



# Town of Barnstable

## Community Preservation Committee

[www.town.barnstable.ma.us/growthmanagement/PropertyManagement/CommunityPreservation](http://www.town.barnstable.ma.us/growthmanagement/PropertyManagement/CommunityPreservation)

Lindsey Counsell, Chair  
Laura Shufelt, Vice Chair  
Marilyn Fifield, Clerk

Theresa M. Santos, Administrative Assistant  
Alisha P. Stanley, Project Coordinator

A Community Preservation Committee meeting was held on  
Monday, **January 3, 2011**, in the Town Hall Hearing Room at 367 Main Street, Hyannis at 5:00pm

### APPROVED MINUTES

**Members present:** Lindsey Counsell, Terry Duenas, Marilyn Fifield, Tom Lee, Paula Schnepf, Sue Rohrbach, Laura Shufelt

**Members absent:** Rene King, Patrick Princi, Town Council Liaison Janet Joakim

**Meeting called to order at 5:06pm**

**Motion duly made by Paula Schnepf, seconded by Tom Lee to approve the minutes of November 15, 2010 as amended**

**VOTE: Aye – Counsell, Duenas, Fifield, Lee, Schnepf, Rohrbach**

**Abstain - Shufelt**

**Public Comment - None**

### **Correspondence**

- Letter from the Town Manager to the Cape Cod Commission regarding extension of the Cape Cod Rail Trail – seeking grant funding <sup>1</sup>
- Letter from the TOB DPW regarding both the School Administration and Old Selectman's Buildings, cost estimate breakdown – received and up for review on 1/24/11 <sup>2</sup>
- Letter from the Land Acquisition and Preservation Committee regarding Best Buddies <sup>3</sup>
- Letter of withdrawal for Chili's landscaping <sup>4</sup>

### **Decisions**

**TOB – DPW Old Selectman's Building and School Administration Building postponed to 1/24/11**

- Members to review cost estimates, submit questions/concerns which will be addressed on 1/24/11

### **General Discussion**

**Preservation of Affordable Housing – (Cromwell Court) Modification of Request**

- Represented by Patricia Belden and Thacher Tiffany
- Project background and update provided
- Closing was postponed due to two issues; one was with the Tax Credit Investor, and the other was regarding the term 'perpetuity'  
\* one lender requires 'perpetuity' allowed to be extinguished by the first mortgage in the event of a foreclosure; does not mean that it would be extinguished, only that they have the right to do that
- Lenders, process and rates reviewed
- Request is for modification; remain in perpetuity subject to a foreclosure by MA Housing; in the event of foreclosure notifications to the Town would take place as well as, and under the MA Housing statute, MA Housing would keep 40% of the units affordable at 60% of the median income. Historically, MA Housing has not extinguished affordability covenants, but they need to have the ability in order for POAH to use their financing

### *Discussion*

- Process is standard for MA Housing
- Unfortunate that the terms of the CPC grant were not previously recognized
- Project is affordable but not under a 40B Permit; locked in at 124 affordable units; goal is to preserve the affordability on a use restriction that is due to expire
- Recommended change is approved by Laura Shufelt
- Result of CPC approval – it remains that a minimum of 46 units would remain affordable for 40 years
- A new motion results in a new recommendation to the Town Council
- Jim Kinsella from the Barnstable Enterprise newspaper requests clarification on the tax credit issue; Clarified by Patricia Belden: Program is funded through low income housing tax credit; POAH is working with investors to buy those credits; time ran out to close with the original investor, currently working with MA Housing Investment Corp. (MHIC), a preferable organization to work with; funding with MHIC is now available as well.

**Motion duly made by Laura Shufelt, seconded by Sue Rohrbach that the Community Preservation Committee recommends to the Town Council modification as described for the Preservation of Affordable Housing community housing grant for Cromwell Court; the modification would eliminate the 'in perpetuity' and be replaced by 'in perpetuity with the exception of foreclosure of the first mortgage'.**

**VOTE: So voted unanimously**

### ***Sturgis Library – Reconsider Motion Language / procedural change***

**Motion duly made by Sue Rohrbach, seconded by Paula Schnepf, that with the guidance of the Town of Barnstable Legal Department, to reconsider the November 15, 2010 recommendation regarding the Sturgis Public Library and change the recommendation from 'restoration' to 'rehabilitation'**

**VOTE: So voted unanimously**

### ***Staff Updates: Alisha Stanley, CPC Project Manager***

Funding status sheets distributed<sup>5</sup>

- Request members to review and submit questions to Alisha for the 1/24/11 meeting
- Review provided on projects and change orders associated with them
- *Town Hall*: clarification requested regarding payroll information; Alisha to investigate and report back to members at 1/24/11 meeting, as well as the completion status; roof is complete; 3<sup>rd</sup> floor bathroom window rejected; members also request to add contingency dollars on the status sheet
- *Paine Black House*: RFP drafted and under review with the Legal Department; update expected shortly
- *Marstons Mills Historical Society*: Applicant has been contacted and will need to identify location for archive storage and accessibility to the public will be prior to forwarding recommendation to the Town Manager and then to the Town Council; once clarified, update to members will be provided
- *Cammett House*: Foundation and walls poured; four (4) windows and frames identified as critical; additional work required resulting in additional funding needs; expect change order shortly
- *Chili's landscaping*: Withdrawn; HF Johnson Tree Farm donated the last tree; planting pending due to weather
- *Fuller Farm*: Barnstable Land Trust received a \$500k grant from the Land Grant Program; all CPC requirements must be fulfilled prior to release of any funding; status of house has not yet been determined
- *Historic signage*: samples distributed to five (5) random applicants for them to share with their respective boards; awaiting feedback; update to members when available
- *Master Facilities Plan*: no funding to build; plan is @20% completed; funds were encumbered; plans available for viewing; estimated project cost is \$5 million; request for review of plan be placed on the February CPC agenda

### ***Closing Public Comment - none***

**Motion duly made by Laura Shufelt, seconded by Tom Lee to adjourn**

**VOTE: So voted unanimously**

Meeting adjourned at 5:57pm

<sup>1</sup> Letter from the Town Manager to the Cape Cod Commission regarding extension of the Cape Cod Rail Trail – seeking grant funding

<sup>2</sup> Letter from the TOB DPW regarding both the School Administration and Old Selectman's Buildings, cost estimate breakdown – received and up for review on 1/24/11

<sup>3</sup> Letter from the Land Acquisition and Preservation Committee regarding Best Buddies

<sup>4</sup> Letter of withdrawal for Chili's landscaping

<sup>5</sup> Funding status sheets distributed

**Next CPC meeting scheduled for Monday, January 24, 2011**

**Respectfully submitted**  
**Theresa M. Santos**  
**CPC Administrative Assistant**

Public files are available for viewing during normal business hours in the Growth Management office located on the 3<sup>rd</sup> floor of Town Hall, 367 Main Street, Hyannis

\*\* Further detail may be obtained by viewing the video via Channel 18 on demand at <http://www.town.barnstable.ma.us> \*\*