

TOWN OF YARMOUTH  
COMMUNITY PRESERVATION COMMITTEE  
MINUTES  
December 7, 2016  
FINAL

**PRESENT:** Gary Ellis, Tom Roche, Nathan Small, Mary Ann Walsh, Heather McElroy,  
Tom Durkin, Tom Kelly, Beverly Bachand

**ABSENT:** Dorcas McGurrin

**GUESTS:** Ben Haavik, Historic New England Team Leader; Kathy Williams, Town Planner

**STAFF:** Jennifer Copeland

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

YARMOUTH TOWN CLERK  
'17SEP14AM11:17 REC

---

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

**PRESENTATIONS:**

Winslow Crocker/Thacher House Exterior Improvements (#177) - Historic New England (HNE), Benjamin Haavik, Team Leader of Property Care; Colleen Chapin, Project Manager presented this application for \$130,660 as part of a \$284,035 exterior cladding project to secure the exterior envelopes of these two properties. The Winslow Crocker House, which serves as the formal museum, will get shingles, minor wood repairs, window conservation, and trim paint. The Thacher House outbuildings need the most attention, and this application is requesting \$8,756 to re-shingle the west side of the barn. The Historic New England maintenance program is flawed to allow this level of decay to the outbuildings. HNE is based in Boston, but they intend to establish a stronger presence on Cape Cod.

Mr. Roche stated that window re-glazing is extremely expensive and many Route 6A homeowners have opted to replicate historic windows instead. He asked if Historic New England has considered this option, particularly in light of their difficulty maintaining the buildings. Mr. Haavik replied that the windows are in fairly good repair and he is hopeful that the bids will come back lower than the \$100,000 estimate in the application. Because the Winslow Crocker House is the formal museum, Historic New England wants to preserve and conserve the original materials. Replication may, however, be a good option for the Thacher House, which does not serve as a museum. Mr. Durkin also advised Mr. Haavik that the Committee looks for local preference for contractors.

In response to Mr. Kelly's questions, Mr. Haavik stated that Historic New England works with the Community Preservation Committees of three other communities, and that residents get in for free.

A discussion followed on the distinction between maintenance and capital improvement. Chairman Ellis read into the record the Town Counsel's most recent interpretation of "maintenance" as it applies to Community Preservation Funds: "Maintenance is defined as incidental repairs which neither materially add to the value of the property nor appreciably prolong the property's life. To qualify, improvements noted in these applications must be either capital improvements or those which materially add to the value of the property or appreciably prolong its useful life..."

There was consensus among the Committee and the applicant that painting is a maintenance function for which CPA funds would not be used. Mr. Haavik will provide a more detailed breakdown of Item #4 "Thacher Outbuilding Components," and Ms. Bachand will check with Historical Commission regarding their guidelines on maintenance versus capital improvements. Chairman Ellis thanked Mr. Haavik and suggested that the Winslow Crocker House be open to the public more often.

Riverwalk Park & Boardwalk - Design & Permitting (#169) - Community Development, Kathy Williams, Senior Planner presented the application for \$336,000 for design and permitting of a riverwalk park and boardwalk at the former Drive-In site. The site has been owned but unused by the Town for 40 years. The plan to build a marina is no longer viable, so a Drive-In Site Utilization Committee was established to research other options. That Committee's recommendation was a multi-phase development starting with a riverwalk and boardwalk. The intent is to revitalize this part of town and spur private investment while offering passive recreational opportunities to residents and visitors. The park would include parking, bathrooms, sitting areas, walking paths, artist shanties, boat rentals, and the boardwalk would cross the marsh and connect to Seagull Beach. A feasibility study is currently underway and will be ready before Town Meeting. She acknowledged the Committee's difficulty in voting on a request without the benefit of the feasibility study. This grant, if awarded, will keep the project moving.

There are some funding sources for maintenance of the park and boardwalk include parking fees; rental space for food trucks/artist shanties/kayak rentals; special event fees; boardwalk plank sales; naming rights/sponsorships. However, it is likely that additional town funds will be needed for maintenance costs.

There is substantial support for this project in town, but there is also a petition opposing the project. Extensive environmental permitting will be required and is estimated to cost \$95,000. Design and construction documents are estimated to cost \$185,000. Also included in this request is a 20% contingency.

Ms. McElroy asked if it was possible to estimate construction costs. Ms. Williams suggested \$2.5 to \$3 million. There are other funding sources available, such as PARC funds and Seaport Grants.

Ms. Bachand asked about dimensions of the boardwalk. The current concept is 6' wide with railings, 6' above the marsh, with bump-outs and benches.

Mr. Kelly suggested, and Ms. Williams agreed, that the artist shanties would be moved closer to the parking lot.

Mr. Small expressed concern about the construction costs and strongly encouraged the project team to find additional funding sources in case the Community Preservation Act funds are reduced or revoked in FY20.

