



Town of Barnstable

Land Acquisition and Preservation Committee

[www.town.barnstable.ma.us/Land Acquisition and Preservation Committee](http://www.town.barnstable.ma.us/Land%20Acquisition%20and%20Preservation%20Committee)

Minutes

March 11, 2013

5:30 PM

Selectmen's Conference Room – 2nd Floor

Barnstable Town Hall - 367 Main Street, Hyannis, MA

Kris Clark - Chair	Present
Phyllis Miller – Vice Chair	Absent
Laura Cronin	Present
Duncan Gibson	Present
James Hinkle	Present
Thomas Mullen	Present
Stephen O'Neil	Present
Tom Lee	Present

As a quorum has been met, Kris Clark calls the meeting to order at 5:33 PM.

Also present were Mark Robinson, Farley Lewis and Ann Canedy.

Kris Clark then introduces Mark Robinson.

Guest:

- **Mark Robinson, Executive Director of the Compact of Conservation Trusts: Update on State Income Tax Credit program for preserving open space.**

Mark Robinson indicates that as the Executive Director of the Compact of Conservation Trusts, he works on behalf of the local land trusts, Barnstable Land Trust and Orenda Wildlife Land Trust who own property within the Town of Barnstable. He indicates that there is something newer on the scene which is the enhanced federal tax deduction for conservation restrictions which was first passed in 2006. Since then it has been renewed several times. He explains that a conservation restriction is a tool whereas the land owner retains title to their property but extinguishes any development rights on part of their land. The enhanced benefit is typically for a charitable gift of land or conservation restriction for which the donor was limited to taking 30% of their adjusted gross income each year as a deduction for a maximum of six years. What Congress has done now is given the ability to people who donate conservation restrictions to deduct up to 50% of their adjusted gross income each year as a deduction for a maximum of 16 years. He indicates that the extension was made retroactive to January 1, 2012 and goes forward to December 31, 2013. He indicates that this, in conjunction with the state tax credit, makes this perhaps the best year ever for people interested in maximizing tax benefits associated with or conservation land donations or conservation restrictions. He indicates that as far as the state tax credit goes, the state sets aside two million dollars and the ability for up to 40 landowners each year throughout the state to take up to \$50,000 in state tax credits. This enables people to get a refundable tax credit of up to \$50,000 or half of the value of the land whichever is less and take that as a refund. He indicates that the \$50,000 can be in conjunction with federal tax benefits. He gives an example and indicates that statewide, in the 2.5 years that the program has been around, that there has been approximately 75 to 80 projects that have been approved with more than 30 of which have been on the Cape.

Please note that the committee may act on items in a different order than they appear on this agenda.

Also, if it so votes, the committee may go into Executive Session

He indicates that they have two workshops coming up one of which is on Saturday, April 13, 2013 at 10:00 AM at the Harwich Community Center for which he will be doing press releases for. The second one will be on Saturday, April 27, 2013 at 10:00 AM at the Waquoit Bay National Estuarine Reserve in East Falmouth. As he does not have one scheduled in Barnstable he indicates that if this committee would like to work with Orenda Land Trust and the Barnstable Land Trust that he and his staff would be happy to host that workshop. He encourages groups to do a large mailing in addition to press releases. He will give Kris Clark an agenda and indicates that workshops traditionally are 1.5 hours long.

Tom Lee asks Mark Robinson if the refund issued is taxable. Mr. Robinson indicates that it would be taxable the next year.

Mark Robinson to send staff the link to this program in order to put on LAPC's webpage.

Ann Canedy clarifies that it would be easier for Mark Robinson to obtain landowners information for mailings.

Approval of Minutes

- **Minutes from LAP meeting of January 14, 2013**

Motion is made by Duncan Gibson and seconded by Steve O'Neil to approve the minutes as submitted.

Vote:

AYE: Laura Cronin, James Hinkle, Thomas Mullen, Steve O'Neil, Tom Lee, Kris Clark

NAY: None

ABSTAIN: Tom Lee as he was not present at that meeting.

