

TOWN OF HARWICH

Community Preservation Committee

Approved 11.21.19

Community Preservation Committee Regular Meeting Minutes November 14, 2019

Meeting Electronically Recorded

1. Call to Order

Harwich Community Preservation Committee Meeting called to order by Chair Dave Nixon at 6:00 PM, on Thursday, November 14, 2019, in the Harwich Town Hall, Approved 11.21.19 Approved 11.21.19 Donn B. Griffin Meeting Room. Present: Chair Dave Nixon, Vice-Chair Mary Maslowski, John Ketchum, Bob Doane, Donna Kalinick, James Donovan, Kim Bourgea, and Joseph McParland III

2. Guests welcomed. No public comment.

3. Approval of Minutes: CPC Meeting November 5, 2019 - deferred until next meeting.

Note: Chair Nixon confirmed all committee members received the email of protocol during the presentations.

1. New Business:

a. Presentations of submitted CPC Applications -

1) OS 7 Deacon's Folly Road Acquisition

Applicant: Town of Harwich Real Estate & Open Space Committee (REOS) and Town of Harwich Affordable Housing Trust (HAHT); Project Manager: Amy Usowski, Harwich Conservation Administrator; Amount Requested: \$1,200,000

Project Withdrawn

2) OS 9 Restoration & Rehabilitation of Town-Owned Conservation Lands

Applicant: Amy Usowski, Harwich Conservation Administrator
Project Manager: Amy Usowski, Harwich Conservation Administrator
Amount Requested: \$20,000

Presenter Harwich Conservation Administrator Amy Usowski requested \$20,000 in support of rehabilitation on CPC purchased open space conservation lands. The proposed project has the support of the Selectmen and ConsCom. The town owns just under 1,000 acres of conservation lands, made up in many large parcels including Island Pond Conservation Area, Bell's Neck Conservation Area, and Thompson's Field. Town Meeting voters authorized past CPC projects of purchasing the conservation lands. The conservation department manages the land, but their budget of \$4,000 is not enough to keep up these lands. The town's Comprehensive Plan and the Open Space/Recreation Plan speaks to actively manage the land efficiently and properly.

Many of the conservation areas now need restoration and rehabilitation. The lands have problems with public access points and misuse of property. Restricting the use of ATVs, preventing the dumping of garbage, and preventing vandalism is a priority. Some ideas to improve access points to curb this misuse is the use of spit rail fencing, boulders, gates, etc. to keep unauthorized uses at bay. Trail cameras can watch for camping, dumping, and vandalism.

Amy provided extra copies of 11.5.19 project revision.

Committee questions:

John - He serves on the ConsCom. During field trips of the conservation lands, he was surprised by the property challenges in dealing with the misuse on lands.

He questioned what constitutes use of CPA funding. The revised application request is restricted to rehabilitation of open space that was purchased with CPA funds. CPA makes a designation between rehabilitation and restoration of open space that has been purchased with CPA funds vs. the acquisition, creation and preservation of open space without the qualification of CPA purchased lands. So, he asked if CPA law allows for preservation of open space regardless of how it was acquired?

Amy - She thinks the CPA guidelines have qualification of CPA purchased lands. The CPC needs to decide that question.

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Donna – She did review the CPA law. She reads the CPA law as you can only rehabilitate (open space) that has been acquired with CPA funding. Preservation is the protection of real or personal property from injury, harm, or destruction. Maintenance is defined as incidental repairs that neither add to the measurable value of the property nor prolongs the property's life, but keeps the property in a condition of fitness, efficacy, and readiness. Capital Improvements is the reconstruction or alteration that adds to prolong the life of the property, that is permanently affixed or installed. A fence would do that. This projects falls under acquisitions and capital improvements, so it does qualify for funding.

Requested a budget of breakdown of how the \$20,000 would be spent, and at which locations. A prioritized list.

Amy – She has a drafted budget, but it hasn't been approved by ConsCom.

Donna - Who will do the work?

Amy - The work could be done by a combination of volunteers, Amy, ConsCom, and the Highway Department (installing fencing, parking lots.) In addition to the rehab maybe they could purchase tools. She wants to be able to provide training for commissioners, purchase trash bags (many supply their own), and even print some field guides. She wants to section off sections of land where illegal actives are happening.

