



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 • James Tenaglia – Recreation Commission
 Deborah Converse – Housing Authority • Farley Lewis – At Large • Jessica Rapp Grassetti – Town Council Liaison

Monday, January 23, 2023
Regular CPC Meeting APPROVED Minutes
Remote Access Meeting via Zoom Link: <https://zoom.us/j/87122267429>
5:30 PM

Lindsey Counsell – Chair	Present
Marilyn Fifield – Clerk	Present
Terry Duenas	Present after 5:50 p.m.
Tom Lee-Vice Chair	Absent
Katherine Garofoli	Present
James Tenaglia	Present
Deborah Converse	Present
Stephen Robichaud	Present
Farley Lewis	Present
Jessica Rapp Grassetti – TC Liaison	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 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: Marilyn Fifield – **yes**, Katherine Garofoli – **yes**, James Tenaglia – **yes**, Deb Converse – **yes**, Stephen Robichaud – **yes**, Farley Lewis – **yes**, and Lindsey Counsell - **yes**. Absent: Tom Lee, Terry Duenas until 5:50pm.

Minutes

The motion of Deb Converse was seconded by Katherine Garofoli to approve the November 21, 2022, Community Preservation Committee Meeting Minutes as submitted. Motion carried with a roll call vote: **Yes – 7, No – 0.**

Letters of Intent

None received.

Applications:

- **Application from the Unitarian Church of Barnstable requesting \$300,000 in Community Preservation Historic Preservation funds for the restoration and preservation of the church tower, pavilion, and nave. Total cost of this project is \$471,010.80 with a Massachusetts Historical Commission grant for \$70,000 and \$100,000 in private donations provided as matching funds. There is an existing Historic Preservation Restriction recorded on the property.**

Stephen Robichaud recused himself from review of the Unitarian Church of Barnstable's Application.

Ms. Crystal Gipps, Principal Architect Shawn Willett, and Lynne Spencer of the Preservation Group presented the Unitarian Church Application. Mr. Willett narrated a PowerPoint presentation and said that his firm had performed a conditions assessment and master plan to identify areas of the church that needed repair and restoration, noting specific concern for the cupola. He described the building as a c.1907 colonial Greek Revival building designed by the notable architect Guy Lowell, who also designed the Museum of Fine Arts building in Boston and many other noteworthy buildings. He mentioned that he fortunately had access to the original blueprints to use as the basis for the drawings, with this Application's focus on the cupola and dome which has leaks and water infiltration and considerable deterioration of the woodwork, especially below the clock. He also noted interior structural concerns with the tower framing, saying that the work done over the years to address this is now failing.

Mr. Willett outlined the work that is included in this funding request: restoration of the weathervane, copper dome and interior wood framing of the belfry; replacement of copper flashings, downspouts and gutters, replacement of some siding, wood trim, moldings, and urns and repair of the belfry louvers; re-gilding of three sides of the clock. He said that after the bidding process, the lowest qualified bidder, Village Green Restoration, was chosen from 3 qualified contractors, and he reported that they have entered into a contract with them.

Ms. Gipps reviewed the bids received and budget for the project, noting that the total budget of \$680,225.80 includes both the immediate work and long-term work needed within the next 10 years. She explained that they are asking the Community Preservation Committee for a grant of \$300,000, with matching funds of \$70,000 from a Massachusetts Historical Commission grant and Church funds of \$380,000 from their ongoing capital campaign.

Ms. Gipps confirmed that the Unitarian Church of Barnstable anticipates that they will raise the funds required to complete the entire project without a need to return to the Community Preservation Committee for additional funding. CPC members expressed their support and congratulations for the Church's detailed presentation, their chosen contractor and receipt of a grant award and guidance from Massachusetts Historical Commission.

PUBLIC COMMENT: None

Motion made by Deb Converse was seconded by Katherine Garofoli to approve and recommend through the Town Manager the Unitarian Church of Barnstable Application for \$300,000 for the restoration and preservation of the church tower, pavilion and nave, with \$261,000 to come from the amount set aside for Historic Preservation and \$39,000 to come from the Community Preservation Undesignated Fund. Roll Call Vote: Marilyn Fifield – yes; Deb Converse – yes; Katherine Garofoli – yes; Farley Lewis – yes; James Tenaglia – yes; Lindsey Counsell – yes. Yes – 6, No – 0. Motion carried.

Chair Counsell reminded that the Application will be forwarded to the Town Council for public hearing and vote to appropriate the funds.

- **Application from the Centerville-Osterville-Marstons Mills (COMM) Water Department requesting \$100,000 to fund the professional services necessary to quickly respond to properties that may become available for the protection of the COMM Water District drinking water supply.**

COMM Water Department Superintendent Craig Crocker was present, and Chair Counsell noted that this Application is like a previous CP grant to the Hyannis Water District. Deb Converse called the map COMM provided in the Application very interesting and helpful in indicating the location of the water fields, and she added that COMM is progressive in asking for this money before it is needed.

