



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:

Carol Puckett

MINUTES

January 14, 2013

5:30 PM

Selectmen's Conference Room; Barnstable Town Hall

13 MAR 12 P 1:15

BARNSTABLE
TOWN CLERK

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	Absent

Also present were Paula Pariseau – Senior Land Protection Specialist from The Compact of Conservation Trusts, Inc., Farley Lewis – Volunteer for Cape Cod Pathways, Councilor June Daley, Councilor Ann Canedy, Ryan Mann and Carol Puckett – Administrative Assistant.

At 5:40, Kris opens the meeting as there is a quorum

Guests:

Jaci Barton, Executive Director of the Barnstable Land Trust, regarding: Barnstable Housing Authority Conservation Restriction on the Old Stage Coach Residences

Paula Pariseau is from The Compact of Cape Cod Conservation Trust, Inc., and here on behalf of the Barnstable Land Trust and the Barnstable Housing Authority. Paula indicates that this property was granted a comprehensive permit from the Zoning Board of Appeals to develop the Stage Coach Residences which is an affordable housing development consisting of 12 rental units. As one of the conditions of that approval, she indicates that less than 5 acres of the property is to be protected by a permanent conservation restriction. She indicates that the buildings will be on the southern side of the site and the restriction will be on the 4.8 acres on the northern side of the site. She indicates that the Barnstable Housing Authority approached the Barnstable Land Trust asking them to be the holder of the restriction which they were interested in doing. She also indicates that the project itself has been reviewed by the Massachusetts Historical Commission and MassWildlife and that the conservation restriction has been reviewed and approved by the Massachusetts Historical, MassWildlife and the Division of Conservation Services. She indicates that it did go before the Conservation Commission last week and will be going before Town Council this week for approval.

Kris Clark indicates that she has received an email from member Tom Lee saying that the Conservation Commission approved the conservation restriction on January 8th.

Tom Mullen indicates that he is not impressed and asks how this ever got approved. Paula indicates that as they were not involved in that process that their sole role is to hold the conservation restriction on the open space which is required to be permanently protected.

Ryan Mann and Ann Canedy arrive.

Tom Mullen asks who has looked at this. Paula does not have that information. Kris points out that Jaci Barton has provided the rationale which the members have copies of. Tom Mullen indicates that it doesn't justify putting it in a location where it is susceptible to contamination of groundwater and finds it objectionable. They discuss Board of Health's involvement in the approval of this project.

Ann Canedy asks if this is the same arrangement as the Bush-Brown or Barrel Hill property in regards to cluster housing with a portion to be allotted for a conservation restriction. Paula indicates it is similar in terms of state agencies getting involved as such which, in this case, is MassWildlife because of the species habitat for box turtle which requires 60 to 70% to be kept in open space and knows that they are comfortable with the conservation restriction as they have had input and changes which the members have tonight.

Ann Canedy recalls this being controversial in regards to affordable housing part of it which was before the Town Council and that it was not a slam dunk. She also comments that as far as the sewage/septic issues, that this is like Barrel Hill project which she felt was a wonderful project. However, the Planning Board did not insist on a sewer hook-up. They discuss that it had gone to the Zoning Board of Appeals.

A motion is made by Steve O'Neil and seconded by Phyllis Miller to support this conservation restriction as submitted.

Duncan Gibson makes a notation that the property is located in the village of Centerville and not West Barnstable.

Ann Canedy indicates this conservation restriction will be before the Town Council on Thursday and that the council will be looking at the issue of access. Phyllis indicates that there is no access as this is mostly wetland. Steve O'Neil comments that there is no access where this conservation restriction is.

Vote:

AYE: Duncan Gibson, Phyllis Miller, Laura Cronin, Steve O'Neil, Kris Clark

NAY: Thomas Mullen

Approval of Minutes

Minutes from LAP meeting of December 10, 2012

Kris Clark indicates that a note from Drew McManus was received to change wording on Page 2 of the minutes from the word "indicates" to the word "estimates". Duncan wants to change the word "abstained" to "abstaining" in reference to the November 5th minutes in the December minutes.

A motion is made by Phyllis Miller and Duncan Gibson to approve the minutes of December 10, 2012 as amended.

Vote:

All in favor.

Updates

Santuit Preserve Update: Phyllis Miller

Phyllis Miller indicates that the dam is out for bids and on January 4th, the contractors were called in to view the site and should be returning their bids within two weeks which is crucial because of the tight schedule with the herring run. She indicates that she and Kris Clark met with Drew McManus, Conservation Agent for Mashpee along with Amy Raitto from the Town of Barnstable's Natural Resources Department in order to walk and assess the status of the roads. Phyllis indicates that one of the issues with the bidding is that the roads would need to be leveled in order to get the equipment to the site from the Mashpee side as the access from the Barnstable side would be more work. She indicates that it was also an opportunity for Drew McManus and Amy Raitto to meet as Amy maintains the herring run on the Barnstable side. Phyllis indicates that there will be another walk, dependent on the weather, on February 9, 2013 for anyone interested who would like to attend. She indicates that the trails on the Barnstable side need work and that Drew McManus will be using a GPS stick in order to get an overview of the trails for both towns for a map. She indicates that they can mark the trails so that more people will be able to enjoy the trails which in turn could help stop the vandalism and land destruction by ATV vehicles. She would encourage land stewardship from the residents of Barnstable and thinks that they could get more volunteers. They will continue reviewing the management plan which has not been reviewed since 2003.

