



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 Robichaud – Planning Board • Tom Lee – Conservation Commission • Vacant – Recreation Commission
 Deborah Converse – Housing Authority • Farley Lewis – At Large • Jessica Rapp Grassetti – Town Council Liaison

Monday, July 17, 2023
Annual Public Hearing APPROVED Minutes
367 Main Street, Hyannis, MA – 2nd Floor Hearing Room
5:30 PM

Lindsey Counsell – Chair	Present
Marilyn Fifield – Clerk	Absent
Terry Duenas	Absent
Tom Lee-Vice Chair	Present
Katherine Garofoli	Present
Deborah Converse	Present
Stephen Robichaud	Present
Farley Lewis	Present
Jessica Rapp Grassetti – TC Liaison	Absent

Call to Order:

Notice of Recording: 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.

Informational Speakers:

- **Stuart Saginor, Executive Director of the Community Preservation Coalition**
 Mr. Saginor narrated a PowerPoint presentation that provided an overview of the Community Preservation Coalition. He noted that the Coalition’s website is a unique and significant resource for information regarding the Community Preservation Act with extensive information and technical assistance and data for CPC members. He explained that the CPA cities and towns now total 195, representing 55% of the State’s municipalities and 70% of its residents, with a large uptick in communities joining in the past 10 years. Mr. Saginor cited a total of 15,000 successful CPA appropriations made across Massachusetts totaling \$3 billion since 2000. He said that every community that adopts CPA decides what they would like to emphasize in their community, with no State input on how money is used beyond the required 10% of total CPA funds to be dedicated to each of the three CPA categories: Community Housing, Historic Preservation; Open Space and Recreation.

Mr. Saginor explained that the source of the CPA funds is in part a voluntary property tax surcharge that each community votes for along with its rate. He noted that Barnstable voted for a 3% CPA surcharge tax in 2005. He said there is a State Trust Fund that sends matching funds every November to the CPA communities, explaining that the amount of this distribution reflects real estate sales, as it is based on recording fees collected at the Registry of Deeds across Massachusetts. He noted a very robust match recently because the State budget surplus was awarded to the Trust after the Coalition advocated for additional CPA funding, and last year the CPA Trust received an additional \$20M in December. In total, he said, the Town of Barnstable received \$1.6M in CPA Trust funds last year.

Mr. Saginor reported a decline in revenue collected at the Registry of Deeds more recently, due to the rise in interest rates and decline in property sales, with the first \$50 in recording fees collected at the registry going to the CPA Trust Fund.

Mr. Saginor displayed the CPA Allowable Uses Chart, calling it a good start in determining eligibility, citing examples of eligible and ineligible uses of CPA funds and reminding that the Coalition is always ready to help with eligibility, with government and non-profit entities eligible to seek CPA funding, while eligibility for other types of entities can be more difficult.

- **Barnstable Community Preservation Committee – Chairman Lindsey Counsell**

Chair Counsell narrated a PowerPoint presentation that highlighted Barnstable CPA-funded projects, both Town and private. He listed the CPC members and their affiliations with other Town boards, reminding that the Community Preservation Act was adopted 2004 in Barnstable. Chair Counsell noted that the Committee goals for this fiscal year are related to clarifying the application process by requiring Massachusetts Historical Commission determination of eligibility for the required Historic Preservation Restriction prior to CPC consideration of Historic Preservation proposals. He said a grant agreement that outlines the details and conditions of the grant will also be established.

The following examples of projects accomplished using CPA funds were discussed:

- Acquisition of 830 Wakeby Road, partnering with Barnstable Land Trust with a Mass. Land Grant to protect drinking water for the COMM Water District
- Pleasant Street Park – Removal of a house to link Bismore Bulkhead and Pleasant Street
- Cobb Trust Land Acquisition – Open Space purchase to allow an easement for the Cape Cod Rail Trail (CCRT)
- New Marstons Mills Pickleball/Tennis Courts – very popular and well-used facility
- New recreation playground equipment at Osterville Playground
- Design funding for the CCRT which is scheduled to begin construction in January, with the bike trail to cross the Yarmouth town line over Willow Street and run across the Fish and Wildlife property to the south, next to Mary Dunn Road
- Zion Union Historic Museum/Chapel Restoration – restoration of a Town-owned building housing a museum
- Sturgis Library – library renovation and replacement of the archival climate control system

- Olde Colonial Courthouse Restoration – renovation of historic building owned by nonprofit Tales of Cape Cod
- United States Custom House Restoration – extensive renovation to the exterior of the Town-owned building now home of the Coast Guard Museum
- The Lofts at 57 Ridgewood Ave, Hyannis – Affordable Housing units developed by Housing Assistance Corporation
- 255 Main Street, Hyannis – 2 moderate-income housing units

Chair Counsel noted that \$14,226,654 is available in CPA funding for FY 24.

