

Open Space Committee

Minutes

October 6, 2025 at 5:30 p.m.

CALL TO ORDER AND INTRODUCTION OF MEMBERS

Chair Malakhoff calls the meeting to order at 5:30 PM with an introduction of members:

Member	Present	Absent
Lev Malakhoff – Chair	X	
Farley Lewis – Vice Chair	X	
Elizabeth Lewis	X	
Douglas Payson	X	
Elissa Crowley		X
Anne Rowland		X
Tracy Pratt		X
Cate Gulliver	X	
Dave Gorrill	X	

Also present is Kris Clark, Town Council Liaison; Kyle Pedicini, Assistant Director – Planning & Development; and Genna Ziino, Administrative Assistant.

NOTICE OF RECORDING

This meeting of the Open Space Committee is being recorded and broadcast on the Town of Barnstable’s Government Access Channel. In accordance with MGL Chapter 30A §20, I must inquire whether anyone else is recording this meeting and, if so, to please make their presence known.

APPROVAL OF MINUTES

- September 8, 2025 – Doug Payson moves to approve the minutes. Cate Gulliver seconds.

Vote:

Aye: Lev Malakhoff, Farley Lewis, Liz Lewis, Doug Payson, Cate Gulliver, Dave Gorrill

Nay: None

TOPICS FOR DISCUSSION

New Business

- Review, discussion, and possible approval of 755 Lumbert Mill Road CR – Kelly Grant, Barnstable Land Trust

Kelly Grant says this CR is a little different because it is a private property owner who wants a CR of the undeveloped portion of her property. It could be preserved for water protection, wildlife habitat, and scenic nature. There is an existing house on the property where the owner plans to continue living, just under 1 acre that is being excluded from the CR. The whole property is 6.68 acres, and the CR area is 5.88 acres. The CR has standard prohibited acts and uses. Within permitted acts and uses there is standard allowing trail maintenance. The property was historically a small-scale agricultural use (raising pigs and stable for horses) so there’s an existing stable/shed but it’s overgrown. The owner’s intention is to abandon that agricultural use and allow the shed to remain until its end of life and then be removed.

Because it’s on private property, the landowner has not granted public access. They discuss options for landowners to protect private property. Chair Malakhoff thinks the path to the school would be worth exploring with the landowner. Ms. Grant says the difficulty is that the excluded part is right on the street so a public access trail would have to go right by the house, and the owner wanted to retain privacy. The group discusses who will monitor the land. Ms. Grant says whoever owns the property manages it, so that’s the landowner. The entity granted the CR (BLT) is responsible for monitoring the CR annually. BLT has the obligation to enforce. Councilor Clark mentions that the Chairman’s question about a path to the school may come up at Town Council. She asks if there is a fence between the property and the school. Ms. Grant says no, just the ancient way.

Doug Payson moves to provide a letter of support to recommend approval to Town Council. Cate Gulliver seconds.

Vote:

Aye: Lev Malakhoff, Farley Lewis, Liz Lewis, Doug Payson, Cate Gulliver, Dave Gorrill

Nay: None

- Open Space & Recreation Plan

Kyle Pedicini says the results of the public comment and community engagement survey were sent around to the group. He is asking everyone to review the results by the meeting on the 20th. Staff will be meeting with the consultants to get drafts to this committee by a week beforehand. Wednesday, November 19th at 6 PM will be the second community meeting, where staff will present a draft plan to the public after getting this committee's blessing. Staff will also be sending the survey results out to Planning Board, Recreation Commission, and Conservation Commission for feedback. Once they have a draft plan, the charge will be to identify if it reflects what the public said.

Doug Payson is concerned about the communities who didn't attend, second language speakers. Kyle Pedicini says staff has reached out to community leaders to distribute notices, but he is open to any suggestions for reaching that population.

Councilor Clark asks Mr. Pedicini to pull out some highlights for this group from the consultants' data once they deliver it.

Kyle Pedicini provides an update on the sign project: they are scheduled to go before CPC on the 20th. Alice Marcus-Krieg will be presenting for \$4,500 for 30 signs. DPW would be installing 18 this fall and 12 in the spring.

- Fall Walking Weekend

Farley Lewis says the brochure should be on the website within the next day or two. She reads through the 9 walk options. Doug Payson mentions that he'd had an idea of having a dedication of the Hyannis Harbor trail, so they are going to push that to Spring Walking Weekend. For marketing, he sent it to the CapeCoddah website, Chamber of Commerce, Civic Associations, the Barnstable Patriot, the Boston Globe, Hyannis News, and the Boston Herald, and he asked Melissa Chartrand to put it on Arts Barnstable website and Elizabeth Wurf Bain to put it on the BID website. Liz Lewis dropped a flyer at the Barnstable Fire Station and the Cape Cod Guidebook online. Doug Payson had looked into the Cape Cod Chamber of Commerce website but you have to be a member. Chair Malakhoff has a contact there and will ask. Councilor Clark would like to have a walk end at the Zion Museum for the Spring Walking Weekend.

Doug Payson says more than 20 people a day rent bikes from Bike Zone and don't know where to go so are driving to Station Ave in Yarmouth to get to the rail trail. They need to think about their network of multi-use paths. Councilor Clark says after the OSRP work is done at this committee, on the agenda could be an invitation for a presentation about the status of the bike trail (from DPW or state or whoever).

