

NATURAL RESOURCE ADVISORY BOARD

Minutes (Approved 3/1/04, 4-0 vote)

February 2, 2004

Town Hall Hearing Room

Present: Doug Franklin, chair, Lezli Rowell, committee clerk, Bill Knittle, John Riehl and Glenn Shields.

Attending: Suzanne Thomas, Beach Administrator, John Portnoy, Open Space Committee, press.

Distributed: Agenda prepared by the Chair; Shoreline chapter responses received from the Board of Health and the Planning Board; Draft updated Shoreline (1/17/04) and Intertidal (1/29/04) chapters prepared by Lezli Rowell and cc: to the Board of Selectmen; "Town of Wellfleet Marina Expansion Project Narrative" produced by Bourne Consulting Engineering.

With the full board present, the meeting convened at 7:03 pm.

Announcements: The Chair expressed regrets from the Shellfish Constable, Andy Koch, who was unavailable to attend this meeting but would attend the March 1, 2004 continuation of Natural Resources and Intertidal chapters. The Chair relayed sending several e-mails to the Conservation Agent, Emily Beebe, attempting to confirm scheduling agenda time to hear the department comments regarding water quality sampling schedules for the summer, the state "Estuaries Project" and input for the ACEC description in the Shoreline chapter. There has been no response from the agent, and Doug could not predict her attendance. The Chair announced that Jan Plauue of the Open Space Committee was expected, coming direct from the joint Fin/Com and BOS meeting, to speak to the board's concerns regarding the subdivision of the Town-owned 'Sandpit' lot.

John announced the 9th Annual Cape Cod Natural History Conference to be held Sat., 3/20, at 4 C's, with various presentations of interest to the board: the variability of shellfish survival and growth, defective beach nourishment, etc. A pamphlet addressed to him was shared with the board.

Minutes: Doug made a small correction to page 2 of the January 5, 2004 minutes, noting that Melissa Lowe is applying for the grant from EPA. With this correction, John moved acceptance and Bill seconded the motion; the minutes were accepted unanimously.

HMP Process: Doug announced that the meeting of 3/1/04 has been postponed for the continuation of Intertidal and meetings of 4/12 and 5/10 have been slated for the Marina/Dredging chapters. The summer will cover the Water Quality chapter. It is the Chair's recommendation that draft chapters from these topics are produced by the Fall, circulated for feedback, taken to Public Hearings next January - March to be ready for Annual Town Meeting, 2005. Lezli noted her previous circulation of a revised Water Quality chapter (containing Sterns and Wheeler Water Quality Report, 11/21/02) and an updated, draft Natural Resources chapter (containing 'trophic order' discussion, 12/30/03) along with chapter updates provided to this meeting for the Shoreline Land Use (1/17/04) and Intertidal Land Use (1/29/04) topics. These are formatted noting which areas of the 1995 HMP text can be retained by cut and paste and includes recommendations for revision text or directions to seek input. The format, to be provided on disk, will help advance the board onto the task of formulating the current Harbor Management Plan recommendations per each chapter. She explained that her draft updates stop short of providing final recommendations at this time, as she expected each member would bring ideas to the table for discussion. John asked that the 1995 Plan and drafts, as they become available, be posted on the Town Website as a mechanism to allow for comments to be received, to speed up the feedback process.

Reports or Announcements: The Chair distributed files as labeled to members containing materials supporting the proposed Herring River Restoration Project; there was not one prepared for Glenn. Doug announced that Amy Dougherty, sedimentologist from CCNS, will be presenting the information to the Conservation Commission 2/9 at 5 pm at the Senior Center.

The Chair noted that the Ass't TA made recommendation to the BOS to update the Local Comprehensive Plan by composing a dedicated committee, with one membership slot to be an NRAB member. There has not been a correspondence from the BOS yet requesting an appointment, but the Chair asked members to consider their willingness to serve.

The Chair reported that the Herring Warden, Jeff Hughes will be providing useful public information available at the Library reference section, and that he will be working with Americorps volunteers cleaning up the River.

The Chair noted receipt of the "Project Narrative" for the expansion project at the Marina. Lezli asked whether this would come before the board for its consideration. The answer was not known.

