



**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 – Recreation Commission * Stephen Robbichaud – Planning Board * Tom Lee – Conservation Commission * James Tenaglia – Recreation Commission * Deborah Converse – Housing Authority * Farley Lewis – At Large

7 OCT '20 PM 8:59
BARNSTABLE TOWN CLERK

**Monday, August 17, 2020
Regular CPC Meeting APPROVED Minutes
Remote Access Meeting Via Zoom Link: <https://zoom.us/j/97357188942>
6:00 PM**

Lindsey Counsell – Chair	Present
Marilyn Fifield – Clerk	Present
Terry Duenas	Present
Tom Lee-Vice Chair	Present
Katherine Garofoli	Present till 7 pm
James Tenaglia	Present
Deborah Converse	Present till 7:35 p.m
Stephen Robichaud	Present
Farley Lewis	Present

Call to Order

With a quorum present, Chair Lindsey Counsell called the meeting to order at 6:30 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.

Minutes

The motion of Katherine Garofoli, seconded by Deborah Converse, to approve the July 20, 2020, meeting minutes as submitted passed unanimously by roll call vote of the 9 members present: Aye 9, No 0.

Letters of Intent

- A Letter of Intent was received from the Department of Public Works seeking \$522,569 in Community Preservation Open Space/Recreation Funds to cover increased costs for the construction of 10 dedicated pickleball courts and 2 tennis courts with pickleball overlay lines in Marstons Mills. The requested funding represents a portion of the total project cost of \$1,142,569, with \$620,000 to be provided by Capital Improvement Plan (CIP) funding, after the community called for pickleball courts in the recent townwide field study.

Town Architect Mark Marinaccio of the Department of Public Works narrated a Power Point presentation, showing the large cracks and failed net supports of the six existing asphalt tennis courts in Marstons Mills. He said a test patch was installed in 2017 to see if the courts could possibly be repaired, but that patch failed within 6 months. He reminded that the recent townwide field study indicates that the Marstons Mills tennis courts were used most often by the general public, and the field study recommends development of pickleball and tennis courts at the Marstons Mills location. With a total project cost estimated at \$1,142,569, Mr. Marinaccio explained that the requested Community Preservation funding is to cover increased costs due to increases in project scope and construction cost of 10 dedicated pickleball courts and 2 tennis courts with pickleball overlay lines, including HP parking and a shed for storage, at \$522,569, with supplementary CIP funding of \$620,000. .

In answer to CPC inquiry regarding the need for clearing the abutting woods, Mr. Marinaccio indicated that the footprint will be about the same after some clearing of the woods and removal of fencing and asphalt. He added that the courts will close at dusk, since they are not lighted, and he noted that the concrete court materials have a 20-year life expectancy, while asphalt only has a 5-7 year life expectancy.

Public Comment:

Mr. Robert Powers of Hyannis spoke in favor of the project and read his letter into the record, citing a current database of 500 pickleball members which has doubled recently. He noted the popularity of the sport for seniors and the unavailability of regulation pickleball courts as well as the downside of playing on tennis courts with overlaid lines. He also noted that Mashpee has 8 dedicated pickleball courts, and Yarmouth has 10 dedicated pickleball courts.

Gael B. Gilmore of Centerville spoke in favor of the project, citing pickleball's appeal to older players and noting that playing on a tennis court involves chasing the ball greater distances, as the court is nearly double the size of a dedicated pickleball court.

Stephen Whittlesey felt that there is a huge interest in pickleball but not much interest in tennis.

Tom Gillooly reflected the comments of Mr. Powers and Ms. Gilmore, adding that 300 of the 500 pickleball members are from Barnstable. He said that most players are 60 years of age or older and that most Cape towns have dedicated pickleball courts.

Stephanie Platt spoke in favor of the project and noted significant playing in the shoulder seasons.

Cathy Connors spoke in favor of the pickleball court project and pointed out that it is a sport that families can play together.

Edward Eagan also spoke in favor of the pickleball court project.

Sarah Beal, Channel 18 Manager and Zoom meeting host, read a list of the names of another 25 people who had joined the Zoom meeting to show support for the pickleball project.

Town Recreation Director Patti Machado described the court size, fencing and net of dedicated pickleball courts versus tennis courts with overlaid lines, noting the negative effect of having to raise and lower nets and chase balls on the larger tennis court. She also noted the staggered openings on the dedicated pickleball courts that prevent the ball from traveling far from the play area.

Mark Marinaccio assured that there was no charge for the test patch that failed, and Tom Lee said that he had researched the concrete material that is to be used, calling it the best material available.

Motion was made by Tom Lee and seconded by Deb Converse to move the Letter of Intent from the Department of Public Works to the Application stage. Motion passed unanimously by roll call vote of the 9 members present: 9 Aye, 0 No.

