



TOWN OF BARNSTABLE SANDY NECK BOARD

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Sandy Neck Board Meeting February 16, 2016

Chairman:

Richards French

Vice Chairman:

Thomas O'Neill

Board Members:

William Carey
Lynn Heslinga
Nate King
George Muhlebach
Peter Sampou

Council Liaison:

Phil Wallace
John Flores

A regularly scheduled meeting of the Sandy Neck Board was held on February 16, 2016 in the Selectmen's Conference Room, 367 Main Street, Hyannis, MA. The meeting was called to order at 7:30 pm by Chairman Rich French.

Roll Call:

- Board Members present: Pete Sampou, Bill Carey, Nate King, and Rich French.
- Board Members absent: George Muhlebach, Lynn Heslinga, and Tom O'Neill.
- Staff: Nina Coleman, Sandy Neck Park Manager, and Debbie Lavoie, Secretary.
- Council Liaison present: John Flores.
- Council Liaison absent: Phil Wallace.
- Public: none.

Act on Minutes:

- On a **motion** by Pete Sampou and seconded by Bill Carey, the Sandy Neck Board voted to approve the January minutes. Nate King and Rich French abstained as they were not at that meeting.

Correspondence:

- none.

Staff Report:

Nina Coleman addressed the Board:

- The Gatehouse is closed for the season. Call the Gatehouse (508-362-8300) and leave a message for an appointment. Remember ORV permits are required year round. Your current ORV permits are valid until 4/15/16. New permit applications will go out in the mail at the beginning of March.
- There were a couple of beach closures recently due to storm events.



The dredge material
arrived.
There was more than
expected.
Looks very nice.





The material is grey but will bleach out (oxidize out) soon.

The material was tested and there were no issues. If there are any questions, call Dan Santos, DPW Director.



Pictures of the dune nourishment (dredging material) area after the storm. Erosion was minimal.



Old Business:

Update from Erosion Solutions Subcommittee

Pete Sampou reported that Christine Player (CLE Engineering, Inc.) and other staff have met with regulatory agencies about the alternative analysis. Things are moving along. Next will be the public outreach workshop - probably two sessions in total. These workshops will be held in the evening. The grant expires on June 30, 2016.

Background: The Town received a MA CZM Coastal Resiliency Grant. Through this grant, they are looking at more focused solutions for the parking lot, the main facility and the infrastructures at Sandy Neck. They will bring the findings forward at the public workshop.

The original presentation with Christine Player was at the Sandy Neck Meeting on March 9, 2015 and the minutes are available on line @

http://www.townofbarnstable.us/BoardsCommittees/SandyNeckBoard/Minutes/2015/March_minutes.pdf

A follow-up meeting was held on October 19, 2015. At that Board Meeting, Christine Player and Mark Borrelli (Provincetown Center for Coastal Studies) presented additional information and the minutes are available on line @

http://www.townofbarnstable.us/BoardsCommittees/SandyNeckBoard/Minutes/2015/October_minutes.pdf

More information about the up and coming workshop will be presented at the next Sandy Neck Board Meeting on March 14, 2016.

CONTINUATION OF THE PROPOSED 2016 REGULATION CHANGES
THE FOLLOWING ARE THE DRAFT SANDY NECK BEACH PARK REGULATIONS THAT WERE PRESENTED TO THE BOARD INCLUDING THE ADDITIONAL CHANGES REQUESTED LAST MONTH. PROPOSED CHANGES ARE IN RED.

Welcome to Sandy Neck:

§ 601-1. **Introduction.** Sandy Neck Beach Park (Sandy Neck), a coastal barrier beach, is approximately six miles long, varying in width from 200 yards to one half mile. The majority of this unique conservation and recreation area is owned by the Town of Barnstable and is under the supervision and jurisdiction of the Town Manager, with the advice of Sandy Neck Board. The Sandy Neck Park Manager (Park Manager) handles daily operations. Help us to preserve and protect the heritage and integrity of this resource by reading this brochure and abiding by the rules and regulations outlined herein.

§ 601-2. **Beach closures for protection of rare and endangered species:** Shorebirds, including Piping Plovers and Least Terns, nest on Sandy Neck. To protect nesting activity, shorebird nesting areas are fenced to exclude pedestrians and speed limits are reduced to 5 mph where posted. The Piping Plover, a threatened species under the Endangered Species Act, is given special protection once eggs begin to hatch. Pursuant to federal, state and local law, vehicle traffic is limited to protect developing chicks not yet able to fly.