The Chair noted that in review of the Town's Website, most 2003 minutes of the NRAB have been posted, with the exceptions of 7/1, 7/8 and 8/26. Doug said he would inquire about the omission and provide scannable copies to the Ass't TA, if necessary. Lezli reported that she had also reviewed the Website and could not find the posting of the 1995 HMP, but she was not sure how to find it. Doug agreed to review the site for that posting as well.

John commented that he had a scheduled appointment with the Conservation Agent tomorrow and would try to commit her into an NRAB scheduled agenda.

Old Business: The Chair noted receiving thorough responses from the Planning Board and Board of Health following the written requests from the NRAB for review of the Shoreline Land Use chapter. These were appreciated, and it was noted that as draft updates become available and distributed, other boards and committees could be specifically asked to review areas or make comment.

The Chair noted the board's finances as follows: FY '03 appropriation of \$ 250 that had been encumbered to reformat Mass. MiniBays Report data from an antiquated (5" disc) computer had not been expended, as the computer has not been located. The data might still be accessible from the County Health Agent, George Heufelder. The FY '03 appropriation of \$ 50 remains unexpended. Doug commented that the committee clerk should put together receipts from the bulk copying of binder materials, copying and postage expenses incurred to be reimbursed and bring the bill before the board before submittal to the Accounting Department. Lezli agreed to do this for the next meeting.

The Chair spoke of the technical delays in producing the 'Wellfleet Harbor Conference' video for availability in the Library.

Shoreline Land Use chapter, guest speaker Suzanne Thoams, Beach Administrator:

The Chair introduced Suzanne to the board, and asked her thoughts and observations of the uses at Town Landings, especially as property values increasing seems to squeeze out traditional neighborhood launch sites. He asked her from the enforcement perspective, "What is your biggest fear?"

Suzanne responded the "biggest fear" was that the price of real estate would cause the privatization of areas which should belong to the public. She spoke of the Horsely and Whitten harbor access inventory project underway and hoped this would lead to defining uses before they were lost. The rest would take public education, making it well known where you can do what. As example, she cited that some locations might be considered appropriate to launch kayaks and canoes but not motorized boats. Doug asked if it would really become necessary to "Zone" the harbor? Suzanne said it was a practical approach, and gave another example: Power's Landing is appropriate to back in a trailer and launch a motor boat from, while Burton Baker beach is a smaller, narrow landing that should be limited to non-motorized boat launchings. This area supports a balance of swimming, boating, windsurfing and shellfishing user groups. She considers it a case-by-case call rather than zoning, which should be decided by the Town rather than battling user groups. Suzanne did not feel that signs alone are effective. She has received pictures from the Non-Residents group from provincial parks in Canada where a laminated kiosk map is employed to convey public access information.

Doug asked her to comment to any motor boat vs. kayak conflicts. Suzanne responded that it is more a potential than a conflict, especially as kayakers cross the Army Corp. of Engineering navigation channel toward Great Island without knowing the rights of way. She commented to giving information in the affirmative, "If you want to go, you can go there..." Doug asked whether she would recommend the development of any new harbor beaches? She responded that she would not, that definition and preservation of what the Town already has is the priority. She noted the difficulties at Indian Neck: boaters frequently cross into the marked, protected swimming area, creating a risk, and that boats pick up

or discharge passengers at the breakwater. The area is also used on the low tide for shellfishing, so it is a very active area. Bill commented that it would be difficult to boat there during the low tide as it is very rocky; Suzanne responded that those who do either know the area very well and can navigate among the rocks, or they have no clue about them. Her concern for the overlap between boaters and swimmers, especially children, is the main safety issue for the Indian Neck area.

Doug asked Suzanne for comments about the use of jet skis. Suzanne said that they are almost gone, as the CCNS has banned them in Park waters and the Town has banned the launching of them from the harbor shores (only permitted from the Marina). Bill asked whether there was any reason for the bans, besides issues of noise and the dangers of speed. Suzanne reported having served on the CCNS Advisory Subcommittee to investigate Personal Watercraft, and heard presentations on the pros and cons. With no firm data, it was felt that the activity adversely impacted the benthic environment. The engines are inefficient and throw off 25% unburnt fuel. The Park did not feel that the craft met the original intent of "preserving recreational activities". Doug asked if Eastham had taken the same position as Wellfleet? Suzanne noted that the town had remained silent. She noted that bans only effect public property and could not limit launching PWC from private shores.

