



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, July 23, 2012

Public Hearing **APPROVED MINUTES**

Town Council Hearing Room at 367 Main Street, Hyannis at 5:30 pm

Meeting called to order at 5:33 pm

Members present: Lindsey B. Counsell, Tom Lee, Paula Schnepf, Terry Duenas, Marilyn Fifield, Paul R. Curley, Laura Shufelt, Richard Sawyer

Member absent: Sue Rohrbach

Minutes: Motion duly made by Laura Shufelt and seconded by Richard Sawyer to approve the minutes of the Regular Public Hearing held on Monday May, 21 2012 as amended. (Exhibit #1)

VOTE: AYE: Lee, Schnepf, Fifield, Curley, Shufelt, Sawyer and Counsell

ABSENT DURING VOTE: Terry Duenas

Workshop – CPA Changes

Attorney David Houghton provides the Committee with an update regarding the amendments to the Community Preservation Act, Ch.44B of the General Laws, that Governor Deval Patrick signed in early July. The most publicized changes to the Act include the ability to fund recreation land for rehabilitation or restoration purposes. In the prior law, in order for recreation land to be eligible for rehabilitation or restoration, it was necessary that it had been required pursuant to the Act. That requirement was deleted by the amendment and land currently in recreation use is now eligible for rehabilitation and restoration funding. The term "capital improvement" was added to the definitions and in Houghton's summary is defined as a project which extends the useful life of an asset or adds something permanent to it and or increases its value. The definition of "maintenance" was expanded by becoming the antithesis of "capital improvement" which would be an activity that would not prolong the useful life of the asset and that would not materially add to its value. Maintenance projects have never been eligible for expenditure CPA funds since the original enactment.

There were changes to the Secretary Standards for historic preservation. The basis of eligibility prior to the amendment was if the resource was listed on a historic register, to be eligible for listing on a historic register or if the resource was found to have historic significance deemed by the local Historical Commission. The amendment drops the "eligibility for listing on a historic register" as a basis for eligibility.

Compliance of Secretary Standards for historic preservation, rehabilitation and restoration are now required for a project and must conform to the Secretary Standards. Previously the act employed the Secretary Standards as an additional eligibility criterion. If the historic asset did not require restoration or rehabilitation it would still qualify to bring it up to the Secretary Standards even if it didn't have to be preserved as indicated. Now the extra category has been removed and the Secretary Standards have been applied solely to restoration work, rehabilitation work and preservation work of historic assets.

The added definition of support of community housing has been expanded to include projects down to the individual level. The project or application which allows an individual to receive funding to make a property more affordable, write down a mortgage, receive a loan to make a property more affordable or to subsidize rent is now eligible under the new definition of support for community housing.

In summary, Houghton's opinion is that eligibility has been expanded; more projects are now eligible for funding with the expansion of recreational use eligibility, the expanded community affordable housing eligibility and the community support definition expansion. It makes more private projects eligible and the policy of funding private projects with public funds will still need to be discussed by the Committee. It is also important for the Committee to determine how to best accommodate additional project applicants.

367 Main Street, Hyannis, MA 02601 (o) 508-862-4749 (f) 508-862-4782

Email: CommunityPreservationCommittee@town.barnstable.ma.us

12 AUG 30 P 4:07

BARNSTABLE
TOWN CLERK

Committee priorities will need to be reviewed and perhaps revised due to the changes in the Act. The Town Council may also need an update regarding the changes in the Act prior to reviewing and appropriating funds for projects in the queue. The Committee discusses holding a public meeting to allow for input from interested Community members. The Committee can also set up specific guidelines; because something is legally eligible, it doesn't mean the committee has to recommend it and or the council has to appropriate funds for. The more policies and guidelines developed, the better and easier it will be for the Committee to prioritize projects. Phasing of projects is also an option for applicants.

Some affordable housing projects (acquisitions) will require a restriction. A pay down of a mortgage or a down payment assistance program may not require a restriction. The goals and objectives of the Committee can determine how these specific projects are handled for groups or individuals applying.

Richard Sawyer notifies the Committee that the Recreation Commission is putting together a "Recreation Report", requested by the Town Manager, based on findings from monthly tours around town in order to prioritize the recreation project areas in need.

Additional surplus funding in the amount of \$25 Million is estimated to be divvied up by all towns that have adopted the Act. Those funds will be available to towns in October 2013. Approximately 41% of the 3% revenue generated is estimated to the Town of Barnstable.

Alisha will send members an electronic copy of the existing workbook and a list of the items currently in the queue for the spring. These items will be discussed at the August 27th meeting.

General Discussion:

The next CPC meeting is scheduled for the 4th Monday in August on the 27th at 5:30 pm in the Hearing Room.

Closing Public Comment: None

Richard Sawyer makes a motion to adjourn the meeting and the motion was seconded by Tom Lee.

Vote: Aye – Unanimous

Open Session Meeting adjourned at 6:22 pm
Respectfully Submitted,

Alisha Parker

CPC Project Coordinator

Exhibits:

Draft Minutes (Exhibit #1)