- **Gene Guill, President – Tales of Cape Cod – Olde Colonial Courthouse**

Mr. Guill thanked the Committee for the opportunity to speak and expressed appreciation for the relationship that started 10 years ago. He called the Olde Colonial Courthouse one of the most historic buildings on Cape Cod and said funds granted through the CPC have gone a long way toward its restoration. He explained that the c.1763 building served as a Courthouse for Barnstable County in the final year of the Colonial Period through the Revolutionary War and during the first 50 years of the Republic. He reviewed the historic events that took place there by Colonists who shut down the British court system months before the battles at Concord and Lexington. Subsequently, he reminded, the building was used as a meetinghouse and a church.

In 2014, Tales of Cape Cod initiated a multi-year program to restore the building, and he called CPC a valuable partner throughout the entire project that strengthened Tales of Cape Cod as an organization to accept the responsibility of owning this historic building. Mr. Guill described the construction projects of the past 10 years: the first project replacing the roof and restoring the bell tower among other exterior renovations, with \$85,000 in CPA funds and a Mass. Preservation Projects Fund grant of \$63,000. He said the second restoration project was framing the first floor which is underneath the oldest part of the building, with \$75,000 in CPA funds and a Mass. Preservation Projects Fund grant of \$50,000, while Tales of Cape Cod contributed \$23,000. Because the first-floor stabilization amounted to more than 30% of the assessed value of the building, he explained, the building must now be made accessible to people with disabilities per Massachusetts law. Mr. Guill noted the challenges of trying to add an ADA-compliant ramp to the building with a lift to the first floor on the side of the building and screened from the street, saying that may be the preferred option, with funding for this third project of \$125,000 in Barnstable CP funds; \$120,000 from the Mass. Cultural Council, and \$100,000 from Tales of Cape Cod, and construction anticipated to begin in October.

Mr. Guill noted that CPC had required an evaluation and report of the building's existing condition which prompted Tales of Cape Cod to prioritize and plan for future renovations and upgrades. He said that Tales of Cape Cod is a better steward of the building for having worked with CPC, and he hoped that CPC will support future renovations.

- **Janet Milkman, Executive Director of Barnstable Land Trust (BLT)**

Ms. Janet Milkman called the CPC Annual Meeting a great opportunity to highlight the positive impact CPA funding has on Open Space. As she narrated a PowerPoint presentation, she explained that CPA funds are the only major local funding available for Open Space projects that help address most of the pressing issues on Cape Cod, such as protection of drinking water quality, nutrient overload in the ponds, bays and

estuaries, and impacts related to climate change. Ms. Milkman explained that between the Land Bank, CPA and a few non-profits, Open Space funding has contributed to over 95 miles of trails in the town of Barnstable, calling natural resources the life-blood of Cape Cod. Ms. Milkman stated that there is only 14% of land area left for conservation or development and 80% of the 14% is in areas critical to habitat and drinking water protection, noting the urgency of this work. Ms. Milkman explained that CPA funding is a great tool for leveraging other State funding, such as Mass. Land Grants for municipalities and Conservation Partnership Grants for non-profits, noting several grants awarded because there was a CPA match, referencing the Wakeby Road and Bowles Field acquisitions as the most recent use of CPA funds to leverage State grants.

Ms. Milkman said it is helpful to remember that Open Space is one of the top values of Cape Codders, and that people vote to support it over and over, as demonstrated every time BLT presents a project to the Town Council. Further, she said the Town's recent Local Comprehensive Plan Survey of residents reported that the top 8 items were related to the environment. In protecting and enhancing natural habitat, salt and freshwater resources and Open Space, she called CPA investment in Open Space an efficient, popular and effective use of government funds. Ms. Milkman thanked the CPC for all they did, while Katherine Garofoli noted that BLT just celebrated its 40th anniversary and complimented the organization on doing a great job.

- **Jillian Douglass, Administrator of the Barnstable Affordable Housing Trust Fund**

Ms. Jillian Douglass provided an overview and history of the Barnstable Affordable Housing Trust created in 2007 and listed the Trust Board members, noting other Town staff and Boards that also work in support of Affordable Housing. Two years ago, after the Town Council allocated the majority of the Town's CPA Community Housing Funds to the Affordable Housing Trust, the CPC voted to refer all Community Housing funding requests to the Affordable Housing Trust Board. Ms. Douglass stated that the Barnstable Affordable Housing Trust has authority to invest in economic development activities as well as Affordable Housing, which is limited to providing for the creation and preservation of Affordable Housing for the benefit of low- and moderate-income households. She further detailed that units funded by the Trust must benefit residents who are at or below 80% of Area Median Income (AMI), although CPA funds can potentially fund up to 120% of AMI. She said the Trust prioritizes units eligible for inclusion in the Town's Subsidized Housing Inventory, requiring the deed restriction that protects the unit's affordability in the future.

