added to the existing structure to accommodate new program elements including vertical lift or accessible bathrooms.
10. Hazardous materials abatement will be performed throughout.
11. Summary of interior square footage at each floor:
 - a. Floor 1 = 1,237 NSF +/- existing
 - b. Additions at Floor 1 = TBD NSF +/-
 - c. Floor 2 = 1,237 NSF +/- existing
 - d. Additions at Floor 2 = TBD NSF +/-
 - e. Existing SUBTOTAL NSF = 2,474 NSF +/-
 - f. Additions SUBTOTAL NSF = TBD NSF +/-
 - g. TOTAL = TBD NSF +/-

B. Occupancy Classification

1. (Existing): Present uses and functions most closely resemble a Group A-3 –

Assembly Use.

2. (Proposed):

- a. Floor one will be classified as Group A-3 – Assembly Use.
- b. Floor 2 will be classified as Group B – Business Use under exceptions in 2015 IBC 303.1 “Small Assembly Spaces.” This section of the code allows for Group B occupancy in a room or assembly space with an occupancy of less than 50 and accessory to another occupancy.

C. Minimum Construction Type: The Soldiers & Sailors Memorial most closely resembles Construction Classification IIIB (ISO 2), a combination of building construction comprised of exterior walls of masonry or concrete and roof/floors of combustible material with no fire rating.

D. Fire Resistance Ratings:

1. The existing building has no fire suppression system.
2. Building Element (Table 601, Fire-Resistance rating Requirements):
 - a. Primary Structural Frame: 0-hr. rating
 - b. Bearing Walls, Exterior: 2-hr. rating
 - c. Bearing Walls, Interior: 0-hr. rating
 - d. Non-bearing Walls & Partitions, Exterior: 0-hr. rating
 - e. Non-bearing Walls & Partitions, Interior: 0-hr. rating
 - f. Floor Construction & Secondary Members: 0-hr. rating
 - g. Roof Construction & Secondary Members: 0-hr. rating

E. Interior Finishes:

1. Interior Walls & Ceilings (IBC Table 803.11), Group B (For new construction)
 - a. Exit Enclosures & Passageways: Class B
 - b. Corridors, Use Group B: Class C
 - c. Rooms & Enclosed Spaces, Use Group A-3: Class C

F. Means of Egress: 2015 IBC 1006 “Number of Exits and Exit access Doorways” governs the required number of means of egress. Table 1006.2.1 provides for spaces with one exit so long as the maximum occupancy and maximum length of egress path are not exceeded. Table 1006.3.2(2) regulates occupancy for second-floor spaces with only one exit.

1. Floor 1 is served by two means of egress.
2. Floor 2 will be served by a single means of egress. Table 1006.2.2(2) allows a maximum occupancy of 29 in a second-floor Group B space where the maximum path of egress is less than 75 feet in length. Table 1004.1.2 allows a maximum occupancy of 100 GSF per person in a Group B space. Floor 2 workspace is approximately 845 SF, yielding a maximum occupancy of 8, which does not exceed the stipulations in Table 1006.2.2(2).

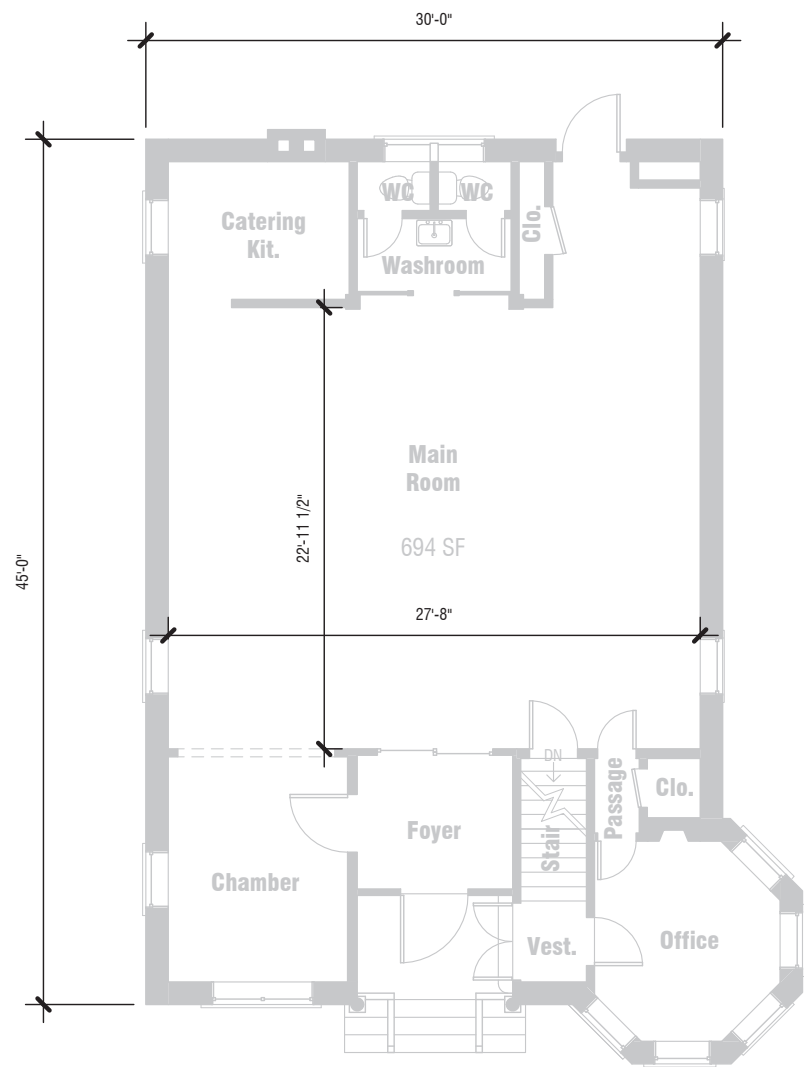
G. Massachusetts Plumbing Code: Plumbing fixture count is determined by the occupancy count for each use group. The occupancy count is first determined by MSBC Table 1004.1.2, and then the number of toilets per occupancy count is determined by 248 CMR 10.10 Table 1.

