



# Town of Barnstable Land Acquisition and Preservation Committee

[www.town.barnstable.ma.us/LandAcquisitionandPreservation](http://www.town.barnstable.ma.us/LandAcquisitionandPreservation)



### Committee Members

Ann Canedy – Chair    Farley Lewis – Vice Chair  
Kris Clark    Elissa Crowley    Janet Crystal    Steve Gould    Thomas Lee    Phyllis Miller    Anne Rowland  
Jessica Rapp Grassetti – Town Council Liaison

### Staff Support

Carol Puckett – Administrative Assistant – [carol.puckett@town.barnstable.ma.us](mailto:carol.puckett@town.barnstable.ma.us)

## Minutes

Monday, May 13, 2019

5:30 PM

Selectman's Conference Room – 367 Main Street, Hyannis, MA

Ann Canedy - Chair	Present
Farley Lewis – Vice Chair	Present
Phyllis Miller	Present
Kris Clark	Present
Steve Gould	Present
Tom Lee	Absent
Elissa Crowley	Absent
Anne Rowland	Absent
Janet Crystal	Present

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TOWN CLERK

Also present were Chris Nappi from Town of Barnstable Natural Resources and Carol Puckett – Administrative Assistant

Since a quorum has been met , Ann opens the meeting at 5:37 PM.

### Call to Order/Introduction of Land Acquisition and Preservation Committee Members

Everyone present introduces themselves.

Ann reads the following with no response:

### Notice of Recording

Please note that this meeting is recorded and broadcast on Channel 18. In accordance with MGL Chapter 30A §20, I must inquire whether anyone is taping this meeting and if so, to please make their presence known.

Chris Nappi gives a presentation on herring runs (Exhibit A):

First slide is:

### Recognized Runs

- **Mill Pond, West Barnstable**

He reports that there is an update on Mill Pond and explains that Little River goes into Lovell's Pond. At Mill Pond, there is a short run (3/10 of a mile) to the marsh from the pond and that it has been deemed suitable for habitat. He reports that 750 fish were taken from the canal in Bourne to Mill Pond and shows pictures of the net brigade. They are hoping to get approximately 750 to 1000 fish next year also. This year there is also a counting program in place which will hopefully prove that this run is coming back. It is difficult to access from the public part of the run and states that they have to use Dr. Miller's property at the bottom of the hill because of the difficult access.

In regards to the Little River assessment, he reports it was completed in 2018 and that the Division of Marine Fisheries (DMF) is analyzing the data. He notes that there is a lot of promise but that the big hurdle is the fact that it is a long run with lots of

culverts that traverse down Old Post Road, Putnam Avenue, all the way up Route 28 and into the cranberry bogs but would be worth restoring. This run would need a control structure to get the fish in and out. Chris notes that there is a preliminary plan being put together to submit to the Town should they want to pursue this. Ann asks if there are any federal grants for which they could apply. Chris answers yes, but along with DMF analyzing the raw data that the town collected, in the meantime, they are exploring other avenues.

- **Red Lily Pond/Lake Elizabeth Run**

As for Red Lilly Pond/Lake Elizabeth run, this run is very healthy and the eels are still present which is good. Next slide shows the ladder which is currently not functioning. This ladder was put in place about 10 years ago with a grant. It was not working for years because of the sandy soil from the beach and an underground spring-fed system. The walls weren't substantial enough to stop the pressure. Only up until this year did they have permission to fix the ladder. They removed one of the ladders and made it so that there is a still way for fish to pass which took the pressure off those walls. There are also engineered plans to revamp the ladder with perhaps a natural stone structure. Ann notes that this is private property and asks if there was any partnership between homeowner's association and the town. Chris states that they are working with the Conservation Department to get those plans approved. Also, the DMF is looking at the plan which has final approval. Ann asks if DMF got a grant from the state or if they are doing it independently. Chris believes that the engineer is donating his time but isn't sure if the all of the funding is from the state. He will relay that information once he has been informed.

- **Marstons Mills River Run**

Marstons Mills River is 4.1 miles long. Currently, there are approximately 6000 herring which is low for the river. They aren't sure what is causing it but it could be access through the flume or the fish are getting held up at Route 28. Funding is there through a NRCS grant that the town will match in order to rebuild the flume. This is waiting for approval from the abutters and has gone out to bid. He is waiting for an update. He points out on the slide displayed, the ladder with the screen and how they clean it everyday, sometimes twice a day, in order to relieve the pressure.

Chris then talks about volunteer opportunities to count herring. He shows the log-in screen that a volunteer would utilize in order to input that information. He explains that when someone becomes a volunteer, a log-in is created and there is a choice of specific blocks of time in which to count the herring at different locations. For more information, please contact Amy Croteau at Marine and Environmental Affairs at 508-790-6272.

- **Centerville River Run**

This run is 3.9 miles long. Fish run later than the other runs and spend more time at this run. This a man-made channel that comes from the Centerville River to Lake Wequaquet but does not control the lake levels there or at Long Pond. This run is challenging because of the water flow. A wire cage filled with rocks has been placed in the run to slow the water flow.

- **Santuit River Run**

Is 4.2 miles long and is the largest run they have. This is the one run that they maintain most of, all the way up to the pond and one ladder at the bog off Route 139. Next slide shows how the Town of Mashpee, along with DMF, is investigating restructuring the fish ladder at Santuit Pond. They are also replacing the culvert in Barnstable at Old King's Highway where there is an old field stone structure and that the funding is approved and all they are waiting for is for work to begin. He shows pictures of Santuit river.