§601-3. General Regulations:

- A. Acts of a lewd or lascivious nature (including public nudity) are prohibited.
- B. All rubbish and garbage must be kept in suitable containers and removed from the beach. Burial or burning of rubbish, garbage or refuse is prohibited.
- C. Glass beverage containers are prohibited.
- D. No person shall feed, harass, molest or disturb wildlife on Sandy Neck. No person shall injure or remove any trees, shrubs, plants or other vegetation from Sandy Neck. *Exception: edible fruits and legally hunted game.*
- E. No person shall dig, remove, damage or disturb any artifact on Sandy Neck. The discovery of any artifact(s) should be reported to the Natural Resource Officer on duty.
- F. Removal or disturbance of buoys, storm debris, marine salvage, municipal or private property is prohibited.
- G. No person shall traffic (or allow any pet to traffic) in any posted area. All persons shall stay on marked trails and keep off all vegetation, dune faces, steeply sloped dunes, foredunes, and primary dunes. People who are hunting, berry collecting, involved in professionally lead educational hikes and/or scientific studies are permitted off the marked trail. All activities require prior approval by the Sandy Neck Gatehouse.
- H. All dogs must be leashed from March 1 to September 15. At all other times, dogs must be kept leashed or under direct voice control of the owner or keeper. The owner or keeper of any dog shall clean up and properly dispose of all fecal material deposited by the animal. Dogs involved in dog-bite incidents must be removed immediately from the beach until further notice by the Park Manager.
- I. **ORV Beach Curfew: *Summer In Season: (May 1 April 1 to October 15 October 31)*** No vehicles may enter the beach between 9:00 PM and 8:00 AM. Vehicles must exit prior to 11:00 PM. ***Winter Off Season: (October 16 November 1 to April 30 March 31)*** No vehicles may enter the beach between ~~6:00~~ **4:00** PM and 8:00 AM. All vehicles must exit prior to ~~8:00~~ **4:00** PM. Self-contained vehicles, fishermen, cottage owners and their guests may enter the beach past curfew if tidal conditions allow. *Curfew may be moved forward as tidal conditions warrant.*
- J. All organized gatherings at Sandy Neck involving twenty or more individuals must obtain a Special Permit from the Park Manager. A Special Permit is also required in order to conduct scientific research on Sandy Neck. Fees may apply. Please call the Sandy Neck Gatehouse for further information (508-362-8300).
- K. **Campfires:**
 - (1) **A Sandy Neck campfire permit is required.**
 - (2) **This campfire permit is included with an ORV permit.**
 - (3) **All other patrons wishing to have a campfire may purchase a permit at the Sandy Neck Gatehouse after 5:00 PM on the day they wish to have the campfire. Permits may be limited.**
 - (4) Weather permitting, ~~evening~~ **open** campfires ~~(including cooking fires)~~ on the front beach are allowed **In Season (April 1 to October 31)** after sunset or 7:00PM only, whichever is earlier. **Campfires are prohibited at all other times of the year.**
 - (5) **A campfire permit holder (which includes all ORV permit holders) is responsible for adhering to the Sandy Neck Beach Park Regulations.**
 - (6) ~~Fires on the front beach shall be at least 15 feet from the toe of the dune and 10 feet from the established ORV corridor.~~
 - (7) ~~Fires may be placed on the Cape Cod Bay side of the established ORV corridor.~~
 - (8) ~~Fires shall not impinge on vehicle travel in the established ORV corridor.~~
 - (9) **Campfires located on the ORV Beach must be at least 10-feet from the Cape Cod Bay side of established ORV corridor and must not impinge on vehicular travel.**
 - (10) All fires shall be doused with water before being buried.
 - (11) The burning of wood pallets or garbage is prohibited at Sandy Neck.
 - (12) The Park Manager or Natural Resource Officers have final discretion on all fires.
- L. All people sleeping overnight at Sandy Neck shall remain inside self-contained vehicles. No tenting lean-tos, camping trailers, or temporary shelters are allowed. Registered owners will be responsible for anyone sleeping outside of said vehicles, i.e., in sleeping bags, tents, chase vehicles, or any other manner. Tenting in designated areas is allowed at the discretion of the Park Manager.
- M. The discharge of gray water or waste water from holding tanks, portable toilets, sinks, or any other source is prohibited.
- N. If high tide forces passage within 15' of the toe of the dune or any vegetation, the beach shall be considered closed, with no traffic being allowed to travel either off or on, until the Park Manager or the Natural Resource Officer on duty has determined the tide has receded to an appropriate level.
- O. When vehicle limits reach capacity, there will be no waiting lines (no "one off-one on policy"). Access will be on a first come, first serve basis. Cottage owners and their guests, and chase vehicles returning from emergency work, will be allowed access over the beach if tidal conditions permit.
- P. The Park Manager reserves the right to close or limit use of Barnstable's land at Sandy Neck to all oversand vehicles (ORVs), horses, and/or pedestrian and recreational traffic when public safety, wildlife habitat, tidal or extreme weather conditions warrant. This includes access for fishing, shellfishing, and hunting.
- Q. No refunds will be granted for any reason including foul weather, evacuations, personal emergencies, or limitations on access.
- R. All terrain vehicles, dirt bikes and snowmobiles are prohibited at Sandy Neck.
- S. Motorized personal watercraft (jet skis) ~~is~~ **are** prohibited on Sandy Neck in all areas except Beach Point and the Great Marsh. Transporting a personal watercraft via the ORV corridor is prohibited.
- T. Permit holders are responsible for the safe operation of their vehicle and compliance with all Sandy Neck Regulations by all operators and passengers of their vehicle. The penalty for violations by permit holders as well as non-owners and/or guests may include suspension and/or revocation of the ORV permit.

