

TOWN OF BARNSTABLE

NOTICE OF MEETINGS OF TOWN DEPARTMENTS AND ALL TOWN BOARDS
As Required by Chapter 28 of the Acts of 2009, amending MGL Chapter 30A

NAME OF PUBLIC BODY – COMMITTEE, BOARD OR COMMISSION:

REGULAR MEETING AGENDA
COMMUNITY PRESERVATION COMMITTEE

BARNSTABLE TOWN CLERK

2024 JUL 11 PM 2:28

DATE OF MEETING: Monday, July 15, 2024

TIME: 7:00 p.m.

PLACE: James H. Crocker Jr. Hearing Room, 2nd Floor
Town Hall, 367 Main Street, Hyannis

Call to Order: Introduction of Community Preservation Committee Members

This meeting of the Community Preservation Committee is being recorded and broadcast on the Town of Barnstable's Government Access Channel. In accordance with MGL Chapter 30A, s. 20, the Chair must inquire whether anyone else is recording this meeting and to please make their presence known

Minutes:

- Approval of the Draft Community Preservation Committee Regular Meeting Minutes from June 17, 2024.

Letters of Intent:

None received.

Applications:

None received.

Correspondence Received:

- CP Fund Balances as of May 31, 2024– Director of Finance Mark Milne

Member Discussion:

- Oakmont Road, Cummaquid parcels.
- Format for the August 19, 2024, CPC meeting.
- Election of Officers – August 19, 2024 CPC meeting.

Project Updates:

- The Santuit Woodlands CR is scheduled for Town Council Public Hearing on July 18, 2024.
- The Marina Enterprise Fund acquisition of 211 Cedar Tree Neck Rd is scheduled for Town Council Public Hearing on July 18, 2024.
- Application from the Historical Society of Santuit and Cotuit is anticipated for the August 19, 2024 CPC meeting.
- The Federated Church of Hyannis is gathering the required 3 bids for their application for restoration of the Universalist Cemetery.

- Additional information will be obtained and provided with the Barnstable Water District's Application for 153 Oakmont Road, Cummaquid open space acquisition.
- The Wheeler Holly Preserve CR closing took place on March 8, 2024. Town Council acceptance of a trail easement is scheduled for July 18, 2024.
- Mills Property CR, Mashpee closing took place on June 27, 2024.
- Work continues on the Olde Colonial Court House building and will be completed late summer.
- Progress is being made on the Centerville and Osterville Playground projects.
- CC Rail Trail Phase 3 CR's review has begun. The CR's are for mitigation of the land used for the easement for the pathway. Bidding for the project is scheduled for August 2024.

Public Comment:

General Discussion:

Adjournment:

Next Regularly Scheduled CPC Meeting August 19, 2024, 5:30 p.m.

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. 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

For your information the section of the M.G.L. that pertains to postings of meetings is as follows: Except in an emergency, in addition to any notice otherwise required by law, a public body shall post notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays. In an emergency, a public body shall post notice as soon as reasonably possible prior to such meeting. Notice shall be printed in a legible, easily understandable format and shall contain: the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting. Meetings of a local public body, notice shall be filed with the municipal clerk, and posted in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located.

Items to be Discussed:
None received.

Applications:
None received.

Correspondence Received:

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Member Discussion:

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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 • Felicia Penn, President– Town Council Liaison

Monday, June 17, 2024
Regular CPC Meeting DRAFT Minutes
Remote Access Meeting via Zoom Link: <https://zoom.us/j/86409254762>
5:30 PM

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

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 being recorded and broadcast on the Town of Barnstable’s Government Access Channel. In accordance with MGL Chapter 30A, s. 20 the Chair must inquire whether anyone else is recording this meeting and to please make their presence known.” No one present was recording the meeting.

Call to Order (Roll Call)

Present: Marilyn Fifield – **yes**, Tom Lee – **yes**, Deborah Converse– **yes**, Katherine Garofoli – **yes**, Stephen Robichaud – **yes**, Farley Lewis – **yes**, and Lindsey Counsell – **yes**. Terry Duenas – **absent**.

Minutes

The motion of Tom Lee was seconded by Deb Converse to approve the draft Community Preservation Committee Regular Meeting Minutes from May 20, 2024, as submitted.

