

TOWN OF YARMOUTH  
COMMUNITY PRESERVATION COMMITTEE  
MINUTES  
November 4, 2015  
FINAL

**PRESENT:** Gary Ellis, Tom Durkin, Tom Roche, Heather McElroy, Dorcas McGurrin, Mary Ann Walsh, Beverly Bachand

**ABSENT:** Nate Small, Thomas Kelley

**GUESTS:** Kathy Williams, Town Planner; Karl VonHone, Director of Natural Resources; Peter Q. Smith; Nancy Davison, HAC Vice President of Program Operations

**STAFF:** Jennifer Copeland

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

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**CONVENE**

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

YARMOUTH TOWN CLERK

**CORRESPONDENCE:** There was no correspondence to review at the meeting.

**PRESENTATIONS**

'17AUG21PM4:13 REC

Packet Landing Pavilion & Restrooms #162: Town Planner Kathy Williams presented the application on behalf of the Department of Community Development, requesting \$517,500 to create a pavilion and restrooms on the site of the old Cellar House at Packet Landing located at 1377 Bridge Street in South Yarmouth. Previous proposals to build a replacement Cellar House with assembly space, offices, and restrooms proved too costly. As a result, a viewing platform with optional pavilion-style roof and restrooms was developed. This would complement the existing park area, Veterans' Memorial, and marina. It would also beautify an area that serves as a gateway to Yarmouth.

**Discussion:**

The Committee was generally in favor of the project. Chairman Ellis asked for Town Counsel's opinion as to whether this project qualifies under the Recreation designation and suggested that it may be Historic instead. Ms. Copeland will follow-up with Town Counsel.

There was discussion regarding the cost of restroom maintenance and security. Mr. VonHone answered questions regarding the current use of port-a-johns, as well as security procedures in place. Different types of locks and lighting are still being reviewed for the proposed pavilion because the anglers often leave from/return to their slips very late at night or early in the morning. Ms. Williams is investigating the possibility of using Tourism Revenue Preservation Funds for maintenance costs.

Parker's River Bridge Tidal Restoration Supplemental Application #152.1: Kathy Williams, Town Planner acknowledged the CPC's award of \$800,000 in May of 2015. This application is requesting an additional \$800,000 to serve as a reserve fund. The Town is actively pursuing other funding sources; however, there must be money available to ensure that contracts can be signed and work can begin. For example, Hurricane Sandy funds must be used within two years of being granted. If the Town is not able to start using those funds, they may be forfeited.

Other sources being pursued include: Tourism Revenue Preservation Funds (TRPF) for streetscape and lighting; a re-allocation of \$200,000 earmarked for the marina park; Section 208 funding; and assistance from local legislators.

**On 3/22/17, on a motion by Nate Small, seconded by Tom Roche, the committee voted 5-0-0 to approve these minutes.**

Ms. Williams explained the multiple benefits of this project: preserving open space; improving tidal flow, which improves the health of the salt marsh ecosystem; replacing the deteriorating Parker's River Bridge and adding bike lanes, sidewalks, improved lighting and streetscape; reducing nitrogen loading to improve wastewater management.

Mr. VonHone outlined some of the current problems in the Parker's River estuary system due to inadequate flushing from Nantucket Sound: increased water temperature; algae blooms; Phragmites invasion; shellfish disease; fish kills; odor. He explained that widening the bridge to 30 feet will speed up complete flushing of the estuary from two days to one day, which will moderate water temperatures, improve the overall ecosystem, and reduce nitrogen levels by roughly 80%.

Mr. VonHone briefly explained the history and complexity of this project, in turn highlighting the importance of keeping the project moving forward. There are also limited times of the year during which work can be done on this project due to our seasonal traffic patterns and environmental restrictions on working in the water.

Ms. Williams reviewed the initial funding awards:

- \$3.38 million in Hurricane Sandy Funds
- \$385,000 from the Town of Yarmouth
- \$187,000 from the Division of Ecological Restoration
- \$35,000 from Cape Cod Conservation District
- \$800,000 from CPC in May of 2015, pending Town Meeting approval

Discussion:

Ms. McElroy asked if there was confirmation that this project does qualify under Open Space. Ms. Copeland explained that the CPC does have written confirmation from Town Counsel that this project qualifies as preservation for Open Space funds.

