



# Town of Barnstable COMMUNITY PRESERVATION COMMITTEE

[www.town.barnstable.ma.us/CommunityPreservation](http://www.town.barnstable.ma.us/CommunityPreservation)  
Email: CommunityPreservationCommittee@town.barnstable.ma.us



## Committee Members

Lindsey B. Counsell – Chair • Tom Lee – Vice Chair • Marilyn Fifield – Historical Commission • Terry Duenas – At Large • Katherine Garofoli – At Large  
Stephen Robichaud – Planning Board • Tom Lee – Conservation Commission • James Tenaglia – Recreation Commission  
Deborah Converse – Housing Authority • Farley Lewis – At Large • Jessica Rapp Grassetti – Town Council Liaison

**Monday, July 19, 2021**  
**Regular CPC Meeting APPROVED Minutes**  
**Remote Access Meeting Via Zoom Link: <https://zoom.us/91669252945>**  
**5:30 PM**

<b>Lindsey Counsell – Chair</b>	<b>Present</b>
<b>Marilyn Fifield – Clerk</b>	<b>Present</b>
<b>Terry Duenas</b>	<b>Present</b>
<b>Tom Lee-Vice Chair</b>	<b>Present</b>
<b>Katherine Garofoli</b>	<b>Present</b>
<b>James Tenaglia</b>	<b>Present</b>
<b>Deborah Converse</b>	<b>Present</b>
<b>Stephen Robichaud</b>	<b>Present</b>
<b>Farley Lewis</b>	<b>Present</b>
<b>Jessica Rapp Grassetti – TC Liaison</b>	<b>Present</b>

With a quorum present, Chair Lindsey Counsell called the meeting to order at 5:30 pm and read: "Please note that tonight's meeting is recorded and broadcast on Channel 18 and, in accordance with MGL Chapter 30A, s.20, I must inquire whether anyone is taping this meeting and to please make their presence known." No one present was recording the meeting.

## **Call to Order (Roll Call)**

Present: Tom Lee, Marilyn Fifield, Deb Converse, Stephen Robichaud, James Tenaglia, Katherine Garofoli, Farley Lewis Terry Duenas, and Lindsey Counsell.

## **CP Funding Status by Director of Finance**

Mark Milne, Director of Finance, reviewed draft Community Preservation Fund financial statements that were provided prior to the CPC meeting. The 1<sup>st</sup> statement - the Balance Sheet for CPF at the end of the fiscal year was a draft, as they are still reconciling slight changes, indicating a total Cash Balance of \$11.5 million in the CPF at the end of the fiscal year, with \$250,000 of Outstanding Surtaxes Receivable. The Bonds Payable balance at the end of the year was just over \$3.8 million. The Total includes a \$731,000 reserve for Encumbrances; \$2.8 million reserve for Continuing Appropriations, which represents appropriations approved by the Town Council but with contracts pending; and the remaining balance of just under \$8 million reserved for Future Appropriation, i.e., the available amount that the Committee can recommend for Council appropriation.

Re. the Statement of Revenues, Expenditures and Charges for the fiscal year, Mr. Milne explained that almost \$4 million was received in Surtaxes, and this was matched with \$1,134,000 in State funds. He said there were also investment Earnings of about \$73,000, and he noted Expenditures of just over \$4 million for the year; with \$93,000 for Administrative Expenses, \$215,000 for Community Recreation projects, \$600,000 for Open Space, Community Housing \$300,000, Historic Preservation \$986,000, and Debt Service of \$1.8 million. He explained that revenues exceeded expenses by over \$1,127,000, increasing the fund balance from \$10.3 million to \$11.5 million.

Mr. Milne provided an overview of the Schedule of Unreserved Fund Balances by Program Area at the end of FY21, noting a balance of \$538,459 in the Community Housing reserve, \$334,934 in the Historic Preservation reserve, \$544,627 for Open Space and Recreation, and \$6,514,887 in Undesignated funds. He said that this will increase slightly when June Investment Earnings are reported.

Re. Outstanding Bonds Payable, Mr. Milne noted that \$1,665,000 is coming due in FY 22, followed by a significant drop to \$1,083,000 in FY 23 and another significant drop in FY24, with the last loan payment due in FY 2030. He added that the significant debt service reductions in the next couple of years will offer opportunities to do other things with the program.