PUBLIC COMMENT:

Town Councilor Kris Clark said that she supported the COMM Water District Application and reminded that the number one reason for purchasing open space has been and still is for municipal water.

Motion made by Deb Converse was seconded by Katherine Garofoli to approve and recommend through the Town Manager the Centerville-Osterville-Marstons Mills (COMM) Water Department Application for \$100,000 from the amount set aside for Open Space/Recreation to enable COMM to obtain professional services needed to respond quickly to properties that could protect their drinking water supply. 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 – 7, No – 0. Motion carried.

- **Application from the Department of Public Works requesting \$300,000 in Open Space/Recreation Funds for Cape Cod Rail Trail Phase 4 pre-25% design services, with matching funds of \$500,000 provided by a MassTrails grant.**

DPW Senior Project Manager Paul Graves explained that CCRT Phase 4 will continue the Rail Trail - a 12-ft.-wide paved, off-road, shared-use path for pedestrians and non-motorized transportation vehicles - nearly 10 miles along the approved route from the termination of phase 3 at Mary Dunn Road in Barnstable to the Barnstable/Sandwich Town Line on the Service Road, with numerous attractions along the route. He said the 10-mile Phase 4 is being shown in three phases because typically when State TIP

funding is requested there is a limit on how much can be provided per cycle. He added that Phase 4 will close a critical gap in the Cape Cod Rail Trail that is proposed to extend from the Cape Cod Canal to Provincetown, with much of the trail already existing in several of the towns east of Barnstable. He explained that CPC approval of the \$300,000 sought could leverage as much as \$20M in future construction costs. He said that MassDOT will not commit the construction funds until plans are far enough along, and he anticipated that MassDOT would likely commit the funds for construction after completion of the pre-25% design, depending also upon the TIP process results. Reporting receipt of a \$500,000 MassTrails grant after seeking grants totaling \$800,000, Mr. Graves noted the need to supplement the \$500,000 grant for land surveying and engineering services to make up for not receiving \$300,000 in MassTrails grant funds. He reminded that, during his presentation of the Letter of Intent for this project on November 21, 2022, CPC members requested that the Department of Public Works apply for the \$300,000 in the next MassTrails grant round, and he reported that that application will be submitted this week, although he felt that a repeat award in this next grant cycle was unlikely. He said if CPC approved the Application and MassTrails did award funds, DPW would be able to return the Town funds to the CP Fund. Mr. Graves stressed the importance of funding the current stage of the project with approval of the CPC Application for \$300,000, and CPC noted extensive public interest in this project. Mr. Graves provided a more detailed outline of the Mass DOT approval process and the different stages of design which will eventually result in a 100% design and final bid documents, noting that this process will take several years to complete.

Motion of James Tenaglia was seconded by Katherine Garofoli to approve and recommend through the Town Manager the Department of Public Works Application for \$300,000 from the amount set aside for Open Space and Recreation for the Cape Cod Rail Trail Phase 4 pre-25% design services, with supplementary MassTrails grant application to be submitted. Roll Call Vote: Terry Duenas – yes; 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.

- **Application from the Department of Public Works seeking \$195,000 in Open Space/Recreation Funds for Cape Cod Rail Trail Phase 3 engineering services, with MassDOT commitment of \$12.3 million for construction of Barnstable and Yarmouth sections.**

DPW Senior Project Manager Paul Graves explained that Phase 3 will extend the Rail Trail from Old Town House Road in Yarmouth to Mary Dunn Road in Barnstable. He noted that the green section of the displayed map shows an existing shared-use path in Yarmouth that will be reconstructed to meet Cape Cod Rail Trail standards. He said that the red line on the map represents the new shared-use path which will be 12 ft. wide to accommodate multiple users. He added that Phase 3 is 4.5 miles long and roughly half in Barnstable and half in Yarmouth, with the portion in Barnstable entirely within the Hyannis Ponds Wildlife Management area and cross-country except at the endpoint where it meets Mary Dunn Road. He added that the consultant is currently preparing the 100% design to submit to MassDOT this spring. He noted that \$195,000 is for environmental services that did not arise until later in the project, as well as for several

MassDOT and other requirements that have increased over the years since the project started, along with legal fees for various ROW requirements and some engineering required in the construction phase, as well. With this phase scheduled to commence construction in February 2024, he expected to be in construction for two years.

PUBLIC COMMENT:

None

Motion of James Tenaglia was seconded by Stephen Robichaud to approve and recommend through the Town Manager the Department of Public Works Application for \$195,000 from the amount set aside for Open Space and Recreation for the Cape Cod Rail Trail Phase 3 engineering services. Roll Call Vote: Terry Duenas – yes; 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.

