



**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](mailto: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, June 26, 2023**  
**Regular CPC Meeting APPROVED Minutes**  
**Remote Access Meeting via Zoom Link: <https://zoom.us/j/87190260687>**  
**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>Absent</b>
<b>Stephen Robichaud</b>	<b>Absent</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: Terry Duenas – **yes**, Marilyn Fifield – **yes**, Katherine Garofoli – **yes**, Tom Lee – **yes**, James Tenaglia – **yes**, Farley Lewis – **yes**, and Lindsey Counsell - **yes**. [Stephen Robichaud and Deb Converse absent]

Chair Counsell noted that this would be James Tenaglia’s last CPC meeting and thanked him for his hard work as a member of the Community Preservation Committee. CPC members also wished him well.

**Minutes**

The motion of Farley Lewis to approve the April 24, 2023, Regular Community Preservation Committee Meeting Minutes as submitted was seconded by Marilyn Fifield. Motion carried with a roll call vote: **Yes 7, No – 0.**

### Letter of Intent:

- **Letter of Intent from Barnstable Land Trust (BLT) requesting \$905,000 in Community Preservation Funds for acquisition of a Conservation Restriction on Lots 3 and 4 to be granted by BLT, totaling a 5.5 acre portion of property at 150 Wheeler Road, Marstons Mills, fronting on Middle Pond. An application for a Massachusetts Land Grant of \$480,000 will be submitted and will reimburse the Community Preservation Fund, if granted. The entire project cost for purchase of 9.5 acres by BLT is \$1,825,000, with BLT to seek a Conservation Partnership grant of \$175,000 to fund acquisition of Lot 1, while Lot 2 will be acquired through funds raised by private foundations and donors.**

Ms. Janet Milkman, Director of Barnstable Land Trust, noted that this Wheeler acquisition project has been in the works for quite a long time, saying that the Wheeler family had reached out to BLT a few years ago and recently agreed that they want the property to be held in conservation in perpetuity. She explained that a Purchase and Sales Agreement has been negotiated, with an appraisal of \$2.5M for the highest and best use value, which would allow for 4 house lots, all with pond frontage. She said she felt fortunate to have negotiated the \$1.825M price, although still a heavy lift. Ms. Milkman described the property as amazing, with many conservation values as outlined in the Letter of Intent. Ms. Milkman then narrated a PowerPoint presentation that explained the locus of the property in relation to the three Indian ponds and access from Wheeler Road off Race Lane. The PowerPoint illustrated that the Wheeler property directly abuts the 22-acre Fuller Farm owned by BLT, and a preliminary potential trail layout could connect other conservation properties and trails for public access, with further investigation still required. She explained that there would not be any parking on the Wheeler property for public access, although parking would be available at the adjacent Fuller Farm. Ms. Milkman said the BLT Letter of Intent seeks Community Preservation Committee support for acquisition of Lots 3 & 4. She explained that the house on Lot 2 would be retained for caretakers, staff or Americorps housing and would be purchased by BLT through private donations, while Lot 1 would be purchased by BLT for conservation, with a Conservation Partnership grant to be sought. Ms. Milkman explained that separating the land into 4 lots allows access to two separate grant sources from the State, with the Town eligible for a Land Grant for lots 3 and 4, while the nonprofit BLT is eligible to apply for a Conservation Partnership grant for Lot 1. Ms. Milkman provided background on the Wheeler property and its history as a holly farm, noting that there are many holly specimens on the property. She also mentioned two other family nursery properties, one in Falmouth and one in Mashpee, that are now owned by conservation non-profits, calling this property the 3<sup>rd</sup> and last. She described this as an incredible opportunity to protect one of the few large pondfront parcels remaining with critical natural habitat as designated by the State plus a wildlife corridor connecting to the 22-acre Fuller Farm.

CPC members spoke enthusiastically in favor of the project, and Ms. Milkman noted a very short timeline for the project in order to close on the property by June 2024, as agreed with the Wheeler family, with State grant applications to meet the July 13, 2023, deadline supported by an initial CPC vote to proceed. With the timeline closing in a year, she reminded that any grant funding would be made available as reimbursement, with a year to raise the rest of the needed \$800,000. There was discussion regarding the need for a letter from the Conservation Commission; Tom Lee agreed he would discuss.

