



# 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

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### MINUTES

#### **Joint meeting: Land Acquisition and Preservation Committee, Barnstable Village Prudential Committee and Board of Water Commissioners**

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**May 2, 2012; 7:00 PM**

**Unitarian Church, Warren Hall; Barnstable Village**

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Chair Kris Clark opened the meeting and announced a quorum was present. Introductions were made by the persons seated at the meeting. Chair Clark asked Ann Canedy to take the Minutes.

David Jones, Chair of the Barnstable Water District advised that Jon Erickson, Barnstable Water Superintendent was ill and unable to attend. Jones noted that a letter was sent on March 21, 2012 to Kris Clark as Chair of the Land Acquisition & Preservation Committee (LAPC) from the Board of Water Commissioners and Prudential Committee. The letter (Attachment A) listed three parcels of concern to the District: 145 Breeds Hill Road (parcel 314027001); 246 South Flint Rock Rd (parcel 314026003) and 1910 Iyannough Rd (McManus-parcel 235006). The letter sought a change in parcel designation from "municipal use" to a conservation restriction. The parcels were identified as "parcels critical to the protection of the public water supply".

Councilor Canedy reported on the status of the McManus Property. She explained the Deed of Purchase and Easement. She reported that the DPW Director Mark Ells recently advised that the Town currently has no intention of discharging effluent at that site. Jones stated that it that the Water District understands that pipes were laid for that purpose during the reconstruction of Route 132. Their concern was for the protection of the water supply for the whole Town, not just Barnstable Water District. A 400 foot radius offered no real protection other than to keep people out of the area. All properties of Water District concern are within critical zones of contribution, water is being drawn from Lake Wequaquet in this case.

Tom Lee and Tom Mullen explained the difference between Zone 1 & 2. Zone 1 is the 400 ft radius around the wells; zone 2 indicates an area of depression in the ground water surface from which water is drawn. Mullen stated that there were plans in DPW which would show pipe placement. Councilor Canedy said she would acquire a copy for the District.

All designated properties are currently designated "for municipal use" and are not protected with a conservation restriction.

Steve O'Neill moved that the LAPC advise the Town of LAPC's support of the Water District's concern regarding the 6.9 acre easement over the McManus property and potential use as an effluent discharge site. Laura Cronin seconded. The vote taken by LAPC members present was unanimous.

Jim Hinkle asked that a copy of the Motion and the vote be sent to the Town Administration.

Councilor Canedy suggested that the letter of March 21 be resent but addressed to Acting Town Manager Lynch with cc to Ruth Weil, Legal Dept; Council President Chirigotis, Kris Clark, LAPC, and herself as precinct 1 councilor. Hinkle wanted the Motion and vote attached to the letter of support.

Members expressed that clean water is the most important thing a municipality can protect.

Tom Lee stated that the Community Preservation Committee (CPC) is looking at the McManus property as a possible site for recreational fields. New legislation may preclude artificial turf however.

Jones noted that the golf course was totally restricted in chemical use and while in favor of recreational use, he would like similar chemical restriction to apply to the fields. There was some discussion regarding endorsement of fields. LAC members did not want to make an endorsement at this time and it was suggested and agreed that the Water District has not voted on the issue as a body, that the opinions expressed were Jones's opinions alone.

The sites at 145 Breeds Hill and 246 Flint Rock were discussed. The property was acquired in response to a contamination created by Cape Cod Potato Chips. Tom Mullen stated that as a result of the contamination sewer pipes were laid in the Industrial Park. Well 2 was shut down for almost 10 years and the Barnstable Water Company was forced to do extensive retrieval work. Mullen opined that such a spill was not likely in the future. However, the area is significantly close to 53 acres of Barnstable Fire District land. There can be a plume effect; investigative work still needs to be done. Bottom line: land was bought for the purpose of drinking water protection and needs to be restricted for that purpose.

Jaci Barton, Barnstable Land Trust stated that the land should not be "municipal use" which implies potential intensification of use.

Jim Hinkle reported a similar issue in Eastham and felt that the land should be restricted in perpetuity.

Phyllis Miller reported that although the LACP had decided to meet with Water Districts by alphabetical order, Hyannis Water District had asked to meet next. She has met with them and notes that they have many concerns. They may be receptive to a joint effort.

Duncan Gibson moved that the LACP support the Barnstable Water District's letter of March 21 requesting the creation of a permanent conservation restriction on Breeds Hill Road to protect wells 2 & 5. Hinkle seconded. Vote in support was unanimous.

Members agreed by consensus that Hyannis has many corresponding concerns, may want to jointly discuss the matter generally and Flint Rock parcel particularly, and should be next Water District that the LACP contacts.

Regarding the site at 246 South Flint Rock Rd: The site is in the Hyannis Water District but is in close proximity to BFD wells. Gibson moved that the LACP support the Barnstable Water District's letter of March 21 in regards to 246 South Flint Rock Rd. Hinkle seconded. Vote in support was unanimous.

Barton noted that Senator O'Leary filed legislation which would require CR on land purchased for water protection.

Jones stated that he would ask Jon Erikson to readdress the March 21 letter to parties Councilor Canedy suggested.

Chair Clark entertained a motion to close the public hearing. Moved and seconded. Vote in favor was unanimous.

Clark moved that the LACP go into Executive Session for the purpose of discussing land acquisition and that the body not return to open session. Peter Eastman, as Chair of Barnstable Civic Association, and Jaci Barton, as representative of Barnstable Land Trust were asked to join the Executive Session.

Members of the Prudential and Water District declined to join the discussion. Roll call vote: Clark (aye), O'Neil (aye), Miller (aye), Hinkle (aye), Lee (aye), Mullen (aye), Cronin (aye), Gibson (aye).

Unanimous.

The regular meeting was adjourned.

Respectfully submitted,

Ann Canedy, volunteer minutes-taker