Ms. McElroy also asked why transportation funds weren't being used since this is really a bridge project. Mr. VonHone explained that under MassDOT, it is not defined as a bridge because it is not 20 feet wide, and it is not degraded enough to qualify for funding.

Mr. Roche asked what impact this project would have on the Town's wastewater. Ms. Williams explained that it would reduce the number of septic systems in town that need to be eliminated from 96% to 67%.

In response to Chairman Ellis' question, Mr. VonHone provided a detailed explanation of the current status and future impact of this project to the herring run.

Mr. Ellis also suggested tying together renderings of the Parker's River Bridge with the Riverwalk for publication in the media.

Chairman Ellis then expressed concern that committing \$800,000 to a contingency fund could hold up other projects. Mr. VonHone and Ms. Williams said that they understood and that coming to the CPC is a last resort. They are seeking all other funding options, but explained that having money committed to a project makes it more likely that the project will get assistance. Ms. Williams reported that Sandy funds need to be expended by 11/16; the Town will need to ask for an extension because of the vast number of permits required to do environmentally sensitive work on a State road.

Ms. Walsh asked if it was possible to give \$800,000 in this funding round and \$800,000 in the next funding round. Ms. Copeland explained that yes, funds from estimated FY18 revenues can be awarded.

Mr. Durkin explained that this tidal restoration project will have an enormous impact in achieving the mandated nitrogen reductions in the Town's estuaries.

**On 3/22/17, on a motion by Nate Small, seconded by Tom Roche, the committee voted 5-0-0 to approve these minutes.**

Housing Assistance Corporation FY16 Home Preservation Program #156: Nancy Davison, Housing Assistance Corporation (HAC) Vice President of Program Operations, presented the application for \$75,000 to continue the home preservation program in Yarmouth. The program assists income-eligible property owners to preserve the structural integrity of the home; upgrade dangerous electrical or plumbing services; replace roofing, siding, and windows; install smoke detectors, sprinklers, and other fire suppression systems.

Ms. Davison distributed and reviewed statistics for the current year's program, which indicates a high demand for assistance. Therefore, this year's application is for an additional \$25,000 in hopes of assisting eight homeowners. Ms. Davison also reported that, as requested by the CPC in last year's contract, she has tried to work with Cape Cod Regional Technical High School. There are some challenges due to the safety precautions, labor regulations, and requirements of the school, but she will continue to try to identify projects that the students would be eligible to work on.

Discussion:

Mr. Roche questioned why there is a 25% administrative cost to the program. Ms. Davison explained that it's a labor-intensive program with four staff dealing with intake of applications, documenting eligibility, application review, subcontractors, estimates, approvals, site and work inspections, and reporting. It is comparable to other programs HAC administers.

Ms. Davison thanked Yarmouth for being the first Cape Town to commit CPA funds to this program. In response to Ms. Walsh's inquiry, Ms. Davison explained the selection process, which is prioritized based on health and safety issues. She also outlined their marketing and advertising strategies. The Committee suggested, and Ms. Davison agreed, that the Senior Center should be targeted with advertising.

**OTHER BUSINESS**

- a) Application Discussion: The Committee briefly discussed the status of the NStar property on White Rock Road and agreed that it made sense to go forward with an updated appraisal.  
**VOTE**: Mr. Roche made a motion, seconded by Ms. McGurrin, to get an updated appraisal on the White Rock Road property. The motion was approved unanimously, 7-0.
- b) Member Representative Reports: None
- c) Staff Report: None

**HANDOUTS AT THE HEARING**

- o CPC 2015 Presentation Schedule, 10/30/15
- o CPA FY16 Grant Application Summary, 11/4/15
- o Yarmouth Home Preservation Program flier (Handout #1)
- o Yarmouth Home Repair Program Application Status, 11/3/15 (Handout #2)

**ADJOURN**

As there was no further business, Ms. McGurrin moved to adjourn the meeting 4:45 p.m. Mr. Roche seconded. The vote was unanimous 6-0.

Respectfully submitted,  
Jennifer Copeland  
Program Coordinator



Mary Ann Walsh, Clerk

**On 3/22/17, on a motion by Nate Small, seconded by Tom Roche, the committee voted 5-0-0 to approve these minutes.**

