

TOWN OF YARMOUTH  
COMMUNITY PRESERVATION COMMITTEE  
MINUTES  
November 19, 2014  
FINAL

**PRESENT:** Gary Ellis, Nathan Small, Thomas Kelley, Mary Ann Walsh, Jack Mulkeen,  
Tom Durkin, Tom Roche, Dorcas McGurrin

**ABSENT:** Fred Fries

**STAFF:** Karen Greene, Mary Waygan

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

---

### CONVENE

Chairman Ellis opened the Community Preservation Committee (CPC) meeting at 3:08 p.m.

### NEW BUSINESS

Correspondence: The CPC reviewed an opinion from Bruce Gilmore regarding Golf Course Rehabilitation dated 11/12/14, in which he confirms that the proposed Community Preservation Act (CPA) funding of the rehabilitation of the Bayberry Hills Golf Course sand traps would be lawful.

The CPC also reviewed the ownership and tax information for the Edward Gorey House Museum (d/b/a Strawberry Lane Foundation/Elephant House Foundation/Highland Street Foundation). The property ownership and relationship to each was not conclusive. Therefore, staff was directed to obtain more information relative to ownership, deed, and the 10-year agreement between the foundations.

White Rock Road NSTAR Land Acquisition (#81.1): The group discussed the recent meeting held with the Department of Community Development, Open Space Committee, Northeast Utilities, and the Historical Society of Old Yarmouth to discuss the concept of the Town purchasing the White Rock Road parcel (AM 114/5.2) in exchange for an amount of money to be determined together with a land swap of three parcels on Summer Street (parcel 93/24 owned by the Town and parcels 93/22 and 93/23 owned by Henry Tufts). NSTAR is agreeable to the proposal, so long as they can have access to the utility poles and lines off White Rock Road for maintenance. The warrant deadline is January 22<sup>nd</sup>. There could be a placeholder for the project on the warrant, but there must be a total acquisition cost when presented to voters at the spring Town Meeting. The project may qualify for State LAND grant funding.

### VOTE ON FY15 APPLICATIONS

MAHT General Deposit No. 9 (#128): on a motion by Tom Roche, seconded by Dorcas McGurrin, to approve up to \$286,000 with \$240,000 from the Housing Reserve and \$46,000 from the undesignated fund as presented. The motion passed unanimously 8-0.

MAHT Motel Re-development funds FY15 (#129): on a motion by Dorcas McGurrin, seconded by Nathan Small, to approve up to \$2,000,000 from the undesignated fund as amended with conditions. The motion passed unanimously 8-0. Said funding is conditional upon the following:

- a. \$1,950,000 to subsidize the acquisition and create up to 65 units with a maximum subsidy of \$30,000 per unit (65 x \$30,000/unit = \$1,950,000) and \$50,000 to administer the program.
- b. All projects shall consist of 100% rental units and all units to count on the State Subsidized Housing Inventory.

- c. Program timeline:
- i. The results from both the Request for Proposal (RFP) for Site Identification and the RFP for a Developer must be provided to the CPC prior to Annual Town Meeting in May 2015.
  - ii. If funds have not been spent within two years from the appropriation date, the MAHT shall provide the CPC with a progress report on the project and request an extension if necessary.
  - iii. The MAHT shall provide the CPC with a written update on the status of the project by September 1<sup>st</sup> of each year until funds are expended.

Our First Home - West Yarmouth Road (#130): on a motion by Mary Ann Walsh seconded by Dorcas McGurrin, to approve up to \$75,000 from the undesignated fund as amended with conditions. The motion passed unanimously 8-0. Said funding is conditional upon utilizing CPA funds to cover cost above the house sale revenues of \$315,000.

HAC Homeownership Preservation Program (#131): on a motion by Dorcas McGurrin, seconded by Nathan Small, to approve up to \$50,000 from the undesignated fund as amended with conditions. The motion passed unanimously 8-0. Said funding is conditional upon the following:

- a. Funds shall be used only for preservation of the homes as described:
  - iv. Building envelope and site work to preserve structural integrity.
  - v. Roof, siding, and window replacement to ensure water tightness.
  - vi. Upgrade dangerous electrical or plumbing.
  - vii. Install hard-wired smoke alarms, sprinklers, or other building fire suppression systems.
- b. The Town's Community Preservation Program approves all work, including the proposed scope of work, cost estimates for the work, and completed work.
- c. All work must be permitted and inspected by the Town.
- d. Funds are provided in the form of a 0% interest, forgivable mortgage that is recorded on the property at the Barnstable Registry of Deeds. The mortgage shall be made between the Town and the homeowner. The mortgage shall be paid back to the Yarmouth Community Preservation Program if the home is sold, transferred, refinance to a reverse mortgage or refinanced with a \$50,000 or more equity cash out. If the home is sold or transferred to a family member, the mortgage may be transferred if the new owner is income-eligible.
- e. All septic repair requests shall be referred to the Town's Community Development Block Grant (CDBG) Septic Repair Program.

