



**Town of Barnstable**  
**COMMUNITY PRESERVATION COMMITTEE**



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

Email: [CommunityPreservationCommittee@town.barnstable.ma.us](mailto: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 • James Tenaglia – Recreation Commission  
 Deborah Converse – Housing Authority • Farley Lewis – At Large • Jessica Rapp Grassetti – Town Council Liaison

**Monday, February 27, 2023**  
**Regular CPC Meeting APPROVED Minutes**  
**Remote Access Meeting via Zoom Link: <https://zoom.us/j/84590250313>**  
**5:30 PM**

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

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.

**Call to Order (Roll Call)**

Present: Tom Lee – **yes**, Marilyn Fifield – **yes**, Katherine Garofoli – **yes**, Deb Converse – **yes**, Stephen Robichaud – **yes**, James Tenaglia – **yes**, Farley Lewis – **yes**, and Lindsey Counsell - **yes**. Absent: Terry Duenas.

**Minutes**

The motion of Katherine Garofoli was seconded by James Tenaglia to approve the January 23, 2023, Community Preservation Committee Meeting Minutes as amended. Motion carried with a roll call vote: **Yes – 8, No – 0.**

**Letters of Intent**

None received.

**Applications:**

- **Application from the Department of Public Works requesting \$999,755 in Community Preservation Open Space/Recreation funds for the design and installation of a new playground, sidewalks, shade structure, parking and retaining wall located at 93 West Bay Road, Osterville, Map 116, Parcel 053, with \$363,207 in Capital Improvement (CIP) funds to be provided.**

DPW Town Architect Mark Marinaccio narrated a PowerPoint presentation for the Osterville Playground project, saying that this project has been long awaited. He reviewed the improvements including a new playground that would be developed by community workshops and outreach as well as a Playground Committee. He noted that play areas would be separated into two age groups, with the 2–5-year-olds being a priority. He explained that the equipment, pathway and surfacing will be ADA-compliant, and he noted that installation of seating with a shade structure, water bottle filling stations, and landscaping are also proposed. He said that only 5 of the 11 playgrounds in Barnstable are available to the public during school hours, and only 2 of the 5 are accessible: Luke’s Love and Veteran’s Park.

Mr. Marinaccio explained that a master plan for the site was developed in coordination with the Osterville Civic Association. He listed the improvements to the site over the last five years with CPC and CIP funding, noting the completion of the tennis and pickleball courts, softball field and parking improvements. He said that the 2018 CIP-funded design of the new recreation building is nearly 80% complete, and they are now seeking funding for the design and construction of the new playground. Mr. Marinaccio said that the location of the playground is near the village center and library, shopping and restaurants, as well as other recreational elements on the site, and he noted the high level of interest in this playground.

Mr. Marinaccio reported the project budget total as \$1,362,962, with \$363,207 in CIP funds to cover the cost of sidewalks and solid surfacing, paving, solar trash compactor, expansion of the parking lot as well as project management fees, and \$999,755 in CPC funds to cover the playground design, equipment and installation.

CPC noted both the community interest in this playground and the Recreation Commission’s high priority on it because the playground was removed from this location previously, along with others on this side of town, because they were unsafe. Mr. Marinaccio also assured that DPW takes advantage of grant opportunities when they become available. There was further discussion regarding selecting a playground designer who will recommend materials that will meet all the requirements for the fall heights of the equipment, with poured-in-place surfacing considered the most versatile, although expensive. Regarding the rising cost of materials, Mr. Marinaccio noted a State contract that can allow the purchase of the equipment separately. CPC discussed the benefit of the playground’s not being located on school grounds and hoped this could become a destination playground.

PUBLIC COMMENT: None

**Motion made by James Tenaglia was seconded by Stephen Robichaud to approve and recommend through the Town Manager the Department of Public Works Application for \$999,755 for the design and installation of new playground equipment at 93 West Bay Road, Osterville, with funds to come first from the remaining balance set aside for Open Space/Recreation and the remainder to come from the Undesignated Fund.**

**Roll Call Vote: Marilyn Fifield – yes; Deb Converse – yes; Katherine Garofoli – yes; Tom Lee – yes; Farley Lewis – yes; Stephen Robichaud – yes; James Tenaglia – yes; Lindsey Counsell – yes. Yes – 8, No – 0. Motion carried.**

**Restriction Review:**

- Bowles Field Lot 13 Conservation Restriction
- 230 Old Colony Road Conservation Restriction

Chair Counsell requested CPC Members to review the draft Conservation Restrictions that were recently received from the State and to forward any comments they have to the CPC Coordinator for transfer to the Legal Department. He noted that the draft Restrictions will also be reviewed by the Conservation Commission and the LAPC.

