

STEP 2

**Town of Middleborough
Community Preservation Committee
Application for Community Preservation Funding**

A. COVER SHEET

1. PROJECT NAME Acquisition of the Oliver Estate

2. APPLICANT INFORMATION

Project Sponsor or Organization: Middleborough Tourism Committee

Contact Person: Leilani Dalpe

Address: 20 Center St

City: State: Zip: Middleborough, MA 02346

Daytime Phone: Fax: 508-923-1009

E-mail: Website: selectmandalpe@middleborough.com

Property Owner (if different from Applicant) Starr O. Lawrence, Prudence O. Harper

Contact Name: Mary Richardson, realtor Raveis

Address: http://marcyrichardson.raveis.com/

City: State: Zip: (617) 513-2242

E-mail: marcy.richardson@raveis.com

3. PROJECT INFORMATION

CPA Category (Please check all that apply):

☒ Open Space # of acres

☒ Historic Preservation

☒ Recreation # of acres

 Affordable Housing # of units

Project Location/Address: 445 Plymouth Street

Middleborough Assessors Map: 41 Block: Lot: 2098, 2867

Brief Project Description: acquisition of the Oliver Estate consisting
of about 54 acres dwelling and barn

4. AMOUNT OF CPA FUNDING REQUESTED: \$ \$225,000

TOTAL PROJECT COST: \$539,000

CPA AS PERCENTAGE OF TOTAL PROJECT COST: 41%

For CPC Use

Date Received

Funding Recommendation

Date Application Deemed Complete

Public Hearing

B. PROJECT NARRATIVE - Follows page 11

To assist the CPC in reviewing your application in a fair, equitable, and efficient manner, please provide a thorough project description, addressing each of the following points in the order indicated. Use separate sheets as needed and number each point to correspond with the section headings below.

1. **Goals and Description:** Provide a detailed project description, including but not limited to:
 - a. Project goals;
 - b. Description of project activities and outcomes and the property involved and its proposed use;
 - c. Indication of how the project is eligible for CPA funding;
 - d. Description of the project applicant and any project partners.
2. **Community Need:** Indicate what community need(s) the project will address and how these are consistent with Town policy and plans. Refer specifically to the Community Preservation Plan, existing Town plans, and/or other publicly vetted priority-setting planning documents. Describe the ways that the project will benefit the Town.
3. **Community Support and Outreach:** Describe the nature and level of support for this project. Show how the project will foster long-term stewardship and generate a community ethic through citizen involvement. Provide information on the methods that will be used to disseminate information on the project and how it will endeavor to encourage and/or serve as a model for other local projects. Submit at least 3 letters, petitions, or other documentations of support.
4. **Credentials:** Identify the members of the project team and their roles, qualifications, and technical expertise. Explain how the project applicant and any partners are qualified to conduct the scope and scale of the proposed project and indicate prior experience with similar projects. Identify the professional standards that will be followed if construction, restoration, or rehabilitation is proposed. Note that historic preservation proposals must include the services of a qualified credentialed preservation professional to oversee all preservation and restoration activity and ensure compliance with Massachusetts Historic Commission standards.
5. **Maintenance and Ongoing Costs:** If ongoing maintenance or other ongoing costs are required for the project, indicate how it will be funded. If no costs are anticipated, the application should include this information
6. **Success Factors:** Describe how the project's success will be measured. Indicate the specific method(s) that will be used to evaluate each project outcome. Identify any significant barriers to complete the projected outcomes and specify how these would be addressed.
7. **Project Permits & Approvals:** Provide documentation as required:
 - a. **Control of Site:** Provide documentation that the applicant has control over the site, such as a Purchase and Sales Agreement, option, or deed. If the applicant does not have site control, explain how public benefits will be protected in perpetuity. If the applicant is not, or will not be, the owner of record, submit a certification of project approval by the owner.
 - b. **Deed Restrictions:** Identify the present owner and attach a copy of the deed up to present owner. In addition, identify the entity that will be holding rights to enforce the restriction. In order for a project's funding to be distributed fully, an applicant must have filed with the CPC a copy of the appropriate deed restriction
 - c. **Hazardous Materials:** Provide evidence that the proposed project site is free of known hazardous materials, or if there are known hazardous materials please indicate the proposed plan for remediation. 3