Mary - Rehabilitation must be on CPA acquired lands. We cannot support maintenance with CPA money, so a budget is necessary to determine if this project qualifies.

James – Is also a ConsCom member. Some of the land sees dumping, ATV use, bon fires, and abutters encroachment – using the land as their own for parking, even vehicles creating roads. Steel gates, signage, fencing, and boulders are needed to prevent land from being actively damaged. Preservation is needed on these conservation lands.

Amy – She will address requests at the next ConsCom meeting, set for the beginning of December. She will get Chair Nixon an email to distribute.

- 3) R 11 Pleasant Bay Community Boating Accessible Dock Project
Applicant: Pleasant Bay Community Boating
Project Manager: P J Richardson, Executive Director
Amount Requested: \$25,000 (Similar requests to Chatham, Orleans, & Brewster)

Handouts. Presenters: Pleasant Bay Community Boating President Ted Baylis, PBCB Board Member Rick Paris, PBCB Board Member Paul Ronty (wrote the application), and retired PBCB Executive Director Charlie Sumner. The Pleasant Bay Community Boating is a non-profit, that is open year-round to the entire community. They serve residents, visitors, and school programs, providing programs to hundreds of local and visiting families and thousands of individuals participating in programs. It is on Pleasant Bay, where the "V" meets Harwich, Chatham, Orleans, and Brewster. PBCB is asking all four towns to contribute to this project. They have also fundraised. The PBCB mission is make boating, marine education, and environmental stewardships affordable and accessible to all.

The PBCB is not ADA compliant, and thus makes it very difficult for individuals with mobility disabilities to access all that the PBCB offers on and off the water, their recreational water activities including sailing and kayaking, marine educational programs, and environmental stewardships. The PBCB offers free community outreach programs. They are the home to Monomoy High School Sailing Team and provide their boats. They conduct the First Sail Program, an annual June event for over three hundred third graders from Monomoy and Nauset to a learn about the bay, boats and sailing. They have a "Bio Blitz" program via a partnership with Monomoy High School and Northeastern University. PBCB offers Senior Sailing Program with the Councils of Aging in the area. For Monomoy Community Services, Harwich Recreation, and Cape Abilities have developed programs for those with disabilities. Also, they offer special programs for the blind and hearing impaired, and wounded Veterans programs. They are certified by the state as a camp and offer full day camp programs and after school programs.

But they cannot offer any of these programs to individuals with mobilities restrictions. Safety is a major concern and as they are not ADA compliant means limiting to individuals with mobilities restrictions, child or adult. The new dock will provide the public safety. In fact, this will allow anyone using Pleasant Bay an ADA access on and off the water. Submitted in the

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handouts today, is a letter of support from the Orleans Fire and Rescue Dept. of the project in regard to the public safety. Other letters of support will be sent as a PDF packet to the committee members.

The plan: The road access to the property will need excavation for an ADA drop off area. A vegetation island barrier will provide protection from the road. Construct a walkway to the pier, a permanent pier, a 8 x 20" staging for wheelchairs and viewing area for all, connecting to and be part of the permanent pier, a 30' aluminum gangway, a 14' x 60' floating dock to accommodate vessels and activities, and bump-outs where kayaks can be launched and areas for adaptive paddling programs. The PBCB operates water programs March – November, in the off-season indoor programs are in campus buildings. They are in the process of acquiring a 37" classroom boat that can accommodate up to 31 individuals. The vessel is ADA compliant and can offer marine stewardship and educational programs, including school programs. The existing dock limits the vessel usage. This project would connect the vessel to the property for individuals with mobilities restrictions.

Rick Paris, a Polio Survivor who has to use crutches, spoke first-hand knowledge of the limitations of the PBCB, jokingly referred to as a "Mountain Goat Campus" with its many hills of steps and stairs. He spoke of when Charlie Sumner took him out on the water for the first time from PBCB. The access via the rickety old ramp was one of the scariest experiences of his life. He then tried the small adapted sailing program in Hyannis for those with limited mobility and loved it. In fact, the Cape in general, limits access to water activities with those with mobility issues. There are no ADA compliant access docks to the bay. This project would allow all to use the bay and its opportunities. The demographics show a growing older population in our area. As folks get older, they may have joints affected from time to time, limiting their access. This project isn't just for the disabled, but for anyone with special limits at any time.