- **Review of draft Recreation Restriction associated with the CPC Application from The Trustees of Reservations requesting \$286,866 in Community Preservation Recreation funds for the new children’s play area and renovation of the existing pathways to meet ADA regulations in the Armstrong-Kelley Park, Osterville.**

Chair Counsell explained that the Community Preservation Committee had asked for this Application to have a perpetual Recreation Easement. He said that just before the commencement of this meeting he received a letter from the attorney representing the Trustees asking if the Committee would consider a shorter period, with the suggestion of 30 years, with a second option for consideration of a claw back of funds to the Community Preservation Fund if the Trustees decided to do something else with the property in the future. Chair Counsell explained that this property has no other permanent restriction and is left to a vote of the Board of Trustees if a change of use or limitation of public access was a change they wanted to make. He added that, with the grant of funds for this project, CPC must ensure that there will be perpetual public access. Chair Counsell also noted legal questions contained in the letter that will be forwarded to the Legal Department. Following discussion regarding consideration of a shorter restriction period as well as the option to receive a return of the full amount of funding granted should the use change in the future, it was decided that the matter would be taken up at the next CPC meeting in February, after review by the Legal Department.

Correspondence Received:

None received.

Project Updates:

Chair Counsell provided the following updates:

- Application from the Department of Public Works for Phase I restoration work on the Zion Union Historic Museum was approved at Town Council public hearing December 15, 2022.

- Town Council public hearing for Tales of Cape Cod CPC Application is scheduled for February 2, 2023.
- Application from the Department of Public Works for restoration of the Osterville Recreation Playground is anticipated for a future CPC meeting. Chair Counsell noted that there may be additional funding through the CIP process.
- James Tenaglia noted that there is a meeting scheduled on January 31, 2023, at 4:30 for the community to help finalize equipment selection for the Centerville Playground project funded by CPC, and he alluded to concern over circulation of misinformation about a field there being paved for a parking lot which is not accurate.

Public Comment:

None

General Discussion:

None

Member Discussion:

- Community Preservation Coalition Dues 2023.
 - After discussion, CPC Members agreed to continue membership.
Motion of James Tenaglia was seconded by Katherine Garofoli to pay the membership dues for the Community Preservation Coalition of \$7,900 from the CP Administration Fund to continue membership for 2023. Roll Call Vote: Terry Duenas – yes; 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.
- 2023 Community Preservation Committee Meeting Schedule
Motion of Chair Counsell was seconded by Terry Duenas to approve the proposed 2023 Community Preservation Committee Meeting Schedule. Roll Call Vote: Terry Duenas – yes; 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.
- CPC Handbook Updates. Chair Counsell reminded that updates in the historic procedures section would specify beginning the review process with Town Historical Commission approval in lieu of State Register listing, then Mass. Historical Commission determination of eligibility for the required Historic Preservation Restriction before CPC consideration.
- February 27, 2023, CPC Meeting. After brief discussion, CPC agreed that the meeting format would be remote for the next CPC meeting scheduled for February 27, 2023.

- Katherine Garofoli reported that she is the Program Manager for AmeriCorps of Cape Cod, a County program that recruits young people every year for environmental and disaster preparedness work with a variety of town departments and non-profits, with a March placement application deadline, and she welcomed sharing this information with appropriate town departments.
- An Affordable Housing Trust report should be available for the February CPC meeting. Deb Converse reported that the Trust has reduced the number of meetings per month and that they will be asking the Trust Administrator to speak at the Barnstable Housing Authority Annual Meeting.
- Marilyn Fifield asked if there was an update on the Cotuit Federated Church appeal to Mass. Historical Commission. Town Council Liaison Jessica Rapp-Grassetti reported that this is still pending.

Adjournment:

Motion was made by James Tenaglia and seconded by Katherine Garofoli to adjourn. Roll Call Vote: Terry Duenas – yes; 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 6:29 p.m.

Next Regularly Scheduled CPC Meeting February 27, 2023

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

- Exhibit 1 –CPC Agenda, January 23, 2022.
- Exhibit 2 –Draft CPC Regular Meeting Minutes from the November 21, 2022, meeting.
- Exhibit 3 – Application -Unitarian Church of Barnstable
- Exhibit 4 - PowerPoint presentation – Unitarian Church of Barnstable
- Exhibit 5 - Application – Centerville-Osterville-Marstons Mills Water Department
- Exhibit 6 - Application – Department of Public Works – Cape Cod Rail Trail Phase 4
- Exhibit 7 - Application – Department of Public Works – Cape Cod Rail Trail Phase 3
- Exhibit 8 - Draft Recreation Restriction – Armstrong Kelley Park, Osterville
- Exhibit 9 - Community Preservation Coalition Membership Dues Invoice for 2023
- Exhibit 10 – 2023 Community Preservation Committee Meeting Schedule

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. 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**