



TOWN OF BARNSTABLE

SANDY NECK BOARD
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Centerville, MA 02632

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Sandy Neck Board Meeting **March 14, 2022**

A regularly scheduled meeting of the Sandy Neck Board was held on March 14, 2022 at 7:00 pm by remote Zoom meeting.

Zoom information can be found on the Sandy Neck Agenda.

Chairman:

Thomas O'Neill

ViceChairman:

Peter Sampou

BoardMembers:

Ann Canedy
William Carey
William Monroe
Joe O'Brien
Maureen Piccione

CouncilLiaison:

Gordon Starr
Kris Clark

BarnstablePD

Liaison:
Chris Kelsey

Roll Call:

Board Members remotely present by roll call: Tom O'Neill, Pete Sampou, Maureen Piccione, Ann Canedy.
Board Members absent: Joe O'Brien, Bill Carey and Bill Monroe.
Staff: Division Director Natural Resources, Nina Coleman, and Donna Bragg,
Operations Supervisor.
Staff Member absent: None.
Council Liaisons present: Kris Clark.
Barnstable Police Liaison:
Public: Paul Berger, Wendy Paquette, Dawn Linnell, and Darren Wilbur.
Guest Speaker: None

Act on Minutes: Taken out of order.

On a **motion** by Pete Sampou and seconded by Ann Canedy, the Sandy Neck Board voted by Roll call to approve the February 14, 2022 minutes. Ann Canedy yes; Pete Sampou, yes; Maureen Piccione, yes; Tom O'Neill, yes. Motion passed.

Public Comment: None.

Correspondence: Tom O'Neill addressed the Board:

Tom O'Neill read a letter addressed to Town Councilman, Gordon Star; Harbor Master, Brian Taylor; Griffin Beoudoin, Engineer; and Ann Canedy, Sandy Neck Advisory Board, from the Sandy Neck Cottage Colony Association. The letter, outlined the disappointment with the decision to redirect the dredge spoils from the Sandy Neck Cottage Colony to the Sandy Neck parking lot and spoke of the concerns regarding the protection of the Historic Sandy Neck Cottage Colony. Tom commented on the letter saying that he did not believe the situation was a matter for the Sandy Neck Board as it was a Town of Barnstable decision. Ann Canedy said she received the letter and it was in fact signed by the secretary of the sandy Neck Cottage Association and she did not agree that it was not a matter for the Sandy Neck Board. Any issue that relates to Sandy Neck, including the Cottage Colony has something to do with this Advisory Board. Ann said she thought there may have been a misunderstanding and miscommunication. Tom clarified that the Board does not make the decision regarding the placement of the sand. Kris Clark said she would hope to carry forward any concerns. Pete Sampou spoke to the science of the decision. Nina Coleman addressed the Board. She stated that it wasn't a choice between the Cottage Colony or the Sandy Neck parking lot but a Wetlands Protection Act choice. The determination was made that the salt marsh had grown and material is not allowed to be placed on the salt marsh area. It was a scientific decision by the town and there was no legal way to put the material in that area. A letter stating the decision was sent to the Cottage Colony Association from the Department of Public Works. There was some further discussion regarding the matter. Clearer communication requested. * Letter attached.

Staff Report:

Nina Coleman addressed the Board.

