

# Open Space Committee

## Minutes

### November 4, 2024 at 5:30 p.m.

#### CALL TO ORDER AND INTRODUCTION OF MEMBERS

Chair Lev Malakhoff calls the meeting to order at 5:31 p.m.

Member	Present	Absent
Lev Malakhoff – 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
Vacant		

Also in attendance is Jim Kupfer, Director of Planning & Development; Kris Clark, Town Council Liaison; and Genna Ziino, Administrative Assistant.

#### 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

October 7, 2024 – Doug Payson moves to approve the minutes. Tracy Pratt seconds.

#### Vote:

**Aye:** Lev Malakhoff, Farley Lewis, Liz Lewis, Doug Payson, Elissa Crowley, Anne Rowland, Tracy Pratt

**Nay:** None

#### TOPICS FOR DISCUSSION

##### New Business

- Proclamation for Ann Canedy

Farley Lewis reads a proclamation (document entitled "Proclamation for Ann Canedy") and the group thanks Ann Canedy.

- Review, discussion, and possible approval of Smiths Creek Conservation Restriction – Kelly Grant, The Compact of Cape Cod Conservation Trusts

Mark Robinson, Executive Director of The Compact presents. He explains that they are seeking a recommendation to Town Council and the Town Manager for a CR to preserve a 5.5-acre property in West Barnstable, 564 Main Street. Town Council Liaison Kris Clark joins the meeting at this point. Mr. Robinson explains that Smiths Creek is a tributary to the Great Marsh and is connected to land that is already owned by Orenda and used for diamondback turtle nesting. The property was negotiated for sale for \$400,000. They were awarded \$200,000 from a state partnership grant. They are asking for \$100,000 from the town and are fundraising the last \$100,000. A CR is required because they're asking for CPA funds and Town Council approval. The town typically has sought to have a third-party conservation group be in charge of monitoring CRs, so the Compact would be taking on that role in this case.

Doug Payson asks what the public access would be for this land since they will not develop a formal trail system. Mr. Robinson says this property cannot have a parking area logistically, and also the mission of Orenda is preserving wildlife sanctuaries so creating walking trails is not their priority. There is one hunting stand and a blind, which are unauthorized and will be removed. This is not an

appropriate location for walking trails but the CR would enable Orenda to work on trails if that became useful and appropriate in the future. Mr. Robinson explains that the closing is required to be completed before June 2025. He is hoping for a positive recommendation from this Committee to Town Council and the Town Manager.

Farley Lewis moves to send a letter of support for this acquisition of Smiths Creek. Tracy Pratt seconds.

**Vote:**

**Aye: Lev Malakhoff, Farley Lewis, Liz Lewis, Doug Payson, Elissa Crowley, Anne Rowland, Tracy Pratt**

**Nay: None**

- Discussion of Open Space & Recreation Plan (OSRP) update – Jim Kupfer, Director of Planning & Development

Jim Kupfer explains that the OSRP was last authorized in 2018 and will expire in 2025, so an update is required. He adds that the Local Comprehensive Plan (LCP) is also currently being updated, so it would be ideal for these two plans to go hand in hand. The state provides guidance on what must be revised and, in the past, this committee has played a role in guiding the update along with the Planning Dept. Mr. Kupfer says the options are to respond to the immediate needs of the plan, or to take a deep dive into the plan. The Local Comprehensive Planning Committee wants to bring the natural resources section of the LCP before this committee so he recommends that this committee utilize the facts and outreach for the LCP to help with the OSRP. He explains that if the group wants to do a deep dive, we will need an RFP for a consultant and would need to secure funding through grants or CPC funds. Councilor Clark suggests looking at the action plan of the existing plan and taking inventory of what's been done. She defers to the committee but says it would be helpful to review the LCP natural resources section.

Jim Kupfer suggests that by the next OSC meeting he can work with Chair Malakhoff to have an in-depth review of the existing action plan to see where we stand from a staff perspective. He can highlight items that must be updated and then develop out from there what else the committee is interested in to get an idea of the scope. The committee is in favor of this idea.

Jim Kupfer provides a status update on the LCP: they are completing the first draft of the full LCP for the public's consumption and are hoping in January it will be ready to go back out to the community. He would like to discuss the natural resource chapter with this Committee.

