

Open Space Committee

Minutes

June 10, 2024 at 5:30 p.m.

CALL TO ORDER AND INTRODUCTION OF MEMBERS

Chair Canedy calls the meeting to order at 5:39 p.m. She informs the group that all committees are required to take conflict of interest training and sexual harassment training every 2 years. She has asked Cynthia Lovell, Town Council Administrator, for a list to see whose training is outstanding.

Member	Present	Absent
Ann Canedy – 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	
Lev Malakhoff	X	

Also present is Kris Clark, Town Council Liaison; Genna Ziino, Administrative Assistant; Janet Milkman, Director of Barnstable Land Trust; and Marie Rizzo of Save Cummaquid Woods.

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

May 13, 2024 – Farley Lewis moves to approve the minutes. Elissa Crowley seconds.

Vote:

Aye: Ann Canedy, Farley Lewis, Elizabeth Lewis, Doug Payson, Elissa Crowley, Anne Rowland, Tracy Pratt, Cate Gulliver, Lev Malakhoff

Nay: None

TOPICS FOR DISCUSSION

New Business:

- Review, discussion, and possible approval of Santuit Woodland Land Protection Project Conservation Restriction – Janet Milkman, Barnstable Land Trust (BLT)

Janet Milkman provides background information on the parcel. This CR will protect 6 acres of wooded land on Falmouth Road. It is adjacent to an existing BLT property and is in Zone 2 for water supply protection. A 40B development of 34 units was proposed for the property. That developer withdrew and BLT made an offer to the owner, which was accepted. They have already been approved by the Community Preservation Committee (CPC) for \$250,000 and the Cotuit Water Board and Fire District for \$50,000. They will co-hold the CR with the Cotuit Water Board and Fire District. They plan to apply for \$300,000 from the state for a state conservation partnership grant. They will raise the remaining \$30-40,000. She shares a collection of maps with the group (document entitled “Open Space Committee 6 10”). There is a certified vernal pool on the property and there are paths on the property that they plan to connect to paths on the adjacent property. It will be a total of 12 acres of public access trails. There will be parking, potentially

near the building on the corner of the property. Access would be off Santuit-Newtown Road, not Falmouth Road. She requests the Committee's support, as they are hoping to go to Town Council for approval on June 20 and July 15.

Chair Canedy asks if there is an official name for the property. Ms. Milkman answers that it's the Santuit Woodlands. Right now, they call the existing BLT property the SERVIS property, but she likes the idea of naming the whole parcel once it's completed. Lev Malakhoff makes a motion to recommend approval to Town Council. Tracy Pratt seconds.

Vote:

Aye: Ann Canedy, Farley Lewis, Elizabeth Lewis, Doug Payson, Elissa Crowley, Anne Rowland, Tracy Pratt, Cate Gulliver, Lev Malakhoff

Nay: None

Lev Malakhoff asks what BLT's role is for the Cape Cod Pathways project. Ms. Milkman says they are in a support role. They would like to be helpful in making it a more supported set of trails, but they don't have the capacity or the funding to be a lead on it. Lev Malakhoff asks if the brochure could be updated to match what's on the ground now. Ms. Milkman explains that BLT got special funding for the original printing, so if someone provided the funding then they could make the updates. Having the maps up on the town site is a good resource in the interim. The group discusses that the town is trying to create a stewardship program in partnership with BLT.

Chair Canedy asks if there are any other CR updates. Ms. Milkman says they have Harju back, Amaral is off the table for the moment because a town attorney found that one of the abutters owns a part of it, and they're waiting to get Prince back from the state. Wheeler is on track to close possibly next week.

Chair Canedy will get the Committee's letter of support for the Santuit Woodlands CR done in time for the Town Council meeting.