1. Proposed Occupancy Count: (MSBC Table 1004.1.2 Max. Floor Area Allowances and Section 1004.4):

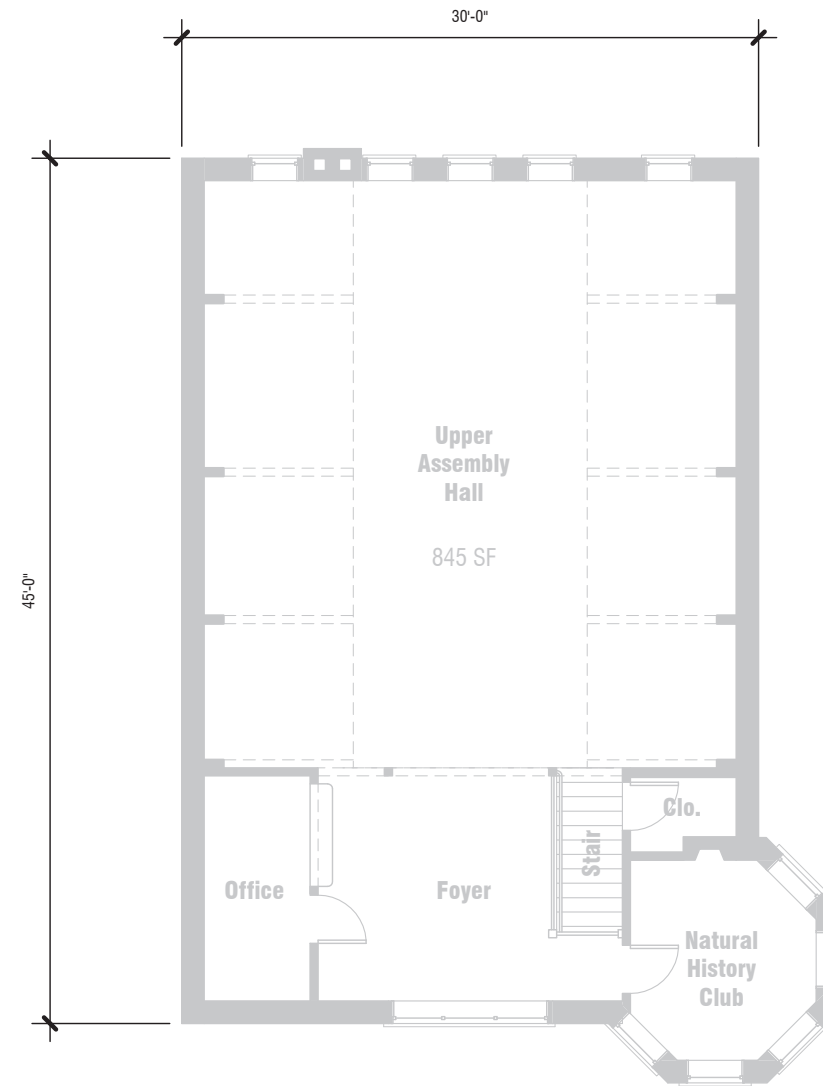
- a. The proposed occupancy for Assembly Use on Floor 1 will be greater than the proposed occupancy count for Business Use on Floor 2, so the Assembly Use will be used for determining occupancy. The current Massachusetts State Building Code calculates occupancy for Assembly use (without fixed seats – concentrated chairs only, not fixed) at 7 NSF per occupant. Occupancy for Business is at 100 GSF per occupant.
- b. The public seating areas of the Soldiers & Sailors Memorial are approximately 626 NSF on Floor 1. Floor 1 could support a maximum of 89 occupants using unconcentrated tables and chairs. Floor 2 is a Group B space with maximum occupancy of 8. This yields a theoretical total occupancy for the building of 97 persons. The working assumption is that business and assembly uses will not occur simultaneously, but even with the total theoretical occupancy the plumbing counts remain the same.

2. Proposed Plumbing Fixture Count (248 CMR 10.10 Table 1):

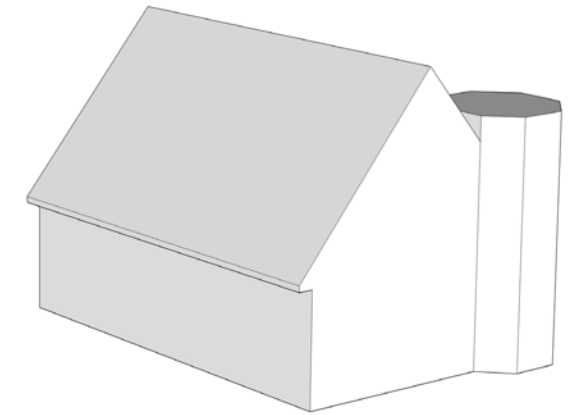
Proposed Population:	97 persons
50% Female:	49 Female
50% Male:	48 Male
Fixture Calculations based on Assembly Use:	
Toilets Required, Female @ 1 per 50:	1 required
<i>Toilets Provided, Female:</i>	1
Toilets Required, Male @ 1 per 100:	1 required
<i>Toilets/Urinals Provided, Male:</i>	1
Lavatories Required, M / F @ 1 per 200:	1 per gender
<i>Lavatories Provided, Female:</i>	1
<i>Lavatories Provided, Male:</i>	1



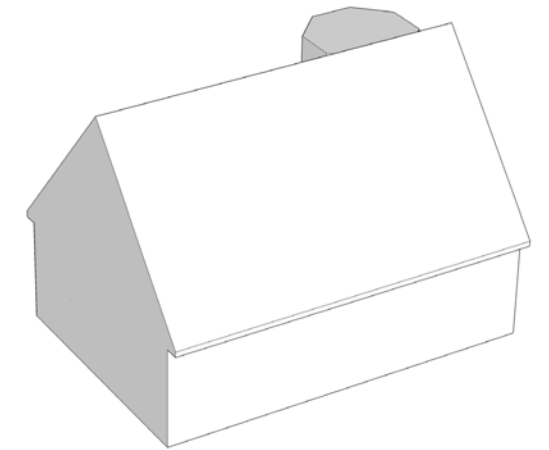
1 EXISTING - FIRST FLOOR PLAN
SCALE: 1" = 10'-0"



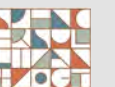
2 EXISTING - SECOND FLOOR PLAN
SCALE: 1" = 10'-0"

