



Town of Barnstable

Land Acquisition and Preservation Committee

www.town.barnstable.ma.us/Land Acquisition and Preservation Committee

COMMITTEE MEMBERS:

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

TOWN COUNCIL LIAISON:

June Daley

STAFF SUPPORT:

- Jo Anne Miller Buntich
- Carol Puckett

MEETING MINUTES

August 13, 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	Absent
Tom Lee	Present

Also present were Farley Lewis - volunteer from Cape Cod Commission, Jim Kinsella from the Barnstable Enterprise, Councilor June Daley, Councilor Ann Canedy and Carol Puckett – Administrative Assistant.

Kris opens the meeting at 5:35 PM as there is a quorum.

- Mark Robinson, Compact of Conservation Trusts; Jaci Barton, Barnstable Land Trust
 - 0 Huckins Neck Road (Carver's Island), Centerville, Assessor's Map 253, Parcel 006 CONSERVATION RESTRICTION, on approximately 0.68 acres, more or less, encompassing the entirety of one parcel of unregistered land located in the Village of Centerville, Town of Barnstable, County of Barnstable, Commonwealth of Massachusetts,
 - 0 Main Street, West Barnstable, Assessor's Map 197-16 CONSERVATION RESTRICTION, on approximately 6.97 acres, more or less, encompassing the entirety of one parcel of unregistered land located in the Village of West Barnstable, Town of Barnstable, County of Barnstable, Commonwealth of Massachusetts

Mark Robinson explains that he is here representing the Orenda Wildlife Trust which is a regional non-profit organization in Barnstable for wildlife habitat and also the Barnstable Land Trust who is the recipient. He indicates that also present tonight is Farley Lewis who is on the Board of Directors of the Orenda Wildlife Trust.

As for the conservation restrictions, he indicates that they are coming forward through the Town Council who is empowered to approve each conservation restriction before the State approves them so that they can run in perpetuity with the land. He indicates that they

have brought these draft conservation restrictions forward to the Conservation Commission who have reviewed and approved them and they are hoping for LAPC's recommendation in order to go before Town Council in the fall. He indicates that both restrictions are part of a project stimulated by the State Land Conservation Tax Credit Program.

Mr. Robinson indicates that the first conservation restriction he will speak to is a small island (Carver's Island) in Shallow Pond which he points out on a map. He indicates that the Town owns the adjacent island, Lewis Island. He indicates that the Carver's Island property came on the market last winter for \$25,000 which, through negotiations, was purchased for half of that amount for Orenda Wildlife Trust for which the owner will receive a tax credit for the difference between the two prices. The conservation restriction has been negotiated between Orenda Wildlife Land Trust and Barnstable Land Trust. He indicates that the island itself is well wooded with Beech trees which are significant as it is an uncommon habitat on the Cape.

Kris Clark asks how long the Town has owned Lewis Island. Mark is not sure but approximates about 40 years. Laura Cronin asks if there are any out buildings on Carver's Island and what uses would be in order for the property. Mark indicates that the Town will not have any ownership rights, only to approve the conservation restrictions between the two and that it will be strictly for wildlife habitat.

Motion is made by Phyllis Miller and seconded by Duncan Gibson to approve the restriction because it would be an asset.

Vote:

All in favor

Mr. Robinson then talks about the second parcel in West Barnstable which consists of approximately 7 acres. He indicates that this parcel is the site of the old brick factory which is of great historic value and which will be held by the Barnstable Land Trust. He believes that the brick factory ran up until the 1930's.

Ann Canedy asks when the conservation restrictions will be coming before Town Council. Mr. Robinson indicates that with LAPC's recommendation, they would then submit documents to the Town Manager's office which in turn will then be put on the Town Council's agenda.

Motion is made by Duncan Gibson to recommend the conservation restriction for approval.

Jim Kinsella from the Barnstable Enterprise asks what the asking price was for this parcel and if there are any remnants of the factory. Mr. Robinson indicates that the parcel is being donated and that there is nothing in evidence of value. Phyllis Miller clarifies that it is private property with remnants of a foundation and that the area is marshy and will remain private with the conservation restriction. Mr. Robinson also indicates that no access exists and that the only route would be to traverse a marsh. He indicates that the conservation restriction is not being done for tax purposes but simply to provide an extra layer of protection for the habitat.

Tom Lee seconds the motion

Vote:

All in favor.

Kris Clark asks Mark how many more tax credit projects have been done in Barnstable. Mr. Robinson indicates there is one in the pipeline, one last year for the Sunderland property, and another project which will be brought forward this fall. Ann Canedy asks when the window of opportunity ends. Mark indicates that the 2 million dollars budgeted for this program has been expended throughout the state. However, people can still apply but will be asked to close their deal in 2013 instead of 2012.

Ann Canedy asks Mark to explain the benefits of this program. Mark explains.

Ann Canedy asks about access to Carver's Island. Mark indicates that there will be group access with supervision for educational purposes.

Approval of Minutes

▪ Minutes from LAP meeting of June 11, 2012

Laura Cronin notes to change sown to sworn on Page 4. Also, under public comments, change from evolution to evaluation.

Motion is made by Phyllis Miller and seconded by Duncan Gibson to accept the minutes as amended.

Vote:

All in favor

▪ No minutes from Walking Tour of Santuit Preserve on July 9, 2012

Ann Canedy indicates that she had spoken with Tom Lynch – Town Manager and Mark Ells – Assistant Town Manager, about Santuit Pond and has sent Mark Ells the original agreement regarding the golf course. She indicates that she will be sending a summary of some of the issues LAPC is having as a committee and some questions. She believes progress has been made but is waiting to hear back from them regarding a plan of action.

