



Town of Barnstable
COMMUNITY PRESERVATION COMMITTEE

www.town.barnstable.ma.us/CommunityPreservation
Email: CommunityPreservationCommittee@town.barnstable.ma.us



Committee Members

Lindsey B. Counsell – Chair ◦ Tom Lee – Vice Chair ◦ Marilyn Fifield – Historical Commission ◦ Terry Duenas – At Large ◦ Katherine Garofoli – At Large
Stephen Robbichaud – Planning Board ◦ Tom Lee – Conservation Commission ◦ James Tenaglia – Recreation Commission
Deborah Converse – Housing Authority ◦ Farley Lewis – At Large ◦ Britt Beedenbender – Town Council Liaison

7 OCT '20 PM 3:59
BARNSTABLE TOWN CLERK

Monday, April 27, 2020
Regular Public Hearing APPROVED Minutes
Remote Access Meeting Via Zoom Link: <https://zoom.us/j/97928810936>
5:30 PM

Lindsey Counsell – Chair	Present
Marilyn Fifield – Clerk	Present
Terry Duenas	Present
Tom Lee-Vice Chair	Present
Katherine Garofoli	Present
James Tenaglia	Present
Deborah Converse	Absent
Stephen Robichaud	Present
Farley Lewis	Present
Britt Beedenbender, Town Council Liaison	Present

Call to Order

With a quorum present, Chair Lindsey Counsell called the meeting to order at 5:30 pm and read: “Please note that tonight’s meeting is recorded and broadcast on Channel 18 and, in accordance with MGL Chapter 30A, s.20, I must inquire whether anyone is taping this meeting and to please make their presence known.” No one present was recording the meeting.

The Chairman then introduced and the Committee welcomed two new members: Mr. Stephen Robichaud as the Planning Board representative and Ms. Farley Lewis as an At Large member.

Minutes

The motion of Tom Lee, seconded by Marilyn Fifield, to approve the February 24, 2020, meeting minutes as submitted passed unanimously by roll call vote of the members present, with Stephen Robichaud and Farley Lewis abstaining.

Letters of Intent

Letter of Intent from Barnstable Land Trust seeking \$250,000 in Community Preservation Open Space/Recreation funds for the purchase of a Conservation Restriction on a 15.74 acre woodland parcel located at 830 Wakeby Road, Marstons Mills, Map 013, Parcel 003, including conservation of 21 acres in the town of Sandwich by the same owner, adjacent to 350+ acres of conservation land across the road. Total purchase price of the parcel is \$500,000, with matching funds to be provided by a Mass. Land Grant and private Barnstable Land Trust funding.

Ms. Janet Milkman, Executive Director of Barnstable Land Trust, explained that this parcel is almost 16 acres of undeveloped woodland at the very western end of Barnstable on the Sandwich line and includes the town line trail. The parcel has been surveyed for an 11-lot subdivision, but it has special conservation value in abutting existing conservation land, and a Conservation Tax Credit is available to owners who sell below fair market value, qualifying this as a good candidate for a matching Massachusetts Land Grant of \$250,000. The parcel is accessed from the eastern end of Wakeby Road near parking for the Santuit Pond preserve and also from the Sandwich side, without parking. Whether the Town will own the property or purchase a Conservation Restriction will be determined before an Application is submitted.

Motion was made by Tom Lee and seconded by Farley Lewis for Barnstable Land Trust's Letter of Intent requesting \$250,000 in Open Space funds to move to the full Application stage. Motion passed with a unanimous roll call vote of the members present: 8 Aye, 0 No.

Letter of Intent from CapeBuilt Companies seeking \$300,000 in Community Preservation Community Housing funds to support the creation of 2, two-bedroom deed-restricted affordable rental apartments within the redevelopment/repurposing of an historically significant building that was once home of the Hyannis Board of Trade at 255 Main Street, Hyannis. Total project cost is \$2,286,000.

Mr. Robert Brennan of CapeBuilt Companies described his project as one that the Town has been encouraging, as it creates much-needed housing in an historic building that is being repurposed and preserved. He felt that, once complete, the redeveloped building will be a key piece of the economic and development plan for the East End. He said redeveloping an historic structure to include housing is nearly twice as expensive as new construction, but he said he is still proud that he undertook the project to ensure that two affordable deed-restricted 2-bedroom apartments, proposed to be indexed to Area Median Income, will be available on Main Street in Hyannis.

