

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
December 19, 2007
FINAL

PRESENT: Curtis Sears, Tom Roche, Jim Carroll, Hugh Hilliard, Gary Ellis, John Biega
Jack Mulkeen, Ed Blackman, and Mary Ann Walsh

GUESTS: Donna Killeen, Roy Morton, Frank Tardo, Bill Snowden

STAFF: Jennifer Coutinho

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

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

Correspondence: Chairman Sears reported that the group is unable to make recommendations on the Town Common Gazebo, Farmer's Market, and the Flax & Sandy Pond Master Plan Phase I Improvement applications because of Town Counsel's recent opinion.

Approval of Minutes: Mr. Roche moved to approve the 11/14/07 minutes as written. Ms. Walsh seconded. Vote unanimous with Mr. Mulkeen and Mr. Blackman abstaining 7-0-2.

Ms. Walsh moved to approve the 11/28/07 minutes as written. Mr. Roche seconded. Vote unanimous with Mr. Ellis and Mr. Biega abstaining 7-0-2.

Open Space Update: The CPC continued discussions about a property on Route 28 in West Yarmouth. Mr. Mulkeen explained that this project would have an article on the 2008 Town Meeting warrant. He explained that he met with the property owner and they discussed two options of either the Town purchasing the property or the property owner removing the building. The purpose of negotiating with the property owner is to remove the blighted structure.

Mr. Carroll stated that the property owner, who also owns two adjacent properties, is willing to let the Town tear down the building so long as he can keep the footprint. He noted that the property owner had inquired about leasing the space, but the prospective tenants were not interested. He said that the property owner would like to sell all three properties in the future.

Ms. Walsh suggested that the Town adopt a policy, whereby owners are required to maintain properties to a certain standard.

Mr. Roche suggested that the property owner inquire about seeking relief from the Board of Appeals.

As there was no resolution on the proposal, the CPC tabled the discussion to a later date.

Yarmouth Housing Authority Bathrooms (#45): Ms. Killeen, Executive Director of the Yarmouth Authority (YHA), reported that the proposal is replace bathroom sinks, floors, and medicine cabinets in 35 bathrooms, as well as, install 40 fans at the Long Pond Plaza Complex. The cast iron tubs, tiling, and plaster are in good condition and will not need replacement.

Ms. Killeen explained that the Department of Housing and Community Development (DHCD) provides funding for capital improvement housing projects through bond authorizations. The State awarded the YHA with a bond in 2002 for parking lot improvements and the YHA received the funding later in 2007. The new administration raised bond capital and annual capital improvements could take a couple of years. She also noted that she would apply to DHCD for new storm doors.

Mr. Carroll asked if the technical schools or prisons could contribute services for exterior building work. Ms. Killeen stated that she has utilized those services in the past exterior painting and landscaping.

Mr. Mulkeen asked if the residents could attend Town Meeting to support the project. Ms. Killeen replied that she could make arrangement for them to attend Town Meeting.

Captain Bang Hallett House Presentation (#41): Mr. Morton, Chair of the Historical Society of Old Yarmouth (HSOY) and Frank Tardo, Chair of HSOY Building Committee, reported that the proposal is for a climate-controlled environment at the historic Captain Bang Hallett House. The Captain Bang Hallett House is the only Sea Captain House on Cape Cod open to the public. It serves as a museum of historic artifacts, including a civil war cloak, historic organ, and mahogany furniture pieces. The request is for an air conditioning and heating system, ductwork, boiler piping, and labor to control the climate inside the museum. Currently, the museum is not air conditioned, and the humidity has caused the wood to crack and some garments to become moldy.

Mr. Tardo stated the building is equipped with baseboard heat, water heaters, and a thirty-year old furnace. Based on his research, he proposes to have an HVAC unit with an air-handler to service the first and second floors. Air would travel through three-inch mini-tubes strategically placed in the walls to eliminate dead air space. The system would remove 30% more moisture than a standard HVAC system. The heat would come from a new boiler and fresh air would circulate through a compressor.

Chairman Sears stated the Massachusetts Historic Commission opened a new grant round, after which he asked HSOY to contact them for a possible match.

The group discussed the budget and it was noted that HSOY is paying off a loan from moving the Cobbler Shop to its current location on Route 6A. Annual operating funds are raised through membership fees, rummage sales, weddings at Kelly Chapel, and other events. Mr. Morton stated that he would provide the CPC with the HSOY operating budget.

As there was no further discussion, Chairman Sears thanked them and stated that the CPC will vote on the applications in early January.

Farmers Market (#44): Mr. Snowden, Chair of the Agricultural Commission, reported that the goal is to create a mid-cape farmer's market at three possible locations, two of which are the Joshua Sears area near the John Simpkins building and land on Rough Riders Path. Funds would be used

to purchase a 50' x 100' tent, utility connections, refrigerator storage trailers, and historic public outreach materials. The Joshua Sears area already has electricity and water connections.

A historic brochure would illustrate that, in the 1800's, there were more than 200 farms on Cape Cod, mostly sheep and goat farms. Additionally, there was agricultural hall in Barnstable Village with a farmer's market.

Ms. Walsh asked if the Agricultural Commission would manage the project, what is the anticipated cost to vendors, and if there are any rules and regulations for the resale of food products. Mr. Snowden replied that the Agricultural Commission would go before the Board of Selectmen for permission and the Board of Health would oversee the market. It will likely be open to the public annually from June to October four days per week. It would accommodate 30-40 vendor spaces, open to Yarmouth vendors first, with an estimated income of \$10,000. The produce will generally costs about two dollars per pound.

Mr. Snowden stated that alternate funding sources include Elisha Bangs Foundation, Cape Cod Cooperative Bank, Cape Cod Five Cents Bank. Mr. Ellis suggested a way to leverage funds could be a company purchasing the tent with naming rights.

Mr. Carroll stated that, given the history of the farmers market, it would seem to fit under the historic category because in the 1800's everyone had a farmers market. Chairman Sears stated that people have been selling vegetables on the side of the road for years.

Adjourn: As there was no further business, the CPC voted unanimously, on a motion by Mr. Biega seconded by Ms. Walsh, to adjourn the meeting at 5:26 p.m.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
December 5, 2007
FINAL

PRESENT: Curtis Sears, Tom Roche, Jim Carroll, Hugh Hilliard, Gary Ellis,
Jack Mulkeen and Ed Blackman

GUESTS: Jane Hibbert, Matthew Zurowick, Hadley Luddy, Tanya Johansen, Martin Rivero,
Kevin McNamara, Peggy McNamara, and Andy Shrake

STAFF: Jennifer Coutinho

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

Chairman Sears opened the Community Preservation Committee (CPC) meeting at 3:01 p.m. All members except Mary Ann Walsh and John Biega were present.

Correspondence: Ms. Coutinho distributed the Flax and Sandy Pond community meeting notice, as well as, the buy-down program timeline and regulatory compliance checklist from Bailey Boyd Associates. She also provided a memo between Robert Lawton and George Allaire about the Packet Landing project and a memo to Jane Hibbert requesting more information about Historic Record Commitment application.

Approval of Minutes: Mr. Roche moved to approve the October 24, 2007 minutes as written. Mr. Ellis seconded. The vote was unanimous with Mr. Hilliard and Mr. Blackman abstaining.

Historic Record Commitment Presentation (#40): Mr. Zurowick distributed the legal requirements of the documents the Town is required to permanently retain, which showed valuation lists (except motor vehicle), pro-forma and tax rate recapulation, meeting minutes, property records, and tax maps. He explained that, many years ago, the records were exposed to water, which caused mold damage. A professional book cleaner temporarily placed the records in sealed bags to prevent further decomposition.

Ms. Hibbert explained that original request was to restore 590 volumes, but it will be reduced to 309 volumes because the motor vehicle records are not required. Thus, the revised funding request is estimated at \$1,000 to restore each book disbursed equally over a two-year period. The restoration company will start preserving the oldest records and then move to the newer. They continued by discussing the cleaning process and it was noted that each page will have a seal coat to protect them from public handling.

Mr. Blackman asked if the storage location is a controlled environment. Ms. Hibbert replied that, once restored, the records would be kept in the Town Hall vaults, which are humidity controlled and fireproof. She also added that she has separate funds for additional shelving.

They continued by discussing the possibility of scanning the records on microfiche or microfilm. Mr. Zurowick explained that the State would provide funds for projects that put records on microfiche but not microfilm because images on microfilm disappears over time. Mr. Hilliard suggested that staff look into whether CPA funds could be used to microfiche the records.

As there was no further discussion, Mr. Zurowick stated that provide the CPC with an updated list after he receives a determination whether the Town is required to keep water records.

Affordable Housing for People with Disabilities (#37): Ms. Luddy of Community Connections, introduced herself, and explained that Community Connections has been serving the community for 20 years providing services and opportunities for about 625 people with disabilities per day in Southeastern Massachusetts. The Community Connections headquarters is located in Yarmouth and they own three supported living homes in Yarmouth. There are nine locations and two service centers on Cape Cod. The proposal is requesting a portion of CPA funds to assist Community Connections with purchasing one additional unit in Yarmouth to provide safe and affordable housing. The clientele is mildly disabled, living independently with direct support of 20 hours per week. Most of clients have part-time employment and attend the life skills program. Her goal is to identify a home that is handicap accessible and she noted that Community Connections is fine with a deed restriction on the property. The group discussed the budget and the matching funds associated with the project.

Mr. Blackman asked who would be served in the home. Ms. Luddy replied that a majority of people served have a primary diagnosis of mental retardation. Chairman Sears explained that the units for this project could be added to the affordable housing inventory. Mr. Blackman questioned if Community Connections works with Department of Mental Retardation (DMR) clients. Ms. Luddy replied that many clients are associated with DMR and Community Connections works with the Massachusetts Rehabilitation Commission.

Mr. Roche asked if preference would be given to Yarmouth residents. Ms. Luddy replied that most people utilizing Community Connection's services are Yarmouth residents and that would be taken into consideration. She said that, based on previous numbers, of the 110 people serviced at the Yarmouth Center, at least 60% were Yarmouth residents.

Restoration of Water Pumping Windmill (#38): Kevin and Peggy McNamara introduced themselves and stated that they currently own and reside in the home located at 243 Old Main Street, South Yarmouth. The home is listed on the National Register. A historic water-pumping tower, thought to be the last on Cape Cod, is located on the southern side of the property. His understanding is that the tower was functioning until 1970 and at one time provided irrigation for an apple orchard on the property that extended across Old Main Street and down towards Route 28. John Sears who grew up on Bass River told him that there used to be many towers in the area and this is the last remaining tower.

Mr. Roche stated that Priscilla Gregory mentioned that a restriction would be placed on the property relative to utilizing the Town's community preservation funds.

Andy Shrake, a restoration specialist, recently examined the 35-foot high structure. He reported that the tower is in reasonable condition and he could preserve it. He would remove the deck, which

surrounds the tower, and restore it from the ground. He noted that Aeromotor in Wisconsin will make the windmill on the top and it will have a 10-year warranty.

Mr. Mulkeen asked if the mill would have the capacity to pump water to the holding tank. Mr. Shrake replied that, in general, a pump goes 40 feet into the ground and with one stroke, water would be brought up to the holding tank. He noted that the motor for the pump on this windmill would not operate.

Mr. McNamara would be responsible for all future maintenance of the mill and it would be written in either the restriction or the CPA contract. He has contacted his insurance company to see if the windmill could be insured and if additional insurance is required for public access. Ms. McNamara added that the public will benefit from the restoration because the structure is visible from the street. The group discussed public access as a condition on the deed to make it binding for future ownership. Mr. McNamara stated that he is open to having a condition whereby the windmill would be open to the public a certain number of days per year. Mr. Roche will consult with the South Yarmouth Village Center about opportunities for public events.

Mr. Mulkeen asked for the McNamara's intention if community preservation funds weren't recommended for the project. Mr. McNamara replied that Mr. Shrake would put braces on the structure to prevent it from collapsing.

Yarmouth Community Garden (#42): Mr. Rivero, of the Yarmouth Agricultural Commission, explained that this proposal is to create 20 – 4' x 8' raised garden bed spaces with handicap accessibility in the southern corner of the Senior Center property on 528 Forest Road. The garden would be self-sufficient and made with recycled wood products. Water would come from a well with a solar-powered pump. There would be no connection or interruption to the Senior Center water supply. The land would be cleared with donated services from John Holbrook of the Agricultural Commission. The brush would be made into woodchips and used in the footpaths. The handicap accessible plots would be positioned in the front with a place to hold tools and a bluestone footpath.