John noted the way certain activities led to segregation. Lezli likened it to birds' partitioning a resource, as areas used by swimmers during high tide became useful for shellfishing during the low tide, etc. Suzanne gave further example of how combustion engines are not permitted on the freshwater ponds in Wellfleet but there is that boating opportunity in the Harbor. Glenn noted that one can't wind surf in the inner harbor, to which Bill noted the difficulty of maneuvering about the aquaculture areas. John commented that summer visitors who kayak are not always aware of that. He summarized that Suzanne had identified two types of safety problems: kayakers crossing the channel and the boater/swimmer contact at Indian Neck.

Suzanne commented that her biggest area of conflict comes from dogs on the beach. She noted that most people do not enjoy a wet, unfamiliar dog joining their lunch on the beach, etc. She expressed concern for the potential of pathogenic contamination to shellfish resource areas with uncollected dog feces. She noted that the biggest violators are the locals. Dogs are not allowed on the Harbor beaches, but Town beach regulations cannot prevent dogs on privately held harbor shore property. She noted that there have been reports that the risks associated with horse droppings are considerably less than that of dog droppings.

Glenn asked Suzanne how to enforce something against the boaters who pull tubes, usually with their children riding, because they come near swimmers at Jeremy's. Suzanne considered this more of a potential risk than actual risk. Glenn commented that the harbormasters' Department used to patrol, especially on weekends, because some people are not aware how many people use Jeremy's. Suzanne agreed that the harbormasters' building is key to informing people what kind of uses are going on. Lezli asked whether merging extreme sports, such as kite boarding, might require some user protocols - whether there have been any conflicts? Suzanne responded that since they prefer a southwest wind, they are not in the harbor but using the gut or Duck Harbor. The only conflicts have arisen over parking due to complaints by the new owner of the billboard house. After an inspection including the Fire and Police Chiefs, Conservation Agent, DPW Supervisor, etc. parking signage was changed and the property owner will have to reconfigure his driveway out of the road layout.

John asked where there might be any issues of bathers complaining about vehicles. Suzanne noted that occasionally at Power's Landing there is some overlap between shellfishing access and beach bathers but it is infrequent. Doug asked whether all the Town Landings have bathroom facilities. Suzanne answered that only Power's Landing and Burton Baker beach do not have facility; these sites are too small for there to be many cars, and there isn't really room to place a Port-a-potty. Lezli asked what the public's response to portable facilities vs. bath houses was - were people willing to use them? She responded that they are cleaned and pumped daily, keeping the condition acceptable.

John reiterated his concern over the issue of dogs on the beach as a health concern. He stated that without a regulation there would be an impact to water quality. Suzanne confirmed that the dog officer has no authority over animals on private beaches and can only enforce Wellfleet's bylaw on public property. She said she understands the temptation to walk dogs on the inner shore especially during cold weather, but that there is less health risk or impact to shellfish resources associated with taking the dogs to the ocean or bay beaches. Suzanne noted that the bylaw allows dogs before 9 am and after 5 pm on the four ocean beaches and at Duck Harbor. There are poop-scoop bags, purchased by the Beach Department, refilled into

dispensers by the DPW. Suzanne commented that when people clean up after their dogs, they moderate the impact of their violation.

Glenn asked if there have been any known shellfish closures associated with dogs? Suzanne responded that there has not. There have been closures associated with whale carcasses. The three beach closures last summer were in freshwater ponds (Herring, Duck and Long) and viewed as episodic, following heavy rains. The typical range of results from testing bathing beaches at the ponds has been from less than 4 colonies per 100 ml up to 10 c/100 ml of E. Coli. Salt water bathing beaches are tested for Enterococcus. Generally, Wellfleet has excellent water quality. The sampling is done weekly by Holly Dardin from the Barnstable County Health Department, with results copied to the Health Agent and posted near the beaches. Suzanne discussed improving the explanations given with the posting of water quality information. John asked if the data reveals a trend, whether water quality is getting better or worse? She referred posing the question to the County Agent.

Doug asked the Beach Administrator whether she foresaw any enforcement problems associated with opening the Herring River? She thought perhaps parking, but did not think people would want to swim in the area. She noted that it is already used by kayakers to launch, and that she and Lauren McKean of CCNS have watched the use. So far, it is self-managed, and they have agreed to leave it alone. The Town has a landing but the parking is on the Seashore's property.