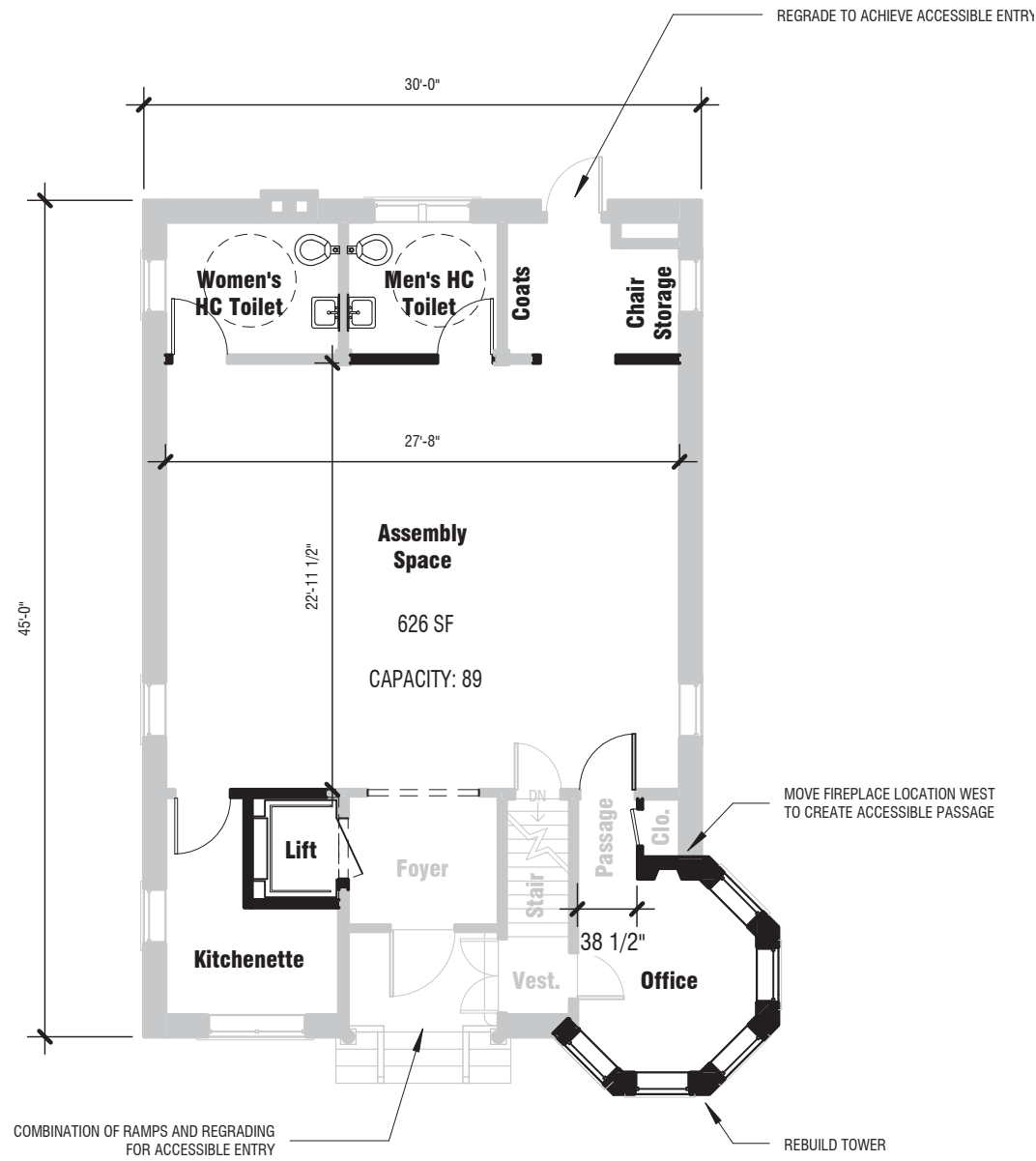


view from northeast

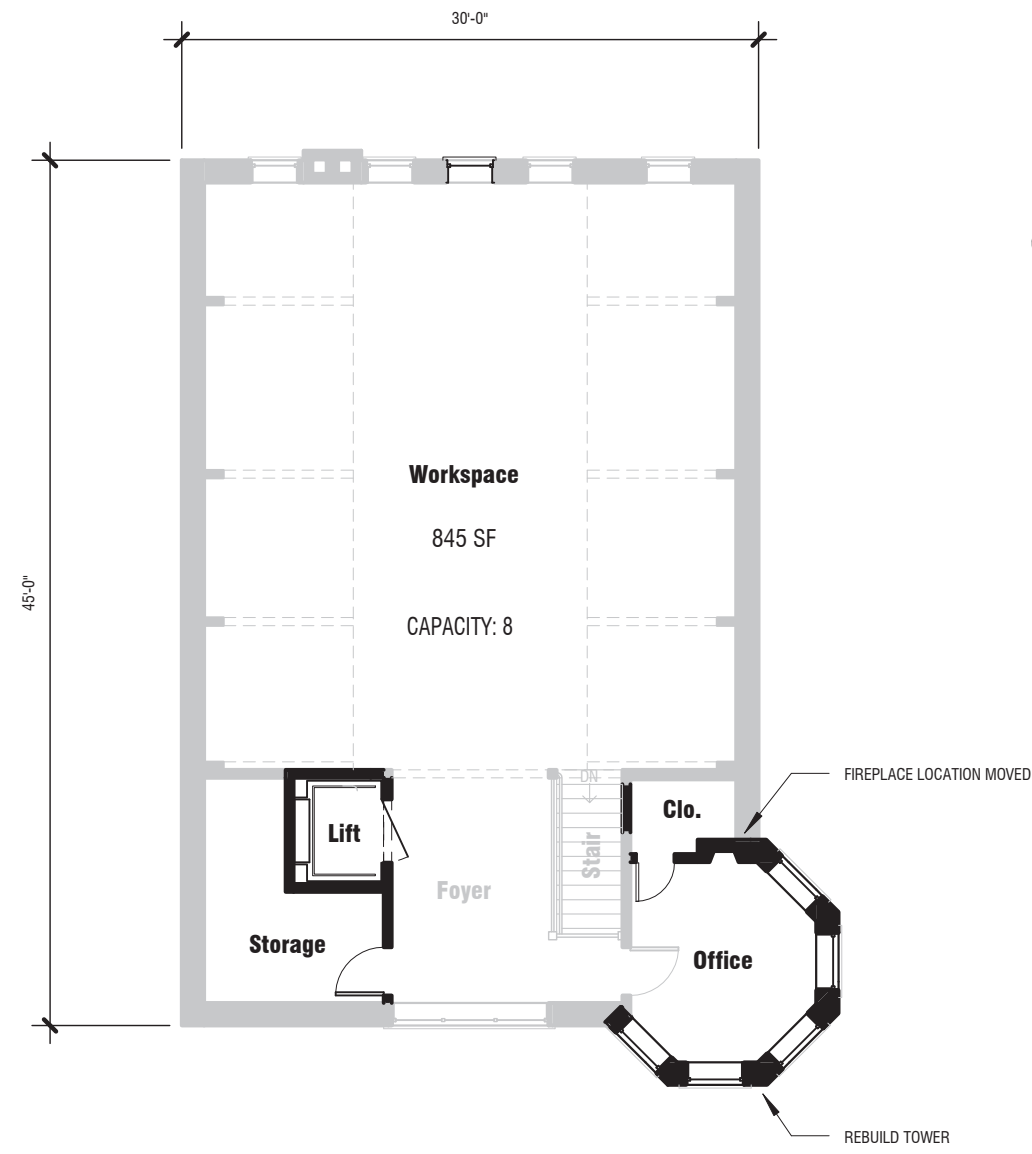


view from southeast

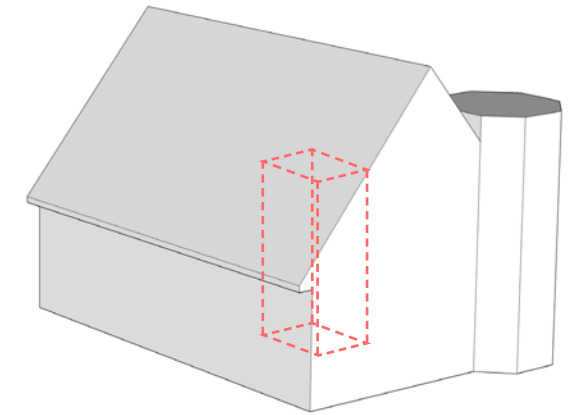




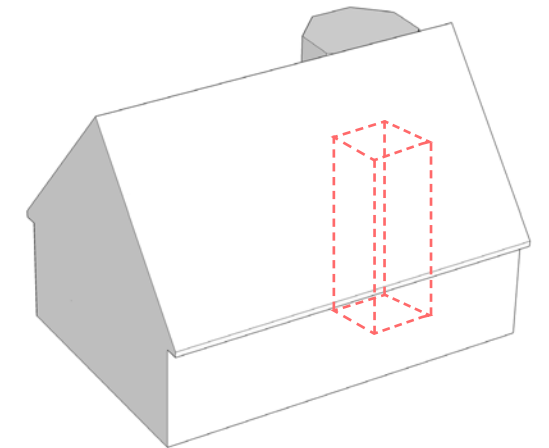
1 OPTION 1 - FIRST FLOOR PLAN
SCALE: 1" = 10'-0"