Committee Business: Ms. Coutinho stated that she spoke with Mary Arden of the Winddrift Motel, who is creating five affordable housing units. She inquired about an extension to submit an application for this funding cycle. The CPC stated that they are not accepting any new applications for this funding cycle, but she could submit an application for consideration in FY09.

Adjourn: As there was no further business, Mr. Roche made a motion to adjourn the meeting at 5:29 p.m. Mr. Mulkeen seconded. Vote unanimous 7-0-0.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
November 28, 2007
FINAL

PRESENT: Curtis Sears, Tom Roche, Mary Ann Walsh, Jim Carroll, Hugh Hilliard,
Jack Mulkeen and Ed Blackman

GUESTS: Robert C. Lawton Jr., Alan Aarons

STAFF: Jennifer Coutinho

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

Chairman Sears opened the Community Preservation Committee (CPC) meeting at 2:59 p.m. All members except John Biega and Gary Ellis were present.

Trust Fund Presentations: Robert C. Lawton Jr., Town Administrator, and Alan Aarons, Affordable Housing Committee (AHC) Chair, presented the Trust Fund Deposit, Buy-Down Program, and the Rental Assistance applications. Mr. Lawton informed the group that the Trustees used a portion of the first deposit to hire Bailey Boyd Associates (BBA), who has started to evaluate the affordable accessory apartments and the buy-down program.

Ms. Walsh asked if BBA would assist with securing additional grants or matching funds for specific projects. Mr. Lawton replied that the goal is not to rely solely on Community Preservation Act (CPA) funds. BBA will look to generate other sources of funds and will maintain all procurement and compliance documents. The Town will apply for CPA funds for the first several years to build the Trust Fund account.

Mr. Lawton continued by explaining the buy-down program and reported that BBA will look at properties and determine how to best purchase them. The proposal requests \$534,120 to buy-down three homes and possibly more if BBA secures other grant funds.

Ms. Walsh suggested that BBA go through the Housing Assistance Corporation (HAC) to purchase homes because they have a real estate division. Mr. Roche suggested that BBA contact the banks directly to purchase homes. Mr. Carroll mentioned the possibility of hiring a housing coordinator to save money and get projects done quicker. Mr. Lawton replied that BBA has many specialists to draw on, which is more efficient.

Mr. Lawton referred to the rental assistance program and explained that a consultant would administer the program. Therefore, he requested to increase the amount requested from \$72,500 to \$80,000. He also noted that the units in the rental assistance program would likely not count on the inventory. Mr. Blackman mentioned that there is a chapter 705 program.

Mr. Hilliard asked if there would be a payment back to the fund. Mr. Lawton replied that it would be a revolving fund. Mr. Roche suggested obtaining an eviction list from the Barnstable County Courthouse.

John Simpkins Façade Presentation: Mr. Lawton stated that the John Simpkins School Review Committee is looking at the potential uses of the building. Preservation is necessary to prevent further deterioration of the building, which would include painting, replacing four downspouts, as well as, gutter, copula, and window repairs. The roof is not in need of repair at this time.

Mr. Blackman stated that the building is located within the Bass River Historic District, but the building is not on the National Register of Historic Places. The Town could place a preservation restriction on the property, although it is not a requirement to receive community preservation funds.

Mr. Blackman suggested covering the windows temporarily. Mr. Lawton replied that the Town would not cover the windows and would like to paint them at this time.

Mr. Lawton reported that the Town recently issued a Request for Information (RFI) to gather any public interest in the building. A change in the use of the building would require a Town Meeting vote, possibly in 2009. Therefore, this application is for the long-term preservation of the building façade.

Committee Business: Ms. Coutinho stated that the CPC was invited to a joint meeting with the Affordable Housing Committee and the Trust Fund on December 3, 2007 to discuss affordable housing programs.

Mr. Mulkeen and Ms. Coutinho are working on a sign for 14 South Sandyside Lane for the State press event at Dennis Pond next week.

Adjourn: As there was no further business, Mr. Roche made a motion to adjourn the meeting at 4:15 p.m. Mr. Mulkeen seconded. The CPC voted unanimously on the motion.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant



Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
November 14, 2007
FINAL

PRESENT: Curtis Sears, Tom Roche, Mary Ann Walsh, Jim Carroll, Hugh Hilliard,
John Biega, and Gary Ellis

STAFF: Jennifer Coutinho

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

Chairman Sears opened the Community Preservation Committee (CPC) meeting at 3:07 p.m. All members except Jack Mulkeen and Ed Blackman were present.

Committee Business: Chairman Sears informed the group that the Yarmouth Housing Authority and the Yarmouth Agricultural Commission requested extensions to submit their CPC applications no later than 11/21/07. Ms. Walsh made a motion to allow the extensions for the Yarmouth Housing Authority and the Agricultural Commission. Mr. Biega seconded. The CPC voted unanimously on the motion.

Chairman Sears reported on the Community Preservation Coalition conference. He explained that the State match might fall to 70% in FY09. There are proposed bills to address the collection of deed fees and to change the recreation language for the rehabilitation and restoration of resources.

Ms. Coutinho stated that the annual meeting with the Board of Selectmen is scheduled for November 27, 2007. She will prepare a memorandum for the meeting.

The CPC held a general discussion on setting aside a portion of the annual revenues in the CPA account each fiscal year for future projects. Mr. Roche asked for the amounts set aside for administrative expenses. Ms. Coutinho responded that \$75,000 was appropriated in FY08 and \$96,250 would be appropriated in FY09. Chairman Sears stated that there is no mechanism or a separate savings account to set aside future funds, rather the unspent funds stay in the CPA account.

Mr. Carroll asked if the CPC would want to limit itself to spending a certain amount of funds. He would like to be prudent on which projects to fund and look at the merit of each project. Ms. Walsh stated that the CPC would treat the money like a reserve and if a good project was brought forth then the CPC could make a determination to use the funds. Mr. Biega suggested setting a goal to set aside funds. Ms. Walsh made a motion to save ten percent of the total annual CPA revenues per year. Mr. Biega seconded. The CPC voted unanimously on the motion.

Review FY08 Funding Requests: The CPC discussed Trust Fund application #34 for a second deposit of \$200,000. Chairman Sears informed the group that the Trust utilized a portion of the funds from the first deposit to hire Bailey Boyd Associates (BBA) to evaluate affordable housing opportunities and create programs.

Mr. Carroll stated that the first deposit into the Trust Fund should be used for affordable housing and the consultant fees should be paid from the administrative account. Mr. Ellis noted that the consultant fees should be paid from the Trust Fund not the administrative account.

Mr. Carroll made a motion to increase the funding request of the Trust Fund application (#34) from \$200,000 to \$236,000. Mr. Roche seconded. The CPC voted unanimously on the motion.

Mr. Roche referred to the Buy-Down application (#35) and suggested that BBA contact the banks directly for housing opportunities and to obtain appraisals on the properties at the same time for a lower rate.

Ms. Walsh reviewed the rental assistance application (#36) and inquired about the relationship between the Affordable Housing Committee (AHC) and the Trust Fund, as well as, which deposit of first, last, and/or security the Town would supplement. It was noted that the tenant should not be allowed to withdraw the security deposit from the escrow account.

She continued by referring to the Affordable Housing for People with Disabilities application (#37) submitted by Community Connections, Inc. and questioned the supervision inside the home and the deed rider in perpetuity.

The CPC continued by discussing the restoration of the historic water mill application (#38). Of particular interest, was if the tower would function and pump water to the holding tank. Mr. Ellis inquired about the tower being made available to the public and whether the homeowner would assume responsibility for the maintenance of the tower in the future. Mr. Roche noted that a deed restriction placed on the property could indicate that the property would be open to the public for a maximum number of days per year. He noted that the deed restriction would transfer with the land if the current owner sold the property. It is likely the last water tower on Cape Cod. They also discussed the possibility of having the tower insured under homeowner's insurance.

Chairman Sears referred to the John Simpkins School Façade application (#39) and explained that Bob Carlson of the Department of Public Works (DPW) recently conducted a site visit. The CPC discussed the quotes for the exterior painting work and requested an additional quote because the estimates from two companies were inconsistent.

The CPC then reviewed the historic record commitment application (#40). After reviewing the itemized list of documents, there were concerns about the historic value of the documents and the purpose of saving the records. They discussed scanning the records to microfiche and if there are legal requirements or statutes that requires the Town to save them.

The Captain Bangs Hallet Museum application (#41) was the next application the CPC discussed. They discussed the Historical Society of Old Yarmouth and the previous Cobbler Shop grant. It was noted that the 15% cost contingency was generous. There was a discussion about the benefit of placing a preservation restriction on the property.

Other Business

Chairman Sears explained that the Town was awarded with the State self-help grant for \$250,000 for the Dennis Pond parcel located at 14 South Sandyside Lane. He also informed the group of the tentative purchase price for the 1750 House located at 281 Route 28.

Adjourn: As there was no further business, Chairman Sears made a motion to adjourn the meeting at 5:38 p.m. Mr. Roche seconded. The CPC voted unanimously on the motion.

Respectfully submitted,
Jennifer Coutinho, Staff Assistant

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
October 24, 2007
FINAL

PRESENT: Curtis Sears, Tom Roche, Jim Carroll , Jack Mulkeen and Gary Ellis

STAFF: George Allaire, Mary Waygan, and Jennifer Coutinho

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

Chairman Sears opened the Community Preservation Committee (CPC) meeting at 3:11 p.m. All members except Mary Ann Walsh, John Biega, Hugh Hilliard, and Ed Blackman were present.

Affordable Housing Feasibility Contract 2006-7: The CPC reviewed a revised list of potential sites for the affordable housing feasibility study from Mary Waygan to Chairman Sears. The CPC discussed the West Yarmouth municipal site and mentioned that the Town should look into access and if another department already has plans to utilize the site.

Jim Carroll made a motion to accept the affordable housing feasibility contract #2006-7 as written, seconded by Tom Roche. The CPC voted unanimously to approve the motion. Discussion: Mary Waygan informed the group that the Affordable Housing Committee (AHC) asked the Board of Selectmen (BOS) to place an article on the Annual Town Meeting 2008 warrant to designate the Bakers Path lot for affordable housing.

Flax and Sandy Pond Extension: The CPC reviewed a request from the Flax & Sandy Pond Master Plan Committee for permission to submit their CPA application for a recreation improvement project no later than 11/21/07. The extension is necessary because of the timing with the master plan recommendations, public hearing, and the community preservation application deadline.

Discussion: Jim Carroll informed the group that the proposal would include a baseball park and a parking lot. He also noted that the road into the Flax Pond area has safety issues. Chairman Sears stated that funding would be available on July 1, 2008, which is when the areas are used the most, after which he questioned if the project would begin in the fall.

George Allaire, Director of the Department of Public Works (DPW), explained that the first public hearing on the proposal will be held today and they will subsequently meet with the consultant. The concept for Flax Pond is creating a new parking lot to divert traffic from the central core, creating a new field in the back of the property, and moving the existing field off of the Zone 1 wellfield. The project is estimated to cost between \$750,000 - \$1,000,000, and depending on the funding, the DPW may contribute to clearing the land.

Jim Carroll made a motion to grant the extension, seconded by Tom Roche. The CPC voted unanimously to approve the motion.

Playground Equipment Contract 2007-2: The CPC reviewed the draft contract, and following a general discussion, requested O'Brien and Sons to provide the current installation charge because it is not identified in the quotation.

Jim Carroll made a motion to hold the contract until the CPC received O'Brien and Sons labor charge. The motion was not seconded.

Jack Mulkeen made a motion to approve the contract and then amended the motion to approve the contract so long as O'Brien and Sons labor charges are included as an attachment to the contract. Tom Roche seconded. The CPC voted unanimously on the amended motion.

Approval of Minutes: On a motion by Tom Roche, seconded by Jack Mulkeen, the CPC unanimously voted to approve the September 12, 2007 minutes as amended.

On a motion by Jack Mulkeen, seconded by Gary Ellis, the CPC voted unanimously to approve and hold the September 12, 2007 executive session minutes as written.