Old Business

- Update on Centerville Cranberry Bog

Chair Canedy explains that Town Council was copied on an email from Mary St. George, one of the principals of the Friends of the Centerville Cranberry Bog group about their concern with the lack of process for Chapter 61 properties. What they're asking is for the town to create a policy regarding 61, 61A, and 61B properties that come up for sale, because there isn't one currently. State law gives a pattern of action when 61 land is offered for sale and for the case of the Centerville bog, that process was not followed. The seller notified the Town Manager but there was no other notification (the law specifies that it should be reviewed by several boards). The Town Manager made the decision that the town was not interested in purchasing the Centerville bog based on the belief that Town Council had minimal interest in acquiring open space. Chair Canedy intends to reach out to the Legal Dept. and Elizabeth Jenkins about the status of the policy, so she is asking for the Committee's support.

Councilor Clark will share the referenced email with the Committee. Lev Malakhoff makes a motion to authorize the Chair to encourage the development of a policy regarding 61A and 61B. Doug Payson seconds.

Vote:

Aye: Ann Canedy, Farley Lewis, Elizabeth Lewis, Doug Payson, Elissa Crowley, Anne Rowland, Tracy Pratt, Cate Gulliver, Lev Malakhoff

Nay: None

Doug Payson thinks it's important to communicate that it should be a more public process. Councilor Clark suggests Chair Canedy copy Town Council President Felicia Penn on her communication.

- Update on Cummaquid Woods

Marie Rizzo, member of Save Cummaquid Woods provides an update. Since they were last before the Committee they met with Janet Milkman of BLT, who gave them direction and advice. On May 20 the CPC reviewed the letter of intent from the Barnstable Fire District concerning the purchase of the 2.7 acres at 153 Oakmont Road. The letter of intent was moved to the application phase

by the CPC. There was discussion at that meeting about the possibility of a future well site at the location. Tomorrow is the meeting of the water commissioners and this item is on the agenda. Chair Canedy says she plans to write a personal letter of support for the water district. The Committee is interested in submitting a letter as well. The group discusses the several parcels involved and reviews an image with a breakdown of ownership (document entitled "Cummaquid map").

Farley Lewis adds that the CPC felt the property would need an appraisal to update its value. Chair Canedy will prepare a letter before the water district meeting. Ms. Rizzo asks at what point she should submit an application. Chair Canedy suggests they reach out to the Town Manager and Lindsey Counsell, CPC Chair, to find out if this is in play and to ask when to express interest to CPC.

- Update – Pathways update including walking library, NEMBA path project, and Geocaching

Lev Malakhoff provides an update. Local geocachers will be applying to John Gleason of Recreation for permission at Hathaways Pond. Chair Canedy says there is a draft of the geocaching policy that she will send to the Committee. She requests comments and suggestions be sent to her—she will compile a response. She thanks Grayce Rogers for her work on this policy. Councilor Clark notes that Ms. Rogers mentioned that this Committee does not have the authority to approve geocaches. Several applications noted that their geocache was approved by the Open Space Committee, but only staff has the authority to approve.

Lev Malakhoff walks through several pathways topics:

1. Firstly, he shows an image (entitled "MainTrail-Cummaquid") illustrating that a portion of the Cape Cod Pathways "Main Trail" goes through private property. Because of this, he's going to back off from his reroute effort. He spoke with Lindsey Counsell who thinks rerouting the trail at this point would be premature. Lev Malakhoff would like the Committee's support to pursue the possibility of approaching the property owner about arranging for an easement there remaining in perpetuity. Chair Canedy and Councilor Clark believe Lindsey Counsell would be the appropriate person to approach the property owner, and the process should be started through the Town Manager. Lev Malakhoff makes a motion to recommend that the town begin the process of trying to arrange an easement. Tracy Pratt seconds.

Vote:

Aye: Farley Lewis, Elizabeth Lewis, Doug Payson, Elissa Crowley, Anne Rowland, Tracy Pratt, Cate Gulliver, Lev Malakhoff

Nay: None

Abstain: Ann Canedy (prefers more time to consider options)

Chair Canedy will look into the process for acquiring an easement.

Doug Payson notes that there is intense dirt bike use on Mary Dunn Road. It's a state management wildlife area that's not being managed—it was purchased because of globally rare plants. He wonders if the state environmental police should be approached. He will send photos he took of the damage to Chair Canedy, and she will draft a letter.

