



# TOWN OF BARNSTABLE SANDY NECK BOARD

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## Sandy Neck Board Meeting January 12, 2009

Chairman:

Richards French

Vice Chairman:

William Carey

Board Members:

Barbara Bell  
Lynn Heslinga  
Nate King  
George Muhlebach  
Peter Sampou

Council Liaison:

Henry Farnham

A regularly scheduled meeting of the Sandy Neck Board was held on January 12, 2009 at the Marine and Environmental Affairs Division Building at 1189 Phinney's Lane, Centerville, MA. The meeting was called to order at 7:34 pm by Chairman Rich French.

### Roll Call:

- Board Members present: George Muhlebach, Barbara Bell, Bill Carey, Pete Sampou, Lynn Heslinga, and Rich French.
- Staff: Nina Coleman, Sandy Neck Park Manager and Debbie Lavoie, Secretary Pro Tem.
- Council Liaison: Hank Farnham.
- Public: Wendy Bowles and Patrick Paquette.

### Act on Minutes:

- On a **motion** by Barbara Bell and seconded by Pete Sampou, the Sandy Neck Board voted unanimously to approve the December minutes. *Lynne Heslinga abstained from voting because she was not at that meeting.*

### Correspondence:

*Rich French addressed the Board regarding a memorandum from Leah Curtis, Appointments Committee Chair.*

- The Cape & Island District Attorneys Office will conduct a training session on the Massachusetts Open Meeting Law on Thursday, February 12, 2009. The training provides a working knowledge of the Open Meeting Law and is intended to prevent violations from occurring. Must RSVP by February 5<sup>th</sup>.
- Stressed how important this training is and suggested all Board Members attend. Must know about conflict of interest and/or the appearance of a conflict.

### Staff Report:

*Nina Coleman addressed the Board:*

- The gatehouse is closed for the season and open by appointment only.
- Current 2008 Stickers are good until April 15<sup>th</sup> (This is not new – just a reminder that the 2008 stickers are still valid.) Renewal applications will go out in beginning of March.

### Old Business:

◆ **Bathhouse Update:**

*Nina Coleman addressed the Board*

- Showed a plan dated 12/2/08 illustrating the most build-out that can be done through the permitting process. It is not everything they were hoping for nor what they need to make the plan feasible because the parking expansion is not allowed. The revenue to offset the cost of the project is not available. Even though 70+ spaces were lost [over the years] only 20 can be rebuilt. The other alternative is to renovate the existing bathhouse and do no other site improvements.
- There may be some grants to help of-set the costs.
- It may be possible to renovate the existing bathhouse to include a small educational component.

◆ **Barnstable Dredge Project:**

**Rich French:** The dredge work in Barnstable Harbor has started. Everything is going as planned. They will be pumping on Sandy Neck next week – filling in the holes. He will try to take a video of the project for future reference.

◆ **Marsh Trail Repair update:**

**Nina Coleman:** Moving forward. Work should start the end of this month – weather permitted. The project this year is to patch low puddling areas between Trail 2 and Trail 5.

◆ **Regulations:**

**Nina Coleman addressed the Board:**

At the November and the December Sandy Neck meetings, there were discussions about Section G in the regulations. The discussion revolves around the wording “staying on marked trails” and “who” should be allowed to explore off the trails and do they need prior approval.

**Rich French:** The objective is to try to discourage people from running down the face the dunes as it is detrimental to the dunes. Need to preserve the beach for the future.

**Nina Coleman:** If people have legitimate reasons for going off the trails, it may be allowed - with prior approval.

**Bill Carey:** Concerned about over-regulating the beach. He does not want to limit the user groups that are allowed on Sandy Neck.

After much discussion a **motion** was made by Pete Sampou and seconded by Barbara Bell to change Section G of the Regulations to read as follows:

*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 gatehouse.*

**Motion passed.** [Bill Carey voted in the negative.]

**Public Comment was taken out of order:**

**Wendy Bowles:** MMBA held election of officers. The new President is Tom Gagnon. Wendy Bowles is Vice President. She will also be the MMBA representative for the Sandy Neck Meetings. Patrick Parquette will be assisting her. MBBA would like to continue their good working relationship with the Nina Coleman and the Sandy Neck Board.

**Patrick Parquette:** Wants to commend the Board for their desire to balance the uses on the beach. He also wants the Board to continue their work on ways “to go around the terns”.

**New Business:**

◆ **Town Ordinance Changes:**

**Nina Coleman:** The current ordinances are very old and need to be updated. The changes are for Section 177-1 and Section 177-2. Also the fines would increase from \$100 to \$150. All these changes were reviewed with the Legal Department. The changes need to go before Town Council for approval.

The changes are as follows:

**SECTION 1**

The General Ordinances are hereby amended by striking out section 177-1 and inserting in place thereof the following:

**“§ 177-1. Operation of a vehicle within a closed area on Sandy Neck Beach.**

No person shall operate a motor vehicle on Sandy Neck Beach except within marked open sections of the front beach off road vehicle corridor and on the beach access trail.”

**SECTION 2**

The General Ordinances are hereby amended by striking out section 177-2 and inserting in place thereof the following:

**“§ 177-2. Operation of a vehicle on Sandy Neck Beach without a valid permit.**

No person shall operate a motor vehicle on Sandy Neck Beach without first obtaining a valid Sandy Neck off road vehicle permit.”

SECTION 3

The General Ordinances are hereby amended by striking out section 177-3 and inserting in place thereof the following:

**“§ 177-3. Violations and penalties.**

Any person violating this chapter shall be punished by a fine not more than \$200 for each offense.”

SECTION 4

The schedule of fines in Section 1-3 of the General Ordinances are hereby amended by striking out the lines related to Chapter 177, Article I and Chapter 177, Article II and inserting in place thereof the following:

<b>Code Chapter/Section</b>	<b>Subject</b>	<b>Fine</b>
Ch. 177, Art. I	Vehicle within a closed area (Sandy Neck Beach)	\$150
Ch. 177, Art. II	Vehicle without a valid permit (Sandy Neck Beach)	\$150
<b>Fines for Violations of Sandy Neck Beach Park Regulations</b>		
	Violation of each regulation	\$50”

A **motion** was made by Barbara Bell, seconded by Pete Sampou and unanimously voted to accept all changes as presented.

◆ **Child’s beach wheel chair donation:**

*Nina Coleman addressed the Board:*

Michael Conena would like to donate a child’s size beach wheelchair in memory of his wife, Cynthia Conena, who passed away last year. The wheelchair will be purchased with donations from a recent fundraiser in her memory. Perhaps there could be a small ceremony in the spring – more information to follow.

**Adjournment:**

- There being no further business, the meeting was adjourned at 9:06 pm.

Respectfully submitted,

Debbie Lavoie, Secretary Pro Tem