



**Town of Barnstable**  
**Land Acquisition and Preservation Committee**

[www.town.barnstable.ma.us/LandAcquisitionandPreservation](http://www.town.barnstable.ma.us/LandAcquisitionandPreservation)



Committee Members

Ann Canedy – Chair    Farley Lewis – Vice Chair  
 Kris Clark    Elissa Crowley    Janet Crystal    Steve Gould    Thomas Lee    Phyllis Miller    Anne Rowland  
 Jessica Rapp Grassetto – Town Council Liaison

Staff Support

Carol Puckett – Administrative Assistant – [carol.puckett@town.barnstable.ma.us](mailto:carol.puckett@town.barnstable.ma.us)

**Minutes**

**Monday, December 11, 2017**

**5:30 PM**

**Selectman’s Conference Room – 367 Main Street, Hyannis, MA**

Ann Canedy - Chair	Present
Farley Lewis – Vice Chair	Present
Phyllis Miller	Present
Kris Clark	Present
Steve Gould	Present
Tom Lee	Present
Elissa Crowley	Present
Anne Rowland	Present
Janet Crystal	Present

Also present is Carol Puckett – Administrative Assistant and Janet Milkman – Executive Director of Barnstable Land Trust

As a quorum has been met, Ann Canedy opens the meeting

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

All members present introduce themselves as well as Janet Milkman – Executive Director of the Barnstable Land Trust (BLT)

Ann reads the following with no response:

**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**

Minutes from LAPC meeting of November 13, 2017

Motion is made by Kris Clark and seconded by Elissa Crowley to approve the minutes as submitted.

Vote:

All in favor

**New Business:**

- Review and Approval of CR - Shaw’s Lane-Presentation by Barnstable Land Trust  
 Ann states that the conservation restriction (CR) has been approved by the State; however, there were some revisions. The town’s legal staff and BLT thought it would be better if it went through the process again for approval of these revisions.

Planning And Development Department  
 Elizabeth Jenkins– Director  
 200 Main Street, Hyannis, MA 02601    367 Main Street, Hyannis, MA 02601  
 Phone: 508-862-4785    Fax: 508-862-4784

Janet Milkman doesn't believe that the changes the State made are significant. The revisions included added language which brought the CR in line with the State's model. The changes were mainly regarding the understanding of the meaning of "passive recreation". David Houghton, 1<sup>st</sup> Assistant Town Attorney added language clarifying public access. Ground mounted solar was added to the list of prohibitions. Ann Canedy thinks adding solar to the prohibition list is important because while solar arrays are basically benign, they usually require clear cutting. If the land on which the solar array is mounted is up gradient to wells, the water is negatively impacted.

Janet Milkman refers to Page 7, #3 regarding public access and that the state's language is stricter.

Ann talks about the CR on Prince Avenue which is still pending. She has asked Council leadership to consider completing the parking plan which was funded within the original appropriations. She has expressed concern to both Town Council leadership and the administration about the lack of a CR on this acquired property pursuant to the CPC requirements.

Ann also asked Janet Milkman to see at what stage the other CR's (Amaral and Harju) are at with the State from BLT's point of view.

Janet Milkman then reviews the Shaw Lane CR:

**Page 4 – Prohibited Uses and Reserved Rights**

**A.1** - added ground mounted solar prohibited uses.

**B.1 - Reserved Rights and Obligations: Prohibited Uses:** added educational kiosks

**Page 6**

**3.** - they added the word "create, relocate and maintain" and the right to place one of two simple sitting benches

**6.** - the right to maintain existing stone walls and create gaps as needed for foot trails

**Page 7 - Extinguishment**

**B.1** - David Houghton added the last part of the paragraph

**Page 8**

**B.3** - language which was negotiated between the state and David Houghton regarding eminent domain

**C.** - also added was about entering the premises... just allowing the town to enter the property

**Page 9**

Kris clarifies that some language was struck because it wasn't passive as defined by the state and not by the town of Barnstable. Janet Milkman states that it also wasn't appropriate for the parcel

**Page 10** – under H is the state model language which is the same under J and K

Ann clarifies that BLT will own and maintain the Shaw property and the Town of Barnstable will hold the CR.

Motion is made by Phyllis Miller and seconded by Steve Gould to recommend approval to Town Council of the Shaw CR as presented by the Barnstable Land Trust

Vote:

All in favor

**Old Business:**

• **Announcement -AmeriCorps volunteer**

Ann Canedy understands that there are two volunteers; one to Conservation Department two days a week and one working with DPW. Ann Canedy suggests having the volunteers, Darcy Karle – Conservation Director, BLT and possibly LAPC staff present to discuss plans for pathways including mapping of the trails for a pathways library. Ann Canedy suggests having Farley included in the conversation with the Town Manager about what the whole program will look like.

• **Approved/Pending Community Preservation Committee projects-Tom Lee**

○ Letter of Intent received from the Unitarian Church of Barnstable requesting \$167,000 for restoration of the cupola on the roof of Warren Hall, replacement of deteriorating windows in both the sanctuary and Warren Hall and repair and replacement of hazardous stairways. They approved them in order to go forward with the application.

o Withdrawal notice for the South Congregational Church's CPA historic preservation application to restore 33 gravestones in the historical burying grounds. Tom Lee reports that there were too many historical preservation restrictions on the property.

• **Update on Open Space and Recreation Plan**

Ann states that due to delays, she believes that the plan is almost complete but that the Town Manager wants to review it before it goes out to the committees and they will have to wait before it comes back here. She hopes to have a conversation with Town Manager as to when they should expect.

• **Status of Santuit Preserve Management Plan-Phyllis Miller**

Phyllis Miller reports that they are reformulating the management plan and have asked for guidelines from the State to see if it is appropriate and have asked Drew McManus to follow-up with the State.

**Adjournment**

Motion is made by Phyllis Miller and seconded by Steve Gould to adjourn.

Vote:

All in favor

Approved