



Town of Barnstable Land Acquisition and Preservation Committee



www.town.barnstable.ma.us/LandAcquisitionandPreservation

Committee Members

Ann Canedy – Chair Farley Lewis – Vice Chair
Elissa Crowley Steve Gould Elizabeth Lewis Phyllis Miller Douglas Payson Tracy Pratt Anne Rowland
Kris Clark – Town Council Liaison

Staff Support

Rachael Toolas – Administrative Assistant – rachael.toolas@town.barnstable.ma.us

15 DEC '21 AM 10:52
BARNSTABLE TOWN CLERK

MINUTES

Monday, November 8, 2021

5:30 PM

Hearing Room -2nd Floor – 367 Main Street, Hyannis, MA

A quorum has been met, Ann Canedy –Chair opens the meeting at 5:35 PM.

Call to Order / Introduction of Land Acquisition and Preservation Committee Members

Ann Canedy - Chair	Present
Farley Lewis – Vice Chair	Present
Phyllis Miller	Present
Elizabeth Lewis	Present
Steve Gould	Present
Douglas Payson	Present
Elissa Crowley	Absent
Anne Rowland	Present
Tracey Pratt	Present

Also present were Kris Clark –Town Council Liaison and Rachael Toolas – Administrative Assistant

Chair Canedy reads the following:

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.

No Response

Approval of Minutes

March 8, 2021

Anne Rowland makes a motion to accept the March 8, 2021 minutes, Phyllis Miller seconds

Vote: All in Favor

April 12, 2021

Phyllis Miller motions to accept the April 12, 2021 minutes, Doug Payson seconds

Vote: All in favor

June 14, 2021

Doug Payson motions to accept the June 14, 2021 minutes, Tracey Pratt seconds

Vote: All in favor

October 14, 2021

Phyllis Miller motions to accept the October 4, 2021 minutes, Anne Rowland seconds

Vote: All in favor

New Business

- **5:40 PM Janet Milkman, Barnstable Land Trust- Twin Brooks Public Outreach**

Chair Canedy addresses the audience who are in attendance and states the Board's appreciation. The committee would like the meeting to be a place where the community can discuss and offer suggestions. However, the Town of Barnstable is not in formal negotiations with the developer and it may or may not be in the future.

Barnstable Land Trust (BLT) has offered to help through this process. Director Milkman gives an update as to where BLT is in the process. Barnstable Land Trust is a non-profit organization to protect land in Barnstable and nearby areas and has been doing this since 1983. There is not a lot of land protected in the Hyannis Village area. BLT is interested in Twin Brooks because it is a large open space and because of the size and scope of the proposed development in the area. BLT is seeking input from various voices in the community that may not always be heard in this process. They are in month two of a five-month timeline for this project. They have hired Utile, an architect firm who knows Barnstable well. The expectation is to bring ideas to the developer. Barnstable Land Trust is looking for a solution to help the Hyannis area be a healthy viable community. There is an online survey to reach the community for their ideas. There will be a meeting on November 10, 2021 at 6:00 PM the Hyannis Youth Center. When alternative scenarios are available, they will be displayed on BLT's website.

Director Milkman provided a link to the website which describes Emblem apartments if people are interested in seeing what the current proposed apartments would look like. The survey process should be completed by Thanksgiving. January is probably when the scenarios will be available to share with the public.

Doug Payson question: Is the scope only the golf course or both resort and golf course? Ms. Milkman said it will depend on the feedback from the surveys. At the moment, it seems that most responses are talking about the resort as well.
Councilor Clark question: What is the deadline to complete the survey? November 19, 2021.

5:53 PM Chair Canedy opens public comment

Felicia Penn – Hyannis resident and former Planning Board member who wrote a letter to the editor in the Barnstable Patriot regarding 35 Scudder Avenue. Re-development and re-use can be a difficult sell. Developers tend to prefer to build new and on open space. LAPC's work on the Open Space and Recreation Plan has been very helpful. A possible option would be a TDR (Transfer Development Rights) of the 40 acre golf course and move it the 14 acres which is already developed with the conference center. Cape Cod Healthcare did this with the Wilkins Center at Attucks Lane before the center was built. It would mean the Town would hold the conservation restriction on open space. The Town could then, allow an increase of a structure's height where the conference center currently exists. Penn states her opinion of why the current proposed project as it is today is not a by right legal use within the zoning ordinance of the Town of Barnstable. The current proposed project must go through regulatory agreements in order to develop this property as proposed. It's a good opportunity for the Town of Barnstable to look to the future and take positive action to serve the residents.

Chair Canedy mentioned the Conservation Commission met in an informal meeting with the developer on November 2nd. Plans were submitted with Conservation and some adjustments were made moving the location of the proposed development away from wetlands. There was additional discussion about the Town possibly holding a conservation restriction over part of the land.

Allan Granby of Hyannis was pleased to see representatives and citizens gathering together in order to show that we care about the same mission. He is concerned with what he has seen through the years of how town employees may overlook what the residents want for their community. It's important that those who are working on behalf of the residents keep in consideration the philosophy of those residents and their community.