Chair Malakhoff says the geocaching folks are going to be releasing a new cache at Hathaways Pond at the same time as he is leading his walk, so he will try and recruit walkers.

- Cape Cod Pathways

Chair Malakhoff reports that he, Kyle Pedicini, CPC Chair Lindsey Counsell, and Asset Management met to discuss the plan and the roles of different entities. They also discussed private land issues on the pathways, specifically the Flint Rock Road area. Kyle Pedicini has no update beyond that they poked the Legal Dept again. Staff have a scope of work they've developed to hire an outside title examiner to see if there are any public access rights. Legal is still approving. The group discusses ebike issues in that area and considers signage or language on the website that there is nowhere on Cape Cod to legally use them.

- 2026 meeting dates

Chair Malakhoff asks about moving the meetings to 5 p.m. The group thinks 5:30 accommodates members of the public who work. Cate Gulliver moves to approve the dates. Doug Payson seconds.

Vote:

Aye: Lev Malakhoff, Farley Lewis, Liz Lewis, Doug Payson, Cate Gulliver, Dave Gorrill

Nay: None

Chair Malakhoff says almost 20 people attended the Landowners Workshop. Kelly Grant and Mark Robinson explained benefits. Kelly Grant says it started a conversation with a couple of people. Chair Malakhoff requests the link be added to the website under resources.

Old Business

- Centerville Cranberry Bog – No update from Legal. Councilor Clark reiterates it was the obligation of the property owner's attorney, not the town's, to bring it to the other Boards and they didn't.
- Potential property acquisitions – None
- Update on outstanding Conservation Restrictions: Kelly Grant updates. Prince and Harju were received back from the state so are now in final stages of getting approval for signatures, which they are expecting any day. There was approval for local signatures for the Cotuit Highground CR so they are doing that now and then will record later this month. Woodland Bogs and Mill Pond CRs have also received Town Attorney edits so those are now both with the state for approval. The proposed limited agricultural use has been removed from the Woodland Bogs CR because the CPC didn't see that clause so weren't prepared to support it, so BLT had to remove it.
- Update: Pathways update including walking library, Trailhead Signs, and Geocaching – Geocaching people will be holding a cache-in-trash-out event the weekend after Walking Weekend. BLT is doing a cleanup on Saturday at Kalmus.
- Report from Tracy Pratt regarding Santuit Preserve: Councilor Clark says a walk at Santuit was scheduled by that committee for Wednesday but they are bumping it to the following Wednesday. Grayce Rogers has been the liaison but she took a new position.
- Report from Farley Lewis regarding Community Preservation Committee Open Space applications: A draft CR for Mill Pond project is in progress. Once finalized it will go to Town Council. The closing for the Smiths Creek CR will be scheduled once Land Court provides the documents. The final draft of the CR for Cotuit Highgrounds is in progress. An application was received from BLT requesting \$307,500 to preserve a retired cranberry bog, 25.74 acres at 301 Parker Rd.
- Report from Town Council Liaison Kris Clark: She and Chair Malakhoff had a conversation about attending a Town Council meeting because she wants to start updating them annually with what this committee is up to. Town Council is looking to bring Chairs to speak for 3-5 minutes. She asked Jake Dewey (regulatory committee) and Chair Malakhoff (advisory committee). The Chairman is not available, so Farley Lewis will attend instead.

MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

PUBLIC COMMENT

Sharon Diggs Harrison lives on Oakville Avenue. She explains that the person who lives behind her has made an industrial business that has wreaked havoc. He's now stopped the business but there are still residuals happening to this property. A 5-bay garage was put up and annihilated the ancient way behind her house. She wants to know how to correct getting back the ancient way connecting Bumps River Road to Osterville.

Joe Diggs clarifies they are discussing the 500 acres of Darby Property around Micah, Joshua, and Sam Ponds. There used to be a thru-way to the pond off Oakville Ave. There was a trail called Ice House Road that is not on maps and that has now been blocked off by a fence and garbage left on the trail, so now people walk through his property to complete the trail. He thinks it should be marked the way the rest of the path is on the other side by Audubon.

Doug Payson asks if they've talked to the town whether the public has rights to the ancient way because they openly used it for more than 20 years. Mr. Diggs says no because they thought ancient ways were protected. He wants to correct the flow of the path. They discuss that there was an easement that was ignored when the garage was built. Councilor Clark thinks this is an enforcement problem and she can bring it to the attention of the town—she knows there is awareness. She will follow up on it. The town has taken time and expertise to address property encroachment on another parcel and it takes a lot of departments and support. Mr. Diggs says a problem is that it was not reserved as conservation land and is general use.

ADJOURNMENT

Doug Payson moves to adjourn. Dave Gorrill seconds.

Vote:

Aye: Lev Malakhoff, Farley Lewis, Liz Lewis, Doug Payson, Cate Gulliver, Dave Gorrill

Nay: None

The meeting adjourned at 6:45 PM.

DOCUMENTS USED AT THIS MEETING

- September 8, 2025
- Document entitled "OSC Request for CR Letter of Support"
- 2025 Fall Walking Weekend brochure

Respectfully submitted,
Genna Ziino, Administrative Assistant

Further detail may be obtained by viewing the video via Barnstable Government Access Channel on demand at www.town.barnstable.ma.us