

**COMMUNITY PRESERVATION COMMITTEE**

**TUESDAY, JUNE 28, 2016**

**AGENDA**

**Convene Meeting: 7:00 p.m. – Mashpee Town Hall – Waquoit Meeting Room**

**MINUTES**

Tuesday, April 26, 2016 Regular Session

**APPOINTMENTS AND HEARINGS**

Public Comment

Review & Deliberate on CPA Projects Proposed for October 2016 Town Meeting:

Mashpee High School Tennis Court Reconstruction Project

K.C. Coombs School Playground Project

Quashnet School Playground Project

Mashpee Historic District Signage Project

Habitat for Humanity - Orchard & Quinaquisset Community Housing Project

**COMMUNICATIONS & CORRESPONDENCE**

**OLD BUSINESS**

1) Approval and Ratification of Invoice(s) for Payment:

Ockway Boat Ramp Improvement Project - \$7,450 + 136.59 = \$7,586.59

Heritage Park Recreation Project - \$3,850

Great River Boat Ramp Improvement Project - \$1,568.75

Great River Boat Ramp Improvement Project - \$1,765

John's Pond Improvement Project - \$14,802.52 (final)

Habitat for Humanity – Orchard Road - \$3,068.90 (final)

Archives - \$160.86

Housing Assistance Program - \$27,500 (1<sup>st</sup> quarter)

Santuit Pond Preserve - \$649.45

Ockway Bay Boat Ramp - \$52,515.09

Community Park – 941.03

**NEW BUSINESS**

Review & Approval of Articles for the October Town Meeting Warrant:

Annual Article to Set Aside the 10% Reserves & Budgeted Reserve for Appropriation

Littleford Property – Amended Article; Language Revisions

Articles for Approved Projects as Deliberated

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Present: Richard Halpern, Evelyn Buschenfeldt, Ed Larkin, Frank Lord,  
 Ralph Shaw, Mary Waygan, Carol Sherman

Meeting Called to Order by Chairman Halpern at 7:00 p.m.  
 Mashpee Town Hall, Waquoit Meeting Room

## MINUTES

Tuesday, April 26, 2016:

**Motion made by Mrs. Sherman to approve the minutes of Tuesday, April 26, 2016 as presented.**

**Motion seconded by Mrs. Buschenfeldt.**

**VOTE: Unanimous. 7-0.**

### Roll Call Vote:

Mr. Halpern, yes	Mrs. Buschenfeldt, yes	Mr. Larkin, yes
Mr. Lord, yes	Mr. Shaw, yes	Ms. Waygan, yes
Mrs. Sherman, yes	Opposed, none	

## APPOINTMENTS AND HEARINGS

Public Comment: None at this time.

Review & Deliberate on CPA Projects Proposed for October 2016 Town Meeting:

Review & Approval of Articles for the October Town Meeting Warrant:

The Community Preservation Committee met to further review and deliberate on CPA projects proposed for the October 2016 Town Meeting. Project applications were reviewed and considered at the April meeting and the following action was taken.

Mashpee High School Tennis Court Reconstruction Project:

**Motion made by Mrs. Sherman to approve and recommend to the October 2016 Town Meeting, the Mashpee High School Tennis Court Reconstruction project in the amount of \$260,000. Funding shall derive from the Budgeted Reserve for Appropriation for this project.**

**Motion seconded by Mr. Larkin.**

**VOTE: Unanimous. 7-0.**

### Roll Call Vote:

Mr. Halpern, yes	Mrs. Buschenfeldt, yes	Mr. Larkin, yes
Mr. Lord, yes	Mr. Shaw, yes	Ms. Waygan, yes
Mrs. Sherman, yes	Opposed, none	

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Review & Deliberate on CPA Projects Proposed for October 2016 Town Meeting: (continued)  
Review & Approval of Articles for the October Town Meeting Warrant:

K.C. Coombs School Playground Project:

**Motion made by Mrs. Sherman to approve and recommend to the October 2016 Town Meeting, the K.C. Coombs School Playground project in the amount of \$91,000. Funding shall derive from the Budgeted Reserve for Appropriation for this project.**

