

# TOWN OF HARWICH

## Community Preservation Committee

*Amended Approved Meeting Minutes 5.12.22, CPC Board Meeting  
Approved March 10, 2022*

### **Community Preservation Committee Regular Meeting Minutes February 3, 2022**

*Meeting held remotely.*

#### **I Call to Order**

Harwich Community Preservation Committee Meeting called to order online per Roll Call Vote by Chair Dave Nixon at 6:12 PM, on Thursday, February 3, 2022 via GoToMeeting.com. VOTE Present by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder - Aye; Carole Ridley - Aye.

Motion carried unanimously.

Meeting called to order.

Absent: Joseph McParland III

Guest: Selectmen Liaison Don Howell

Meeting Rules read into the record by Board Secretary Jan Moore.

#### **II EXECUTIVE SESSION**

Read into the record by Chair Dave Nixon.

Pursuant to M.G.L. c.30A, § 21(6), to consider the purchase, exchange, lease, or value of real estate the Chair declared that an open meeting may have a detrimental effect on the negotiating position of the public body – A Land Purchase.

A motion was made by Mary Maslowski, seconded by John Ketchum to move into Executive Session for the purpose stated on the agenda and will come back into Regular Open Meeting after the Executive Session is completed.

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

Exited Open Regular CPC Meeting to enter Executive Session at 6:14 PM.

Returned to the Open Regular CPC Meeting at 6:25 PM.

#### **III REGULAR CPC MEETING**

Meeting Rules read into the record by Board Secretary Jan Moore.

A motion was made by Kathy Green and seconded by Carole Ridley to open the Harwich Community Preservation Committee Meeting. VOTE Present by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

Chair Dave Nixon called meeting to order at 6:28 PM, on Thursday, February 3, 2022 via GoToMeeting.com.

Absent: Joseph McParland III

Guests: Selectmen Liaison Don Howell, REOS Chair Elaine Shovlin, HCT Director Michael Lach, and FinCom Jon Chorey

- A. Guests Welcomed
- No Public Comment

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### B. Approval of Minutes: CPC Meetings – January 20, 2022

A motion was made by Mary Maslowski, seconded by John Ketchum to approve the CPC Meeting Minutes of January 19, 2022. *January 19, 2022 corrected to January 20, 2022.*

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

### C. New Business

- a) Discussion of the presented 2022 CPA funding requests. (10 applications were submitted. **R9** Harwich Headwaters Drive Bikeways Crossing Lights project and **H3** Beautify Harwich Center were withdrawn.)

*Handouts:* 1) Harwich Financial Director Carol Coppola prepared 1.26.22 Financial Report of CPC Account Balances. 2) Harwich Financial Director Carol Coppola prepared 1.26.22 summarization of the financial transactions associated with the Harwich Affordable Housing Trust Accounts through 12.31.21. 3) CH 7 Pennrose Orleans Housing Project - 2.2.2022 follow-up documents from PennRose's Rio Sacchetti

*Screenshare:* Motions prepared by Mary Maslowski

The motions and budget figures were reviewed and discussed. The funds available this year for funding these project requests is from monies in accounts now (the certified FY 21 Balances) and the FY 23 anticipated revenues (Estimated FY 23 Revenue). The FY 22 Revenue is not available for appropriation until free cash is certified by the State. Mary concluded the 1.26.22 Financial Report of CPC Account Balances prepared by Financial Director Carol Coppola had a typo at the bottom of the figures. The line: Total Estimated FY 22 Revenue should be corrected to FY 23.

- Land Bank Debt Service

A motion was made by Mary Maslowski, seconded by Kathy Green that we approve \$221,525.00 from the Undesignated Fund Account, consisting of \$221,525.00 from FY2021 Certified Undesignated Fund Account to fund the payment of the Land Bank Debt Service.

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

- Administration Account

A motion was made by Mary Maslowski, seconded by Bob Doane that we approve \$60,000 from the Undesignated Fund Account consisting of \$60,000 from FY2021 Certified Undesignated Fund Account to fund the Community Preservation Committee's Administrative Expenses.

Discussion: Traditionally, the committee elects to add \$50,000 to the Admin Fund but additional funding may be needed to cover new legal expenses. The money will remain in the account until it is needed and can be rescinded at any time. The balance of this account is not known presently; the account was not included on the Finance Director's 1.26.22 accounting update.

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

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- **H2** East Harwich Union Cemetery Gravestones Restoration, submitted by Town Administrator. Project Manager Harwich Cemetery Administrator Robbin Kelley, Harwich Cemetery Commission. Requested: \$118,800

A motion was made by Mary Maslowski, seconded by Bob Doane that we approve \$118,800.00 from Historic Preservation Fund Account consisting of \$118,800.00 from FY2021 Certified Historic Preservation Account to fund the Town of Harwich's East Harwich Union Cemetery Gravestone Preservation Project.