- d. Environmental Concerns: Identify all known wetlands, floodplains, and/or any natural resource limitation that occur within the project boundaries.
- e. Evidence of Historic Significance [for historic preservation projects]: An applicant must provide evidence that the historic resource is listed or eligible for listing on the Massachusetts State Register of Historic Places or obtain a letter from the Middleborough Historic Commission ["MHC"] that the historic resource is locally significant. The applicant must also obtain a letter from the MHC indicating the MHC has reviewed and endorsed the proposal. The applicant should submit a draft project proposal to the MHC in order to be reviewed at a monthly MHC meeting prior to submission to CPC.
- f. Permitting: Indicate any further actions that will be required to complete the project, such as environmental assessments, zoning or other approvals, agreement on terms of any required conservation, affordability, or historic preservation restrictions, and any other known barriers to moving forward. Present evidence that the project does not violate any zoning ordinances, covenants, restrictions, or other laws or regulations and that the project will expeditiously meet environmental and other permitting requirements, so that on-the-ground activities will begin within the first 12 months after the project's start date. Evidence of consultation with the Conservation Commission, DPW, Park Dept., Planning Board, Historical Commission, Select Board, etc. where applicable, is strongly recommended.

List below any permits needed for the project. Provide copies of permits already acquired. (Applicants are responsible for all costs associated with permitting, including, but not limited to abutter mailings and advertising.)

Name of Permit	Filed (Y/N)	Date Filed	Date Obtained
CR			
Subdivision 2 lots	N	to be filed and engineered after purchase to be paid for by closing costs	
CR	N	to be held on land by Wildlands Trust	
HPR	N	Historic Commission working with Historic New England - Funding next year	

B. Project Narrative

1. Goals and Description

A. Project Goals-It is intention to purchase the Oliver Estate and have a Conservation Restriction on the land portion of the property. The House portion of the property will be purchased with Cultural Facility Funds and the house will be have an Historic Preservation Restriction.

b. Description of project activities and outcomes and the property involved and its proposed use-The land will remain as open space and be used for hiking trails, canoe access on the Nemasket River and similar recreation. Portions of the land may be leased for farming projects for maintenance and income. The house and gardens will be leased as office space and once funding becomes available after the second year of ownership the kitchen will be updated and bathrooms added to use the facility for out-door events such as weddings.

c. Indicate how the project is eligible for CPC funding- The property will be purchased for open space and have a Conservation restriction.

d. The property will be owned by the town and managed by the Wildlands Trust to ensure the CR is maintained.

2. Community Need

The project will contribute to the town's Open Space plan and National Heritage area while providing an integral natural recreational destination in the midst of other significant historical, archaeological and environmental attractions raising awareness of the importance of conservation and attracting visitors to the area boosting the local economy. Ensuring that the land remains as open space will also preserve the documented wetlands, endangered species and water quality for the Nemasket River and in turn the Taunton River and Assawompsett Pond water district.

3. Community Support and Outreach

The project has already received endorsement and Support from:

Congressman William Keating, The Trustees of Reservations, The Wildlands Trust, Massachusetts Historical Commission, Massachusetts Cultural Council, Massachusetts Department of Fish and Game, The Nature Conservancy, Massachusetts department of Marine Fisheries, Plymouth County Development council Senator Marc Pacheco, Representatives Calter, Orall and Gifford, The Middleborough BOS, Middleborough Conservation Commission, Middleborough Tourism Committee and the Middleborough Historic Commission.

The project has received intent to maintain from:

The Wildlands Trust, Dan Badger Wilderness Guides, Boy Scouts troop 90, Friends of the Middleborough-Lakeville Herring Run and the Middleborough Tourism Committee.

Through the Massachusetts Office Of Travel and Tourism(MOTT) the Tourism Committee in Middleborough has developed a significant and effective marketing department which was evident in the over whelming attendance at the Herring Festival. They intend to incorporate the Oliver Estate in all their marketing campaigns on the new website, social media, town brochures distributed to all major tourism info destinations, and the MOTT and Destination Plymouth international websites. The Herring Festival was featured on MOTT's site last year and brought us visitors from NJ to Maine as well as Europe and Canada. We plan on especially emphasizing the importance of the property in the American Revolution, the Native American presence and the natural recreational activities.