Charlie Sumner spoke to taking Rick out on his first sailing trip. It was difficult to get on and off the water, but a wonderful experience. Rick is now a volunteer at PBCB. Rick's first visit is just one story similar to many others with limited mobility that this project would address. The new donated floating classroom boat is about to explode with new programs to offer our citizens. This new dock and pier will provide many new opportunities, not just learning how to sail.

Paul Ronty spoke to the wonderful job the PBCB does; the programs they offer. This ADA compliant project will allow the PBCB to continue grow and expand their programs and opportunities to all.

Committee questions:

Kim – Complimented the project. Sees the project as very much needed. Sees significant fundraising. Questioned what would happen if one of the four towns do not commit CPA funds?

Ted – Can always fundraise and seek donations. The PBCB has a very active fundraising committee. It hasn't relayed on the four towns.

Mary – Where does this project stand in the permitting process? Starting date?

Ted – Have a start date in Feb/Mar. PBCB has approval from the Orleans ConsCom and the Pleasant Bay Alliance. We're in the middle of the process with the State and Feds; working on answers. The DEP has two questions. The Army Corp of Engineers has one or two. The DOT's curb cut, has two questions. The project's civil engineer John O'Reilly expects the permitting to be done by the end of the year. The final RFP is also expected by the end of the year. Have preliminary estimates.

Mary – Requested the final RFP's numbers for the budget. The CPC will vote in January on the project's funding.

Joe – He is familiar with the PBCB. He loves what they are doing with the schools. He hopes project will be completed by the season.

Ted – The work is driven by the contractors, estimated to be completed in 4 – 6 weeks. Engineers and vendors have given estimates three years ago. Now with design modifications and time, the PBCB has bumped up the figures. There will be no dredging.

John – He is familiar with the current dock. He thinks it is a disaster and should be replaced. His grandchildren have participated in the programs. How much will the new project stick out from the shore?

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Ted – The new project will stick out 2-3 feet more than the current dock. They reduced the (permanent) pier size. The width and height size are dictated by the ADA compliancy.

James – Recused himself.

Bob – Requested the numbers of the participants, broken down by their towns.

Donna - Complimented the PBCB on their application. It was well put together.

In response to her questions she was told the PBC will be open to the public, where members and non-members - visitors can come, similar to a museum model. Anyone is welcome to participate. If a group of disable people visit, and not participate in a PBCB program, they will work with them. Any non-profit group can use the facility; many do. The PBCB needs to control the access for safety reasons. 25% of the programs are free to different organizations. Many collaborations happen there and use the facility.

It was noted they don't have to pay the prevailing wage. (Making it less expensive.)

Dave – Asked if the PBCB has asked the school district for funds? Scholarships?

Ted - Some schools receive grants and reimburse the PBCB for costs. The grants go to the school first, then to the PBCB. This year the after school one-day-a-week program model is being used. They are hoping to expand this model into an afterschool program. Ted has no experience in requesting school funds for programs. Dave suggested he contact the schools' business managers.

Paul Ronty - the PBCB has individual scholarships. They don't turn anyone away.

The next CPC steps in this process?

The CPC meetings will all be posted. We will first finish the presentations of the project applications meetings. Then the CPC takes in additional requested application information (follow-ups). Then the CPC deliberates on the projects. Unless the CPC requests you to return, you don't need to attend. You can email tonight's answers on the numbers to the board secretary. She will email you the meeting dates.

4) CH 6 Rental Assistance Program

Applicant: Harwich Housing Authority

Project Manager: Harwich Housing Authority Executive Director John Stewart; Tracy Cannon

Amount Requested: \$200,000

Presented by Harwich Housing Authority Executive Director John Stewart and Tracy Cannon, who runs the Rental Assistance Program. They asked the CPC to continue to fund the Rental Assistance Program. The \$200,000 will cover the program's budget for three years to assist in off-setting rents in Harwich. Participants can be allotted up to \$350 a month rental assistance, for no more than three years. They can only participate in the program once. If they are allotted \$250 a month say, they cannot increase the amount over the course of three-year program. The program's participants have income requirements. They need to earn less than 80% of the area medium income. This year the program will deduct childcare costs from the gross to establish the qualifying amount. The Rental Assistance Program began in 2010. It has served 103 families/individuals. Hopefully, and it does happen, participants' incomes increase and are phased out of the program. They must live Harwich. There is a lot of need for assistance. It is a hugely successful program.

