



Town of Barnstable

Community Preservation Committee

www.town.barnstable.ma.us/growthmanagement/PropertyManagement/CommunityPreservation

Lindsey Counsell, Chair
Laura Shufelt, Vice Chair

Marilyn Fifield, Clerk
Alisha Parker, Project Coordinator

Monday, March 26, 2012

Public Hearing APPROVED MINUTES

Town Council Hearing Room at 367 Main Street, Hyannis at 5:30 pm
Meeting called to order at 5:31 pm

Members present: Lindsey B. Counsell, Richard Sawyer, Tom Lee, Paula Schnepf, Terry Duenas and Town Council Liaison Janet Joakim, Marilyn Fifield, Sue Rohrbach and Laura Shufelt
Member absent: Paul R. Curley

Minutes: Motion duly made by Richard Sawyer and seconded by Sue Rohrbach to approve the minutes of the Regular Public Hearing held on Monday February 27, 2012 as amended. Fifield would like the correct spelling of the word "delineate". It needs an "s" or "ed". Aye: Unanimous, Absent: Laura Shufelt (during vote) and Paul Curley

Correspondence and Other Materials Received: Numerous letters of support were received for the various projects in the queue. The West Parish Memorial Foundation submitted a formal withdrawal of their letter of intent. They would like to consider a larger project and will return at a later date to request historic funding.

Discussion on Letters of Intent and Applications –

Trayser Heritage Museum – Mark Marinaccio, Building Design Architect for the Town of Barnstable, submitted a letter notifying the CPC that the Department of Public Works (DPW) is applying for a grant from Mass Historical in the amount of \$100,000.00 for the work at the Trayser Heritage Museum. The custom house is publicly owned and already has a historic restriction on it. **Richard Sawyer makes a motion to approve the application for the Trayser Museum and Marilyn Fifield seconds the motion. Chair Counsell requests a more detailed motion be made. Laura Shufelt amends the motion and moves to approve \$217,894 to fund window restoration, glazing, painting, masonry and flashing repairs, general conditions, overhead and profit and contingency for the Trayser museum. Sawyer accepts the amended motion. Shufelt makes a motion to include "for the preservation of the Trayser museum including soft costs" and Sue Rohrbach seconds the motion. Shufelt amend the motion to say any grant funds that are received will reduce allocation dollar for dollar. Rohrbach seconds the motion. Vote: Aye, Unanimous.**

Hyannis Public Library – The total maximum fund request for preservation of the Hyannis Public Library is \$135,315. Expending public funds on private property requires a public benefit; therefore in order to obtain a public benefit with respect to private property, a restriction is granted. The restriction shall state that the public entity would have a say regarding historic features preserved with public funds and that they would be maintained and not changed. Historic features of private property improved with public funding for historic purposes could be changed at will without a restriction. Another form of public benefit is public access. There are two reasons for the restriction; one is the need for a public benefit and other is the requirement under the Act, Chapter 184 General Law, that a restriction be placed. Future funding requests for additional preservation of the already restricted structure are not eligible according to the opinion of Attorney Houghton as there is no additional public benefit if a public benefit is already served. A Perpetual Historic Restriction is for historic purposes and must be approved by Mass Historical Commission which would last in perpetuity. Non Chapter 184 restrictions are only restricted for 30 years, subject to renewal. Houghton continues to say that CPC would not be able to advance additional public funds for preservation of the structure as it would be considered neglected by the owners of the building because they "let it go". Public benefit is a case by case factual determination. Chair Counsell reminds the group that funds can not be released until the restriction is recorded at the Registry of Deeds. Shufelt states that there is \$125,143.00 in historic funds remaining after the positive vote for the Trayser Museum project. Any additional historic funding shall come from the undesignated fund set aside. Sue Rohrbach said that she believed that the library was a public benefit just by being a library and that she reserved the right to debate that with the Town Attorney on that point in the future. **Sue**

Rohrbach moves to approve the application of the Hyannis Public Library for a maximum amount of \$135,315 for the preservation and protection of the Hyannis Public Library and for document preparation, site work and building construction, sill replacements, window work, trim and painting storm windows and rebuilding the chimney. Painting will be on newly repaired windows only. The motion was seconded by Tom Lee. Shufelt adds that \$125,143.00 will be coming from the Historic set asides and \$10,172 will be coming from the Undesignated set asides in return for a Historic Restriction. Vote: Aye, Unanimous.

