***CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION*** ***THREE HUNDRED AND FOURTH MEETING***

HELD AT CAPE COD NATIONAL SEASHORE, Marconi Station

Area, Park Headquarters, South Wellfleet, Massachusetts, on Monday, September 19, 2016, commencing at 1:05 p.m.

SITTING:

Richard Delaney, Chairman Larry Spaulding

Don Nuendel Lilli Green Joseph Craig

Sheila Lyons (partial) Mary-Jo Avellar

Mark Robinson Maureen Burgess

Nat Goddard, alternate Kathleen Bacon, alternate

Also present:

George Price, Superintendent

Kathy Tevyaw, Deputy Superintendent Lauren McKean, Park Planner

Sue Moynihan, Chief of Interpretation & Cultural Resources Nita Tallent, Chief of Natural Resources & Science

Bill Burke, Park Historian

Courtney Butler, Centennial Volunteer Ambassador Russell Braun, Truro Building Commissioner

Attorney Donald Nagle, attorney for Adventure Bound Camping Resorts/Horton's Campground

Audience members

**LINDA M. CORCORAN** **CERTIFIED COURT REPORTER**

**P. O. Box 4** **Kingston, Massachusetts 02364**

**(781) 585-8172**

**I N D E X**

Page

Adoption of Agenda . . . . . . . . . . . . . . . . . . 3

Approval of Minutes of Previous Meeting

(June 6, 2016). . . . . . . . . . . . . . . . . . . 3

Reports of Officers. . . . . . . . . . . . . . . . . . 4

Reports of Subcommittees . . . . . . . . . . . . . . . 10

Update of Pilgrim Nuclear Plant Emergency Planning. 10

Nickerson Conservation Fellowship . . . . . . . . . 24

Superintendent's Report. . . . . . . . . . . . . . . . 28

Update on Horton's Campground Private Commercial Properties Related to their CSCs . . . . . . . . 29

Cape Cod Modern Houses and the National Seashore -

Bill Burke, Park Historian . . . . . . . . . . . 70

Shorebird Management Plan/Environmental Assessment Update . . . . . . . . . . . . . . . . . . . . . 82

Seashore Projects . . . . . . . . . . . . . . . . . 82

National Park Service Centennial . . . . . . . . . 82

Nauset Light Beach Update . . . . . . . . . . . . . 83

Highlands Center Update . . . . . . . . . . . . . . 85

Herring River Wetland Restoration . . . . . . . . . 89

Old Business . . . . . . . . . . . . . . . . . . . . . 92

Live Lightly Campaign Progress Report . . . . . . . 92

New Business . . . . . . . . . . . . . . . . . . . . . 97

Date and Agenda for Next Meeting 100

Public Comment 106

Adjournment 119

[Reporter's Certificate 120](#_TOC_250000)

# P R O C E E D I N G S

1. MR. DELANEY: Good afternoon, everyone. What day
2. is it? We wanted the rain but not all at once.
3. Here we are. And I'm very honored to call to order
4. the 304th meeting of the Cape Cod National Seashore
5. Advisory Commission.

# ADOPTION OF AGENDA

1. MR. DELANEY: You have an agenda sent out in
2. advance. Unless there's a proposed change to the
3. agenda, I'll entertain a motion to adopt it as printed.
4. MS. AVELLAR: So moved.
5. MR. NUENDEL: Second.
6. MS. GREEN: Second.
7. MR. DELANEY: All those in favor?
8. BOARD MEMBERS: Aye.

# APPROVAL OF MINUTES OF PREVIOUS MEETING (JUNE 6, 2016)

1. MR. DELANEY: You also have the minutes sent out in
2. advance. And as always, I look to our scribe from --
3. our representative from Eastham to take the first whack
4. at it.
5. MR. NUENDEL: Okay. I'm always impressed when I
6. start reading these things. The number of topics that
7. we talk about is just amazing. We work hard. I'm not
8. bragging, but it's a fact.
	1. I read these, and I read them pretty carefully. I
	2. recommend that we accept the minutes.
	3. MS. BURGESS: Second.
	4. MR. DELANEY: Anyone else with a comment, edit, or
	5. change?
	6. (No response.)
	7. MR. DELANEY: Okay, all those who are in favor of
	8. adopting the minutes as written, signify by saying aye.
	9. BOARD MEMBERS: Aye.
	10. MR. DELANEY: Those opposed?
	11. (No response.)
	12. MR. DELANEY: Motion carries.
	13. Thank you very much to our excellent transcriber.

# REPORTS OF OFFICERS

* 1. MR. DELANEY: Now we'll move to *Reports of*
	2. *Officers*.
	3. And I don't have any particular report other than I
	4. will just say that I had a chance to spend the last --
	5. three days last week in Washington with Secretary of
	6. State John Kerry and about 60 or 70 other ministers of
	7. state or secretaries of state of foreign affairs who
	8. came together to announce commitments to the ocean. And
	9. the total number of square miles that was put into
	10. sanctuary status or some level of protection by those
1. countries was about 1.5 million square miles of ocean
2. protected. President Obama came to make our announced
3. -- the United States commitment, which was to designate
4. some of the canyons and the coral, the seamounts and the
5. canyons off of Stellwagen, off of Georges Bank for about
6. 5,000 square miles.
7. It was kind of fun to see the perspective where
8. back here the newspapers were making this huge deal
9. about 5,000 square miles. Oh, my God. You know, what's
10. going to happen to the fishermen? Meanwhile, other
11. nations around the world were putting aside 1.5 million
12. square miles. So it was kind of exciting. And there's
13. other -- there were about $5 billion worth of other
14. commitments to do management, research, education, and
15. work around marine pollution, including plastics and
16. overfishing and illegal fishing of the high seas.
17. And I bring that all to our attention not only
18. because it's very exciting where we deal with oceans
19. here at the Park, but because of the status of this --
20. our area, which is now the National Marine Monument.
21. The Department of Interior will be very much involved in
22. managing that, so it's maybe like our offshore Cape Cod
23. National Seashore in a way, I guess.
24. Mary-Jo?
25. MS. AVELLAR: I have a question. I went on a whale
26. watch this week, and they kept referring and some of the
27. signs I noticed down at MacMillan Pier kept calling it
28. the Stellwagen Bank National Sanctuary. Isn't it the
29. Gerry E. Studds Stellwagen Bank National Marine
30. Sanctuary?
31. MR. DELANEY: Yeah.
32. MS. AVELLAR: I don't see Gerry Studds' name on a
33. lot of the signage that I saw down on MacMillan Pier,
34. and I'm kind of concerned about that because he deserves
35. to have his name everywhere we can find it.
36. MR. DELANEY: I agree with you, and you're speaking
37. to the right person. I chaired that advisory committee
38. as well, and we meet just next week, and I'll raise that
39. issue with the staff.
40. MS. AVELLAR: Yeah, the Dolphin Fleet told me that
41. it's in the brochures or something that they hand out,
42. but I didn't get a brochure.
43. MR. DELANEY: His name is being lost, and his
44. contribution should continue to be recognized.
45. MS. AVELLAR: Exactly. That's what I was concerned
46. about.
47. MR. DELANEY: Good, all right.
48. Yes, Maureen?
49. MS. BURGESS: Mr. Chairman, I have a question about
50. the designation of that monument.
51. So a president can designate a monument. Can a
52. succeeding president remove a monument?
53. MR. PRICE: I think that's an interesting question.
54. I'm, frankly, not sure if they can remove a monument,
55. but in the past the contention has been between the
56. President naming a monument and the Congress funding it.
57. That's usually where the rub is, but presidents have
58. been naming monuments for a long time. That was Teddy
59. Roosevelt's big claim to fame. He named some of the
60. monuments national monuments. President Bush named the
61. (inaudible), a marine monument off of Hawaii, before he
62. departed office. So that's the executive authority over
63. the historic -- I forget which act.
64. MR. DELANEY: Antiquities Act.
65. MR. PRICE: Antiquities Act. You're right, that
66. allows that to happen.
67. So I'm not sure if it's as politic as just the next
68. president can deauthorize it or not.
69. MR. DELANEY: I don't believe so. Executive orders
70. can be undone pretty easily by the succeeding executor.
71. MR. PRICE: Yeah.
72. MR. DELANEY: This is an act under -- authorized by
	1. law. So it would be harder.
	2. MR. PRICE: There have been National Park
	3. designated sites deactivated or deauthorized, but it's a
	4. big process. I'm thinking of Michigan, Mackinac, for
	5. instance, but it's a big process.
	6. And, Mary-Jo, just so that you know, a lot of areas
	7. end up having other names attached to them. So the
	8. Blackstone Valley now has Chaffee's name and Marsh-
	9. Billings is now Marsh-Billings-Rockefeller. And a lot
	10. of times it's an acquaintance-type thing with the name
	11. as far as what the original name is. (Inaudible) the
	12. addition institutionalized is what we're seeing right
	13. now.
	14. MR. DELANEY: And just before I go on to the
	15. reports from subcommittees, Mary-Jo, coming back to you,
	16. if I may mention one of our heroes in the past who's
	17. been very active with our issues in the Cape Cod
	18. National Seashore, Gerry Studds, but also, as you know
	19. well, we also lost Josephine Del Deo, who was equally
	20. important in our lives. You've known her a long time.
	21. Would you want to offer a couple of thoughts or comments
	22. about Josephine?
	23. MS. AVELLAR: I've known Josephine since I was
	24. about six years old when Ciro & Sal's was starting a
73. restaurant because I lived right across the street.
74. It's now called Poor Richard's Landing, but in those
75. days it was Avellar's Wharf. And our bedrooms -- my
76. bedroom was right on the street. And I don't think the
77. place was licensed then. I mentioned it in the -- I
78. gave the eulogy actually at the service. And it was
79. kind of a loud -- it was a late-night kind of place,
80. which drove my father crazy because he was a light
81. sleeper. But I just remember Josephine, of course, as
82. being one of the preeminent people in Provincetown to
83. push for the creation of the Park. And I was -- I guess
84. it was 1960, so when was it? 1960.
85. MR. PRICE: '61.
86. MS. AVELLAR: So I was like still in high school.
87. I don't remember a lot. My parents I'm quite sure were
88. very involved because my mother and Josephine were very
89. close.
90. What I always liked about Jo was that not only was
91. she instrumental in the creation of the Seashore, but
92. she wasn't afraid to take the Seashore on when they
93. tried to get rid of the dune shacks. And we have her to
94. thank that we still have those dune shacks. So her
95. contribution to not only Provincetown and the historic
96. district and that sort of thing, but her impact is
97. nationwide really. And she never stopped pushing for
98. what she felt was in the best interest of not only
99. Provincetown but the Park as well.
100. Hers is a voice that I'm going to be missing for
101. many, many years to come.
102. MR. DELANEY: Thank you. We all agree. That was a
103. special person.
104. Maureen?
105. MS. BURGESS: If I could, I just wanted also -- I
106. attended the service, and I just wanted to say that our
107. superintendent made some very nice remarks at her
108. service, at her burial also and gave her a lot of
109. credit, and I think his remarks were very much
110. appreciated by the family.
111. MR. DELANEY: Thank you, George.
112. Okay, so moving on to *Reports of Subcommittees.*

# REPORTS OF SUBCOMMITTEES

1. MR. DELANEY: And the first one will be an update
2. of our Pilgrim Nuclear Plant Emergency Planning
3. Subcommittee.
4. Maureen, please.
5. UPDATE OF PILGRIM NUCLEAR PLANT
6. EMERGENCY PLANNING SUBCOMMITTEE
7. MS. BURGESS: Thank you, Mr. Chairman. So I will
	1. give the commissioners an update. Largely this
	2. information I've garnered from newspaper sources, and if
	3. I could ask the reporter to begin with the fact that
	4. Burgess sighed.
	5. (Laughter.)
	6. MS. BURGESS: So one good bit of news. At the end
	7. of the legislative session in late July, House and
	8. Senate negotiators approved a state energy bill that
	9. establishes a panel which will be involved in the
	10. decommissioning of the Pilgrim Nuclear Power Station,
	11. which, as you know, is now planned to be shut down in
	12. 2019. So while the overall reaction to the
	13. establishment of the panel to deal with Entergy
	14. Corporation, Pilgrim's owner, was positive, not everyone
	15. was satisfied with the list of members who may be on the
	16. panel; that is, the decommissioning panel, the oversight
	17. panel. And the bill now awaits Governor Charlie Baker's
	18. signature.
	19. Our representative, Sarah Peake, was very
	20. instrumental in keeping the proposal alive in the House

|  |  |  |
| --- | --- | --- |
| 21 | while in | the Senate her counterparts, Dan Wolf and Vinny |
| 22 | deMacedo | -- |
| 23 | MR. | DELANEY: deMacedo. |
| 24 | MS. | BURGESS: -- deMacedo of Plymouth kept it alive |

