

BARNSTABLE COUNTY ASSEMBLY OF DELEGATES
Report and Minutes of the Standing Committee on Natural Resources
Proposed Ordinance 15-04
June 17, 2015

Dear Mr. Speaker and Assembly Delegates:

Proposed Ordinance 15-04 was submitted to the Assembly of Delegates by the Board of Regional Commissioners at the Assembly of Delegates regular meeting on June 3, 2015. The Standing Committee on Natural Resources met on Wednesday, June 17, 2015 at 2:30 p.m. to conduct a public hearing on the proposed ordinance and take comments. The public hearing was duly advertised in the Cape Cod Times on June 10, 2015.

The purpose of the proposed ordinance was to authorize the County Commissioners to execute a Purchase and Sales Agreement for the ARC Property, to purchase a Conservation Restriction, for the purpose of acquiring a Conservation Restriction with the Dennis Conservation Trust, the Town of Yarmouth and the Town of Dennis in land located in the Town of Dennis, having an address at 99 Chapin Beach Road, Dennis, MA, 02638, consisting of approximately 39.7 acres, and further to authorize the County Commissioners to execute any and all documents to effectuate what is authorized under this Ordinance and further to authorize the County Treasurer, with the approval of the County Commissioners, to borrow, from time to time, on the credit of the County, such sums as may be necessary and to issues bonds and notes of the County therefore, for the purposes of this Ordinance.

Committee members present: Chairman Ned Hitchcock, Edward Lewis, Edward McManus, and Linda Zuern.

Edward McManus motioned, and was seconded, to waive the reading of the public hearing notice and Proposed Ordinance 15-04.
Motion passed 4-0-0.

Chairman Ned Hitchcock opened the committee meeting and public hearing.

Cooperative Extension Director Bill Clark and the Director of the Dennis Conservation Land Trust Catherine Garofoli met with the committee to answer questions related to the proposed ordinance and its related attachments and documents.

All supporting agencies have signed off on the project and approval by the County will be the last step for the project. The County is buying a conservation restriction. Other participants include the Towns of Dennis and Yarmouth and the Dennis Conservation Land Trust.

If the proposed ordinance is approved it will be scheduled for a closing on June 25, 2015. The state would like this closing to take place during fiscal year 2015.

A concern was raised regarding funds coming from the Town of Dennis for this project. There was no indication that any "borrowing cost" was being assessed to the County for this short-term financial transaction. The County will be reimbursing the Town of Dennis in July once the next fiscal year begins. Funds for this project were appropriated by the County for fiscal year 2016.

It was emphasized that there would be no options for residential development or turbines on this property. Attorney Robert Troy indicated that it would take legislative action by a super majority to change the terms of the conservation restriction and would be very difficult to obtain. The restrictions currently specified would be permanent.

There were no additional comments and the public hearing was closed.

Edward McManus motioned, and was seconded, to forward Proposed Ordinance 15-04 to the full Assembly.

Motion passed 3-1-0. Linda Zuern voted “no”.

The meeting was adjourned at 3:00 p.m.

Respectfully submitted:

Ned Hitchcock, Chairman

Edward Lewis

Edward McManus

Linda Zuern