2 OPTION 2 - SECOND FLOOR PLAN
SCALE: 1" = 10'-0"

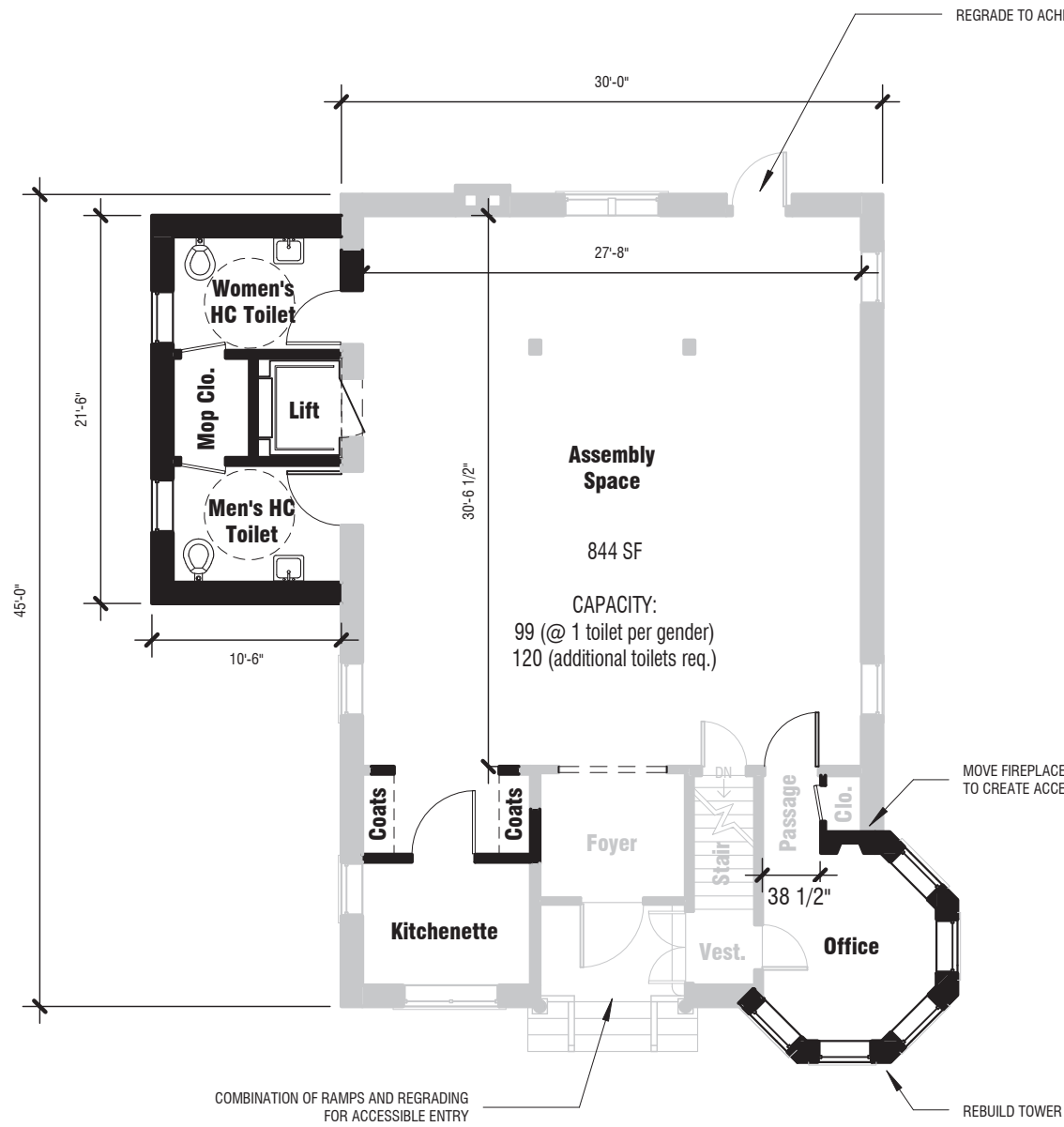


view from northeast

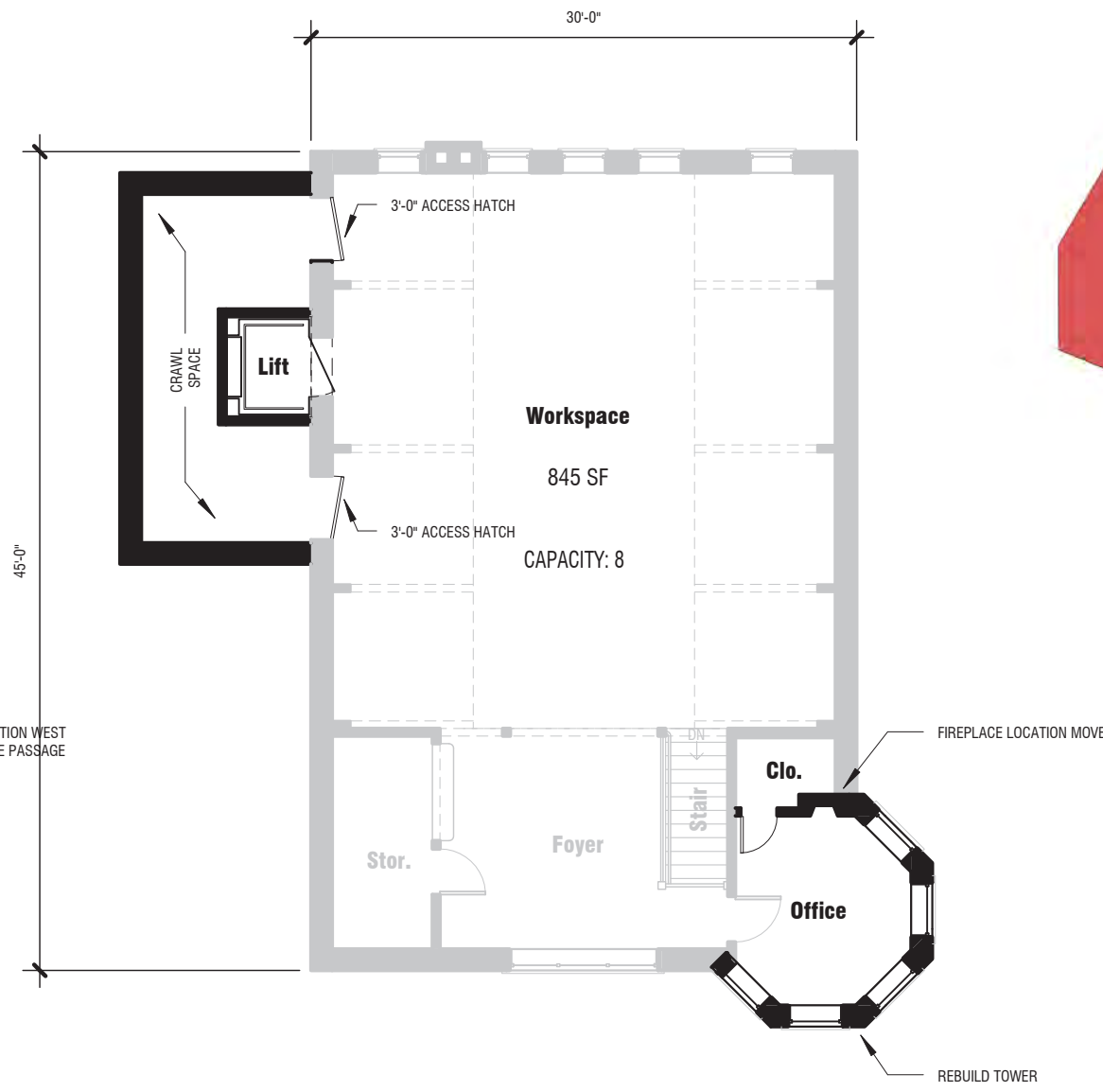


view from southeast

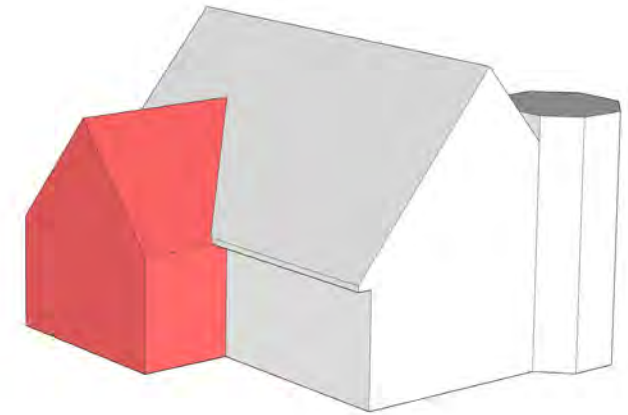




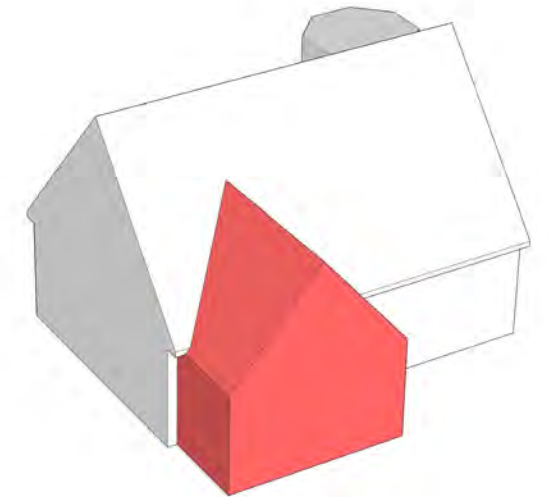
1 OPTION 2 - FIRST FLOOR PLAN
SCALE: 1" = 10'-0"