On a motion by Tom Roche, seconded by Jack Mulkeen, with Gary Ellis abstaining, the CPC voted unanimously to approve the September 26, 2007 minutes as written.

Other Business: The CPC discussed the reduction of the State match funds and possibly retaining ten to twenty percent of the annual revenues in the CPA account each funding cycle.

Adjourn: As there was no further business, Chairman Sears moved to adjourn the meeting at 4:29 p.m. Jack Mulkeen seconded. The CPC voted unanimously on the motion.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
September 26, 2007
FINAL

PRESENT: Curtis Sears, Tom Roche, Jim Carroll, Hugh Hilliard, Jack Mulkeen,
Mary Ann Walsh, and Gloria Smith

GUEST: Edward Blackman

STAFF: Jennifer Coutinho

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

Chairman Sears opened the Community Preservation Committee (CPC) meeting at 3:04 p.m. All members except Gary Ellis and John Biega were present.

Correspondence: Jennifer Coutinho informed the CPC about the Seaside Festival and stated that she will have the Yarmouth Community Preservation Act (CPA) poster available at the festival. She also informed the group about the CPA conference held in Bridgewater in November. The CPC also reviewed a memo to the Affordable Housing Committee (AHC) requesting identification of the lots in the Feasibility Study contract. Jim Carroll stated that the Recreation Commission may make a statement to retain the Haywood Avenue lot and may comment on unused recreation land that might be suitable for the study. He questioned if the consultant who is selected to complete the feasibility study select recreation lots that they feel would be suitable for affordable housing.

Updates to the Community Preservation Plan: The Historic Commission had no changes to the existing historic section and the Recreation Commission suggested adding the Englewood Sailing Center to the third paragraph in the Open Space/Conservation/Recreation section. The AHC made changes to the housing section, which was presented in the draft copy to the group. The CPC agreed to include an appendix with the policy and the responses to public comments received at the 2006 public hearing. The CPC made several changes to the policy, in particular, the first statement that read, “the Town could accept or reject an application based on goals and criteria as outlined in the plan without any CPC input” to “the CPA Assistant may examine applications for compliance with the CPA and the Community Preservation Plan before submission to the CPC”. They also modified a bullet to read that the CPC requires all legal opinions to be in writing, which will include Town Counsel opinions, recommendations from other specialists, and any binding documents.

Public Hearing Planning: Jennifer Coutinho informed the group that the draft 2008 plan would be available to the public in early October. She also noted that she would send an application deadline flyer to the town departments later this week. Outreach efforts for the public hearing will include a mailing to the public, a flyer to the town departments, channel 18 announcement, and the CPA poster in the Town Hall common area.

For the hearing presentation, the CPC prefers to have each representative speak on behalf of the four target areas and the funds that have been spent to date. They also discussed having a telephone available for people to call in during the hearing.

Status of Approved Projects: Mary Ann Walsh reported that the Brush Hill Road lots have been cleared and there was a tour of the Housing Assistance Corporation (HAC) homes, which she noted are very nice. The CPC held a general discussion about 281 Route 28, including action occurring in late October and opening the vista. Jennifer Coutinho informed the group that the Housing Authority heating system was installed and Housing Assistance Corporation has not heard back from the Department of Housing and Community Development (DHCD) regarding matching funds. The CPC discussed the playground equipment project and the Town's efforts to save money with installation costs have caused a delay in the project.

Other Business: Jim Carroll stated that the CPC had many questions with last year's proposals. He would like this year's proposals to follow the Management By Objective (MBO) format. Each project would identify a goal, enabling objectives, and costs associated with each objective. Tom Roche stated that applications should be more descriptive. Jennifer Coutinho asked the CPC to submit any changes they may have on the application and she would make the changes.

Jim Carroll stated that the Flax and Sandy Pond Master Plan would be completed in Jan.-Feb. 2008. Since the CPA application deadline is Nov. 2007, he asked if the Recreation Commission could send a letter of intent to the CPC indicating that they would submit a proposal based on the Flax and Sandy Pond Master Plan. Chairman Sears stated that the Board of Selectman usually sets the warrant in January. The CPC discussed whether they would have enough time to review the proposal. Mary Ann Walsh stated that it could set a precedence and that funds are likely to be dedicated to other proposals by Feb. 2008.

Jennifer Coutinho read the list of possible proposals, which included three community housing, five historic, one open space, one historic/recreation, and one recreation.

Tom Roche asked how the Cape Cod foreclosures fit in relative to affordable housing and if the homeowners would be considered if they meet the affordable housing criteria. Ed Blackman stated that some people would be eligible for intervention and assistance. He noted that the affordable houses are available for people with relatively high-income levels at 80% of the Area Median Income, which is about \$60,000 - \$70,000. The CPC also discussed affordable housing lotteries and fair marketing.

Adjourn: As there was no further business, the CPC voted unanimously, on a motion by Chairman Sears, seconded by Tom Roche, to adjourn the meeting at 4:31 p.m.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant



Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE

September 12, 2007
Executive Session

FINAL

PRESENT: Curtis Sears, Tom Roche, Jim Carroll, Hugh Hilliard, Gloria Smith, Jack Mulkeen
Mary Ann Walsh, John Biega, and Gary Ellis

STAFF: Jennifer Coutinho

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

Chairman Sears opened the executive session at 4:29 p.m. to discuss the possible acquisition of 550 Route 28, West Yarmouth, MA.

Jack Mulkeen made a motion that the executive session discussion will go no further than this meeting until the Community Preservation Committee (CPC) votes to release the information. Mary Ann Walsh seconded. Roll call was taken: Curtis Sears, yes; Tom Roche, yes; Jim Carroll, yes; Hugh Hilliard, yes; Gloria Smith, yes; Jack Mulkeen, yes; Mary Ann Walsh, yes; John Biega, yes; Gary Ellis; yes. Vote unanimous (9-0-0).

Jack Mulkeen reported that he had a telephone conversation with Dr. Serijan on his August 23, 2007 regarding Dr. Serijan's three adjoining properties located at 550 Route 28, 19 West Yarmouth Road, and 25 West Yarmouth Road, West Yarmouth, MA. Jack Mulkeen noted that Jim Carroll and Dr. Serijan are friends and what he recommends to the CPC must remain confidential among the members. He stated that his recommendation, which the Open Space Committee (OSC) unanimously approved on September 11, 2007, is for the Town to take 550 Route 28, West Yarmouth, MA for open space and passive recreation. He explained that Dr. Serijan has no plans to do anything with property. Jack Mulkeen has spoken with John C. Creny, Town Counsel, about this possible action. Jack Mulkeen's concern is that the taking could start a lawsuit, similar to the past Bayberry Hills lawsuits. He stated that he is not sure if the Board of Selectmen (BOS) would support the taking. The Town could take this property with a Town Meeting vote and then, if a worse case scenario presents itself, the Town could make a decision not to file an Order of Taking.

Jack Mulkeen asked to have an appraisal done to see what the true value of the property is. He believes that taking this approach will help Dr. Serijan make a decision about the property. Dr. Serijan is very aware that the building is a complete eye sore to the residents and he seems to be angry with one selectman. Therefore, he's not motivated to help with the Town's effort to improve the blight along the Route 28 corridor.

Mary Ann Walsh inquired about Dr. Serijan. Jim Carroll stated that Dr. Serijan is about 50-55 years old. Mary Ann Walsh added that she has a problem with taking people's property.

Gloria Smith asked if the property would be more appropriate for affordable housing. Jack Mulkeen replied that the OSC doesn't support purchasing the front portion of 544 Route 28, which is what precipitated this entire discussion. When Robert C. Lawton Jr., Town Administrator, discussed 544 Route 28 with the OSC and the CPC, he agreed that if 544 and 550 Route 28 were combined, it could become open space with a pocket park.

Jim Carroll stated that Dr. Serijan has concerns about tearing down the building because he believes he would lose the footprint. He explained that Matt Zurowick, Director of Assessors, indicated that Dr. Serijan could enter into a legal agreement with the Town to save the footprint and remove the building. Jim Carroll informed Dr. Serijan that he could enter into an agreement with the Town to keep the footprint if the building were torn down.

Jack Mulkeen stated that taking property is not something taken lightly. All the properties the Town has acquired have been friendly takings and he hopes that this action would precipitate a friendly taking. Chairman Sears stated that the CPC would need the BOS input on whether they are willing to sign a purchase and sales agreement.

Tom Roche said the CPC should consider the current real estate market. He noted that a current appraisal would be relatively low based on the value of the property, so why would Dr. Serijan even consider selling his property in a down real estate market. He added that he sees more value in three contiguous lots contained within one owner. Therefore, he is opposed to the recommended action because it would take away the ability of Dr. Serijan combining the properties.

Gloria Smith stated that Dr. Serijan is likely waiting to see where the future treatment plants would be placed because he may not want to spend money to develop the lots if there is going to be a treatment plant behind his property.

Jim Carroll stated that Dr. Serijan is currently talking with Emerald Physicians because they are looking to have a facility in the area. Jim Carroll thinks that Emerald Physicians would be interested in all three lots. He noted that there would be a building on all three properties probably two or three stories high, which would be a good tax benefit to the Town.

Jack Mulkeen stated that the purpose is to have the building torn down because it has been an eye sore for a long time. If the building were removed, it would certainly improve Route 28.

Jim Carroll stated that, if the Town wrote a letter to Dr. Serijan about leaving the footprint and tearing the building down, he thinks that it could be accomplished. He added that if the Town hires an appraiser, the property should be evaluated singularly and as one of three properties. Jack Mulkeen stated that he couldn't justify purchasing all three properties and he doesn't recommend it. Tom Roche stated that it would eliminate the possibility of Dr. Serijan to appreciate more income relative to the total three lots.

Mary Ann Walsh asked if the Town could condemn the building. Jim Carroll stated that if the motivation is to remove the building, then someone from the Town should write him a letter, and guarantee him the footprint.

Tom Roche stated that if Dr. Serijan talked to Rhonda LaFrance in the Board of Appeals Office, she could give him a good indication of his current rights with that building. Jim Carroll stated that Dr.

Serijan is not the one with the motivation to do something with the property. He purchased the property because the price was right, and it is next to his other properties, and he wanted more parking.

Jack Mulkeen noted that, during Landbank times, Dr. Serijan wanted to keep some of the land for parking and was going to give the rest to the Town. Tom Roche stated that he would have more consideration, if Dr. Serijan's property was a key parcel that obstructed a big project, but he doesn't think the CPC should put him at the mercy of the market.

John Biega stated that the request is for an appraisal with the intention of making the property owner respond. Jack Mulkeen stated that the goal is to remove the building because it is offensive. He hopes the result is the Town purchasing the property at an agreed upon price. John Biega stated that the building looks terrible and it should be cleaned up because it has been there for a long time. He has concerns with the public perception of the CPC if this action were taken. Gary Ellis agreed with John and he doesn't think the CPC should be in the position of taking private properties.

Mary Ann Walsh asked if the taking would meeting the requirements and definition of eminent domain. She added that she is not favor of eminent domain.

Gloria Smith mentioned a case in Connecticut where the Town took several properties by eminent domain because they could generate more tax revenue from the business that was going to be built. She stated that if Emerald Physicians wants to have an office there, then the Town could take the property and give it to Emerald.

Tom Roche stated that he feels that something is going to happen with all of the development that's going to be proposed because of the Bluestone concept and the by-law.

Jack Mulkeen made a motion for the CPC to support the OSC's recommendation, and take this property. John Biega seconded. After a brief discussion, Jack Mulkeen withdrew his motion. John Biega seconded. Roll call was taken: Curtis Sears, yes; Tom Roche, yes; Jim Carroll, yes; Hugh Hilliard, yes; Gloria Smith, yes; Jack Mulkeen, yes; Mary Ann Walsh, yes; John Biega, yes; Gary Ellis; yes. Vote unanimous (9-0-0).

The executive session adjourned at 5:07 p.m.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
September 12, 2007
FINAL

PRESENT: Curtis Sears, Tom Roche, Jim Carroll, Hugh Hilliard, Gloria Smith, Jack Mulkeen
Mary Ann Walsh, John Biega, and Gary Ellis

STAFF: Mary Waygan, Jennifer Coutinho

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

Chairman Sears opened the Community Preservation Committee (CPC) meeting at 3:02 p.m. All members were present.