- U. Vehicle operation on those areas of Sandy Neck owned by the Town of Barnstable, by election to exercise the privilege of driving on this Town property, which is not a public way, are subject to being stopped by Natural Resource Officers or the Park Manager (or any other employee designated by the Town Manager to enforce the regulations at Sandy Neck) in order to ascertain the identification of the occupants, and to determine if there are violations of the Sandy Neck Beach Park Regulations and/or the Barnstable General Ordinances.
- V. **The use of generators is prohibited between the hours of 10:00 PM and 8:00 AM.**

§601-4. Required Equipment and Minimum Standards:

- A. All off road vehicles (ORVs) must carry the following equipment:
 - (1) Spare tire—spare shall be the same tire and wheel size as the other four tires mounted on the vehicle (trailer included). *Exception: intermediate size spare tires may be acceptable at the discretion of Sandy Neck Staff and two wheel drive motor homes and “dune buggies” must carry one spare tire of sufficient height and aspect ratio to allow the vehicle to drive off the beach under its own power should any of the tires mounted on the vehicle fail.*
 - (2) Tow device—minimum length 15 feet
 - (a) rope - 3/4” diameter, or
 - (b) strap - 6,800 lb. capacity, 1 1/2” wide, or
 - (c) chain - 5/16” link, or
 - (d) cable - 3/8” diameter, or
 - (e) suitable vehicle mounted winch.
 - (3) Jack—standard type jack or hydraulic jack.
 - (4) Support board—minimum size 18” x 18”, 3/4” plywood or 1/4” thick steel.
 - (5) Shovel—heavy duty, equal to military folding type or better.
 - (6) Tire gauge—low pressure type, must register 10 psi or lower.
 - (7) Sandy Neck Beach Park Regulations and tide current chart (both provided).
 - (8) Self-contained vehicles must carry a measuring device that determines a 30 foot distance **and an operational carbon monoxide detector.**
- B. It is **recommended** that all ORVs are equipped with a bucket, fire extinguisher and a first aid kit.
- C. Minimum acceptable tire rim size for all ORVs is 13 inches.
- D. Trailers:
 - (1) All trailers must be inspected and receive a trailer permit at the gatehouse prior to beach access.
 - (2) All trailer tires must meet the minimum rim size of 12 inches.
 - (3) Matching spare tire is required.
- E. Self-Contained Vehicles:
 - (1) Self-contained camping vehicles are allowed to stay overnight when equipped with a permanently installed sanitary unit with holding tanks for sewage and “gray water”, and adequate built-in bed space for each member of the camping party. Detachable gray or black water overflow tanks are prohibited.
 - (2) Maximum stay for self-contained vehicles is 96 hours. All self-contained vehicles shall exit the beach for a minimum of 24 hours before being readmitted. Self-contained vehicles must be attended overnight by a qualified driver. The Park Manager or Natural Resource Officers may reduce the maximum stay of a self-contained vehicle.
 - (3) Properly equipped two-wheel drive permanently self-contained vehicles are allowed, subsequent to a beach driving test that is supervised by the Park Manager or a Natural Resource Officer. Tests are available Monday through Thursday only by appointment. Vehicles with ORV permits from the prior calendar year do not need to repeat the trial run unless ownership of said vehicle has changed.
 - (4) Only one designated chase vehicle is permitted per self-contained vehicle.