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

- **CH4** Harwich Part-time Housing Coordinator, submitted by Town Administrator. Project Manager Town Administrator Joe Powers. Requested: \$50,000

A motion was made by Mary Maslowski, seconded by Bob Doane that we approve \$50,000.00 from the Community Housing Fund Account consisting of \$50,000 from the FY2021 Certified Community Housing Fund Account to fund the Town of Harwich's Part-time Housing Coordinator position.

*12.9.21 follow-up memo from Town Administrator Joe Powers*

*1.26.22 Harwich Financial Director Carol Coppola prepared summarization of the financial transactions associated with the Harwich Affordable Housing Trust Accounts through 12.31.21.*

*No further follow-ups to CPC questions were received from HAHT Chair Powers.*

Discussion: Selectmen Liaison Don Howell wearing his hat of the Harwich Affordable Housing Trust Vice-Chair when he stated the HAHT Chair Joe Powers couldn't attend tonight's meeting. Don was asked if this funding request would be an annual repeating ask, or will the Town start funding this HC position? Don assured the CPC that this will not be a repeating CPA funding request. They will no longer be contracting the HC services. They expect the Town's HC position to be supervised by the Town Planner and to be paid by the Town without asking for CPA funding. CPA monies cannot fund employee benefits. Town will pay for the benefits this year. Don was asked if the Housing Coordinator position will be posted on the Town Meeting Warrant this year? Don's reply was that this position will be a town employee. The selectmen haven't gotten things ready for the warrant yet so he couldn't answer if the position will be on the warrant. The CPA funding is to bridge the gap for now until it becomes a real position, if approved in the town budget and town vote. Don offered this will allow them to fund it until next year. The position the Town is currently advertising is still open. Mary offered other towns' CPA monies cover their HC positions. Can funds be returned to the CPC if the town pays for the position? Yes.

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Nay; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried.

- **CH5** Harwich Affordable Housing Trust, submitted by Town Administrator. Project Manager Town Administrator Joe Powers. Requested: \$500,000

A motion was made by Mary Maslowski, seconded by Bob Doane that we approve \$500,000.00 from Community Housing Fund Account and the Undesignated Fund Account consisting of \$31,270.93 from FY2021 Certified Community Housing Funds, \$210,000 from FY2023 Community Housing Fund Anticipated Revenues, and \$258,729.07 from FY2021 Certified Undesignated Fund Account to fund the Harwich Affordable Housing Trust.

*12.9.21 follow-up memo from Town Administrator Joe Powers*

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*1.26.22 Harwich Financial Director Carol Coppola prepared summarization of the financial transactions associated with the Harwich Affordable Housing Trust Accounts through 12.31.21.*

*No further follow-ups to CPC questions were received from HAHT Chair Powers.*

Discussion: Don was asked in general how these funds would be used - for development of their currently owned land or new land purchases? Don gave a brief history on the Harwich AHT's actions.

- The AHT had started the development of an action plan. They had only held two workshops for input when COVID hit. Instead of wasting money for an incomplete process, they halted their development of their action plan.
- They have spent money on land purchases, legal counsel, environmental study, appraisals, and surveying.
- They have a balance of approximately \$100,000, not just of CPA funds, but including funds from cell tower revenue and other sources.
- They do have seven properties that they are analyzing their options for development. Site plan work is needed. They are working on clearing up deed transfers on other parcels. They only recently discovered these deed transfers had not been done by the former Town Administrator/AHT Chair.
- They haven't done anything yet with a developer. They aren't near that yet.
- Future direction - They don't have their action plan yet that would give them their list of priorities. They are working on a lot of things at once.
- Harwich Town Meeting had voted to direct short-term rental tax revenues to AHT. Don was asked to include those figures as part of the AHT figures going forward.
- It was pointed out the AHT and HC funding request applications lacked all information. It was requested that going forward they include everything needed in the applications.

The committee will discuss the AHT at the Feb 17, 2022 CPC meeting

VOTE by Roll Call: Chair Dave Nixon - Nay; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Nay; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried.

- **CH6** Adult Shared Living for Disabled & Workforce – construction of a 4-bedroom home, submitted by Adult Shared Living of Harwich, Inc. Project Managers Jeffery Locantore, Jonathan O'Callaghan, & Janet Cardillo. Requested: \$250,000

*11.18.21 During their presentation, the CPC received a revised application*

*No further follow-ups were received from the CH6 project managers.*

No positive motion was made for this project. No follow-ups were received from project managers. Chair Nixon will contact the CH6 project managers.

- **CH7** Orleans Cape Cod 5 Bank Project – mixed-income community housing units, submitted by Pennrose, LLC. Project Manager Charlie Adams, Pennrose. Requested: \$100,000

A motion was made by Mary Maslowski, seconded by Elizabeth Harder that we approve \$100,000 from the Undesignated Fund Account consisting of \$100,000 from FY2021 Certified Undesignated Fund to fund the PennRose LLC/CapeCod5 Housing Project in Orleans.

