



# 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  
Elissa Crowley    Janet Crystal    Steve Gould    Thomas Lee    Phyllis Miller    Anne Rowland  
Kris Clark – Town Council Liaison

### Staff Support

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

## Minutes

Monday, June 8, 2020

5:30 pm

**Ann Canedy – Chair, opens the meeting and reads the following:**

In accordance with the Governor’s Order Implementing a Phased Reopening of Workplaces and Imposing Workplace Safety Measures to address COVID-19 (COVID-19 Order No. 33) this meeting will be closed to the public to avoid group congregation.

Alternative public access to this meeting shall be provided in the following manner:

1. Real-time access to the Land Acquisition and Preservation meeting is available utilizing the Zoom link or telephone number and Meeting ID provided below. Public comment can be addressed to the Land Acquisition and Preservation Committee by utilizing the Zoom link or telephone number and Meeting ID provided below:

### Join Zoom Meeting

Link: <https://zoom.us/j/94308290328> Meeting ID: 943 0829 0328

Phone: 1-877-853-5257 - Meeting ID: 943 0829 0328

2. Following the conclusion of the meeting, a recording of the meeting will be televised via Channel 18 and may be accessed the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/>
3. Applicants, their representatives, and individuals required or entitled to appear before the Land Acquisition and Preservation Committee may appear remotely and are not permitted to be physically present at the meeting, and may participate through accessing the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to [carol.puckett@town.barnstable.ma.us](mailto:carol.puckett@town.barnstable.ma.us) so that they may be displayed for remote public access viewing.

**Ann Canedy takes roll call attendance:**

Member	Present	Absent
Ann Canedy - Chair	Yes	
Farley Lewis – Vice Chair	Yes	

Planning And Development Department  
Elizabeth Jenkins– Director  
200 Main Street, Hyannis, MA 02601    367 Main Street, Hyannis, MA 02601  
Phone: 508-862-4785 Fax: 508-862-4784

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BARNSTABLE  
TOWN CLERK

Phyllis Miller	Yes	
Steve Gould	No	
Tom Lee	Yes	
Elissa Crowley	Yes	
Anne Rowland	No	
Janet Crystal	No	
Doug Payson	No	
<b>Presenters and LAPC Liaison</b>	<b>Present</b>	<b>Absent</b>
Janet Milkman – Executive Director of Orenda	Muted	
Kris Clark – Town Council Liaison	Not as of yet	

Tracey Pratt is also here via ZOOM and is applying as a member of LAPC. Ann welcomes him.

**Call to Order**

As a quorum is present, I, Ann Canedy call this meeting to order

Ann reads the following into the record 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.

**Approval of Minutes of March 9, 2020**

Ann asks everyone if they have had a chance to review the minutes. However, Ann makes a motion that they table the minutes until the next meeting since they are lengthy.

Seconded by Phyllis Miller.

**Roll Call Vote:**

Member	AYE	NAY	ABSTAINED	CURRENTLY NOT PRESENT
Ann Canedy - Chair	X			
Farley Lewis – Vice Chair	X			
Phyllis Miller	X			
Steve Gould				X
Tom Lee	X			
Elissa Crowley	X			
Anne Rowland				X
Janet Crystal				X
Doug Payson				X

Ann thanks Tom Lee for his dedication and Janet Crystal for their memorable and valuable service as they are retiring from LAPC. She also welcomes Liz Lewis, new board member.

Ann Canedy reads the following into the record:

Planning And Development Department  
 Elizabeth Jenkins– Director  
 200 Main Street, Hyannis, MA 02601      367 Main Street, Hyannis, MA 02601  
 Phone: 508-862-4785 Fax: 508-862-4784

**New Business:**

- Review of Conservation Restriction (CR) 28 Falcon Road, West Barnstable: Possible vote to recommend approval.

