



Town of Barnstable
COMMUNITY PRESERVATION COMMITTEE

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



Committee Members

Lindsey B. Counsell – Chair • Laura F. Shufelt – Vice Chair • Marilyn Fifield – Historical Commission • Terry Duenas – At Large • Sue Rohrbach – At Large
 Fred LaSelva – Planning Board • Tom Lee – Conservation Commission • James Tenaglia – Recreation Commission • Deborah Converse – Housing Authority
 Britt Beedenbender – Town Council Liaison

Monday, August 27 2018
Regular Public Hearing APPROVED Minutes
 367 Main Street, Hyannis, MA - 2nd Floor – Hearing Room
5:30 PM

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 BARNSTABLE

Lindsey Counsell – Chair	Present
Laura Shufelt – Vice Chair	Present
Marilyn Fifield – Clerk	Absent
Terry Duenas	Present
Tom Lee	Present
Sue Rohrbach	Absent
James Tenaglia	Present
Deborah Converse	Present
Fred LaSelva	Present
Britt Beedenbender	Absent

Call to Order

With a quorum present, Chair Lindsey Counsell called the meeting to order at 5:30 pm and read into the record: "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

Motion was made by Laura Shufelt and seconded by Fred LaSelva to accept the July 23, 2018 CPC meeting minutes as submitted. Motion passed unanimously.

Vote to approve Special Meeting minutes of July 30, 2018 postponed to the September 24, 2018 meeting.

Letters of Intent

- Letter of Intent from Saint Mary's Episcopal Church, Barnstable, MA, seeking \$147,725.20 in CPA Historic Preservation funds for a portion of the fire protection system cost; replacement of exterior wood trim; and restoration of the stone entrance on Route 6A.

Mr. David Munsell, church member and abutter; and, Peter Scarafile, Church Warden, were present and explained that the requested CPA funds would support part of a large renovation project with a total cost of \$1,700,000. They said the requirement for installation of a fire suppression system was triggered by the renovation of the historic church, and ADA upgrades are also planned throughout the church. They noted many

public uses of the church including as an emergency shelter for the Barnstable/West Barnstable Elementary School. And they said the CPA funded portion of the fire suppression system is to protect the historic church building, not additions, also reporting that Old King's Highway Historic District Committee approval of the exterior work. Chairman Counsell advised that the Assistant Town Attorney will need to review the Letter of Intent for eligibility prior to voting to move to the application stage as this is the first Barnstable CP funding to be sought for a historic church subsequent to the Supreme Judicial Court's Kaplan ruling, so it would be placed on the September 24, 2018 agenda to allow time for legal review.

- Letter of Intent from the Department of Public Works through the Town Manager seeking \$258,529 for the final phase of work for the Paine Black House. Project work includes: completion of structural framing, installation of handicap compliant toilet fixtures and bathroom, rough and finish flooring, lead paint remediation, interior painting, kitchen upgrades, installation of baseboard heat, electrical improvements, and interior masonry work.

Chairman Counsell advised CPC members that the Legal Dept will need to review the Letter of Intent for eligibility prior to a vote to move to the application stage, although a presentation could proceed at this meeting. Mr. Mark Marinaccio of DPW explained that the prior work phases were funded with CPA and CIP funds totaling \$260,000 but funds are needed for the final phase of work, including interior renovations such as handicap-compliant restrooms, and kitchen upgrades. In response to CPC inquiry regarding how the Paine Black House will be used, Mr. Marinaccio said it presently is a 3 bedroom house that the Town could use or lease as a farm, although the proposed use will be identified in the CPC application, if invited to apply. He added that CIP funding will also be sought for this phase of work. The Letter of Intent will be scheduled for a vote at the September 24, 2018 meeting.

- Letter of Intent from Barnstable Historical Society seeking \$199,000 in CPA Historic Preservation funds for structural, exterior and interior renovations to the Barnstable Historical Society Building located at 3087 Main Street, Barnstable. The building serves as a museum for display and preservation of the Society's historical collection and other historically significant items relating to the town and Cape Cod. Research assistance, educational tours, and children's activities for the community are held at the BHS building.

Mr. Joe Berlandi, BHS Treasurer, and Mr. Rich French, President of BHS provided a brief presentation. Mr. Berlandi explained that since 1849, the property was used for many things and most recently as headquarters for the Barnstable Historical Society, a non-profit, educational corporation that provides research assistance and serves as a museum displaying many historic documents owned by the Town. CPC members inquired if there are other funding sources available to provide a match for the \$199,000 CPA funding request, and it was agreed that ongoing fundraising will need to occur. Mr. French explained that BHS took over the Trayser Museum collection for the Town including pieces of the US Constitution. He said that the building that houses the Town's archives is in dire need of basic structural improvements and that BHS has funded

improvements to the building such as a new roof and heating system. After discussion, it was determined that a long term plan for funding and an outline of the work needed would be needed. Chair Counsell also advised that the Legal Department will also need to review the Letter of Intent and proposed work for eligibility. BHS Letter of Intent will be placed on the September 24, 2018 agenda.