4. Credentials

The Wildlands Trust has agreed to manage hold the Conservation restriction on the property and manage the use and adherence to the restriction. The Historic Commission is working with Historic New England to hold the Historic Preservation Restriction on the house.

As per the study on the House, any work or improvements that would be made in the future to the property would be done according to the Secretary of the Interior's Standards. Any alterations to the land such as trails or boat accesses would be built with approval from the Conservation Commission with consideration of wetlands, endangered species and proximity to the river.

5. Maintenance and Ongoing costs

Maintenance of the land on the property would be done by Badger wilderness Guides and The Scouts. We also have had interest from Resilient Family Farms to lease portions of the land to agricultural use similar to the agreement the town has on the Freitas property. There really should be no costs involved with maintaining the land as Wildlands Trust will be managing it and we have no plans beyond hiking and boat access to the River to disturb the land.

Once we acquire appropriate funding to upgrade the kitchen and bathrooms, we will rent out the facilities for events such as weddings with an event tent on the property. We have already received approval from the KOA to provide parking for any such events. I have attached a 5 year plan on work and maintenance for the house and where the funds will come from for the work.

We have received a proposal from Resilient Family Farms , a supplier for Whole Foods who would like to partner with the town without disturbing the land to bring back the grape vineyards and orchards and have free range animals and hydroponic bays. I have met with them several times and they are open to setting up a partnership that is amiable to the town and any funding partners. Please see attached information for resilient Family Farms.

6. Success Factor

The Tourism Committee plans to integrate the property into events and tours which we hold in the vicinity including the Herring Festival, the Octoberfest and Festival of Lights. The property will be marketed for recreational use and historic value. We will track the number of

visitors and residents who use the property through volunteers and interns from Bridgewater State University who will be at the property during events and on weekends. By tracking visitors we will also be able to determine the extent of dollars spent throughout the town as a result of a visit to the property.

Should we lease to Resilient Family Farms, they would like very much to have hands on events and tours highlighting historically accurate farming and life.

7. Project Permits and Approvals

- a. P&S see attached
- b. deed see attached
- c. will have report by September 30th once P&S has been fully executed
- d. maps see attached

e. letter from Middleborough Historic Commission to follow, letter from Massachusetts Historic Commission as well as PAL report on dwelling attached

f. At time of sale the property will be divided into two lots in order to fund the open space land and the dwelling separately. The land portion will be approximately 46 acres and the dwelling will be on approximately 8 acres. Please see attached division from the planning board.

C. PROJECT FUNDING, BUDGET AND TIMELINE

Purchase Price	\$525,000
Closing Costs	
Engineering	
Inspections	<u>\$15,000</u>
Total	\$540,000

C. PROJECT BUDGET, FUNDING, & TIMELINE

- Project Budget:** State the total budget for this project, and how CPA funds will be spent. Applicants are reminded that they must adhere to the Commonwealth of Massachusetts's Procurement Policy. All non government applicants should review the draft Grant Agreement to ensure that all potential project costs are eligible for CPA funding, e.g. CPA funds may not be used for maintenance.

Provide a detailed itemization of all project expenses, such as personnel, consultants, contracted services, equipment, and supplies. For each item, specify in parentheses how the expense was calculated, e.g. (# of hrs. x cost/hr.) Applicants should obtain quotes for project costs when possible; if not, indicate where cost estimates have been used. For each item, identify whether CPA funds or other funding will be used, and note where applicant and/or partner in-kind contributions will cover non-CPA fundable expenses such as administration.

Use table below or include as a separate attachment.

Expense Item	Total	CPA	Other
see attached for second year of funding			\$25,000 Wildland Trust
Purchase & Closing	\$540,000		
		\$225,000	
			\$250,000 Cultural FF
			\$40,000 Weston Forest
TOTAL	\$540,000		\$540,000

- Other Funding:** Describe efforts to secure other funding. Indicate what additional funding sources are available, committed or pending. Include commitment letters, if available. Complete the table below and include applicant and/or partner in-kind contributions.