Updates

▪ Santuit Preserve: Phyllis Miller: review of walk on July 9, 2012

Phyllis Miller indicates that she has spoken with the conservation officer from Mashpee and reports that there is nothing new regarding the dam. She had spoken with people from the Mashpee Environmental Coalition who have indicated that the aquifers that are in the pond are working in diminishing some of the algae. Tom Mullen asks for the status on the project as a whole. Phyllis indicates that it has been delayed as they were granted an extension for another year. Tom Lee adds that they are still designing the dam and that he has spoken with Lindsey Counsel regarding the inspection fee which he was told was paid by the Town of Barnstable. Phyllis also talked to someone about the pond who noticed more herring appearing there more than ever before.

▪ Cape Cod Pathways through Barnstable: Farley Lewis & Tom Mullen Walking Weekend: October 5-8, 2012

Farley Lewis indicates that she recently received an email from Heather from the Cape Cod Commission asking that if they want to submit a hike for the Cape Cod Pathways that it needs to be submitted by September 21st. Also, there will be no mailings sent out this year as it will be done strictly on the website. Farley would like to coordinate and work with Tom Mullen on coordinating the walk. Farley indicates that the walk will take place on October 5, 6 7 & 8, 2012 and that she is looking to utilizing one of the paths/trailways which Tom Mullen has marked throughout the town as a way of showcasing the pathways in Barnstable. As a tentative route, Farley indicates that the walk could start at Old Jail Lane parking lot, go into the village, do the Commerce Road loop, pass by Trayser Museum, come out on Braggs Lane then back to Old Jail Lane which is approximately 4.5 miles. Farley indicates that they need to decide who will lead the walk and the route. Tom Mullen will work with Farley on the details. Farley will write it up and send it to Kris.

▪ **Community Preservation Committee update**

▪ **July 23rd: Stephen O'Neil**

Since Stephen O'Neil is not present, Tom Lee gives an update of that meeting which dealt with a quick workshop regarding the new amendment to the Community Preservation Act which was signed. He indicates that the new amendment relaxes the rule on options. He explains.

▪ **August 27th: Tom Mullen**

Tom Mullen is reminded.

Old Business

▪ **Chair's report:- Kris Clark**

Kris indicates that the annual report for 2012 is due by September 1st for which she needs to write a summary regarding LAPC. She asks members for submissions or suggestions to be sent to her and she will send out a draft to the members via email before submitting it.

▪ **Open Space and Recreation Plan's implementation strategy: Update on meetings with Barnstable Fire District**

Kris indicates she has not heard any update about the letter from Barnstable Fire District to the Town Manager and hasn't received an update from Hyannis.

Carol will send another copy to Tom Mullen on the letter from Barnstable Fire District to Town Manager.

Ann Canedy believes that the delay might be because it has to be driven by the Hyannis Water Company because of the proximity of some of the Barnstable wells. She indicates that if they get commitment from Hyannis to allow LAPC to do the same presentation they did for the Barnstable Fire District, that it would move it along and that LAPC might have to take the initiative to ask to have an audience with them.

Kris will call again and will ask again what their plan of action is. She has sent an email to Hans who had deferred it to Deb Krau and has not received any response as of yet. She will look at it more in September. Kris asks for suggestions or if they have an occasion to meet with Deb Krau, to please represent what they are trying to do.

New Business:

- **Information on committee member resignations per email from Town Clerk, Linda Hutchenrider (7-26-12)**

Kris Clark reads the email from Linda Hutchenrider and indicates that she was reminded by Janet Joakim that only the Town Council can un-appoint someone. Tom Mullen suggests sending a letter to the Appointments Committee and copy Steve Farrar on it.

2013 Schedule

Kris indicates that there is a rough draft that she will send out to the members and that the official calendar from the town has not been galvanized as of yet.

Election of officers

Motion is made by Laura Cronin and seconded by Duncan Gibson to re-elect Kris Clark as Chair

Vote:

All in favor

Motion is made by Duncan Gibson and seconded by Tom Lee to re-elect Phyllis Miller as Vice Chair

Vote:

All in favor

Announcements: Upcoming speakers:

- **Charlie Genatossio, Tree Warden for the Town of Barnstable: Pathways condition and signage in the West Barnstable Conservation Area (Pathway from the Sandwich border)**

Kris indicates it contains the pathway to route 149.

- **Ian Ives, Director of Mass. Audubon's Long Pasture Wildlife Sanctuary will give a slide presentation on the establishment and growth of Mass Audubon's Mid and upper Cape Wildlife Sanctuaries in Barnstable including the new Barnstable Great Marsh Wildlife Sanctuary in Barnstable Village**

Correspondence

None

Items not reasonably anticipated by the Chair

Public Comment

Ann Canedy indicates that they have recently acquired some land in West Barnstable that was subject of a land swap. Additionally, there was a land swap on Oak Street which was a result of NStar expanding their substation. As part of that mitigation, NStar gave some land to the Town of Barnstable for conservation uses.

Ann indicates that there was also additional land relating to the shooting range which she defers to June Daley. June Daley speaks and indicates that this property consists of approximately 35 acres, was deemed municipal use and was all marshland in the Bridge Creek area. She indicates that 1/3

acre of the 1100 acres of conservation land where the shooting range is located is being used in order to build a berm to deafen the noise of the shooting range for people north of the highway in West Barnstable. They had a public hearing on this property and it will take approximately four to six months to record.

Other

None

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

Vote:

All in favor

Meeting adjourned at 6:40 PM.