2 OPTION 2 - SECOND FLOOR PLAN
SCALE: 1" = 10'-0"

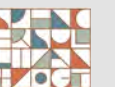


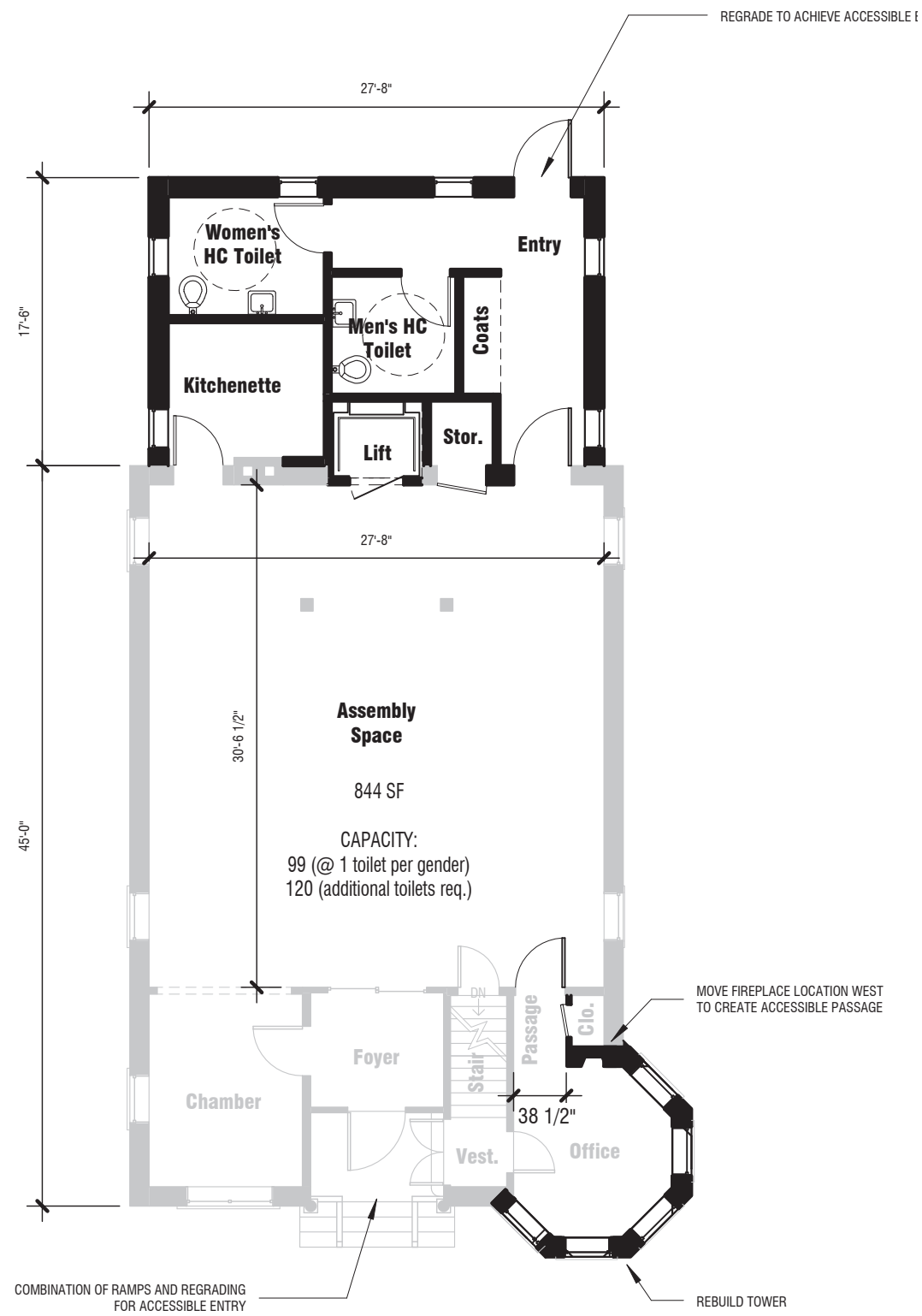
view from northeast



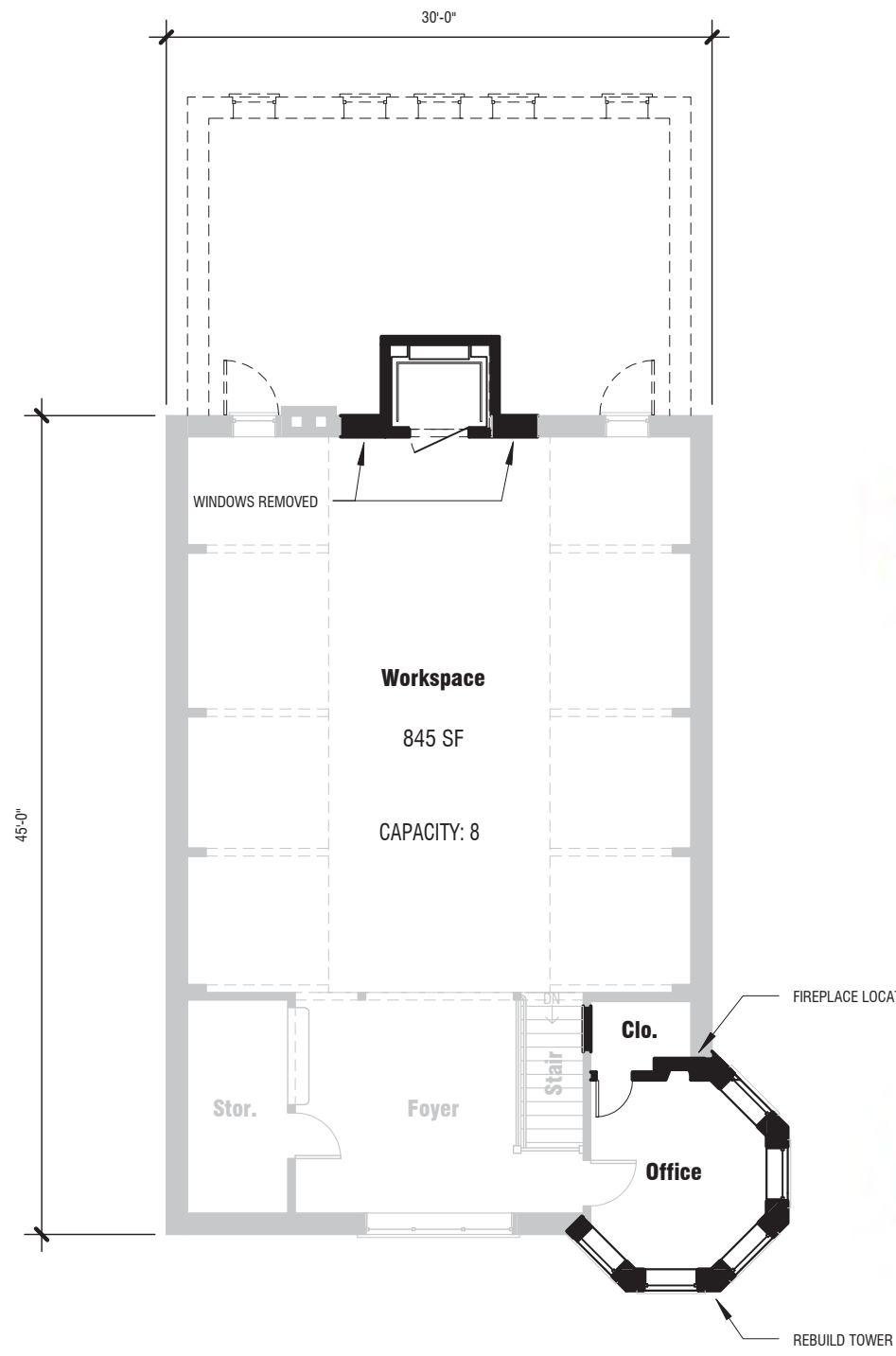