Committee questions:

Bob - How many families do you assist?

Tracey – If we are maxing out this year's request of \$200,000, over three years, it would serve a minimum of 15 families.

Bob – How much money in the past has been requested from the CPC?

Tracy - Total since 2010 over \$920,000 has gone through the program, but she was not sure if all of that was CPC funded, but most of it was. This project has been requested and funded three times.

Bob – What happens when you run out of money?

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Tracy – They budget out the funds to last three years for current participants. They have a waitlist of those who want to join the program; about a dozen are on the list. If people are phased out, or move out of town, the HHA makes adjustments for more participants. Participants are re-evaluated annually. They don't have more participants than they can budget. They don't advertise much. Once they received town approval, new spreads fast.

Bob – Do you handle Buy Downs Program?

Tracy – Yes. But don't have a current one now.

James – Is the HHA private, non-profit?

Tracy – No, they are State subsidized. They have separate budgets for the State programs. They also are the staff for the Chatham Housing Authority. Harwich has a management agreement with Chatham, whose program is smaller.

James – What is the 80% income number?

Tracy – Will have to provide that later.

John – More details on the program?

Tracy – Entirely funded by the CPA funds. They look at the rents, reasonable rents. For example, they would not fund one person living at the beach. They follow the State Rental Assistance Program Guidelines. The program is for year-round rentals, not for summer only. A one-year lease is needed. Contracts are with the tenant and landlord.

John - Will you come back and ask for additional funding next year.

Tracy – No. Traditionally the program runs for about three years, and into the fourth year the HHA would return and ask for funds. The HHA will accept an application at any time but will only allow someone into the program when they can be budgeted over the three years.

Dave – When was the last time the HHA requested funds for this program?

John S.– Received the funds in 2016. Buy-Down requested two years ago, but it didn't go anywhere.

Donna – Money is paid directly to landlord?

Tracy – Yes.

Donna – How much money do you have on hand in this program?

Tracy - \$32,000. She confirmed that administrative costs for the life of the program would be \$4,000.

Donna - Participants are re-evaluated annually. If the participants are determined not to qualify for the program now, how much time are they given?

Tracy – A full 30-days from notice, added time if mid-month.

Donna – Do you have a rentals inspection program?

Tracy – No. Not with this program. Many of the landlords are repeats.

Donna – Requested AMI table for incomes. Requested Harwich Production Plan page relating to this program. Requested the history of CPA funding projects. Requested a blank application. Requested what is the average rent. HUDD does average rents.

Joe – Are there other options than this program?

Tracy – Yes. Two State Rental Assistance Programs, which services 21 participants in Harwich (are lifetime, without limits.) They offer this program in Harwich and Chatham. There is a time stamped waiting list. It is a first come, first served program. Historically once funded, they received 30 to 40 applications.

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Kim – This is a good program, with the Cape’s high rents and low incomes. The childcare cost is a good item to add to the calculations.

Bob - Why don’t you ask for more funds, if they are needed?

Tracy – Because the HHA doesn’t have the time to keep up with more. One can apply to the HHA for this program. It gives residency preference and has an emergency aspect to it. Applicants can apply for both the State and town programs. If the State admits them, they can switch off the town program. The State Rental Voucher is a state-wide program. Currently, Harwich has 21 State Voucher participants. If one of those 21 participants move or go off the program, Harwich will have another Voucher to offer.

5. Old Business:

Website: John Ketchum did update the webpage, adding the email. It is very visible. Nothing new will be added at this point.

6. Other Business:

Chair Nixon gave a reminder to the Board that we are advocates to the applicants, but at this time (during the presentations) the only thing one should be doing is asking questions. The taxpayers are watching these meetings on TV; they can see where a member is going. It is wrong to make supporting comments until this board deliberates and makes a decision. Ask questions that on point. The Chair will enforce this going forward.

7. Next meeting’s Agenda points:

Dec. 3, 2019 meeting requires an executive session to discuss the land acquisition. The town’s law firm, KP Law gave the rules to the Chair.

8. Adjournment

A motion was made by Mary Maslowski, seconded by Kim Bourgea to adjourn.

VOTE: Yes 8; No 0; Abstain 0. Motion carried unanimously.

Adjournment 7:33 PM.