## **Approval of Minutes**

Minutes from LAPC meeting of April 8, 2019

Motion Is made by Kris Clark and Steve Gould to table the minutes to the next meeting on June 10, 2019.

Vote:

All in favor

## **New Business:**

- **Fire Academy Public Information Process**

Ann notes that there was a meeting on May 2<sup>nd</sup> at 367 Main Street, Hyannis (Town Hall) regarding the problems with the Fire Academy. She explains that the problem was that, in the past, there was a release of contaminants into the ground water and has affected Flint Rock Pond and Mary Dunn Pond. She went to that meeting as well as Farley Lewis. She notes that it was very interesting with the county commissioners and thinks that it is important for people to know that there are five (5) water districts and that this only affects Hyannis Water at this point.

She is disappointed that the county had initially said that they were going to stop the water flow until the study was complete and have reneged on that. At this point they are trying to develop a remedial plan and that the public comment period is now and runs for 60 days from May 3rd. She has a report if anyone wants to read it from Nover Armstrong Division of BETA who are consultants for Barnstable County.

- **Report on a referral to LAPC of property located on Lake Elizabeth Road**

She has also received a call from a citizen on donating or selling a parcel of land on which exists an old herring run. There is a homeowner's association involved who had applied for a grant and received it to do the work on the herring run but felt they couldn't do it on private property and therefore the owner wants to donate or sell it. Ann referred the property owner to Lindsey Counsell – Chair of Community Preservation Committee (CPC) and Janet Milkman – Executive Director of Barnstable Land Trust (BLT). Ann received an email from Mr. Counsell who has been in touch with her and will be working with her.

#### Old Business:

- **Update on Pending Conservation Restrictions (CR) -Prince Avenue/Harju/Amaral/Jones/Maddalena**

- **Prince Avenue** – Ann notes that this CR is more complicated and has been given to Lindsey Counsell to pursue.
- **Harju & Amaral** – Ann hasn't received anything new on these CR's. These have also been given to Lindsey Counsell to pursue and feels they will be resolved in the next few months.
- **Jones** – Ann reports that the land is owned by BLT and the Town of Barnstable will hold the CR. It is called the pathways connector because the pathway runs on the northern edge. It abuts both Bridge Creek and Meetinghouse Way Conservation land. This in total makes it 200 acres in that area which is important for the protection of the wetlands ecosystems leading to the great marsh. The CR has also been recorded
- **Maddalena** – Town Council approved this parcel for purchase in January of 2019. This committee sent a letter of support for that purchase and notes that the CR has also been recorded

- **Report from Tom Lee, CPC and approval of CR process**

Tom Lee is not here tonight but Ann reports that he has submitted the CR process document, presented at LAPC's last meeting, to the Town Manger and Chair of CPC for approval. Ann feels that as a committee, LAPC should send a letter of support for Mr. Lee's proposal.

Motion is made by Phyllis Miller and seconded by Steve Gould to write a letter to the Town Manager, Mark Ells and Lindsey Counsell – Chair of CPC recommending approval of the CR process as developed and written by Tom Lee

Vote:

All in favor

Kris notes to also send a copy of that letter also to Jessica Rapp Grasseti

- **Report from Town Council Liaison Jessica Rapp-Grasseti including status of proposed modification of Interim Estuary Protection legislation.**

Ann reports that Jessica is not here tonight but has reviewed the proposed amendment of the LAPC committee to change their name to Open Space Committee. Ann has submitted it to Jessica and has asked her to present it to Town Council when there is an opportunity.

LAPC's members discuss the mission statement and staggered terms of office for the committee members. Kris thinks the terms should be taken out Ann will discuss with Jessica and will see if it would be an issue if they changed it.

- **Update on Open Space & Recreation Plan**

Kris notes that the town's website still has the 2018 draft of the plan displayed.

- **Update on Santuit Management Plan and Committee**

Phyllis Miller announces that the Plan has been signed and sent back to the Town of Barnstable as approved by the Town of Mashpee. She is not sure if Mark Ells, Town Manager has also signed it as of yet. They discuss who the representative will be from the state to sit on the Santuit Management Plan and Committee. Phyllis reports that Town of Mashpee has assigned a citizen on the committee but that the Town of Barnstable's employee has not been appointed as of yet.

- **Update re Pathways Subcommittee and Pathways Weekend**

Farley announces that brochures for the upcoming walks are available tonight for those members to take and distribute. She also reports that she had a meeting on May 1<sup>st</sup> with BLT which was productive. Signage was discussed and the ability of hikers to find their way along the pathways. Kelly Barber from BLT is making laminated boards that can be customized for every walk. Steve Gould has more sign holders should they need them. Farley will send out notices to the walk leaders to pick the signs up for their walk. Ann and Kris need a poster for the community bulletin board. Carol to make them and notify them when done.

- **Items not reasonably anticipated by the Chair**

Ann announces that the estuary protection legislation is coming up before the Board of Health on June 25<sup>th</sup> at 3:00 PM.

- **Adjournment**

Motion to adjourn is made by Steve Gould and seconded by Phyllis Miller

Vote:

All in favor

Please Note: The list of matters are those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Committee may go into executive session. The Committee may also act on items in an order other than they appear on this agenda.

\* Public files are available for viewing during normal business hours at the Land Acquisition & Preservation office located at 200 Main Street, Hyannis, MA