



**Minutes
Cape Cod Commission (CCC)
Barnstable County Complex- East Wing Conference Room
3195 Main Street, Barnstable, MA 02630
April 16, 2020**

ROLL CALL

The Chair, Harold Mitchell, called the Virtual Cape Cod Commission meeting to order on Thursday, April 16 2020, at 3:03 p.m. using zoom and asked that all members turn the video on if available. The chair announced that all votes will be taken by roll call. The Clerk called the roll and a quorum of members was established as follows:

Town	Member	Attendance
Barnstable	Fred Chirigotis	Present
Bourne	Stephen Mealy	Present
Brewster	Elizabeth Taylor	Present
Chatham	Tom Wilson	Present
Dennis	Richard Roy	Present
Eastham	Joy Brookshire	Present
Falmouth	Charles McCaffrey	Present
Harwich	Jacqueline Etsten	Present (arrived @ 3:05)
Mashpee	Ernest Virgilio	Present (arrived @ 3:10)
Orleans	Len Short	Absent
Provincetown	Cheryl Andrews	Present
Sandwich	Harold Mitchell	Present
Truro	Kevin Grunwald	Present
Wellfleet	Richard Elkin	Present
Yarmouth	John McCormack, Jr.	Present
County Commissioner	Ronald Bergstrom	Absent
Minority Representative	John Harris	Present
Native American Rep.	David Weeden	Present
Governor's Appointee	Michael Maxim	Present

Summary of Actions Taken/Votes at Meeting:

- **Approval of Minutes:** The minutes of the March 5, 2020 meeting were approved.
- **Chequesett Yacht and Country Club – Wellfleet Conservation Trust Land Division Exemption:** The project was approved

Minutes of the March 5, 2020 meeting

Upon a motion to approve the minutes of the March 5, 2020 meeting by Elizabeth Taylor, seconded by Joy Brookshire, the motioned passed. Roll was called accordingly: Fred Chirigotis, Yes; Stephen Mealy, Yes; Elizabeth Taylor, Yes; Tom Wilson, Yes; Richard Roy, Yes; Joy Brookshire, Yes; Charles McCaffrey, Yes; Jacqueline Etsten, Yes; Cheryl Andrews, Yes; Harold Mitchell, Yes; Kevin Grunwald, Abstain; Richard Elkin, Yes; Jack McCormack, Jr., Yes; John Harris, Abstain; David Weeden, Yes;



Executive Directors Report – Kristy Senatori

- Staff started working remotely on 3/16/20 due to Gov. Baker’s stay at home advisory because of the Covid-19 Pandemic
- Ms. Senatori is participating in weekly (2x) Covid-19 department managers conference calls, as well as weekly Barnstable County Regional Emergency Planning Committee conference calls
- In partnership with Cape Cod Healthcare and the Barnstable County Department of Health and Environment, Commission staff developed a new online COVID-19 community alert heat map system showing numbers of confirmed cases of COVID-19 within Barnstable County
- Board of Selectmen Tours are on hold until further notice
- Metropolitan Planning Organization was the first board or committee to meet virtually, on 3/23/20 and the meeting went well
- Greenhouse Gas Emissions Review Committee met to review methodology on 4/2/20
- Held Barnstable County Economic Development Committee held a Virtual meeting on 4/9/20
- Continuing to support the Subcommittee of the Water Protection fund as they develop draft regulations, they met virtually on 4/14/20
- Notified by the Department of Commerce earlier this week that we have been awarded \$1 million from EDA to support resiliency planning efforts in the region
- Attended a virtual Assembly of Delegates meeting on 4/15/20 to discuss the FY21 budget and to deliver the proposed ordinance to amend Chapter A, Enabling Regulations. The Assembly of Delegates will schedule a hearing to consider the ordinance.

Staff Updates: Dave Sullivan’s last day Friday, 4/17/20, Ms. Senatori thanked him for his efforts and service to the Cape Cod Commission. We hired a Community Design Planner whose start date has been delayed due to the current health emergency.

The Chair thanked Ms. Senatori for her updates.

The Chair read the following hearing notice:

Continued Public Hearing: The Commission will consider and decide whether to approve the (DRI) Exemption request and adopt a draft written DRI Exemption decision for the Project, pursuant to Section 12(k) of the Cape Cod Commission Act, as amended:

- Project:** CYCC/WCT Land Division (Commission File No. 20046)
- Project Applicants:** Chequessett Yacht and Country Club Trust & Wellfleet Conservation Trust
- Project Location:** 680 Chequessett Neck, Wellfleet, MA 02667 (Assessors Map 19 Parcel 81)
- Project Description:** Proposed land division of a portion of the Chequessett Yacht and Country Club property for the primary purpose of conveying land to the Wellfleet Conservation Trust

The Chair asked for the applicant’s presentation by Eliza Cox.

