

TOWN OF YARMOUTH  
COMMUNITY PRESERVATION COMMITTEE  
MINUTES  
November 4, 2009  
**FINAL**

**PRESENT:** Curtis Sears, Tom Roche, Nate Small, Gloria Smith, Jack Mulkeen, Thomas Kelley  
Gary Ellis, Dorcas McGurrin, Mary Ann Walsh

**GUESTS:** Brad Hall, Patricia Armstrong, Bob Nash, Lauren Wolk

**STAFF:** Jennifer Coutinho

**LOCATION:** Room A, Town Offices, 1146 Route 28, South Yarmouth, MA

---

**HANDOUTS**

1. Draft 10/28/09 Community Preservation Committee minutes.
2. Letter from staff to Board of Selectmen, Finance Committee, and Capital Budget Committee summarizing applications received for consideration, 11/2/09.
3. Community Preservation Committee (CPC) membership list, 10/2009.
4. Letter from Bob Lawton regarding New Open Meeting Law Requirements, 11/29/09.
5. Letter from Mary Waygan, Cap'n Gladcliff Motel Pre-development Fund Application, 11/2/09.
6. Cultural Center of Cape Cod Membership List, 11/4/09.
7. Town Counsels Opinion of Owls Club dated 7/10/09.

**CONVENE**

Chairman Sears opened the Community Preservation Committee (CPC) meeting at 3:07 p.m.

**ADMINISTRATIVE BUSINESS**

Approval of Minutes: Mr. Roche moved to approve the October 28, 2009 minutes as presented. Ms. McGurrin seconded. Vote unanimous 8-0 with Mr. Kelley not voting as he was not present at this time.

Correspondence: The CPC received three letters – (1) from staff to the Board of Selectmen, Finance Committee, and Capital Budget Committee summarizing applications received for consideration, 11/2/09; (2) from Bob Lawton regarding New Open Meeting Law Requirements; and (3) from Mary Waygan regarding the recommendation for the Cap'n Gladcliff Motel Pre-development Fund Application.

**2009 APPLICATION DISCUSSION**

(#60) Yarmouth Blueberry Patch: Brad Hall, Conservation Administrator, explained that the blueberry patch is overgrown and the work would include eliminating invasive vegetation, fertilizer amendment, mulching, pruning, and individual bush netting. AmeriCorps will donate some services for this project. The CPC indicated that they would consider the application under the open space category and the need for the area to be preserved so that it's not lost in the future. Mr. Hall will provide the CPC with an approximate dollar value of this work. As there was no further discussion, Chairman Sears thanked Mr. Hall for his presentation.

(#62) Sailing Center Rehabilitation: Ms. Armstrong, Recreation Director, explained that the property was purchased in 2006 with CPA funds and the Sailing Center program serves 738 children per year. She showed the group interior and exterior photographs of the Sailing Center. There is a bathroom and kitchen on the first floor with a non-operational stove. The windows are in poor condition and there is no heat in the building. In addition, there is no second floor egress and there is an old failed honeycomb septic system.

The proposal is to rehab the bathroom on the first floor and move the kitchen to the second floor. The windows would be replaced according to new building standards. Last year a group of volunteers replaced the window flashing. There was a fundraiser for a brick walkway and they need a professional to lay the bricks. There would be an exterior second floor egress on the back of the house made with pressure treated wood. If there were heat in the house, they could use the garage area to repair the boats in the winter.

When the property was purchased, it was understood that the septic system would be upgraded within three years. Two septic options were researched. A raised system would result in the loss of the land and boat storage area. Therefore, a 2,500-3,000 gallon tight-tank system would be installed. A tight-tank system would have more operation costs because it would have to be pumped often. The Town's Engineering Department could design the septic system.

The CPC asked Ms. Armstrong to provide a letter from the Building Commissioner indicating that the building modifications would not constitute a change of use from residential to commercial, as well as, an updated budget relative to the septic and kitchen estimates.

(#63) Cultural Center Educational Wing: Bob Nash, Executive Director, showed preliminary plans for the proposed educational wing and explained that he will soon begin to develop more polished plans. The Center is one of the busiest places on Cape Cod offering classes, musical and theatrical events, and programs for all ages. Since their last meeting with the CPC, the Center successfully delisted the building from the National Register of Historic Places and they received approval from the Cape Cod Commission to rebuild the educational wing. The new building would look similar to the Owl Club with many features tying into the Center. There will be an exhibit of newspaper articles, memorabilia, and photographs of the Owl Club inside the new building. The Center is retaining naming rights of the educational wing.

Ms. Wolk explained that the Center would apply to the Kresge Foundation in April 2010 and they hope to hear from them in August 2010. They also received a grant from the Massachusetts Cultural Council to develop a market survey and other information so that they have data required to apply for other grants. She indicated that Barnstable County offers grants for programs rather than for construction activities.

Mr. Ellis stated that it's difficult to relate this proposal as a historic project to preserve the history and cultural aspects of the Owl Club. Mr. Nash referred to Town Counsel's opinion from July 2009 stating the project would be eligible for CPA funding. He further noted that the Massachusetts Historic Council, Cape Cod Commission, and the local historic council support taking the building off the historic register and tearing it down.

Mr. Roche asked if they would consider an assessment to the membership as a means to raise funds for this specific endeavor. Mr. Nash replied that there are plans for a capital campaign after local and state grants are secured. He further noted that there are 1,536 members and 961 memberships.

Ms. Walsh explained that she sees the Center's equity participation as funds that will be raised, the property itself, and cash on-hand. She stated that the use of the building is the historic event.

Mr. Ellis stated that having an exhibit area in the new building isn't historic preservation of the Owl Club. Mr. Nash replied that the local and state entities have approved tearing down the building and rebuilding a historically respectful building that will fit and serve the community of Yarmouth.

Ms. Smith stated that if the project went to Town Meeting, there should be a list of activities that would take place in the new building that are similar to Owl Club activities.

Ms. Wolk read an excerpt from the Massachusetts Historic Commission, which indicated that the loss of the Owl Club building is offset by the proposed high-quality sensitively designed new construction adjacent to the Cultural Center.

Mr. Kelley asked for the property value. Mr. Nash replied that the Center and the Owl Club together are worth \$1.5 million and there is a 30-year mortgage of \$230,000. The Cultural Center building was purchased by an anonymous donor and the Center took out \$250,000 to jump start the project. Thus, the project was valued at \$750,000. The CPA funds received in 2006 allowed the Cultural Center to rehabilitate the interior.

Chairman Sears thanked Mr. Nash and Ms. Wolk for their presentation and then he opened the floor for discussion.

The CPC reviewed the opinion and deliberated whether to obtain a second opinion. The letter indicates that the Committee could consider the proposal. Ms. Walsh referred to the membership and noted that Town Meeting would have to approve the project. They also discussed the amount requested and the amount, which could be funded relative to the historic aspect of the project.

Mr. Mulkeen made a motion to obtain a second opinion on the eligibility of the Owl's Club proposal. Ms. Walsh seconded. The motion did not carry 6-3. Roll call was taken: Chairman Sears, no; Mr. Roche, no; Ms. McGurrin, no; Mr. Kelley, no; Mr. Small, no; Mr. Ellis, no; Mr. Mulkeen, yes; Ms. Smith, yes; Ms. Walsh, yes.

#### **ADJOURN**

As there was no further business, Mr. Roche moved to adjourn the meeting at 5:17 p.m. Ms. McGurrin seconded. Vote unanimous 9-0.

Respectfully submitted,  
Jennifer Coutinho, CPA Coordinator

---

Mary Ann Walsh, Clerk