Ms. Walsh asked what specific environmental issues were brought up in the petition. Ms. Williams explained that it was an online petition expressing general concern over building a boardwalk through a salt marsh. A list of signatures was submitted to the Board of Selectmen. Mr. Small noted that the entire process is highly regulated and extensive environmental permitting is required. Ms. Williams concurred, adding that environmental agencies have found that properly constructed passive recreation projects don't have significant adverse impact on resource areas. There will be public presentations at which people can express their concerns. Mr. Roche felt that the main objection to the boardwalk is that some residents don't want to see it or hear people from their homes.

When asked if the project could be tabled because of environmental reasons prior to completion of the design and permitting, Ms. Williams explained that the boardwalk may not be able to extend all the way to Seagull Beach; however, the Riverwalk park is viable. The Committee overall expressed support for the project.

The Committee reviewed Town Counsel's opinion that CPA funds cannot be used to pay for artificial turf, but can be used for the sub-layers of an athletic field. The Committee then discussed Town Counsel's definition of "maintenance" and the Historic New England application.

Chairman Ellis moved on to the voting. He explained that he would put a hold on any applications that the Committee had questions or needed more information about.

**164- MAHT General Deposit 11**

**VOTE:** Mr. Small made a motion, seconded by Mr. Roche, to approve \$288,500 as presented. The motion passed unanimously 8-0.

**165- Home Preservation Program**

**VOTE:** Mr. Small made a motion, seconded by Mr. Roche, to approve \$75,000 as presented. The motion passed unanimously 8-0.

**166- Home Preservation Loan Program**

Application held for discussion at the next meeting.

**167- Hands of Hope Permanent Rental Housing Program**

**VOTE:** Mr. Ellis made a motion, seconded by Ms. Bachand, to approve \$34,600. The motion passed unanimously 8-0.

**168- Playing Field Upgrades**

Application held for discussion at the next meeting.

**169- Riverwalk Park & Seagull Boardwalk Design and Permitting**

Application held for discussion at the next meeting.

**170- Sandy Pond Recreation Area Design and Engineering**

Application held for discussion at the next meeting.

**171- Peter Homer Park Playground Equipment**

Application held for discussion at the next meeting.

**172- Baxter Grist Mill Construction and Restoration**

Application held for discussion at the next meeting.

**173- Taylor Bray Farm Archaeology**

**VOTE:** Ms. Walsh made a motion, seconded by Mr. Small, to approve \$24,000. The motion passed unanimously 8-0.

**174- Cemetery Signage for Ancient and Pine Grove Cemeteries**

Application held for discussion at the next meeting.

**175- Indian Memorial Improvements**

Application held for discussion at the next meeting.

**160.1- Amos Baker Historic Building Rehabilitation**

Application held for discussion at the next meeting.

**176- Cultural Center Critical Repairs and Improvements**

Application held for discussion at the next meeting.

**177- Winslow Crocker & Thacher House sidewall Shingles**

Application held for discussion at the next meeting.

**178- Captain Bangs Hallet Gutter Restoration**

**VOTE:** Ms. Walsh made a motion, seconded by Mr. Small, to approve \$9,600 as presented. The motion passed unanimously 8-0.

**179- Kelley Chapel Roof Restoration**

**VOTE:** Mr. Small made a motion, seconded by Mr. Roche, to approve \$13,840 as presented. The motion passed unanimously 8-0.

**180- Benjamin Hallet Blacksmith Shop Roof Restoration**

**VOTE:** Ms. Walsh made a motion, seconded by Mr. Small, to approve \$6,840 as presented. The motion passed unanimously 8-0.

**181- St. Pius X Church Parish Hall Educational Building**

**VOTE:** Mr. Durkin made a motion, seconded by Mr. Kelly, to approve \$34,867 as presented. Discussion followed. The application is for reimbursement of money already spent, which is not allowed under the CPA. Also, the project can not comply with the Secretary of the Interior's Standards for Rehabilitation as required by the CPA. The motion did not pass, vote unanimous 8-0.

**81.1- White Rock Road**

Application held for discussion at the next meeting.

**NEW BUSINESS:**

- a) Correspondence
  - (1) Opinion from Town Counsel on FY17 Grant Applications, 12/1/16
  - (2) Housing Assistance Corporation Flyer: Affordable Home for Sale on Phyllis Drive

**ADJOURN**

As there was no further business, Mr. Small moved to adjourn the meeting at 5:09 p.m. Vice-chair Roche seconded. The vote was unanimous 8-0.

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

- 1. CPA FY17 Grant Application Recommendations

Respectfully submitted,  
Jennifer Copeland  
Program Coordinator

---

Mary Ann Walsh, Clerk

**On 7/26/17, on a motion by Tom Kelley, seconded by Mary Ann Walsh, the committee voted 6-0-1, with Dorcas McGurrin abstaining, to approve these minutes as amended.**