1. in the Senate.
2. Peake thought it was a big win for the people of
3. Massachusetts because the committee, to quote her, will
4. make sure that public safety concerns are addressed and
5. financial concerns are addressed. And issues like air
6. monitoring and emergency planning will also be addressed
7. by the committee. And you may remember the various
8. bills that Representative Peake had put forward in the
9. House, which we always supported with letters from the
10. Commission, and it sounds like those issues have been
11. incorporated into what the panel will be addressing.
12. So in terms of the composition of the council, the
13. council will include members from state and local
14. government, science and health experts, appointed
15. citizens, Entergy representative, and a present or
16. former employee of the Pilgrim plant. The committee's
17. composition in the original version of the bill also
18. included citizen members who live within the 10-mile
19. emergency planning zone around the plant as well as
20. representation from Barnstable County. However, those
21. members were not included in the final version which was
22. approved by the House and the Senate. And Senator Wolf
23. was quite disappointed because, to quote him, "It gives
24. Cape Cod less of a voice and the corporation more of a
25. voice. It also gives less of a voice to the citizens of
26. the Commonwealth because the Attorney General is not on
27. it." And he was very perplexed to see why the
28. composition was changed because he felt so much thought
29. had gone on to it.
30. As you know, Vermont Yankee, which has been shut
31. down through the efforts of citizens and also their
32. governor, has been placed in SAFSTOR, which is the
33. federally approved option that they do have to mothball
34. it for up to 60 years, and that's what we're hoping
35. would not happen with Pilgrim because we want to see a
36. funding and make sure that the money exists to
37. decommission properly and so that it does not fall on
38. the citizens, taxpayers.
39. So we had a number of violations, unfortunately.
40. That's why I mentioned sighing. Once again, in August
41. 16, *Cape Cod Times* reported that a stretch of hot
42. weather has, again, affected operations at Pilgrim
43. Nuclear Power Station, making this the third summer out
44. of the last four that the plant has been forced by
45. excessive water temperatures in the bay to power down.
46. The temperatures of the Cape Cod Bay seawater are used
47. to cool the reactor and the turbines, and they were
48. exceeding the maximum allowable federal standards.
	1. As you know, Pilgrim draws over 500 million gallons
	2. of water into the bay every day killing multiple fish
	3. and sea life and shellfish. And though the cap is
	4. currently at 75 degrees, but when it goes into the bay,
	5. it comes back 30 degrees higher. And you recall that at
	6. our spring meeting we talked about the outdated EPA
	7. water discharge permit and the EPA after 20 years I
	8. believe of neglect was finally relooking at the permit,
	9. and many of the groups like Cape Cod Baywatch are
	10. concerned that it doesn't go far enough to remediate
	11. this very hot water that's being put back into the bay.
	12. Also in August, Pilgrim was shut down for four days
	13. due to a malfunctioning steam isolation valve which is
	14. designed to prevent radioactivity from leaking into the
	15. environment during a nuclear accident. That same valve
	16. had caused a shutdown in August of 2015. On September
	17. 6, *The Globe* reported that Pilgrim was shut down because
	18. of a mechanical issue, the second issue in recent weeks.
	19. And then on the 13th, *The Globe* reported that Pilgrim
	20. power plant is not aging gracefully and that it's a
	21. reason to worry because, once again, it had shut down.
	22. Operators pulled the switch after detecting unexpected
	23. fluctuations in water levels.
	24. Christine Legere, who's been on this for the *Cape*
		1. *Cod Times* and has done such good coverage, described the
		2. fact that Pilgrim was slowly powering up on that Tuesday
		3. and reached nine percent of its capacity when yet
		4. another mechanical malfunction forced operators to shut
		5. the reactor back down, marking the eighth day the plant
		6. has been offline. Operators shut down the plant, as we
		7. said, on the 6th because of a faulty regulator valve.
		8. Also, a concern was that while the plant was still in
		9. shutdown mode there was a leak of 2,680 cubic feet of
		10. hydrogen gas in the turbine room which then went into
		11. the atmosphere forcing plant operators to file reports
		12. with state and federal regulators. However, the local
		13. fire chief, Ed Bradley, in Plymouth, to quote him, said,
		14. "Entergy Corporation, which owns and operates the
		15. Pilgrim Station Nuclear Power Plant, not only didn't
		16. notify the fire department of a hydrogen release at the
		17. plant as is required to do, but the company then filed a
		18. false report on the matter. Entergy reported to the
		19. Nuclear Regulatory Commission on the 9th of September
		20. --" -- I'll just repeat the quote: "At 17:39 Eastern
		21. Daylight Time on Friday, September 9, 2016, the
		22. Massachusetts Department of Environmental Protection and
		23. the Plymouth, Massachusetts, Fire Department were
		24. notified of a hydrogen release in accordance with plant
49. procedures as outlined in the Code of Massachusetts
50. Regulations," and there's a number for that. But
51. Bradley said this is false. Not only was his department
52. not notified of the event on Friday, September 9, as the
53. report states, he only learned of the incident when a
54. reporter from the *Cape Cod Times* contacted him on
55. Monday, September 12, three days later. Bradley had to
56. actually call Entergy to find out what was going on.
57. Now, many activists are very up in arms about this
58. and consider this a public safety crisis, and there's
59. been a great deal of criticism of Governor Baker for not
60. calling for an immediate shutdown. Recently there was a
61. sit-in at the State House. And you remember Diane Turco
62. from the Cape Downwinders who addressed us at a former
63. meeting. She and two other Cape Downwinders engaged in
64. a sit-in and refused to leave until they could meet with
65. Baker, but they were arrested, and now they have been
66. banned from the State House where they had previously
67. been permitted to lobby with legislators for the closing
68. of this degraded plant.
69. Last Tuesday you may have seen there was a major
70. call in to Governor Baker asking him to act to protect
71. public safety. He has been mostly silent on the issue,
72. finally issued a statement saying that the federal
73. government was handling this through the NRC. I have
74. Governor Baker's number. I can give it to you after the
75. meeting if you'd like to add your concerns as
76. individuals. And next Wednesday, the, as they are
77. called -- the Pilgrim State House 3 will be back in
78. Superior Court to appeal their stay away order.
79. So it wasn't a good summer, and it's just getting
80. worse.
81. MR. DELANEY: No, no. Wow, thank you for the
82. discouraging news. It does continue to get worse. It's
83. just a nonstop series of malfunctions and mismanagement
84. and maybe even misinformation.
85. MS. BURGESS: Yes.
86. MR. DELANEY: How much is it going to take to
87. finally have a major accident happen?
88. MR. NUENDEL: (Inaudible) happening, it might be a
89. bad major.
90. MR. DELANEY: Yeah, it may be that --
91. MR. NUENDEL: Our governor should be on this like
92. white on rice. He really should.
93. MS. AVELLAR: It's almost criminal really and
94. borders on malfeasance in my opinion.
95. MS. BURGESS: So I don't know that there's anything
96. more we can do. We certainly added our letters to
97. proposals. Unless, Mr. Chairman, you have a suggestion.
98. MR. DELANEY: Well, can any members think of some
99. concrete action, as Maureen just said? We've written a
100. number of letters. They've been well received by our
101. colleagues, who noticed, made an impact.
102. MS. AVELLAR: Maybe we have to have our towns, each
103. town write to the Governor. I will be reporting to the
104. board of selectmen, and I'm going to recommend that they
105. write a letter telling them that it's not enough to rely
106. on the Nuclear Regulatory Commission -- because they've
107. been negligent for how long now? -- and that the health
108. and welfare of the citizens of Massachusetts, especially
109. this part of the world, are at stake.
110. MS. BURGESS: That's something that sounds good to
111. do. I can do that with my town.
112. MR. DELANEY: Yeah, let's -- thank you, Mary-Jo.
113. There's been a lot of letter writing, but I realize the
114. towns haven't actually weighed in.
115. MS. BURGESS: No, not much.
116. MR. DELANEY: Lilli?
117. MS. GREEN: Thank you.
118. I agree to do that. And perhaps if we were to
119. write a letter to Governor Baker stating what we just
120. stated and then we could bring that to our towns, it
121. might be helpful.
122. MR. DELANEY: Okay. Larry?
123. MR. SPAULDING: Isn't the last thing that we did is
124. to support Wolf's bill?
125. MS. AVELLAR: Yes.
126. MR. SPAULDING: So we haven't done anything since
127. this fiasco in four or five months.
128. MS. BURGESS: That's correct.
129. MR. SPAULDING: It seems to me it might be
130. appropriate for the Commission to write Governor Baker a
131. letter to revisit the situation because of the more
132. recent problems and for the state to get involved.
133. MR. DELANEY: Okay, now that I think about it.
134. Yeah, Don?
135. MR. NUENDEL: Maybe we should consider reminding
136. the Governor. Remember when we had that doctoral
137. student?
138. MS. BURGESS: Yes.
139. MR. NUENDEL: And he used a different technique.
140. It wasn't disaster. It was more economic disaster. And
141. remind the Governor how much money does the state get
142. from Cape Cod because of Cape Cod's activity and tourism
143. and all that. And remind him that, you know, if they
144. make a mistake and we're the Downwinders and this place
145. becomes uninhabitable for many years, do you want to
146. take that chance?
147. MR. DELANEY: Yeah, yeah. I think -- I like all
148. these comments.
149. MR. SPAULDING: Also, I assume that Governor Baker
150. has never seen that analysis that we had done.
151. MS. BURGESS: We could include the economic impact
152. statement with the letter. We could do a letter.
153. MR. DELANEY: Okay, so could -- Maureen, this goes
154. back to you. Could you take a first cut at this?
155. MS. BURGESS: Sure.
156. MR. DELANEY: Then we'll get a letter that states
157. or reiterates our serious -- our long-term concern,
158. points out that it is -- and I think the theme is an
159. economic disaster as well because that's what might ring
160. with this administration.
161. Don?
162. MR. NUENDEL: I might have something I could e-mail
163. you. Several years ago when this was, you know, up in
164. the news, I wrote a letter to the *Cape Cod Times*, and
165. basically I explained about what the Seashore did with
166. this doctoral student, and I gave the website where you
167. can go and read it. I'll e-mail you that letter. You
168. might be able to use some of that information.
	1. MS. BURGESS: Fine.
	2. MR. NUENDEL: So you don't have to reinvent the
	3. wheel.
	4. MS. BURGESS: Of course, I have the study, and the
	5. study is on the Cape Cod National Seashore website under
	6. the Advisory Commission.
	7. MR. NUENDEL: Yeah, right.
	8. MR. DELANEY: So two actions. You'll draft a
	9. letter, but then we would ask, going back to Mary-Jo's
	10. initial comment, that each of us take it to our home
	11. boards of selectmen and see if they would be willing to
	12. follow suit and voice their individual town objections
	13. or concerns similar to or based on our letter.
	14. Okay, Larry?
	15. MR. SPAULDING: The only issue I have is somehow I
	16. think as a commission, if it's going to be from the
	17. Commission, we've got to see it before it goes out.
	18. MR. DELANEY: Yes, okay, we can do that.
	19. MR. SPAULDING: However you do it, whether you send
	20. it around and we have a certain time to respond or we
	21. take it up at our next meeting.
	22. MS. BURGESS: Sure.
	23. MR. SPAULDING: Not that you won't write a fine
	24. letter because you've been working hard, but I just
169. think if it comes from the Commission, we need to see
170. it.
171. MR. DELANEY: Oh, I think we'd be happy to have --
172. MS. BURGESS: Oh, absolutely.
173. MR. DELANEY: -- everyone react to it. It only
174. would strengthen it with these kinds of ideas.
175. MR. SPAULDING: I just thought we ought to be sure
176. that we do that, not just send the letter.
177. MR. DELANEY: A couple of past letters we expedited
178. just between us because of the timing. At least there's
179. no deadline on this. The sooner the better, but let's
180. -- so we'll draft -- Maureen will draft a letter. We'll
181. circulate it. We'll have the themes and the points that
182. we just articulated. Secondly, we would ask of our
183. committee to go back to our towns and report back at
184. least what we're doing and suggest maybe the town would
185. like to follow suit. And that's it.
186. George?
187. MR. PRICE: I think the towns weighing in is a
188. great idea. Without Sheila here, though, I wonder if
189. the county -- county commissioners have ever done a
190. similar letter.
191. MR. DELANEY: Yeah, well, Sheila's on her way. She
192. sent me a note she got delayed coming out of Boston. So
193. we can make sure -- we can revisit this when she's here.
194. She thought she'd be here by 2 o'clock.
195. MS. GREEN: Rich, I am now a member of the Assembly
196. of Delegates, which is their legislative branch, and I
197. can certainly bring this before the assembly.
198. MR. DELANEY: Thank you. Very good. Very good.
199. MS. AVELLAR: I'll tell you what else really burns
200. me, is people getting arrested for sitting in at the
201. State House. I mean, that's awful.
202. MS. BURGESS: That was a first.
203. MS. AVELLAR: That's awful.
204. MR. DELANEY: We have a big agenda, so we should
205. keep moving, but at this point I will -- I think it
206. would be worth a vote at this point that we authorize
207. our subcommittee chair, Maureen, to draft such a letter
208. and to commit us to taking it back to our towns to see
209. if we can get them to follow suit.
210. MS. GREEN: Second.
211. MR. DELANEY: Second. Any more discussion?
212. (No response.)
213. MR. DELANEY: All those in favor, signify by saying
214. aye.
215. BOARD MEMBERS: Aye.
216. MR. DELANEY: Those opposed?
217. (No response.)
218. MR. DELANEY: It's unanimous. Thank you.
219. MS. BURGESS: Thank you.
220. NICKERSON FELLOWSHIP
221. MR. DELANEY: Okay, moving to your second
222. subcommittee, the Nickerson Fellowship.
223. MS. BURGESS: Yes, I'll try to be brief, Mr.
224. Chairman, but I was going to spend a little more time on
225. it because we've had some developments.
226. So for the new folks, just by way of intro, the
227. Joshua A. Nickerson Conservation Fellowship is offered
228. in partnership by the Cape Cod National Seashore
229. Advisory Commission, the Atlantic Research and Learning
230. Center, the Cape Cod National Seashore, and the Friends
231. of the Cape Cod National Seashore. And it has provided
232. support to qualified individuals in the form of
233. financial fellowships since 1992. At least one
234. fellowship is awarded each year to individuals whose
235. work will contribute to our knowledge of the natural and
236. cultural resources within the Cape Cod National Seashore
237. and at the local communities in which they are found.
238. You may recall that I reported in the spring that
239. the committee, the Nickerson Fellowship -- Nickerson
240. Conservation Fellowship Committee awarded two
241. fellowships, the larger one to Owen Nichols from the
242. Center for Coastal Studies to examine horseshoe crab and
243. larval -- and shellfish larval flux in East Harbor. The
244. smaller award went to Derrick Alcott to continue his
245. studies of predator-prey interactions at manmade
246. obstacles, i.e. culverts, in the Herring River which
247. deplete the number of herring successfully reaching the
248. spawning pond.
249. So this year the committee thought that since Owen
250. was required as part of his fellowship to do a
251. presentation at the August 25 science symposium, that
252. perhaps we should get Owen to speak a little bit about
253. how the fellowship aided his research. And so Owen gave
254. a great presentation, including his descriptions of the
255. difficulties he encountered that he didn't expect in
256. conducting his study, and then he gave a little pitch
257. for the Nickerson Conservation Fellowship, and that was
258. followed by Bruce Hurter from the Friends of the Cape
259. Cod National Seashore doing a brief fundraising pitch
260. and telling the audience that he would have a table set
261. up outside should anyone wish to contribute. So I
262. suggested that Bruce grab a basket and put it on the
263. table, and one woman immediately plunked down $200 into
264. the basket. And on that day during the break in the
265. symposium, he made $300.
266. So in researching the fellowship for the symposium
267. and borrowing the book from Rich, I discovered that it
268. began with Charles Foster, a former Advisory Commission
269. chair, offering the royalties from his 1985 book, which
270. is unfortunately no longer in print, called *The Cape Cod*
271. *National Seashore - A Landmark Alliance*. He wished to
272. honor Joshua A. Nickerson, also a member of the first
273. commission in 1962 representing Barnstable County. Hank
274. Foster, as he preferred to be called, raised funds from
275. his friends to receive a matching grant, which I didn't
276. know, from the Kelley Foundation, which I then found out
277. is still in existence. And that gave me the idea that
278. maybe we should be seeking more grants for the Nickerson
279. Committee.
280. So now our fellowship committee has sort of a new
281. spark of enthusiasm. And one of the donors at the
282. science event, the science symposium who donated
283. actually is a science grant writer. So the group plans
284. to meet this fall to pursue some fundraising ideas as
285. well as other means of reaching out to potential
286. fellows. And I just wanted to give a shout-out and
287. thanks to Chris Green and Dr. Sophia Fox for their help
288. with the Nickerson and also for putting together a
289. really boffo science symposium on August 25. It was
290. really good.
291. MR. DELANEY: Good. Thank you very much.
292. MS. BURGESS: Now I'll shut up.
293. MR. DELANEY: Very good.
294. Superintendent?
295. MR. PRICE: Mr. Chair, I'm not sure, Maureen, if
296. you heard, but we also let the Friends know that we are
297. working with Eastern National. We're going to allocate
298. $3,000 from the Eastern National donation account
299. towards the Nickerson donation project.
300. MS. BURGESS: No, no, that's great.
301. MR. DELANEY: Very good.
302. MR. PRICE: We're going to try to get an additional
303. student.
304. MS. BURGESS: Excellent. That's great.
305. MR. DELANEY: So there is some momentum.
306. MS. BURGESS: There's some momentum. Resurrected.
307. MR. DELANEY: Good news.
308. Okay, Mr. Superintendent, you have a long agenda
309. here.
310. MR. PRICE: Yes.
311. MR. DELANEY: And I know you have some
312. presentations, and I'm sure some people from the
313. audience will want to comment at an appropriate time. I
314. will remind everybody that we do have an official public
315. comment period at the end of the meeting where the
316. public can raise any issues, can comment back on things
317. that we've talked about during the course of this
318. agenda, but I'll turn the floor over to you at this
319. point.
320. MR. PRICE: Sure.