Ms. Douglass said that the Affordable Housing Trust is intended to be able to act and respond more quickly to emergencies and opportunities than another municipal entity. Further, she said, the Trust can fund local strategies, actions, and initiatives to support local housing needs and concerns and can accept money from various sources, such as gifts, fees, fines, proceeds from sales or other actions, in addition to allocations from the CPC. Also, she said the Trust can hold real estate interests and purchase property, sell, lease, loan or convey property.

As an example of a recent successful project funded with CPA funds administered and granted by the Trust, she shared a video clip of a project at 850 Falmouth Road in Hyannis. She said this project by Standard Holdings, Inc., called Residence at 850 in Hyannis, demonstrated what can be done with CPA funds, also leveraging other funds, with a total of 4 funding sources for this project. Ms. Douglass said that there were 53

new units created by this project, with 10 of these units available to residents at or below 50% of AMI. She added that the Trust granted a total of \$1.4M to Standard Holdings, and the Trust's support to create each affordable unit was only \$140,000, with rent for a 1-bedroom affordable unit at \$994 per month, and the two-bedroom affordable unit rent at \$1,094, including all building amenities. Ms. Douglass said the Trust presently holds \$973,538, with 81% of those funds from CPA. She noted that Affordable Housing is extremely regulated and complicated, requiring a lot of technical assistance, and adding that, fortunately, there are many entities available to help verify that everything is consistent with needs and restrictions.

- **Mark Marinaccio, Town Architect – Town Recreation Projects**

Mr. Mark Marinaccio narrated a PowerPoint presentation that depicted several recreation projects in the town of Barnstable that relied on CPA funding, including:

- Barnstable-West Barnstable Tennis Courts
- Cotuit Tennis Courts
- Osterville Tennis Courts
- Marstons Mills Pickleball and Tennis Facility
- Lombard Field and Playground
- Bay Lane Ballfield
- Barnstable Hollow Field
- Barnstable Hollow Playground
- Osterville Playground
- Centerville Playground

Mr. Marinaccio credited the great relationship between the Town and the CPC in facilitating these recreation projects, with CPA funds designated for the eligible portions of projects while the Town funds the areas of projects that are not CPA-eligible.

As an example, Mr. Marinaccio cited the Lombard Field project completed several years ago, noting that the old ballfield did not meet regulation standards, and the parking lot was muddy, while the old playground was located behind home plate where foul balls could intrude. Illustrating with before-and-after photos, he said the Department of Public Works developed a project and came to the CPC for funding to renovate the ballfield, with \$750,000 plus \$936,000 in Capital Improvement Plan (CIP) funds ultimately allocated for renovation of the parking lot and other upgrades.

Mr. Marinaccio cited the Marstons Mills Pickleball Courts as another example of the successful Town-CPC partnership, explaining that there were 6 existing failed tennis courts on the site that were not repairable, but the site was renovated with 10 new pickleball and 2 new tennis courts with \$522,000 in CPA funds and \$620,000 from CIP funds. He called this project very popular, with constant use, and he displayed before-and-after photos.

Mr. Marinaccio said that the Centerville Playground is a project that is presently being worked on. He explained that there were safety and accessibility issues, with inadequate surfacing, and he displayed the existing conditions photo. He said the Town has met with the community and a playground consultant to develop several conceptual designs that are still in review, with the community favoring a nautical theme with a ship, crab trap, tree house and sea lion. He added that CPA funding was appropriated for the playground equipment along with CIP funding for the parking lot extension that will

create sidewalk access to the playground. He noted that the community also wanted the amount of poured-in-place surfacing to be reduced, and the latest design decreased it by 50%, while adding other on-site amenities, such as a shade structure, seating and a water filling station.

Public Comment:

None. It was confirmed that there was no public comment received either by U.S. mail or email.

Vote to Close the Annual CPC Public Hearing

The motion of Stephen Robichaud was seconded by Katherine Garofoil to close the public hearing. Motion carried with a unanimous vote to close the public hearing. Meeting adjourned at 6:59 p.m.

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

- Exhibit 1 –CPC Annual Public Hearing Agenda, July 17, 2023.
- Exhibit 2 –PowerPoint Presentation – Stuart Saginor, Executive Director, Community Preservation Coalition
- Exhibit 3 – PowerPoint Presentation – Lindsey Counsell, Chairman, Barnstable Community Preservation Committee
- Exhibit 4 – PowerPoint Presentation – Gene Guill, President, Tales of Cape Cod
- Exhibit 5 – PowerPoint Presentation of CPA-funded Open Space Projects – Janet Milkman, Executive Director, Barnstable Land Trust
- Exhibit 6 – Power Point Presentation & Video of Residence at 850 – Jillian Douglass, Administrator, Barnstable Affordable Housing Trust Fund
- Exhibit 7 – Power Point Presentation of Recreation Projects Funded with CPA Funds.– Mark Marinaccio, Town Architect, Town of Barnstable

Respectfully submitted,
Ellen M. Swiniarski
Community Preservation Coordinator
Planning & Development Department
and edited by CPC Clerk Marilyn Fifield

Please Note: The list of matters is 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 for specified allowable reasons. 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**