



# Town of Barnstable

## Land Acquisition and Preservation Committee

[www.town.barnstable.ma.us/Land Acquisition and Preservation Committee](http://www.town.barnstable.ma.us/Land%20Acquisition%20and%20Preservation%20Committee)

### COMMITTEE MEMBERS:

Kristine Clark, Chair  
Phyllis Miller, Vice Chair  
Laura Cronin  
Duncan Gibson  
James Hinkle  
Tom Lee  
Thomas Mullen  
Stephen O'Neil  
VACANT

### TOWN COUNCIL LIAISON:

June Daley

### STAFF SUPPORT:

Jo Anne Miller Buntich  
Carol Puckett

## Minutes

June 11, 2012

5:30 PM

Selectmen's Conference Room; Barnstable Town Hall

Kris Clark - Chair	Present
Phyllis Miller – Vice Chair	Present
Laura Cronin	Present
Duncan Gibson	Present
James Hinkle	Absent
Thomas Mullen	Present
Stephen O'Neil	Present
Tom Lee	Present

Also present were Joan Pierce from MassWildlife - Land Agent – Southeast District, Red Bansfield from Barnstable Land Trust, Councilor June Daley, Hans Keijser from Town of Barnstable Water Department, Farley Lewis from Cape Cod Commission, Jim Kinsella from the Barnstable Enterprise, Ed Maroney from the Barnstable Patriot and Carol Puckett – Administrative Assistant. .

As a quorum has been met, and until Kris Clark arrives, Phyllis Miller opens the meeting at 5:37 PM. Phyllis introduces guest speaker Michael Sawyers and Joan Pierce.

### Guests:

#### **Michael Sawyers and Joan Pierce - Massachusetts Division of Fisheries and Wildlife**

- Habitat management opportunities in the Barnstable area
- Species likely to benefit from the management
- Landowner Incentive Program- local project successes
- Technical assistant visit possibilities for municipal or private lands
- Overview of the Division of Fish and Game's land acquisition program, especially as it relates to the Town of Barnstable

Michael Sawyers introduces himself and Joan Pierce and proceeds to give a PowerPoint presentation. (see attached). He explains that he works with private land owners and does habitat management. He also explains that the Landowner Incentive Program (LIP) is a federally funded grant program available to states who have completed the state wildlife action plan. This competitive grant program that they implemented provided for up to a 75% cost share for a total cost of project land on private lands and that 25% is funded through land owner match. Mr. Sawyers indicates that LIP is a good program for private land owners across Massachusetts as it helps them manage the land with financial assistance from the division. As a land owner, these people will hire a local contractor for heaving mowing, etc., which in turn injects money into the local economy. Over the five year period this program has been involved in 157 projects of which

three have been in Barnstable and fifteen overall on Cape Cod. Collectively, it has benefited many species.

He refers to identifying sites for habitat management and exotic and invasive species.

Kris Clark arrives.

Mr. Sawyers goes over the Young Forest Habitat Management and shows the regeneration process.

He then shows pictures of land clearing and regeneration. He indicates that because of the uniqueness of the terrain on Cape Cod that a lot of species at risk are found here and explains. He indicates that his goal is to provide technical assistance for habitat management. He indicates that they are also working on the LIP effectiveness report which will showcase their accomplishments through those 157 projects which have previously been completed, document and show positive impacts on the local economy and local environment, and to promote renewed efforts to provide more opportunities to partner with private land owners across the state. .

He shows a map and wants to point out three considerations for Barnstable and Cape Cod which are the New England Cottontail, Coastal Plain Ponds and the BioMap2 project. He indicates that there are booklets available to explain the BioMap2 project. He indicates that a lot of the areas are protected already but that other areas are important for conservation protection to fill in the gaps to create a more contiguous habitat expanse. The Cape is an example where there is a lot of land in private ownership and some of it is already in the form of conservation protection. In these circumstances, active habitat management should be a further consideration to benefit a species at risk on land where there is already conservation protection. Also, consideration regarding the organization which would do the land acquisition is important, as in some instances, municipalities might not be eligible for funding under LIP or NCRS programs that fund private land owners as well. He indicates that it should be a collective effort when thinking about land acquisition.

Joan Pierce now speaks. She indicates that she works in the land acquisition program in the southeastern part of Massachusetts and works out of the Buzzards Bay office. She explains the displayed open space plan map and gives an overview of how MassWildlife operates. She indicates that for Barnstable, the most important acquisition is the Hyannis Ponds Wildlife Management area and holding a conservation restriction on Santuit Pond. She indicates that they often partner with other organizations and municipalities and that they do not want to get involved in small isolated parcels of open space which may be superb for municipalities. She indicates that they have an office in Buzzards Bay and cover Plymouth County, Bristol County, Barnstable County and the islands and have limits on how they store and manage property. Their properties are open to the public but there are limitations on use of the property as they do not allow alcohol, camping, fires, or motorized vehicles. However, the properties are open for hunting within the limitations of the state statute. Their budget for acquisitions comes mostly from open space bond bills typically given by the legislature which is between five and seven million a year for the entire state. They also will receive an additional one million to 1.5 million from the land stamp program.

Mr. Sawyers asks for questions from the audience.

Tom Mullen asks about traversing the area near Hyannis Ponds and that, as a pathways steward, he was told not to put up any signs along the trails. Joan Pierce indicates that Mr. Mullen could talk to Mr. Jason Zimmer in the Southeast office. Kris clarifies that it is the pathways from Provincetown to Bourne which Tom is referring to. They discuss.