**Motion seconded by Mrs. Buschenfeldt.**

**VOTE: Unanimous. 7-0.**

**Roll Call Vote:**

<b>Mr. Halpern, yes</b>	<b>Mrs. Buschenfeldt, yes</b>	<b>Mr. Larkin, yes</b>
<b>Mr. Lord, yes</b>	<b>Mr. Shaw, yes</b>	<b>Ms. Waygan, yes</b>
<b>Mrs. Sherman, yes</b>	<b>Opposed, none</b>	

Quashnet School Playground Project:

**Motion made by Mrs. Buschenfeldt to approve and recommend to the October 2016 Town Meeting, the Quashnet School Playground project in the amount of \$230,000. Funding shall derive from the Budgeted Reserve for Appropriation for this project.**

**Motion seconded by Mr. Shaw.**

**VOTE: Unanimous. 7-0.**

**Roll Call Vote:**

<b>Mr. Halpern, yes</b>	<b>Mrs. Buschenfeldt, yes</b>	<b>Mr. Larkin, yes</b>
<b>Mr. Lord, yes</b>	<b>Mr. Shaw, yes</b>	<b>Ms. Waygan, yes</b>
<b>Mrs. Sherman, yes</b>	<b>Opposed, none</b>	

Mashpee Historic District Signage Project:

Ava Costello of the Mashpee Historical Commission was in attendance to further review the proposed Historic District Signage Project with members of the Community Preservation Committee.

As previously recommended the Town Seal and notification of the funding contribution for this project from the CPC shall be incorporated in the signage. For clarification purposes Mrs. Costello indicated the project would begin with the Historic District and expand thereafter. The project proposal will identify 70 buildings and locations that are of historic significance to the Town of Mashpee.

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Review & Deliberate on CPA Projects Proposed for October 2016 Town Meeting: (continued)

Mashpee Historic District Signage Project: (continued)

Mr. Halpern recused himself from voting on this project as one of the signs is intended to be situated at his business site location. In the absence of a Vice-Chairman, Mrs. Buschenfeldt as Clerk presided.

**Motion made by Mrs. Sherman to approve and recommend to the October 2016 Town Meeting, the Mashpee Historic District Signage Project in the amount of \$57,801. Funding shall derive from the 10% Historic Purposes Reserve for this project.**

**Motion seconded by Mr. Larkin.**

**VOTE: Unanimous. 6-0-1.**

**Roll Call Vote:**

<b>Mr. Halpern, recused</b>	<b>Mrs. Buschenfeldt, yes</b>	<b>Mr. Larkin, yes</b>
<b>Mr. Lord, yes</b>	<b>Mr. Shaw, yes</b>	<b>Ms. Waygan, yes</b>
<b>Mrs. Sherman, yes</b>	<b>Opposed, none</b>	

Habitat for Humanity - Orchard & Quinaquisset Community Housing Project:

In the absence of Leedara Zola Warren Brodie, advisor to Habitat for Humanity of Cape Cod, and former Mashpee resident was in attendance to review Habitat's amended application for additional funding for construction and the installation of solar panels at the Orchard and Quinaquisset community housing projects.

At the last CPC meeting there was concern with respect to the funding application and request for an additional \$40,000; \$30,000 to pave approximately 150' to provide access to the Quinaquisset Road home and \$10,000 to offset costs associated to the installation of solar panels at each house.

As the matter was debated Ms. Zola offered to amend the application to request additional funding for onsite construction. In concern, the applicant was requested to submit a revised application and detailed application justifying the expenditures associated to this project. The CPC motioned to accept a revised application from Habitat for Humanity for the October funding round with revised funding request details and the justification of expenditures. Mr. Brodie indicated the paving portion of the project was modified to request funding for construction purposes.

However, the question was again asked by the CPC Chair, should Mashpee taxpayers pay for the paving of a private road, and would it set precedent? And should Mashpee taxpayers be paying for solar panels? If the Town was to contribute towards the panels, would the Town receive some of the excess energy generated by the panels? The questions were left unanswered.

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Habitat for Humanity - Orchard & Quinaquisset Community Housing Project: (continued)

CPC member Larkin also stated the previous application for \$100,000 of which the CPA funded \$70,000 did not mention the request for solar panel funding and it did not request funding for road access to one of affordable homes. Mr. Larkin asked Mr. Brodie if this new request would fund the access road to 132 Quinaquisset Road. Mr. Brodie responded by stating no. It was noted the total development cost for both homes is \$480,000. Mr. Larkin indicated there is strong concern that a dangerous precedent would be set for all future boards, committees and officials if the funding was to be used for paving. It was noted the DPW Director stated that it is not permissible to use taxpayer funds to asphalt roads. Mr. Larkin indicated the CPC should know exactly what the \$30,000 is intended to be used for.