Doug Payson asks where ecological restoration fits into the LCP. He is specifically interested in the Trayser Trail and that the open field habitat is being lost in this area. Jim Kupfer says the natural resources chapter is the correct chapter for that and when the draft goes out, that's the kind of feedback they want to hear. Doug Payson says another concern is connecting open spaces so they're available to both pedestrians and cyclists—coordinating future updates of the rail trail and more. Jim Kupfer agrees and says that could fit in the transportation section of the plan as well. Doug Payson says using the rail trail for economic development is also a missed opportunity. Councilor Clark says the Cape Cod Community College is also developing their own strategy out now, so it would be a good time to dovetail with their plan. Jim Kupfer says he's heard the need from this Committee and from the community that that area needs a comprehensive review.

Councilor Clark asks what would be helpful for this committee to do before the December meeting. Jim Kupfer suggests they look at the OSRP and identify what their priorities are and what they'd like to see achieved/updated/enhanced, or any questions. Jim Kupfer says the heavy lift will be staff looking at the plan to highlight what the state will be requiring, to bring it back to the committee in December. Councilor Clark suggests making the document shorter. Chair Malakhoff recommends an executive summary. The group suggests making it clearer that the appendices is a separate document.

- Fall Walking Weekend recap

The group discusses the various walks and attendance. One of the locations was very busy with foragers from the New England Mycological Convention, so it may be worthwhile to have a mushroom-picking walk. Doug Payson thinks shifting away from Columbus Day weekend may increase attendance. Chair Malakhoff says creating a media plan is the group's winter homework.

**Old Business**

- Update on Centerville Cranberry Bog

**None**

- Update on Cummaquid Woods

Chair Malakhoff says Marie Rizzo had no update about the woods, but passed along that after an ethics review it was recommended that she withdraw her application to become a committee member because she's part of a nonprofit that comes before this committee. Chair Malakhoff believes there's been another applicant.

- Update on outstanding Conservation Restrictions

None

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

Grayce Rogers will be attending the December meeting with a pathways update. Regarding the geocaching guidelines the group recently reviewed, Chair Malakhoff thinks one item may be problematic: an object must be within 5 feet of a trail. He has suggested 20 feet instead and would like to have a discussion with Grayce Rogers about that at the next meeting. Chair Malakhoff asks Genna Ziino to find out if Ms. Rogers has maps that go with the existing Pathways Plan. Chair Malakhoff will be inviting Dave Lafreniere, a member of NEMBA who has been developing a trail reporting system for Cape Cod called Trailforks, to the December meeting. Councilor Clark says Chair Malakhoff could ask the Town Manager to whom would someone in Barnstable report a trail issue. The group discusses confusion over which town department has jurisdiction over what land and the thought of having one point person on staff for trail reports. Councilor Clark says the group could recommend a "report a problem" button on the OSC website as an action item on the OSRP.

- Report from Tracy Pratt regarding Santuit Preserve

Tracy Pratt says it's very dry and water levels are down everywhere. Hunting season is starting. He reports that some campers who had been living there for years were gone but had left garbage.

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

Farley Lewis says Oakmont Road hopes to fundraise through the Compact to purchase a parcel. State grants were awarded to 2 Barnstable projects: Smiths Creek got \$200,000 and Santuit Woodlands got \$295,000 to Barnstable Land Trust. Hopefully both are closing soon although there's a delay.

- Report from Town Council Liaison Kris Clark

Councilor Clark reports that the Town Attorney is aware that this group is looking for guidance for Chapter 61A and B acquisitions, but several issues have taken priority. Councilor Clark also reports that the Burke property adjacent to Bridge Creek is no longer for sale.

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

### **PUBLIC COMMENT**

### **ADJOURNMENT**

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.

Anne Rowland moves to adjourn. Tracy Pratt seconds.

### **Vote:**

**Aye:** Lev Malakhoff, Farley Lewis, Liz Lewis, Doug Payson, Elissa Crowley, Anne Rowland, Tracy Pratt

**Nay:** None

### **DOCUMENTS USED AT THIS MEETING**

- October 7, 2024 minutes
- Document entitled "Proclamation for Ann Canedy"
- Handout from Jim Kupfer

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 Barnstable Government Access Channel on demand at [www.town.barnstable.ma.us](http://www.town.barnstable.ma.us)

APPROVED