*12.6.2021 follow-up email notes received from PennRose's Rio Sacchetti*

*2.2.2022 follow-up documents received from PennRose's Rio Sacchetti*

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Discussion: Regional Housing project in Orleans. Business owners have a hard time getting and keeping employees because of the lack of affordable housing. It was noted the benefits of regional housing approach will get this project done. Committee members agreed the need affordable housing but voiced their reservations if Harwich would benefit from this housing project. State regulations may change, but at this time regional contributions for this project won't count towards Harwich 10 % goal, nor will Harwich receive any local preference. By moving from Harwich to Orleans, their children would also be changing schools. One committee member commented the project applicant shouldn't have delayed in sending the very complicated 31-page document to the day before this vote. It was noted that during their 12.2.21 presentation the deed restrictions would have a 50-year term, but in follow-up notes it looks like it will have a 30-year term.

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

- **R8** Harwich Natural Heritage Trail Project, Phase 2 – Boardwalk Connector, submitted by Harwich Conservation Trust. Project Manager HCT Executive Director Michael Lach. Requested: \$75,000

A motion was made by Mary Maslowski, seconded by Carole Ridley that we approve \$75,000 from the Undesignated Fund Account consisting of \$75,000 from the FY2021 Certified Undesignated Fund Account to fund Phase 2 of the Natural Heritage Trail Boardwalk Project.

Discussion: Committee members agreed supporting the project would provide accessible public access.

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

- **R10** Brooks Park Pickle/Basketball Court Project, submitted by Town Administrator. Project Manager Recreation Director Eric Beebe. Requested: \$245,500

A motion was made by Mary Maslowski, seconded by Kathy Green that we approve \$245,500.00 from the Undesignated Fund Account consisting of \$50,997.00 from FY2021 Certified Undesignated Fund Account, and \$194,503.00 from the FY2023 Undesignated Fund Anticipated Revenues to fund the Town of Harwich Pickleball project at Brooks Park.

Discussion: Committee members agreed supporting the project for recreation and liked the option that in the future if needed, the courts could be converted into another sport.

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

- **OS1** Spruce Woods Project – Land Purchase, submitted by Town Administrator. Project Manager REOS Chair Elaine Shovlin. Requested \$600,000. Updated Request \$950,000.

A motion was made by Mary Maslowski, seconded by Bob Doane that we approve \$950,000.00 from the Open Space Fund Account and Undesignated Fund Account consisting of \$604,486 from the FY2021 Certified Open Space Fund Account, \$210,000 from the FY2023 Open Space Fund Anticipated Revenues, and \$135,514.00 from FY2023 Undesignated Fund Anticipated Revenues to fund the Town of Harwich/Harwich Conservation Trust application to purchase a conservation restriction at the Spruce Woods project.

The motion was amended by Mary Maslowski, seconded by Carole Ridley that we approve \$950,000.00 from the Open Space Fund Account and Undesignated Fund Account consisting of \$604,486 from the FY2021 Certified

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Open Space Fund Account, \$210,000 from the FY2023 Open Space Fund Anticipated Revenues, and \$135,514.00 from FY2023 Undesignated Fund Anticipated Revenues to fund the Town of Harwich/Real Estate and Open Space Committee's application to purchase a conservation restriction at the Spruce Woods project.

*Amending to replace the wording ...to fund the Town of Harwich/Harwich Conservation Trust with /Real Estate and Open Space Committee's application...*

Note: Previous discussions of this project were held during Executive Session. Now, the Purchase and Sales agreement has been signed. The CPC was assured by Vice-Chair Kathy Green that now OS 1 can be discussed in Open Session.

Discussion: The Town of Harwich and the REOS Committee project is to purchase 75 acres of undeveloped land in the Six Pond Area for the protection of water quality, conservation, and passive recreation purposes. The property would have a conservation restriction. The Harwich Conservation Trust plans to raise additional funds. They plan to apply for a State land grant. If awarded, there is the potential to receive up to \$400,000. HCT Director Michael Lach confirmed if the town is awarded the State grant, funds could be rescinded to the CPC accounts.

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

- Conservation Restriction for Spruce Woods Land Purchase

A motion was made by Mary Maslowski, seconded by Carole Ridley that we approve up to \$12,500.00 from Administrative Funds to fund the appraisal costs and grant writing costs for the Town of Harwich, relative to the purchase of a conservation restriction pursuant to the Town of Harwich/Real Estate and Open Space Committee's application.

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

### D. Old Business

### E. Other

### F. Agenda Points for the next Meeting

- Next meeting scheduled: Thursday, February 17, 2022 at 6 PM online.
- Two items for the agenda: 1) Report on The Harwich Affordable Housing Trust. 2) Discussion – Harwich Affordable Housing Trust

### G. Adjournment

A motion was made by Mary Maslowski, seconded by Kathy Green to adjourn.

VOTE by Roll Call: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

Adjournment at 8:07 PM.