Applications

- An updated Application has been received from the Town of Barnstable for the purchase of 15.74 acres at 830 Wakeby Road, Marstons Mills. The Town is now taking the lead on the purchase of the property and will own the land, with the Barnstable Land Trust holding the Conservation Restriction. The previous Application, dated May 12, 2020, allowed for the owner and holder of the Conservation Restriction to change to best suit the project. The amended request is for the larger amount of \$500,000 from the Community Preservation Open Space/Recreation Fund toward the purchase price of \$525,860. The Town has applied for a State reimbursement grant of \$250,000 which would be returned to the Community Preservation Fund. Barnstable Land Trust will be contributing \$25,680 and has negotiated a State Tax Credit of \$75,000 to the seller, resulting in a lower purchase price.

Town Director of Property & Risk Management David Anthony summarized the amended Application, noting the partnership with Barnstable Land Trust in submitting the Application for \$500,000 in Community Preservation funds for the purchase of the 15.74-acre parcel addressed 830 Wakeby Road in Marstons Mills. He explained that the Application must include the additional \$250,000 to purchase the property because the State grant requires the Town of Barnstable to be the recipient. Because it is a reimbursement grant, the Town is obligated to seek the full purchase price, with the expectation that the grant would be returned to the Community Preservation fund.

Barnstable Land Trust Director Janet Milkman said she is pleased that the Town has agreed to apply for the State grant as its 1st application for a State land grant, adding that the project is well-qualified for the grant. Ms. Milkman noted that there is a time constraint for CPC and Town Council approval in order to meet the State grant application deadline, also noting that the revised draft Conservation Restriction has been updated and has received support from the Town Attorney's Office.

Motion was made by Chair Counsell and seconded by Tom Lee to recommend to the Town Council through the Town Manager support for the Town of Barnstable's acquisition of 15.74 acres of Open Space at 830 Wakeby Road, Marstons Mills. The amended request in the amount of \$500,000 from the Community Preservation Open Space/Recreation Fund represents a portion of the total purchase price of \$525,680. Barnstable Land Trust will hold the Conservation Restriction and is contributing \$25,680. The Town of Barnstable has applied for a State reimbursement grant of \$250,000, which would be returned to the Community Preservation Fund, with the Application to be forwarded upon receipt of a draft Conservation Restriction approved by the Legal Department. Motion passed unanimously by roll call vote of the members present: 8 Aye, 0 No.

- An updated Application has been received from the Town of Barnstable for the purchase of 15.96 acres at 28 Falcon Road in West Barnstable. The Town is now taking the lead on the purchase and will own the land, with the Barnstable Land Trust holding the Conservation Restriction. The previous application, dated May 12, 2020, allowed for the owner and holder of the Conservation Restriction to change to best suit the project. The amended request is for the larger amount of \$320,000 from the Community Preservation Open Space/Recreation Fund toward the purchase price of \$347,500. The Town has identified a Massachusetts Drinking-Water Grant that could potentially pay for up to half of the cost of the project and preserve rights to develop a drinking-water well. If awarded, the amount granted would be returned to the Community Preservation Fund, with Barnstable Land Trust also contributing \$27,000.

Town Director of Property & Risk Management David Anthony presented the Application for \$320,000 in Community Preservation Funds for the purchase of the 15.96-acre property at 28 Falcon Road, West Barnstable. He called the parcel key to expanding the existing 142 acres of conservation land owned by the Town and Barnstable Land Trust that includes a stretch of the Cape Cod Pathways along its southern border, a link that is also an ancient trail used for thousands of years by indigenous peoples. Mr. Anthony explained that the property has also been identified in Town planning for its drinking-water potential, with rights to develop drinking-water production on this piece of land to be preserved. He said a State grant application would be filed to provide up to \$75,000 in funding assistance, adding that the State grant requires the Town of Barnstable to be the recipient of the reimbursement grant, with the Town obligated to seek the full purchase price, and with the intent to return any grant funds to the CP fund.

Barnstable Land Trust Director Janet Milkman said that the grant process is not under the same time constraint as with Wakeby Road, but the Legal Department has approved the draft Conservation Restriction for 28 Falcon Road.

Farley Lewis mentioned that land designated for wells will limit public access to some degree, and Ms. Milkman agreed, saying that the impact will be minimal as the well site would be in a corner at the far end with an existing road.

Motion was made by Chair Counsell and seconded by Terry Duenas to recommend to the Town Council through the Town Manager support for the Town's acquisition of 15.96 acres of Open Space at 28 Falcon Road, West Barnstable. The amended request of \$320,000 from the Community Preservation Open Space/Recreation Fund represents a portion of the total purchase price of \$347,500. Barnstable Land Trust will hold the Conservation Restriction and is contributing \$27,000. The Town of Barnstable will be applying for a Massachusetts Drinking-Water Grant that would potentially pay for up to half of the cost of the project and preserve rights to develop a drinking water well, with any grant funds returned to the Community Preservation Fund. Application will be forwarded upon receipt of a draft Conservation Restriction approved by the Legal Department. Motion passed unanimously by roll call vote of the 8 members present: 8 Aye, 0 No.