Old Selectmen's Building – Mark Marinaccio, DPW, states that the total project cost is \$145,093.00. There are matching funds in the amount of \$59,815.00 from the gift account which leaves a balance of \$85,278.00. Robert Canevazzi, Assistant Director of DPW, proposes to change the original CPC funding request from the amount of \$85,278.00 to a lesser amount of \$59,078.00. ADA improvements in the amount of \$26,200.00 have been added to the scope of the project which will be fully funded out of the operating budget of the DPW which also offsets the CPC funding request. The total funding request for the preservation work is \$59,078.00. **Terry Duenas makes a motion to accept the Old Selectmen's Building application in the amount of \$59,078 to preserve the foundation, work site improvements and utilities and to be taken from the undesignated funds. Paula Schnepf seconds the motion. Vote: Aye Opposed: Richard Sawyer**

JFK Museum – This structure is owned by the Town which is responsible for making capital improvements. The tenants leasing space within the Museum are responsible for minor maintenance of the structure. The CPC Historic Preservation Consultant, Jim Hadley, supports the request by the DPW for the preservation of this historic structure. Shufelt is reluctant to vote for additional historic projects until remaining funds from the Town Hall Exterior project are returned to the Committee. The Historical Commission is requested to vote on the status of the flagpole and light in order for preservation to commence. Bids are coming in favorably and this may be the time to preserve the historic Town structures without further neglect. The Town will also need to continue maintenance of these structures after the improvements have been made. **Marilyn Fifield makes a motion to approve the application in the amount of \$107,800 for the Old Town Hall JFK Museum for the removal of lead paint, painting of signs, removal and replacement of brick steps, copper downspout and drain replacement, hanging light fixture, restoration of lawn fixtures and flag light, door frame, roofing repair of slate and mortar joints and flashing, selective window masonry lintel replacements and Tom Lee seconds the motion. Sue Rohrbach amends the motion to include that it is contingent upon the Historical Commission's vote for the flag pole and light the motion is accepted. Counsell adds another amendment to include the project management contingency funds, the motion is accepted and Shufelt adds that the funds should be expended from the undesignated funds and the motion is accepted. Vote: Aye Opposed: Laura Shufelt**

Amnesty Affordable Accessory Apartment – Laura Shufelt recuses herself from the meeting. Based on the opinion of Attorney Houghton, the Committee can recommend the project as it would qualify as the creation of affordable housing. Arden Cadrin, Special Projects Coordinator for the Growth Management Department (GMD), clarifies that this request is an extension of the existing program and that the GMD is seeking a new funding source in order to add new units to the successful program that is already in place. Community Development Block Grant (CDBG) funds have dropped in the last few years and there is a cap of \$5,000.00 per unit. Within the last few years, these units are being built from the ground up and those costs are significantly higher than assisting with upgrades to existing units. The CDBG program has been cut in the last two years by approximately 30%. The total request is \$200,000.00 and could allow up to \$20,000.00 per unit for homeowners. The value of the home has increased because of the unit and if the house were to be sold, the restriction would be removed and the funds would return back to CPC at that time. The removal of the restriction would need approval by the Secretary of EOOD and the Town Council. A condition of the loan need to include that the amount is paid upon release of the restriction by the state. Interest can be based on the opinion by Attorney Houghton. It is also possible to transfer the restriction and mortgage in their name to keep the apartment. There is an existing program in place and a staff person full time where the other towns did not have this benefit. An annual monitoring program is in place for all existing apartments and three months prior to the lease being due the homeowner is required to provide the Town with the financials and a copy of the lease they are requested to provide financials. The Town is 6.6 % affordable and the goal is 10%. **Paula Schnepf makes a motion to move the letter of intent to the application stage and is seconded by Terry Duenas. Vote: Aye Unanimous**

71 Pleasant Street, BHA – Paula Schnepf and Sue Rohrbach recuse themselves from the meeting. The Barnstable Housing Authority submitted an application requesting funds in the amount of \$50,000.00 to have a

study completed in order to refurbish the unit located 71 Pleasant Street, Hyannis. The CPC Historic Consultant report states that the unit is in such bad shape that the best thing to do is to demolish and rebuild a new structure. ***Laura Shufelt moves to deny the application request and the motion is seconded by Terry Duenas. Vote: Aye - Unanimous.***

Vernon Coleman Paintings – The request before the Committee is for \$790.00 to restore each of the two Vernon Coleman painting that are currently housed in the Town Clerk's office. The Historical Commission voted that they are a historic recourse. There are no structural issues with the frames, Vernon made them himself. The Town Clerk will obtain additional costs estimates to include the frames. ***Tom Lee makes a motion to move the letter of intent to the application stage and was seconded by sue Rohrbach. Vote: Aye - Unanimous***

Osterville Bay School – On March 23, 2012, CPC Chair Lindsey B. Counsell wrote a letter to the acting Town Manager requesting the initiation of the process to transfer the Osterville Bay School parcel out of municipal holding in order to create land for open space and recreation purposes that meet the requirements of the Act. The Recreation Division will manage the property. Once the transfer occurs, the field project can be considered, by no obligation by the CPC for funding. The acting Town Manager responded with a letter stating that he has already started the process. Paula Schnepf requests that a new letter of intent be submitted to the CPC after the transfer has taken place.

General Discussion / New Business – Terry Duenas states that there is a sub-committee that is reviewing the McManus property on Rte. 132 and an update will occur after the sub-committee meets. Committee members would like an update on the Town Hall and when the funds are being returned and to which category they will be returned to.

Closing Public Comment - None

Richard Sawyer makes a motion to adjourn the meeting and the motion was seconded by Terry Duenas. Vote: Aye – Unanimous

Open Session Meeting adjourned at 6:48pm

Respectfully Submitted, Alisha Parker, CPC Project Coordinator

Exhibits:

None