 - (5) ~~Between May 1st and October 15th~~ **In Season (April 1 to October 31)**, all self contained vehicles, and associated chase vehicles, must purchase an Overnight Camping Permit in order to stay on the beach past curfew. The permit must be placed in an area that is clearly visible to Sandy Neck staff.
- F. Motor Vehicle Operation:
 - (1) Speed limit:
 - (a) No person shall operate a motor vehicle on Sandy Neck at a rate of speed greater than is reasonable and proper, or in excess of posted speed limits.
 - (b) **In Season (April 1 to October 31)**, unless otherwise posted, speed limit shall be 15 mph. ~~from May 1 to October 15.~~ Speed shall not exceed 25 mph at all other times.
 - (c) Maximum speed near shorebird nesting areas is 5 mph.
 - (2) Permits:
 - (a) The only vehicles eligible for an ORV permit are Park Manager approved all-wheel or four-wheel drive vehicles as well as two-wheel drive motor homes and suitably equipped ‘dune buggies’.
 - (b) All motor vehicles operating “oversand” on Sandy Neck must have a valid Sandy Neck ORV permit affixed to the lower left hand corner of the vehicle’s windshield (or as directed by the gatehouse staff).
 - (c) **The ORV permit does not afford access to parking in the public beach parking lot during business hours.**
 - (3) No person shall operate a motor vehicle on the following areas:
 - (a) the designated public bathing beach, or
 - (b) the toe of the dune: defined as the foredune and/or vegetation area, or
 - (c) below the berm: defined as the foreshores and tidal flats, or
 - (d) outside of the established ORV corridor, or
 - (e) posted shorebird nesting areas or other “closed” areas, or
 - (f) within the inner dune routes and cross trails without a valid trail pass.
 - (4) Beach parking:
 - (a) All vehicles shall be parked parallel to the frontal dune, at least 30 feet from the dune fence line, unless otherwise directed by the Sandy Neck Staff.
 - (b) For ORV corridor safety, all portions of the vehicle and beach accessories must be at least 30 feet from the dune fencing line unless otherwise directed by the Sandy Neck Staff. This includes (but is not limited too); slide-outs, awnings, grills, etc.
 - (c) Further parking location restrictions on self-contained vehicles over 33 feet in length may be enacted by the Park Manager.
 - (d) No parking within posted shorebird nesting areas.
 - (e) In the off season when dune fencing is absent, vehicles must be parked at least 15 feet from the toe of the dune. In addition, parking on dune vegetation is prohibited.
 - (f) The Park Manager or Natural Resource Officers have final discretion on all beach parking.

- (5) Self-contained vehicles shall always have the right of way due to size and weight of the vehicle. Otherwise, vehicles with the Cape Cod Bay on the driver's right have the right of way.
- (6) No person shall obstruct the established ORV corridor or park so as to impede vehicle travel within said corridor **unless directed by Sandy Neck Staff.**
- (7) No person shall operate a passenger vehicle (or tow a trailer) with tire pressure in excess of 18 psi. (*Self-contained campers shall maintain tire pressure appropriate for the vehicle.*)
- (8) No person shall operate a vehicle:
 - (a) without a valid driver's license, or
 - (b) so as to endanger the public, or
 - (c) engage in dunehopping, doing "zigzags", "donuts", "cutting tracks" or in any other reckless or unacceptable fashion.
- (9) Riding on tailgate, roof, bumper or any exterior portion of a vehicle not designed to carry passengers is prohibited. Standing in truck beds or sitting on truck bed rails is prohibited.
- (10) All holes, campfire remains or alterations of the beach shall be restored to natural condition.

