

Land Acquisition and Preservation Committee

Minutes

February 13, 2023 at 5:30 p.m.

CALL TO ORDER AND INTRODUCTION OF MEMBERS

Chair Ann Canedy calls the meeting to order at 5:30 p.m.

| Member | Present | Absent |
|---------------------------|---------|--------|
| Ann Canedy – Chair | X | |
| Farley Lewis – Vice Chair | | X |
| Phyllis Miller | X | |
| Elizabeth Lewis | X | |
| Douglas Payson | X | |
| Elissa Crowley | | X |
| Anne Rowland | X | |
| Tracy Pratt | X | |
| Cate Gulliver | X | |

Also in attendance is Kris Clark, Town Council Liaison; Elizabeth Jenkins, Director of Planning & Development; Genna Ziino, Administrative Assistant; Dan Santos, Director of DPW; Sam Wilson, Chair of the Hyannis Water Board; Mark Wirtanen, Chair of the West Barnstable Water Commission; Gordon Starr, Town Councilor; and Betty Ludtke, Town Councilor.

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

December 12, 2022 – Phyllis Miller makes a motion to approve the minutes. Cate Gulliver seconds.

Vote:

Aye: Ann Canedy, Phyllis Miller, Liz Lewis, Douglas Payson, Anne Rowland, Cate Gulliver, Tracy Pratt

Nay: None

TOPICS FOR DISCUSSION

New Business

- Presentation and Discussion with Sam Wilson, Chair of the Hyannis Water Board

Chair Sam Wilson presents information¹ on a parcel of land that the Hyannis Water Board is recommending for acquisition: 2320 Meetinghouse Way in West Barnstable. It's being marketed at \$1.6 million and is 18+ acres of land adjacent to town-owned conservation land. They are interested in the property because the town is currently in the process of testing drill wells there for additional water capacity. Currently, every pump in Barnstable is used to max capacity in the summer, so the town needs to add wells. Hyannis is running out of areas where they can put wells. Acquiring this location would open more space for wells and eventually a treatment plant and piping for fire hydrant capacity in West Barnstable (where there is none currently). He believes this would have a low impact on residents and is hoping for the LAPC's support. Chair Canedy asks if a treatment plant would be visible from Meetinghouse Way. Chair Wilson says it would be feasible to make it not visible. There would be no water tanks at this site. It is discusses that opposition might come from people who don't understand that the Town of Barnstable owns the Hyannis Water Department, so this would not be taking away from Hyannis and putting the onus on West Barnstable. Mr. Wilson confirms—this would benefit Hyannis and also expand water access to West Barnstable. All those present discuss the benefits of this proposal.

Mark Wirtanen, Chair of the West Barnstable Water Commission, is here as a representative for the Commission—they sent a letter of support. He wants to offer more water protection for future generations. Councilor Kris Clark shares a map² with the Committee to further show where the existing conservation land and land available for purchase is. Councilor Clark says the land is under Chapter 61B protection, which is tax relief for recreation purposes, and means the town has first right of refusal or referral. All

¹ [Chair Sam Wilson's presentation materials](#)

² [Councilor Kris Clark's map](#)

present discuss the easements that are in place for the property and whether the public would still be allowed to ride the trails on the property. Doug Payson asks if this would impact the trail network in the Bridge Creek Conservation Area. Chair Wilson answers no. Councilor Starr asks if there is an access road to the east side of the parcel—he believes it’s an unbuildable lot. Chair Wilson says there are wetlands and easements that restrict where a road could be built, but the wells would be on the west side. He believes it would be an allowable use under one of the easements, but they would need a land use attorney to know for sure. Chair Canedy says they would need a conservation restriction, which would come before this Committee so there would be a chance to discuss allowed activities. Chair Canedy asks if they would ask the state for a water protection grant if this is purchased. Chair Wilson says they haven’t gotten that far yet, but they could do that. Cate Gulliver comments on the discrepancy between the land assessment and the purchase price. Chair Canedy says this Committee need only recommend the purchase or not—appraisals are the Community Preservation Committee’s purview.

Phyllis Miller makes a motion to support moving the acquisition forward, which includes getting an appraisal. Cate Gulliver seconds.

Vote:

Aye: Ann Canedy, Phyllis Miller, Liz Lewis, Douglas Payson, Anne Rowland, Cate Gulliver, Tracy Pratt

Nay: None

Chair Canedy will send a letter of approval on behalf of the LAPC to the Town Manager and will copy DPW and Lindsey Counsell.

The Committee discusses Chapter 61 policy with Elizabeth Jenkins, who says she would be happy to come back at a later date to talk about it with more concrete information. She says the town has not officially adopted a policy yet but is working on it. She adds that there are ways a property owner can circumvent right of first refusal, so it’s not an automatic opportunity for the town. The Committee discusses that the map included in the materials is stamped 1989. CPC will identify whether it needs to be resurveyed.

- Discussion of Open Space & Recreation Priorities with Director of Planning & Development Elizabeth Jenkins

This item was taken out of order and was discussed after Old Business. Elizabeth Jenkins presents on the Open Space & Recreation Plan priorities³. It includes an overview of the accomplishments, goals, objectives, and actions relative to land acquisition. Chair Canedy points out that LAPC was tagged for Chapter 61A. Elizabeth Jenkins says that they would be notified by the Town Manager if/when a project comes in.