Public Comment:

Ms. Elizabeth Wurfbain of the Hyannis Business Improvement District called the project stellar for the downtown, adding year-round housing and a variety of uses.

Motion was made by Tom Lee and seconded by James Tenaglia for CapeBuilt Companies' Letter of Intent to move to the full Application stage. Motion passed with a unanimous roll call vote of the members present: 8 Aye, 0 No.

Letter of Intent from the Town Manager's Office for \$1,449,000 in Community Preservation Open Space/Recreation funds proposed to be phased over five years to assume the remaining debt of the 126.31-acre Hyannis Golf Club. Existing Article 97 protections for active recreation would remain in place and be expanded to include additional active recreation activities other than traditional golf and affordable and workforce housing, in the event that it is decided to change from the current use as a golf course, and would require Community Preservation Committee approval.

Mr. Mark Milne, Barnstable Director of Finance, outlined the Letter of Intent seeking

\$1,449,000 in Open Space/Recreation funds to be phased over five years. He explained that financing the original acquisition of the Hyannis Golf Club had been shared between the Community Preservation Fund and the Enterprise Fund. But, after 15 years of success, he said, the golf course now faces financial difficulty in finishing payment of the remaining loan. In exchange for the assumption of the remaining debt of \$1,449,000, he said Community Preservation Committee approval would be required for any future change in use from that of a golf course. In response to Community Preservation Committee members' questions, Mr. Milne explained that the existing restaurant on the site has a 3-year concession contract that would expire if a golf club no longer occupied the property, adding that income from the golf course is returned to operate the golf course. Committee members requested that an Application include a long-range plan for the future use of the land if golf is no longer viable. Mr. Milne felt that housing development would be unlikely due to Article 97 constraints, and he explained that the annual funding over five years would appear in the debt funding portion of the CPF budget. Prior to annual funding, this debt assumption would be reviewed each year and adjusted if the golf use rebounds. Mr. Milne clarified that CP Open Space/Recreation funds would buy further restrictions, basically tweaking the original acquisition.

Motion was made by Tom Lee and seconded by Katherine Garofoli for the Town of Barnstable's Letter of Intent to move to the full Application stage. Motion passed with a unanimous roll call vote of the members present: 8 Aye, 0 No.

Applications

Revised Application from Tales of Cape Cod, Inc., requesting \$125,000 in Community Preservation Historic Preservation funds for permanent restoration of the support structure of the 1st floor in the oldest part of the Olde Colonial Courthouse at 3046 Main Street in Barnstable Village. The total estimated project cost is \$175,000, with \$50,000 committed from Tales of Cape Cod, Inc., and \$50,000 granted from Massachusetts Preservation Projects Fund for emergency projects. With the State grant, the amount needed from the Barnstable Community Preservation fund is reduced to \$75,000 for this project.

Chairman Counsell acknowledged receipt of the letter from Tales of Cape Cod with attached Memorandum from Brown, Lindquist, Fenuccio & Raber Architect, Inc., outlining the list of priorities and the Letter of Award from the Mass. Historical Commission. Mr. Gene Guill, President of Tales of Cape Cod, summarized the background of the building, the changes in the funding request, and the options for restoration that were contemplated. He narrated a PowerPoint presentation that included new developments since the submission of their Letter of Intent, what is presently requested and the differences between the options. He indicated that one of the rejected options was a temporary solution that would necessitate discarding 70-80% of the work for eventual permanent restoration. He said he preferred the option for permanent restoration of the support structure of the 1st floor in the oldest part of the building would cost \$175,000, but he asked the Committee to consider granting the full \$125,000 originally sought in the Application to allow the additional \$50,000 to fund the repointing of the foundation and installation of trench drains that are also needed.