view from southeast

OPTION 2 - SIDE ADDITION

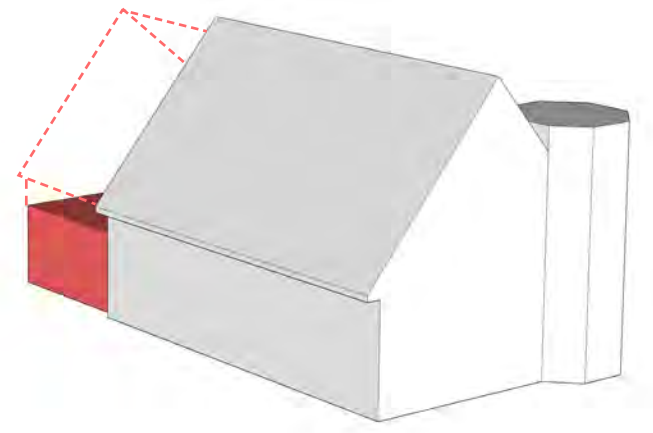




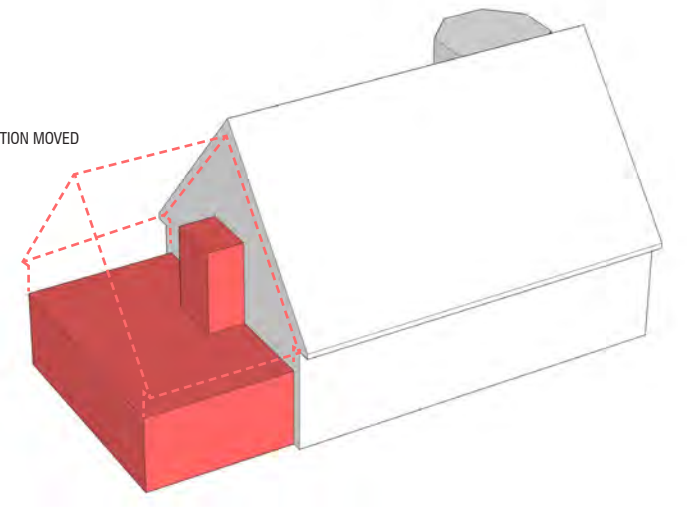
1 OPTION 3 - FIRST FLOOR PLAN
SCALE: 1" = 10'-0"