- Sandy Neck Off Road Vehicle, (ORV) hours are 8 am- 4 pm until May 1, 2022.
- Campfires will be allowed May 1, 2022
- All 2021 ORV Permits will expire April 15, 2022.
- Staff processing permits. Many permits are pending. Many permits have been partially applied for and may have some missing information. Patrons have been sent an email letting them know that they would need to go back into their account and supply the missing information. What we are trying to avoid is a big pile up of applications when 2021 permits expire on April 15, 2022. Staff is available for questions or assistance. You can call the Gatehouse at 508-362-8300 or email sandyneck@town.barnstable.ma.us.
- Nina explained the online permitting process from the point of applying to payment. Nina asked Donna to explain how to pay with an e-check.
- Nina understands Patron's frustrations when dealing with the online process. The difference is we have staff to answer questions and help people through the process. Very customer service oriented.
- There are a number of summer seasonal positions open to the public. There is a Cape-wide staffing shortage and we are very light in staffing at this time. We do not have enough staff to open full time in the month of April and will have very abbreviated hours for those patrons who may need some help in processing their permit, dropping off a check, or picking up a permit.
- We are in the middle of the Marsh Trail repairs. On the 22nd of March the front dune nourishment will begin. Robert B Our won the bid. Sun will bleach out the sand quickly after placement and will become a lighter color. There are several piles of sand and stone staged in the lower parking lot for the Marsh Trail repairs and as well as the dredge spoils for the front dune nourishment. The lower parking lot is closed at this time to beach goers. Upper parking lot is open for access to the front beach using the path that was the old handicap ramp.
- Nina presented the Notice of Intent, (NOI), to the Conservation Commission the middle of last month and it went very well. Nina listed all the programs that are done on Sandy Neck in order to comply with various regulatory organizations in order to mitigate vehicle use on the beach. The hearing was closed without any public comment on February 15, 2022. Nina will be in front of Conservation on March 15, 2022 as they are going to review a draft Orders of Conditions, (OOC). The one thing we were waiting for was a response from Natural Heritage, Endangered Species Program, which Nina received on March 14, 2022. It needs to be reviewed under the Wetlands Protection Act and the Massachusetts Endangered Species Act, (MESA), at the same time which addresses endangered species. Natural Heritage items they wanted to make sure were embedded into the Orders of Conditions, (OOC), none of their suggestions were of great concern. They wanted an additional order regarding speed on the beach as over the last few years there were three adult plover takes due to vehicle strikes that were possibly due to speed. They are also trying to marry in the Habitat Protection Plan, (HCP), showing the HCP exists into the Orders of Conditions, (OOC). It is a three year permit with the opportunity to extend it once for another three years.
- Under the Habitat Conservation Plan, (HCP), we are allowed to deter two pairs of plovers through a management plan. What we are allowed to do under the HCP is to deter nesting. Last year we used pallets on the beach which was very successful. We have reached out to our friends at Massachusetts Beach Buggy Association, (MBBA), to see if they could get us more pallets. MBBA is bringing pallets and will help us get the pallets on the beach.
- Maureen Piccione had requested more information on the website regarding the Habitat Conservation Plan. Natural Resource Officer, Hannah Lawrence compiled that information which is now located on the Sandy Neck website under notices. *See attached.
- We are in the budget season in which fiscal year 2023 begins July 1, 2022. Nina has put together an extensive package. Sandy Neck hasn't been fully staffed since Covid started. We posted the Seasonal Facilities Maintenance position in January and have only received one applicant. Darren Wilbur asked about the hours and offered to help out if needed. Part of the budget is to change the Facilities Maintenance position to permanent part time. There are four Natural Resource Officers in the Town of Barnstable and Nina is looking to add one more through the budget. She would like to have a Grade 9 Natural Resource Officer become the Assistant Park Manager at Sandy Neck. This will add one new position and one promotion which will help all the programs and allow staff to move around depending on need and create a chain of command. The Board agreed with Nina that it was needed.

Old Business: None.

1. **Conservation and beach erosion along our coastlines.** None.
2. **Economic sustainability.** None.
3. **Public outreach and public use & participation.** None.

New Business:

1. **Changing the Board meeting venue to in person instead of remote.** Tom O'Neill addressed the Board. He had listened to a Conservation Commission meeting that discussed the pros and cons of both meeting in person and remotely. He felt that the Conservation Commission had some different needs than the Sandy Neck Board. He continued to speak about the different aspects of meeting in person versus remotely. From his perspective he feels that the Board Meetings should be in person. Pete spoke about the importance of being in person as it is a much better form of communication. Ann asked if it were possible to sometimes be in person and sometimes remotely. The town does not want to go hybrid for the sake of the public so as not to be too confusing. Maureen agreed that she was in favor of in person meeting and asked for other opinions. Tom said that he found in person better for communication purposes. As there were three Board members missing at the time of this meeting he felt it would be important to include them. Tom said he would communicate with the other Board members and then made a decision of whether to meet in person starting in May.

Matters not Reasonably Anticipated by the Chair: None.

Public Comment: Wendy Paquette addressed the Board. She spoke about the "pallet project" for Sandy Neck. Massachusetts Beach Buggy Association, (MBBA), stepped up and delivered. Natural Resource Officer Josh Kelleher helped with putting them away and Natural Resource Officer Hannah Lawrence came off the beach and answered all their questions and was very knowledgeable and wonderful. Saturday April 9, 2022, Massachusetts Beach Buggy Association will hold a beach cleanup. Cleanup begins at 9:30 am until Noon. MBBA will serve lunch to participants.

There being no further business, the meeting adjourned by roll call vote at 8:10 pm. Ann Canedy, yes; Maureen Piccione, yes; Pete Sampou, yes; Tom O'Neill, yes.