Source of other funds	Amount	Funding requested (Y/N)	Funding secured (Y/N)
Wildlands Trust	\$25,000	Y	Y
Weston Forest	\$40,000	Y	after Town Meeting
Cultural Facilities Fund	\$250,000	Y verbal	Spring 2015
(Fish and Game)	\$125,000	Y	Y if Spring falls through
(MA Historical Comm)	\$50,000	N	Not available till Spring

3. Total Project Funding:

If the proposal is part of a multi-phase project, please indicate below the projected project costs and funding sources for the additional phases to completion.

Fiscal Year	Total Project Cost	CPA Funds to be Requested	Other Funding
2013			
2014			
2015			
2016			
TOTAL			

4. Timeline and Grant Disbursement Schedule: Provide a detailed schedule for project implementation, including all activities and key milestones. Indicate the total funding as well as CPA and other funding that will be required to complete each activity or milestone.

Project start date: Immediate

Use table below or include as a separate attachment.

Activity	Date Completed	Total Funding	CPA	Other
Enter into contract	9/14	0		
Town Meeting approval	10/6	\$225,000	x	
Town Meeting Approval	10/6	\$40,000		Weston Forest
Engineering/inspections	9/1/14	\$25,000		Wildlands Trust
Purchase	by 6/30/14	\$250,000		Cultural FF

E. CERTIFICATE OF AUTHORITY & LIST OF OFFICERS AND DIRECTORS

GRANT AGREEMENT #:
APPLICANT:

I hereby certify that I am the Clerk/Secretary of: Middlborough Tourism Committee
(Print Name of Corporation)

and that Leilani Dalpe is the
(Print name of Officer who signs the Grant Agreement)

duly elected of said corporation; Committee Chairman
(Print title of Officer who signs the Grant Agreement)

and that 6/2/14 on at a duly authorized meeting of the Board of Directors / BoS
(date of Meeting)
of said Corporation, at which a duly authorized quorum of the Directors were present and acting, or waived notice, that Leilani Dalpe
(Print name and title of Officer signing Grant Agreement)

of this corporation be and hereby is authorized to execute contracts and bonds in the name and on behalf of said corporation, and affix it Corporate Seal thereto, and such execution of any contract of obligation in this corporation's name on its behalf, with or without the Corporate Seal, shall be valid and binding upon this corporation; and that the above vote has not been amended or rescinded and remains in full force and effect as of the date set forth below.

Attest: Glenn Montapert
(Signature of Clerk/Secretary)

Name: Glenn Montapert, Tourism Committee
(Printed or typed name of Clerk/Secretary)

Date: 8/14/14

NOTE: THE DATE OF THE VOTE AUTHORIZING OFFICER TO SIGN GRANT AGREEMENT MUST BE BEFORE THE DATE THE OFFICER ACTUALLY SIGNS THE GRANT AGREEMENT. THIS CERTIFICATE MUST ALSO BE EXECUTED BEFORE THE OFFICER SIGNS THE GRANT AGREEMENT. PLEASE ATTACH A LIST OF OFFICER AND DIRECTORS OF THE CORPORATION

- This Form is to be used by corporations, trusts and associations who are applying for CPA Funds.

F. STATE TAX CERTIFICATION

GRANT AGREEMENT #:
APPLICANT:

Pursuant to Massachusetts General Laws Chapter 62C, Section 49A, I certify under the penalties of perjury that, Middleborough Tourism Committee
(name of Recipient receiving the Grant)

to the best of my knowledge and belief, has filed all Massachusetts tax returns and paid all Massachusetts and Town of Middleborough Taxes and Fees as required under law.