# SUPERINTENDENT'S REPORT

1. MR. PRICE: And before I begin, I just wanted to go
2. around and introduce some of the staff that we have
3. here. Many of you are familiar with Lauren McKean and
4. Courtney Butler who help with our Commission meetings.
5. Today we also have special guest Bill Burke, who'll be
6. returning a bit later, and Kathy Tevyaw, our deputy
7. superintendent, but I did want to make special note of
8. the first appearance here. Dr. Nita Tallent is our new
9. chief of natural resources and science, and she's been
10. here a couple of months. She basically came in I think
11. right before or right around our previous spring
12. meeting. So you'll be hearing from her and more from
13. her staff as we move along with different presentations,
14. so I just wanted to acknowledge her and let you know who
15. she was.
	1. UPDATE ON HORTON'S CAMPGROUND
	2. PRIVATE COMMERCIAL PROPERTIES RELATED TO THEIR CSCs
	3. MR. PRICE: The first topic on my report is about
	4. an update on Horton's Campground, and this has to do
	5. with our responsibility of commercial certificates of
	6. suspension from condemnation.
	7. As you recall, in the spring there was a lot of
	8. dialogue and discussion on the landscaping that was
	9. done by the campground. You will recall that we
	10. revisited the fact that over the last several years
	11. the new campground owners came to the Commission and
	12. to the Park with this concept of coming up with a new
	13. septic system that was actually going to join the two
	14. campgrounds that the new owners now had responsibility
	15. for. Philosophically we thought that was a really good
	16. idea, and there was a lot of, I thought, positive
	17. feelings towards that, and including when I was asked by
	18. the town and others did we realize all the work that was
	19. going to happen on the road and that sort of thing, we
	20. thought that there was a lot of good things happening.
	21. Once we actually saw the landscaping start to take place
	22. on the property, from our perspective we assumed that
	23. they were checking with the town and that everybody was
	24. on board, although I did remind you all that previous
16. communication with the owners was once they were
17. actually going to begin the work, but we did want them
18. to close the loop with us so that we were on board with
19. what was happening. That communication hadn't happened,
20. but we still thought that we solved the connection
21. there.
22. As we said at the last meeting, we found that that
23. connection was not forthcoming with the town. So since
24. that time we met with the owner representatives. We've
25. had some dialogue back and forth. We had some requests
26. and specifically talked to them about this meeting and
27. about one more meeting before the calendar year is up.
28. So just to remind you all, basically they are on an
29. extension of their CSC that this body granted a while
30. ago. It ends this calendar year, which kind of brings
31. up the timeline of needing to try and get all on the
32. same page.
33. I received a package and a letter to you all
34. basically in response to the letter that Rich wrote in
35. the spring after our deliberations. That was sent to
36. their attorney. I also then wrote a letter to the
37. attorney trying to place the context of what this plan
38. was about and what he thought was happening. It's my
39. understanding that since my conversation with the
40. attorney and with the town officials, that they had a
41. follow-up conversation on Thursday. I'm not fully up on
42. what that meeting was. I know Lauren participated. We
43. just haven't had a chance to speak. So we specifically
44. invited their attorney, Don Nagle, to address this group
45. today.
46. I think before I make any more comments I would
47. like to introduce you again to Attorney Don Nagle, and
48. if you'd like to address our group, here's the Advisory
49. Commission.
50. MR. NAGLE: Thank you, George.
51. MR. DELANEY: Welcome. You've heard the
52. introductions to these people, so you know that we
53. represent all the various towns and the county and the
54. Governor, and I represent the Secretary of the
55. Department of Interior. So that's some background on
56. us. And we appreciate you coming, and we'd ask you to
57. be succinct and make two or three comments to help us
58. think about this issue a little bit more clearly.
59. MR. NAGLE: Right. Thank you.
60. Good afternoon. Good soggy afternoon,
61. Commissioners. Thank you for allowing me time on the
62. agenda to address you. My name is Donald Nagle, and I
63. represent Adventure Bound Campgrounds, the owner of
64. Horton's Campground. And what I've been asked to do is
65. to give you an update on what activities Horton's has
66. been doing to address compliance with local zoning
67. requirements that were raised by the onset of the
68. installation of components of the wastewater treatment
69. plant that Superintendent Price had alluded to.
70. Just a quick background on that and reminder from
71. previous reports to this -- to this commission that ABC,
72. my client, owns only two campgrounds in Truro, the North
73. Truro Camping Area and Horton's Campground. In
74. accordance with Mass. Department of Environmental
75. Protection requirements, we engaged in discussions with
76. the DEP for installation of a treatment plant that
77. really covers both parks, and we worked with the county
78. to get an easement down Highland Road and South Highland
79. Road for a pipe to connect the two parks. So where the
80. controversy came up was when we began installing
81. components of the treatment plant. Clearly there was a
82. misstep in failing to adequately communicate with the
83. Seashore, with this body, and with the town as to what
84. exactly we were doing to install the plant, what was
85. entailed in doing so, and how we were going to do it,
86. and how it complies or not with local zoning. So
87. certainly -- so what happened as a result of the work
88. that was done that's depicted on the easel over there
89. was a stop work order from the zoning enforcement
90. officer in the Town of Truro, and that enforcement order
91. basically says comply with our local zoning bylaws for
92. this work. We recognize that this is work we need to
93. do, but comply with our local zoning bylaws by
94. submitting a site plan review application and to apply
95. for any necessary special permits that would be required
96. by the planning board as a result of the review of the
97. site plan review application.
98. So there are two major components, as I view it, to
99. the site plan review application. The zoning bylaws are
100. extensive and very detailed as to what's required, but
101. obviously you can see the amount of clearing is
102. extensive. And I'll tell you right now, that was a
103. mistake. We had no -- we didn't realize that that
104. clearing would be so extensive, and we want to address
105. it. So the first big piece to the site plan review
106. application is a restoration plan, a draft of which is
107. right above those pictures. That restoration plan is
108. prepared by Wilkinson Ecological from Orleans down here
109. on the Cape, and we ran that by the town planner. In
110. fact, we've had two what I'd call pre-application
111. meetings with the town planner and other town officials.
112. One was on May 25, and the more recent one was just last
113. Thursday, as Superintendent Price indicated. And those
114. meetings were very helpful, provided some really good
115. input as to making sure that we're on the right track to
116. address this issue.
117. The second meeting last Thursday, we presented two
118. pieces, as I said. One, which we feel is a very
119. important piece obviously given the work that had been
120. done, is a restoration plan to ensure that the area is
121. restored consistent with local vegetation and endangered
122. species that are mapped in this area. And a draft plan
123. was presented to the town planners and others last
124. Thursday. We got some really good comments, and we're
125. going back to the drawing board on that and expect to
126. produce a final restoration plan that will be submitted
127. to the planning board by late October, early November at
128. this point because of the work that we know we have
129. ahead of us to present a solid plan to restore the area
130. that was disturbed.
131. The other piece of it is the actual site plan, the
132. overall site plan for the campground planned
133. installation of the components of the treatment plant
134. itself and related utilities, including water and
135. electric. So that plan, the surveying was all done for
136. that. We have it mapped out on a plan, and that was
137. also presented to the town planner last Thursday.
138. So that's really where we are. The restoration
139. plan was submitted in anticipation of this meeting. We
140. did submit the restoration plan to this commission,
141. which you all have copies of. I don't have my Wilkinson
142. team with me today, but any questions that could be
143. handled by a layperson on this technical issue, I'd be
144. happy to entertain. But that's really where we are.
145. We understand -- Superintendent Price and I had a
146. conversation following up his letter to me last week to
147. reinforce the idea that really what we need to do in
148. anticipation of the CSC renewal for December is that we
149. need to demonstrate to this -- to the Seashore, to this
150. commission that we are indeed complying with local
151. zoning requirements. So those steps that I just
152. described are steps that we are taking to ensure
153. compliance with those local requirements and to
154. demonstrate compliance with your -- with your strictures
155. of a basis for the waiver of the condemnation.
156. MR. DELANEY: Okay, thank you.
157. Comments or questions to Attorney Nagle? Yes,
158. Larry?
159. MR. SPAULDING: How many units were there before
	1. for camping spaces, and how many will there be when
	2. you're done?
	3. MR. NAGLE: Two eighteen, which is the answer to
	4. both questions. We are issued annually a license from
	5. the town board of health for two hundred and eighteen.
	6. MR. SPAULDING: So you're not extending the number
	7. of camping spots?
	8. MR. NAGLE: Correct, correct.
	9. MR. DELANEY: George?
	10. MR. PRICE: Mr. Chair, just for information,
	11. remember the landscape clear-cutting was one topic. The
	12. other topic is that they have now -- that the reason for
	13. the extensive landscaping, they told us, is because they
	14. have outfitted each individual site with sewer, water,
	15. electrical, and cable. So we're now on to a whole
	16. intensity of use issue, as I understand it.
	17. The other thing that I just wanted to clarify --
	18. and Attorney Nagle is right when he talked about our
	19. conversation -- is that the way that this type of
	20. approval works is that we're -- we and you all are
	21. looking at these approvals after the town's approval.
	22. And I have met -- we've met with the town, and again, we
	23. clarified that because I got questions of what's the
	24. Park going to do. But basically -- according to the
160. language in our legislation, basically he's right, that
161. it's basically uphold the town zoning and certificates,
162. and then we would get it to decide if it will work for
163. the Seashore and for the Commission or not. So that's
164. why it's important that this town weigh in. It's very
165. important, and I had a recent conversation with the town
166. manager in Truro just to restate that as well.
167. MR. DELANEY: If I could maybe just add to that and
168. then I'll go back to questions. You probably could hear
169. in the letter that we sent to you initially that this
170. commission feels it's responsible for that mission of
171. protecting the natural resources of Cape Cod National
172. Seashore (indicates), and this extent of damage was
173. alarming to us. So it wasn't -- we didn't see this. We
174. appreciate your acknowledging mistakes or whatever, but
175. it didn't seem to be just a matter of miscommunication
176. or mistiming. It was really a major, major impact that
177. alarmed this group, and we still are anxious to hear
178. more eventually.
179. We have a lot of questions, so I'm going to
180. restrict my comments for the time and go to Mary-Jo.
181. MS. AVELLAR: Well, my first comment is that on
182. this plan I only see 200 campsites, not 218. There's
183. 200, 200A, 200B, and 200C. And I support the
184. Commission, what the chairman said about all this clear-
185. cutting that was done out there. It was totally not --
186. I guess not appreciated would be the kindest way to put
187. it.
188. But where the building commissioner, the zoning
189. enforcement officer, from Truro is here, is there any
190. way we can hear from Mr. Braun about what's going on in
191. Truro with this application?
192. MR. DELANEY: Sure, sure.
193. MS. AVELLAR: If he wants to.
194. MR. DELANEY: Yes.
195. MR. BRAUN: I'm happy to add a few comments. I'm
196. Russ Braun. I'm the town building official.
197. As Superintendent Price added, there had been water
198. -- not only wastewater, which we were aware of in town
199. that that was happening, but water service, electrical,
200. and cable data that was also in the process of being
201. installed. So that sort of like made us think that
202. there is a new paradigm here for this -- this area, and,
203. you know, we needed to hear about it.
204. Now, surprisingly, campgrounds are not an allowed
205. use in the Town of Truro. Who knew? It's not on our
206. use table. So the three campgrounds that we do have are
207. all -- existed prior to zoning. They're pre-existing
208. nonconforming uses. In our zoning bylaw under the
209. Seashore District, any change or alteration of a pre-
210. existing nonconforming use needs to have a special
211. permit. So not only are we going -- not only is it the
212. site plan review that the campground needs to go
213. through, but it also requires a visit to the zoning
214. board of appeals to determine whether or not whatever
215. use or alteration is being proposed is acceptable.
216. First of all, they have to find that, yes, it is an
217. alteration of a pre-existing nonconforming use, and then
218. they have to decide whether or not this merits a special
219. permit. And so it's not just an approval of a site
220. plan. It's also approval of an alteration of the use.
221. So there are a number of things that need to happen.
222. But again, so it was site plan review. It was the use
223. issue that was really -- you know, that was the first
224. thing you come to in the bylaw, and so we're debating
225. that or the town boards are going to be debating that as
226. well.
227. MR. DELANEY: Thank you. That's very helpful.
228. Joe?
229. MR. CRAIG: Again, do you look at this as a change
230. of use or an intensification of a pre-existing use?
231. MR. BRAUN: I don't look at it as anything -- it's
	1. really for the ZBA to make that determination. It was
	2. clearly an alteration. You know, even if you just take
	3. a look at the fact that the land was cleared, that is an
	4. alteration of that use, and the fact that there were all
	5. of these utilities being installed, that was an
	6. alteration of the use. So from my standpoint as
	7. enforcement officer, it was sufficient to put the stop
	8. work order on. Also, the other chunk of the zoning
	9. which has to do with site plan review, which on any
	10. commercial property, you know, you move a bucket of
	11. earth and cut down a tree, that requires site plan
	12. review on commercial properties. So there were these
	13. two areas of zoning that I was looking at that were
	14. sufficient enough to issue a stop work order.
	15. And so at this point it's a matter of the property
	16. owner or the tenant and the various town boards to get
	17. together and hash it all out.
	18. MR. CRAIG: You said you had no use -- there's no
	19. legal use as a campground unless it's pre-existing?
	20. MR. BRAUN: Yes.
	21. MR. CRAIG: What about a mobile home park? I'd
	22. like you to differentiate between the two.
	23. MR. BRAUN: You know, that is a -- I don't know
	24. whether you can even call it philosophical, but I think
232. a lot of it is -- and it's going to be, I think, a
233. pretty interesting conversation. What is camping now?
234. And I can't answer that. But, you know, is an RV park
235. camping? Clearly that is what the direction of this
236. plan -- from anybody who is looking clearly at the plans
237. that have been presented, is that camping? Or is
238. tenting -- you know, tent camping, is that camping? And
239. I don't have the answers to that, and that is what has
240. to be hashed out, you know, with the zoning board of
241. appeals because there is probably some concern there.
242. And for a question there as to, you know, what is this
243. place now or what is it going to be, you know, again,
244. it's -- I think that everybody kind of needs to weigh
245. in. Unfortunately, I don't have the answer to that.
246. MR. DELANEY: Don?
247. MR. NUENDEL: Yeah, just one quick comment, and I
248. think we discussed this when this first came to light,
249. was the amount of trees that seemed to disappear. And I
250. assume a lot of those trees were fairly mature trees.
251. So I don't know if they have a magic wand, but I don't
252. know if we're ever going to get back to where it was.
253. And I was just wondering, what kind of general plan
254. they're having, or is that still too far out for them to
255. think -- to think about?
	1. MR. NAGLE: Yeah, that's a very good question, and
	2. I'm in discussions with -- and that's why we hired
	3. Wilkinson Ecological, because they're experts on that
	4. and, you know, they're the ones to tell us what's the
	5. best plan to get this property back to the status quo.
	6. And I did -- you know, part of that discussion occurred
	7. at the pre-application meeting last Thursday, and I know
	8. Wilkinson did say that, you know, if they had to bet
	9. between an oak seed and a 10-gallon barrel with an oak
	10. tree that beg which is going to survive, they would vote
	11. for the acorn. And, you know, that tells me, geez,
	12. that's a lot of patience to wait for the property to
	13. look like it did prior to this admittedly extensive
	14. clearing that was not certainly intended by us, but
	15. that's what happened, and we're having to deal with it
	16. now. And we're motivated to deal with it in the most
	17. responsible way we can.
	18. MR. DELANEY: Stay within the committee for another
	19. minute. Joe?
	20. MR. CRAIG: Well, it's clearly not a restoration
	21. project from what I can see from the pictures, but
	22. it's a new set of plans to comply with a new use. To
	23. restore what was there is not what Wilkinson is doing.
	24. Wilkinson is now coming up with a landscape plan for a
256. mobile home park. That's not what was there, so calling
257. it a restoration project is not correct.
258. (Ms. Lyons enters the room.)
259. MR. NAGLE: In fact, there was a comment made
260. during the meeting on Thursday which was something to
261. the effect of "Well, there's a lot of white in there.
262. There's a lot of -- you know, where's the green?
263. Where's the restoration?" Well, one of the things that
264. that plan does not depict is the canopy that would
265. result from the proposed planting, and so we're going
266. back to the drawing board on that to do two things.
267. Really there are two issues. One is to try to depict as
268. accurately as we can the pre-existing conditions, and we
269. have aerial -- you know, what do we have? We have
270. aerial photographs. We have -- let's call it anecdotal
271. photographs of what the place looked like, some of which
272. we can get from campers themselves, but unlike the
273. existing condition plan where we had a surveyor go out
274. and survey exactly what was there, we don't have that
275. luxury to depict in that level of exactitude what was
276. pre-existing.
277. But your point taken is that we want to restore
278. what was there, but keep in mind there is a pre-existing
279. use there, and that is a campground. And by the way,
280. the original name of Horton's was Horton's Mobile Home
281. Park, which goes to your question about whether this is
282. a mobile home park or is it a campground or what it is.
283. RVs have been going to Horton's since the '40s.
284. So we are struggling with how to upgrade, maintain,
285. and enhance the camping experience. As Russ alluded to,
286. what the camping experience is in 2016 may be different
287. than what it was back in the '40s, but we're struggling
288. with that. It's a hard question. So it's a line
289. between restoring what was damaged, allowing my client
290. to upgrade the facility in a manner that not only
291. complies with state environmental law, which is what got
292. this all going to begin with, and that is that my client
293. did agree to upgrade the -- there were pre-existing RVs,
294. there was pre-existing septic, pre-existing water and
295. electric. Were they to all the -- were they to all the
296. sites? No, they weren't. Do we propose to have that
297. available to all the sites? Yes, we do. Will every --
298. each and every site be used for RV? No, based on -- at
299. least based on past experience with the people who go
300. there who want to use it for primitive camping or RV
301. camping or something in between.
302. So we're trying to manage these different pressures
303. being put upon my client; one, you know, a state order
304. to put in a treatment plant to protect the groundwater,
305. which this commission has supported in the past, rightly
306. so, comply with local zoning, and to allow Horton's to
307. run a successful campground business.
308. So my experience in all this -- and I have been
309. before this commission at least once or I think twice
310. over the past few years -- is communication. And we
311. want to communicate with you. We want to let you know
312. what we're doing, and we have a big deficit to make up
313. with regard to this commission and the town with regard
314. to communication about what we intend to do, getting a
315. better understanding of what the local bylaws require to
316. accomplish it, and to go through the right channels to
317. do that. So needless to say, my client has kind of got
318. his utmost attention on this project to get us back to
319. status quo and to go forward because the state's order
320. is not just to install sewer at Horton's but also North
321. Truro Camping Area down the street.
322. MR. DELANEY: Quick comment from Larry, and then
323. we'll go to --
324. MR. SPAULDING: This is for Attorney Nagle.
325. The 218 sites, were they all suited for RVs or were
326. some more primitive camping sites?
327. MR. NAGLE: The latter.
328. MR. SPAULDING: And then my next question is, the
329. 218 sites that are here, will they all be suited for
330. RVs?
331. MR. NAGLE: Yes, I believe they are. I believe
332. they are. Again, this is a campground that has been in
333. place for decades and decades. For the first time
334. really, we're looking at, okay, where is this -- where
335. is Campsite A, where is Campsite B or 1 and 2 up to 218,
336. and exactly where do they sit on a survey engineer plan,
337. and what can fit there? So this is part of what we're
338. going through right now, and I must say it was a
339. challenge to -- that plan was based on a survey plan.
340. We had to make sure that all of the campsites actually
341. fit into the legal boundaries of the property. And as
342. you'll see from the plan, there have been excursions
343. over time, and those excursions were in place for
344. decades. We have to readjust what was there in order to
345. make a logical plan and also so we're not encroaching
346. upon surrounding property, owner property.
347. MR. DELANEY: One more follow-up from Larry.
348. MR. SPAULDING: One final question for Attorney
349. Nagle.
350. Have you taken a position with your client relative
351. to whether -- what you're planning on doing would
352. require a special permit as an expansion of a pre-
353. existing nonconforming use or whether you feel that you
354. can do it as a matter of right?
355. MR. NAGLE: I think that is -- that's the question.
356. That's the $64,000 question. And the other question is,
357. if it does -- if zoning relief is required that is a
358. special permit from the ZBA, will the ZBA grant it? And
359. if they don't, what is Horton's to do? So that's a --
360. as Russ suggested, we're going to be working through
361. those issues as we go from -- you know, chronologically
362. from the site -- from the planning board and then to the
363. zoning board of appeals, but we're basically looking to
364. the planning board to give us direction as to what the
365. position is on that question.
366. MR. DELANEY: Mark?
367. MR. ROBINSON: I'm sorry I wasn't here when this
368. was previously discussed. Am I seeing that this is the
369. property line that goes around the perimeter here and
370. there at these excursions, as you call them, across the
371. property line? Is that recent cutting or is that older
372. cutting?
373. MR. NAGLE: Well, some of it is recent cutting, to
374. be honest. Older parts --
375. MR. ROBINSON: Who are the property owners on the
	1. perimeter?
	2. MR. NAGLE: The Cape Cod National Seashore.
	3. MR. ROBINSON: So private encroachments onto
	4. federal property, not just the abutters. It's the
	5. National Seashore.
	6. MR. NAGLE: That's absolutely right.
	7. MR. ROBINSON: I just wanted to make sure I
	8. understood that.
	9. Are these lines bounded on the ground well enough
	10. so that contractors can figure out where those lines
	11. are?
	12. MR. NAGLE: Yeah, new bounds were -- Outermost
	13. Surveying did all the surveying. They put new monuments
	14. in where they thought that they were needed. But keep
	15. in mind the extent of cutting versus the extent of
	16. incursion by campsites is a little above, and that's
	17. been -- again, this is the first time we've looked at
	18. this from a technical surveying and engineering point of
	19. view and found that we're not quite in the footprint we
	20. should be in.
	21. MR. ROBINSON: I would suggest that the committee
	22. or the staff or somebody ask for some changes on the
	23. site plan or this restoration plan to show the names of
	24. abutters, which is the standard practice for survey
376. plans, to indicate where bounds will be placed like on
377. the -- unless there's another survey plan that I don't
378. have.
379. MR. NAGLE: There is.
380. MR. ROBINSON: Well, I think that this plan should
381. mimic that because this is often the only plan the guys
382. going out to do the work ever look at. There's no name
383. of the owner on this plan. It just says Horton's
384. Campground. I'm sure that's not the legal name of the
385. entity. This is no longer a mom and pop operation.
386. It's owned by a big corporation, as you know, and it's
387. my understanding the certificate for the suspension of
388. condemnation implies that these commercial properties
389. are here as a privilege, not a right. And so part of
390. that privilege is making sure that the National Seashore
391. staff, this body as well as the towns are pre-consulted.
392. I know you're the messenger, but this is a -- and I
393. applaud -- I applaud that there is camping going on at
394. the Seashore. We need more of it. I applaud that they
395. want to upgrade the septic so that there is less ground
396. pollution, but those in my mind don't offset the
397. privilege it is to run a commercial business at a
398. federal park.
399. MR. DELANEY: Thanks, Mark.
400. Just going around the room, Mary-Jo is waiting.
401. MS. AVELLAR: Well, I'm still trying to find the
402. 218. I've only got 200.
403. MR. ROBINSON: It's A, B, and C (indicates).
404. MS. AVELLAR: Oh, the A, Bs, and Cs? Is that how
405. you get the --
406. MR. ROBINSON: Uh-huh.
407. MS. AVELLAR: And I don't really care if they're in
408. RVs or in tents. What I care about is that the Town of
409. Truro is satisfied that -- and I think some were kind of
410. jumping into areas that rightfully belong to the Truro
411. Zoning Board of Appeals and the Planning Board, but it's
412. the clear-cutting that's really burning me up. And as
413. Mark has pointed out, we don't know who's here except
414. for what is shown on the map. So I'm not particularly
415. interested whether they're in campers or they're in
416. tents. I wouldn't go in either one of them myself, but
417. the Town of Truro is my concern, that the Town of Truro
418. is satisfied that what you do is in accordance with
419. their rules and regulations. And I'm concerned as well
420. that the time is getting very short. We're almost in