Approval of Minutes: Tom Roche moved to approve the August 8, 2007 minutes as amended. Gloria Smith seconded. The vote was unanimous with Mary Ann Walsh, John Biega, Gary Ellis, and Hugh Hilliard abstaining as they were not present at the meeting 5-0-4.

Correspondence: The CPC reviewed three memos regarding the Board of Selectman (BOS) meeting minute policy, capital budget and CPA requests, and the Commonwealth Capital score. Jim Carroll mentioned that, at the Recreation Commission meeting, there was a discussion about the preparation of the ground before the new playground equipment is installed. Staff will follow up with Jim Lefter on the subject.

Affordable Housing Feasibility Contract 2006-7: The CPC reviewed the draft contract for a feasibility study. The Affordable Housing Committee has selected three of the five town-owned sites, which are Haywood Avenue, Old Cedar Lane, and Shelburne Road. The Haywood Avenue lot is designated for recreational use. There was a discussion between Jim Carroll and Gloria Smith about changing the use of the Old Town House 8-acre lot from municipal to recreation and the Haywood Avenue 5-acre lot from recreation to municipal because of access concerns. Jim Carroll stated that the Recreation Commission would like to put soccer fields on the Haywood property because the land is level and ideal for fields. Mary Waygan explained that, about eight months ago, two members of the Affordable Housing Committee (AHC) met with the Recreation Commission about the Haywood lot and they would like to meet again soon. She noted that the AHC would select another lot if it was determined that the Haywood lot would be used for recreational purposes. Working with the town departments and division heads to gather as much information about the properties, she will compile the information for the Request for Proposal. It was noted that the selected consultant would be responsible for retaining the architectural plans. Gary Ellis added that an architect would be held liable if they used one set of plans on multiple properties and very seldom are there plans that could be transferred because each property is unique.

After a general discussion about whether the CPC was comfortable with contract as presented, Jim Carroll moved to table the discussion, seconded by Tom Roche. Vote unanimous 9-0-0. Discussion: prior to approving the contract, the CPC would like the AHC to identify all five sites in the contract and for the AHC to meet with the Recreation Commission to discuss the Haywood Avenue lot. Staff will provide the AHC with a copy of this discussion.

Trust Fund Contract 2007-3: Chairman Sears explained that the Town issued a Request for Proposal (RFP) for a grant consultant under the Trust Fund. He explained that a consultant could expedite projects and leverage additional funds. The CPC held a general discussion about the Housing Assistant Corporation (HAC) and the services they offer. Jim Carroll moved to approve the Trust Fund contract, seconded by Hugh Hilliard. Vote unanimous 9-0-0. Discussion: Jim Carroll would like the Town to submit a separate application for a grant writer rather than using the funds from the Trust Fund. The CPC discussed the capabilities of the Trust Fund, in terms of acquiring homes, rehabilitation of properties, and borrowing limits. The CPC also discussed hiring a grant consultant with administrative funds. Tom Roche suggested the CPC place 5% into the administrative account in the future. Jennifer Coutinho stated that the CPC could use operating funds to hire a consultant or incorporate consultant fees into a project. She added that FY07 expenses totaled \$12,000 and \$38,000 was set aside for FY08 expenses.

Open Space Update: The CPC reviewed Heather McElroy responses to the Town's proposed land acquisition procedures and didn't offer any additional comments.

Jack Mulkeen reported that the Open Space Committee discussed the property located at 550 Route 28, South Yarmouth. He explained that he has been in contact with the property owner, who also owns two adjoining lots at 19 West Yarmouth Road and 25 West Yarmouth Road. He stated that the owner mentioned combining all three properties and doing something with them, although there is no business plan or architectural plans. The owner understands that the building is in poor condition; however, he would like to deal with all three properties simultaneously. Mr. Mulkeen made a motion to enter into executive session at 4:28 p.m. and reconvene the open session under Chapter 39, section 23B, to discuss the property at 550 Route 28. Mr. Carroll seconded. Roll call: Curtis Sears, yes; Tom Roche, yes; Jim Carroll, yes; Hugh Hilliard, yes; Gloria Smith, yes; Jack Mulkeen, yes; Mary Ann Walsh, yes; John Biega, yes; Gary Ellis; yes. Vote unanimous (9-0-0).

Jack Mulkeen moved to adjourn the executive session and reconvene the regular meeting at 5:07 p.m. Tom Roche seconded. Roll call: Curtis Sears, yes; Tom Roche, yes; Jim Carroll, yes; Hugh Hilliard, yes; Gloria Smith, yes; Jack Mulkeen, yes; Mary Ann Walsh, yes; John Biega, yes; Gary Ellis; yes. Vote unanimous (9-0-0). The project was referred back to the Open Space Committee.

Brief Update on Approved Projects: The Housing Authority heating system has been installed. The Brush Hill Road project is underway and the lots have been cleared. Chairman Sears stated that the Town rejected the Taylor Bray Farmhouse bids because of the budget. Tom Roche asked if there was a mechanism to transfer the property from the Town to a non-profit association. John Biega stated that, in the past, the South Yarmouth Library conveyed the building to the Town. The CPC stated that they would like to confer with Town Counsel about the possibility of transferring the property.

Adjourn: The CPC unanimously voted to adjourn the meeting at 5:26 p.m.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
August 8, 2007
FINAL

PRESENT: Curtis Sears, Tom Roche, Jim Carroll, Gloria Smith, Jack Mulkeen

STAFF: Robert C. Lawton Jr., Jennifer Coutinho

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

Chairman Sears opened the Community Preservation Committee (CPC) meeting at 3:10 p.m. All members except Mary Ann Walsh, John Biega, Gary Ellis, and Hugh Hilliard were present.

COMMITTEE BUSINESS

Bonding Projects: Robert Lawton explained that there was no Landbank debt when the Town adopted the Community Preservation Act (CPA). He noted that the Board of Selectmen (BOS) is willing to review specific projects that would require municipal bonds. He suggested that if the CPC would like to bond a project, then they should inform the BOS as soon as possible because the Board would ultimately decide to sign the bond. He explained that if the CPC borrowed \$4 million for 15 years at 4% or \$4 million for 10 years at 4.5%, the payments in the first year would be \$440,000 and \$580,000 respectively. Payments would decrease in subsequent years. The CPC would pay approximately \$5.2 million if they bonded \$4 million for 15 years. A CPA bond would require a vote at Town Meeting rather than a ballot vote.

Gloria Smith asked about the possibility of selling municipal buildings. Robert Lawton stated that when the Town sells a municipal building, the proceeds are placed into a sale of land account and can't be utilized for general municipal purposes.

The CPC could bond against the annual revenue, not the State match. Jennifer Coutinho noted that the Town receives \$1 million annually in CPA revenue, of which approximately \$700,000 is set aside to the budgeted reserve and \$109,000 is set aside to each of the three 10% reserves. Robert Lawton noted that the CPC could commit \$700,000 for bonding unless they choose to commit from the 10% reserves.

Jim Carroll referenced the Flax & Sandy Pond Master Plan and noted that there currently is a summer building rather than a twelve-month building that the Town could use for a variety of events. The purpose for encouraging the school department to become involved is to utilize State and Federal funds. Robert Lawton noted that Sandy Pond would be fine whereas Flax Pond is restricted and would require Board of Appeals (BOA) approval.

544 Route 28 application #33: Robert Lawton stated that the Town recently purchased 544 Route 28 with \$200,000 from the land acquisition account and \$455,000 in borrowing. He then noted that this application is for consideration at ATM 08. The application requests \$165,000 to purchase the

front of the property for open space/recreational purposes and improve the landscaping. The front portion of the property along Route 28 would be utilized for CPA purposes and the back portion of the property for municipal use. The parks department is refining the landscaping figure and the Open Space Committee will delay a final vote on the project until they meet with Robert Lawton.

Tom Roche added that Sovereign Bank plans to improve its landscaping to compliment the new Walgreen's on Route 28. The CPC discussed the problem the Town has with property maintenance and the need to hire additional staff for maintenance. It was noted that the public frequently uses Old Town House Road Park and the fields at Sandy Pond.

281 Route 28 Update: Robert Lawton reported that the Town completed a 21E site assessment and the project would advance in mid-September. Jim Carroll stated that if the scope of a project changes during the process and is different from the application, then the applicant should come back to the CPC for approval. Robert Lawton replied that it would depend on how the Town Meeting article is written. The application for the 1750 House project includes costs associated with purchasing the land, demolition, legal fees, environmental assessment, and other related costs. In an effort to spend older funds, the Town paid for the environmental assessment from a Landbank account.

ADMINISTRATIVE BUSINESS

Correspondences: The CPC reviewed a memo from Stuart Saginor, of the Community Preservation Coalition, regarding unspent administrative funds reverting into the CPA fund and a memo from Jennifer Coutinho requesting an extension of the land acquisition comment period; as well as two Cape Cod Times articles about the CPA. They also received a copy of the PY07 Community Development Block Grant (CDBG) funds, which are available for handicap accessibility, blight removal, public services, and public facilities.

OTHER BUSINESS

Operating Expenses: Jim Carroll stated that the CPC should set aside 5 percent for operating expenses. He stated that there is a need for a grant writer to find other funding sources. Tom Roche asked if the CPC could hire a grant writer to work on selected projects. Chairman Sears stated that he is planning to meet with a grant consultant and would report to the CPC.

Route 28: There was a general discussion about the Growth Incentive Zone (GIZ) for Route 28. Chairman Sears stated that the CPC shouldn't focus on purchasing taxable properties. He prefers to encourage private developers to redevelop properties on Route 28 rather than the Town. Tom Roche stated that the group could focus on high points along the corridor. Jack Mulkeen noted that there is a property near Chase Garden Creek that he may pursue.

Selectman Goals: The CPC discussed the Board of Selectmen (BOS) goals '07-'08 and how their goals relate. They discussed the connections among the goals, such as monitoring water quality, support affordable housing, support implementation of plans for Packet Landing and Bass River, as well as, several other goals.

Land Research: Chairman Sears stated that he has obtained the contact person of the Diocese in Fall River, MA. Jim Carroll noted that Recreation Commission met with the Director of St. Pius in Yarmouth. Jack Mulkeen stated that an authority figure should contact the Diocese rather than contacting the local Parish. Jennifer Coutinho informed the group that Mary Waygan has been in

contact with a person from the planning office for urban affairs who is affiliated with the Catholic Church.

APPROVAL OF MINUTES

Tom Roche moved to approve the July 25, 2007 minutes as amended. Gloria Smith seconded. Vote unanimous 5-0-0.

ADJOURN

As there was no further business, Gloria Smith moved to adjourn the meeting at 4:35 p.m. Tom Roche seconded. Vote unanimous 5-0-0.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant



Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
July 25, 2007
FINAL

PRESENT: Curtis Sears, Tom Roche, Jim Carroll, Gary Ellis, Jack Mulkeen, Gloria Smith

GUESTS: Hugh Hilliard, Jack Grebe, Donna Killeen

STAFF: Karen M. Greene, Jennifer Coutinho

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

Chairman Sears opened the Community Preservation Committee (CPC) meeting at 3:00 p.m. All members except Mary Ann Walsh and John Biega were present.

APPROVAL OF MINUTES

Jack Mulkeen made a motion to approve the 7/11/07 minutes as written. Gloria Smith seconded. Discussion: The CPC agreed to add a staff section to the meeting minutes. Vote unanimous 6-0-0.

ADMINISTRATIVE BUSINESS

Correspondence: Two correspondences were sent to the Board of Selectmen (BOS) regarding Community Preservation Act (CPA) funds committed for projects and the Department of Housing and Community Development (DHCD) recently opening its grant round for the Housing Assistance Corporation Project. They also reviewed the State's coastal and estuarine land conservation program. There was a suggestion to talk to Brad Hall about projects that could utilize funding.

COMMITTEE BUSINESS

Long Pond Plaza Heat and Hot Water System Contract (2007-1): Donna Killeen, Executive Director of the Yarmouth Housing Authority, stated that sealed bids were recently opened the lowest bid was \$276,000. The CPA grant will provide \$230,000 and the State will pay for the remaining balance. She then explained that the Housing Authority follows DHCD's statutory provisions and the contractor submits a work schedule and a schedule of values for approval. Staff will add a condition into the CPA contract, which states that the Town shall receive a schedule of values before disbursing any funds.