Farley Lewis speaks about the Cape Walk and indicates that the marking of the trail has not been allowed and she thought there was some sort of liability issue.

Mr. Sawyers indicates that currently, they are not accepting applications for the LIP program as they needed to be submitted by December of 2011 and January of 2012. Also, he indicates that Congress stopped funding the program in 2007 or 2008. Currently, there are some funds left but they can't get additional federal funding at this time. In the future, when they do, it will be announced on their website. Mr. Sawyers indicates that he can, however, provide assistance to anyone and to contact him for further information.

Tom Mullen asks if there is a tax benefit to the LIP program. Mr. Sawyers indicates that his is not sure but that, if funded, forms need to be obtained and filled out. However, there is no tax benefit for technical assistance. Joan Pierce indicates that there would have to be a permanent restriction on the property and that it could be the Town's Conservation Commission or the Land Trust who holds the restriction. Mr. Sawyers indicates that for the projects that have been funded if it is not under any permanent form of protection as seen on the open space, their program requires a ten year covenant. He indicates that the municipalities are not eligible for a lot of the funding programs but that he can provide technical assistance.

Mr. Sawyers indicates that he will provide the members with contact information.

### **Approval of Minutes**

#### **▪ Minutes from LAP meeting of February 13, 2012 and May 14, 2012**

Motion is made by Phyllis Miller and seconded by Steve O'Neil to approve February minutes. Duncan Gibson abstains as he was not present at that meeting.

Vote:

All in favor

Motion is made by Duncan Gibson and seconded by Tom Mullen to approve the May 14, 2012 minutes

Vote:

All in favor

### **Updates**

#### **▪ Pathways: Farley, Lewis & Tom Mullen**

Farley Lewis thanks Tom Mullen for his work marking the pathways. Farley indicates that she hasn't received the final statistics on the walk but believes that five people began the walk and that twenty others had joined in on her section of the walk. She indicates that the trails are in great shape and easy to follow.

Kris Clark asks Tom Mullen about the Hyannis Ponds area and asks for volunteers to help.

#### **Santuit Preserve: Phyllis Miller**

Phyllis Miller indicates that there has been some communication from Catherine Laurent. Also, they have extended the time frame from the original time frame as there was a breach. She indicates that perhaps next month, instead of a meeting that they could enter the preserve from Newton/Santuit Road and take a look. She asks that, if everyone agrees, they could walk the property in lieu of a meeting next month. Steve O'Neil clarifies that this group is responsible to walk it four times a year. If they do it in July it will fulfill their requirement. Kris Clark would also like to extend the invitation to the public if they would like to attend. .

Tom Lee indicates that there hasn't been anything further on the design process and that no permitting has begun as of yet. He also indicates that the remaining question is what the process will be for each town in regards to paying the bills for the project.

Kris Clark indicates that the next meeting will take place at the Santuit Preserve on July 9<sup>th</sup> at 5:30 PM.

## **Community Preservation Committee update**

- **May 21st meeting: Jim Hinkle**

Jim is not here. Kris asks Tom Lee for an update. Tom Lee indicates that the only thing they approved was some capital money in terms of the operating cost of CPC. Tom indicates that they didn't approve any money in terms of funding project-wise.

- **June 25th: Phyllis Miller**

Phyllis Miller confirms that she will be attending the June meeting.

## **Old Business**

### **Chair's report: Kris Clark**

- **Open Space and Recreation Plan's implementation strategy:**

- **Update on meetings with Barnstable Fire District**

Phyllis Miller reads a note from Ann Canedy regarding the water district's concerns about three parcels, two of which surround wells in the Barnstable Water District, one is shared with the Hyannis district which is Flint Rock. The note also indicates that the Prudential Committee is meeting tomorrow night and those issues will be on their agenda. Phyllis indicates that Hans Keijser from Barnstable's Water department is here and tells Hans that LAPC has moved Hyannis up on the list of villages they intend to visit because of concerns.

Hans Keijser speaks and indicates that he is the supervisor who deals with the Hyannis water system which is municipally owned. Hans will review the parcels and look at it within DPW and share it with the Hyannis Water Board to try to come up with a combined strategy.

- **Executive session's minutes from May 2, 2012 -**

Phyllis Miller indicates that she has contacted the Attorney General's office and spoke with the Town of Barnstable's Town Attorney and was told that they could make the decision through this committee to have the Chair review and approve executive session minutes.

Motion is made by Phyllis Miller and seconded by Steve O'Neil to allow LAPC's Chair to review and approve the minutes for LAPC from the executive session. .

Vote:

All in favor.

Next meeting will be at Santuit Pond Preserve, July 9, 2012 at 5:30 PM. .

### **New Business: none**

### **Announcements**

Steve O'Neil announces that he was sworn in as a new member of the Hyannis Water Board.

### **Correspondence - None**

### **Items not reasonably anticipated by the Chair - None**

**Public Comment**

June Daley speaks and is curious on the executive session as to what the reason was. Kris clarifies that it was to consider parcels that could be recommended for purchase as open space and as an initial evaluation for open space for acquisition in the village of Barnstable.

**Other - None**

A motion is made by Phyllis Miller and seconded by Duncan Gibson to adjourn.

Vote:

All in favor.