§601-5. Hunting Regulations:

- A. Hunting possessing, taking, molesting or disturbing deer within the boundaries of Sandy Neck, unless authorized by the Town Manager or Park Manager is prohibited.
- B. Discharging a firearm within the boundaries of Sandy Neck from Memorial Day to Labor Day is prohibited.
- C. No person shall hunt any game, except waterfowl, without wearing a "hunter orange" cap or hat. "Hunter orange" vest or coat is also recommended.
- D. All hunters must check in at the Sandy Neck Gatehouse prior to and at the conclusion of their hunt.
- E. Hunting or discharging a firearm or release an arrow upon or across the "front beach", that area between the primary dune and the high water mark, without written permission from the Town Manager or the Park Manager is prohibited.
- F. Discharging a firearm or releasing an arrow is prohibited on and within 150 feet of the access trail and front beach, or within 500 feet of any public building or structure.
- G. Hunting for in-season game shall occur between ½ hour before sunrise and sunset only.

§601-6. Shellfishing, Fishing, and Boating Regulations:

- A. All shellfishing at Sandy Neck requires a valid Town of Barnstable shellfishing permit.
- B. A Sandy Neck **Shellfish** Trail Pass must be obtained in order to utilize the cross trails by vehicle to access the shellfishing areas. A **Shellfish** Trail Pass can be obtained at the Sandy Neck Gatehouse (508-362-8300).
- C. The launching of motor vessels from Sandy Neck and their operation in waters offshore must be conducted in accordance with the provisions of Massachusetts General Law Chapter 90B and Barnstable General Ordinances.
- D. All fishermen must be actively engaged in fishing to remain past curfew as well as receive approval from a Natural Resource Officer on duty. Equipment shall be no more than 10 feet from the water.
- E. Violations may result in fines and/or the revocation of trailers and/or ORV permits.

§601-7. Horse Regulations:

- A. Horseback riding shall be allowed on the Cape Cod Bay Trail (front beach to Trail #5), and on the Braley's Dune Trail (known as the Horse Trail) only. All riders must enter the beach via the Access Trail.
- B. Between the Friday before Memorial Day and the day after Labor Day, the following restrictions shall apply:
 - (a) Horseback riding allowed from Monday 12:00 noon until Friday 12:00 noon. All riders shall be off the beach by 9:00 PM, Monday – Thursday.
 - (b) Groups with more than two trailers must obtain a Special Permit from the Park Manager.
- C. All riders shall obtain a **daily** permit and register at the Sandy Neck Gatehouse before entering the beach.
- D. All organized trail rides of 8 or more horses must be approved by Special Permit issued by the Park Manager.
- E. All riders shall stay on trails designated for use by horses.
- F. All riders shall remove horse droppings from the parking lot
- G. Riders must maintain 100' buffer between the horses and all bathers.
- H. All riders must wear an ASTM/SEI approved horseback riding helmet.**
- I. Note: It is recommended that riders on the front beach after sunset wear reflective clothing.

§601-8. Obtaining an Off Road Vehicle Permit:

- A. Off road vehicle (ORV) permits are available at the Sandy Neck Gatehouse.
- B. Vehicles leased for a minimum term of one year will be allowed to register for oversand travel. Vehicles rented or leased for shorter terms are ineligible for oversand permits.
- C. A valid registration is required in order to purchase an ORV permit (no dealer, farm, or repair plates).
- D. Proof of residency is required in order to obtain a Barnstable ~~or Sandwich~~ ORV permit. Residency can be proven by:
 - (a) Tax bill,
 - (b) Minimum one year property lease,
 - (c) Vehicle registration with a street address (PO Box is not sufficient),
 - (d) Other legal documents such as a deed or will (this does not include utility bills, excise tax bills, etc.).
 - (e) College students may provide a tuition bill with a Barnstable ~~or Sandwich~~ address.
- E. Barnstable ~~and Sandwich~~ residents wishing to obtain an ORV permit must have their vehicle registered in their name (or the name of a person residing at the same address) unless:
 - (a) They have written permission to use a company vehicle.
 - (b) Proof of ownership of the company on the vehicle registration.
 - (c) A minimum one year vehicle lease agreement.
 - (d) The resident's permit has been revoked.
- ~~F. Permit replacement is \$1.00 providing:~~
 - ~~(a) The original permit is returned or,~~
 - ~~(b) There is documented proof (approved by the Park Manager) that the original permit was destroyed.~~
- G. All ORV permits (issued by the Sandy Neck Gatehouse) and Resident Parking permits (issued by the Barnstable Recreation Division and the Town of Sandwich) are not valid unless they are permanently affixed to the lower left hand corner of the vehicle's windshield and the license plate number on the vehicle matches the permit (except for authorized laminated permits). The protective sheet must be removed from the adhering side of the sticker and the permit must be adhered to the windshield of the vehicle.