Donna Killeen added that the heating system would be completed by September 2007 and parking lot modifications would begin shortly thereafter. She brought the Design Document and explained that that a DHCD engineer has been providing project oversight. The boilers will be high-efficiency and there would be separate zones in each complex.

Jim Carroll asked if the Town pays the contractor or the Housing Authority. Karen Greene replied that the Town would receive invoices from the Housing Authority and directly pay the Housing Authority. It is the responsibility of the Housing Authority to pay for vendor services.

Tom Roche made a motion to have Chairman Sears, Karen, and Jennifer work on the final wording of the contract. Jack Mulkeen seconded. Vote unanimous 6-0-0.

Brush Hill Road Contract (2006-6): The CPC reviewed the revised milestones that Tom Roche, Pearl Wolfson, Karen Greene, and Jennifer Coutinho developed. Grant payments would be issued throughout the project with disbursements after the certificate of occupancy is received for each unit. Gary Ellis suggested changing the wording in the second milestone to a certified plot plan. The CPC accepted the change. Gloria Smith moved to accept the Brush Hill Road contract. Gary Ellis seconded. Vote unanimous 6-0-0.

Land Research: Jack Mulkeen suggested pursuing a parcel of land on Higgins Crowell Road, which is owned by the Diocese of Fall River, MA. The CPC discussed utilizing the parcel as well as a parcel off Route 6A for affordable housing and open space purposes. Gloria Smith noted that she has sent two letters to the owners and has not received a response. The CPC discussed the possibility of asking an authority figure to offer a partnership with the property owner. Chairman Sears will conduct research on the issue.

Chairman Sears inquired if the CPC would be interested in pursuing 550 Route 28. He stated that Bob Lawton would discuss the project with the group at their next meeting. Jim Carroll stated that he spoke with the property owner, who said that he is waiting for the Town to approach him. Jim Carroll provided Jack Mulkeen with the property owner's contact information.

OTHER BUSINESS

Flax and Sandy Pond Master Plan: Jim Carroll stated that the Town has issued a contract for the Flax and Sandy Pond project. He noted that the contract is written in a modified management by objective format, which could be used for CPA proposals. Staff will contact the Recreation Division to obtain a copy of the contract.

Operating Expenses: The CPC discussed the administrative budget and whether the funds set aside carry over from year to year. Jim Carroll noted that his understanding from Stuart Saginor of the Community Preservation Coalition was that the administrative funds stayed in the accounts. Jennifer Coutinho referred to the Department of Revenue CPA guidelines 00-209, which explains that any unspent and unencumbered operating balance should be closed to the CPA fund at the end of the fiscal year. Staff will contact the Coalition for clarification on the issue.

Grant Consultant: Tom Roche asked the group about the possibility of hiring a grant writer to assist with all four CPA project areas. Staff will request information from the Community Preservation Coalition as to whether CPA funds could be used to hire a housing or grant coordinator. Gary Ellis suggested having the applicant meet with the grant writer to pursue other funding sources for specific projects. Chairman Sears offered to contact a local grant writer to inquire about services.

ADJOURN

As there was no further business, Jack Mulkeen made a motion to adjourn the meeting at 4:21 p.m. Gloria Smith seconded. Vote unanimous 6-0-0.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
July 11, 2007
FINAL

PRESENT: Curtis Sears, Tom Roche, Jim Carroll, Gary Ellis, Jack Mulkeen, Gloria Smith, Priscilla Gregory,

GUESTS: Mary Herberich, Jennifer Coutinho

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

Chairman Sears opened the Community Preservation Committee (CPC) meeting at 3:03 p.m. All members except Mary Ann Walsh and John Biega were present.

Priscilla Gregory informed the group that Hugh Hilliard would now serve as the Historic Commission representative.

OTHER BUSINESS

Brush Hill Road Contract: The CPC and Pearl Wolfson, Our First Home, Inc., reviewed two milestone schedule samples. The first schedule showed the Community Preservation Act (CPA) payments from the land disposition to the lumber purchase. The second schedule showed the CPA payments spread throughout the project with a final payment after the certificate of occupancy.

Gary Ellis stated that he not comfortable with the first schedule because the funds are expended before the home are built. He then asked if the company had a builder's risk policy. Pearl Wolfson replied that there would be a policy for the project. She added that there are two sets of architectural plans and one modified plan for handicap accessibility. Tom Roche stated that lumber companies often have generic plans available.

Jim Carroll made a motion to have Tom Roche, Pearl Wolfson, Karen Greene, and Jennifer Coutinho work together to develop the milestones for the Brush Hill Road contract. Gloria Smith seconded. The motion carried 6-1-0 with Chairman Sears voting in the negative. Chairman Sears made a motion to distribute the CPA funds for the cost of land prior to signing the contract. Chairman Sears withdrew his motion.

APPROVAL OF MINUTES

Tom Roche made a motion to approve the 6/13/07 minutes as written. Priscilla Gregory seconded. Vote unanimous 7-0-0. Discussion: Jim Carroll stated that when the CPC makes a change to the minutes, the change should be recorded as, "the minutes were approved as amended".

ADMINISTRATIVE BUSINESS

Correspondence: The CPC reviewed a correspondence from Jennifer Coutinho to Mark Robinson regarding the Dennis Pond application for the State self-help grant. They reviewed another correspondence from Jennifer Coutinho to the Board of Selectmen regarding the status of the matching funds for the Yarmouth Affordable Home Ownership Program.

COMMITTEE BUSINESS

544 Route 28 Application (#33): Jim Carroll made a motion to table the application until the CPC receives a project budget for the amount requested. Tom Roche seconded. Discussion: Jim Carroll stated that the application doesn't say what the CPA funds would be used for. Chairman Sears clarified that the funds would be used to purchase the front portion of the property.

Jack Mulkeen explained that the Open Space Committee (OSC) voted 3-1 not to support the project because it doesn't fit within the Open Space goals and the Town has already purchased the property at this year's Town Meeting. Chairman Sears stated the Town purchased the property with the intention of applying for CPA funds. Jim Carroll stated that the neighboring property owner would be open to tearing down the building, but keeping the footprint. Chairman Sears stated that it's nice to eliminate properties in poor condition, but the Town shouldn't make a habit of taking developable properties off the tax role. Jack Mulkeen stated that, in the past, Landbank considered purchasing 544 Route 28. Landbank purchases become open land and can't be used for development in the future.

Jim Carroll stated that he has a concern with how the application was presented, which is why he made the motion. He noted that the application doesn't say that CPA funds would be used to purchase the property; rather it says that \$10,000 would be used for plantings and the other for land clearing. He recommended that all future CPA applications are submitted with a solid budget. Jim Carroll withdrew his motion and Tom Roche withdrew his second. Staff will coordinate a meeting with the Town Administrator and the CPC to discuss the application and the long-range plan for the area.

Land Acquisition Procedures: The Town Administrator sent a Land Acquisition Procedure correspondence and requested comments from the CPC and OSC. The CPC discussed the current procedure from the initial contact with the property owner to the purchase and sales agreement. They also talked about the timing of appraisals, as well as, the expense of appraisals on properties that the Town may not purchase. Tom Roche suggested that the Affordable Housing Committee and the OSC work together relative to purchases.

Tom Roche made a motion to refer the land acquisition procedure to the OSC, based on the CPC discussion, adding some of the points that Mr. Lawton has of interest. Jim Carroll seconded. Vote unanimous 6-0-0. Discussion: Chairman Sears asked that the OCS comments come before the CPC prior to submitting them to the Town Administrator. Jim Carroll stated that the affordable housing plan calls for a housing coordinator in the Department of Community Development. He thinks it could be funded from the CPA administrative account. Gloria Smith added that the Town could save a lot of money if someone were available to handle all of the affordable housing. Staff will research if CPA funds could be used to hire a housing and grant coordinator and which account it could be charged to.

ADJOURN

As there was no further business, Vice Chairman Roche made a motion to adjourn the meeting at 5:16 p.m. Priscilla Gregory seconded. Vote unanimous 6-0-0.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
June 13, 2007
FINAL

PRESENT: John Biega, Jim Carroll, Gary Ellis, Priscilla Gregory, Jack Mulkeen, Tom Roche, Curtis Sears, Gloria Smith, Mary Ann Walsh

GUESTS: Hugh Hilliard, Jennifer Coutinho

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

Vice Chairman Roche opened the Community Preservation Committee (CPC) meeting at 3:03 p.m. All members were present and Chairman Sears arrived after the correspondence discussion.

APPROVAL OF MINUTES

The CPC reviewed the February 28, 2007 meeting minutes. Jim Carroll referenced the Flax & Sandy Pond master plan addendum discussion and stated that the motion was incorrect. He noted that Mary Ann Walsh moved two items, although the minutes only show her moving one item. Jennifer Coutinho stated that two motions were recorded. Gary Ellis suggested that when a motion is made, read aloud, and then the CPC votes on it.

Jack Mulkeen made a motion to approve the February 28, 2007 minutes as written, seconded by Jim Carroll. The vote was unanimous with Priscilla Gregory abstaining as she was not present for the meeting and Gloria Smith as she was not a CPC member at that time. Jim Carroll referred to the Flax & Sandy Pond Master Plan Contract discussion in the February 28, 2007 minutes, where Peter Johnson-Staub mentions a gymnasium. He then stated that, under the right conditions, there is a way to use CPA funds for a building that has a gymnasium.

Gary Ellis made a motion to approve the March 14, 2007 minutes as written, seconded by Jim Carroll. The vote was unanimous with Priscilla Gregory, Mary Ann Walsh, John Biega, and Curtis Sears abstaining, as they were not present at the meeting, and Gloria Smith abstaining as she was not a CPC member at that time. Mary Ann Walsh made a motion to approve the May 23, 2007 minutes as amended with changing the word in the last paragraph from “distributed” to “distributing”. Gary Ellis seconded. The vote was unanimous with Jack Mulkeen and John Biega abstaining, as they were not present at the meeting. Mary Ann Walsh made a motion to approve the March 28, 2007 minutes as written, seconded by John Biega. The vote was unanimous with Priscilla Gregory and Jack Mulkeen abstaining, as they were not present at the meeting and Gloria Smith abstaining as she was not a CPC member at that time. Gary Ellis made a motion to approve the May 9, 2007 meeting minutes as written, seconded by Mary Ann Walsh. The vote was unanimous with Priscilla Gregory abstaining as she was not present at the meeting.

ADMINISTRATIVE BUSINESS

Correspondence: In reference to a letter from Robert Lawton to Peter Hughes, the CPC discussed an archeological survey of an area located at Route 6A and Old Church Street. Jack Mulkeen stated that college students usually complete archeological surveys. Priscilla Gregory stated that she was unsure if college student could conduct such a survey because the area is on the National Register and located within the Old Kings Highway historic district. She will contact Peter Hughes to gather

more information, determine where the artifacts would be stored, and if they would be available for public viewing. The CPC also reviewed the response from Jim Lefter regarding the playground equipment dated 4/2/07. Vice Chairman Roche stated that the CPC talked about the possibility of purchasing more playground equipment with the savings from the installation charges.

Jennifer Coutinho stated that she sent a correspondence to Brad Hall regarding the Dennis Pond self-help application and that she is gather the documents required to apply for the grant. Jack Mulkeen referred to the Dennis Pond land acquisition and stated that there was a delay in the transaction taking place, due to the Town soliciting a second appraisal for the property. He feels that the second appraisal on the property is to meet the grant application requirements and would have no affect on the sale price of the property. He noted that this project was on the Town Meeting warrant and the Board of Selectmen (BOS) supported it. When Mark Robinson met with the International Fund for Animal Welfare (IFAW) and the Nature Conservancy, the purchase and sales agreement was not signed by the BOS, which showed a lack of commitment from the Town. He noted that the self-help grant reimbursement should not have been placed in jeopardy. Jennifer Coutinho noted that, while there was a temporary delay, the project is moving forward as scheduled. The CPC continued by discussion the public perception of having a person who sits on a Town committee obtain work from the Town for the same project.

OTHER BUSINESS

The CPC reviewed the revised CP-3 report and signed off on it. Jack Mulkeen stated that there was a newspaper article on Amanda Gougeon, who brought the playground issue forward. The CPC discussed the playground project and it was noted that the equipment was likely not ordered because the CPC is expecting a final proposal.