CPC Members agreed with the preferred permanent restoration option and inquired about funding for future phases of the restoration project, relaying the need to start a capital campaign to raise money. Mr. Guill said that the project is a multiphased project, with Phase III to include handicap accessibility. He said that Tales of Cape Cod plans to request CP historic preservation funds over the remaining phases, and he noted consideration of live streaming of programming, especially if the number of persons allowed in the building is limited. He offered a site visit for CPC members in the next few weeks. Some CPC members felt that Tales of Cape Cod should emphasize other fund-raising and not rely on Community Preservation funds going forward.

Motion was made by James Tenaglia and seconded by Marilyn Fifield to recommend appropriation to the Town Council through the Town Manager of \$75,000 in Community Preservation funds set aside for Historic Preservation for permanent restoration of the support structure of the 1st floor in the oldest part of the Olde Colonial Courthouse at 3046 Main Street in Barnstable Village. Motion passed with a unanimous roll call vote of the members present: 8 Aye, 0 No.

Chair Counsell then recused from consideration of the 28 Falcon Road, West Barnstable, CP Application

Application received from Barnstable Land Trust seeking \$245,760 in Community Preservation Open Space/Recreation funds for the acquisition of a 15.96-acre parcel and Conservation Restriction at 28 Falcon Road, West Barnstable, Map 195, Parcel 038. The Application meets many Town planning and CPC goals, including the preservation of ancient trails, and it leverages MA Tax Credit funding to create an advantageous cost-benefit value for the Town and Barnstable Land Trust. Total purchase price is \$345,760 with matching funds of \$85,000 from a Mass. Conservation Partner Grant and \$15,000 in private Barnstable Land Trust funding.

Vice Chairman Tom Lee, acting as Chairman, acknowledged receipt of two letters of support for this proposed acquisition from the Mass. Historical Commission; and Native Land Conservancy. Ms. Janet Milkman, Executive Director of Barnstable Land Trust, explained the details of the Application with the use of two maps displayed on the Town's Channel 18. She explained that this parcel has been Chapter 61 designated land for the last 40 years, and its acquisition would meet many Town planning and CPC goals besides leveraging MA Tax Credit funding to create an advantageous cost-benefit value. She noted that the location of the 15.96 acre parcel is in the northern part of town and is surrounded by 142 acres of existing conservation land owned by the Town and Barnstable Land Trust. Ms. Milkman indicated that this parcel includes a stretch of Cape Cod Pathways along its southern border, a link that is also an ancient trail used for thousands of years by colonists and indigenous peoples, explaining that this portion of the trail is the only unpaved section and offers opportunities for education on the trail's past use. She said there is an opportunity for provision of a small parking area, and she said that the Town of Barnstable has agreed to own the property in this partnership, with Barnstable Land Trust to hold the Conservation Restriction.

Motion was made by Terry Duenas and seconded by Katherine Garofoli to recommend appropriation to the Town Council through the Town Manager

of \$245,760 in Community Preservation funds set aside for Open Space/Recreation for acquisition of 28 Falcon Road in West Barnstable, Assessors Map 195, Parcel 038, for open space and passive recreation to be protected by a Conservation Restriction held by Barnstable Land Trust. Motion passed with a unanimous roll call vote of the members present: 7 Aye, 0 No.

Chair Counsell then returned to the meeting to consider modifications regarding the Harju property.

Modifications:

Modify 2014 recommendation Harju property, 71 Harju Road, Centerville, from open space/active recreation to open space/passive recreation. Town Council Order 2014-060 appropriated \$125,000 for acquisition of 1.05 acres and grant of Conservation Restriction.

Chair Counsell explained that the purpose of the modification of the original 2014 vote is to release the use of active recreation for passive recreation on the property, with the Conservation Restriction conveyed to Barnstable Land Trust.

Motion was made by Tom Lee and seconded by Katherine Garofoli to accept the change in use of 71 Harju Road, Centerville, from open space/active recreation to open space/passive recreation. Motion passed with a unanimous roll call vote of the members present: 8 Aye, 0 No.

Public Comment: None.

Chair Counsell acknowledged the following correspondence received:

- Community Preservation Fund Schedule of Unreserved Fund Balances by Program Area As of February 26, 2020, prepared by Mark Milne, Director of Finance.
- Memorandum dated March 9, 2020, from the YMCA in response to questions posed at the February 24, 2020, CPC meeting.
- Letter from Town Council Office dated April 17, 2020, regarding the appointment of Mr Stephen Robichaud as Planning Board representative on the Community Preservation Committee.
- Letter from Town Council Office dated April 17, 2020, regarding the appointment of Ms. Farley Lewis as an At-Large member of the Community Preservation Committee.