Roll Call Vote: Marilyn Fifield – **yes**, Tom Lee – **yes**, Deborah Converse – **yes**, Katherine Garofoli – **yes**, Farley Lewis – **yes**, Stephen Robichaud – **yes**, and Lindsey Counsell – **yes**. **Motion carried.**

Letter of Intent/Application

A Letter of Intent and Application has been received from the Marina Enterprise Fund, an entity that is part of the Marine & Environmental Affairs Department for the Town of Barnstable. The request is for \$1,150,000 in Community Preservation Open Space/Recreation Funds for the purchase of property addressed 211 Cedar Tree Neck Road, Marstons Mills, which directly abuts the Marina at Prince Cove that is owned by the Town of Barnstable. Purchase of this property would allow for a

phased expansion of the Marina providing residents and the public with additional access to the water and supporting multiple recreational uses, and maximizing land already owned by the Town of Barnstable. Funding for any future expansions would be provided by the Marina Enterprise Fund.

Chair Counsell noted that the Town Manager's Office requested that both the Letter of Intent and Application be taken up in one meeting to expedite process. Mr. Derek Lawson, Director of Marine and Environmental Affairs, Town of Barnstable and Barnstable Harbormaster Brian Taylor were available for questions. Mr. Lawson narrated a PowerPoint presentation depicting the location of the property directly abutting the town-owned Marina at Prince Cove. An aerial view depicted the siting of the buildings and other features such as fencing and parking. Mr. Lawson said that this request for funding is for a strategic acquisition for waterfront property that could potentially maximize the abutting marina owned by the town. Mr. Lawson explained that the short-term goal is to increase public access to the water and allow more parking as the existing marina parking lot fills up very early on weekends. He noted that the house will be evaluated to see how it could potentially be used in the future, however, the short-term goal is to obtain more parking for the marina. He noted also the marina's existing problematic on-site traffic flow and the potential improvements the acquisition of the Cedar Tree Neck Rd parcel could provide by reconfiguration. He said that any future expenses would be paid by the Marina Enterprise Fund.

In response to committee members' questions, Mr. Lawson explained that the Marine Enterprise Fund builds docks to be used at the Marina at Prince Cove noting that the garage located on the subject property could potentially be used for that. He said that the house needs to be evaluated to confirm potential uses. Mr. Lawson confirmed that the town could in fact lose the purchase of the property to another buyer, noting that the town is fast tracking the funding approval process for acquisition. Mr. Lawson confirmed that there already is and will continue to be public access to the water, saying that there is a boat and kayak launch for the general public where anyone can park for the day and launch a small boat for a small fee. Expansion of parking will increase the number of people who can take advantage of accessing the water. There was discussion about whether the existing marina parcel could be improved to provide additional parking, however, Mr. Lawson explained that the marina is hidden from the road by the trees in the upper portion of the lot which adds to the beauty of the site, but more importantly, this area is too sloped to be cleared and graded to create additional parking. He noted that the subject parcel is mostly flat. There was discussion about extension of the bulkhead across the waterfront of the property, however it was pointed out that extensive permitting would be required, and it is not planned presently. Mr. Lawson confirmed that if the addition of boat slips or extension of the bulkhead is planned the public would be given the opportunity to provide input through the Waterways Committee. Mr. Lawson explained that he had a good relationship with the now deceased owner of the property, who had said he wanted the town to purchase his property. Mr. Lawson said he received a call when the property went up for sale and has been working toward securing funds to acquire it since.

Public comment:
None.

The motion of Stephen Robichaud was seconded by Katherine Garofoli to recommend the Letter of Intent and Application submitted by the Marine Enterprise Fund requesting \$1,150,000 for the potential purchase of property located at 211 Cedar Tree Neck Road, Marstons Mills for open space and recreation purposes. Funds are to be taken first from the amount set aside within the Community Preservation Fund for Open Space and Recreation with the remaining balance to be taken from the Community Preservation Undesignated Fund. Any portion of the \$1,150,000 not used for the purchase price of the property will be returned to the Community Preservation Fund. Funding for future improvements or expansions will be provided by the Marine Enterprise Fund.

Roll Call Vote: Deb Converse – yes, Katherine Garofoli – yes, Tom Lee – yes, Farley Lewis – yes, Stephen Robichaud – yes, and Lindsey Counsell – yes. Motion carried.

Application

- None received.

Correspondence Received

- None received.

Chair Counsel Provided the Following Project Updates:

- Barnstable Land Trust’s Application for Santuit Woodlands CR has been forwarded for Town Council Public Hearing.
- The Wheeler Road Grant – Closing has been scheduled for the end of June 2024.
- Mills Property, Mashpee – the approved Conservation Restriction (CR) to be granted to the Mass Division of Fish and Wildlife – Closing is in the process of being scheduled.
- Work continues on the Olde Colonial Court House building and will be completed late summer.
- Progress is being made on the Centerville and Osterville Playground projects.
- CC Rail Trail Phase 3 CR’s review has begun. The CR’s are for mitigation of the land used for the easement for the pathway. Bidding for the project is scheduled for August 2024.

