



**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 • Vacant – Clerk/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 • Kristin Terkelsen – Town Council Liaison

**Monday, March 17, 2025**  
**Regular Public Hearing APPROVED Minutes**  
**Meeting Held Via Zoom**  
**5:30 PM**

<b>Lindsey Counsell – Chair</b>	<b>Present</b>
<b>Tom Lee-Vice Chair</b>	<b>Present</b>
<b>Katherine Garofoli</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>Terry Duenas</b>	<b>Present</b>

**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 else is taping this meeting and to please make their presence known.” No one present was recording the meeting.

**ROLL CALL:** Terry Duenas (present), Katherine Garofoli (present), Tom Lee (present), Deb Converse (present), Farley Lewis (present), Steve Robichaud (present), and Lindsey Counsell (present).

**Housing Update – Planning & Development Director James Kupfer**

Planning and Development Director, James Kupfer narrated the PowerPoint presentation “Town of Barnstable Multi-Family Housing Development Report” and explained he would highlight the most important points. He noted that there are three tools that are currently available that help with the creation of affordable housing: programs such as those the Trust has for predevelopment and development funds, incentives such as HDIP Tax Incentive Program, and recent Regulatory changes.

Mr. Kupfer said that the spread sheet and report for multifamily housing covers eight years from 2017 – 2024 and is available on the Town’s webpage under the Housing tab. A map showing where multi-family housing has been produced since 2017 was depicted and it was noted that a majority of the housing development is in Hyannis downtown likely because the available programs, incentives, and zoning amendments all facilitated the creation of housing in this area.

Mr. Kupfer continued to narrate the PowerPoint presentation with slides depicting total units created between 2017-2023 totaling 216, with 13 affordable units with 8

Regulatory Agreements required. In 2023 – 2024 there were 637 total units created with 118 affordable units without the need for Regulatory Agreements because the regulatory amendments in downtown Hyannis the projects by right. He also noted that there are three large residential developments outside of the downtown area in Independence Park.

Next Mr. Kupfer depicted a slide listing housing projects that are currently in the permitting stage describing each with site plans and elevations. He explained that there are a total of 156 units in the permitting stage with 13 proposed to be deed restricted as affordable. He said that the town is looking at ways to tighten the Inclusionary Ordinance to increase the percentage of affordable units required in a development.

The next slides depicted projects that totaled 181 units that have been permitted with 90 deed restricted as affordable; and projects that are under construction that totaled 220 units with 25 affordable. The slides for each project included site plans and elevations.

Farley Lewis expressed concern that the architecture of the developments depicted in the PowerPoint presentation were not more diverse. Director Kupfer said that the Hyannis Main Street Historic Commission works diligently to improve the aesthetics of projects in that district noting that this usually adds a cost to the project. There was discussion regarding the use of green alternative sources of energy and Mr. Kupfer shared that a few Town Councilors have been successfully stressing high efficiency structures when developers come to the Town Council seeking tax incentive approval.

Steve Robichaud said that the report was excellent and noted that the Massachusetts Building Code already has intense minimum thresholds for high efficiency construction requirements. He said that many of the sites that were being redeveloped were eye sores and were previously either vacant, dirt, or closed and said he thought a lot of the new development shared in PowerPoint was beautiful. He credited the Main Street Historic Commission with significantly improving the aesthetics of projects that are within their purview. He stressed the need for housing and noted that a lot of units are being generated from derelict properties that will now contribute to the community.

Deb Converse said the report was very informative and asked if there was a program that could depict overall what Hyannis would look like once all the proposed development was constructed. Mr. Kupfer explained there is modeling software that would enable the public to visualize what Hyannis would look like after construction and a cost-effective way of doing this is being explored. Ms. Converse asked if there will be enough tenants available for the market rate units and asked if a market analysis is required for housing developments. James explained that if developers are looking for incentives or using programs through the Affordable Housing Trust, the proposed market unit rents are identified. He said most recently the development behind Home Depot had an analysis that indicated there is sufficient need for those market rate units. Ms. Converse said that long ago to receive any kind of public funding, the provision of 25% affordable units was required, which has changed to the 10% we have now. All agreed that a greater percentage of affordable units needs to be required within residential development.