§601-9. Enforcement:

- A. **In addition to Sandy Neck Beach Park Regulations, all applicable Town of Barnstable Ordinances and Massachusetts General Laws apply at Sandy Neck will be enforced.**
- B. The Park Manager and Natural Resource Officers will enforce the provisions of Town Ordinances on all public lands at Sandy Neck including all parking areas, public ways, the Great Marsh and Bodfish Park.
- C. Warnings: Any person receiving two written warnings in one calendar year may have their rights to operate a vehicle on Sandy Neck suspended for a period of one year.
- D. Citations: Any person receiving a citation may have their rights to operate a vehicle on Sandy Neck revoked permanently or suspended for a period of up to one year.
- E. The Park Manager or his/her designee, may issue suspensions for any violation of Massachusetts General Laws, Town Ordinances, or Sandy Neck Beach Park Regulations. Suspensions of up to five years may also be issued for any action which jeopardizes the property or safety of another person, or for any action that causes another person to be fearful for their safety and/or their property.
- F. Abusive, inappropriate or aggressive behavior toward other beach users and/or Sandy Neck staff will result in the violator's removal from the beach for no less than 24 hours. In addition, violators may have their ORV permits revoked.
- G. The Park Manager reserves the right to suspend beach access to a dog as a result of aggressive behavior and/or due to irresponsible pet ownership.
- H. Any person who is issued a suspension notice will be provided the opportunity for a hearing with the Director of the Marine and Environmental Affairs Division. Any person desiring such a hearing must submit a written request for said hearing postmarked within five business days of the effective date of the suspension. An appeal of the Director of the Marine and Environmental Affairs decision may be filed with the Office of the Town Manager within five days of issuance of said decision.

§601-10. Alcohol Policy:

- A. Alcoholic beverage regulation forbids the consumption of alcoholic beverages "while on, in or upon any public way or any place to which the public has a right of access as invitees or licensees..."
- B. Alcoholic beverage and consumption regulation – minors – forbids the possession of alcohol by minors "while on, in or upon any public way or way or any other place to which the public has a right or access as invitees or licensees..."

§601-11. Violations and Penalties:

- A. Violations of any provisions of Sandy Neck regulations may be punished by a non-criminal fine not to exceed three hundred dollars (\$300.00), and/or loss of beach privileges. Criminal acts are subject to enforcement as allowed by the Town of Barnstable Ordinances or the General Laws of the Commonwealth.
- B. **The provisions of these regulations may be enforced utilizing the procedures contained in Massachusetts General Law C40 s21D as a noncriminal alternative.**

§601-12. Contact Information:

If you have any questions pertaining to Sandy Neck operations, call the Gatehouse at 508-362-8300 or the Marine and Environmental Affairs Office at 508-790-6272.

Thomas K. Lynch, Town Manager

A **motion** was made by Nate King and seconded by Pete Sampou to accept the proposed Sandy Neck Beach Park Regulations as presented to the Board on January 16, 2016 and this evening (February 16, 2016). All voted yes.

The Town Manager is conducting a Public Hearing on these Regulations on February 23, 2016 at 10:30 am.

New Business: **Sandy Neck Beach Park Management Policies**

Adopted by the Sandy Neck Board on February 7, 2005

Revised; March 9, 2009, March 8, 2010, November 14, 2011, April 14, 2014

and February 16, 2016

Complaints concerning policies, regulations, and/or Sandy Neck staff conduct should be addressed to the Park Manager or Senior Natural Resource Officer.

Section 1: Sandy Neck Fees

Sandy Neck user fees are at set rates depending on residency status. Residency must be proven per the Sandy Neck Beach Park Regulations and Sandy Neck Beach Park Policies.

Section 2: No Refund Policy

It is the Sandy Neck Beach Park Policy that no refunds will be granted. Included, but not limited, in this policy are personal emergencies, foul weather, evacuations, limitations on access, beach conditions, insects (greenhead flies, etc.) and water temperature.

The No Refund Policy pertains to any and all patrons that make use of any Sandy Neck Beach Park or Gatehouse facilities. All public beach users, Off Road Vehicle (ORV) day trippers, sticker purchasers, overnight camping and chase vehicles are subject to this policy and must comply accordingly.