Bryan Hughes of Hyannis serving as Vice President of Save Twin Brooks. The organization is in favor of preserving the entire 40 acres as a nature preserve. They also welcome Barnstable Land Trust's proposal.

Councilor Clark asks by a showing of hands how many are in the Hearing Room for Twin Brooks, a unanimous showing of hands. Although not everyone spoke, many spoke with their presence – 35-50 attendees.

Old Business

- **Update on status of outstanding Conservation Restrictions - Harju, Amaral, Prince Ave, Wakeby Road, Commerce Road**
All of the conservation restrictions (CR) were transferred to the State in September. Unfortunately, the person reviewing these for the State has left his position. At this point, it is not known when they will be reviewed again by the State. He did send them back with comments. Janet Milkman said they were sent back to the Town of Barnstable with comments. She is confident someone at the State will be assigned to review them. Prince Avenue CR was rewritten to include a new parking plan. Wakeby CR had to add COMM as the holder to the Conservation Restriction as a requirement in order to receive the Water Preservation Grant. COMM has raised some questions so the Town is preparing responses. That CR is expected to be in front of the Town Council on November 18th. The Community Preservation Committee (CPC) is funding the 21E Environmental review for hazardous waste on the site. Silvia and Wakeby are priorities because they are considered state tax credit projects and need to close this year 2021. The other CRs should be completed soon after Silvia and Wakeby. Commerce Road closes in 2023. Chair Canedy thanks Mark Robinson, Lindsey Counsell and the Town of Barnstable's legal team for their efforts in this long process.
- **Update -Pathways Project- Doug Payson**
Town Councilor Kris Clark and Councilor Gordon Starr walked with Member Payson on the trail section behind the Trayser Museum to the intersection of Braggs Lane and Acre Hill Road. There is a serious problem with ATV and motorcycle activity using the trail and digging it up. The vernal pool is near the trail, on private land, but the ATV's were driving into the pool. During the Walking Weekend, Payson's group encountered five motorcycles while on the trail. Mark Ells met with Member Payson and walked the trail. LAPC proposed that a bridge, similar to the one at Bridge Creek, be constructed on this portion of the Red Trail be built. This section of the trail periodically floods in winter. The New England Biking Association (NEBA) will supply materials and labor. Mr. Malakov, who has been a guest of LAPC and who is a member of NEBA has offered a grant to the Town of Barnstable to be applied towards the construction of this bridge. Malakov has opened more trails around the Cape Cod Community College. It is important to move this project along. New signage has been installed at the trailheads stating no motorized vehicles. Thank you to Mark Ells for helping with this. There was a meeting between Doug Payson, Mark Ells, Chair Canedy, Vice Chair Farley Lewis, David Anthony and Assistant Town Manager Andy Cylburn about trail maintenance. The meeting was productive and the sense was that the Town Administration was receptive to the trails needing attention. If we want to be able to utilize the grant, we need to act on this soon. Doug Payson cleaned up the trails within his stewardship after the storm. Possibly using volunteers to help with trail clean up and maintenance would be beneficial. Motorbikes are causing damage to the trails and it creates problems for older hikers. It would be a good idea to put up information on the website that ATV use is not permitted in the Town of Barnstable.

Member Farley Lewis hopes to put together a meeting of the Pathways Committee to discuss what has happened in the past months.

Councilor Kris Clark suggests looking for other locations where signage would be advantageous.

- **Report from Phyllis Miller - Santuit Preserve**
Tracey Pratt stated some clearing was done on the trails. He spoke with Chris Gonnella from DPW Structures and Grounds about possibly clearing other trails, particularly the area around the bog going north of Hollow Road. It should be kept open. The two trails that run towards Hollow Road south back towards the big bog should be left as is in order to discourage ATVs and bikers. The path down to the fish ladder is blocked from the storm. It would be helpful to have volunteers available to maintain trails, if it's legal. This is something that is being worked out.

Phyllis Miller stated some of the trails have been left unmaintained because of the intrusion of ATVs. Also, some of the trails may cross over conservation land belonging to Mashpee. The Santuit Management Committee has not met because state employees are not meeting in person at this time. (COVID)

- **Report from Farley Lewis - Community Preservation Committee Open Space Applications**
The last meeting was October 18th. An application was filed requesting \$425,000 for open space recreation funds to support restoration of the Armstrong Kelley Park, an 8.5 acre woodland property in Osterville. This item is to be continued.

Primarily, funds are needed to make it publicly handicap accessible for use by various groups. Plans are still being worked on.

- **Report from Town Council Liaison Kris Clark**
Nothing new to report
Chair Canedy asks if Councilor Clark can check on the status of Breeds Hill.

Presentation Materials

Barnstable Land Trust - Slides

Matters Not Reasonably Anticipated by the Chair

None

Next Meeting

December 13, 2021

6:36 PM Adjournment

Motion by Phyllis Miller to adjourn, seconded by Member Payson

Vote: All in favor

Please Note: 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. It is possible that if it so votes, the Committee may go into executive session. The Committee may also act on items in an order other than they appear on this agenda.

* Public files are available for viewing during normal business hours at the Land Acquisition & Preservation office located at 367 Main Street, Hyannis, MA