



Town of Barnstable

Land Acquisition and Preservation Committee

www.town.barnstable.ma.us/LandAcquisitionandPreservationCommittee

July 8, 2013

Minutes

5:30 PM

Selectmen's Conference Room

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

Also present were Tom Rooney – Superintendent and Steve Whitmore – Water Commissioner from Barnstable Board of Water Commissioners, Ann Canedy – Town Councilor, and Carol Puckett – Administrative Assistant.

As a quorum has been met, Kris Clark opens the meeting at 5:30 PM.
First on agenda are the guests.

Guests:

Darcy Karle, Barnstable Conservation Agent: land management and
Fred Stepanis: Barnstable Conservation Agent: conservation restrictions

BARNSTABLE TOWN CLERK

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Fred Stepanis – Assistant Conservation Agent, gives a PowerPoint presentation on the Conservation Restriction Act (**Exhibit A**). Last month he met with Jaci Barton for materials and assistance with his presentation and found that after 32 years, the Open Space Policy is still being used. He reads info from the Open Space Policy. Next slide defines what a conservation restriction is which is a legally enforceable agreement between the landowner and the town. Next slide refers to the benefits to the landowner after which he shows a list of conservation restrictions granted to the Barnstable Conservation Commission. Mr. Stepanis indicates that the conservation restrictions granted to the Conservation Commission are monitored yearly.

Ann Canedy asks Mr. Stepanis if he thought having both LAPC and the Conservation Commission reviewing the restrictions was a duplication of effort.

Mr. Stepanis states that the only restrictions he monitors are the ones granted to the Conservation Commission. Tom Lee explains that through the chair, himself, and some of the members of the Conservation Commission, that LAPC reviews restrictions from Barnstable Land Trust and the reason that they go to Conservation is to get additional endorsement.

Ann asks if they could use AmeriCorp or another volunteer group to do monitoring. Mr. Stepanis states that BLT had recently used Mark Robinson from Cape Cod Conservation Trust with whom he accompanied to some of these sites.

Mr. Stepanis continues the presentation showing a slide of the Dugas property where abutters had been dumping yard waste, etc. He indicates that he contacted them, explained the details of the restriction which resulted in the abutters cleaning up that area.

The members discuss parcels owned by the Town. Ann Canedy comments that there are requirements for land purchased by land bank funds and land purchased by CPC funds which should be put into conservation restrictions. She notes that she has a communication from the Community Preservation Committee in Boston from which she reads **(Exhibit B)**. Ann asks Mr. Stepanis for a list of parcels purchased with land bank funds and CPC funds. Mr. Stepanis to send Carol list **(Exhibit C)**.

Kris Clark comments that it would be helpful to see what lands are protected by conservation restrictions.

Next speaker is Darcy Karle who will giving a PowerPoint presentation on Conservation Management **(Exhibit D)**. Ms. Karle will be speaking to the parcels under Conservation Management for passive recreational uses. Conservation manages over 5000 acres. They spent over \$2000 in repairs to some of the areas due to winter storms. The #2 issue is illegal dumping and vandalism and had 12 birdhouses knocked over.

Next slide is that of Long Beach boardwalk which was constructed with help from AmeriCorp back in 2005 which they found not to be ADA (Americans with Disabilities Act) compliant. They started renovating in phases. In Phase 1 they used Trex® composite building materials for the boardwalk with a turnaround area at the end. In phase II, they will be proposing one side going to the river and the other side going towards Nantucket Sound. She states that the cost for the 189 feet of boardwalk was \$23,000.

Next slides are the Wildland Fire and Preparedness Plans, West Barnstable Fire Plan safety zones, control burning, and Barnstable County Wildfire Preparedness Plan for the Cape.

Jim Hinkle asks Ms. Karle how many people are working on monitoring. Ms. Karle explains that she depends on the Highway Department, Structures and Grounds and commends Charlie Genatossio, the tree warden, for work in the trailheads.

Approval of Minutes

Minutes from LAP meeting of May 13, 2013

Motion is made by James Hinkle and seconded by Duncan Gibson to approve minutes as submitted.

Vote:

All in favor

Updates

Santuit Preserve: Phyllis Miller

Phyllis Miller explains that she and Kris Clark met with Mark Ells and Ann Canedy in a positive meeting. Within five minutes she was told that Dan Santos, head of DPW, would assist with the Santuit Preserve. Phyllis has left a message for Mr. Santos indicating that they will be sitting down with Catherine Laurent from Mashpee to talk about the issues.

Pathways: Farley Lewis & Tom Mullen

Tom Mullen states that most trails are open. AmeriCorp did a lot of work on the trail leading from Cape Cod Community College and the area behind the fire station has also been cleared. Some work needs to be done off Plum Street and is looking for volunteers to help with the clean-up.