Terry Duenas asked if there is a livability package that would include a grocery store. Mr. Kupfer confirmed that in the downtown Hyannis area, a grocery store is the number one

need for making Hyannis a walkable community. He said that as the Planning Director he speaks with a lot of business owners across the Cape and outside of the Cape and said he consistently hears that there is not enough year-round population. James noted that with the new influx of year-round population in the downtown Hyannis area, there could now be a good opportunity for some uses that we typically are not seeing such as a small grocery store.

Minutes:

- Approval of the Draft Community Preservation Committee Regular Meeting Minutes from February 24, 2025.

**The motion of Tom Lee was seconded by Deb Converse to approve the meeting minutes with one revision as noted.**

**Roll Call Vote: Terry Duenas (yes), Katherine Garofoli (yes), Tom Lee (yes), Deb Converse (yes), Farley Lewis (yes), Steve Robichaud (yes), and Lindsey Counsell (yes). 7 yes – 0 no. Motion Carried.**

Letters of Intent:

- A Letter of Intent has been received from the South Congregational Church requesting Community Preservation Historic Preservation funds for the cleaning, restoring and resetting of approximately 33 gravestones and markers with historic and cultural significance located in the cemetery on the church grounds. The burial ground is listed on the State Register of Historic Places.

Ms. Jean Mansur, a member of the South Congregational Church, explained that the South Congregational Church would like to repair and restore the cemetery behind the church that is in a state of disrepair. She said it is a historic place and important to the Village of Centerville and the Town of Barnstable and should be preserved, saying it gives a sense of place and tells the story of the Town as there are many prominent families buried there including sea captains and cranberry growers. She said the church has received 3 bids for restoration of 33 gravestones, with the lowest being \$10,500 but would have a better idea of cost after a planned site visit later that week. She said that tours highlighting the history of the town have been envisioned. She said the cemetery is in the historic district and deserves to look much better than it does.

Mr. Tim Tudor, Project Manager, said that a survey of the entire property is being conducted, which has never been done before. He noted a boy scout troop that will help with the project and specifically mentioned two Eagle Scout candidates who are interested in helping with portions of the restoration and repair of the stones. He said there is a leadership meeting on Thursday and confirmed the CPC's suggestion that a consultant is needed at a cost of \$2,500 for preparation of the MHC required Form E.

Chair Counsell explained there are several steps required to move the Letter of Intent forward confirming that a consultant for Form E is needed for the Massachusetts Historic Commission to approve the requisite preservation restriction. He noted that what was done at the Unitarian Cemetery in Hyannis will be required for this project on a smaller scale. He said that the Legal Department will confirm eligibility for CPA funds, however, did not anticipate a problem as the cemetery is listed on the State Register of Historic Places. Chair Counsell noted that the Letter of Intent proposes the preservation of 33

stones, however a proposal for a full evaluation would be needed. After brief discussion, it was decided that Chair Counsell would visit the site with Mr. Tudor on Thursday.

- A Letter of Intent has been received from Odd Fellows Lodge requesting \$69,360 in Community Preservation Historic Preservation funds for preservation and restoration work including roof, gutters, trim replacement, foundation repair and waterproofing. The building is listed on the State Register of Historic Places.

Mr. Paul Davies, a member of the Odd Fellows Lodge, noted that the Odd Fellows building, owned by the membership, is a historic building in serious need of repair, however the membership lacks the necessary funds. Chair Counsell noted that the Legal Department is reviewing the Letter of Intent to confirm eligibility for CPA funds as there were questions regarding sufficient public access/benefit which is a requirement. Mr. Davies noted that the 2<sup>nd</sup> floor is the large hall open to the public with an elevator. He said there is a commercial kitchen in the building where community dinners had been held and said he envisioned the hall will again be used as a place where neighbors in the downtown Hyannis area could meet and have an affordable meal. Chair Counsell explained that a full assessment of the exterior of the building by a preservation architect is needed as well as the drafting of the required preservation restriction approved by the Massachusetts Historic Commission. Mr. Davies inquired if there is shorter term funding available for the most critical repairs, however Chair Counsell explained that CPC is not allowed to fund temporary work, and the building report will direct the historic preservation and restoration of the building. It was confirmed that step one is to get pricing for a preservation consultant to analyze the building and provide a plan outlining the work that is needed. The CPC will hire the attorney to draft the preservation restriction. The address of the Odd Fellows Lodge is 354 Main Street, Hyannis and the store front tenants are Ben and Jerry's and the Boarding House.