Chair Counsell reviewed the following Project Updates with CPC Members:

- Mid Point Apartments Community Housing project was unanimously approved for appropriation at the April 2, 2020, Town Council Public Hearing.
- Cape Cod Horticultural Society will return in late Spring 2020 with a Letter of

Intent.

- Orenda draft CR plan received approval of LAPC and Conservation Commission and is scheduled for a Public Hearing at the Town Council on May 7, 2020.
- Letter of Intent from YMCA has been continued to the May 18, 2020, CPC agenda.
- Letter of Intent from St John Paul II HS has been continued to the May 18, 2020, CPC agenda.
- At the request of the applicant, the Cape Playhouse Application has been postponed to a date in the Fall of 2020.
- St. Mary's Episcopal Church Historic Preservation Restriction has been approved by the State and is ready for endorsement/recording.
- It was determined at the February 24, 2020, CPC meeting that a quote for the cost to prepare an historic building analysis report by a preservation architect for the Barnstable Historical Society Headquarters building is anticipated for review by CPC, and the Whelden Memorial Library, 2401 Meetinghouse Way, West Barnstable, requires an historic building analysis report prepared by a preservation architect.

Member Discussion:

Chair Counsell asked members to review draft materials for finalization

- Historic project review process.
- Handbook Updates.
- Tentative Annual CPC Meeting Date - June 15, 2020

Adjournment:

Motion was made by Terry Duenas and seconded by James Tenaglia to adjourn. Motion passed with a unanimous roll call vote of the members present: 8 Aye, 0 No, and the meeting adjourned at 6:42 p.m.

Next Regularly Scheduled CPC Meeting – May 18, 2020

List of documents/exhibits used by the Committee at the meeting:

Exhibit 1 – Draft CPC Meeting Minutes from February 24, 2020.

Exhibit 2 – Letter of Intent – Barnstable Land Trust – 830 Wakeby Road, Marstons Mills.

Exhibit 3 – Letter of Intent – CapeBuilt Companies – 255 Main Street, Hyannis

Exhibit 4 – Letter of Intent – Town of Barnstable – acquisition of remaining debt associated with Hyannis Golf Club.

Exhibit 5 – E-Mail –Attorney Houghton regarding Hyannis Golf Club Letter of Intent

Exhibit 6 – Letter from Tales of Cape Cod dated March 9, 2020 and attached Memorandum from Brown Lindquist Fenuccio & Raber Architects dated March 6, 2020.

Exhibit 7 – Letter of Award to Tales of Cape Cod from Mass Historical Commission.

Exhibit 8 – Power Point Presentation- Tales of Cape Cod “New Developments”

Exhibit 9 – Application and supporting documents– Barnstable Land Trust – Acquisition of 28 Falcon Rd. West Barnstable.

Exhibit 10 – Letter of Support for 28 Falcon Rd. Application from Mass Historical Comm.

Exhibit 11 – Letter of Support for 28 Falcon Road Application from Native Land Conservancy.

Exhibit 12 – GIS map of area of 71 Harju Road and photo of existing train to the lot.
Exhibit 13 – Community Preservation Fund Schedule of Balances as of February 26, 2020 prepared by Mark Milne, Director of Finance.

Exhibit 14 – Draft CP Historic Preservation Application Checklists.

Exhibit 15 – Letter from Town Council Office dated April 17, 2020 regarding the appointment of Farley Lewis as an At Large member of the Community Preservation Committee.

Exhibit 16 – Letter from Town Council Office dated April 17, 2020 regarding the appointment of Stephen Robichaud as the Planning Board representative member of the Community Preservation Committee.

Respectfully submitted,
Ellen M. Swiniarski
Community Preservation Committee Assistant
and edited by CPC Clerk Marilyn Fifield

Please Note: The list of matters are those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Committee may go into executive session. The Committee may also act on items in an order other than they appear on this agenda.

*** Public files are available for viewing during normal business hours at the Community Preservation office located at 367 Main Street, Hyannis, MA**