Mr. Milne said the FY22 budget that was adopted by the Town Council resulted in some increases in these program reserve areas, with estimates of the Beginning Fund Balances of \$7.9 million Total and \$5.2 million of Revenue for the fund in FY22. He explained that the 10% set aside for each program area was \$522,000, with another \$200,000 appropriated for Committee Administrative Expenses, along with \$1.587,000 for Debt Service and \$289,000 for the Hyannis Golf Course acquisition that was part of the Golf Course Enterprise Fund budget.

Mr. Milne noted contingent future appropriations that are coming up at the Town Council, saying that as of July 1, 2021, there is a total of \$1,061,332 for Community Housing; \$690,000 for Historic Preservation; \$942,000 for Open Space and Recreation along with a Budget Reserve of \$1,872,000 and an Undesignated balance of \$4,538,000.

Councilor Jessica Rapp Grassetti noted that the two DPW playground projects are on the August 19, 2021, Town Council agenda for first read.

Councilor Kris Clark asked Director Milne if it would make sense to consider accelerating or retiring some of the debt, and he replied that some of the debt was refinanced in FY21, saving tens of thousands of dollars in interest costs. But he noted that none of the remaining debt could be advanced or retired, but only refinanced, because we do not have the ability to recall those funds.

### **Minutes**

The motion of Marilyn Fifield was seconded by Tom Lee, to approve the June 21, 2021, Regular CPC Meeting minutes as submitted. Roll Call Vote: Yes - 7, No - 0, 2 Abstained. Motion carried.

### **Letters of Intent**

None received.

## Applications

- **Application from the Barnstable Affordable Housing Growth and Development Trust Fund Board seeking \$2.5 million in Community Housing and Undesignated Funds for the preservation, creation, acquisition, and support of Community Housing.**

Assistant Town Manager Andy Clyburn and Attorney Ruth Weil were present on behalf of the Affordable Housing Trust and narrated a PowerPoint presentation for the Committee. Mr. Clyburn explained that the lack of affordable housing in Barnstable for households at or below 100% of the Area Median Income (AMI) has been severely exacerbated by the pandemic. To respond to the ongoing affordable housing crisis, he said the Trust is seeking additional CPA funds to continue to focus on increasing Barnstable's affordable housing stock, consistent with the Town's Housing plans, since the Affordable Housing Trust is specifically eligible to receive CPA funds for Community Housing under the provisions of the Community Preservation Act.

Following a positive recommendation from the CPC on January 23, 2020, the Town Council voted unanimously to appropriate \$2.5 million dollars of Community Preservation funds to the Trust; and Mr. Clyburn noted that the Trust has expended or committed to date \$1,794,569.11 of the CPA funds allocated to the Trust in the initial Application to address Barnstable's Community Housing needs, and he outlined some of the CPA projects that were funded:

- \$300,000 grant to the Housing Assistance Corporation for temporary emergency rental assistance;
- \$90,000 loan to the Cape and Islands Veterans Outreach Center, Inc., in support of the creation of 5 new housing units in Dennis for homeless veterans;
- \$1.4 million dollars for 10 affordable housing units within a new development in Hyannis at 50% AMI, to be held in perpetuity.

Mr. Clyburn outlined the potential uses of the additional Community Preservation funds requested:

- Development activities to provide gap funding, land acquisition, new construction, redevelopment of existing buildings to create new units, and conversion of market-rate units to affordable housing units.
- Predevelopment activities to determine the viability of residential development, with funds to be made available for costs related to architect and engineering fees, financial feasibility analysis and other costs associated with examination of the feasibility of a community housing development.
- Seeking partnerships to leverage Community Preservation funds for a First-time Homebuyer Program. Because of the large gap between the average sales price of a single-family home and what is affordable, the Trust is exploring programs with banking partners to lower interest rates for first-time home buyers when used in conjunction with CPA funds.
- Continuing consultation with the Asset Management Division to help identify Town-owned parcels that may be feasible for development of affordable housing.