#### Applications:

None received.

#### Correspondence Received

- Report from the Affordable Housing Growth and Development Trust Fund Board Regarding Activities Related to the Award of Community Preservation Funds for End of Calendar Year 2024.

#### Project Updates:

- Smith's Creek Conservation Restriction CPC Application has been forwarded for Town Council public hearing.
- The West Barnstable Railroad Depot Restoration CPC Application has been referred to the Town Manager for Town Council public hearing.
- Cotuit Highground Conservation Restriction has received approval from the Open Space Committee and Conservation Commission and will be referred to the Town Council.
- Conservation Restrictions for the Harju and Prince Avenue properties have been requested to be placed on an upcoming Town Council agenda for approval.
- DPW Applications are anticipated for the April 28, 2025, CPC meeting.
- The Affordable Housing Trust Administrator is anticipated to review the End of Year Affordable Housing Trust Report at the April 28, 2025, CPC meeting.

- A Letter of Intent is anticipated to be received from the Affordable Housing Trust for the April 28, 2025, CPC meeting.
- Centerville Historical Museum has asked for a postponement of their Letter of Intent for the Tin Shop. The Legal Department will need to determine eligibility.

Member Discussion:

- Request from Planning & Development Department for up to \$10,000 in Community Preservation Administration funds for a consultant to research public rights for portions of Boulder Road and Flint Rock Road in support of the Town's efforts to extend the Cape Cod Pathways Program.

Farley Lewis confirmed that this request came through the Open Space Committee. Chair Counsell noted that there is a missing 300-yard section of the trail that would link it to the new bikeway to connect to Yarmouth that public access would need to be determined as there have been challenges from the neighbors. He said that a title search for these ca. 1700s ancient ways is needed to determine if there are existing public rights to connect the trail sections.

After discussion, it was decided that a title search is the only way to resolve this issue as there are many opposing opinions, including a previous opinion from the Town's Legal Department that public rights do exist.

**The motion of Tom Lee was seconded by Steve Robichaud to approve the payment of up to \$10,000 in CPC Administration funds for title research on Boulder and Flint Rock Roads to determine if public access rights exists. Roll Call Vote: Terry Duenas (yes), Katherine Garofoli (yes), Tom Lee (yes), Deb Converse (yes), Farley Lewis (yes), Steve Robichaud (yes), and Lindsey Counsell (yes). 7 yes –0 no. Motion carried.**

- After discussion, the CPC members agreed that the April 28, 2025, Community Preservation Committee meeting would be held remotely.

Public Comment:

None

Adjournment:

**The motion of Tom Lee was seconded by Deb Converse to adjourn the meeting. Roll Call Vote: Terry Duenas (yes), Katherine Garofoli (yes), Tom Lee (yes), Deb Converse (yes), Farley Lewis (yes), Steve Robichaud (yes), and Lindsey Counsell (yes). 7 yes – 0 no. Motion carried. Meeting adjourned at 6:37 p.m.**

***Next CPC Regular Meeting Scheduled April 28, 2025, 5:30 p.m.***

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

- Exhibit 1 –CPC Regular Meeting Agenda, March 17, 2025.
- Exhibit 2 – Draft CPC Meeting Minutes - February 24, 2025
- Exhibit 3 – PowerPoint – Town of Barnstable Multi-Family Housing Development Report
- Exhibit 4 - Affordable Housing Growth & Development Trust End of Year Report – 2024.
- Exhibit 5 – Letter of Intent – South Congregational Church, CPC Historic Preservation
- Exhibit 6 - Letter of Intent – Odd Fellows Lodge, CPC Historic Preservation

Respectfully submitted,  
Ellen M. Swiniarski  
Community Preservation Coordinator  
Planning & Development Department

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 votes so, 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**