Jennifer Coutinho informed the group that the group would receive the Brush Hill Road, motel pre-development, and the affordable housing feasibility study contracts soon. The group discussed the Brush Hill Road project milestones, deed rider, and the regulatory agreement. Jim Carroll stated that three Town departments do not submit a Request for Qualification (RFQ), after which he questioned the value of a RFQ because it takes months to complete. Priscilla Gregory stated that an RFQ enables the reviewer to evaluate the qualifications in relation to the type of bid that would be issued and to ensure that work is completed well.

The CPC held a general discussion on the property located at 544 Route 28, the neighboring property, parts of the building that might be salvaged, the status of the 1750 House, as well as, the John Simpkins School and the possibility of using the building for municipal services.

ADJOURN

As there was no further business, the CPC unanimously voted on a motion by Chairman Sears, seconded by Tom Roche, to adjourn the meeting 4:21 p.m.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
May 23, 2007
FINAL

PRESENT: Tom Roche, Jim Carroll, Gloria Smith, Priscilla Gregory, Curtis Sears,
Mary Ann Walsh, Gary Ellis

GUESTS: Stuart Saginor, Hugh Hilliard, Jennifer Coutinho

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

Chairman Sears opened the Community Preservation Committee (CPC) meeting at 3:05 p.m. All members except Jack Mulkeen and John Biega were present.

ADMINISTRATIVE BUSINESS

Community Preservation Coalition 2007 Membership: Stuart Saginor, Executive Director of the Community Preservation Coalition, explained that the Coalition supports 127 communities who have adopted the CPA. The coalition is a non-profit organization made up of two staff and a steering committee. He suggested discussing the pending Community Preservation Act (CPA) legislation, which Towns/Cities have adopted the CPA, State match projections, and then have an open discussion. He explained that the State Trust Fund receives revenue from a surcharge from every document that is filed at the Registry of Deeds. At one point, there was \$128M in the account and the State is still working off that excess. The revenue into the Trust Fund has diminished over the past couple years because real estate volume has slowed down and more communities have adopted the CPA. There should be about 130-150 communities (out of 351 communities) who have adopted the CPA to have influence at the legislative level.

He stated that the State match projection is difficult because there are many variables, such as home sales, the number of communities that have adopted the CPA and the surcharge percentage for the communities that have adopted the CPA. The CPA can be revoked after five years, so the trend could increase or decrease as the communities reach the five-year point. The State match projection is FY08 – 100%; FY09 55 – 65%; and FY10 – 35-40%. The Coalition filed legislation in January 2007 for a technical correction to the Act and to direct more funds to the State trust fund by raising the deed fee, which is predicted to support a 75% match. The Coalition works to deflect bills filed against the CPA, and in January 2007, there were about 6,600 bills filed. The Coalition filed legislation on January 10, 2007 proposing ways to direct more revenue to the State trust fund, as well as, some other technical corrections. The Coalition has asked the State to guarantee a 75% State match by raising the deed fee each year to a point at which would support a 75% match. Essentially, the Department of Revenue (DOR) would send checks to the CPA communities and then calculate the fee for the next year in order to support the match.

He continued by distributing the CPA project eligibility chart and suggested that the CPC reference it when they receive an application. He referenced the last category to rehabilitate and restore, and stated that when the CPA first passed, a community was not suppose to rehabilitate or restore an asset unless the asset was purchased with CPA funds. The law was amended to allow the rehabilitation and restoration of historic resources. Currently, there is legislation to make the exact

same change for recreation, as well as adding the term “outdoor” recreation. He explained that a community could not use CPA funds to rehabilitate or restore a recreational asset that was not acquired with CPA funds. Newton and Wayland have lawsuits over the recreation issue, as Newton rehabilitated two parks and in Wayland, there was a grass athletic field, which was replaced with artificial turf.

Jim Carroll stated that Bourne passed an article to create five baseball parks, which does not fit within the CPA. Stuart Saginor replied that if there were a recreational field located on the property before, then the project wouldn't qualify; however, if it is town-owned property and there has never been a recreational asset on the property, then the project would qualify for CPA funds. Recreational assets can be created on any land regardless of who owns it.

Gloria Smith asked if a historic building burnt down, could it be rebuilt. Stuart Saginor replied that it is allowable under the CPA and you can recreate a historic structure.

He then stated that some of the services the Coalition offers are a newsletter, hotline, and a project database. They are planning to upgrade the web site this summer. After the CPC discussed the presentation, Jim Carroll moved to approve the 2007 Coalition membership, seconded by Mary Ann Walsh. Vote unanimous (7-0-0).

COMMITTEE BUSINESS

Correspondence: The CPC received a memo from the Town Administrator containing information from a Conflict of Interest seminar. The CPC also reviewed a letter from the Yarmouth Historical Commission (YHC) to Brian Braginton-Smith regarding the Jack Braginton-Smith Historical Collection. Jennifer Coutinho informed the CPC that Brian Braginton-Smith submitted a CPA application in August 2006. In response to the application, Priscilla Gregory informed him that he would need to have the artifacts appraised by a certified appraiser before meeting with the CPC.

FY07 CP-3 Report: After a general discussion, staff will change to the description section of the playground project and provide it to the CPC for approval at their next meeting.

Contract 2006-6 (Land Acquisition, Legal Fees, and Construction #5): The CPC reviewed the draft contract for the Brush Hill Road project. They discussed the contract and the milestones for CPA payments. The milestones as presented showed the entire CPA grant paid upon completion of the foundation installation. There was general agreement that the CPA grant should be spread out through the entire project and final payment made when construction is complete. Jennifer Coutinho stated that comments could be submitted to her by May 30, 2007 and that she would provide the revised contract at the next meeting.

ADJOURN

As there was no further business, the CPC unanimously voted to adjourn the meeting at 5:28 p.m.

Respectfully submitted,
Jennifer Coutinho, CPA Assistant

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
May 9, 2007
FINAL

PRESENT: Tom Roche, Jim Carroll, Curtis Sears, Mary Ann Walsh, Gary Ellis, John Biega, and Jack Mulkeen

GUESTS: Jim Hoben, Karen M. Greene, Jennifer Coutinho

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

Chairman Hoben announced his resignation and yielded the meeting to Vice Chairman Sears, who then opened the Community Preservation Committee (CPC) meeting at 3:06 p.m. All members except Priscilla Gregory and an Affordable Housing Committee representative were present.

COMMITTEE BUSINESS

Correspondence: The CPC reviewed the Request for Proposal (RFP) to update the Open Space and Recreation Plan (OSRP). Karen Greene, Director of Community Development, asked the CPC to consider partially funding at least 25% of the cost from the operating expense account because the update is related to the Dennis Pond Land acquisition project and a requirement for the State self-help grant. The CPC discussed how the plan was funded in prior years, whether an application should have been submitted for the project. After a general discussion, the CPC concluded that the request is not a Community Preservation Act (CPA) project and they did not approve funding this request.

ADMINISTRATIVE BUSINESS

Officer Election: Jennifer Coutinho informed the group that the Affordable Housing Committee would select a member on 5/14/07 to serve as the CPC representative. Jack Mulkeen moved to nominate Curtis Sears to serve as Chairman, second by Mary Ann Walsh. Vote unanimous (7-0-0). John Biega moved to nominate Tom Roche to serve as Vice Chairman, seconded by Mary Ann Walsh. Vote unanimous (7-0-0).

OTHER BUSINESS

Community Preservation Coalition 2007 Membership: There was general discussion about joining the organization and the Cape Cod communities that have joined to date. Staff will contact the Community Preservation Coalition to schedule a meeting with the CPC.

CPA Inquiries: The CPC reviewed the spreadsheet and discussed potential projects that they would like to pursue for the next funding cycle. Out of ten inquiries, they were interested in pursuing one affordable housing, one historic, and four open space projects. There was a suggestion to create a community garden, possibly in conjunction with the Route 28 improvement efforts. The Open Space Committee will contact the open space inquiries and staff will contact the other parties to provide them with a CPA application package.

APPROVAL OF MINUTES

Mary Ann Walsh moved to approve the 12/13/06, 12/20/06, 1/3/07, and 1/24/07 minutes as written, seconded by John Biega. The vote was unanimous for the: 12/13/06 minutes, with John Biega abstaining (6-0-1); 12/20/06 and 1/3/07 minutes, with Mary Ann Walsh abstaining (6-0-1); and 1/24/07 minutes, with Gary Ellis abstaining (6-0-1), as they were not present for the meeting.

Jim Carroll referred to the payment of CPA funds from the 2/7/07 discussion and stated that he recalled that he made a motion to establish a policy for payment of bills and Mary Ann Walsh amended the motion. He noted that when the CPC was established, there were no policies or procedures. Since then the CPC developed a policy them since. He explained that all policies, which are a course of action, become an administrative activity. He then noted that the Assistant Town Administrator set the policy for the group at the 2/28/07 CPC meeting, which he thinks is wrong. He noted that the CPC does not follow its own policies.

Chairman Sears stated that the Assistant Town Administrator was ensuring that following the proper procurement procedures. His understanding is that the Assistant Town Administrator subsequently confirmed that the Town could collect invoices for non-profit projects.

Jennifer Coutinho stated that she is anticipating receiving a memo from the Assistant Town Administrator regarding the issue. She then explained that in addition to submitting invoices, the grantee signs off on a request for payment form. The request for payment form contains a project milestone schedule, which are linked to their contract. The Town approves the request for payment form after the work is inspected. Mary Ann Walsh stated that the invoice serves to audit the request for payment and the current process is for the grantee to sign the request for payment form.

Mary Ann Walsh moved to approve the 2/7/07 minutes as written, seconded by Tom Roche, with John Biega abstaining. Vote unanimous (5-0-1).

The group also discussed the plans for the playground equipment at the John Simpkins School. Tom Roche suggested contacting the companies who manufacture the playground equipment to determine the best way to move it. Chairman Sears note that he and the Yarmouth Chamber of Commerce have been researching some options.

ADJOURN

As there was no further business, the CPC unanimously voted on a motion by Tom Roche, seconded by Mary Ann Walsh, to adjourn the meeting 4:40 p.m.

Respectfully submitted,
Jennifer Coutinho
Community Preservation

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
March 28, 2007
FINAL

PRESENT: Jim Hoben, Jim Carroll, Tom Roche, Gary Ellis, Mary Ann Walsh,
Curtis Sears, and John Biega

GUESTS: Art DeBonville, Robert C. Lawton, Hugh Hilliard, Jennifer Coutinho

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

Chairman Hoben opened the Community Preservation Committee (CPC) meeting at 3:03 p.m. All members except Priscilla Gregory and Jack Mulkeen were present.

COMMITTEE BUSINESS

Correspondence: Jennifer Coutinho stated that she spoke with Pat Armstrong, Recreation Division Director, regarding the CPC's modified vote on 3/14/07 for the Flax & Sandy Pond Master Plan. Pat Armstrong stated that, since the Request for Quotation was issued, the modifications would be included in the Request for Proposal.

Dennis Pond Land Acquisition (#20): Jennifer Coutinho explained that she received a correspondence from Mark Robinson and the Conservation Restriction will include a provision to restrict hunting on the property. The CPC then reviewed the memo dated 3/15/07 regarding the CPC position on the issue. Chairman Hoben stated that in order to qualify for state Self-Help funds, the Town could not have assumed ownership of the land. To facilitate the transfer of the land to the Town, Mr. Robinson sought the participation of an intermediary, who is receiving a temporary loan from a non-profit organization. Mr. Robinson informed the CPC at their 3/14/07 meeting that the non-profit would want to prevent hunting on the property.

John Biega moved to make a recommendation to the Board of Selectmen (BOS) to sign the purchase and sales agreement with a deed restriction prohibiting hunting to ensure the Town qualifies for the State grant, seconded by Tom Roche. Discussion: Curtis Sears stated that he inquired about the Management Plan and Mark Robinson did not explain that hunting would be restricted. Gary Ellis stated that hunting is restricted on the adjacent lots, but is allowed on the southern side of the pond. The motion was withdrawn from the table and the group continued to the next agenda item. The CPC continued this discussion later in the meeting. Robert Lawton stated that the Compact of Cape Cod sent a letter to the non-profit organization's lawyer indicating that the CPC had made a commitment that the Town wouldn't allow hunting on the property. He was subsequently informed that the CPC did not make any commitment or sign any documents, after which he asked the CPC to consider what they would be comfortable recommending to the BOS. Chairman Hoben stated that, at this point in the project, he would have concerns securing a different third-party lender and maintaining State grant eligibility. After some discussion, it was determined that the hunting restriction would be mentioned in the Town Meeting explanation. John Biega moved to bring the motion back as recorded, seconded by Tom Roche. The motion carried 7-1-0 with Curtis Sears opposed.

