



# Town of Barnstable Open Space Committee

Formerly Land Acquisition and Preservation Committee (see Town Council Agenda 2023-196)

[www.townofbarnstable.us/OpenSpaceCommittee](http://www.townofbarnstable.us/OpenSpaceCommittee)

## Agenda

Notice of Meeting as Required by Chapter 28 of the Acts of 2009, amending MGL Chapter 30A

<b>DATE</b>	March 10, 2025
<b>TIME</b>	5:30 p.m.
<b>LOCATION</b>	Selectmen's Conference Room, 2 <sup>nd</sup> Floor, Town Hall, 367 Main Street, Hyannis

The meeting will be televised live via Xfinity Channel 8 or high-definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable's website:

<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

## CALL TO ORDER AND INTRODUCTION OF MEMBERS

Chair Malakhoff calls the meeting to order at 5:30 PM with an introduction of members:

Lev Malakhoff – Chair	X
Farley Lewis – Vice Chair	X
Elizabeth Lewis	Absent
Douglas Payson	X
Elissa Crowley	X
Anne Rowland	Absent
Tracy Pratt	X
Cate Gulliver	X
Vacant	

Also in attendance: Kyle Pedicini, Assistant Director, Planning & Development and Jennifer Engelsen, Office Manager Planning & Development.

## NOTICE OF RECORDING

This meeting of the Open Space Committee is being recorded and broadcast on the Town of Barnstable's Government Access Channel. In accordance with MGL Chapter 30A §20, Chair Lev Malakhoff inquired whether anyone else is recording this meeting and, if so, to please make their presence known – no one indicated so.

## APPROVAL OF MINUTES

February 10, 2025 –Chair Lev Malakhoff entertains a motion from Tracey Pratt, seconded by Doug Payson to accept the minutes as written. All in favor, aye. Farley Lewis abstains.

## TOPICS FOR DISCUSSION

### New Business

- Cotuit Highground Conservation Restriction – Kelly Grant, Barnstable Land Trust (BLT) in attendance requesting a letter of support and approval for BLT's CPA funding request for the Cotuit Highground Land Protection Project. BLT is purchasing the 10.6 acre Highground Golf Course at 30 and 31 Crockers Neck Rd. The clubhouse is part of the purchase but is excluded from the conservation restriction. BLT is seeking funding in the amount of 1.35M from the Community Preservation Act. There will be a short-term lease (5 years) back to the current owner for golf use. A motion to support the conservation

restriction and a letter of recommendation to the Town Council was made by Farley Lewis and seconded by Cate Gulliver. All in favor, aye.