Correspondence Received:

Chair Counsell acknowledged the following correspondence received:

- Community Preservation Fund Schedule of Unreserved Fund Balances by Program Area prepared by Mark Milne, Director of Finance for the August 17, 2020, meeting.
- Letter of Award for Cape Cod Rail Trail Phase III – 2020 Mass. Trails Grant of \$180,950.
- Virtual Design Public Hearing Notice – Massachusetts Department of Transportation – September 24, 2020, to take public comment on proposed Barnstable-Yarmouth Cape Cod Rail Trail Project (Phase III).
- Barnstable Affordable Housing Growth and Development Trust Quarterly Report anticipated for the September 21, 2020, CPC meeting.

Chair Counsell reviewed the following Project Updates with CPC Members:

- Tales of Cape Cod – 1st funding request approved after site visit confirming great progress.
- YMCA playground equipment – Chair Lindsey explained that a longer lease and added maintenance agreement should make it transferable to another entity.
- Hyannis Golf Club Application will be scheduled for a Town Council public hearing on September 3, 2020
- St. Mary's Episcopal Church – 2nd funding request for reimbursement of the stonework approved after site visit confirming great progress.

- An updated Application from the Barnstable Historical Society headquarters building is anticipated, along with a building analysis report, for the September, 2020, agenda.

Member Discussion:

- James Tenaglia noted that he sent a link to the Recreation Plan and explained that the last page contained all of the priorities after touring all 88 of the recreation facilities and playground sites. He mentioned that both good and bad were found, and DPW was able to fix some of the facilities that were in immediate need, but pickleball was not on the list because it was already included for CIP funding. He said the #1 priority on the list was the Centerville Recreation Playground due to dangerous components, with the Dowse's Bathhouse as #2 due to an increase of its use as a safe place for lifeguards, and development of an Osterville Recreation Building for the Cotuit, Osterville, Marstons Mills area as #3 priority.
- Recreation Director Patti Machado noted that playgrounds are a challenge because they do not last and standards change, and what cannot be fixed must be removed for safety. She added that while Luke's is very nice, it is not used as much as the Centerville playground, and she reminded that the list was prioritized with safety as #1 concern, with priority #2 related to distribution through the villages. Ms. Machado reported that a playground company would like to expand into the New England area and may be willing to give a break if installing multiple playgrounds in one proposal.
- Deborah Converse said that if all the playground equipment was standardized, equipment could be changed out as needed by DPW.
- Chair Counsell noted that Barnstable/West Barnstable Playground was withdrawn, and the money raised was given to the school department for school playgrounds. He felt that a location near Hathaways Pond could be appropriate for a playground in the future. He also said that the Barnstable Hollow playground may be a project coming to CPC in the future.
- Farley Lewis noted that the minutes of the last Pathways meeting had been forwarded to CPC members. She said that they meet every month and try to maintain continuity of the trail from Sandwich to Yarmouth, working with BLT and the Mountain Biking Association toward the goal of a Capewide trail from one end to the other, also noting that the paperwork needs to clarify the recreation purposes in connection with CRs or property acquisition.

Chair Counsell asked members to review draft materials for finalization

- Historic project review process.
- Handbook Updates, including the updated CR process, with draft to be finalized along with the Draft CPC Plan.
- CR tracking document to include dates.

Adjournment:

**Motion was made by James Tenaglia and seconded by Tom Lee to adjourn.
Motion passed with a unanimous roll call vote of the members present - 7 Aye, 0
No - and the meeting adjourned at 7:49 p.m.**

Next Regularly Scheduled CPC Meeting – September 21, 2020

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

Exhibit 1 – CPC Agenda – August 17, 2020

Exhibit 2 – CPC Draft Meeting Minutes – July 20, 2020.

Exhibit 3- Letter of Intent – DPW Marstons Mills Pickleball & Tennis Court Project

Exhibit 4 – Application –Town of Barnstable 830 Wakeby Rd, Marstons Mills Acquisition

Exhibit 5 – Application –Town of Barnstable, 28 Falcon Rd, West Barnstable Acquisition

Exhibit 6 – Letter of Award to Town of Barnstable – 2020 Mass Trails Grant for CC Rail Trail Phase III

Exhibit 7- Notice of Public Hearing-Mass DOT – CC Rail Trail Phase III

Exhibit 8 – E-mail from Farley Lewis RE: Today's Pathway Meeting

Exhibit 9 - Financial Reports – Community Preservation Fund for the August 17, 2020 CPC meeting by Mark Milne, Director of Finance.

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**