***Approved 4.13.17***

**Community Preservation Committee Regular Meeting Minutes of March 9, 2017**

1. Call to Order

Harwich Community Preservation Committee Meeting called to order by Chair Bob MacCready at 6:02 PM, on March 9, 2017, in the Harwich Town Hall, Donn Griffin Meeting Room.

Present: Chair Bob MacCready, Vice Chair Kathy Green, Jim Atkinson, David Nixon, Daniel Tworek, Walter Diggs, and Cindi Maule

Absent: Robert Bradley; Selectmen Liaison Michael MacAskill

Vacant: Housing Committee representative

Guests: Louis and Sally Urbano

*The CPC Meeting is electronically recorded*

2. Welcome Guests. Public Comment:

Louis and Sally Urbano spoke. Mr. Urbano stated he appreciated the CPC. His proposed West Harwich School project and the Albro House project followed the CPA guidelines. He agreed with the committee that the recently proposed West Harwich National Register District Submission project didn’t follow the guidelines. He commented the CPC didn’t say it wasn’t a good project; it just didn’t follow the guidelines. The Brooks Free Library project is a maintenance project; the town lawyer’s comments supported this classification. This committee couldn’t support a maintenance project. Mr. Urbano thanked the committee for their effort, time, and thoughtfulness. Mrs. Urbano also thanked the committee. She appreciated the CPC email she received explaining why the CPC could not support her presented West Harwich National Register District Submission project. She thanked the committee for their availability and openness to the public.

3. Approval of Minutes: January 26, 2017

A motion was made by Kathy Green and seconded by Dave Nixon to approve the January 26, 2017 CPC Meeting minutes.

VOTE: Yes 6; Chair Bob MacCready, Vice Chair Kathy Green, Jim Atkinson, David Nixon, Walter Diggs, and Cindi Maule

No 0;

Abstain 1 Dan Tworek. Motion approved the minutes.

February 9, 2017 CPC Meeting was cancelled; snow storm.

4. New Business:

a) Open Meeting Law Complaint from Don Howell, 2.1.17.

The Committee acknowledges receiving the complaint. Chair MacCready turned the complaint over to the town attorney to review. A response is due to the Attorney General by March 13, 2017. The attorney composed a drafted response which Chairman MacCready read aloud to the committee. The drafted response pointed out: 1. The issue doesn’t constitute open meeting laws violations. 2. The complaint was untimely, failing to be filed within 30 days of occurrence or within 30 days of discoverance. 3. The complaint didn’t include violations of not properly posting of meeting.

Last August’s Public Hearing was announced in the newspaper and on websites and the public did come.

Chair MacCready moved to accept the recommended response amended to include a CC: Chairman MacCready on the letter.

VOTE: Yes 7; No 0; Abstain 0. Motion carried unanimously.

b) Discussion & Vote on continued membership of Community Preservation Coalition (the Alliance); Annual Dues of $4,350.00.

A motion was made by Dan Tworek, seconded by Dave Nixon to continue with the Community Preservation Committee paying dues.

VOTE: Yes 7; No 0; Abstain 0. Motion carried unanimously.

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c) Discussion of the CPC Application document and possible changes to it.

Jim Atkinson wanted the application to list the statutory criteria and require the applicants to write how their project fits in and to justify their project. The statutory criteria refer to the Community Preservation Act’s Sec. 5 b. 2. The list should be at the top of the application. The applicant should state their project very clearly. Is it a new project? Or which project phase? It is a restoration or a maintenance project? Kathy Green found the Alliance website’s Historic Resource flow chart very helpful. How could that be applied? The committee is not sure if applicants even read the application. So it was suggested we create a simple, condensed application, a better guideline. The committee discussed what a historical resource is. The applicant can be asked to answer this, but the area may be a bit gray. The Act does not have an especially clear definition for this. The law doesn’t say that if a building hasn’t seen maintenance for some fifty years, then that makes the project a restoration project. The list of past approved projects can be researched, but examples don’t prove the case. Applicants have to argue how and if their project fits. Maybe this committee needs to have a determination of what is a historical resource. In the past there have been problems with that because originally the Act focused on buildings, not historical artifacts. In 2006 it broadens the scope to include them. We could require applicants to write to persuade that point of view. It was also acknowledge that applicants have found it difficult to get on the Historic Commission’s agendas; applicants should know this and be advised to get to this early. It was suggested the committee invite the new chairperson of the Historical Commission to attend one of our committee meetings. In the past we have invited regular applicants to come in and discuss their project with the committee, and go over the guidelines. The earlier they get in and the more knowledge is available, the smoother the process and the more successful the application will be.

In the past, application revisions have been done by Kathy Green and Dan Tworek. Jim Atkinson and David Nixon volunteered to be a new subcommittee to create a first draft and report to Kathy Green. Tonight’s discussion will provide some revision material.

The Alliance’s database of past approved projects may show what some communities have approved. The problem is that the website snips the project’s details down. What may sound similar actually isn’t. A major distinction or some very small distinction changes the story. There is the rub; applicants have a hard time telling why similar sounding projects don’t get approval. That’s why each year projects are presented for evaluation against the Act’s guidelines and criteria.

It was questioned if this committee should spend funds to have the application in a format for applicants to submit it on-line? It was noted that some project may require additional documents supporting their project application. Maybe those could be uploaded as well. It was unclear how this all could be done.

d) Begin project review status updates:

Kathy Green reported:

The newspaper noted that the Queen Anne Road Bike Crossing Lights have gone out to bid.

The Cemetery Committee will be returning $53,000 from an old funded project. They will not be going forward with the project.

Kathy will review the list of Open Articles for future invites. For the next CPC Meeting she will invite the following:

1. Brooks Academy
2. South Harwich Meeting House
3. HDHC’s Property Inventory Report
4. Albro House

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5. Old Business:

a) Discussion & Vote on the CPC’s Warrant Articles for May 2017 Town Meeting

Articles have been submitted. They were reviewed as they appear in the drafted warrant. It was noted the Town Accountant determined the land bank article to be written for $610,000 in debt service; we had the amount as a placeholder of $608,000.

6. Other:

a) “Summary of the Conflict of Interest Law for Municipal Employees” new training for 2017 and certificate for completion required. Handouts were given to attendees.

b) Approval of payroll for the Board Secretary: Months of January 2017 and February 2017.

A motion was made by Dave Nixon and seconded by Kathy Green to pay the board secretary for four hours for January.

VOTE: Yes 7; No 0; Abstain 0. Motion carried unanimously.

7. Set next meeting date: Discussion of potential change to the next scheduled meeting: April 13, 2017

Jim Atkinson has a conflict with the April 13, 2017 CPC meeting. The Planning Board is also meeting on April 13, 2017. To accommodate Jim, the CPC meeting will begin at 5:30 PM. Arrangements will be changed for that new time for the April 13, 21017.

Next Meeting’s Agenda points will also include:

1. Project Update -- The Brooks Free Library
2. Update on CPC accounts

8. Adjournment at 7:25 PM.