

# Land Acquisition and Preservation Committee

## Minutes

October 17, 2022

5:30 p.m.

### CALL TO ORDER AND INTRODUCTION OF MEMBERS

Member	Present	Absent
Ann Canedy – Chair	X	
Farley Lewis – Vice Chair	X	
Phyllis Miller	X	
Elizabeth Lewis	X	
Douglas Payson	X	
Elissa Crowley		X
Anne Rowland	X	
Tracy Pratt	X	
Cate Gulliver	X	

Also in attendance are Kris Clark, Town Council Liaison and Administrative Assistant, Genna Ziino.

Ann Canedy welcomes the new member of the Committee, Cate Gulliver. Ms. Gulliver is the Chair of the Conservation Committee of the Osterville Garden Club, and is on the board of Save Twin Brooks. She's had a lifelong interest in conservation, environmental issues, and wildlife preservation.

Kris Clark points out that the Committee is now fully appointed. The Chairwoman adds that if someone is interested in joining, please still contact her.

### 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

July 11, 2022 – Doug Payson makes a motion to approve. Tracy Pratt seconds.

#### Vote:

**Aye:** Ann Canedy, Farley Lewis, Phyllis Miller, Elizabeth Lewis, Douglas Payson, Anne Rowland, Tracy Pratt, Cate Gulliver

**Nay:** None

September 12, 2022 – Doug Payson makes a motion to approve. Tracy Pratt seconds.

#### Vote:

**Aye:** Ann Canedy, Farley Lewis, Phyllis Miller, Elizabeth Lewis, Douglas Payson, Anne Rowland, Tracy Pratt, Cate Gulliver

**Nay:** None

### TOPICS FOR DISCUSSION

New Business

- Acceptance of 2023 Calendar – None of the members have conflicts with the proposed dates for 2023 meetings. Phyllis Miller makes a motion to accept the calendar. Farley Lewis seconds.

**Vote:**

**Aye:** Ann Canedy, Farley Lewis, Phyllis Miller, Elizabeth Lewis, Douglas Payson, Anne Rowland, Tracy Pratt, Cate Gulliver  
**Nay:** None

- **Walking Weekend Recap**

This item was taken out of order and was presented after the discussion of Twin Brooks. Farley Lewis provides a recap: Tracy Pratt's walk was rained out, but most others had good attendance. Farley Lewis attended a few walks and was very pleased with the quality and engagement.

On Kris Clark's walk, there were motorized vehicle/ATV tracks on the trail. Farley Lewis shares an image with the Committee of the damage to the trail. ATV users have moved there because of intense policing in other areas. The Committee discusses that there needs to be an outreach effort to educate people that it's illegal to use motorized vehicles in conservation areas, and then there needs to be enforcement. The state's environmental police can enforce if the town doesn't. Tracy Pratt suggests that signage might help. Doug Payson agrees but adds that they have been pushing for signs to even just identify trailheads for two years.

Kris Clark suggests that the Chairwoman request the Communications Director add a note to the eweekly newsletter that ATVs and motorized vehicles are not allowed in Barnstable. Furthermore, the Committee could request that that information to be placed on webpages for LAPC, Recreation, Conservation, and Sandy Neck, along with town social media.

Farley Lewis notes that the Red Trail behind the West Barnstable Fire Station is overgrown, among other issues, so she put in a request to AmeriCorps to help clear it. They are booked out until December. Ann Canedy asks Farley Lewis to also alert Town Manager Mark Ells of the issue, so he can assign DPW if he chooses.

Anne Rowland suggests having simple signs (something like a sandwich board) made for future Walking Weekends that say "Walking Weekend next weekend" so they could be reused.

- **Announcement of meeting to discuss Walking Library scheduled for November 4 from 1-3 PM**

This item was taken out of order and was presented after the discussion of Twin Brooks. Ann alerts the Committee that she will not be able to attend.

- **Discussion of Twin Brooks**

Kim McGuire, President of Save Twin Brooks, and Brian Hughes, Vice President of Save Twin Brooks, provide an update: They had a well-attended Save Twin Brooks meeting on October 3, where they presented their current state and plans for the future. Mr. Hughes explains that they are currently in the waiting stage for the Cape Cod Commission. A subcommittee was formed to see how the development plan meets the 14 topics of the Regional Policy Plan (RPP). They are waiting for the next meeting to be scheduled. There will be at least one more subcommittee meeting and one open meeting with the full Commission. If the Commission approves the development agreement without substantial modifications, Save Twin Brooks is planning to sue/appeal.

It became clear during the subcommittee meetings that many of the points raised in the Commission's own RPP are not being addressed in favor of creating housing. Ms. McGuire adds that the whole idea behind Save Twin Brooks is to preserve the property for the ecological restoration of it and nearby waterways. Though the land is technically not considered open space because it is "developed" with a golf course, it serves as an important natural water filter and really is open space in terms of recreation and ecology. This is the only property that's being considered for development that is in a fragile ecological area. The proposed building is 312 units (600-1,000 new residents). They have put together a petition to protect the Stewart's Creek Estuaries System, including the Twin Brooks Golf Course site by acquiring funds and finding other appropriate sites for

development. Ann Canedy feels it is possible to find a balance between developing some housing on the land because it's on town sewer and there is a great need, and preserving some because it's important ecologically.