**Ann Canedy introduces Janet Milkman:**

Janet Milkman refers to the State of Development map of the Town and what is available for protection or development. This shows what is guiding their efforts around land conservation. They worked with the Cape Cod Commission (CCC) to develop their own map to get a sense of what is out there. She explains the map on the screen. They have found at least a couple of thousand acres of land worth conserving for protection. BLT's map shows, parcel by parcel, high priority land for conservation in the Town and is helping the Town figure out what is important and whether a property would make sense.

The Assessor's Map is shown on the screen for 28 Falcon Road which Janet explains. Next display on screen is the pathways map. Janet points out a section and explains that it is probably one of the only sections of a trail used by indigenous people, thousands of years ago which has not been paved over. It was also a Colonial cart path. Another map showing the two certified vernal pools is displayed and explained by Janet.

Ms. Milkman then goes on to explain that the Town would own 28 Falcon Road (the property) but that BLT would hold the conservation restriction (CR). This CR also allows for the ability to utilize the property for drilling a drinking water well should the Town decide it is necessary. They discuss whether it would have to go back again through the process should that happen. Tom Lee states that it has been reviewed by the Town's legal department.

Ann Canedy asks if future CRs will be looked at for drilling potential. Janet states that future CRs will be looked at in that manner going forward. What will happen is that she will consult with Dan Santos – DPW Director and will see what he thinks of the potential property for possible drinking well status. She explains that the question of drilling will also have an impact when applying for certain State grants.

Kris Clark and Doug Payson have joined the meeting at 5:52.

Doug Payson asks about permitted uses listed in the CR and notices that trails in other conservation areas are being heavily used by bicycles. He asks if this is a new use or was it specifically excluded. Janet would think that it was specifically excluded.

Farley thinks this hits all the marks with what they consider to be valuable open space and hopes it gets approved.

Ann Canedy notes that it also includes former cranberry bogs and asks if there is a plan to reclaim them for wetland preservation. Janet states that there is a really big push at the State level currently for that but that she has not talked to the State about this particular bog.

Phyllis Miller states that reclaiming for wetland preservation is not cheap but notes that there are grant opportunities.

Ann Canedy states that, obviously, it has public access and has hit many good points. It is an interesting parcel and is excited that the Town will own it. It also is good for the pathways in order to connect to the trails system.

Kris Clark wants to point out that the Town, over the past year, has been actively looking for sources for municipal water. This is a private piece of property that can be added for consideration.

Motion is made by Phyllis Miller to approve the CR on this property as written.

Ann clarifies that this motion is to recommend approval by the Town Council.

Seconded by Elissa Crowley.

Ann Canedy asks Tom Lee if this has been reviewed by the Conservation Commission as of yet. Mr. Lee says that it is forthcoming. Ann would like to amend Phyllis' motion to include the recommended approval to ConComm and Town Council.

Phyllis accepts and Elissa Crowley seconds.

Roll call vote:

Member	AYE	NAY	ABSTAINED	CURRENTLY NOT PRESENT
Ann Canedy - Chair	X			
Farley Lewis – Vice Chair	X			
Phyllis Miller	X			
Steve Gould				X
Tom Lee	X			
Elissa Crowley	X			
Anne Rowland				X
Janet Crystal				X
Doug Payson	x			

**Old Business:**

- **Update on Harju CR, Amaral CR, Prince Ave CR, Great Marsh CR**

Ann Canedy notes that she had received an update from David Houghton from the Town Attorney's office prior to his retirement on the following:

- Harju – The State has objected to both the passive and active recreation component and the CR has been rewritten to include passive recreation only. Mr. Houghton wanted to confirm that BLT would still hold the CR without a fee. Janet Milkman states that BLT will hold the CR and will confirm with the Town Attorney's office
- Amaral – Will be going back to the State as active recreation and include a small parking lot. Ann confirms with Janet Milkman that BLT will also still hold the CR. Janet will also confirm with the Town Attorney's office regarding any fee.

Doug Payson asks for definition of passive versus active recreation. Janet Milkman will get the information and send via email.

