

# Open Space Committee

## Minutes

May 13, 2024 at 5:30 p.m.

### CALL TO ORDER AND INTRODUCTION OF MEMBERS

Chair Ann Canedy calls the meeting to order at 5:33 p.m.

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

Also in attendance is Kris Clark, Town Council Liaison and Genna Ziino, Administrative Assistant, Janet Milkman, Director, Barnstable Land Trust and members of Save Cummaquid Woods-Marie Rizzo, Steve Rizzo, Donald Reynolds, Deborah Reynolds, Elvina Baxter Moran, Wellesley Marsh.

### 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, I must inquire whether anyone else is recording this meeting and, if so, to please make their presence known.

### APPROVAL OF MINUTES

March 11, 2024 – Farley Lewis moves to accept the minutes. Elissa Crowley seconds.

#### Vote:

**Aye:** Ann Canedy, Farley Lewis, Liz Lewis, Elissa Crowley, Anne Rowland, Tracy Pratt, Lev Malakhoff

**Nay:** None

### TOPICS FOR DISCUSSION

New Business:

- Review, discussion and possible approval of two Wheeler Holly Preserve Conservation Restrictions – Janet Milkman, Barnstable Land Trust (BLT)

Janet Milkman explains that this CR will be going to Town Council on Thursday for approval, after which BLT can close on it. She walks the Committee through 3 slides (document entitled “Pages from OSC Packet 5 13 24”) and explains that the Committee reviewed this project before and supported it. It is a former holly nursery and a current spawning ground for herring. The existing house will be rented by BLT staff, who will be caretakers. Ms. Milkman shares a photo (entitled “Wheeler from Fuller”) to show public access—there is going to be a trail on the property. Lev Malakhoff moves to recommend approval of Lots 1 and 2 to Town Council. Farley Lewis seconds.

#### Vote:

**Aye:** Ann Canedy, Farley Lewis, Liz Lewis, Elissa Crowley, Anne Rowland, Tracy Pratt, Lev Malakhoff

**Nay:** None

Lev Malakhoff moves to recommend approval of Lot 3 to Town Council. Farley Lewis seconds.

**Vote:**

**Aye: Ann Canedy, Farley Lewis, Liz Lewis, Elissa Crowley, Anne Rowland, Tracy Pratt, Lev Malakhoff**

**Nay: None**

Chair Canedy will write to the Town Council president recommending that the Town Council approve the acquisition of the Conservation Restriction on all lots.

Ms. Milkman informs the Committee that 4609 Falmouth Road will be coming before them soon. It's in zone 2 and was slated for a 40B development. The Cotuit Water District brought it to BLT's attention.

- Update about Cummaquid Woods

Chair Canedy explains that she received multiple emails requesting this Committee look into a few parcels that are threatened in Cummaquid Heights on Oakmont Ave. She shares an image (entitled "Cummaquid map") that illustrates the parcels and their ownership status. The Chairwoman discloses that she works for a real estate firm that was associated with Marty Riley, who purchased and planned to develop one of the parcels. He is now deceased, and ownership has passed to another developer. Therefore, Chair Canedy does not believe she currently has a conflict.

She explains that Parcel 119 is privately owned and the town owns Parcel 105. Parcel 87 is a Cobb Trust parcel, which is not a town entity. The trust was created in the 1800s and the estate was left to the benefit of the schoolchildren, so the town is only associated through the involvement of the school district. Steve Heslinga is the trustee appointed by the Town Manager, and his job is to maximize the property owned by the trust. He's looking for ways to maximize the value and so has done an Approval Not Required (ANR) to divide the parcel into 4 lots, with the biggest lots at 2 acres.

Several members of the public are present as representatives from Cummaquid Heights and Save Cummaquid Woods. Steve Rizzo explains that they are here to provide information and they were referred to the Open Space Committee by Town Council President Felicia Penn. Of the 1994 USGS study of potential future public water supply areas identified, this is the last remaining area in Cummaquid Heights. They have been discussing with the fire district that Parcel 152 is for sale and is protected under Article 97. A letter went out today to Lindsey Counsel, Chair of the Community Preservation Committee (CPC), for their help in purchasing it. It's been a wood lot since 1938 and was never used for anything other than farmland in the 1800's. Mass Wildlife certified that there are box turtles there. If Parcel 137 (privately owned) is developed, the well is no longer an option.

Farley Lewis explains that during two CPC meetings in October and November 2022, Mr. Riley was asking for \$350,000 to offset his expenses from purchasing Parcel 153 and in return he was going to put it into a CR. CPC did not move it forward. The group discusses options for the parcels and whether housing would be appropriate. Donald Reynolds says he spoke with Mr. Heslinga about Parcel 87, who confirmed his plan to continue prepping it for sale.