Kris indicates there was a pre-bidding meeting at which 14 contractors showed up which could mean more competitive bids. Kris indicates that Barnstable has been working on the herring run and with the help of AmeriCorp volunteers to clean up the mostly southerly part of the river. Kris indicates that Drew McManus will also be working on a comprehensive map of the preserve incorporating the acreage from both towns.

Tom Mullen asks if there was ever a survey done of the line between the two towns within the preserve. Phyllis believes there was one done with detail with property owners regarding encroachments, etc., but has not been updated since April of 2003.

Phyllis indicates that when she met with the Town Manager she had brought a list of concerns and pitfalls of the property. She indicates that what they have going on now is restoration of the dam and working with Mashpee on this. She indicates that Drew McManus has lowered the level of the water in the river within the last two months in order for this construction to take place.

Kris indicates that one of the requirements of the Land Management Plan for the preserve is that one or more members of the committee be required to walk the preserve a minimum of four times a year. She reiterates that there will be a walk on Saturday, February 9, 2013 at 9:00 AM, meeting at the same place as the July walk which was the access on Santuit/Newtown Road, Marstons Mills. She indicates that Drew McManus has also agreed to provide a free landfill voucher for anyone who brings their truck or vehicle and uses it to collect trash from the preserve. The walk will be posted on the website and Phyllis suggests asking the Town Manager to note it in his weekly newsletter. She indicates that it will also be noted on Mashpee's conservation webpage and will not have a 48 hour posting as there will be no deliberation.

Pathways: Farley Lewis & Tom Mullen

Farley Lewis indicates that Lisa Crowley, Heidi Moss and herself walked the entire trail system in December noting downed trees. She indicates that LAPC member Tom Mullen has done work on some of the problem areas and has forwarded him an email regarding her latest findings. Farley indicates that Heidi Moss and herself also met with Rob Gatewood regarding these areas who in turn referred it to Darcy Karle who will have Charlie Genatossio review.

Looking for Volunteers

Kris Clark indicates that volunteers can email lapc@town.barnstable.ma.us or call Carol Puckett if interested.

Community Preservation Committee update

- December 17th: Duncan Gibson
Duncan indicates that he attended the November meeting of CPC and that there was nothing relative to land or conservation discussed. He indicates that they did talk about the Cahoon Museum which will be getting major repairs and an addition. He indicates that there were four or five letters of intent relating to housing. There was also an historic request from the Town of Barnstable's DPW Department to do interior stairwells at Town Hall.
- January 28th: Jim Hinkle
Kris reminds everyone that Jim Hinkle will be attending the January 28th CPC meeting.

Old Business

- Chair's report: Kris Clark
 - Open Space and Recreation Plan's implementation strategy
Kris indicates that there was an article in the Barnstable Enterprise by Jim Kinsella giving respect to this committee in regards to what this committee does.

Update from the Barnstable Water/Barnstable Fire District

- Kris indicates that she also received an update from David Jones from the Barnstable Water District indicating that the meeting which was to take place with Richard Elrick and the Town Attorney last Monday was cancelled and has not been rescheduled as of yet.

Tom Mullen has spoken with David Jones regarding the proposed solar array who indicates that the administration of the Fire District is in favor of seeing that this not be developed as there is no information as to the affects of this on the recharge areas up gradient of the two wells and that this could open up the water district land to bikes, motorbikes, SUV's etc. Laura Cronin asks Tom Mullen where David Jones' information is coming from. Mr. Mullen indicates that it is from DEP and that Mr. Jones is working closely with renewable energy.

Laura Cronin asks about Duncan Gibson's suggestion of an array being installed on the roof of the Kmart shopping center. Steve O'Neil indicates that there could be FAA concerns. Ann Canedy indicates the airport solar array proposal has met with some reflective issues along with the stripping of the land.

- Update from the Hyannis Water Board/ Hyannis Fire District
Steve O'Neil indicates that nothing has changed. Kris indicates that after LAPC'S meeting in Barnstable which resulted in a letter last May, there has been no response as of yet from the Town Manager. She indicates that there were recommendations from the Hyannis Water District and that letter is also sitting on the Town Manger's desk.

- Update on our vacancy
Kris asks Ryan Mann if he has been called as of yet from the Appointments Committee. Ryan indicates no.

Kris then talks about an email from Councilor June Daley regarding executive session minutes. Kris indicates that there were two meetings on May 2, 2012 of which the latter meeting that night was held in executive session and whose minutes were dated, sealed in an envelope and submitted to the Town Clerk. Kris indicates that the subject of the executive session is still pending.

Kris says that when it was suggested to revisit executive session minutes on future agendas until their release she would hope that if this is an overall policy and that this committee is not held to a different standard than other committees who would need to have them on their future agendas also.

New Business

Announcements;

Next Meeting: February 11, 2013 at 5:30 PM.

Correspondence

Items not reasonably anticipated by the Chair

Public Comment

Other

A motion is made by Phyllis Miller and seconded by Steve O'Neil to adjourn.

Vote:

All in favor

Meeting adjourned at 6:25 PM.

Kris announces that Mark Robinson – Director of the Cape Cod Compact of Conservation Trusts had sent her an email indicating that they are having their annual Southeastern Massachusetts Land Trust convocation from 8:30 AM to Noon on February 2nd at the Quality Inn Hotel in Bourne.

Respectfully Submitted,

Carol Puckett – Administrative Assistant