22 October now, and we're talking about our condemnation

1. certificate running out at the end of the year. So I'm
2. trying to figure out how you're going to get all this
3. done.
4. MR. NAGLE: Just to quickly respond to that, if I
5. may.
6. MR. DELANEY: Yeah. We have a lot more to go, so
7. be quick.
8. MR. NAGLE: We're adamant that we're going to
9. restore the areas that were destroyed, and we're not
10. going to use that contractor again. And we are going to
11. work as closely as we can with the town to ensure that
12. they are happy with our final proposed plan. It is a
13. draft plan. We were anxious to get it to you before
14. this meeting so you had a chance to look at it. It is
15. draft. It will require modifications. We got really
16. good comments last Thursday, and we're working to come
17. up with a first-class plan.
18. And then lastly, regarding the timing for the

17 December meeting, our goal is to get the applications

1. into the planning board, as I said, late October, early
2. November, and so what will likely be the case at the

20 December 12, I believe, meeting is that there will be a

1. pending -- a hearing will be pending before the planning
2. board at that time.
3. MS. AVELLAR: There's the 40-day appeal period, and
4. that kind of stops the whole -- you're really pushing

1 it.

2

3

MR. NAGLE: I'm sorry?

MS. AVELLAR: You have appeal periods after that

1. too, so you're really kind of pushing it, you know,
2. based on what these boards --
3. MR. NAGLE: I expect there will be several
4. meetings, several continued hearings, and we may be
5. moving on to the ZBA after that. So there is a time
6. issue.
7. MR. DELANEY: I'm going to recognize Joe and then
8. Larry and then go outside to -- and Maureen, and then
9. I'm going to ask Lauren to comment.
10. So Joe?
11. MR. CRAIG: You know that when you go before the
12. ZBA, the fact that your client is under pressure,
13. they're going to recognize that it's self-imposed and
14. they're not going to buy that argument.
15. But next, a question on these campsites. Are they
16. going to be leased out on a long-term basis, the
17. individual campsites?

|  |  |  |  |
| --- | --- | --- | --- |
| 21 | MR. | NAGLE: | It's a seasonal campground. |
| 22 | MR. | CRAIG: | It's a seasonal. |
| 23 | MR. | NAGLE: | Seasonal. |
| 24 | MR. | CRAIG: | So there are no long-term leases |

1. involved?
2. MR. NAGLE: Correct.
3. MR. DELANEY: Larry?
4. MR. SPAULDING: Mark raised a good point, and I'd
5. just ask it from the extent you can tell me. There's no
6. question that there was no cutting on land owned by the
7. Seashore? There's no question that all this cutting is
8. within the bounds of ownership of your client and not
9. out into Seashore property?
10. MS. BURGESS: It is in the Seashore.
11. MR. DELANEY: It is.
12. MR. NAGLE: I think that there is some cutting --
13. MR. ROBINSON: That was a question of both, inside
14. and outside.
15. MS. BURGESS: Yeah, it's in and out.
16. MS. AVELLAR: In and out.
17. MR. SPAULDING: But do we have something that tells
18. us exactly where on the Seashore land that they cut?
19. MR. DELANEY: Lauren can tell.
20. MS. McKEAN: Yeah. If you see these hatched areas
21. here (indicates)?
22. MR. SPAULDING: Uh-huh.
23. MS. McKEAN: So where they're proposing some kind
24. of restoration. And I guess a trailer site over here
25. (indicates).
26. MR. SPAULDING: I was just raising that for
27. tonight, but, Lauren, at some point what's on our
28. property, the town doesn't really -- they may care about
29. it in terms of their own permits, but we ought to care
30. about it, what they're doing, that we're satisfied with
31. what they're doing, and that has to be reviewed, I
32. think.
33. MS. McKEAN: Yes.
34. MR. DELANEY: Yes, that's our mission.
35. MR. PRICE: Frankly, we were made aware that some
36. of the cutting was definitely on United States property,
37. and we're currently investigating, as we would any other
38. private property owner, that clear-cuts on federal
39. property. So Lauren, frankly, is setting up that
40. investigation with our law enforcement rangers.
41. MR. DELANEY: Thank you.
42. Maureen?
43. MS. BURGESS: Just a couple of things, Mr.
44. Chairman. Following up on Mary-Jo's comment, I think
45. there is a very big difference between primitive camping
46. and RV camping, and we've also been made aware that the
47. connections were made for electrical and sewer and cable
48. TV. And that's a very different experience from
49. primitive camping, which was the original use.
50. One big concern of mine that I brought up at the
51. last meeting was that, yes, I'm very gratified also that
52. there's thought of a restoration plan, but that's sort
53. of like beating somebody up and then sending him an *I'm*
54. *sorry* card afterwards. Because we had a horrible
55. drought this summer, and that degree of clear-cutting
56. really took away the loam and the soil from the feeder
57. roots of trees that were not removed but were impacted.
58. So we may have not yet seen the full extent of the
59. damage to the vegetation.
60. The other point I wanted to make, because I think
61. this is a question of changing use, and I will quote --
62. as the representative from Truro, I will just refer to
63. our zoning bylaw briefly. What I've observed at the
64. other Adventure Bound Campground is that many of those
65. sites have -- which I understand are rented for the
66. season -- have constructed permanent structures around
67. them. I've seen one that has a screen house attached.
68. I've seen decks. It's like a little city. You know, if
69. that's where we're going, I think that that definitely
70. is, from the town's point of view, a change in use and,
71. from the Seashore's point of view, a change in what was
72. the spirit of the law of the Act of August 7, 1961.
	1. Our zoning bylaw -- just quickly for the benefit of
	2. the commissioners, the zoning bylaw from Truro, Section
	3. 30.3: (Reading) Seashore District purpose. The
	4. Seashore District is intended to further preservation
	5. and development of the Cape Cod National Seashore in
	6. accordance with the purpose of the acts of Congress of