Mr. Clyburn noted that historically Town Community Preservation Fund expenditures have been significantly less for the Community Housing category. He explained the anticipated Trust budget with revenue of \$3.4 million dollars for FY22, providing a breakdown of the funds anticipated for each of the potential use categories and for FY23.

Councilor Kris Clark suggested that the Recreation/Open Space figures be bifurcated for clarity. CPC members discussed other housing programs funded by CP funds that had not expended funds for years, and Atty. Ruth Weil explained the purpose of the programs. It was agreed that the continued viability of these programs should be revisited. In answer to CPC questions, Atty. Weil explained that the Trust's request is matched with \$197,000 from the Trust's non-CP funds received prior to receiving CP funding. Atty. Weil noted that only \$4,000 - \$5,000 had been expended of the \$300,000 provided to Housing Assistance Corp (HAC)., explaining that Federal and State programs were to be used first, and it is likely these funds will be returned due to the availability of other funds through HAC. She further noted that the \$90,000 loan to the Veterans Outreach Center can be converted to a grant, although a formal request has not yet been filed. Atty. Weil explained that Standard Holdings LLC is moving forward, although there are several steps to be completed before CP funds can be released. Mr. Clyburn added that use of Trust funds for Accessory Affordable Dwelling Units created under the newly passed ordinance has not been discussed by the Trust.

In answer to CPC questions, Mr. Clyburn said that metrics are still being developed, and the Veterans Outreach Center in Dennis was eligible to receive funds as a regional project. Atty. Weil explained that the First-time Homebuyer Program bridges the affordability gap by partnering with the Mass. Housing Partnership program called One+Boston which subsidizes the mortgage interest rate to the point where a Trust advancement of \$50,000 would increase a buyer's purchasing power by \$150,000 for example. They said the Town will do a lot of outreach and publicity, using all available social media tools, including Facebook, to get the program up and running. Mr. Clyburn added that the Trust has other sources of revenue in addition to the \$200,000 that exists from mitigation. As Cape Town Plaza enters the development phase, he said the Trust will receive additional revenue, and the Trust will seek further mitigation funds in the future. Atty. Weil said that the Trust will also explore all the other organizations that are offering First-time Homebuyer programs, and Mr. Clyburn added that the Trust is presently exploring development potential for affordable housing for a Town-owned property with sewer service that is next to the police station.

Atty. Weil noted that no Federal funding has been distributed yet, in answer to Councilor Kris Clark's inquiry regarding reimbursement from the infusion of Federal funds, explaining that it will be handled at the County level when funds do come through.

Public Comment – None.

**Motion was made by Lindsey Counsell and seconded by Terry Duenas that the Community Preservation Committee recommends to the Town Council, through the Town Manager, the support and creation of Community Housing by approving the application of the Barnstable Affordable Housing Growth and Development Trust for \$2.5 million dollars. These funds are to be expended from the Housing Reserve in the amount of \$1,061,332 and from the FY22 Budget Reserve in the amount of \$1,438,668.**

**Roll Call Vote:** Terry Duenas - yes, Marilyn Fifield -yes, Deb Converse yes, Katherine Garofoli - yes, Tom Lee - yes, Farley Lewis - yes, Steve Robichaud - yes, James Tenaglia - yes, Lindsey Counsell - yes. Yes - 9, No - 0. Motion carries with a unanimous vote.

- Application from the Cape Cod Center for the Arts, Inc., d/b/a The Cape Playhouse, Dennis, requesting \$100,000 in Barnstable Community Preservation Historic Preservation funds for the restoration of the eastern side of the Playhouse. The project includes re-shingling, trim replacement, installation of new gutters, downspouts and dry wells, new doors and sills, new staircases to the balcony, and window replacement or restoration. Total project cost is \$650,000 with secured funding of \$550,000.