Chair Canedy says the Committee will talk about it and see what they can recommend. Janet Milkman adds that she has some thoughts and will connect and share resources for state funding for water protection with the group.

- Walking Weekend update – Farley Lewis

Farley Lewis shares that Walking Weekend is next weekend. It has been promoted through the town's newsletter, website, and social media. Per Councilor Clark's request, Genna Ziino will send digital copies of the flyer to town libraries. Farley Lewis reads through the walk schedule. Lev Malakhoff explains that for the geocaching walk, there will be a table set up and an explanation provided, and then the existing 3 geocaches will be found on the walk. It is asked that walk leaders get headcounts and take photos.

- Update on walking library and Geocaching

Chair Canedy shares two emails from Grayce Rogers of Asset Management. One explains that staff is in the final stage of creating a policy for Geocaching, and outlines the requirements for creating geocaches in the meantime. Lev Malakhoff says he let the

Geocaching people know how to apply for geocaches. Ms. Rogers' second email explains that they have applied for an Americorps volunteer to work for the town one day and week and are working with BLT to put together a volunteer stewardship program.

Chair Canedy shares an email from Alicia Messier of GIS explaining that Conservation had requested to add language about loitering near railroad tracks, so that was done, and there was a correction on the Audubon line.

#### Old Business

- Update – Pathways update including walking library, NEMBA path project and Geocaching

Lev Malakhoff says Farley Lewis helped him edit the Pathways Project language to reflect the reality on the ground today. He would like the Committee to vote to accept it. He shares a map (entitled "CCCC") to explain changes to the path around Cape Cod Community College. The New England Mountain Biking Association (NEMBA) applied for approval from the state DCR to recreate a trail, which is now called Keyes the Limit and is signed and blazed for the red trail. The route crosses at the YMCA driveway, which brings you to the trail network around the CCCC campus. He walks through the trails around the college and explains that the red trail has been clarified and blazed. Chair Canedy wants to first touch base with Alicia Messier about the updates to the pathways guide before any next steps.

Lev Malakhoff shares that NEMBA installed adaptive trail signs at the West Barnstable Conservation Area and the signs have not been tampered with as they previously were.

Councilor Clark says there is a proposed expansion of the park and ride at the Route 132 area, and she is not sure how that might impact trails there. It's been tabled for now, but she suggests the Committee consider potential impacts. Lev Malakhoff had sketched up changing the whole intersection and creating a safe drop off. He plans to write up his ideas from when he was a transportation engineer for the Cape Cod Commission.

- Report from Tracy Pratt regarding Santuit Preserve

Tracy Pratt and Chair Canedy attended the Santuit Management Committee meeting last month. David Anthony, Steve Hurley, and Dan Kent were also there. Tracy Pratt reports that after the meeting, Dan Kent said someone had built a bridge across the river for their kids—it was a usable bridge but Mr. Kent didn't think it belonged there and had it removed. Tracy Pratt wants to be advised of things like that before they happen, and wants to let Mr. Kent know his thoughts about it. He will put it in writing and send it to Chair Canedy. The group discusses that while most of the land is in Mashpee, the preserve was funded by and is equally managed by both towns and the state, and all parties should be notified prior to action. Chair Canedy says Steve Hurley is retiring and will be replaced by Aaron Best; she will try to get contact information for him. The group discusses the success of the herring run.

- Update on Open Space Plan

None.

- Report from Farley Lewis regarding Community Preservation Committee Open Space applications

Farley Lewis reports that there was a letter of intent from BLT for a 5.84-acre parcel on Falmouth Road in Cotuit. The total price is \$590,000. The acquisition would make 12 acres of contiguous space. The town would be granted a CR on the property and it would be managed by BLT. It was moved on to application.

- Report from Town Council Liaison Kris Clark

Councilor Clark reports that they have been busy with the capital improvement plan and budget season.

## **MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR**

### **PUBLIC COMMENT**

### **ADJOURNMENT**

Chair Canedy moves to adjourn. Farley Lewis seconds.

#### **Vote:**

**Aye:** Ann Canedy, Farley Lewis, Liz Lewis, Elissa Crowley, Anne Rowland, Tracy Pratt, Lev Malakhoff

**Nay:** None

## **DOCUMENTS USED AT THIS MEETING**

- March 11, 2024 minutes
- Document entitled "Pages from OSC Packet 5 13 24"
- Image entitled "Wheeler from Fuller"
- Image entitled "Cummaquid map"
- Email update from Grayce Rogers
- Email update from Alicia Messier
- Spring Walking Weekend pamphlet and flyer
- Image entitled "CCCC"

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.

Respectfully submitted,  
Genna Ziino, Administrative Assistant

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

APPROVED