Elizabeth Jenkins brings up the Walk Library that BLT created, and the Committee discusses the overlap between it and the LAPC’s envisioned library. Elizabeth Jenkins believes the LAPC’s could be marketed differently, and could potentially be an intern project. Elizabeth Jenkins says as part of the DCR Greening Gateway Cities project, the town will be given 2,000 trees to plant within environmental justice areas in the next 3 or 4 years. She is talking with Americorps about partnering to implement that. Roberta Mock of 80 Greenwood Avenue suggests getting high school students involved with planting.

Elizabeth Jenkins says the planning process for the Open Space & Recreation Plan will probably begin next fiscal year—it’s a 7-year process (finished last one in 2018). Councilor Clark requests that a “status” column be added to Section 9.

- Discussion of Proposed Committee Name Change and Update of Committee’s Charge⁴

Anne Rowland makes a motion to move the requested name change from the Land Acquisition and Preservation Committee to the Open Space Committee forward to legal. Doug Payson seconds.

Vote:

Aye: Ann Canedy, Phyllis Miller, Liz Lewis, Douglas Payson, Anne Rowland, Cate Gulliver, Tracy Pratt

Nay: None

Chair Canedy will forward the proposed name change/charge document to legal and Town Council President Matt Levesque.

Old Business

- Update on status of outstanding Conservation Restrictions - Harju, Amaral, Prince Ave, Penn, Bowles (Commerce)

Chair Canedy asks the Committee to review the CRs for the Bowles property, to discuss at the next LAPC meeting.

- Update - Pathways Project and Trayser Bridge Construction Proposal

None.

- Update - Centerville Cranberry Bog

³ [Presentation on Open Space & Recreation Plan priorities](#) (pages 111-129)

⁴ [Proposed Committee Name Change and Update of Committee’s Charge](#)

None.

- Update - Twin Brooks Project

None.

- Report from Phyllis Miller/Tracy Pratt regarding Santuit Preserve

Chair Canedy relays that there has been no update from David Anthony.

- Report from Farley Lewis regarding Community Preservation Committee Open Space applications

Farley Lewis is not present, but sent an email with her report to Chair Canedy:

CPC:

- Application from the COMM Water Dept. requesting a \$100K to obtain the professional services necessary to quickly respond to potential properties as become available for the protection of COMM Water District drinking water supply was approved.

- Application from DPW requesting \$300K in OpenSpace/Recreation Funds for CC Rail Trail design services was approved. Matching funds of \$500K have been provided by a Mass Trails grant.

- Application from DPW requesting \$195K for CC Rail Trail engineering services was approved. Mass DOT has committed \$12.3 million for construction of Barnstable and Yarmouth sections.

- Review of Recreation Restriction associated with the Trustees of Reservations new children's play area at Kelley-Armstrong Park. It was sent to legal due to a last-minute request by the Trustees for a shorter commitment time on the RR.

Spring Walking Weekend:

- Need to finalize dates for this event. Suggests May 5-7 or May 12-14.

- Discussed the idea of a thru hike with Lisa Crowley. Start at Sandwich line and end at Barnstable Village. This would be a 3-part walk over 3 days. Would value input from other members about pulling this off. Would require shuttling. Thru hike could be the only scheduled event for Walking Weekend, or additional walks could be added to the menu. Doug Payson thinks the thru hike should be from the Sandwich line to the Yarmouth line. Doug Payson, Anne Rowland, Lisa Crowley, and Farley Lewis should discuss.

Chair Canedy recommends watching a presentation from the MA Open Space Conference presented by Kathy Sferra (from Mass Audubon and the Cape Cod Commission, who is now at the Conservation Department in Stow) about a project Stow is doing that partners with the town and developers to preserve open space and water while creating affordable housing. It was a compromise situation for all involved, and might be applicable for Twin Brooks. The Committee is concerned that the Cape Cod Commission decided that housing trumped the water quality concerns with the project. They expected more compromise. Elizabeth Jenkins adds that the project needs approval at the local level too—it's not yet a done deal. Chair Canedy says if there is a need or opportunity for the LAPC to be a sounding board, they welcome that. Chair Canedy will circulate Ms. Sferra's presentation to the Town Council.

Janet Milkman of the Barnstable Land Trust will be attending the next LAPC meeting to talk about developed open space and two CRs the Committee is reviewing. Councilor Ludtke would love to see the town work with BLT to get policy behind developed open space, and would like to be invited to the next meeting.

- Report from Town Council Liaison Kris Clark

None.

MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

PUBLIC COMMENT

ADJOURNMENT

Doug Payson makes a motion to adjourn. Phyllis Miller seconds.

Vote:

Aye: Ann Canedy, Phyllis Miller, Liz Lewis, Douglas Payson, Anne Rowland, Cate Gulliver, Tracy Pratt

Nay: None

Respectfully submitted,
Genna Ziino, Administrative Assistant

Further detail may be obtained by viewing the video via Channel 18 on demand at <http://www.town.barnstable.ma.us>