**The motion of Katherine Garofoli was seconded by Tom Lee to move Barnstable Land Trust's Letter of Intent to the Application stage and to support the application for the Massachusetts Land Grant.**

**Roll Call Vote: Terry Duenas - yes, Marilyn Fifield - yes, Katherine Garofoli - yes, Tom Lee - yes, Farley Lewis - yes, James Tenaglia - yes, and Lindsey Counsell - yes. Motion carried with vote of 7 Yes and 0 No.**

#### **Applications:**

- **Updated vote of the CPC for reauthorization of Sturgis Library's use of its remaining CP grant balance of \$36,714 for replacement of its archive climate control system.**

**The motion of Terry Duenas was seconded by James Tenaglia to approve reauthorization of Sturgis Library's use of \$36,714 in remaining CP grant funds for replacement of its archive climate control system.**

**Roll Call Vote: Terry Duenas - yes, Marilyn Fifield - yes, Katherine Garofoli - yes, Tom Lee - yes, Farley Lewis - yes, James Tenaglia - yes, and Lindsey Counsell - yes. Motion carried with vote of 7 yes, 0 no.**

#### **Correspondence Received:**

- CP Fund Balances from Director of Finance Mark Milne.
- Letter of withdrawal from Trustees of Reservations Re: Armstrong-Kelley Park Application.

#### **Project Updates:**

Chair Counsell reported the following updates:

- Unitarian Church of Barnstable CPC Application was approved at the April 6, 2023, Town Council public hearing, and funding is available.
- Phases 3 & 4 Cape Cod Rail Trail Applications from DPW were approved at the April 6, 2023, Town Council public hearing, and funding is available.
- Osterville Recreation Playground Application from DPW was approved at the April 27, 2023, Town Council public hearing, and funding is available.
- Barnstable Land Trust's Bowles Field Conservation Restriction \$150,000 acquisition: Conservation Restriction was approved at the June 15, 2023, Town Council meeting, and the closing has been scheduled for June 29, 2023.
- An appraisal for 2320 Meetinghouse Way, West Barnstable, was ordered and received. Further studies of the property will be pursued for water purposes and Community Housing.

#### **Member Discussion:**

- Annual Community Preservation Committee public hearing July 17, 2023, at 5:30, with the regular CPC meeting to follow at 6:30 p.m.
- Changes to the CPC process/requirements: There will be upcoming discussion regarding the inclusion of grant agreements in the application process for CPC funding that will spell out the details and conditions of the grant.
- James Tenaglia thanked the Committee members and said he would be following along with CPC activities.

**Public Comment:**

None

**General Discussion:**

None

**Adjournment:**

**Motion to adjourn was made by Tom Lee and seconded by Terry Duenas. Roll Call Vote: Terry Duenas – yes; Marilyn Fifield – yes; Tom Lee – yes; Katherine Garofoli – yes; Farley Lewis – yes; James Tenaglia – yes; Lindsey Counsell – yes. Motion carried: Yes – 7, No – 0.**

**Meeting adjourned at 5:57 p.m.**

***Next Regularly Scheduled CPC Meeting - July 17, 2023, 6:30 p.m.***

***Annual Community Preservation Committee Public Hearing - July 17, 2023, 5:30 p.m.***

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

Exhibit 1 –CPC Agenda, June 26, 2023.

Exhibit 2 –Draft CPC Regular Meeting Minutes from the April 24 2023, meeting.

Exhibit 3 – Letter of Intent – Barnstable Land Trust – Acquisition of Wheeler Road CR

Exhibit 4 – CP Fund Balances from Director of Finance Mark Milne

Exhibit 5 – Letter of withdrawal from Trustees of Reservations Re: Armstrong-Kelley Park Application.

Exhibit 7- PowerPoint Presentation – Barnstable Land Trust – Wheeler Road LOI

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 for specified allowable reasons. 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**