2 OPTION 3 - SECOND FLOOR PLAN
SCALE: 1" = 10'-0"



view from northeast



view from southeast

OPTION 3 - REAR ADDITION





TOWN OF WEST NEWBURY
APPLICATION FOR PROJECT FUNDING
COMMUNITY PRESERVATION COMMITTEE

Applicants should file eight (8) copies of the completed Application and all accompanying documents with the Community Preservation Committee, Town Office Building, West Newbury MA 01985, and an electronic copy to cpc@wnewbury.org.

PROJECT NAME: _____

PROJECT ADDRESS: _____

MAP/LOT: _____

APPLICANT NAME: _____

(Group or Committee Affiliation)

CONTACT PERSON: _____

TELEPHONE: _____

ADDRESS: _____

EMAIL: _____

COMMUNITY PRESERVATION CATEGORY:

(Please check all that apply)

- Community Housing**
- Historic Preservation**
 - Eligible/On State Registry**
 - Designated by Historic Commission**
- Open Space & Recreation**

The Committee may require, as a condition for funding, that the applicant grant to the Town or other authorized grantee certain restrictions, including: preservation restrictions on rehabilitated or acquired historic resources, conservation restrictions on preserved or acquired lands, and deed restrictions on affordable housing projects. If applicable, the restriction shall be recorded at the Southern Essex District Registry of Deeds.

REQUIRED NARRATIVE: PLEASE PROVIDE A NARRATIVE ON A SEPARATE SHEET WHICH ADDRESSES THE FOLLOWING REQUIREMENTS

PROJECT SUMMARY: Provide a description of the Project, including the property involved and its proposed use.

PUBLIC BENEFIT: Describe in detail the benefits West Newbury will receive from the Project and how the Project fulfills the Community Preservation Committee’s Project Evaluation Criteria.

CONTROL OF SITE: Indicate whether the applicant owns or has a purchase agreement for the Project site. If the property is under agreement, include a description of the agreement and the timing and conditions. If the applicant does not have site control, explain.

FEASIBILITY: List all steps that may be required for completion of the Project, such as environmental assessment, zoning or other approvals, agreement on terms of any required conservation, affordability or historic preservation restrictions, and any other known issues. For projects that may impact abutters or the neighborhood, describe methods used to notify abutters of the proposal, and support or objections from those affected.

SUPPORT: Have the appropriate Town Boards and Commissions expressed support and/or approved the project? What is the nature and level of community support for this project?

PROJECT TIMELINE: Describe the anticipated steps or phases for completion of the Project. Demonstrate whether the Project will be ready to proceed in the coming fiscal year. Will this be a multiyear project?

FUNDING:

A. Amount of Community Preservation Funding Requested:

\$ _____

B. Include a full budget, including itemization of major components and breakdown of construction and maintenance costs. Describe the basis for your budget and the sources of information you used.

C. Other Sources of Funding Available: If funding from other sources may be available for the Project, please complete the following table:

SOURCE OF FUNDING	AMOUNT REQUESTED	STATUS (COMMITTED Y/N IF NOT-WHEN)	CONTINGENT ON CP FUNDS (Y/N)

ATTACHMENTS: SEE GUIDELINES FOR PROJECT SUBMISSION AND ATTACHMENTS. YOU MAY BE REQUESTED TO PROVIDE ADDITIONAL INFORMATION.

SUBMISSION OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE OF A PROJECT

_____ **Applicant Signature and Date**

For questions contact: cpc@wnewbury.org, 978-363-1100 X131.



TOWN OF WEST NEWBURY
COMMUNITY PRESERVATION COMMITTEE (CPC)
GUIDELINES FOR PROJECT SUBMISSION
(Excerpt from Community Preservation Plan, February, 2019)

1. Proposals may be submitted for projects involving **Community Housing, Historic Preservation, and Open Space and Recreation**. See the Community Preservation Plan for a chart of eligible uses.
2. Application forms are available at the CPC Office in the Town Office Building, 381 Main Street, or on the town website: www.wnewbury.org.
3. Each project request must be submitted to the CPC using the Application for Project Eligibility form as a preliminary Application. Eight (8) copies of the Application should be submitted for distribution to the CPC. An electronic form should also be submitted by e-mail to cpc@wnewbury.org
4. The Committee will review Applications at a regularly scheduled meeting. Once the project has received preliminary approval for eligibility from the CPC, the Applicant will be asked to complete and submit the Application for Project Funding. Eight copies of the Application should be submitted for distribution to the CPC. An electronic form should also be submitted by e-mail to cpc@wnewbury.org. **The CPC reserves the right to reject Applications which are not complete.**
5. Requests must include a statement of purpose, identify the need to be answered, and be documented with appropriate supporting information. The use of maps, visual aids and other supplemental information is encouraged.
6. Applicants must be present at a CPC meeting to answer questions. The CPC will inform the contact person when the project will be discussed by the CPC.
7. Applicants must meet with and seek support from the committees or commissions which deal with the type of Application submitted, i.e. community housing, historic preservation, or open space and recreation. Applicants are to meet with relevant boards and/or committees to obtain feedback from them as to how the proposal fits into their master or other plan, and other relevant plans and/or policies. The Applicant is urged to obtain letters of support for the project from the entity with oversight.

8. Obtain quotes for project costs whenever possible. If not available, estimates may be used provided the basis of the estimate is fully explained.
9. If the request is part of a multi-year project, is to be developed in phases, or the project is part of a long range conceptual plan, please include the total project cost, allocations, and timelines.
10. For Applicants with multiple project requests, please prioritize projects.
11. Requests are accepted throughout the year. Applications will be reviewed and if approved, will be placed on the Warrant for the next or a future Town Meeting. The CPC reserves the right to defer timely Applications if additional study is warranted.
12. The Committee may require, as a condition for funding, the recording at the Registry of Deeds of preservation restrictions on restored or acquired historic resources, conservation restrictions on preserved or acquired land, and/or deed restrictions on affordable housing projects.
13. For each project, please consider the following factors, as applicable. A project need only address the pertinent factors in a specific category:

Acquisition, creation and preservation of open space/recreation: Open space includes land protecting scenic vistas, forested land, land protecting wells, aquifers and recharge areas, fields, and land for active or passive recreational use including playgrounds and athletic fields for noncommercial sports, trails, parks, and community gardens. Community Preservation funds may be used to protect open space by outright purchase or by extinguishing or limiting development rights through the purchase of permanent Conservation or Agricultural Preservation Easements or Restrictions and where a property interest is acquired a permanent Restriction will be recorded.