7 August 7, 1961, to prohibit commercial and industrial

1. uses therein, to preserve the increase -- and increase
2. the amenities of the town and to conserve natural
3. conditions, wildlife, and open spaces for the education,
4. recreation, and general welfare of the public (end
5. reading). So that's the purpose.
6. One of the -- Section 12 under that 30.3 states:
7. (Reading) Lawfully pre-existing nonconforming
8. commercial uses and structures may continue but in no
9. case shall the use be altered or converted to another
10. commercial use (end reading). And I think that's what
11. we're all kind of struggling with here. It looks like
12. it's going in a different direction.
13. And under Section 70.1 under site plan review, Note
14. D, site alteration, violation of the bylaw: (Reading)
15. No building permit, site clearing, filling, grading,
16. materials delivery, or construction shall be initiated
17. on any site to which this section applies until the
18. required commercial or residential site plan approval is
19. obtained from the planning board (end reading).
20. So unfortunately, you're -- if it's the general
21. contractor that I think it is, you unfortunately made a
22. bad choice of contractors because this particular
23. contractor has violated clearing in private property
24. situations where he shouldn't have, but beyond that I
25. just -- I'm just really concerned that we're stepping in
26. -- we're almost -- I appreciate the restoration plan,
27. but we're moving in a direction that will enable in a
28. sense this new use, and I don't think we're clear that
29. this is the direction we want to go in in case that we
30. are dealing with more permanent structures that will
31. provide almost year-round housing, affordable housing
32. for people.
33. So that's just my comments.
34. MR. DELANEY: Okay, thank you.
35. Lauren, would you like to offer a couple comments
36. on what your activities have been so far in dealing with
37. this?
38. MS. McKEAN: Sure. I did attend their meeting on
39. Thursday afternoon, and they were looking for a more
40. robust plan, as Attorney Nagle said. They do want to
41. see that pre-existing condition from last spring before
42. the activities happened last spring. So the idea would
43. be there would be more litigation that will be requested
44. of the applicant. I think that's fair to say.
45. I would also say that given the site plan review is
46. now going to be later in October and into November even
47. and the zoning board of appeals hearing has already been
48. requested to be postponed until December, you won't be
49. able to fully deliberate at the November meeting. So I
50. just think you should know that now.
51. MR. DELANEY: Okay, all right.
52. Anything else from the commissioners? Mark?
53. MR. ROBINSON: I was struck by Attorney Nagle's
54. point that Wilkinson said that acorns are more likely to
55. survive than real trees, saplings. That may be very
56. true, well and good from a biological standpoint, but in
57. terms of restoration, that's not the issue. The issue
58. is getting it back to what it was as much as possible.
59. So we're not going to put in 50-foot trees. We're not
60. going to put in acorns either. We're going to -- we. I
61. say *we*. I mean, as a citizen of the United States, I
62. want my trees back on my property the way they were. So
63. at least on the federal property, it seems to me that we
64. do have some say over it. Acorns are not going to be
65. planted. They should be sizable trees, 5, 10 feet, 12
66. feet, that are subject to a three-year monitoring
67. program and replaced as necessary so that we can have
68. the restoration accelerated. And it will be more
69. expensive to do it that way. Not our problem.
70. MR. DELANEY: Thank you.
71. Larry?
72. MR. SPAULDING: I have a question for Lauren.
73. Lauren, if we can't decide this and the suspension
74. is about to expire, if it does expire, can we give it
75. back to them or is the law that once it expires we can't
76. give it to them? Because I don't really want it to
77. expire. We're trying to solve this problem, and if
78. there's no time for us to actually increase their time
79. for another six months or nine months, I'm in favor of
80. doing that because it's not going to be the end of the
81. world. Maybe that's something we should do at this
82. meeting, or if we know we're going to have a meeting, we
83. can do it at the next meeting, but I don't want them to
84. lose it if they're really trying to fix the problem and
85. deal with the communities.
86. MS. McKEAN: The last time you extended it, you
87. extended it for three years instead of the usual five
88. for commercial properties because wastewater treatment
89. -- not wastewater collection but a wastewater treatment
90. collective system was needed. And I do know that you
91. have had them expire and then they have not been
92. reinstated because it wasn't that same use. We do have
93. a question here of: Is this an alteration of use, or is
94. it a change of use? You can't change a commercial use
95. within the Seashore. So there's an alteration of use
96. question here, and that's the zoning board of appeals.
97. That's December.
98. MR. DELANEY: Lilli?
99. MS. GREEN: I have a comment, a question for Lauren
100. and also for the attorney.
101. So, Lauren, are you saying that we could extend it?
102. Could we also put the condition on it that the stop
103. order still remains in place while we extend it?
104. MS. McKEAN: I think you could probably in addition
105. to --
106. MR. PRICE: I'm sorry. Say that again.
107. MS. GREEN: If we extend it, that we extend it with
108. the condition that there's still a stop order on any
109. construction until it's resolved?
110. MR. PRICE: Well, that's the responsibility of the
111. town, but I fully expect -- and I would recommend, Mr.
112. Chair -- that what Larry was saying is probably an
113. option, and that is to go for an extension whether we
114. did it now or at the December meeting. The December
115. meeting you'll have a better idea.
116. And also I would remind you that if -- so I said
117. our first benchmark here is how they comply with the
118. town, and then, frankly, if it comes back to the town --
119. say the town agreed to have a year-round mobile home
120. park, well, we might still decide that's not what is the
121. best for the Seashore, and this commission still could
122. recommend not to issue the CSC. Don't forget. You all
123. are advisory to the superintendent, and the Park Service
124. could still not proceed with the CSC. So we still have
125. a number of options out there, but I'm assuming where we
126. are -- and you're absolutely right. It's a self-imposed
127. issue, although even just the wastewater plant was a
128. long time, which is why we gave them three years -- that
129. you all are going to come up with some sort of
130. extension. Then we'll find out. What Lauren was saying
131. was true. We'll have to make or determine with the town
132. if this is a change or not and then if this body and the
133. Park Service decides if they should continue to have a
134. CSC or not.
135. MR. DELANEY: Second question, Lilli?
136. MS. GREEN: Yeah. The other thing is as well that
137. it seems to me that we're dealing with two separate
138. issues. One is with the property within the bounds of
139. Horton's Campground and also what's outside of that
140. bounds, what's in the National Seashore. In my mind
141. they're two separate issues, and we may decide that
142. there are two separate solutions to those and two
143. separate actions that we might recommend as a commission
144. to be taken.
145. Am I correct in that assumption?
146. MS. McKEAN: Generally we would have our ranger
147. division handle the encroachment issue, and so we
148. already have a ranger who's been assigned to this
149. project and we'll be conferring.
150. I'm not sure on that one, George.
151. MR. PRICE: Yeah, I'm not sure that needs Advisory
152. Commission because we will exercise our responsibility
153. on that end.
154. MS. GREEN: So you will work with Attorney Nagle on 18 --
155. MR. PRICE: Yeah, we're going to investigate what
156. damage has happened on the United States property and
157. act accordingly.
158. MS. GREEN: And act accordingly.
159. MS. AVELLAR: We already know what's happened.
160. MS. GREEN: Can you share with us what that means?
161. MR. PRICE: Typically in the past, such examples,
162. the property owner has been fined and maybe there's been
163. restitution involved as well.
164. MR. DELANEY: Okay, thanks.
165. Larry?
166. MR. SPAULDING: My inclination --
167. MR. DELANEY: Oh, I'm sorry. Lilli had a second
168. question for the attorney.
169. MS. GREEN: So I know that it's standard procedure
170. to call this a restoration project and to put
171. restoration all over this, but in looking at the
172. photographs and then even just driving by to Payomet in
173. Truro, I have to say that the clear-cutting was
174. shocking. And to call it restoration I think is really
175. a misnomer, and I don't see how you can restore not only
176. the trees but also the groundcover and some of the
177. sensitive visual impacts in the -- it just blended into
178. the environment before this was clear-cut, so I think
179. I'd like to just register my -- my concern over the fact
180. that it's being just glossed over as if it's going to be
181. planting a few little trees or the landscaping is going
182. to restore this area because in my mind it's been
183. destroyed.
184. Thank you.
185. MR. DELANEY: Larry?
186. MR. SPAULDING: My inclination is to see if they
187. can work this out with no agreement on our part and
188. extend it for one year, if we can do that, because I'd
189. hate to see them lose the certificate if in good faith
190. they're trying to solve these problems to the
191. satisfaction of the town and maybe eventually to the
192. Seashore. I agree with George. The fact that the town
193. approves it -- we wouldn't approve it if the town didn't
194. approve it. If the town does approve it, it doesn't
195. mean we have to approve it based on the standards. If
196. we can extend it for one year from the deadline, which I
197. guess is the end of this year, I'm inclined to do that.
198. MR. DELANEY: We'll know more in the next meeting.
199. MR. SPAULDING: My only concern is if we don't have
200. a quorum at the next meeting that we can't extend it.
201. MR. NUENDEL: We'll put it on the agenda. That's
202. all.
203. MR. DELANEY: We'll have it -- there will be time
204. -- there will be a key time and a point where we will
205. hopefully know a lot more. We've raised -- before I
206. conclude, anything else from any commissioner?
207. George, do you want to say anything else?
208. MR. PRICE: I just want to make a couple of
	1. comments, and Larry just said if they're going to work
	2. in good faith this next year. I find it hard to use
	3. that statement after what we've just gone through, and I
	4. personally feel hoodwinked, was the term that I gave to
	5. Attorney Nagle the first time we met on this, because we
	6. did feel we were working on good faith. We had met with
	7. them. We had worked with this body in getting an
	8. extension because it obviously made sense that a
	9. combined wastewater system made a lot of sense. And
	10. given the amount of time and working with them and
	11. everything I think was -- we all were doing thinking we
	12. were on the right path.
	13. If you recall, we've had numerous campgrounds in
	14. the Seashore boundary. People ask me all the time, "Why
	15. don't you have an NPS campground?" Well, because part
	16. of the deal was when the Seashore came into the Cape
	17. there were already private campgrounds, whether it was
	18. the North of Truro Camping Area, whether it was these
	19. two, whether it was the one in Provincetown and some
	20. others. And therefore, the federal government was not
	21. going to set up a competition business in campgrounds
	22. because they were already here. You know that we went
	23. through all that effort with North of Highland Camping
	24. Area with securing that conservation easement over that
209. 80 acres -- excuse me -- 80 acres, that's another one --
210. the 57 acres, I think it was. And the whole idea was to
211. try to keep that as a business, as a viable business and
212. not have them go belly up and not return to private
213. development because, as again -- I was here for the 50th
214. anniversary of the Seashore -- we're looking at the next
215. 50 years and having a camping experience.
216. Mary-Jo, even though you and my wife will never get
217. in a tent again, we think that it's an important
218. opportunity for visitors into the future either because
219. of the affordability or because of the primitive camping
220. nature.
221. Now, North Camping Area and this area, as Attorney
222. Nagle said, has always had campers, now called RVs. So
223. it's not an exclusion of that. The concern that I have
224. is 50 years from now what will this look like? We all
225. know what it used to look like, and it was a mix of some
226. equivalent of RVs and primitive camping, but if this
227. does get changed in use and it gets turned into
228. virtually a year-round mobile home park, that is a
229. substantial change of use. The hard thing to define
230. with the establishment of the Seashore was to keep the
231. Cape Cod character, and what's the future of this going
232. to look like that has anything to do with the Cape Cod
233. character or what the objectives were for the Seashore?
234. So those are the things that I'm concerned about.
235. And yes, we want to work with Attorney Nagle and the
236. client at this point forward, but I'm committed to work
237. with the town.
238. Mary-Jo, you were talking about wanting the town to
239. be satisfied. I agree with you that that's the number
240. one piece here, and then we'll continue to see where we
241. go from there.
242. MR. DELANEY: Okay, so we have voiced a number of
243. concerns here today. I think George just summarized
244. them nicely. I will just add to that that I sense a
245. very, very serious concern about the apparent change in
246. use direction that lots of information points to in
247. terms of what kind of campers are. That will be
248. discussed further.
249. The second major concern is the extent of physical
250. damage to the natural environment, and that's what first
251. alarmed us. It goes right to the core of our
252. responsibility here. And I see this company is called
253. Ecological Design -- Wilkinson Ecological Design, but I
254. think the point that's been made is this is not just
255. replanting a few small trees. And maybe -- I don't know
256. if it can be done. I hope they come up with some kind
257. of magic, but it's certainly not this thing that we're
258. seeing here today. That's one message.
259. And thirdly, the process is true. I believe -- I
260. don't know, but correct me if I'm way off base, Attorney
261. Nagle. But Adventure Bound Campground Resorts is not a
262. rookie in this business. Apparently you have sites all
263. over the country, from what I understand, and probably
264. that company has been through this before. How they
265. could not have been aware of local zoning, state zoning,
266. permits and everything that now we're getting the mea
267. culpas from or for is just inconceivable. So I agree
268. with George. We as a committee three years ago said in
269. good faith we'll give you guys three more years, your
270. clients, to go deal with wastewater because that's a
271. huge issue, and here we are now with this situation.
272. So I don't know -- I guess I'll conclude by saying
273. we always were open for discussion. We may get to the
274. point in November, I guess our next meeting, where we'll
275. have to consider whether an extension is worthwhile to
276. keep the discussion going, but I sure would hope that
277. there is a lot of progress and a lot of real solid, good
278. improvement on all fronts when we get to that point so
279. we will have some -- some truly good faith basis to
280. grant an extension. Otherwise I see a lot of evidence
281. on the other side. But I hope I'm summarizing properly.
282. That's not me pontificating and trying to steal all the
283. information I heard here.
284. Okay, thank you very much for your time.
285. MR. NAGLE: Thank you very much.
286. MS. BURGESS: Thank you.
287. MR. DELANEY: Back at you, the Superintendent's
288. Report. A minor digression here.
289. MR. PRICE: Right. So one of the -- I think,
290. frankly, just to let you know, I'm already seeing that
291. I'm going to abbreviate my report. So we're going to
292. hit with some of the highlights.
293. MR. DELANEY: Can I just say -- Russ, thank you for
294. coming and taking the time.
295. MR. BRAUN: Well, thank you for allowing me to
296. attend.
297. MR. DELANEY: No, we always want public officials
298. to be with us when appropriate and through your
299. delegate, but we appreciate you taking the time to be
300. with us.
301. MR. BRAUN: And if there are any questions, you
302. know, Maureen knows how to find me, Mary-Jo knows how
303. to find me. Call me directly. I'm happy to fill you
304. in.
	1. CAPE COD MODERN HOUSES AND THE NATIONAL SEASHORE -
	2. BILL BURKE, PARK HISTORIAN
	3. MR. PRICE: So this morning we had a really great
	4. field trip. As you know, we offer the Commission field
	5. trips the morning of, and we decided to take advantage
	6. of an offer from Peter McMahon to visit one of the
	7. historic modern houses. For those of you that didn't
	8. make it, you should really feel sad because it was one
	9. of the best field trips. I just want to say that.
	10. But the reason that I thought it was important was,
	11. as you all know, the vacant houses that the Seashore has
	12. is often about criticism from the community because
	13. unfortunately many of them are in very bad shape. A
	14. number of years ago a number of these houses were
	15. designated to be eligible for the National Register,
	16. which you'll hear about, and since that time they've
	17. been trying to figure out how to handle it.
	18. Peter McMahon came forward, who worked with the
	19. Town of Wellfleet and formed a non-profit, which you'll
	20. hear a little bit about. And sitting behind me is Sue
	21. Moynihan. She's our chief of interpretation of cultural
	22. resources and is working with Bill Burke. They've
	23. worked with our regional office on coming up with what I
	24. think has been an amazing solution. And for those of
305. you that were on the field trip really got to see the
306. fruits of that collaboration on them actually taking
307. over long-term leases and really saving these houses
308. from the brink because the only alternative is
309. eventually they're no longer structurally viable and
310. they just have to be demolished. But we now have a
311. small collection, and we'll continue to work with Peter
312. on some others.
313. So I've asked Bill Burke, our Park historian, to
314. give us just a quick PowerPoint overview of the modern
315. houses so that those of you that weren't able to attend
316. the field trip can get a sense of what we saw and where
317. the program is headed.
318. MR. BURKE: Are we allowed to hit the lights?
319. MR. PRICE: Yes.
320. (Pause.)
321. MR. BURKE: Okay, good afternoon, everybody.
322. Superintendent Price asked me to go over all of the
323. modern houses that we have in the Park that are
324. considered historic now and what we're doing with them.
325. So I'm going to give you some visuals of those.
326. This is a classic story of the famous question of
327. what's historic and how the question what's historic
328. changed. So going back almost a century, there was a
329. rise of a new movement in architecture and design that
330. began in Europe with reaction to the Victorian Age and
331. all the ornamentation of the Victorian Age. It was a
332. reaction to World War I, the rise of new regimes in
333. Europe and false monarchies in Europe. So the Bauhaus
334. movement was established in Germany. That movement
335. emphasized the harmony and function and form in
336. architecture, furniture design, and really every aspect
337. of daily life. That Bauhaus movement in Europe
338. transfers to the United States. Frank Lloyd Wright,
339. here is his *Fallingwater* work. Modern architecture and
340. the thinking behind the Bauhaus comes to America. And
341. some of the architects who have to flee Nazi Germany in
342. the 1930s, they come over and teach at places like
343. Harvard and MIT.
344. And Cape Cod, and in particular Wellfleet, becomes
345. this kind of origination point of modern architecture in
346. Europe. So this is a shot of some of the ponds in
347. Wellfleet. And Jack Phillips, who is a prominent
348. Bostonian, acquired an awful lot of land in the ponds
349. area and then began selling it to his associates who
350. were modern architects from Europe. And some of the big
351. names -- we won't get into too much of this -- but Serge
352. Chermayeff on the left, Marcel Breuer on the right were
353. two of the architects that summered in Wellfleet, built
354. their summer houses, built houses for their clients
355. along with a whole bunch of other famous modern
356. architects as well.
357. So we have at the National Seashore eleven
358. post-1959 properties that have been found over the years
359. to be historic. This is Ruth Hatch, who has since
360. passed away since my meeting with her many years ago.
361. This is the Hatch House. This is one of those eleven
362. modern house historic properties that are within Cape
363. Cod National Seashore or owned by Cape Cod National
364. Seashore. This house was built in 1960 after the cutoff
365. date for construction at the Seashore.
366. So when Ruth Hatch died, this house was turned over
367. to the National Seashore and has since been restored by
368. a group called the Cape Cod Modern House Trust. We have
369. three houses within the Modern House Trust family now.
370. They lease them from the National Seashore. This is the
371. interior of the Hatch House. The Modern House Trust has
372. been a great partner. They've restored the house, and
373. they've even in the case here at Hatch House have gotten
374. the original furnishings and furniture from the Hatch
375. family. So that Modern House Trust partnership has been
376. awesome.
	1. Pictured on the right is Paul Weidlinger. For
	2. those of you who were on the field trip this morning,
	3. Weidlinger was born in Hungary, is a famous industrial
	4. designer designing bombproof shelters, and his summer
	5. house, which he designed himself, we visited this
	6. morning. Many of us visited this morning out in the
	7. woods on Higgins Pond. This is a pre-restoration
	8. picture of the Cape Cod Modern House Trust very
	9. recently. Within the last couple of years, it has
	10. restored this house and, as we saw today, has restored
	11. inside and outside of the house. The third property
	12. that the Modern House Trust manages for us is the
	13. Kugel/Gips House, a little bit of a Frank Lloyd Wright
	14. look to it. That's a look from the western side. And
	15. again, the Modern House Trust through our leasing
	16. program has restored the inside and the outside, has
	17. furnished it appropriately, and they offer scholar and
	18. residence programs during the summer, and they offer
	19. residencies through paying rent to the National Seashore
	20. to Kugel/Gips House.
	21. Now, the other eight structures are in various
	22. stages of being used either for employee housing,
	23. they're sitting vacant, or other uses. So this is the
	24. Kuhn House in Wellfleet. This is one of our eleven that
377. is historic that is now sitting vacant. This is what
378. the interior of the house looks like. We have tried to
379. obtain funding to restore this house, but it sits
380. vacant, and it's getting lots of water damage now. So
381. this is one of our not so successful stories at least up
382. to this point.
383. The Tisza House, also in Wellfleet just south of
384. Newcomb Hollow, this is a house designed by Hammarstrom,
385. and this is a house that we use for summer employee
386. housing. The Sirna Studio, this is also south of
387. Newcomb Hollow overlooking the ocean, a wonderful arched
388. front to it. The Sirna Studio is in our short-term
389. lease program where people can spend a week at a time at
390. this property.
391. We also have the Deane House. This is in Eastham
392. up on Tomahawk Trail overlooking Nauset Marsh. The
393. Whitlock House, which is another one of our historic
394. modern houses, this one is sitting vacant currently also
395. in Eastham near Doane Rock. We have the Conover House.
396. This is off of Ocean View Drive in Wellfleet. We use
397. this as employee housing. The Kohlberg House, which is
398. currently vacant but we've come to kind of a handshake
399. agreement that this will be the fourth Modern -- Cape
400. Cod Modern House Trust property. That will be we will
401. lease this property to the trust, and then we'll restore
402. it. Again, this is a spectacular house overlooking the
403. ocean.
404. MS. GREEN: Where is that?
405. MR. BURKE: It is south of Newcomb Hollow way in
406. the woods. This is an A-frame structure that was used
407. as a guest cottage for the Kohlbergs. That will also be
408. part of I believe a future lease with the Cape Cod
409. Modern House Trust.
410. And the Wilkinson House, this is just west of
411. Newcomb Hollow, and this is used for summer employee
412. housing for Seashore employees.
413. So just to sum it all up here, we were fortunate
414. four years ago to obtain funding to do a large study of
415. all potential modern houses both owned by the National
416. Seashore and privately owned. So 160 modern houses were
417. identified in the Truro/Wellfleet/Eastham area. There's
418. only one in Provincetown, one of the Gropius-designed
419. houses in Provincetown as well. Then we really honed in
420. from 160 down to a smaller number of properties, and in
421. the very end six houses have now been listed on the
422. National Register and six have gotten nearly complete
423. documentation.
424. So as the Park moves ahead with these houses, we're
	1. leasing the top three that you see there. We've got
	2. employee housing, which is good for the houses. They
	3. don't sit vacant. They're being used by people. At
	4. least in the summer months, that's important. We have
	5. short-term rentals at the Sirna Studio, and we're really
	6. honing in on that Kohlberg House for a new Cape Cod
	7. Modern House Trust lease. That leaves us with the other
	8. two houses that we're strategizing now about in trying
	9. to save them because we don't want them to sit empty.
	10. In closing, I find it very fitting that one of the
	11. earliest actions of the Cape Cod Advisory Commission was
	12. to solicit the opinion of modern architects on Cape Cod
	13. as to what the modern architects and other noted
	14. architects on Cape Cod thought of the issue of what our
	15. new administrative building should look like on Cape
	16. Cod, what should our visitor centers look like, what
	17. should the design of our bathhouses look like,
	18. interpretive shelters, and this was the response from
	19. kind of the father of Bauhaus. He responded by writing
	20. a letter to the Advisory Commission, and in it you can
	21. see what he said. And I think this set the tone that
	22. the Advisory Commission then relayed to the
	23. superintendent at the time, the first superintendent
	24. that the buildings at the National Seashore
425. administratively were built -- would be built. This was
426. the thinking. Don't try to make them look like old Cape
427. Cod style architect. In fact, we have -- our visitor
428. center is a testament to the fact that we took a new
429. direction in architecture and weren't slaves to the old
430. style on Cape Cod.
431. That's it.
432. MR. DELANEY: Thank you.
433. (Applause.)
434. MR. PRICE: So out of the houses that are empty --
435. so the Whitlock house is one that's near and dear to my
436. heart. So that's actually where the Association for the
437. Preservation of Cape Cod started, the Whitlocks.
438. MS. GREEN: The Whitlocks?
439. MR. PRICE: The Whitlocks, right.
440. MS. AVELLAR: In Provincetown.
441. MR. PRICE: And I was here when the last tenant or
442. the last family member left. And remember, when the
443. Park Service took these houses, the previous tenant
444. often had a use and occupancy term, and the terms varied
445. depending on what the negotiation was. So that
446. structure came over to us, and we frankly had high hopes
447. for it, meaning that it was going to be really a great
448. place for us to use for Park housing. Our science
449. program was interested in it at the time. The problem
450. with it is it's a big structure, and it looks like
451. there's a lot of bedrooms, but there aren't. I think at
452. the end of the day there's only like two bedrooms.
453. There's a lot of open spaces that people used as
454. bedrooms, which you can do if it's a family, but if
455. you're now a government operation where you have to have
456. a defined bedroom and all that sort of thing, it changes
457. it. So we've been unsuccessful in bringing in a partner
458. to try to figure out what that's about. And the Kuhn
459. House, unfortunately the same thing. The Kuhn House
460. structurally is in very, very bad shape.
461. Now, part of what we learned on the tour this
462. morning is that some of these houses were basically
463. built with a type of fiberboard. It's like a cardboard,
464. and they weren't designed to be long-term or year-round
465. residence. So that's part of why the deterioration came
466. into play. I was mentioning when I lived in Chelmsford
467. and had a house in 1959, basically the siding was
468. cardboard and the bottom course would all, you know,
469. eventually just -- like any cardboard when it gets wet,
470. and I'd have to replace that every other year. So that
471. was a building material that they used, but it certainly
472. doesn't have longevity.
	1. So in any case, I think it all came together. The
	2. Park Service initially was not on board that these
	3. should be national historic registered properties, and
	4. there was a strong movement that they should. Obviously
	5. it went through the entire process over the course of a
	6. number of years, and finally it was determined both by
	7. the state and the National -- Keeper of the National
	8. Register that they did warrant that status even though
	9. they didn't have the 50 years age, they didn't do this,
	10. they didn't do that. But it was a special collection,
	11. so now that's what we have.
	12. So I thought it was great. Bill, thank you very
	13. much for that overview for this group.
	14. And for those of you that went on the field trip,
	15. you actually got to see up close and personal. And the
	16. special treat was the current tenant for Peter's group
	17. actually was Weidlinger's son. He's actually there. I
	18. think he's from the West Coast, they said.
	19. MS. GREEN: Yeah.
	20. MR. PRICE: He's staying there, and he's writing a
	21. book and doing a movie about his father's life. So
	22. decided to stay there. He said he spent 14 summers
	23. there, so he's certainly very familiar with it. So all
	24. around it was pretty nice, a nice day.
		1. MR. DELANEY: Good, thanks.
		2. MR. PRICE: Any questions about the modern houses?
		3. MR. DELANEY: Thank you for a very nice report.
		4. That's good stuff.
		5. Questions? Comments?
		6. MS. AVELLAR: Just very briefly. I know the
		7. Gropius House in Provincetown obviously isn't in the
		8. Seashore, and it replaced a castle that had been on the
		9. hill overlooking the Provincetown Inn, and there's
		10. nothing Cape Cod about castles either. And when the
		11. Murchisons built the Gropius House, people were enraged.
		12. I mean, they were just enraged, but it replaced a
		13. castle.
		14. MR. PRICE: Right.
		15. MR. DELANEY: Good point.
		16. Lilli?
		17. MS. GREEN: In fact, the son is a filmmaker by
		18. profession, and he's creating a film and writing a book,
		19. as George said. He has a website. It's called *The*
		20. *Restless Hungarian*, so *therestlesshungarian.com*. And
		21. he's produced eight short films, and he said the one
		22. that depicts his father in this location is "through my
		23. father's eyes." So if anyone wants to follow up with
		24. that, it might be interesting.
			1. MR. DELANEY: Good, thanks.
			2. Continue on.
			3. MR. PRICE: Okay, just quickly I'm just going to
			4. hit a couple of the highlights. It's moving on
			5. obviously and getting late.
			6. SHOREBIRD MANAGEMENT PLAN/ENVIRONMENTAL ASSESSMENT - UPDATE
			7. MR. PRICE: But I just want to let you know that
			8. we're still working with the contractor on a shorebird
			9. management plan, and that will most likely come out
			10. either December or January.
			11. SEASHORE PROJECTS
			12. MR. PRICE: We're working on a number of projects.
			13. For those of you that have seen the Salt Pond Visitors
			14. Center recently, you'll notice all the benches are gone.
			15. We have a contractor in place. We're expecting a start
			16. work order very soon, and that entire area will be
			17. rehabilitated similar to the campground. A lot of trees
			18. will be taken out because we're putting in an ADA path.
			19. We're replacing all the benches with backs.
			20. We're going to redo the shell, Rich, which is near