Building Dreams Affordable Rental Units (#132): on a motion by Dorcas McGurrin, seconded by Nathan Small, to approve up to \$480,000 from the undesignated fund as amended with conditions passed unanimously 8-0. Said funding is conditional upon the following:

- a. Funds are provided in the form of a 0% interest mortgage that is forgiven once the State's Affordable Housing Regulatory Agreement is recorded on the property and all rehabilitation is complete. The mortgage is due if within three years no Regulatory Agreement has been recorded on the property.
- b. The properties are fully rehabilitated to remove any lead paint or lead hazards, to repair any failed structural or mechanical systems, and to address emergency repair items identified by a home inspector or the

- Town. Rehabilitation should result in a significant improvement to the home with the goal of the homes being restored to like new condition.
- c. All rehabilitation work must be permitted and inspected by the Town.
  - d. The property must have good and clear title, and title insurance must be purchased at the time of acquisition.
  - e. Housing may be in the form of single-family detached units or duplexes. Properties with more than two-units require review and approval by the Community Preservation Program.
  - f. Housing units must be approved by the Town and the State and be eligible for the Chapter 40B Subsidized Housing Inventory.

Hands of Hope Rental Assistance Program (#133): on a motion by Dorcas McGurrin, seconded by Nathan Small, to approve up to \$25,000 from the undesignated fund as presented. The motion passed unanimously 8-0.

Taylor Bray Archaeology Phase 4 (#134): on a motion by Tom Roche, seconded by Nathan Small to approve up to \$24,000 from the Historic Reserve as presented. The motion passed unanimously 8-0.

Cobbler Shop Archival Preservation (#138): on a motion by Nathan Small, seconded by Jack Mulkeen to approve up to \$5,000 from the Historic Reserve as amended. The motion passed unanimously 8-0.

Taylor Bray Farm Phragmite Removal (#139): on a motion by Nathan Small, seconded by Tom Roche to approve up to \$38,000 from the Open Space Reserve based on procured quotes and estimates. The motion passed 7-1 with Tom Kelley voting nay.

Cape Cod Rail Trail design (#140): on a motion by Jack Mulkeen, seconded by Dorcas McGurrin, to approve up to \$601,000 out of the undesignated fund as presented. The motion passed unanimously 8-0.

Bayberry Hills Golf Course Renovation (#141): on a motion by Tom Kelley, seconded by Gary Ellis, to not recommend the application. The motion carried 7-1 with Mary Ann Walsh voting nay.

Sailing Center Preservation Project (#142): on a motion by Jack Mulkeen, seconded by Nathan Small, to approve up to \$100,000 from the undesignated fund as presented. The motion passed unanimously 8-0.

Recreation Master Plan Update (#143): on a motion by Dorcas McGurrin seconded by Nathan Small, to approve up to \$35,000 from the undesignated fund based on procured quotes and estimates. The motion passed unanimously 8-0.

Route 6A Playground Signage & Landscape (#144): on a motion by Dorcas McGurrin seconded by Nathan Small, to approve up to \$35,000 from the undesignated fund based on procured quotes and estimates. The motion passed unanimously 8-0.

Preservation of Historic Fences No. 2 (#145): on a motion by Tom Kelley seconded by Nathan Small, to approve up to \$25,000 from the Historic Reserve. The motion passed unanimously 8-0.

Bocce Court Shade Shelter (#146): on a motion by Dorcas McGurrin seconded by Nathan Small, to approve up to \$40,000 from the undesignated fund based on procured quotes and estimates. The motion passed unanimously as amended 8-0.

Sandy Pond Softball Field Fencing (#148): on a motion by Dorcas McGurrin seconded by Nathan Small, to approve up to \$7,500 from the undesignated fund based on procured quotes and estimates. The motion passed unanimously as presented 8-0.

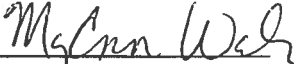
**ADJOURN**

As there was no further business, Ms. McGurrin moved to adjourn the meeting at 5:23 p.m. Vice-chair Roche seconded. The vote was unanimous 8-0.

**HANDOUTS AT THE MEETING** (Located in the Department of Community Development):

1. Opinion from Bruce Gilmore regarding Golf Course Rehabilitation, 11/12/14
2. Ownership/tax information from the Edward Gorey House Museum

Respectfully submitted,  
Jennifer Copeland  
Program Coordinator

  
Mary Ann Walsh, Clerk