

# BARNSTABLE COUNTY ASSEMBLY OF DELEGATES

In the Year Two Thousand

## Resolution 00-02

To applaud the efforts and good faith extended by the Town of Sandwich and YMCA Cape Cod and endorse the spirit and intent of the letter of understanding.

WHEREAS, the Town of Sandwich has nominated a proposed District of Critical Planning Concern (DCPC) located within the Town of Sandwich, Massachusetts;

WHEREAS, the Cape Cod Commission as authorized by Sections 10 and 11 of the Cape Cod Commission Act has recommend the designation of the so-called "Three Ponds" area of Sandwich to be a District of Critical Planning Concern;

WHEREAS, in accordance with Sections 10 and 11 of the Cape Cod Commission Act, the Assembly of Delegates previously voted to return the proposed Ordinance 99-15 to the Cape Cod Commission to allow the Town of Sandwich to have further discussions with affected property owners, including but not limited to YMCA Cape Cod;

WHEREAS, YMCA Cape Cod is the owner of approximately 79 acres within the proposed DCPC;

WHEREAS, the Town of Sandwich and YMCA Cape Cod have had substantial dialogue, discussions and negotiations concerning the proposed DCPC designation and its impacts and affects on the property owned by YMCA Cape Cod;

WHEREAS, YMCA Cape Cod and the Town of Sandwich have entered into a letter of understanding with reference to the process of development of implementing regulations under Section 5.1.1 of proposed Ordinance No. 00-1; and

WHEREAS, the Assembly of Delegates recognizes the need for flexibility and application of implementing regulations and the need to protect property equity for charitable, not for profit organizations.

### ***BE IT HEREBY RESOLVED that the Barnstable County Assembly of Delegates that:***

1. YMCA Cape Cod is a charitable, not for profit organization which utilizes its property for diverse educational and recreational programs on a year-round basis. These programs include environmental education, social development, academic learning, team building, environmental citizenship and recreational camping programs.

2. The YMCA Cape Cod and Town of Sandwich have negotiated in good faith to reach an understanding relating to the DCPC process, and in particular, have agreed to make good faith efforts to jointly work toward the drafting and voting of implementing regulations at the May, 2000 Town Meeting. Toward that end, the Town and YMCA Cape Cod have entered into a letter of understanding, a copy of which has been submitted to the Assembly.

3. The Town and YMCA Cape Cod have further agreed that YMCA Cape Cod will be afforded active participation in the drafting of such zoning and that such zoning will address, to the greatest extent feasible, retention of current uses for educational and recreation purposes and to allow for other uses compatible with the purposes of the DCPC.

**Barnstable County Assembly of Delegates**

**Resolution 00-02: To applaud the efforts in good faith extended by the Town of Sandwich and YMCA Cape Cod and endorse the spirit and intent of the letter of understanding.**

**February 2, 2000**

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4. The Town of Sandwich and YMCA Cape Cod shall continue in good faith discussions and negotiations concerning the possible purchase by the Town of portions of the YMCA Cape Cod property, conservation easements or transfer of development rights relating thereto, and to jointly explore the availability of funding to accomplish same, including but not limited to grants and/or land bank funding.

5. The Assembly of Delegates recognizes and applauds the efforts and good faith extended by the Town and YMCA Cape Cod, and, therefore, endorses the spirit and intent of the letter of understanding.

The foregoing resolution was adopted by the Barnstable County Assembly of Delegates, with Delegates representing 77.61% of the population of Barnstable County present and voting, with 77.61% voting yes and no votes opposed at a meeting held on February 2, 2000.

Attested by:

A handwritten signature in cursive script that reads "Diane C. Thompson".

Diane C. Thompson, Clerk  
Assembly of Delegates