Member Discussion:

- July 15, 2024, Annual CPC Public Meeting and Regular CPC meeting will be held in person in the Hearing Room at Town Hall.
- It was confirmed that Jillian Douglass, Affordable Housing Trust Administrator will be present at the CPC Annual Public Meeting July 15, 2024, to cover the CPA Community Housing category administered by the Trust.
- It was noted that a draft of the Housing Production Plan (HPP) is available online and open for public comment through the Planning & Development Department and the HPP will also be taken up at the June 24, 2024, Planning Board as a public hearing.

Public Comment:

None.

Adjournment:

Motion was made by Stephen Robichaud and seconded by Katherine Garofoli to adjourn. Roll Call Vote: Deb Converse – yes; Katherine Garofoli – yes; Tom Lee – yes, Farley Lewis – yes; Stephen Robichaud – yes, and Lindsey Counsell – yes. Motion carried: Meeting adjourned at 5:58 p.m.

***Next Regularly Scheduled CPC Meeting July 15, 2024 7:00 p.m.
Annual FY25 CPC Public Hearing, July 15, 2024 5:30 p.m.***

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

Exhibit 1 –CPC Agenda, June 17, 2024.

Exhibit 2 –Draft CPC Meeting Minutes – May 20, 2024.

Exhibit 3 – Letter of Intent/Application – Marine Enterprise Fund – 211 Cedar Tree Neck Rd., Marstons Mills Acquisition

Exhibit 4 - PowerPoint Presentation – Marine Enterprise Fund – 211 Cedar Tree Neck Rd, Marstons Mills Acquisition

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

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TOWN OF BARNSTABLE
Community Preservation Fund
Schedule of Unreserved Fund Balances By Program Area
As of May 31, 2024

	Program Area			Budget Reserve	Undesignated	Total
	Community Housing	Historic Preservation	Open Space Recreation			
Remaining Balance Available From FY 2023	\$ 546,161	\$ 85,486	\$ (0)	\$ -	\$ 9,176,118	\$ 9,807,766
FY 2024 Estimated Revenue	-	-	-	-	5,033,896	5,033,896
FY 2024 Actual revenue over estimate					613,278	613,278
FY 2024 Set-asides	503,390	503,390	503,390	-	(1,510,170)	-
FY 2024 Debt Service	-	(72,525)	-	-	(306,270)	(378,795)
FY 2024 Administration	-	-	-	-	(200,000)	(200,000)
FY 2024 Budget Reserve	-	-	-	3,017,456	(3,017,456)	-
Total Balance Available in FY 2024	\$ 1,049,551	\$ 516,351	\$ 503,390	\$ 3,017,456	\$ 9,789,396	\$ 14,876,144
<u>FY24 Awards:</u>						
2024-061 German POW Bottle		(1,825)				(1,825)
2024-060 Affordable Housing Trust Fund	(1,049,551)				(1,450,449)	(2,500,000)
2024-075 150 Wheeler Road					(905,000)	(905,000)
2024-083 COMM - Drinking Water Protection			(100,000)			(100,000)
Subtotal	(1,049,551)	(1,825)	(100,000)	-	(2,355,449)	(3,506,825)
<u>Returned Funds:</u>						
2020-136 Mid-point Apts. 560 West Main St.					400,000.00	400,000.00
2013-072 Affordable Acc Housing	36,282.15					36,282.15
2014-142 Burgess Barn Restoration		75,429.30				75,429.30
2015-130 Cape Cod Rail Trail Ext			8,645.58			8,645.58
2015-138 111 Prince Ave. Acquisition			22,925.00			22,925.00
2016-114 WB Community Building Windows					15,284.01	15,284.01
2016-171 Recreation Field Study			12,908.00			12,908.00
2017-048 Affordable Housing Program	39,900.00					39,900.00
2018-019 Accessory Affordable Apt	200,000.00					200,000.00
2019-005 Shared Pedestrian/Bike Path			848.89			848.89
2019-083 Saint Mary's Restoration		5,917.00				5,917.00
2020-011 Barnstable Hollow Field			1,606.40			1,606.40
2020-013 Barnstable Town Report Restoration		3,682.16				3,682.16
Subtotal	276,182.15	85,028.46	46,933.87	-	415,284.01	823,428.49
Remaining Balance	276,182.15	599,554.64	450,323.86	3,017,456.00	7,849,231.00	12,192,747.65