2. Lev Malakhoff walks through changes to the Cape Cod Community College trails (image entitled "CCCC_trails_2024"). He has shared these with Alicia Messier of GIS but has not gotten a response yet. The group discusses whether these changes conflict with existing town maps or Ms. Messier's charge. Chair Canedy will look into it. Lev Malakhoff asks for the Committee's support to recommend to the state a safety improvement where the main trail crosses from the YMCA to the college. It's not a reroute of the trail—that's where the crossing has always been. It's under the control of MASS DOT and on-campus changes would be under the control of the college. He believes the YMCA is leasing the parcel from the town. Chair Canedy moves to recommend to the state that they implement safety improvements as suggested. Doug Payson seconds.

Vote:

Aye: Ann Canedy, Farley Lewis, Elizabeth Lewis, Doug Payson, Elissa Crowley, Anne Rowland, Tracy Pratt, Cate Gulliver, Lev Malakhoff

Nay: None

Councilor Clark attended the public hearing that the DOT district 5 held about the expansion of the park and ride at exit 6. She suggested to them that there be a broader view of the traffic in this area, due to the concerns about crossing the road and given the bike path that's supposed to be coming in that area.

3. Lev Malakhoff says the RTA has a bus service, but it takes a long time because it goes through an entire loop road around the college. He suggests having a pull-off for the RTA on each side of Route 132 with a crosswalk so the bus can avoid going that entire loop. It would require reengineering because of the off ramps. He shared his idea (document entitled "CCRTA Email") with Steve Tupper and the Cape Cod Commission before the recent public meeting and they will forward it to MASS DOT. The feedback he got from the Commission is that the footprint and scope of the park and ride change is limited to that parcel. The group discusses parking and safety issues. It's a complex junction and is not pedestrian or bike friendly.

- Report from Tracy Pratt regarding Santuit Preserve

Chair Canedy relays that Grayce Rogers said the minutes from the Santuit Committee meeting were forthcoming. The only news was that staff had to remove someone who was living there. Tracy Pratt reports that the Barnstable side is getting overgrown and needs to be cleared. He has no update on the herring run construction. Chair Canedy will get a herring run update. Councilor Clark asks if the Santuit Committee meeting minutes are public and if so, for them to be sent around to the Committee. Chair Canedy believes they are public and will send them around when she receives them.

- Update on Open Space Plan

None.

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

Farley Lewis reports that the Mills property to be granted to the Mass Division of Wildlife is in the process of being scheduled. She also provides a Walking Weekend update: the weather was rainy but walk leaders were pleased nonetheless. She would like to increase publicity for the Fall Walking Weekend, which will be October 12-14. She would like to brainstorm publicity options—the group recommends the Patch, Cape Cod News, capecod.com, and the Cape Cod Times. Councilor Clark suggests locking up walk commitments in August in order to feed into the press for September.

- Report from Town Council Liaison Kris Clark

Councilor Clark says recently Town Council President Felicia Penn presented a draft philosophy in writing. It was voted on and approved by Town Council. Part of the proposal was that past Town Council presidents have had general philosophies, but they were never written down and discussed with the Town Manager. Councilor Clark will share the philosophy with the group.

MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

PUBLIC COMMENT

ADJOURNMENT

Farley Lewis moves to adjourn. Tracy Pratt seconds.

Vote:

Aye: Ann Canedy, Farley Lewis, Elizabeth Lewis, Doug Payson, Elissa Crowley, Anne Rowland, Tracy Pratt, Cate Gulliver, Lev Malakhoff

Nay: None

DOCUMENTS USED AT THIS MEETING

- May 13, 2024 minutes
- Document entitled "Open Space Committee 6 10"
- Document entitled "Cummaquid map
- Image entitled "MainTrail-Cummaquid"
- Image entitled "CCCC_trails_2024"
- Document entitled "CCRTA Email"

The list of matters are those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

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>

APPROVED