The members discuss their concerns: 87% of the units will be market rate and not truly "affordable housing"; that area already has the Melody Tent, the school, the hotel, a rotary that's already rated F, necessities are not accessible on foot, lack of transportation for low-income people, etc. Doug Payson expresses concern that we continue to kick the can down the road with regards to housing. There are thousands in need. He feels the town continues to have no smart growth strategy, and fails to address that this is a city with urban problems moving toward urban density. Mashpee Commons is an example of smart growth with necessities centralized.

Ms. McGuire alerts the Committee that there is a spreadsheet of development projects in the pipeline from 2017-2022. There are more than 900 units in the pipeline. The spreadsheet includes units that are proposed, in permitting, permitted, under construction, or complete. The document can be found on the town's Planning & Development webpage. She agrees with Doug Payson that affordable housing is necessary right now, but this isn't the right location. She recommends utilizing disused shopping centers and parking lots, surplus town/state land, or commercial areas for building. She presents the idea of developing groups of smaller buildings (10 30-unit properties or 4 78-unit properties would fill the same need) in the recommended areas.

Ms. McGuire adds that if this property doesn't go in at this location, the owner says he'll put in 40B housing (up to 510 units, with 25% being 40B) with very little oversight from the town. Mr. Hughes identified through the town's GIS service around 100 acres of town-owned property that would be suitable and are on town sewer. He would like the town to talk to developers about what could be done with those. He and the Committee feel that someone on the town staff needs to be proactive about things like this, to persuade owners to compromise. The proposed plan would cut down over 500 mature trees and fill in pond #4. Traffic is also a concern—it will greatly impede 2 if not all 3 businesses there. Hyannis Package Store and Cape Way Towing have obtained lawyers because they would go out of business if the proposed traffic plan went into place.

Farley Lewis asks what suing the Commission would result in. Ms. McGuire says it would delay the process for at least 4-6 months, if not stop the project altogether. It depends on what comes from the Cape Cod Commission.

Barnstable Land Trust proposed one feasible alternative option that has around 150 units (25% affordable housing) but preserves 85-90% of the open space. The property is zoned for single family housing. Ms. McGuire believes the owner of the land has divided the hotel/conference center into one "condominium" and the golf course into a second "condominium" in order to sell them separately. The Committee discusses whether/how that is possible and determines it would be a question for the town attorney. Ann Canedy thinks she may need to talk to Elizabeth Jenkins to understand how the land was divided without going through the Planning Board or Zoning Board. The Chairwoman and Ms. McGuire discuss which authoritative body within the town has the responsibility to oversee splitting the land.

Ms. McGuire adds that the proposed site is in the middle of an environmental justice community, which is a community of residents with generally a lower income, higher density neighborhoods, and less open space. This means the location already has an environmental justice community, polluted waterways, an already failing rotary, the Melody Tent, the public schools, the hotel and conference center, and more—it's too much.

Save Twin Brooks also petitioned to get a separate meeting of voters in front of Town Council to talk about their concerns prior to the Council's voting. Save Twin Brooks will have subject matter experts attend, and there will be public comment for both sides. There is no date for that yet. Kris Clark adds for the record that Town Council had a strategic planning session on Thursday, October 13. It was closed to the public—it was more a review of the strategy executed 2 years prior. There is another, more robust session planned for spring/summer.

- **Water District Outreach**

Ann Canedy informs the Committee that she will soon be preparing a plan for members to get updates from water districts on properties they feel are important. She will be putting a subcommittee together to divide the districts. Kris Clark reminds the Committee that the protocol for visiting water districts is for 2-3 members to ask their assigned water district to add them to an agenda and then ask the Chair to go into executive sessions so potential private property purchases are not made public.

**Old Business**

- Update on status of outstanding Conservation Restrictions - Harju, Amaral, Prince Ave, Wakeby, Penn, Bowles (Commerce) , and Silvia  
None.
- Update - Pathways Project and Trayser Bridge Construction Proposal  
None.
- Update - Centerville Cranberry Bog  
None.
- Update - Open Space & Recreation Plan  
None.
- Report from Phyllis Miller/Tracy Pratt regarding Santuit Preserve  
None.
- Report from Farley Lewis regarding Community Preservation Committee Open Space applications  
Farley Lewis informs the Committee that the CPC meeting had a letter of intent from the COMM water department requesting \$200,000 to enable COMM to obtain properties as they become available for the protection of the COMM water district drinking water. There was also a letter of intent for the acquisition of a 3+ acre property at 153 Oakmont Road, Cummaquid.
- Report from Town Council Liaison Kris Clark  
None.

**MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR**

**PUBLIC COMMENT**

None.

**ADJOURNMENT**

Doug Payson makes a motion to adjourn. Anne Rowland seconds.

**Vote:**

**Aye:** Ann Canedy, Farley Lewis, Phyllis Miller, Elizabeth Lewis, Douglas Payson, Anne Rowland, Tracy Pratt, Cate Gulliver

**Nay:** None

Respectfully submitted,  
Genna Ziino, Administrative Assistant

Further detail may be obtained by viewing the video via Channel 18 on demand at [www.town.barnstable.ma.us](http://www.town.barnstable.ma.us).