- Prince Avenue – There is finally a parking plan but the CR has to make the rounds and have public hearings accordingly
- Orenda and Great Marsh Road were approved by Town Council

Anne Rowland and Steve Gould have entered the meeting.

Janet Milkman leaves the meeting.

- **Update on Pathways Subcommittee (Barnstable Land Trust)**

Farley Lewis notes that she has spoken with Kelly Barber about a mission statement for the subcommittee, which she produced, which focuses on what the objectives are in regards to the trails and their conditions.

Doug Payson has seen heavy use by mountain bikers daily/nightly that which causes erosion issues. He also notes that the trail behind the Trayser Museum, which is a wet area, is where he found a blue spotted salamander which is a rare species. He asks about plans to install a small bridge. Farley believes that the New England Mountain Bike Association (NEMBA) is working on an idea of creating a bypass for that section of the trail. She notes that there will be an upcoming meeting at which time that issue could be brought up. Another issue Doug has is in regards to unleashed dogs and thinks that it is a liability problem. Kris Clark suggests putting signage up. Farley thinks it might be an enforcement issue. Ann Canedy thinks signage should help and would take the responsibility off the owner of the property and put on the owner of the dog. Kris Clark thinks that if they, at the minimum, could put up signage, it still might be a deterrent. Ann Canedy to write a letter on the subject. Phyllis Miller notes that this is also a problem at the Santuit Preserve and that perhaps DCR might have some funding resources for this. Kris Clark suggests sending a copy of that letter to ConComm. They discuss who owns the land and who holds the CR on that parcel. Doug asks if they want him to write the letter. Ann says yes and to copy her on it.

Steve Gould leaves.

- Update on Santuit Management Plan and Committee

Phyllis Miller reports that the committee has not met as of yet and that they have postponed their annual walk for now. She notes that Tracy Pratt has taken pictures in the Preserve of a failed fish ladder, which Mashpee was notified of which they have fixed. Phyllis also notes that Mashpee is going to take the bog at the end of Hollow Road, which is for sale, with CPC funds. Ann Canedy asks Phyllis if the idea of bog reclamation has been discussed. Phyllis states that they have had that discussion and are currently looking into a grant for help with the algae.

- Update on pending Community Preservation Committee open space applications.

Tom Lee states that CPC has two applications for open space. The first one is from BLT for a 15.8 parcel on Wakeby Road in Marstons Mills for \$500,000. BLT is asking for \$250,000 from CPC, which has been approved. Second application is from the Town Manager's office requesting CPC funds over 5 years in order to pay off the remaining debt for the Hyannis Golf Club, which was approved. However, every year they are to come back to update CPC on the financing specifics. Ann Canedy asks if there is a plan to put a CR on this property. Tom Lee states that it has been discussed. They discuss the use of herbicides because of the proximity to wells. Ann confirms that 830 Wakeby Road will be on LAPC's agenda for next month.

- Report from Town Council Liaison Kris Clark

Kris has heard from the Town Manager's office regarding an update on the Breed's Hill property and reads the email (Exhibit (A)) that notes that they are waiting for conditions for review and was not discussed until after MEPA review. Kris to send Ann a copy of that email.

Ann asks members if/when they would like to hear from Zenas Crocker about alternative water resources as a follow-up to Dan Santos' presentation previously and any suggestions for other topics.

Tom Lee thanks the members of the committee for having him as a member of LAPC for all these years.

Kris notes that LAPC should be aware that the Town, over the past year, has been conducting test drilling for municipal water and will provide a report in the future.

Adjournment

Phyllis Miller makes a motion to adjourn. Seconded by Tom Lee.

Ann calls for roll call vote:

Member	AYE	NAY	ABSTAINED
Ann Canedy - Chair	x		
Farley Lewis – Vice Chair	x		
Phyllis Miller	x		
Steve Gould	Absent		
Tom Lee	x		
Elissa Crowley	x		
Anne Rowland	x		
Janet Crystal	Absent		
Doug Payson	x		