Signature: _____

Name of Recipient: _____

Federal Tax ID # or Social Security #: _____

Date: _____

G. AFFADAVIT

**GRANT AGREEMENT #:
APPLICANT:**

I, Leilani Dalpe, under the penalties of perjury do hereby state and affirm that:

1. On 8/14/14, I signed the attached Project Submission & Application For Funding (hereinafter "the Application") seeking funding from the Town of Middleborough's Community Preservation Fund as the Authorized Representative of

Middleborough Tourism Committee (hereinafter "the Applicant"); and

2. Neither I, nor the Applicant, nor any person or entity who would receive funding as a result of the Application has ever been convicted of:

- (a) a crime involving the willful and malicious setting of a fire, or
- (b) a crime involving the aiding, counseling, or procuring of a willful and malicious setting of a fire, or
- (c) a crime involving the fraudulent filing of a claim for fire insurance; and

3. Neither I, nor the Applicant, as of this date, owe the Town of Middleborough any monies in the form of previously incurred real estate taxes, water/sewer charges, motor vehicle excise taxes, personal property taxes, parking tickets or any other indebtedness, or

4. I owe \$ 0.00, (please state dollar amount and source of indebtedness - if nothing owed insert \$0.00), and if delinquent,

 I have filed in good faith, an application for an abatement of such amount which is pending, or
 a petition before the Appellate Tax Board is pending, or
 an Installment Payment Agreement with the treasurer of the Town which is current and not in default; and

5. Neither I, nor the Applicant, nor any person who would gain equity as a result of funding of the project described in the Application, has ever been convicted of violating any code, statute or bylaw regarding conditions of human habitation within the last three (3) years; and

6. Neither I, nor the Applicant, nor any person who would gain equity as a result of funding the project described in the Application, has ever been the owner of any property in the Town of Middleborough for which the Town has foreclosed the right of redemption as a result of failure to pay real estate taxes, water/sewer charges or any other indebtedness

7. Neither I, nor the Applicant, nor any person who would gain equity as a result of funding the project described in the Application nor any person who would gain equity in the project described in the Application, is employed by the Town, or a member of a Board or Commission of the Town of Middleborough or if so:

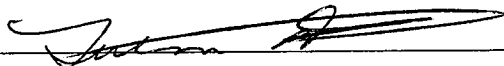
(a) In what capacity?

(b) In what department?

I understand that in the event any of the foregoing statements are untrue, all CPA funding of the project described in the attached Project Submission & Funding Request will be forfeited and if any monies have been distributed pursuant to Town Meeting approval of this Funding request, then all such sums shall be immediately due and payable to the Town of Middleborough.

The undersigned swears under the penalties of perjuries that this Affidavit is complete and accurate in all respects.

SIGNATURE



PRINT OR TYPE NAME Leilani Dalpe

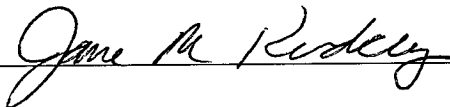
ADDRESS

364 Marion Rd Middleborough, MA

TELEPHONE #

508-923-1009

WITNESS



- This Affidavit must be signed by the individual(s) or organizations(s) applying for Community Preservation Funding. If this form is signed on behalf of a corporation or other legal entity, it must be signed by a duly authorized representative of that corporation or legal entity.

H. MEMORANDUM OF UNDERSTANDING

GRANT AGREEMENT #:

APPLICANT:

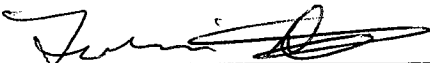
I understand that there are certain conditions and responsibilities involved in receiving CPA funding.

My signature below indicates that I have read the following conditions and agree to follow them if my application is recommended to and approved by Town Meeting:

1. I understand that the funding process follows procedures described in the Community Preservation Act, M.G.L. Ch. 44B and that this places certain restrictions on how payments may be made.
2. In order to acknowledge the Community Preservation Act, and thus the contributions of the Middleborough taxpayers, I will:
 - Order, pay for and place a temporary "Community Preservation Works" sign or banner in front of the project. The Community Preservation Committee will provide the approved design. Approximate cost for the banner is generally \$250 - \$300.
 - Acknowledge the contributions of the Community Preservation Act in all press releases, newsletters, and other publicity.
 - Include recognition of the Community Preservation Act if a permanent plaque or sign is placed on the project.
3. If requested, I will supply the Community Preservation Committee with quarterly financial up-dates on the project.
4. I acknowledge that a deed restriction may be required. If needed, I will assist in the process of obtaining the required deed restriction to help protect the property in perpetuity.

Leilani Dalpe

Print Name



Signature

8/14/14

Date