Cape Playhouse Director Nora Carey explained that this request is the last funding needed to restore the eastern side of the Playhouse. She explained that once the Playhouse is updated, they would not be limited to a 12-week season and could raise the funds to renovate the rest of the campus. In discussing the project, CPC members noted a small dollar amount earmarked for Historic Preservation remaining in the Town's Community Preservation Fund and a great need for funds for projects within the town of Barnstable. CPC members acknowledged the regional benefits of the Playhouse and expressed appreciation for it. Marilyn Fifield reminded the Committee that, while the Barnstable Historical Commission was supportive of the Cape Playhouse as an historic property, they voted to oppose funding historic preservation projects outside of the town of Barnstable because there is so much need in Barnstable. After a brief discussion regarding Playhouse revenue and fund-raising potential, as well as the serious need for the funds within the town of Barnstable, a motion to deny the application was made.

Public Comment – none.

**Motion was made by Chair Counsell and seconded by Marilyn Fifield to deny the request of The Cape Playhouse, Inc., for \$100,000 in Community Preservation Historic Preservation funds for the restoration of the eastern side of the Playhouse. Roll Call Vote: Terry Duenas - yes, Marilyn Fifield - yes, Deb Converse - abstain, Katherine Garofoli - yes, Tom Lee - yes, Farley Lewis - yes, Steve Robichaud - yes), James Tenaglia - yes, Lindsey Counsell - yes. Yes - 8, 1 abstained. Motion carried.**

General Public Comment:

None

Correspondence Received:

Chair Counsell noted receipt of a Letter of Intent that was referred to the Affordable Housing Growth and Development Trust.

Project Updates: Chair Counsell provided the following project updates:

- Mid-Point Community Housing Application – Deb Converse noted that the lease agreement is currently being worked out.
- DPW Barnstable Hollow Playground and Centerville Recreation Playground Applications are scheduled for the August 19, 2021, Town Council meeting.
- Barnstable Historical Society Application was approved at the July 15, 2021, Town Council meeting.
- The Legal Dept. has reviewed the Little League Application, and it can proceed toward CPC consideration.
- Cotuit Federated Church will be submitting a Letter of Intent, as will the Historical Society of Santuit and Cotuit.
- Sturgis Library and Barnstable Land Trust (Bowles Field) Applications have not been scheduled yet with the Town Council.
- 830 Wakeby Road, Marstons Mills, will need to close by the end of the year to be eligible for the State drinking water grant. Legal Dept. has been working on finalizing the Conservation Restriction.
- Referring to the financial statements received from Mark Milne, Tom Lee requested that the numerous projects that appear to be complete be reviewed to see if they can be closed. Chair Counsell said Mark Milne is presently working on this. There was discussion regarding the Accessory Affordable Apartment Program and the difficulty with qualifying as well as how the passage of the new ordinance will affect the 120 affordable units that were approved under the AAAP if accessory apartments will now be allowed by right.

General Discussion:

- Chair Counsell reported that the Town Manager's recommendation is for CPC to continue remote public meetings.

Adjournment

**Motion was made by Tom Lee and seconded by Terry Duenas to adjourn.**

**Roll Call Vote: Terry Duenas - yes, Marilyn Fifield - yes, Deb Converse - yes, Katherine Garofoli - yes, Tom Lee - yes, Farley Lewis - yes, Stephen Robichaud - yes), James Tenaglia - yes, Lindsey Counsell - yes. Yes - 9, No - 0. Meeting adjourned at 6:41 p.m.**

**Next Regularly Scheduled CPC Meeting – August 16, 2021**

***List of documents/exhibits used by the Committee at the meeting:***

Exhibit 1 –CPC Agenda, July 19, 2021.

Exhibit 2 – CPC Minutes from June 21, 2021, meeting.

Exhibit 3- Draft CP Fund Financial Reports as of June 30, 2021, prepared by Mark Milne, Director of Finance.

Exhibit 4 – CPC Application and Related Documents – Affordable Housing Growth & Development Trust Fund Board - \$2.5 million dollars.

Exhibit 5 – Power Point presentation – Affordable Housing Growth & Development Trust Fund Board.

Respectfully submitted,

Ellen M. Swiniarski

Community Preservation Coordinator

Planning & Development Department

*and edited by CPC Clerk Marilyn Fifield*

**Please Note:** The list of matters is those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Committee may go into executive session. The Committee may also act on items in an order other than they appear on this agenda.

\* Public files are available for viewing during normal business hours at the Community  
Preservation office located at 367 Main Street, Hyannis, MA