Ms. Cox stated that she is representing the applicant , Chequessett Yacht and Country Club Trust and stated that Barbara Boone, General Manager at the Yacht Club and Dennis O’Connell, President of the Wellfleet Conservation Trust are present. Ms. Cox displayed the Arial view of the location



being discussed. She stated that the Chequessett Yacht and Country Club owns about 105 acres displayed in the Aerial, this land also abuts the Herring River. The club is an asset in the Town of Wellfleet offering recreation and educational opportunities. She stated that this petition is seeking a proposed division of the Chequessett Yacht and Country Club Trust property. The property consists of multiple parcels of land and the portion of the property being impacted by the division is shown in lot 57 in the land court plan on assessor's map 19 parcel 81. It contains about 70 acres of the approximately 105 acres owned by the trust as shown on the graphic, the trust is proposing to divide this parcel to create 3 lots as shown on the division plan. These lots consist of lots 85 which will continue to be used by the club. Lot 83 is proposed to be conveyed to the Wellfleet Conservation Trust and Lot 84 is proposed to be conveyed and then a conservation restriction. Chequessett Yacht and Country Club Trust has entered into a purchase and sale agreement with a third party, whereby that party will purchase lots 83 and 84. Following that conveyance lot 83 will be gifted to the Wellfleet Conservation Trust which will hold the land for open space and conservation purposes. Lot 84 will be retained by the third buyer to provide a buffer between her existing home and the abutting land and a conservation restriction is proposed on lot 84, which will be held by the Wellfleet Conservation Trust. We concur with the draft decision prepared by the Cape Cod Commission staff that this land division does not have any significant regional impact, making it eligible for a 12k exemption. Ms. Cox thanked the Commission staff for their assistance in preparing for the virtual meeting and introduced Mr. Dennis O'Connell, President of the Wellfleet Conservation Trust.

Mr. O'Connell stated that the Wellfleet Conservation Trust is excited about this project and thankful for Chequessett Yacht and Country Club. The Wellfleet Conservation Trust is a standard local land trust. We are 501c3, maintain all our good standings and have over 100 parcels of land totaling approximately 380 acres. This project is beautiful wetland and will preserved as is. With regard to the conservation restriction (CR) we have an understanding with the owner, and we will place a CR on that lot.

Jon Idman stated that the reason this project is before the commission is that the land and the aggregate is contiguous and over 30 acres and there is a proposed division or subdivision of the land which is a categorical DRI threshold. Within the Cape Cod Commission ACT, there is an opportunity for an applicant subject to DRI review to apply for a DRI Exemption. The standard for granting a DRI Exemption is given the nature of the location, those characteristics prevent that proposed development from having substantial impacts on the interests sited in section 1 of the ACT outside the town of the proposed development. After reviewing, staff felt that the circumstances involved in the case presented a relatively typical fact pattern like prior cases where the Commission had granted DRI Exemption and that the proposed development of land division without construction met the criteria. Other considerations include: The important natural resources, community character and regional resources associated with this land. The draft decision which has been distributed contains all the findings to grant a DRI Exemption as well as conditions.

The Chair thanked the presenters and asked members if they had any questions.

Elizabeth Taylor thanked everyone for their presentations and she wholeheartedly supports the application and is always thrilled to see land put into protection as open space especially because this land abuts the Herring River.



David Weeden commented that with the subdivision there were 3 parcels of land, once of which was going to a group that was not a conversation trust.

Mr. Idman stated concurred. There is approximately a 1 – 1 ½ acre parcel that will remain with a third party that will append to her existing land. That land will ultimately have a conservation restriction.

The Chair opened to public comment and gave instruction on how to participate.

There were no comments from State or Public Officials.

There were no comments from the public.

Upon a motion to adopt the draft written decision of the DRI Exemption request by Chequessett Yacht and Country Club Trust and the Wellfleet Conservation Trust by Richard Elkin, seconded by Elizabeth Taylor. The roll was called, and the vote was passed unanimously.

Public Comment:

The Chairman offered an opportunity for public comment on matters not otherwise on the agenda.

There was no public comment.

NEW Business: Topics not reasonably anticipated by the Chair more than 48 hours before the meeting.

There was no new business raised.

ADJOURN

Upon a motion to adjourn the meeting at 3:35 pm by Jack McCormack, seconded by Elizabeth the roll was called and the vote was passed unanimously.

List of Documents Used/Presented/Submitted at the March 5, 2020 Cape Cod Commission Meeting

- April 16, 2020 Cape Cod Commission Meeting Agenda
- Draft Minutes, March 5, 2020 Cape Cod Commission Meeting
- Draft DRI Decision, Chequessett Yacht and County Club – Wellfleet Conservation Trust Land Division Exemption
- Chequessett Aerial View
- Chequessett Land Court Plans

Elizabeth Taylor, Secretary

Date