Section 3: Parking Lot Policies

3:1 Dogs

Dogs are prohibited from all Barnstable public beaches (Town of Barnstable General Ordinances §403-8) from May 15 to September 15. Dogs are not allowed past the Gatehouse between May 15 and September 15 unless they are contained within a permitted vehicle that is traveling to the Off Road Vehicle beach. Dogs are allowed on Sandy Neck hiking trails anytime of the year as long as they remain on a leash from March 1st through September 15th.

All dogs on the ORV corridor must be leashed unless in the **waters of the** Cape Cod Bay from March 1st through September 15th.

3:2 Drive-Thru(s) and Drop Offs

Parking lot business hours are from 8:00 AM to ~~3:30 PM~~ **5:00 PM** Memorial Day through Labor Day (exception: from Memorial Day to approximately the third weekend in June, parking lot business hours are only on Saturdays, Sundays and Holidays).

All vehicles traveling to the public beach during business hours must have a Sandwich or Barnstable Beach Parking **Permit Sticker** or a valid Barnstable Public Beach Day, Weekly or Landlord Pass. Vehicles without one of the above attributes are not permitted to travel to the parking lot. This includes any dropping off of vehicle occupants or participation in any activity that does not involve parking.

3:3 Full Parking Lot

Per requirements of the Sandy Neck Board, only five vehicles are permitted to wait in line once the parking lot is full. This is mandatory procedure because of the need to keep the road clear for off-road and cottage owner vehicle access and to allow emergency personnel to get to the beach unimpeded.

The lot will re-open once five spaces become available and the five vehicles in line can fill the vacant spaces. The next five vehicles that arrive at the Gatehouse are then eligible to wait in line.

The Gate Attendant Supervisor or the Park Manager, for safety purposes, may deem that it is necessary for the parking lot to remain closed.

When the parking lot is full, no vehicles are permitted to travel to the parking lot for dropping off occupants, even if the vehicle has a Sandwich or Barnstable Beach Parking **Permit Sticker** or a valid Barnstable Public Beach Day or Weekly Pass.

Section 4: Proof of Residency

Sandy Neck provides discounted Off Road Vehicle (ORV) **Permits Stickers** to residents and/or property taxpayers of ~~Sandwich and~~ Barnstable. Proof of residency is defined in the regulations as:

*Proof of residency is required in order to obtain a Barnstable ~~or Sandwich~~ ORV **Permit Sticker**. Residency can be proven by:*

1. Tax bill,
2. Minimum one year property lease,
3. Vehicle registration with a street address (PO Box is not sufficient),
4. Other legal documents such as a deed or will (this does not include utility bills, excise tax bills, etc.),
5. College students may provide a tuition bill with a Barnstable ~~or Sandwich~~ address.

*Barnstable ~~and Sandwich~~ residents wishing to obtain an ORV **Permit Sticker** must have their vehicle registered in their name (or the name of a person residing year-round at the same address) unless:*

1. They have written permission to use a company vehicle.
2. Proof of ownership of the company on the vehicle registration.
3. A minimum one year vehicle lease agreement.

To clarify, the **Barnstable** resident/taxpayer must be the applicant. The vehicle must be (1) in the resident/taxpayer's name (2) in the name of a person living year-round at the same address or (3) in the name of the company that the resident/taxpayer owns or works for (with written proof).

Section 5: Off Road Vehicle (ORV) Permits

Barnstable General Ordinances Chapter 177, Article I, §177-2 requires that all over sand vehicles on Sandy Neck must have a current ORV permit. Only official vehicles (as determined by the Park Manager) are exempt from this requirement.

5:1 Spare Tire

Intermediate size spare tires may be acceptable at the discretion of Sandy Neck staff.

ORV permits are non-transferable. Permits may be re-issued to the same beach patron (or someone residing at the same address) providing the original permit is returned or there is documented proof that the permit was destroyed.

Section 6: User Conduct

All users of Sandy Neck Beach Park are expected to behave in a civil and responsible manner. Verbal abuse and/or aggressive behavior toward Sandy Neck Staff or other beach patrons will result in the violator's removal from the beach for not less than 24 hours. In addition, violators may have their ORV Permit stickers revoked, incur fines for obscene language in accordance with Town of Barnstable General Ordinances

§147-1 and/or be issued trespass orders.

Section 7: Property Owner Off Road Vehicle (ORV) Permits

7:1 Eligibility

Property Owner ORV Permits will be issued to Sandy Neck property owners, Sandy Neck property lessees (minimum one year lease) and immediate members of their family. Immediate family members include father, mother, sister, brother, husband/wife **or partner**, son and daughter (**including step-son and/or step-daughter**).