|  |  |  |
| --- | --- | --- |
| 21 | and dear | to your heart and really do a number of great |
| 22 | things. |  |
| 23 |  | NATIONAL PARK SERVICE CENTENNIAL |
| 24 | MR. | PRICE: I had prepared a PowerPoint just to |

* + - * 1. give you highlights about the Centennial. I'm actually
				2. not going to show that this meeting. I'll save that for
				3. the next meeting because for the sake of time because I
				4. do want you to see the slides. But in that are a couple
				5. of slides about a remarkable program that we had with
				6. the Cape Cod Symphony Orchestra, and it was 800 plus
				7. people on blankets and chairs and everything. Our
				8. landscaping people had razed the bottom of the trees so
				9. that you could have a line of sight, and it just was a
				10. magical time. And we'll share more about that at the
				11. next meeting, but we're looking forward to really
				12. exploring and developing that site as a programming area
				13. now that our crew has taken down a lot of foliage so
				14. that there's vista clearing. There was a nice breeze,
				15. so there wasn't a mosquito to be had even as it got
				16. darker.
				17. NAUSET LIGHT BEACH UPDATE
				18. MR. PRICE: We're continuing to work on the Nauset
				19. Light Beach project. That involves two phases. Number
				20. one, we anticipate a demo of the current facility this
				21. fall, although every time we turn around the price of
				22. the demo goes up. But we're very concerned that that
				23. will not last another winter.
				24. We are also working with our Denver office, and we

have invited the Town of Eastham to join us through

Sheila. The town manager's going to join us for a value

analysis, which is going to review the -- what we can do

for replacing the stairs. And we're actually

considering other options. And there's a dip in the

dunes, so we might seriously take a look at not

replacing the stairs in the same location as we have

forever and maybe taking a look at it a different route.

So that meeting's coming up soon.

MR. NUENDEL: Just one quick question. Going back

to the beach house, I'm still not understanding why we

need to rebuild the one on the south side of the parking

lot on the parking lot.

MR. PRICE: We're not even close to that.

MR. NUENDEL: Oh, there's no -- there's no --

MR. PRICE: Well, two things. We want to demo the

current bathhouse. We're going to have to use portable

facilities between now and when we get the money, which

might be --

MS. TEVYAW: '19.

21 MR. PRICE: -- 2019.

1. MR. NUENDEL: Right.
2. MR. PRICE: And we'll have to decide what the size
3. and see how the facility will look and where we put it,
4. but it will definitely have to deal with the contour of
5. the geography and where we'll be able to put a septic
6. system. So right now, yes. We've made public
7. presentations. I've shown markers how it's going to be
8. so close to Ocean View Drive.
9. Some of our projects like the amphitheater and the
10. Centennial projects. We're working a lot on trail
11. repair. We fixed up the Nauset Knoll. You may know one
12. of our concessionaires is the Nauset Knoll Motel
13. overlooking Nauset Beach in Orleans. We're working with
14. them, continuing to work on the Penniman House with
15. flashing. Once we can get the envelope tight, because
16. it still leaks, then we can work on coming up with some
17. interior pieces.
18. HIGHLANDS CENTER UPDATE
19. MR. PRICE: I sent you all an invitation, if you're
20. interested tomorrow. We're having a presentation by our
21. historic architects about the repairs to the Highland
22. Light.
23. So the Highland Light has had some serious
24. structural issues since it was moved, and our people
25. have been taking a look at it and are coming up with a
26. multiple-phased approach. We actually did one phase
27. which allowed people to continue to go up it, but we
28. have a couple more phases. And one of the phases may
29. involve being closed for an extended period of time
30. while we're doing the work.
31. What I wanted to do was to make sure that people
32. from the golf course, the Truro Historical Society -- I
33. sent out an invitation to Rae Ann, who is a member of
34. the board of selectmen, and certainly any of you all who
35. are interested in that structure, at one o'clock
36. tomorrow up at the Highland -- excuse me -- at the
37. Highlands Center in the classroom. We'll be having a
38. presentation.
39. At this point, Kathy, the repair dollar value is up
40. to what?
41. MS. TEVYAW: The total is 1.5 million.
42. MR. PRICE: 1.5 million. So we're talking serious
43. structural issues.
44. One of the projects that we're very excited about
45. that we were able to get is investing in a new Park
46. film. So Sue has been leading the charge on starting
47. that initiative. We'll be meeting with the company that
48. actually got the contract. It's called Northern Lights,
49. if you're familiar with that. They've done a number of
50. museum exhibits not only in this Northeast area but
51. throughout the country.
	1. We have received -- we're in the line for funding
	2. to totally replace the Penniman barn, and that's a 2017
	3. project.
	4. MS. TEVYAW: Rehab.
	5. MR. PRICE: A rehab.
	6. We have a 2017 project for replacing the Province
	7. Lands Visitor Center exhibits, so that's something that
	8. we're really looking forward to. We're doing a rehab of
	9. the Three Sisters, which are the three lighthouses on
	10. Cable Road on the right that are in pretty sad shape.
	11. We'll be doing more about the modern houses,
	12. specifically a landscape study. We hope as early as
	13. next month beginning some of the demo of some of the
	14. buildings at the Highlands Center.
	15. Lauren, how many structures do we think we have
	16. now?
	17. MS. McKEAN: There will be eight.
	18. MR. PRICE: Eight structures.
	19. MS. McKEAN: Two barracks, one power plant, and
	20. five housing units.
	21. MR. PRICE: And that's at 1.3 million, right?
	22. MS. McKEAN: 2, 1.2 million.
	23. MR. PRICE: $1.2 million.
	24. MS. AVELLAR: And they're just starting to get paid

1 now?