In support to Habitat's application CPC member Mary Waygan indicated that Habitat for Humanity is the main producer of affordable housing units in the Town of Mashpee. Ms. Waygan stated the \$110,000 to be funded by the Town in total for this project is well under the total construction cost of \$480,000 for the two affordable homes. It was noted the family selection for the two homes is anticipated to begin this fall. The houses are still under construction. Ms. Waygan also added the solar panels are making this housing more affordable. Ms. Waygan indicated this project is not providing a profit. As the solar portion of the project was debated Mr. Larkin asked about the other 13,000 residents in the town who do not have solar panels, and if they would come to the CPC to fund their solar panels. Mr. Larkin indicated this would also set a precedent by spending tax money for solar panels.

In rebuttal Ms. Waygan explained this is a new technology and it is permissible for any non-profit to use the CPA as an avenue for solar panels. Mashpee is a green community. In support Ms. Waygan stated she was confident that town meeting will vote for the solar panels. Ms. Waygan suggested if there was such a concern about the support for the solar panels that it be placed on the warrant as two separate articles. However, it was agreed that one article would suffice. In closing, Mr. Brodie stated the \$5,000 request per home is a fraction of the cost of the solar panels. The total installation per home is approximately \$20,000 per house. The gap is \$5,000 per home. Mrs. Buschenfeldt indicated she is strongly supportive of the application as presented.

**Motion made by Ms. Waygan to accept and recommend to the October 2016 Town Meeting, the application from Habitat for Humanity in the amount of \$40,000 for construction and solar panels at 108 Orchard Road and 132 Quinaquisset Avenue. Funding shall derive from the 10% Affordable Housing Reserve for this project.**

**Motion seconded by Mrs. Buschenfeldt.**

**VOTE: 4-3. Motion carries.**

**Roll Call Vote:**

<b>Mr. Halpern, no</b>	<b>Mrs. Buschenfeldt, yes</b>	<b>Mr. Larkin, no</b>	<b>Mr. Lord, yes</b>
<b>Mr. Shaw, yes</b>	<b>Ms. Waygan, yes</b>	<b>Mrs. Sherman, no</b>	<b>Opposed, (3)</b>

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Annual Article to Set Aside the 10% Reserves & Budgeted Reserve for Appropriation:

**Motion made by Mrs. Sherman to approve and recommend to the October 2016 Town Meeting, the annual CPA Article to set aside the 10% Reserves & the Budgeted Reserve for Appropriation for fiscal year 2017.**

**Motion seconded by Ms. Waygan.**

**VOTE: Unanimous. 7-0.**

**Roll Call Vote:**

<b>Mr. Halpern, yes</b>	<b>Mrs. Buschenfeldt, yes</b>	<b>Mr. Larkin, yes</b>
<b>Mr. Lord, yes</b>	<b>Mr. Shaw, yes</b>	<b>Ms. Waygan, yes</b>
<b>Mrs. Sherman, yes</b>	<b>Opposed, none</b>	

Littleford Property – Amended Article; Language Revisions:

With regards to the acquisition of the Littleford property, an article approved by a vote of the May 2016 Town Meeting it has been determined that additional language revisions are required under the CPA as required by M.G.L., Chapter 40, §8C whereby the Board of Selectmen and/or the Conservation Commission would be authorized to acquire, by purchase, fee title to the subject property for open space and passive recreation purposes. And further, previous wording; with no conservation restriction would be removed from the article language.

Motion made by Ms. Waygan to recommend the Board of Selectmen vote to take the Littleford parcel into their custody under the care of the Conservation Commission to satisfy the Community Preservation law.

Motion seconded by Mrs. Buschenfeldt.