Suzanne expressed that she would like to see a portion of the renovated beach bath house at Mayo Beach dedicated to storing a surf-chair, a wheelchair which is sand and water accessible. She praised the amenity at Corn Hill in Truro and reported that it gets a lot of use. With either ADA mats or installed boardwalk this could be a nice improvement of the public access available at Mayo Beach. She noted that with Mayo Beach free and available to anyone, the Town would be eligible to apply for a CZM grant for funding the surf-chair. Suzanne observed that the parking lot at Mayo Beach is always full at high tide, indicating that visitors ineligible for a beach sticker enjoy the location.

Doug asked if she had been involved with the 'Cape Cod Water Trail' project sponsored by the Center for Coastal Studies and Goose Hummock to map out kayaking and canoeing trails. She had not been consulted. He thought routes for Blackfish Creek and to Great Island should be included. He asked her about launching at the Lieutenant Island bridge. She responded that it involved crossing Audubon property to do so. Suzanne recalled that a private company providing kayak tours had requested launching from the L-shaped pier, but the BOS declined because the area is already so heavily used. She recalled that they had offered an alternative location; Lezli supplied that she recalled the permission to be launching the tours from the end of Old Pier Road. John noted the conditions necessary for kayaking: a place to park and a route that did not cross boating traffic. He felt these conditions will be limiting.

Doug referenced the 1995 HMP recommendation for increased passive recreational opportunities, and asked Suzanne where there are picnic benches or viewing benches installed and what additional locations might be suited to amenities. She responded that the picnic tables at Mayo Beach were well used until they fell apart, and tables at Long Pond and Gull Pond are also well utilized. She commended the scenic benches installed at Newcomb Hollow and noted that the handicap accessible parking spots there fill with visitors who enjoy using the benches. She noted the expense of purchasing good tables or benches and the maintenance they will require; Doug asked if table installation precipitates the need for a trash can and DPW detail? Suzanne replied that there can not be a picnic table without a refuse can. She said she would like to increase the table offerings with installations such as the Park has at the Great Island parking lot picnic area but noted that the DPW can not currently handle any more trash detail. They are seeking appropriation to purchase a small, efficient trash compactor truck which might make additional refuse can stops feasible. She concluded noting that most people are responsible and willing to use a trash can if it is located reasonably near their use.

John asked whether Hamblin Park was under the jurisdiction of the Beach Department or the DPW. Suzanne replied that it is the DPW's. He asked her if there are any areas of beach under her control in need of maintenance or experiencing degradation? She sited the possibility of Mayo Beach, with the need to replace the picnic tables and possibly install boardwalks, but cautioned that infrastructure installed then becomes a burden to maintain.

Doug asked her if there were any problems relative to dingy storage. She responded that the storage in the rip-rap line at Power's Landing concerns her, and that abutters' have made complaints. She noted that it is difficult to distinguish when a practice steps beyond being unsightly and into needing enforcement action. Bill commented that an advantage of the Power's Landing dingy storage was that, although craft are left right up to and into the dune grass, they may act as a barrier reducing foot traffic into

the resource area. Suzanne commented that the solution may cause more complaint than the problem, as has been the case with the boat racks at Gull Pond, installed to tidy up another "unsightly" craft storage problem; there have been many complaints as the racks have interfered with handicap parking and are unsteady and unsightly. She suggested that maybe dingy storage be placed under the Harbormasters' control, but thought the department may have enough workload without the enforcement of another use. Bill noted that "unsightly" was an opinion and likely to vary among individuals.

Suzanne commented that she expected there to go progress once the Horsely and Whitton inventory becomes available. Pix Peterson will then organize a meeting to review the results, allow interests and groups to ask questions and the consultants to provide answers. Lezli asked the Beach Administrator to review page 87 of the 95 HMP and submit any corrections, changes or new data for the amenities chart and the same information to add Duck Harbor bat beach into the listing. Suzanne agreed, noting the degree to which the bay beach is used recreationally. She felt that measures should be taken to insure that the Town doesn't lose the sensitive landing and public access there. She reported that Peter Hall is concerned that the next overwash storm event may be catastrophic to Duck Harbor, and the CCNS use of the Town landing to drive to plover nesting sites was discussed.

Doug asked what became of the Town owned beach at the Gut? Suzanne responded that there used to be a parking lot and stairs for access (and that a notorious Wellfleetian had once lived a winter there). Doug asked whether there was any impetus, as in Provincetown, to create a 'Clothing Optional' beach. Suzanne reported no official action but several "under the radar" locations with a don't ask/don't tell disposition were noted as meeting that need.

