

TOWN OF YARMOUTH
COMMUNITY PRESERVATION COMMITTEE
MINUTES
April 22, 2015
FINAL

- PRESENT:** Gary Ellis, Jack Mulkeen, Tom Durkin, Tom Roche, Nathan Small, Dorcas McGurrin, Fred Fries, Mary Ann Walsh
- ABSENT:** Thomas Kelley
- GUESTS:** Michael Stone, Norman Holcomb, Janet Polito, Jan Wald, Mark Robinson, Rob Doane, Seth Rolbein, Kerry Muldoon, Karl vonHone, Kathy Williams, Curtis Sears, Rob Angell, Gail Hart
- STAFF:** Jennifer Copeland
- LOCATION:** Yarmouth Town Hall, Room A, 1146 Route 28, South Yarmouth, MA
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CONVENE

Chairman Ellis opened the Community Preservation Committee (CPC) meeting at 3:02 p.m.

CORRESPONDENCE

The CPC reviewed the following correspondence: e-mail from Town Counsel regarding the CPA land acquisition simple majority vote and the Parkers River Tidal Project; a memo to Selectmen & Finance Committee regarding Building Dreams – article 20; e-mail from Building Dreams Inc. regarding application #132 per unit price, 3/26/15; e-mail from Community Preservation Coalition re: CPA updates; Dennis shellfish hatchery plants seed for new life, *Cape Cod Times* article, 4/14/15; and Dennis Old Kings Highway Hearing Notice, *Register newspaper* article, 4/22/15.

NEW BUSINESS

99 Chapin Beach Road, Dennis ARC - Discussion on Draft Redevelopments Plans: Rob Doane, Aquacultural Research Corporation (ARC 1.0), Chief Business Officer, presented the demolition plan, site plan, elevations, and the hatchery upweller building renovation. Energy costs were factored into the new design and the buildings will be more efficient than the existing buildings.

Chairman Ellis thought the design and color selection of the building would be minimally intrusive when viewing it from Gray's Beach in Yarmouth Port and he approved of the design as presented.

Mr. Durkin stated that he hope the economic viability of the hatchery is not confused with the purpose of the conservation restriction to preserve the land. Chairman Ellis added that Chapin Beach is a barrier beach for Yarmouth.

Mr. Robinson introduced himself as the Director of the Compact of Cape Cod Conservation Trusts and he has been preserving land since the 1980's. The proposal is to preserve Chase Garden Creek and he hopes Town Meeting voters' will support the project.

Mr. Holcomb attended the meeting as an individual and noted that he visits Gray's Beach often. He stated that the proposal for \$200,000 in Yarmouth CPA Funds and he wants to make sure the legal documents are thorough, after which he noted that a conservation restriction is a good tool in management of the land.

There were discussions regarding ARC's proposed wind turbine. It was noted that the conservation restriction applies to the entire 39 acre parcel and would guarantee no wind turbine on the property.

Attorney Stone stated that the case is in the Boston appellate court and set for oral arguments in June 2015. He noted that the boardwalk is popular and he is in favor of the conservation restriction.

Parkers River Tidal Restoration Project #152-FY15 (Route 28 bridge replacement): Ms. Williams presented on the Parker's River tidal restoration project. The purpose of the project is to restore natural tidal flows to the Parker River/Swan Pond estuary system by widening the bridge opening at Route 28 to rebuild a healthy ecosystem and preserve valuable open space. The tidal restoration project will replace the existing 17' wide Route 28 Bridge with a new 30' wide bridge to improve tidal flushing.

There are ecological issues in Swan Pond including poor tidal flushing, degraded water and salt marsh quality, algae blooms/lower dissolved oxygen, decreased fish migration/fish kills, and continued growth of invasive species. She displayed the new bridge design features and explained many community benefits of the project.

She concluded by explaining she is seeking \$800,000 for preservation of open space. The requested funds are for the construction phase only (not for studies or design). The project leverages other funding sources (\$4 million of the \$5.6 million project costs are already secured for the project from other sources). Questions were raised about a \$200,000 State police detail fee in the budget.

The group discussed an opinion from Town Counsel in which he qualifies the project for CPA funds. The plan is to keep two lanes open at all times during construction. It was noted that the Massachusetts Department of Transportation (Mass DOT) owns the bridge and that the project is scheduled to begin the fall of 2016. Ms. Williams requested a letter of commitment from the CPC to support other applications for matching funds. As there was no further discussion, Chairman Ellis thanked Ms. Williams for her presentation and noted that the CPC will discuss the proposal at their next meeting.

ADJOURN

As there was no further business, Ms. McGurrian moved to adjourn the meeting 4:27 p.m. Mr. Small seconded. The vote was unanimous 8-0.

HANDOUTS AT THE MEETING (Located in the Department of Community Development):

1. Chapin Beach Road, Demolition Plan D 1.0, 3/31/15; Site Plan L 1.0, 3/31/15; Elevations A 3.0, 3/31/15; Hatchery Upweller Building Renovation A 3.1, 3/31/15
2. Email from Town Counsel re: Parkers River Tidal Project Eligibility, 3/4/15
3. Email from Town Counsel re: CPA land acquisition simple majority vote, 4/9/15
4. Memo to Selectmen & Finance Committee re: Building Dreams - Art 20, 3/26/15
5. Email from Building Dreams Inc. regarding app #132 per unit price, 3/26/15
6. Email from Community Preservation Coalition re: CPA updates, 4/13/15
7. Dennis shellfish hatchery plants seed for new life, *Cape Cod Times*, 4/14/15
8. Dennis Old Kings Highway 4/22/15 Notice, *Register newspaper*, 4/22/15
9. Hatchery and conservation efforts at Chase Garden Creek, Dennis Conservation Trust, 4/22/15

Respectfully submitted,
Jennifer Copeland
Program Coordinator


Mary Ann Walsh, Clerk