- Centerville Cranberry Bog – Ron Knight and Rob LaBerge in attendance. Both board members of the Friends of the Centerville Cranberry Bog Preservation. Rob is here to discuss the bigger issue of conservation and preservation Chapter 61A. See this as an urgent issue for the Town of Barnstable to develop a procedure and clear process under land laws (Jenkins Bog). In 2021, Mary St. George, President at the time appeared before this group and gave a presentation that was well received and had positive comments. Four years ago to the date, a defective notice was sent to the Town Manager pursuant to Chapter 61A. In March of 2022, the Town Manager reported to the Town Council that he had received the materials about proper notification of Chapter 61A lands and the Town Attorney's office was in the process of developing a process or procedure. Mr. LaBerge is here again, now three years from then and still does not believe there is a process or procedure in place. In the 2018 Open Space and Recreation Plan, there are over 1400 acres of Chapter A land laws in the Town of Barnstable. He asks this committee for their help in establishing a procedure as soon as possible. The law provided municipalities with proper notice to either purchase or not purchase or assign the right to purchase to another entity. The Barnstable Land Trust is very interested in acquiring this property. Doug adds that as this committee is formulating updates, any public comments will be welcomed. Lev comments that the goal of today's discussion is to get a policy adopted by the town. Lev also informed committee that he has spoken with Councilor Clark and has had a conversation with our legal department about this process. Elissa asks committee members should write letter to their counselors to help this process. Farley said we need to put pressure on Legal to move this along as it has gone on too long. Cate also agrees that pressure needs to be put on Legal as a committee. Ron Knight reports he is an abutter to the property. They have had zero response from the town and asks for suggestions from this committee on who do they go to next. Not trouble makers, just doing everything they can do and hoping you can do something for us. Doug suggests attending town council meetings to comment during the public comment period. Mr. LaBerge notes that Mary St. George attended the meeting on December 16, 2021 (seen from video online) and the minutes were in January but the minutes are not posted on the website. Staff to look into why minutes are not posted. A motion to recommend that Legal consider a sample of a policy (Mount Grace) to be adopted by the town for Chapter 61A was made by Cate Culliver and seconded by Elissa Crowley. All in favor, aye.
- Open Space/Recreation Plan – Lev comments on reducing roadside litter as a goal in the Open Space Plan. Needs to be addressed in the trails not just roadside. More language to follow. Cate made comments on some of the actions regarding water protection and asks where "underdevelopment" is happening in town. Kyle indicated these are great comments to give to the consultant. Any specific goals without a status, let Kyle know and he can do more research. The recreation committee will be involved in the process for sure. An RFP for the consultant is out for bid. We also received a \$20K grant from the state's Division of Conservation Services to help update the open space plan.

#### Old Business

- Update on Cummaquid Woods - None
- Update on outstanding Conservation Restrictions – Harju & Prince Avenue CR's are going to be placed on an upcoming (no date at this time) Town Agenda for approval. Doug suggested having Kris Clark inquire about the status of open CR's with the towns Legal Department on behalf of the committee.
- Update – Pathways update including walking library, NEMBA path project, and Geocaching – Walking Weekend May 16-May 18, 2025. Doug discussed doing some outreach at our last meeting. Farley is the manager of the weekend. She reports she is promoting publicity, emailed past walk leaders. Nordic Walkers, Geocaching and NEMBA are participating. Lev and or Elissa to lead a walk on Old Jail Lane. Cate would like to lead a walk. Barnstable Land Trust to do a walk. Doug will lead a tree farm walk not to conflict with the plant sale. Geocaching will do a walk around Hathaway's Pond. Terry Downey with NEMBA to lead a walk from Crooked Cartway. Doug reports he contacted Harwich Conservation Trust regarding signage who suggested he reach out to BLT and Mass Audubon for brown hiking trail signage to bring awareness to trailheads. Flint Rock Road and Boulder Road to be discussed at the next meeting subject to CPA funding.

- Report from Tracy Pratt regarding Santuit Preserve – Tracy reports that David Anthony, Grayce Rogers, DPW staff met via zoom with Dan Kent, State Fishing Game Commissioner. Major topic of discussion was about funding and generating funds.
- Report from Farley Lewis regarding Community Preservation Committee Open Space – Anthony's Cummaquid Inn was the main item discussed at the CPC meeting. Kelly Grant, Barnstable Land Trust met with staff from Barnstable and Yarmouth regarding this property. An appraisal has been commissioned and both towns to cover the cost. This is a ten-acre parcel plus buildings.
- Report from Town Council Liaison Kris Clark - None

**MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR** - Questions about Article 97, town land at the end of Wianno Avenue, moving it toward protection. Approve it for funding, a lot of public response. Town land that is owned but not protected – Baby Beach. Article 97, the state wants to change it to make it easier for developers to acquire land designated as protected. This committee wants to send a letter to the Town Council stating we support Article 97 in its strictest form.

#### **PUBLIC COMMENT**

#### **ADJOURNMENT**

Tracy moves. Cate seconds. All in favor, aye.  
The meeting adjourns at 6:47 PM.

Respectfully submitted,  
Jennifer Engelsen  
Office Manager

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.