



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)

Minutes

May 13, 2013

5:30 PM

Selectmen's Conference Room; Barnstable Town Hall

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

Also present were Hans Keijser, Farley Lewis, Fred Stepanis, Darcy Karle, Ann Canedy, Jaci Barton and Paula Pariseau.

As a quorum has been met, Kris Clark opens the meeting at 5:37 PM and welcomes newest member Steve Gould.

Guests:

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

Darcy Karle explains that since the network is down and Fred and herself had prepared a PowerPoint presentation, that they request to postpone their presentation until LAPC's June 10th meeting.

- Proposed Conservation Restriction: 1540 Main Street, West Barnstable: Jaci Barton, Barnstable Land Trust & Paula Pariseau, The Compact of Cape Cod Conservation Trusts

Jaci Barton points out the proposed area for consideration of the conservation restriction on a large map. The area is located west of the business known as the Crystal Pineapple. Paula Pariseau explains that this parcel is the companion parcel to one which the owners, the Pogorelc family, had previously donated. This parcel for consideration of the conservation restriction is approximately 4.5 acres of which 2 acres is wetland. It is partially within the Sandy Neck Barnstable Harbor Area of Critical Environmental Concern and also within the Old King's Highway Regional Historical District and is part of a huge wildlife area extending from Barnstable Harbor south to the tracks and beyond to the West Barnstable Conservation Area. By putting a conservation restriction on this parcel it will

Please note that the committee may act on items in a different order than they appear on this agenda.
Also, if it so votes, the committee may go into Executive Session

increase the amount of protected open space in the town which is one of the goals of the town's current Open Space Plan. The conservation restriction has been reviewed by the owner, the Barnstable Land Trust, and the state department Division of Conservation Services. Paula hands out a map of the area (Exhibit A)

Ann Canedy asks Paula to talk about public access, if there is any, and what is the affect on the tax roles.

Paula states that in respect to the assessment, she does not know the exact impact as of yet. However, as a practical matter, the owner will convey the restriction to the BLT and then the owner's intent is to convey the property, as protected, to the Orenda Wildlife Land Trust and once conveyed to Orenda Wildlife Land Trust, the property comes completely off the tax roles. They discuss taxes. As to access, Paula indicates that it is the owner's intent to convey the parcel to Orenda Wildlife Land Trust and is Orenda's intent, once received, to open it to the public. There is a walking trail and access to that trail is currently on the property that is not subject to the conservation restriction. The access from 6A to the walking trail is on the non-conservation restriction portion for which they have specifically written into the conservation restriction, the ability to extend the trail from its current point in the conservation restriction property down to 6A within the conservation restriction property.

A motion is made by James Hinkle and seconded by Tom Mullen to approve this conservation restriction.

Ann Canedy asks what would happen if one party does not accept the conservation restriction, does it still exist. Paula indicates that it can be recorded without all the signatures but that it would become a deed restriction. In order for a conservation restriction to be permanent, all four parties must sign off on it and that the deed restriction would only be good for 30 years.

Steve O'Neil, as a point of order, states that that they are not approving this conservation restriction but just writing a letter in support of this.

Jim Hinkle accepts the amendment as stated by Steve O'Neil.

Seconded by Duncan Gibson.

Vote:

All in favor

Kris Clark states that there is an original motion as made by Jim Hinkle and seconded by Tom Mullen that now includes writing a letter of support

Vote:

All in favor.

Approval of Minutes

- Minutes from LAP meeting of April 8, 2013
Kris checked with the presenters at the meeting. Drew McManus had suggestions which are included in the minutes as amended.

Motion is made by Phyllis Miller and seconded by James Hinkle to approve the minutes as amended
Vote:
All in favor

Updates

- Santuit Preserve: Phyllis Miller

Phyllis Miller walked the area approximately two weeks ago and reports that the herring run is full. She commends the work on the road and states that the work will commence again after the herring complete their move probably until the end of July. Phyllis states that some of the trail work has not been done in regards to access from the Barnstable portion. Kris and Phyllis will set up a meeting to speak with Mark Ells about the management plan. Kris states that AmeriCorp has chosen Mashpee as the beneficiary of their assistance from May 13, 2013 to May 20, 2013 including planting pollination gardens. She reads an email from Drew who is looking for volunteers for debris clean-up. Jaci Barton suggests that Kris send the email from Drew McManus to BLT so that they could forward via Constant Contact in order to solicit volunteers.