Clarification on John Simpkins Study Application (#30): Art DeBonville referred to the approval letter from the CPC to the John Simpkins School Re-Use Committee (JSC) dated 2/12/07 and the cost

estimate from Durland Van Voorhis dated 2/16/07. He asked for clarification on the conditions as set forth by the CPC, which are (1) funds could be used to assess the architectural and structural analysis of the building, as well as general cost estimate for upgrading the building to meet current codes for a new use; (2) funds should not be used for a civil, mechanical, electrical, plumbing, fire protection systems survey, or a hazardous materials review; and (3) a historic preservation restriction shall be placed on the property to preserve the historical features of the building. Chairman Hoben stated that the CPC felt that condition #2 would directly relate to the use of the building, and the JSC recommendation may be a non-CPA eligible use. One can assume that the electrical, plumbing, and heating would be replaced regardless of the results of an analysis.

Art DeBonville stated that the CPC could help develop the Request for Proposal (RFP). He noted that the JSC has been soliciting the public and have received very few responses. They continued a general discussion on options for the property. Chairman Hoben responded that he envisions the RFP to include building information like zoning and square feet, such that the respondent to the RFP has a basic understanding of the project. There was a general discussion on the potential uses and the availability of CPA funds if the project is approved at Town Meeting.

OTHER BUSINESS

Annual Town Meeting Preparation: The CPC reviewed twelve Community Preservation Act (CPA) articles on the warrant, after which Jennifer Coutinho asked the group if they had any changes or additions to the explanations. Jim Lefter will amend the playground equipment article from Town Meeting floor because the Flax Pond and Route 6A playgrounds will be a component of Phase II rather than Phase I due to the amount of funds necessary to complete the project. Chairman Hoben will point out that estimated FY08 State match contribution is 100%. Staff will post a CPC meeting notice for April 10, 11, and 12 from 6:30 – 7:00 p.m. before Town Meeting commences.

Playground Equipment – Revised Phase I Design Package: The CPC discussed O’Brien and Sons revised quotation of March 8, 2007. Details of the project will be included in the contract prior to fund disbursement. Staff will send a letter to Jim Lefter, Assistant Department of Public Works (DPW) Director to request the following information: (1) how much of the of \$24,000 installation charge would be saved with the equipment that the DPW plans to install; (2) with the excess savings, which pieces would be purchased and where would they be sited; (3) provide a list of equipment that will remain at each playground; (4) review the itemized description because it does not match with the photographs and designs; and (5) add shading around existing equipment to differentiate between new and existing equipment.

ADJOURN

As there was no further business, the CPC unanimously voted on a motion by Curtis Sears, seconded by Mary Ann Walsh, to adjourn the meeting at 4:45 p.m.

Respectfully submitted,
Jennifer Coutinho, Community Preservation

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
March 14, 2007
FINAL

PRESENT: Jim Hoben, Jim Carroll, Tom Roche, Jack Mulkeen, Gary Ellis

GUESTS: Jennifer Coutinho

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

Chairman Hoben opened the Community Preservation Committee (CPC) meeting at 3:12 p.m. All members except Curtis Sears, John Biega, Priscilla Gregory, and Mary Ann Walsh were present.

COMMITTEE BUSINESS

Correspondence: The CPC received the Roundtable Handouts on Affordable Housing from Bob Murray, Falmouth Housing Authority, a University of Massachusetts Housing Poll, and a Cape Cod Times article regarding the Cape's housing woes. They also received two outgoing correspondences regarding requests from the Recreation Commission and the Historical Society of Old Yarmouth.

ADMINISTRATIVE BUSINESS

Vote on Brush Hill Road: The CPC set aside funds at Special Town Meeting 2006 to the successful bidder for the Brush Hill Road project. Our First Home was subsequently awarded the project. The CPC reviewed the application and formally voted on the project. Jack Mulkeen moved to name the Our First Home as the proponent of the Brush Hill Road contract. Tom Roche seconded. Vote unanimous (5-0-0). Discussion: none.

Flax & Sandy Pond Master Plan (2006-4): The CPC received the Request for Qualification (RFQ) for the Master Plan. Jim Carroll stated that the RFQ is a finished product and that the CPC and the Recreation Commission should have had an opportunity to review and approve it prior to public issuance.

The CPC discussed the memo from the Jim Hoben to Patricia Armstrong, Recreation Division Director, dated 3/1/07 regarding the CPC vote on the Master Plan addendum. Jim Carroll stated that the memo is incorrect after which he distributed a synopsis that he recapitulated what took place at the 2/28/07 CPC meeting. Following a discussion of the project, Jim Carroll moved to amend the third bullet to read – the Flax and Sandy Pond Master Plan could include an Impact Statement for the use of the Sandy Pond area and to not include the use of a 25,000 sq. ft. multi-purpose facility, as well as striking the opinion of Town Counsel. Jack Mulkeen seconded. Vote unanimous (5-0-0).

Jim Carroll stated that he would like the forth bullet removed, which reads, “The Committee feels that the use CPA funds for a Community Center or its study as part of the master plan is not consistent with either the application or our approval”. He then talked about Town Counsel's decision and the Department of Revenue (DOR) information about CPA funds in relation to a

Community Center. There was a general discussion about funding projects involving buildings without knowing if the use would be CPA eligible. It was determined that the first, second, and forth bullets would not change.

OTHER BUSINESS

The Community Preservation Coalition 2007 membership and the amended contracts were postponed to a future CPC meeting.

Dennis Pond Hunting Restriction: Jack Mulkeen stated that the issue of a no-hunting provision for the Dennis Pond parcel was brought to the CPC attention. He explained that Mr. Robinson informed him that a lender to the Yarmouth Conservation Trust would want to restrict hunting on the parcel. After some discussion, staff will write a letter to Mr. Robinson affirming the CPC's opinion that the hunting restriction is merited by the potential State grant reimbursement.

APPROVAL OF MINUTES

Tom Roche moved to approve the December 6, 2006 minutes as written, seconded by Gary Ellis. Vote unanimous (5-0-0).

ADJOURN

As there was no further business, the CPC unanimously voted on a motion by Tom Roche, seconded by Jack Mulkeen, to adjourn the meeting at 5:06 p.m.

Respectfully submitted,
Jennifer Coutinho
Community Preservation

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
February 28, 2007
FINAL

PRESENT: Jim Hoben, John Biega, Curtis Sears, Jim Carroll, Tom Roche, Jack Mulkeen, Mary Ann Walsh, Gary Ellis

GUESTS: Peter Johnson-Staub, Hugh Hilliard, Jack Grebe, Mark Robinson, Jennifer Coutinho

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

Chairman Hoben opened the Community Preservation Committee (CPC) meeting at 3:01 p.m. All members except Priscilla Gregory were present.

COMMITTEE BUSINESS

Flax & Sandy Pond Master Plan Contract: Peter Johnson-Staub, Assistant Town Administrator, stated that a Request for Qualification (RFQ) has been issued for the Flax & Sandy Pond Master Plan. There was a vote at the Recreation Commission meeting on 2/27/07 to authorize Jim Carroll to ask the CPC for some changes to the Community Preservation Act (CPA) grant application.

The CPC reviewed a memorandum dated February 27, 2007 from the Recreation Commission to Jim Carroll, which stated that at the Recreation Commission unanimously voted to authorize Jim Carroll, on behalf of the Commission, to go before the CPC on February 28, 2007 and request that the Sandy Pond Recreation Area Comprehensive Master Plan include an impact statement for (1) the development of a 25,000+ square foot multi-purpose facility at the Sandy Pond recreation area and (2) a survey limited in scope building off the results of the 2001 Open Space and Recreation Survey, such as new arrivals to the area, recent retirees and young families.

Peter Johnson Staub explained that the survey is within the scope of the Town Meeting vote and the grant application. He then stated that part of the concept was to build a Community Center. However, Town Counsel rendered an opinion that CPA funds could not be used to build a Community Center, and therefore, a study of a Community Center is not an allowable CPA use. His understanding is that an allowable use of CPA funds could be to layout a map with trails, parks, and a building to see how they would integrate and fit on the land.

Jim Carroll requested examining how a building and other future activity would affect the Sandy Pond playground area. He added that, in this case, the Town Meeting warrant article was a general statement without the details of the plan.

Chairman Hoben confirmed that the request is how the building would site within the master plan without cost scenarios, after which he noted that so long as the request is within the scope of the CPA application, then it is fine. He stated that the CPC should require applications to be specific so that the scope of projects does not change and that they remain consist with the Town Meeting vote. He recommended that the Recreation Commission separate the Flax & Sandy Pond Master Plan from the private Community Center project. Peter Johnson-Staub suggested moving forward with the Master

Plan to include where to best site a building in the facilities layout map and he does not think the plan needs to reference an impact study.

Grant Administration: Peter Johnson-Staub explained that the CPC reviews applications, and decides which projects to recommend to Town Meeting. If Town Meeting approves the article, staff in the Department of Community Development administers the grant.

Jim Carroll's understanding is that the CPC is responsible for spending the funds in the manner in which they were approved. Curtis Sears added that he would like documentation for projects to ensure that the funds have been spent in accordance with the application.

Peter Johnson-Staub stated that CPC could have updates on projects, but the Act and legislation make no mention of the Committee administering funds. The Attorney General determines if a project is a Town project or a private project. If the Town makes a CPA grant award to a private entity, not involving Town-owned property, then prevailing wage and chapter 149 rules do not apply. If the Town collects invoices for private projects then prevailing wage and chapter 149 would apply. The Town recently amended the CPA contract to include project milestones and CPA funds are disbursed after a site visit is conducted to verify work has been completed.

Jim Carroll stated that, at the last CPC meeting, the group formalized a process whereby invoices would be signed by the grantee that states the work was completed by a particular contractor. The Town would receive a copy of the invoice and then disburse CPA funds. He does not agree with not requiring invoices to validate that work has been completed. He stated that invoices were collected for the second historic project, but not collected for the first historic project.

Peter Johnson-Staub stated that to ensure that funds are used appropriately, he informed the group that they could approve the CPA contract before it is issued. The CPC agreed that they would review and vote on the CPA contracts before funds are disbursed.

ADMINISTRATIVE BUSINESS

Dennis Pond Land Acquisition Update (#20): Mark Robinson, Executive Director of The Compact of Cape Cod Conservation Trusts, stated that the CPC has endorsed the Dennis Pond Acquisition Project and the Town Administrator authorized an appraisal. He continued by explaining that the International Fund for Animal Welfare (IFAW) has agreed to provide a loan to the Yarmouth Conservation Trust (YCT), enabling YCT to take temporary title to the property. After the State announces the grant awards in November, the Town would purchase the land from the YCT in December. He stated that he would like the purchase and sales agreements completed in March prior to Town Meeting. He explained there will be closing costs associated with the project that he would like the Town to assume. Chairman Hoben stated that it could be drawn from the operating expense budget and he thanked Mr. Robinson for the update. After some discussion about estimated costs associated with the project, Curtis Sears moved to approve an additional \$1,000 for the Dennis Pond Land Acquisition, to raise the total from \$512,000 to \$513,000. Mary Ann Walsh seconded. Vote unanimous (8-0-0). Discussion: none.

Pheasant Cove Circle Land Acquisition: Jack Grebe, Open Space Committee, stated that he would make the presentation at Annual Town meeting. The 0.38-acre lot is not buildable and the negotiated price is significantly less than the amount requested. This is the last privately owned parcel of on the north side of Pheasant Cove Circle. The adjacent properties are either Town- or State-owned.

Historical Society of Old Yarmouth Request for Funds: After a general discussion on the memo, Curtis Sears moved to approve the Historical Society of Old Yarmouth's request to utilize the unspent fund balance of \$2002.50 (contract 2006-3) towards the purchase of an additional archival storage unit, seconded by Jack. Mulkeen. Vote unanimous (8-0-0).