**Correspondence Received:**

- Letter from Massachusetts Historical Commission – Cotuit Federated Church Appeal

There was brief discussion regarding the MHC denial of the Historic Preservation Restriction that is required to qualify for Community Preservation Act funding. Chair Counsell confirmed that MHC Historic Preservation Restriction review will now take place first in the CPC Application process for historic preservation applicants.

- Letter of support from West Barnstable Water Commission for purchase of an 18-acre parcel of land in West Barnstable for protection of groundwater resources.

There was discussion regarding the West Barnstable Water Commission's wanting CPC to look at this as an Open Space acquisition and what evaluations would be required. It was noted that the Chairman of LAPC also provided a letter of support for acquisition of this parcel, and Farley Lewis supported getting an appraisal of this property, noting strong LAPC support.

Town Councilor Gordon Starr said the Hyannis Water Department is doing well-drilling in the Bridge Creek area, and he explained that the acquisition of this lot would expand the required 400-ft. radius around a well and provide more locations to position a well. He said that they are drilling to see how viable the well is and that it looked very promising.

West Barnstable Water Commission Chairman Mark Wirtenen reported the Commission's unanimous vote to support acquisition of this parcel, noting that there will be a need for a future well on this property for the village of Hyannis or West Barnstable or both.

There was discussion regarding the possibility of acquiring both parcels that are for sale: one parcel for open space and one for housing. There was discussion about upgrading the need for housing to a higher priority and the frustration with how slowly housing projects move.

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Chair Counsell noted that Attorney Connolly intended to be present tonight to explain restriction options for Armstrong-Kelly Park but she was unavoidably detained, and he said this will be taken up at the next CPC meeting.

### **Member Discussion:**

- Hyannis Federated Church Burial Ground Project – Discussion of proposal for a new consultant to complete the project.

After a brief discussion, it was decided that it was appropriate to use a small portion of CPC Administrative funds to complete the project that had been abandoned by the original consultant in order to have a completed report.

- Meeting format for March 20, 2023, CPC meeting.  
It was decided that the March 20, 2023, meeting will be held remotely.

- Annual Community Preservation Committee meeting date discussion.

There was brief discussion regarding annual CPC meeting dates, and Deb Converse and Katherine Garofoli reminded that they had indicated last year that they wanted to help with the agenda and presentation for this meeting.

### **Project Updates:**

Chair Counsell provided the following updates:

- The Tales of Cape Cod CPC Application was approved at the February 2, 2023, Town Council public hearing.
- The four CPC Applications approved and recommended at the January 23, 2023, CPC meeting have been referred for inclusion on a Town Council agenda in March, 2023: DPW CCRT Phases 3 & 4; Unitarian Church of Barnstable; COMM Water Department.

### **Public Comment:**

Roberta Mock said that she would like CPC meetings to move toward a hybrid mode to allow for participation of seniors who are not technically inclined. Sarah Beal confirmed that the provisions for remote participation will end on March 31, 2023, and there is no word yet whether there will be an extension of those provisions. She said that meetings will go back to in-person meetings if no extension is forthcoming from the State.

### **General Discussion:**

None

**Adjournment:**

**Motion was made by James Tenaglia and seconded by Tom Lee to adjourn. Roll Call Vote: Marilyn Fifield – yes; Deb Converse – yes; Katherine Garofoli – yes; Farley Lewis – yes; Stephen Robichaud – yes; James Tenaglia – yes; Lindsey Counsell – yes. Yes – 8, No – 0. Motion carried.  
Meeting adjourned at 6:21 p.m.**

***Next Regularly Scheduled CPC Meeting March 20, 2023***

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

- Exhibit 1 –CPC Agenda, February 27, 2022.
- Exhibit 2 –Draft CPC Regular Meeting Minutes from the January 23, 2023, meeting.
- Exhibit 3 – Application – DPW – Osterville Recreation Playground design and equipment.
- Exhibit 4 - PowerPoint presentation – Osterville Recreation Playground
- Exhibit 5 - Draft Conservation Restriction – Bowles Field Lot 13.
- Exhibit 6 – Draft Conservation Restriction – 230 Old Colony Road.
- Exhibit 7 – Letter - Massachusetts Historical Commission – Cotuit Federated Church Appeal.
- Exhibit 8 - Letter of Support from West Barnstable Water Commission for purchase of 18-acre parcel in West Barnstable for protection of groundwater resources.

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

Please Note: The list of matters represents 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 reason(s). 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**