Pathways: Farley Lewis & Tom Mullen

Farley reports that from the attendance tally for the walking weekend in April, that there were fourteen people who participated in the three days of hikes. This is the first time they tried it in April and are still evolving as to whether they will try it again or possibly schedule later in the Spring. Kris asks if trail markers are needed. Tom Mullen will provide if so needed.

Community Preservation Committee

- April 22nd: Laura Cronin
- May 20th: Tom Mullen

Tom Lee reports that more language is being changed and added to the handbook. Also, supporting Hyannis Water with \$50,000 CPC by Laura Cronin was mentioned.

Hans Keijser from the town's Water Department thanks LAPC for the letter of support to CPC on April 22nd and thinks it made a difference in convincing CPC to accelerate their application. CPC asked him to get an application in fairly quickly which he did today which will be discussed on May 20th.

Jaci Barton asks him to explain the project. Hans indicates that they will be working with BLT, Cape Cod Collaborative, Town of Barnstable and the Hyannis Water Board to solve the areas of concern surrounding the 11 of 12 wells for which they don't own all of Zone 1 surrounding this area. The request to the Community Preservation Committee will be for \$50,000 to be used to approach land owners for acquisition, conservation restriction, or anything else. The monies would cover the cost of attorney fees, appraisals, down payment, etc., on perspective parcels. The plan is to approach the land owners as soon as the funding is in place and to come back to LAPC, through CPC, and ask for monies to apply for DEP grants.

Town Council Liaison update: Councilor Ann Canedy

Ann states that she attended a meeting of the Citizen Advisory Committee on wastewater. In regards to the McManus property and the three properties for which they had written a letter to the

Town Manager approximately a year ago, they have not received a response back as of yet and will take it up at their next meeting.

Old Business

- **Open Space and Recreation Plan's implementation strategy**

Kris reports that the Barnstable's request to the Town Manager is still in the works.

- **Update from the Barnstable Water/ Barnstable Fire District**

Ann states that she thought Steve Whitmore had planned to be here but is not.

- **Update from the Hyannis Water Board/ Hyannis Fire District**

Steve O'Neil reports that they are working on plans.

- **Proposed Cape Cod Rail Trail Extension in Barnstable and Yarmouth**

Kris states that in regards to the bikeways going through Zone 1's and open spaces on the north side, she confirmed with Lindsey Counsell that he was the lead on this bikeway project. He stated that LAPC could send a letter to him with comments and how the bikeways would affect Zone 1's. Tom Mullen comments that if it is opened up to bikes, they be mindful that it could be opened up to other vehicles. Kris asks Hans to comment. Ann Canedy suggests showing the PowerPoint presentation on bike paths from the website to this committee. Jim Hinkle thinks it would be appropriate for this committee to go on record saying they are very concerned about this problem and that discussions regarding future bike paths be given prime consideration so as not to come within any prescribed distance to an existing well. Kris will check with Lindsey about giving a presentation on this to LAPC. If not, Steve O'Neil recommends writing a letter.

- **Update on the vacancy on our committee**

Steve Gould has filled the vacancy.

New Business

- **Greater Hyannis Civic Association meeting on May 14th at 7pm.**

Kris heard from Laura and was informed that they were not on the agenda for tomorrow but assumes it will be moved to June to canvas the association for input on parcels to be considered in Hyannis in regards to LAPC criteria

Announcements

Next Meeting: June 10, 2013 at 5:30pm.

- Guest speakers: Jaci Barton, Executive Director, Barnstable Land Trust

As Jaci Barton spoke tonight, next meeting's guest speakers will be Darcy Karle and Fred Stepanis

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

Vote:

All in favor.