Glenn asked the Administrator how to permit a request to operate a business launching day trippers out to Jeremy's or on other excursions. With destinations in the Park, Suzanne felt that their permission would need to be procured, while launching from the Town Marina or landings involved permission from the BOS.

Doug asked whether any Town owned parcels on Lieutenant's Island were conducive to siting a new beach. Given the small size of the lots and the precarious, steep slope from them to access the water, she considered the parcels a "horror to develop" but would not recommend giving up the properties. Permitting for stairs and other access structures on coastal dunes were discussed, noting the performance standard of utilizing degraded areas already existing as a footpath. Glenn noted that winter damage makes installing such accesses tricky and Suzanne concurred, giving example to the "disposable" stairs at Marconi.

Bill asked whether the summer traffic situation would lead to a summer shuttle as a solution. Suzanne responded that while the Town owns land off Ocean View Drive conducive to a shuttle loop to serve the ocean beaches, most of the parcel is a 'Wellhead Protection' district. The major difficulty with shuttling would be identifying a place for cars of riders to park; the Marina parking lot has been suggested but it is all ready well used. She further stated that she would be against any shuttle route discharging riders at the freshwater ponds. The board thanked Suzanne Thomas for her time and her comments.

Lezli asked how the Website posting of draft updated chapters for feedback would working, expressing concern that any response need to have its author identified along with some basic demographics, such as whether the respondent lives in Wellfleet year-round, owns property and seasonally occupies, or just visits, etc. John commented that those would be policy matters. Bill responded to his experience with a school Website which allows students to post comments as long as they sign and own their input, to prevent abusive or inflammatory remarks.

Open Space Committee, John Portnoy, re: Proposal to subdivide the 'Sandpit'.

Doug welcomed John to the table to speak on behalf of the Open Space representative, Jan Plaue, who appeared to be running late with another meeting. John noted the initiative came about in response to concern for the wetland portion of the 12+ acres of Town-owned land since the area became eligible for commercial use under the C2 Zoning District amendment (ATM 1999 Article 23 approved by 2/3 majority vote; article recommended unanimously by the Planning Board and Board of Selectmen). He noted how the wetlands could be abused if a project were allowed under this use, and that the Town's "misguided" activities had degraded the site. As examples of abuse he noted excavation for landfill cover, soil removal, and aquaculture gear storage. John summarized the proposal as a plan to protect the sensitive wetlands by separating and clearly delineating the resources. Lezli asked why this could not be achieved by just

flagging or fencing the resources, why protection could not be achieved without a subdivision and the legal instrument of a 'Conservation Restriction'? John responded that he did not know, just that this was the course the Open Space committee had recommended. She asked why the concerns about the resource areas were not introduced during the Public Hearing process which led to the adoption of the C2 District? He did not know, and asked when the zoning change had occurred. Lezli responded, noting that the Planning Board forwarded the district amendment due to documented community need to site some commercial and light industrial uses, that the proposal had properly gone through public hearings and was accepted by Town Meeting. Doug asked why not just transfer control of the subdivided wetland lot to the care and keeping of the Conservation Commission, why did protection require a CR as well? John Riehl responded that the CR was a long-term protection which would be difficult to overturn.

John Portnoy commented that the zoning of the area for commercial uses seemed inappropriate to the Open Space Committee because of the wetlands. Doug asked if there were wetlands in any of the other Commercial Districts in Town. Looking at the map, Lezli responded that there is not a district of any zoning classification in Town that does not contain some wetland features. John Portnoy commented that the idea of the committee is to raise public consciousness.

Doug asked whether the objective might be met if the DPW installed a fence to delineate the resource areas. John reaffirmed that the committee wants the subdivided parcel taken into the Conservation Trust's authority. John Riehl noted that the proposal raised the board's concern relative to the cost of the subdivision activity and the intention of Town Meeting in creating the C2 District. He noted that the cost aspect has been settled, as the Wellfleet Conservation Trust paid for the survey work to identify the proposed lot lines when town funding was not available, and that with respect to Town Meeting the transfer of control will go before Annual Town Meeting for acceptance. He asked what the surveying cost was. John Portnoy responded that it was about \$ 3500. Doug asked whether that same expenditure could produce a fence. John Portnoy responded that they don't wish to keep people from getting in, as with a fence - that perhaps a berm might be considered. Lezli remarked that it is common for the ZBA to condition a project permitting a commercial use to require adequate fencing or vegetated berms to visually separate commercial activities from other uses.