Community Preservation Committee

- **May 20th: Tom Mullen – Kris Clark attended the May 20th meeting.**
- **June 24th: Duncan Gibson**

Duncan Gibson states there was discussion on one open space acquisition parcel consisting of 2.5 acres on Lumbert Mill Road. Duncan passes around a map (Exhibit E). At the meeting he expressed concern as, through his research, the land was valued as recently as 2008 at \$72,000, dropping significantly in 2009 to \$22,500, assessed this year at \$13,000, and that CPA, through their appraiser, is paying \$41,000. Also at the meeting CPC confirmed their plans for the next fiscal year for two cycles that they will propose nominations for monies to Town Council and that elections were held and officers remain unchanged. Ann Canedy indicates that she will bring up the Lumbert Mill Road proposed acquisition at Town Council in regards to the appraisal value.

- **July 22nd: Steve Gould to attend.**
Kris passes around the CPC sign up sheet.

LAPC vacancy

Kris states that Laura Cronin has resigned from this committee and they are again looking for a volunteer. Duncan Gibson reads Laura's resignation letter. (Exhibit F)

Town Council Liaison: Councilor Ann Canedy

Ann Canedy states that on the Town Council's agenda is the Independence Park Project regarding solar arrays and their impact to the Barnstable Water District wells. She states that the array is now proposed to be on the southerly side and downsized. She reads from the agenda: "The developer will voluntarily submit the proposed project to the Department of Environmental Protection in order to solicit an opinion and advisory approval that the project is consistent with water quality protection. The project will also fund the hiring of an independent consulting firm specializing in water protection issues to act as a peer-review advisor to the Town and the Fire District. The independent firm will also monitor all installation activities consistent with DEP guidelines. If deemed advisable by either DEP or the independent consulting firm, the project will bear the cost of installing a testing and monitoring well to be located between the project site and Barnstable Fire District and Hyannis well heads. The system will be supported by vertical metal members driven into the ground and the soil will be left otherwise undisturbed. The site will be mechanically mowed as necessary and the site will be visually well screened from Breed's Hill Road."

As for CPC, Ann states that her concern in the past is that there are parcels that were acquired by land bank funds and CPC funds that have not been protected by conservation restrictions and that according to CPC that it is the requirement of the act. Kris indicates that she received an email from Ria Knapp of the Community Preservation Coalition, which she reads (Exhibit G) regarding an invitation to an informational presentation regarding the latest news on the Community Preservation Act.

Pogorelc Conservation Restriction

Kris states that after they heard and voted this conservation restriction back in May, that Paula Pariseau informed her that some work was done to improve the proposal and that the conservation restriction will now allow public access. (Exhibit H)

Old Business

Chair's report: Kris Clark

- **Open Space and Recreation Plan's implementation strategy**
- **Update from the Barnstable Water/ Barnstable Fire District**

Tom Rooney – Superintendent and Steve Whitmore – Water Commissioner from the Barnstable Board of Water Commissioners. Mr. Whitmore indicates that they have had a concern in regards to the McManus property and are pursuing this matter as strongly as they can. In regards to the Breeds Hill project about solar panels, this is a greater concern because of the stripping away of ground vegetation, construction and traffic issues. They are trying to use the interest in the airport solar panel project to protect their interest in the Breeds Hill project.

Tom Rooney states that the Town has done a lot of work installing the solar panels at the airport of which part of those panels are on water district land and is appreciative of what the Town has done. There is a meeting tomorrow night with their Prudential Committee to discuss the issues with Charlie McLaughlin from the Town Attorney's office.

Update from the Hyannis Water Board/ Hyannis Fire District

Kris had the wrong date and missed the meeting. She has been in touch with Bill Cronin about rescheduling another date with the Greater Hyannis Civic Association. .

Update on the vacancy on our committee

No new update.

New Business

▪ Elections

A motion is made by James Hinkle and seconded by Thomas Mullen to elect Kris Clark as chair.

Vote:

All in favor

Motion is made by James Hinkle and seconded by Thomas Mullen to elect Phyllis Miller as vice-chair

Vote:

All in favor.

Announcements

Duncan Gibson announces that he had attended a couple of workshops sponsored by Waquoit Bay in Falmouth on waste water and changing shorelines and as soon as they update their new website he will let Carol know in order to inform members.

Steve Whitmore reminds everyone of a meeting with the Prudential Committee tomorrow night at 4:00 PM at the Water District Department located on Phinney's Lane to discuss the solar panels at the airport and Breeds Hill area.

Correspondence

Items not reasonably anticipated by the Chair

Public Comment

Other

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

Vote:

All in favor