Updates

- **Santuit Preserve Update: Kris Clark**

- **Review of walk & clean-up on Saturday, February 23rd.**

- **Santuit Dam update**

Kris indicates that Phyllis and herself joined AmeriCorp and Drew McManus – Conservation Agent from Mashpee for the walk on February 23, 2013 which she indicates was a success. She indicates that the AmeriCorp volunteers used a chain saw to clear out trees on the path as well as picking up litter. Kris indicates that she has received an email from Mashpee's Santuit Preserve Dam representative, Catherine Laurent – DPW Director from Mashpee which she reads. (EXHIBIT A). Kris believes that there is a firm grip on the project and is pleased that this will be done by the end of July.

- **Pathways: Farley Lewis & Tom Mullen**

- **Spring Walk: Saturday, April 20, 2013 at 9am; Meet at Barnstable County Courthouse Complex behind Barnstable Fire Station**

Farley Lewis proposes the route for the upcoming walk which she indicates will require a shuttle from the Barnstable Court House to Cape Cod Community College and then a walk back. She has a map and is hoping that Tom Mullen will be available for the walk. Mr. Mullen indicates that he will plan on being there and that in the meantime they will be trying to get the path cleared. Kris Clark indicates that they will be contacting AmeriCorp in an effort to help clear the trails. Farley Lewis indicates that details of the walk will be posted on Cape Cod Commission's website for Pathways.

- **New Pathways Brochure**

- **Proposed Cape Cod Rail Trail Extension in Barnstable and Yarmouth**

- **Community Preservation Committee update**

- **January 28th: Jim Hinkle**

Tom Lee gives an update He indicates that they approved funding of the work to be done at the School Administration building, Habitat for Humanity for Sesame Street and Cahoon Museum. He

indicates that last month the new DPW Director, Dan Santos, came to discuss some concerns regarding the maintenance budget in regards to some of these projects. Another concern CPC had was whether CPC funds should be used to pay for a historical consultant and CPC town staff which they are going to look into.

- **February 25th: Phyllis Miller**

- **March 25th: Steve O'Neil**

Kris reminds Steve O'Neil that he will be covering the next CPC meeting. Kris also passes around the sign-up sheet for the year. Staff to send a reminder to Steve O'Neil about the March 25th meeting.

Old Business

- **Chair's report: Kris Clark**

Kris indicates that 2012 Town of Barnstable Annual Report booklet is available.

- **Open Space and Recreation Plan's implementation strategy**

Kris indicates that they are still working on implementing the plan and that the last action item of that plan was to review the next plan in 2013. Ann Canedy asks the status of the last plan. Kris is not sure.

- **Update from the Barnstable Water/ Barnstable Fire District**

Kris indicates that she has received an email from David Jones of the Board of Water Commissioners and reads it. (Exhibit B)

- **Update from the Hyannis Water Board/ Hyannis Fire District**

Kris talks about the Pathways and that there is a concern regarding the Hyannis water wells and how the trail goes through Zone 1. Steve O'Neil indicates that he believes Hans Keijser is working on some alternate routing for what was proposed. Kris indicates that a Pathways map can be found on the town's website under Growth Management Department. They discuss how the pathways/trail ways map should show the Zone 1 water protection designations.

- **Update on the vacancy on our committee**

Kris indicates that there is no new news on the vacancy. Steve O'Neil asks Ann Canedy if there is a problem with the process. Ann explains that they are first addressing regulatory boards who are in need of members for quorum issues. Kris asks Ann what suggestions she has for this committee. Ann will convey LAPC's concerns regarding filling the vacancy on this board.

- **Update on executive session minutes of May 2, 2012**

Kris Clark indicates that she has the authority as chair to review the executive session minutes and has decided that these minutes from May 2nd are ripe for release.

New Business

- Reminder for LAPC members to take the Ethics quiz and give the Town Clerk the certificate of completion by April 5th and send staff a copy.

Announcements:

- **Next Meeting: April 8, 2013 at 5:30pm**

Kris indicates that the guests for next month's meeting will be Amy Raitto from the Town of Barnstable's Marine and Environmental Department and Drew McManus – Conservation Agent from the Town of Mashpee who will speak about the herring run at the Santuit Preserve.

Correspondence

Items not reasonably anticipated by the Chair

Public Comment

Other

Motion is made by James Hinkle and seconded by Steve O'Neil to adjourn.

Vote:

All in favor

Exhibits

A = Email from Catherine Laurent to Lenny Clark February 28, 2013

B = Email from David Jones to Kris Clark dated March 6, 2013