Applications

Application from FORWARD seeking \$250,000 in CPA Community Housing funds to construct two purpose-built homes for 8 adults with autism on 5 acres of town-owned land in Dennis at 131 Hokum Rock Road. Cape Abilities will operate the facility and provide 24/7 onsite services for the residents. This \$250,000 CPA funding request represents a portion of the total \$2,004,258 budget with \$1,600,000 already committed by Dennis CPC, 2 Mass grants, and private giving. Continued from the July 23, 2018 CPC meeting.

Ms. Cathy Ohman, President of FORWARD and Mr. Robert Brennan Co-Chairman of the FORWARD Building Committee for FORWARD and Mr. David Kaplan were present. They explained that the attorneys are working on CPC's 4 outstanding questions which included: 1) How would Dennis hold and enforce an Affordable Housing Restriction on and against itself? 2) Whether Dennis is or is not holding an Affordable Housing Restriction, would Barnstable be able to be a co-holder so that Barnstable's participation in the project is acquiring, co-holding and enforcing an Affordable Housing Restriction? 3) If Barnstable would not hold a restriction, is there other security such as a mortgage that Dennis could grant to Barnstable so that if FORWARD ceases to operate, Barnstable could recover all or some of its CPA funding? 4) If Barnstable would neither hold a Restriction nor a mortgage, would Barnstable's participation be limited to support of affordable housing by means of an unsecured grant?

Mr. Brennan reviewed time frames and cost increases saying that that funding from Barnstable will get the project over the finish line. He said that DES has specific guidelines for construction as this population is harder on finishes. CPC members discussed that a CPA funded affordable housing project has been long awaited, but they wanted to be sure that CPA funds are used for construction only and that the Town of Barnstable's legal interest is properly secured in perpetuity with the document or chosen method of securing a legal interest in the property to be created and executed prior to recommendation to the Town Council for appropriation. Submission of a final budget would also be required as soon as possible.

Motion was duly made by Chair Counsell and seconded by Terry Duenas to recommend the Application of FORWARD on its merits and to authorize the Chair to consult with the Legal Department for the development of adequate security measures prior to submission of the Committee recommendation for appropriation. The recommendation is not to be submitted by the Committee to Administration until notice of such measures are provided by the Chair. Motion passed with a unanimous vote.

CPC members will be provided with a copy of the final agreement securing legal interest in the property. FORWARD applicants expressed their gratitude to the CPC.

Updates/Discussion:

- Chair Counsell said that Mark Milne will attend a future CPC meeting in either September or October as soon as CPC funding from the State is known.
- Laura Shufelt updated the CPC regarding the CHAPA application that was submitted by the Planning and Development Department with a focus on the Economic and Development Trust, reporting that 13 applications were received and only 2 municipalities will be chosen. She added that reinvigorating the Town's housing trust should be a priority whether the grant for technical assistance is awarded to the Town or not, noting that some trusts can receive 10% of CPA funds to be spent on CPA qualified projects. She explained that the trust was created by Special Act with 5 members, and technical assistance provided by the grant, if awarded, would educate regarding what the trust can do.
- CPC members discussed that a list of Town owned land has not been provided. Chair Counsell said housing was to be given a high priority in the next round of properties by asset management, adding that CPC should be included before properties go to someone else. Discussion of CPC's level of involvement in initiating an affordable housing project followed, and Laura Shufelt shared a Housing Institute 101 flyer offering 6 educational sessions to members of CPC and other Town boards in the months of October and November.

Adjournment

A motion was made by Fred LaSelva and seconded by Tom Lee to adjourn. Motion passed unanimously and the meeting adjourned at 6:41 p.m.

Next Regularly Scheduled CPC Meeting – September 24, 2018

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

- Exhibit #1 – Draft CPC Meeting Minutes – July 23, 2018
- Exhibit #2 – Letter of Intent – St. Mary's Episcopal Church, Barnstable & Form B
- Exhibit #3 – Letter of Intent – Barnstable Historical Society & Form B
- Exhibit #4 – Letter of Intent – DPW/TM, Final Phase Work – Paine Black House
- Exhibit #5 - E-mail from Atty. Houghton dated 7/23/18 RE: FORWARD 4 questions.
- Exhibit #6 – CP Fund Balances as of June 30, 2018 prepared by Mark Milne.

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

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**