2

3

MR. PRICE: Yes.

MS. AVELLAR: Is there going to be parking there

1. because going to Payomet is a real pain in the butt
2. getting in and out of there. Someone's going to be
3. replacing --
4. MR. PRICE: Right now we're taking down all these
5. buildings for $1.2 million, and that starts -- that
6. starts in October.
7. MS. AVELLAR: Okay.
8. MR. PRICE: We also have some other pending
9. projects. For those of you that are in the Eastham area
10. familiar with the Red Maple Swamp Trail, I hear about
11. that every meeting. We're beginning a pilot project
12. with the Friends this fall, and basically we're going to
13. do it again in phases. And we're beginning the first
14. phase very quickly, and we hope to get funding to be
15. able to undertake the Province Lands Visitor Center
16. amphitheater.
17. One of the projects that I do want to mention that
18. is pretty exciting, I was speaking with Peter at the
19. modern house. He was talking to our science folks, to
20. Nita and Mark Adams, about a collaborative program where
21. he might actually get some people that would be tenants
22. in the modern houses to work in collaboration with the
23. real-time science out there in developing collaboration.
24. We'll have to see what comes out of that exercise. So
25. we think that will be really very exciting.
26. HERRING RIVER WETLAND RESTORATION
27. MR. PRICE: As I said, I do want to pass on the
28. other piece, but I did want to mention the Herring River
29. wetlands restoration has had a couple of really great
30. benchmarks. Specifically we completed the EIS now.
31. We're waiting for the signature of the regional director
32. for the record of decision. We also have the signature
33. page in for the regional director to sign for the MOU-3,
34. which is the formal relationship between the Seashore,
35. Truro, and Wellfleet. So those are big benchmarks for
36. sure.
37. So that's actually it for the Superintendent's
38. Report. Do you have any questions?
39. MR. DELANEY: Questions on these topics or anything
40. else? Lilli?
41. MS. GREEN: Thank you. The shorebird management
42. plan.
43. MR. PRICE: Yes.
44. MS. GREEN: What is the status?
45. MR. PRICE: That won't be coming up until December/
	1. January. Remember, we received a ton of -- like 2,000
	2. some comments. So we've been spending a lot of time
	3. both with our staff and with the vendor doing an
	4. analysis to see where they fall, how does that impact
	5. the preferred alternative, et cetera.
	6. MS. BURGESS: Mr. Chairman?
	7. MR. DELANEY: Maureen.
	8. MS. BURGESS: But I understand you had better
	9. success with the plover fledging this year; is that
	10. correct?
	11. MR. PRICE: Yes, as a matter of fact, we did.
	12. Nita, do you have the stats off the top of your
	13. head?
	14. MS. TALLENT: 124 chicks fledged.
	15. MS. BURGESS: So what changed?
	16. MS. TALLENT: We will be meeting over the next
	17. three weeks to discuss that. We're having an after
	18. action review, and we hope to be able to take a look at
	19. that.
	20. MS. BURGESS: Less foxes?
	21. MS. TALLENT: So much depends on the capacity of
	22. nature, so we'll figure out if it's predators. Lack
	23. of storms has been one of the topics that have come
	24. up, but it's really early to even be able to point at
46. why we have success of so many fledged chicks this
47. year.
48. MS. BURGESS: (Inaudible) compared to last year
49. was --
50. MS. TALLENT: Before I got here.
51. MR. PRICE: Maureen, one other thing. The lack of
52. storms is not to be underestimated because typically
53. we've lived through early spring storms, and then the
54. overwashes of the nests that have already been laid by
55. the birds get washed out and they start over again with
56. the nests. So this year I don't know that we had any
57. overwashes.
58. MS. TALLENT: And I'm not making light, but I am
59. giving you great respect on this. But as we come
60. forward with more information, we'll find ways to share
61. it. It's just that having arrived in June I wasn't
62. completely sure how the storm season fended, but that
63. has come up as a topic, as a variable that would
64. contribute to success. And it has a cascade, the domino
65. of less predators.
66. MS. BURGESS: Good.
67. MR. DELANEY: Okay, so if there are no more
68. questions on the Superintendent's Report, I'd like to go
69. to Old Business.

# OLD BUSINESS

* 1. MR. DELANEY: And under that, Mark, we haven't had
	2. an update on the *Live Lightly Campaign* for a while.
	3. MR. ROBINSON: I've just got a few slides.
	4. MR. DELANEY: I'm glad to see you're back in action
	5. after your battle with the tick.
	6. MR. ROBINSON: Yeah, I had a tick battle.
	7. MS. AVELLAR: Lyme disease?
	8. MS. LYONS: Did you have an infection?
	9. MR. ROBINSON: (Inaudible).
	10. MS. AVELLAR: Oh, wow.
	11. MS. LYONS: Wow.
	12. MR. ROBINSON: Yeah, it took a month to get sick
	13. and a month to get better. I'm all better now.
	14. LIVE LIGHTLY CAMPAIGN PROGRESS REPORT
	15. MR. ROBINSON: So I wanted to just -- some of this
	16. seems like old news, but I was hoping to give it to you
	17. last meeting, and I wasn't here.
	18. This was our campaign working with the Seashore and
	19. the land trust to reach out to the 600 private
	20. landowners within the Park and encourage them to think
	21. about what they can do for conservation of open space on
	22. their own properties.
	23. So this has been going on now for several years,
		1. and we've had previous projects completed, but these are
		2. the most recent ones that I wanted to mention. So this
		3. is old news at this point, but the Edgewood Farm was the
		4. old Corey, Davis, Young farm just south of Pamet River,
		5. and you can see it here over 100 years ago, a real Cape
		6. Cod farm. It was owned by the Meldahls for the last 50-
		7. 60 years, and you see how it abuts the National Seashore
		8. on several sides. And just as it's important to protect
		9. land in the Park, it's also important to protect the
		10. periphery so that there's a nice buffer there of open
		11. space around the Park.
		12. Here you can see that Lot 5 on the bottom is about
		13. 11 acres bought by the town through the land bank bill
		14. in 2002. And then the Meldahls said, "Our mother's
		15. died. We need to sell. We'd like to sell it for
		16. conservation and arts appreciation and culture." So we
		17. put together this partnership with the Truro Center for
		18. the Arts at Castle Hill whereby they will buy the
		19. historic structures, use it as an arts campus, and then
		20. there were two subdivision lots on top of what's called
		21. Great Hill that looks out to Ballston Beach that the
		22. Truro Conservation Trust was able to buy. And that's
		23. the ridge running out to Great Hill, and that's the view
		24. from the top (indicates). And so there's a bench up
1. there that the family had put up years ago. It's still
2. available for the public to wander up to. We're going
3. to be creating a trail system that will lead you up
4. there, some of which you can see the beach over the Head
5. of Pamet in the distance there.
6. Just to show you how we rely on public-private
7. partnerships, we involve the state grant to the local
8. land trust. We had a bequest of money from David
9. Kuechle, who was a longtime summer resident in Truro
10. nearby. We were able to buy these four and a half
11. acres, two building lots for $536,000. And that
12. actually is a bargain sale based on the fact of what
13. Truro lot prices are nowadays for two building lots. So
14. and the state tax credit, which is available to people
15. who have sensitive land and they either sell it for less
16. than it's worth or donate it. In this case it was
17. $73,000 for the Meldahls. It's a nice example of how
18. conservation groups can work together with arts groups
19. as well as the town in putting together these kind of
20. properties.
21. Meanwhile in Eastham, as a direct result of getting
22. our brochure, Aimee Eckman and Joanna Stevens wanted to
23. participate and do what they could do. Well, what they
24. could do was put two of their four acres under
25. conservation restriction. This is the historic Solomon
26. Doane farmstead from 1750. That's the house on the left
27. there. Beautiful birch tree in the front of that house.
28. In fact, I think it's the best birch tree on the Cape.
29. And so this was the Eastham Conservation
30. Foundation, which is the local land trust. Dr. Joanna
31. Buffington is here today.
32. AUDIENCE MEMBER (DR. JOANNA BUFFINGTON): Hi.
33. MR. ROBINSON: She's on the board of directors of
34. the ECF.
35. So we work collaboratively with them to put their
36. woods under a conservation restriction. You'll see it's
37. around the corner from the visitor center on historic
38. Nauset Road.
39. And just nice woods that abuts, again, the Seashore
40. on three sides, so a little more of a buffer through
41. their voluntary cooperation in placing this conservation
42. restriction on the woods. And so we thank them for
43. living lightly on the land and participating in the
44. program.
45. Finally, in Provincetown the -- what I like to call
46. the rejuvenated Provincetown Conservation Trust with
47. Celine Gandolfo back at the helm. We were able to
48. purchase a one-and-a-half-acre maple swamp, a very
49. critical habitat there at the east end of Commercial
50. Street. You can see the water tank, and you can see all
51. the way from Barnstable Village on a clear day jutting
52. up over (inaudible). And this property is also helping
53. to preserve the buffer along the edge of the
54. recreational path and the railroad bed. So that's the
55. property up on the left there.
56. So anyway these are just examples both in and out
57. of the Park where landowners and land trusts are working
58. together to help support the mission of the Park.
59. Any questions?
60. MS. BURGESS: Yes, Mark?
61. MR. ROBINSON: Yes.
62. MS. BURGESS: So you mentioned in the Edgewood Farm
63. a piece. Who actually puts in the trails when you say
64. *we*?
65. MR. ROBINSON: Well, these lots in green here --
66. there are existing trails now that the town working with
67. the trust have cut on the 11 acres.
68. MS. BURGESS: Right.
69. MR. ROBINSON: You can see there are some old dirt
70. roads that were pre-existing that we incorporated into
71. the trail system, but the one to the Truro Conservation
72. Trust there, the (inaudible) property, that would be
73. their volunteers.
74. MS. BURGESS: Okay, thank you.
75. MR. DELANEY: Is there a newly formed little
76. parking spot --
77. MR. ROBINSON: Yes, on town property.
78. MR. DELANEY: That's so you can get to it? The
79. trail starts there?
80. MS. BURGESS: Is that how you access it?
81. MR. ROBINSON: Yes.
82. MS. BURGESS: Because I was wondering that too.
83. MR. ROBINSON: Thank you.
84. MR. DELANEY: Okay, thanks, Mark.
85. Any volunteers to have Mark help you put a
86. conservation restriction on your manors and estates?
87. MR. ROBINSON: There are some great tax breaks that
88. we can do.
89. MR. DELANEY: Okay, so getting close to the end
90. here.

# NEW BUSINESS

1. MR. DELANEY: New Business. Anyone like to raise a
2. brand-new issue or something we haven't tackled in our
3. wide-ranging discussions already?
4. (No response.)
5. MR. DELANEY: I will use this opportunity to go
	1. back and welcome Sheila belatedly. Thank you for making
	2. that extra effort to get back from Boston.
	3. MS. LYONS: Sorry, I was -- yes, I was coming from
	4. Boston.
	5. MR. DELANEY: But I did want to mention to you we
	6. had a long -- a good discussion based on Maureen's
	7. report on the current status of Pilgrim, and we as a
	8. group voted -- and I'm hoping you won't object -- to
	9. write yet another letter to the Governor and others
	10. reiterating our current past positions and articulating,
	11. in regarding this governor in particular if he hasn't
	12. heard it before, that there's an economic interest, a
	13. potential economic disaster as well as an environmental
	14. and health disaster. And we're going to have that
	15. letter circulated, and hopefully you'll have a chance to
	16. input into that.
	17. MS. LYONS: I definitely can.
	18. MR. DELANEY: It's going to be a good one. And the
	19. second action we decided to do was we would then use
	20. that letter to go back to our various boards of
	21. selectmen and see if we could encourage them to write
	22. similar or identical letters.
	23. MS. LYONS: Right.
	24. MR. DELANEY: And we also thought, number three,
		1. that the commission might want to weigh in.
		2. MS. LYONS: I will approach them. I'll bring that
		3. up tomorrow -- Wednesday, excuse me. But I will make
		4. note to do that because I wanted to bring it up as well
		5. because it is -- it is deteriorating rapidly before our
		6. eyes, and I mean, it's a real concern, I mean, in all
		7. fashion. So yes.
		8. Am I interrupting what you -- did you finish?
		9. MR. DELANEY: There's just a fourth thing just to
		10. get it on the table. Lilli is going to take the issue
		11. to the Assembly of Delegates and see if we can get them 12 to...
6. MS. AVELLAR: (Inaudible).
7. MS. LYONS: Yes, yes.
8. MR. DELANEY: But did you want to --
9. MS. LYONS: No, I will definitely -- I have a real
10. concern about -- I mean, it's a growing concern. It's
11. nothing different, but it is just seemingly that it's
12. ignored as far as really the danger of this. And the
13. economic -- so when you talk about the economic fallout,
14. you're talking about the economic fallout as far as cost
15. or what it would cost people?
16. MR. DELANEY: Well, should there be --
17. MS. LYONS: A catastrophe.
18. MR. DELANEY: The report that we had commissioned
19. here referencing that kind of economic --
20. MS. LYONS: Right, I mean, I think it's an impact
21. to the entire state, and this is what they're not taking
22. into consideration. And it really is a true devastation
23. for the Cape because it just can't...
24. MR. NUENDEL: We just want to remind people of way
25. back when, when this first came to light; the fact that
26. if this peninsula gets totally contaminated from
27. something up there, there goes the tourism.
28. MS. LYONS: There goes everything.
29. MR. NUENDEL: And then Charlie and his friends
30. won't get the money.
31. MS. LYONS: Not only will they not get the money,
32. but there will be -- the money to restore this is just
33. -- they're not -- it can make you very angry because
34. it's not like they didn't see this on the horizon
35. coming, and they did nothing about it. So that's what
36. is a very frustrating thing. But no, they don't want to
37. -- you know, we can kick things down the road for a long
38. time. We're good at that.
39. MR. DELANEY: Okay, thank you.

# DATE AND AGENDA FOR NEXT MEETING

1. MR. DELANEY: So now we'll go to the public
	1. comment. No, wait. What would be next? Agenda for the
	2. next meeting.
	3. MR. PRICE: Selecting the date. Mr. Chair, at this
	4. point we have an option of either doing the end of
	5. November, beginning of December, which would give us
	6. time. So in looking at my personal calendar, I'm
	7. looking at, say, perhaps November 21, although that's
	8. the week of -- the beginning of Thanksgiving week. And
	9. then I would recommend maybe December 5th or the 12th.
	10. I suppose we can consider November 14 if the other ones
	11. don't work.
	12. MR. DELANEY: Well, the 14th is out for me. That
	13. week I'll be out of the country. And the 21st does not
	14. work, or that's Thanksgiving week? That may present
	15. problems. I see at least one complication with Lilli.
	16. The 28th is not good for your schedule?
	17. MR. PRICE: Well, I don't see pulling this meeting
	18. off after a vacation week.

|  |  |  |
| --- | --- | --- |
| 19 | MR. DELANEY: | Same thing that week. All right, so |
| 20 | we're talking -- |  |
| 21 | MS. GREEN: | The 12th of December? |
| 22 | MR. DELANEY: | December 5 or 12? |
| 23 | MR. CRAIG: | Do we want to go that late based on our |

24 conversation earlier about the campgrounds?