Respectfully submitted,

Donna Bragg, Secretary Pro Tem
Attachments:

Habitat Conservation Plan (HCP) FAQs for Beach Patrons

What is the Sandy Neck HCP? The Habitat Conservation Plan or HCP is a program that Sandy Neck participates in, in conjunction with guidelines set at the state and federal level. The HCP at Sandy Neck allows staff to discourage Piping Plover nesting activities in certain areas of the park to hopefully allow for as many recreational opportunities as possible during the shorebird breeding season.

Why are Piping Plovers protected? The Piping Plover is a state and federally Threatened shorebird that nests on Massachusetts Beaches. Piping Plovers are a small species of shorebird that camouflages extremely well in the sandy and cobble areas found throughout their habitat. Due to this adaptation, adult plovers and chicks are extremely susceptible to being crushed by vehicles or accidentally pushed from their territory by hikers and dog walkers. Due to conservation actions of beach managers and landowners, Massachusetts is a leader in Piping Plover conservation. Our population has increased in recent decades, from about 140 pairs in 1986 to now have close to 700 breeding pairs.

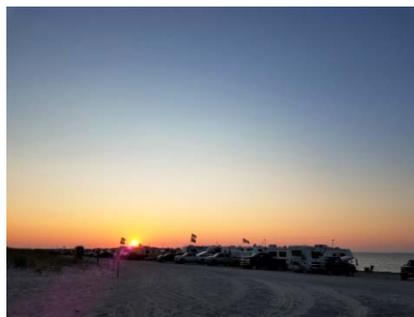


How does the Sandy Neck HCP help ORV beach patrons? The HCP helps to maintain and improve public access and recreational opportunities for ORV beach patrons by deterring piping plover nesting activity within the Recreation Zone. With a special permit, Sandy Neck staff is allowed to participate in certain approved activities to make shorebird habitat within the Recreation Zone less appealing to piping plovers looking to nest in that area.



What is the Recreation Zone? The Recreation Zone is the section of beach that falls between the Access Trail and the 0.5 mile marker. The Recreation Zone is where staff spends countless hours early on in the Piping Plover nesting season focusing on deterrent activities. The Recreation Zone is the only section of the Off-Road Vehicle

beach that Sandy Neck staff is allowed to deploy these activities that have been approved by MassWildlife and are covered through our HCP permit.



What are the “activities” that Sandy Neck Staff participate in to discourage piping plovers from nesting? Early in the season, Sandy Neck Staff can often be seen raking the Recreation Zone with a chain drag hitched to the back of a truck. This allows staff



to disrupt the habitat that Piping Plovers prefer to use for nesting. Staff also deploys snow fencing and pallets to use as coverboards, again making nesting habitat less appealing.

What can beach patrons do to help? ORV permit holders should visit the Sandy Neck ORV Beach often during the early spring season! Not only is the beach beautiful in March and April, but recreating at Sandy Neck during the spring can help us to have a successful summer. Be sure to drive in the established ORV travel corridor within the Recreation Zone!



Section 3 policy.docx



To: Gordan Starr, Town Councilor
Brian Taylor, Harbor Master
Griffin Beaudoin, Engineer
Ann Canedy, SN Advisory Board

From: Sandy Neck Colony Association

Jan. 20, 2022

The Sandy Neck Colony Association would like to express our disappointment with the last-minute decision made to redirect the dredge spoils from the Sandy Neck Colony to the Sandy Neck parking lot. As you are aware there was a substantial cost savings identified in the comprehensive study completed by the town to pump the spoils to the site on the tip of Sandy Neck where spoils were previously pumped in 2008-9. This study outlined town dredging projects with timelines established and cost alternatives. Due to the substantial cost savings of approximately \$450,000 at the time, the town decided to renew the permits and pump the spoils to this site. Doug Moquin and Steve Heaslip met with the town engineer and harbor master over two years ago advocating for this and it was confirmed at that meeting that this was the plan going forward. It was also confirmed by Gordan Starr at a public forum this past summer with the Friends of Barnstable Harbor.

After repeated requests for updates from the town engineer that went unanswered, Doug Moquin further confirmed this ongoing intent by reviewing the renewal documents online submitted by Foth to MEPA in March of 2021. Consequently, SNCA believed everything was on track. County Dredge made a site visit and town engineers staked out the permitted area in September. To our surprise, we were informed in late September that the site is now considered a salt marsh and a protected wetland and is not appropriate to fill with dredge materials and the town has