7:2 Proof of Eligibility

It is the responsibility of the applicant to prove ownership or lessee status.

Immediate family relationships can be proven by a legal document such as a birth certificate, marriage certificate or notarized letter.

7:3 Property Owner ORV permit privileges

The Property Owner ORV Permit affords access (via open Sandy Neck trails) to the applicable cottage only. It also allows vehicle use of the front beach (open sections only) for recreational purposes and use of the air compressor. In addition, the cottage owner may use the Sandy Neck dumpster to discard ORV and household trash. Dumping of construction debris, hazardous waste, discarded equipment, or any other items that are not ORV or household trash is strictly forbidden and will result in fines.

7:4 Guests of Property Owners

Guests of property owners may park in the Sandy Neck Parking lot. However, in-season guests are responsible for appropriate daily fee or parking permit for the entirety of their stay. Guests may park in the parking lot out-of-season at no cost. If the guest intends on driving to a cottage, he/she must purchase the appropriate Sandy Neck Non-resident or Barnstable or Sandwich ORV Permit. Sandy Neck staff will issue a trail pass only after the Cottage Owner has alerted the Gatehouse that a particular individual can access their cottage.

Section 8: Halfway House Usage

8:1 Intent

The purpose of this recommendation is to provide clear direction and consistency for the Park Manager and the potential users and/or advocates interested in maintaining the special nature and use of the Halfway House.

8:2 Eligibility

The Halfway House has a long and stable history of educational and research based occupancy (spanning more than 30 yrs). It was regularly used by the Barnstable High School as part of a coastal ecology program. For the last twenty years the Halfway House has been used as a college level research station. However, there are groups of people besides scientists that can impart a lasting benefit to the ecology and unique nature of Sandy Neck and the community of greater Barnstable. These groups must receive no monetary benefit from access to the Halfway House rather they might request to access this shelter because of the uniquely serene and beautiful environs the Halfway House offers. For a set fee (or another form of donation acceptable by the Sandy Neck Park Manager) certified non-profit groups that run art or nature based educational programs should have the ability to visit and/or stay at the Halfway House. In addition, the Halfway House should continue to be used by science based educators and researchers in exchange for services and/or monies that these groups have traditionally provided to Sandy Neck.

While the Halfway House can always provide emergency shelter for youth groups, it is not the intention of these policies to suggest that young people (who can make use of the existing camping facilities at Trail 4) should have access to the Halfway House unless there is a reason that camping is not feasible. Requests from such groups will be considered on their respective merit and judged by the Sandy Neck Park Manager on a case by case basis.

8:2 Permit Requirements

Interested non-profit educational, scientific and art groups may apply for consideration for use of the Halfway House. If selected, the organization would be granted a Special Permit that will set fees and usage guidelines. In addition, insurance and liability waiver requirements will be set forth under a Sandy Neck Beach Park License Agreement.

DISCUSSION RE: Proposed changes to The Sandy Neck Beach Park Management Policies

- The Regulation and the Policies are different documents. The policies are the day-to-day procedures.
- One major change involves the parking lot business hours. The new parking lot business hours will be from 8:00 AM to 5:00 PM Memorial Day through Labor Day. This proposed change was discussed at previous Sandy Neck Board Meetings and the Board was in favor of these new hours.
- Another change is to include stepson and/or stepdaughter in the immediate family members under property owners.

THESE POLICY CHANGES WILL BE CONTINUED TO NEXT MONTH TO ALLOW THE PUBLIC TIME TO REVIEW THIS INFORMATION. THIS WILL BE PUT ON THE TOWN'S WEBSITE.

Old Business:

Marsh Trail Repairs

Nina Coleman reported she has been in contact with Mike Perry, DPW. He will start the repairs in March specifically around the Halfway House and the platform.

New Business:
Handicapped Ramp Access Mat



This mat provides stability to get people out to the beach. It is 100 feet long. It will go out to the berm.

The mat was funded by the Town's Disability Commission. It is the first one in this town. The sign is included and shows the different applications for the mat.

There will be a public celebration when it is installed in the springtime.

The mat will be rolled up at the end of the season and stored until the next year.

Public Comment:

- none

Adjournment:

- There being no further business, the meeting adjourned at 8:27 pm.

Respectfully submitted,

Debbie Lavoie, Secretary