**VOTE: Unanimous. 7-0.**

**\*Motion Rescinded on 7/14/16.**

**Roll Call Vote:**

<b>Mr. Halpern, yes</b>	<b>Mrs. Buschenfeldt, yes</b>	<b>Mr. Larkin, yes</b>
<b>Mr. Lord, yes</b>	<b>Mr. Shaw, yes</b>	<b>Ms. Waygan, yes</b>
<b>Mrs. Sherman, yes</b>	<b>Opposed, none</b>	

It was recommended that with future land acquisitions, the Community Preservation Committee make it known that a title search is required of the applicant by a professional lawyer, and further the applicant shall be notified verbally, within the CPA application and on the Town Meeting article of the sunset clause; a three-year time period for real estate acquisition awards which shall be instituted to supply title to the Town for Town Counsel's review and approval prior to said acquisition. With this action, the sunset clause would be introduced and made knowledgeable for transparency purposes. It was agreed that a ruling would be obtained from Town Counsel with respect to this regard.

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## **OLD BUSINESS**

### Approval and Ratification of Invoice(s) for Payment:

Ockway Boat Ramp Improvement Project - \$7,450 + 136.59 = \$7,586.59  
 Heritage Park Recreation Project - \$3,850  
 Great River Boat Ramp Improvement Project - \$1,568.75  
 Great River Boat Ramp Improvement Project - \$1,765  
 John's Pond Improvement Project - \$14,802.52 (final)  
 Habitat for Humanity – Orchard Road - \$3,068.90 (final)  
 Archives - \$160.86  
 Housing Assistance Program - \$27,500 (1<sup>st</sup> quarter)  
 Santuit Pond Preserve - \$649.45  
 Ockway Bay Boat Ramp - \$52,515.09  
 Community Park – 941.03

**Motion made by Mr. Larkin to approve and ratify the above referenced invoices for payment.**

**Motion seconded by Ms. Waygan.**

**VOTE: Unanimous. 7-0.**

### **Roll Call Vote:**

<b>Mr. Halpern, yes</b>	<b>Mrs. Buschenfeldt, yes</b>	<b>Mr. Larkin, yes</b>
<b>Mr. Lord, yes</b>	<b>Mr. Shaw, yes</b>	<b>Ms. Waygan, yes</b>
<b>Mrs. Sherman, yes</b>	<b>Opposed, none</b>	

## **LIAISON REPORTS**

### Mashpee Greenway & Footbridge Project:

Ms. Waygan reported that a kick-off meeting was recently held to procure engineering and design for the Mashpee Greenway & Footbridge project. With approval at the May 2016 Special Town Meeting, the CPA project is moving forward. It was noted that Charlie Rowley, the Town's consulting engineer will assist in the development of specifications and oversee the footbridge project planned to cross the Quashnet River. It was noted that Mr. Rowley has deferred from participating in the actual engineering and design phase of the project.

Additionally, Ms. Waygan indicated that a \$64,000 grant has been applied for with the Commonwealth of MA Trails program from the U.S. Department of Transportation. It is hopeful that Mashpee will receive the grant funding to assist with costs associated to this project.

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## **LIAISON REPORTS**

### Mashpee Housing Assistance Program:

Mr. Larkin serving as liaison to the Mashpee Housing Assistance Program, a project which also secured CPA funding at the May 2016 Special Town Meeting indicated there has been a tremendous influx of residents requesting assistance. Some of the participants who had received assistance 3 years ago have had set backs and will be re-applying for assistance. To date, no funds have been expended to date. The Mashpee Housing Authority is anticipating the program would begin in July at the start of the new fiscal year. It was noted the program was strongly supported at Town Meeting and has received very good recognition. The program has received a lot of publicity which may have resulted in the influx of applications. The newspaper has done a good job in reporting about the families receiving assistance and how much the program is needed.

## **MEETING SCHEDULE**

Thursday, July 14, 2016 – 7:00 p.m.

Tuesday, September 13, 2016 – 7:00 p.m.

### Adjournment:

**Motion made by Ms. Waygan to adjourn at 8:05 p.m.**

**Motion seconded by Mrs. Sherman.**

**VOTE: Unanimous. 7-0.**

### **Roll Call Vote:**

<b>Mr. Halpern, yes</b>	<b>Mrs. Buschenfeldt, yes</b>	<b>Mr. Larkin, yes</b>
<b>Mr. Lord, yes</b>	<b>Mr. Shaw, yes</b>	<b>Ms. Waygan, yes</b>
<b>Mrs. Sherman, yes</b>	<b>Opposed, none</b>	

Respectfully submitted,

Kathleen M. Soares  
 Community Preservation