“Recreational use”, active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. “Recreational use” shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure. Rehabilitation/restoration such as capital improvements, extraordinary repairs to make the resource functional, and compliance with The Americans with Disabilities Act are allowable uses of CPA funds, under the open space/recreation category.

Acquisition, preservation, rehabilitation and restoration of historic resources: Historic resources are defined as a building, structure, vessel or real property that is listed on the State Register of Historic Places or has been determined by the West Newbury Historical Commission to be significant in the history, archaeology, architecture or culture of West Newbury. Community Preservation funds may be used for the preservation, restoration and rehabilitation of historic resources, but not for routine maintenance. Investment in historic resources must be protected by a permanent Historic Preservation Restriction where an interest in property is acquired.

Creation, preservation and support of community housing: Low income (less than 80% of the area-wide median) and moderate income (less than 100% of the area-wide median) housing for individuals and families, including low or moderate income senior housing. Community Preservation funds may be used for low interest loan programs to income-eligible first time home buyers, for financial assistance to income-eligible homeowners, for gap funding, to match state or federal low-income housing grants, or for other support of community housing. The Town's investment in community housing not owned by the Town must be protected by a permanent Affordability Restriction.

Applicants should familiarize themselves with the applicable Zoning and General Bylaws and these can be accessed on the Town website. **Please include the following with ALL copies of the Application for Funding:**

- Proof of ownership or control of the site, structure, or subject of Application
- Proof of authorization by the public agency, board, committee, or any entity governed by a board, trustees, corporation etc., showing a vote by the entity to submit the Applications and take responsibility for the project.
- If the project involves public property, provide verification that the applicable public agency or department supports the project as presented and will oversee the project if funded.
- Assessor's map showing location of the Project
- Photographs, including aerial photographs if available.
- Recent written estimates of construction and maintenance costs with detailed scope of work
- Proposed oversight and management plan for the Project
- If the project involves a historic resource, please provide evidence (date of listing on the state register or a letter from the West Newbury Historical Commission confirming its determination of significance) with the application that it meets these criteria

Include the following, if applicable and available:

- Architectural plans and specifications, for new construction or rehabilitation
- Maps, renderings, site plans
- Historic structures report, existing conditions report
- Names and addresses of project architects, contractors and consultants
- Budgets
- Letters of Support

Please keep in mind that there are legal limitations on the use of CPA funds. Additional information on the Community Preservation Act can be found at <http://www.communitypreservation.org/index.cfm>

If you are in doubt about your project's eligibility, after consulting these sources, you are encouraged to contact the CPC and informally request an opinion.

Please submit the Application and accompanying documentation to:

West Newbury Community Preservation Committee
381 Main Street

TOWN OF WEST NEWBURY

Community Preservation Committee

APPENDIX TO *Guidelines for Project Submission*

Time and Cost Estimates

September 21, 2017

Section 3. of the Community Preservation Bylaw, General Bylaw XXXVI, requires that *Recommendations to Town Meeting shall include a fully developed time and cost plan.* This Appendix to the Community Preservation Committee's *Guidelines for Project Submission* will address requirements for a fully developed time and cost plan. **You are encouraged to meet with the Community Preservation Committee to discuss a project and these requirements prior to submitting an Application for Funding.**

1. Prepare a Scope of Services/Work to be Performed. The Scope of Services/Work to be Performed will be used as the basis to obtain estimates so you will have an idea of how much money you need to request for CPC and Town Meeting approval.

Scope of Services should include: (where applicable)

..Introduction and Information, Including The Purpose of the Project, and location

..Background: Prepare a brief description of the Project, including address. Give any history that is relevant to the project, background, note prior work performed, etc.

..Request an estimate which should be detailed and include all work, supplies, upgrades needed in order to reach your goal. See example below.

2. A detailed Scope of Services should be prepared and submitted to at least one qualified professional in order to obtain an estimate for these services required.
3. If plans or detailed drawings are needed, you may use available funds, other sources, or apply for CPA funds for this preliminary work to be done. This would then become a Phased Project.
4. Following your receipt of plans, detailed drawings, etc., submit a final Scope of Services to at least one qualified professional in order to receive an estimate to perform the work. This would become Phase II of the project.
5. Your Scope submitted should include a request from the professional for timing of the project, i.e., duration of time from approval of project to finish. This can vary greatly from project to project depending on permitting, weather, access to records, etc. A detailed timeline with anticipated times for various stages of the project should be provided. For example:

Preparation and signing of contract: 30 days

Applying for and receiving permits: 120 days

(Note that if Site Plan Review, state permits, or local permits such as from Conservation Commission, Historical Commission, etc. approvals are required, these should all be calculated into the timeline)

Ordering and receipt of supplies: 30 days

Duration of project to completion: 90 days

TOTAL:

270 days

- 6. Estimates from a qualified professional must be detailed enough for the CPC to determine what is to be done. If the estimate is based on the Scope of Work, then the estimate should include line items for work to be performed as outlined in the Scope of Work, and all items should tie in.
- 7. All Scopes of Services and Estimates from Qualified Professionals should be submitted with your Application for Funding to the CPC.
- 8. The CPC may suggest a Contingency Amount to be included in your proposal in order to handle unforeseen expenses.
- 9. If a project is very large in Scope, you may be required to budget for and hire an Owners Project Manager (OPM) as part of your proposal.

SAMPLE SCOPE OF SERVICES

Preservation of a Town-owned building which is in disrepair. Located at XX Address, West Newbury MA. The building has been deemed historically significant by the Historical Commission. The building is two-story, wood frame, clapboard siding, consisting of approximately 2600 square feet. The building is 100 years old and there is evidence of some rot around windows and doors. Some of the windows have been boarded over. The handrail for the front steps is broken, and the steps need to be replaced. The building needs to be painted in order to preserve the exterior and the frame. Photos of the building are attached. Please itemize the following:

LABOR

Powerwashing, number of people and hours x hourly rate:

Scraping, sanding, caulking, number of people and hours x hourly rate:

Painting, number of people and hours x hourly rate:

Repairs, number of people and hours x hourly rate:

TOTAL ESTIMATE FOR LABOR:

MATERIALS

Materials such as caulking, lumber, railing, etc:

Disposal and/or Demolition Charges:

Gallons of paint required for building:

TOTAL ESTIMATE FOR MATERIALS:

TOTAL, LABOR AND MATERIALS:

Please contact NAME_____ at PHONE_____ or
EMAIL_____ to arrange a site inspection.