John reported that he and the Ass't Conservation Agent, Erik Mitchell, walked the wetland and flagged the buffer zone. Their ideal would have been 50' from the resources but where the road encroached closer, they used the road as delineation. He commented that there have been junked vehicles left there by the Town, life-guard chairs and fishing gear. Doug asked whether use as a brush dump in the event of a hurricane would still be permitted. John Portnoy commented that it is hard to distinguish the original distribution of wetland resource area as there has been extensive alteration of the land contours. John Riehl advanced that the more layers of legal protection, the better. Jan Plaue arrived and joined the discussion.

Lezli asked her the same question regarding why the open Space did not make its objections known during the Public Hearing process prior to the adoption of the C2 District. She did not know, or know when that occurred, or did not know then that there were wetlands in the proposed district. Doug asked her why the Open Space Committee did not satisfy with a transfer to the Conservation Trust - why a CR? She said that while it was not really needed it was the "deal they struck" in justifying the appropriation from the WCT to pay for the surveying. She reported that they were able to "negotiate" the surveying fees down to about \$ 2500 through the Trust when the Town Administrator did not find the funds to pay their expenses. She advanced that they have "wanted to protect this for a long time ... (calling it) "Nancy's pond" for Nancy Durkee who fretted over the trash impact" to the wetland and vernal pool. Lezli asked whether it was a certified vernal pool; she responded that it was not.

Jan referred to the memo Lezli had supplied to the NRAB at its last meeting and copied to the Planning Board, saying that they were quite concerned about the points raised and wished now to get the NRAB's endorsement to present to the Planning Board's next meeting. She noted the deadlines to comment through the vetting system missed but felt an affirmative recommendation would still be welcomed. She asked the board how it viewed the proposal after discussing the concerns. Lezli still did not favor the subdivision as necessary but offered that the rest of the board appeared supportive. She asked whether the subdivision lot lines would impugn the upland lot from usability by restricting the frontage or access. Jan did not know but offered a view of the proposal imposed on an aerial photograph (no survey identification).

Jan commented that the C2 District makes the area more vulnerable if a use is permitted, that the Town might rent it as storage and allow the dumping into the wetland. Doug commented that any lease from the Town could stipulate conditions. Jan responded that ideally, the Open Space Committee would have liked to place the whole 12 acre parcel under Conservation Restriction rather than see a C2 use

possible there, or an Affordable Housing project, but that they are just trying to parcel off the wet areas with the least impact to the Town using the rest of it. She felt that the past use of the area has been careless and that since the Open Space made issue of it, the DPW has been in touch with the Conservation Commission to rectify its past actions (under a former Supervisor). She described this effort as a positive step to renew the area, and John Riehl agreed with the proposal as "forward thinking".

Doug asked who would be paying for a barrier after the subdivision - whether this piece of the project would be at the taxpayers' expense. Jan said it would in that it would come from the DPW budget and require staff time. Doug asked whether the Conservation Commission has a management plan for the parcels already under its care and control. Jan thought they are working on it. She commented that the subdivision and CR are really necessary because if one digs down water is encountered. Lezli noted that water is encountered digging just about anywhere on the Cape. John Portnoy elaborated that the Sandpit is in the Floodplain. Jan said there will be no access to the Town properties from High Toss Road.

John Riehl contended that with someone else paying the project expenses and the disposition going to Town Meeting, the NRAB's concerns have been met: he moved to support the Open Space committee proposal to subdivide the lot and place the four acres of wetlands under Conservation Restriction, in the care and keeping of the conservation Commission. Glenn seconded the motion. Discussion included that the original 81 public landings researched by Durand Echevierra in the 1005 HMP have eroded down to about half that many due to encroachments, and Jan forwarded that this action prevents such public loss of resource. Doug thought he might prefer to see this same money spent to restore those harbor shore public accesses. Bill asked whether the action would prevent hikers from enjoying access to the location, to which Jan responded that the parcel will still be owned by the Town and allow for passive recreation. The vote was called; the motion was accepted 4 - 1 (Rowell against).

The board unanimously agreed to adjourn at 9:00 pm.

Respectfully submitted,

Lezli Rowell