Correspondence: The CPC reviewed correspondences from Robert Lawton to the Boy Scouts of America and Unfinished Furniture of Cape Cod, and from Durland Van Voorhis regarding the John Simpkins Elementary School Study. They also received copies of approval letters for the Playground Equipment application, John Simpkins School Assessment, Taylor-Bray Farm Funding Request Increase, as well as, a nomination letter for the 2007 Preservation Award Competition.

OTHER BUSINESS

Vote on Flax & Sandy Pond Master Plan Addendum: The CPC unanimously voted to limit any scope of the building to a location and mapping on the plan.

Jim Carroll read the second request to conduct a survey limited in scope building off the results of the 2001 Open Space and Recreation Survey. Chairman Hoben asked if it is regarding the building or regarding recreational needs. Jim Carroll responded that it was regarding recreational needs, such as new arrivals to the area, recent retirees and young families.

After some discussion, Mary Ann Walsh moved to approve the survey and an impact statement. Jim Carroll seconded. The motion carried 7-1-0 with Curtis Sears voting in the negative.

APPROVAL OF MINUTES

Curtis Sears moved to approve the November 29, 2006 minutes, seconded by Mary Ann Walsh. Vote unanimous (8-0-0). Discussion: none.

ADJOURN

With no further business, Mary Ann Walsh moved to adjourn the meeting at 5:08 p.m., seconded by Curtis Sears. Vote unanimous (8-0-0).

Respectfully submitted,
Jennifer Coutinho, CPA Staff Assistant

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
February 7, 2007
FINAL

PRESENT: Curtis Sears, Jim Carroll, Tom Roche, Priscilla Gregory, Jack Mulkeen,
Mary Ann Walsh, Gary Ellis

GUESTS: Jim Lefter, Jennifer Coutinho

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

Vice Chairman Sears opened the Community Preservation Committee (CPC) meeting at 3:06 p.m. All members except Jim Hoben and John Biega were present.

ADMINISTRATIVE BUSINESS

Taylor-Bray Farm Farmhouse Vote Addendum (#31): Jim Lefter, Assistant DPW Director, explained that the Taylor-Bray Farm (TBF) Committee recently met with the architect and the cost to rehabilitate the farmhouse was higher than planned. The TBF Committee agreed to request additional funds from \$531,000 to \$600,000. He also stated that there are several design options to choose from should the bid comes in higher than the amount of CPA funding appropriated for the project. The funding increase would enable the Town to complete the entire project at one time rather than in several phases. The Taylor-Bray Farm Committee expects to receive the bids before Town Meeting.

Priscilla Gregory moved to amend the original application and increase the original request of the Taylor-Bray Farm Farmhouse Rehabilitation project from \$531,000 to an amount not to exceed \$600,000 from the historic and budgeted reserve, seconded by Tom Roche. Vote unanimous (7-0-0).

Vote on John Simpkins Study (#30): The CPC reviewed three correspondences related to the John Simpkins Study application. The first letter was from the CPC to the John Simpkins School Re-Use Committee (JSC) requesting additional information on 1/10/07 and the second letter was a response from Duncan Oliver, JSC Vice Chairman on 1/26/07. The third letter was from Karen Greene on 2/7/07 regarding a cost estimate of the study.

The CPC discussed how this cost estimate is considered Phase I, which would be a basic analysis of the building with an unknown use. There was discussion about how there is a general assumption that the mechanical, electrical, plumbing, and fire protection system survey would be removed. They continued by discussing how an analysis could differ significantly depending on the recommended use and preservation restriction procedures. It was noted that the JSC and the Department of Community Development should research other Town's that have re-used their historic buildings.

Jack. Mulkeen moved to approve an amount not to exceed \$35,000 from the budgeted reserve for an engineering and architectural assessment associated with the adaptive reuse of the historic John Simpkins School building, seconded by Priscilla Gregory. Vote unanimous (7-0-0).

Discussion: funding is contingent upon the following conditions: (1) funds are to be used to assess the architectural and structural analysis of the building, as well as general cost estimate for upgrading the building to meet current codes for a new use; (2) funds shall not be used for a civil, mechanical, electrical, plumbing, fire protection systems survey, or a hazardous materials review; (3) a historic preservation restriction shall be placed on the property to preserve the historical features of the building; and (4) if the building is sold or leased to an outside entity, the CPA grant must be returned to the CPA Fund.

OTHER BUSINESS

Endorse Community Preservation Plan: Mary Ann Walsh moved to adopt the Community Preservation Plan, seconded by Jack Mulkeen. Vote unanimous (7-0-0).

Playground Equipment Update: Jim Lefter, Pat Armstrong, Jim Carroll, Curt Sears, Dave Carlson, and Chris Myland met to discuss the project. They made some changes to the design package and added more equipment to some playgrounds. They moved some of the playgrounds into Phase II of the project because more CPA funding is required. Jim Carroll stated that the revised package should identify that most of funding for the installation charge would be utilized to purchase additional equipment rather than the installation itself.

The next steps are for O'Brien and Sons, Inc. to incorporate the changes into the package and provide the CPC with a revised package.

Payment of CPA Funds: Jim Carroll moved to establish a standard operating procedure for CPA projects to collect invoices and have the applicant sign-off on each invoice before distributing CPA funds, seconded by Priscilla Gregory. Vote unanimous (7-0-0). Discussion: Jim Carroll stated that the motion was made because there were different payment procedures for two CPA projects. Jennifer Coutinho explained that the Town Administrator's office determined that the grantee would keep records of invoices on site and they would be made available to the Town upon request. After some discussion, the CPC agreed to discuss the topic with Mr. Johnson-Staub at the next CPC meeting.

APPROVAL OF MINUTES

Priscilla Gregory moved to approve the November 8, 2006 minutes as amended, seconded by Tom Roche. Vote unanimous with Jack Mulkeen abstaining (6-0-1). Mary Ann Walsh moved to approve the November 15, 2006 minutes as amended, seconded by Curtis Sears. Vote unanimous with Jack Mulkeen abstaining (6-0-1).

ADJOURN

As there was no further business, the CPC voted unanimously on a motion by Tom Roche, seconded by Curtis Sears, to adjourn the meeting at 4:43 PM

Respectfully submitted,
Jennifer Coutinho, CPA Assistant
Community Preservation

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
January 24, 2007
FINAL

PRESENT: Jim Hoben, Curtis Sears, Jim Carroll, Tom Roche, Priscilla Gregory,
Jack Mulkeen, John Biega, Mary Ann Walsh

GUESTS: Jim Lefter, Jennifer Coutinho

LOCATION: Cultural Center of Cape Cod, 307 Old Main Street, South Yarmouth, MA

Chairman Hoben opened the Community Preservation Committee (CPC) meeting at 3:06 p.m. and reviewed the agenda. All members except Gary Ellis were present.

COMMITTEE BUSINESS

Correspondence: The CPC reviewed outgoing correspondences regarding additional information for the John Simpkins Study application (#30), acceptance of the Town Common Gazebo application (#32), Community Preservation Act (CPA) borrowing, as well as, approval letters for the Housing Assistance Corporation application (#22) and the Housing Trust Fund application (#27). They received incoming correspondences from Mary Waygan, Community Development Assistant, regarding the motel pre-development and the affordable housing feasibility study projects. Additionally, they read an article about the restoration of the roof for the Yarmouth New Church project titled, "History in the Making", in the *Register* newspaper.

ADMINISTRATIVE BUSINESS

Playground Equipment Design Package: The CPC received the Proposed Phase-I Design for Yarmouth Parks dated January 18, 2007. Jim Lefter explained that these are preliminary designs and cost estimates. He also explained that he sent a copy of the package to the Recreation Department.

Chairman Hoben stated that the group noticed an installation charge and he recalled that the original plan was for the Parks Department to install the equipment. Mr. Lefter replied that the Parks Department would install the basic pieces and a contractor would install the complex modules. Subject to the CPC's approval, the savings from the installation charge would be used to purchase additional equipment. Some playgrounds may incorporate a handicap accessibility component and park benches. If approved at Town Meeting, this project would begin in the fall when staff has more availability.

Jack Mulkeen stated that there is a need to attract people to Sandy Pond and they should incorporate additional equipment into the area to draw people from over utilized playgrounds.

Jim Carroll stated that two Town employees are certified to install playground equipment. He then noted that this report is a review, after which he asked if Mr. Lefter would submit a proposal. Mr. Lefter replied that the proposal would be similar to the review. Curtis Sears will inquire about the future use of the playground module at the John Simpkins School.

Jim Carroll recommended the involvement of the Recreation Department at the beginning of this project. Chairman Hoben replied that the DPW extended an offer to the Recreation Department. Jim Lefter will contact the Recreation Department to discuss the project.

Chairman Hoben stated that Mr. Lefter and the CPC would finalize the budget and the replacement schedule during the time between Town Meeting and the execution of a CPA contract. He thanked Jim Lefter for meeting with the CPC and providing the design package.

OTHER

Jim Carroll suggested that the Town develop a Speakers' Bureau to educate the public about the Community Preservation Program and offer a proposal-writing workshop to educate staff on the grant writing process to alleviate the time the CPC spends reviewing applications.

ADJOURN

The CPC voted unanimously to adjourn the meeting at 4:28 PM and toured the Cultural Center.

Respectfully submitted,
Jennifer Coutinho
Community Preservation

Mary Ann Walsh, Clerk

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
January 3, 2007
FINAL

PRESENT: Jim Hoben, Curtis Sears, Jim Carroll, Tom Roche, Priscilla Gregory, Jack Mulkeen, John Biega, Gary Ellis

GUESTS: Karen M. Greene, Jennifer Coutinho

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

Chairman Hoben opened the Community Preservation Committee (CPC) meeting at 3:04 p.m. and reviewed the agenda. All members except Mary Ann Walsh were present.

COMMITTEE BUSINESS

Correspondence: Staff sent correspondences to the John Simpkins Re-Use Committee (JSC) regarding the no-action vote on the John Simpkins Study application and to the Capital Budget Committee informing them of the vote for the Englewood Dock Replacement and the Playground Equipment applications. Additionally, the CPC reviewed a letter from Pat Armstrong to Robert Lawton regarding the role of the Recreation Department with the playground equipment project.

John Simpkins Study Application (#30): In reference to a more specific fund request, Karen Greene informed the group that Durland VanVoorhis would visit the John Simpkins School and provide a cost estimate for a structural and mechanical analysis of the building.

After some discussion, there was a consensus among the group that the JSC should apply for Community Preservation Act (CPA) funding after they have made a use recommendation. The CPC also discussed time constraints with respect to a warrant article, other private and public funds, and preservation restrictions. Staff will send a correspondence to JSC to request more information about the project.

ADMINISTRATIVE BUSINESS

Warrant Articles: The CPC discussed the upcoming meeting with the Board of Selectmen to present their recommendations. Staff will provide the Register newspaper with an outline of the information to be presented.

1750 House Land Acquisition: The group discussed the benefit of having 346 feet of frontage on Route 28, protecting the natural estuary, and creating an open scenic vista.

Bonding: The CPC discussed the possibility of bonding project if there were a proposal in which the cost exceeds the annual CPA revenue or available funds. They also expressed an interest in bonding approval requirements and the relation of a CPA to other Town bonds. Staff will send a correspondence to Robert Lawton asking for information on this topic and welcoming an opportunity to meet with him.

Feasibility Studies and Assessments: After some discussion, the CPC agreed that they would specify in the Community Preservation Plan that they discourage applications for studies, assessments, and plans, as well as, requests from profitable entities.

Recognition for Playground Equipment: Jack Mulkeen recommended that during the meeting with the Board of Selectmen, Chairman Hoben recognize Amanda Gougeon, a Yarmouth high school resident, who wrote a letter to the Board of Selectmen last September regarding the condition of a playground, which prompted the playground project.

APPROVAL OF MINUTES

Priscilla Gregory moved to approve the October 25, 2006 minutes as written. Curtis Sears seconded. Vote unanimous 8-0-0.

ADJOURN

With no further business, the CPC voted unanimously to adjourn the meeting at 4:21 PM.

Respectfully submitted,
Jennifer Coutinho
Community Preservation

Mary Ann Walsh, Clerk