1. MS. GREEN: Right. I think it's coming down to an
2. extension. I think giving them that time might be of
3. benefit because there would be more clarity from the
4. town at that point.
5. MR. NUENDEL: It also gives them more time to get
6. their ducks in order too.
7. MS. GREEN: I can either do the 14th of November or
8. the 12th of December, so those are my two dates.
9. MR. PRICE: I think realistically the town's going
10. to get into extensions on all kinds of things, so I'm
11. not sure how much real good solid information we're
12. going to have by December, frankly.
13. MS. AVELLAR: So December 12?
14. MR. DELANEY: So December 12, you're suggesting,
15. George?
16. MR. PRICE: Well, either the 5th or the 12th are
17. the two that --
18. MR. DELANEY: Does anyone have a conflict with
19. either one of those? We can move it up.

|  |  |  |  |
| --- | --- | --- | --- |
| 20 | MS. | AVELLAR: | I don't. |
| 21 | MS. | LYONS: | No. |
| 22 | MS. | GREEN: | In fact, the 12th is the only day that |
| 23 | I can do. |  |  |
| 24 | MR. | DELANEY: | Oh, it's the only one you can do? |

1. Oh, you have a conflict on the 5th. Okay, let's go with
2. the 12th then.
3. MS. AVELLAR: Okay.
4. MR. DELANEY: Okay, Larry?
5. MR. PRICE: So, Mr. Chair, just so that you're
6. aware, besides Attorney Nagle coming back, that will be
7. also a day we'll have the follow-up presentation by the
8. Army Corps of Engineers relative to their project of the
9. third phase of the FUDS program here at former Camp
10. Wellfleet. Remember they came in a while ago when they
11. were initiating it? We tried to get them here for
12. today's meeting, but they couldn't make it. So the next
13. meeting they'll be here to follow up with us, so that's
14. a heads-up. And then the long now awaited and
15. extraordinary PowerPoint on the Centennial events we'll
16. have to put on that schedule.
17. MR. DELANEY: So we have a pretty good agenda
18. already.
19. MS. GREEN: Just for clarity, George, can I just
20. ask, they're not going to do any work before they come
21. to us; is that correct?
22. MR. DELANEY: What are you referencing?
23. MS. GREEN: I mean, my concern and concern for my
24. town is that if the landing strip, which is Wellfleet's
25. property, within this site is used or is being impacted
26. and it cannot be used for emergencies, then someplace
27. else would be --
28. MR. PRICE: Okay, first of all -- so just to
29. clarify, the so-called landing strip is never used for
30. emergencies.
31. MS. GREEN: For helicopter emergencies?
32. MR. PRICE: No. We have a helicopter pad out the
33. back here.
34. MS. GREEN: Okay.
35. MR. PRICE: That's got a macadam on it, and that's
36. the -- the so-called landing strip is called that
37. because of its rectangular nature, but it's totally
38. wooded.
39. MS. GREEN: Oh, I didn't realize that.
40. MS. AVELLAR: (Inaudible)?
41. MR. PRICE: (Inaudible). This was the military
42. artillery officers.
43. MS. AVELLAR: Oh, I remember what it was. I just
44. never knew what it was.
45. MR. DELANEY: Larry?
46. MR. SPAULDING: Would it be helpful to -- I'll
47. mention Lauren's name, but she's not listening.
48. MS. GREEN: Lauren?
49. MR. SPAULDING: It would be helpful if maybe Lauren
50. thought it was appropriate to write Attorney Nagle and
51. he could give us kind of a summary of what's happening
52. and we could get it before that meeting so we don't all
53. of a sudden show up. You know, if he could get it to us
54. a week or week and a half in advance just on the
55. progress and what they're doing --
56. MS. McKEAN: Yes.
57. MR. SPAULDING: -- I think that would be helpful.
58. MS. McKEAN: Yes, so that's why they put this
59. package for us. It wasn't the package we expected when
60. we got it last week, but we do do that and we will do
61. that again.
62. MR. SPAULDING: Great.
63. MR. PRICE: Lauren had contacted them anticipating
64. that they were going to give us material about the
65. progress with the town. So to get this restoration
66. plan, as you saw in my note to him, I was very confused
67. because that's like the 15th thing down the road, and
68. we're anticipating (inaudible). So it's an interesting
69. process. This outfit, I think -- that's it.
70. MR. DELANEY: Thank you. I think that was a really
71. good, powerful discussion we had on that topic, so
72. everyone -- I think there were a lot of very good,
73. honest, very strong statements. That's our role. That
74. was great. I appreciate that.
75. MS. BURGESS: Too bad it wasn't televised.
76. MR. DELANEY: The press wasn't here.
77. MR. ROBINSON: Too bad it's only the lawyer that
78. hears it.
79. MS. McKEAN: No, we got one here.
80. MR. PRICE: Pardon?
81. MR. DELANEY: Oh, good.
82. MS. McKEAN: We've got one here.
83. MR. DELANEY: Oh, good. Oh, good. Good, all
84. right.

# PUBLIC COMMENT

1. MR. DELANEY: Let me then turn to public comment
2. period and call on the public and to take comments.
3. Just all you need is your name and address.
4. AUDIENCE MEMBER (DR. JOANNA BUFFINGTON): Joanna
5. Buffington. I'm the trustee of the Eastham Conservation
6. Foundation.
7. But hearing about the campground thing, I was very
8. -- yeah, that's shocking, but it sort of reminded me of
9. the condition of our trees with the drought, the gall
10. wasps, the gypsy moths this year. I'm riding back on
11. the bike path from Coast Guard Beach out through there,
12. and I'm wondering why I can see everything. And the
13. leaves are -- there's no leaves. So the health of our
14. trees is -- I mean, that's not a good thing to add to
15. it, but can you just make a comment about what -- get
16. rid of droughts, get rid of moths. But is there
17. anything addressing the general tree health in the
18. Seashore or just fingers crossed?
19. MR. PRICE: Well, if I could from my perspective,
20. typically the Park Service is not involved with the mass
21. treatment for sure, and it's my understanding that the
22. treatment of gypsy moths is often a very frustrating and
23. negative activity because, as I understand it as I've
24. heard, is that they go through a cycle, and when you
25. really start spraying, you actually truncate the cycle
26. and their lifespan continues longer season after season
27. after season.
28. AUDIENCE MEMBER (DR. BUFFINGTON): Right.
29. MR. PRICE: So ever since they've been added to our
30. environment as an exotic, it's something that we seem to
31. just have to live with just is the process.
32. MS. LYONS: Isn't there another beetle or something
33. that --
34. AUDIENCE MEMBER (DR. BUFFINGTON): The pine bark
35. beetle?
	1. MS. LYONS: Yes, but it needs moisture to live in,
	2. and it didn't flourish this drought.
	3. AUDIENCE MEMBER (DR. BUFFINGTON): It's good for
	4. ticks too.
	5. MS. LYONS: Which is one of the reasons why the
	6. gypsy moth took hold because the other species that is
	7. their predator wasn't able to flourish.
	8. AUDIENCE MEMBER (DR. BUFFINGTON): Well, I think
	9. especially important with any I'll call it restoration,
	10. because that's what we did of this property in Truro,
	11. would be -- well, again, I don't know what the best
	12. solution is -- for planting things that, you know, will
	13. thrive in our changing climate.
	14. MS. BURGESS: Maybe we should do palm trees.
	15. MS. LYONS: They might take. That's the problem
	16. the rate we're going.
	17. MR. PRICE: Thank you.
	18. Anyone else from the public? Yes, please?
	19. MS. BACON: I actually have three comments to make,
	20. about three minutes.
	21. MR. DELANEY: Just your name for the record.
	22. MS. BACON: Kathleen Bacon from Wellfleet. I'm the
	23. alternate.
	24. First, I thought the discussion about Pilgrim was
		1. -- I'm shocked that there's not more anger and outrage.
		2. It's blatant that all our pleas to either Charlie Baker,
		3. the governor of our state, our senators, and Entergy are
		4. being ignored. It would appear to me that while it's
		5. admirable that you want to send a letter, that that will
		6. also probably be ignored. I see the only change
		7. happening there is not how it's going to affect our
		8. economy but how we can bankrupt Entergy to go out of
		9. business. You know, that's -- something has to hit them
		10. in their pocket so that it's not profitable to operate
		11. here. That's the only way I see this closing down. The
		12. other thing I see happening is a massive, massive
		13. organized show of civil disobedience against this power
		14. plant. Whether it's a human chain from here to
		15. Providence to Plymouth, something has got to get their
		16. attention because all our pleas are going unanswered.
		17. The next comment I want to make is about Horton's.
		18. The company that went in there -- the contractor that
		19. went in there I would be pretty sure sold all the
		20. material --
		21. MS. BURGESS: Absolutely.
		22. MS. BACON: -- that was taken from that property.
		23. That needs to be addressed somehow and reimbursed.
		24. MS. BURGESS: Where did it go? That's my question.
36. MS. BACON: All that material was viable topsoil.
37. The wood was sold. All -- chips, all of it was sold. I
38. haven't heard anything about the restitution for that.
39. But also in that conversation about Horton's, there
40. does seem to be up here it's moving in a different
41. direction than what it was, and that's something that is
42. going to be kind of ambiguous because all of Cape Cod,
43. whether you're in the Park or not, is moving towards the
44. future in a way that is going to be very hard to
45. encapsulate that Cape Cod character. There's just --
46. it's just the nature of things.
47. And if you'll indulge me just one more thing.
48. MR. DELANEY: Go ahead.
49. MS. BACON: Going back to the Modern House Trust,
50. I've been the property manager next door to the
51. Weidlinger House for almost 25 years in Wellfleet. So
52. I'm familiar with the Weidlinger House when it was owned
53. by the family, when it fell into disrepair, and when --
54. now that it's been restored. And Wellfleet residents
55. are thrilled about these houses being restored, but the
56. past two town meetings, we've designated CPA funds for
57. these houses, for the modern houses.
58. They're a cultural icon in Wellfleet. I knew Jack
59. Phillips personally, as did many of us who went to the
60. galleries back in the day, but for Wellfleet residents,
61. these houses are unelitist. You know, they're not open
62. to us. I would like to see the Modern House Trust
63. offer, you know, a one-week stay to a resident as a --
64. just that it would be open for other individuals, not
65. just scholars or if the Modern House Trust would have an
66. open house open to the community. The point I'm trying
67. to make is, while we're all thrilled to see the houses
68. restored, they're really not integrated into the rest of
69. the community, Wellfleet per se.
70. So thank you for listening.
71. MR. DELANEY: Those were all helpful comments. I
72. just would react to the last one. I think you made me
73. think of our --
74. MS. BACON: Peaked Hill Trust.
75. MR. DELANEY: -- well thought out plan --
76. management plan for the dune shacks --
77. MS. LYONS: Dune shacks, right.
78. MR. DELANEY: -- that do require certain weeks
79. sometimes to be available for the general public. So we
80. have a model to maybe deal with it like that. That's
81. something we could maybe actually do.
82. MS. LYONS: It might be something for them to
83. address before it does -- that sentiment catches because
84. it has been expressed. Kathy's right. At town meeting
85. like, you know, "This is all great. Why are we putting
86. this money into something that nobody can use? That we
87. can't use?"
88. MS. BACON: We can't use.
89. MS. LYONS: And if that starts, that there's a few
90. voices stating that, that will catch on in town meeting
91. after town meeting. It might be better for them to hold
92. that growing sentiment before it becomes an ugly -- an
93. ugly situation. So it's not a bad suggestion.
94. MR. DELANEY: Yeah, it's a good suggestion.
95. George?
96. MR. PRICE: Well, Kathleen, just as a -- we have
97. had conversations with Peter not about the elitist piece
98. but about the responsibility for more public access, and
99. there are a number of things that he does do now for
100. more public access that I just don't think is very well
101. publicized. So open houses and things are part of that.
102. That's number one. Number two then, part of the
103. challenge that they have as an organization for the
104. upkeep, don't forget, is also a revenue stream. So
105. that's part of their balance.
106. With the dune shacks, out of the 18 dune shacks,
107. remember there was very limited public access that's
108. managed through nonprofits that actually have a revenue
109. stream. So it isn't the Park Service getting involved
110. in that. And we have public programming that we do
111. whether it's guided tours to some of the shacks and then
112. the art organizations. Not the private individuals, but
113. the art organizations then present either at (inaudible)
114. or the fine arts workshop or even public programs at the
115. Visitors Center. So I didn't want everybody to think
116. that there is a lot of almost, you know, free or low
117. (inaudible) can't stay at the dune shacks, which should
118. be the model here.
119. MS. BACON: No, I know that.
120. MR. PRICE: And I just want you to know that. So
121. Peter and I have engaged on that, especially as we have
122. a look at the next couple of ones that he might
123. undertake.
124. MR. DELANEY: Lilli?
125. MS. GREEN: And perhaps maybe the (inaudible) is
126. the key piece.
127. MR. PRICE: Yes, right, right.
128. MR. DELANEY: Okay, one last thing. We're getting
129. on our last legs. Maureen, one more.
130. MS. BURGESS: Just to follow up on Kathleen's
131. points about Pilgrim, I would like to give you Charlie
132. Baker's office number so as individuals if you'd like to
133. write this down.
134. MR. PRICE: Is this his cell phone?
135. MS. LYONS: We only want his cell phone.
136. MS. BURGESS: Oh, I don't know his cell phone.
137. This is his office, 617-725-4005.
138. MR. DELANEY: Okay.
139. MR. NUENDEL: This is officially Charlie?
140. MS. BURGESS: The information I have from
141. Downwinders is that that's his office number.
142. MS. LYONS: They must have picked that up when they
143. were in there, right?
144. (Laughter.)
145. MS. BURGESS: Tied up on the floor.
146. MR. DELANEY: As I call for -- yes?
147. AUDIENCE MEMBER (ED MILLER): I don't want to keep
148. you longer than you --
149. MR. DELANEY: Well, it's public comment. Go ahead.
150. AUDIENCE MEMBER (MR. MILLER): I do have a
151. question. I'm Ed Miller, associate editor of the
152. *Provincetown Banner*. I haven't been to many of these
153. meetings, so it may be that my question has been
154. answered, but please indulge me for a moment.
155. I assume you know that there is legislation that
	1. has been introduced in the United States Congress by
	2. Representative Keating and Senator Markey that involves
	3. a swap of a 1.09-acre lot in Wellfleet on Long Pond with
	4. a house and a private beach for another property in
	5. Wellfleet that's slightly more than one acre. And the
	6. bills are in committee and as far as I know have not
	7. been approved, but in a conversation with Mr. Burke, the
	8. Park historian, he said that as far as he knew there was
	9. no precedent for a house of this kind being transferred
	10. from National Park Service ownership into private
	11. ownership ever before. And in addition, the legislation
	12. includes a change in the definition of improved property
	13. in the enabling legislation for the Cape Cod National
	14. Seashore. So my question is, has this commission
	15. reviewed this legislation and looked at it and expressed
	16. an opinion on whether it is a good idea or not?
	17. MR. DELANEY: We have not been -- we have not
	18. presented that issue, and I don't think anyone's aware
	19. of it.
	20. AUDIENCE MEMBER (MR. MILLER): I will add that a
	21. reporter at the *Banner* who has been working on this
	22. called up Superintendent Price to ask him about it, and
	23. he said that he preferred not to comment because it was
	24. a private matter.
		1. MR. DELANEY: Okay.
		2. MS. GREEN: That's the Rosenberg property.
		3. MR. PRICE: Actually, what I said was I don't
		4. discuss conversations with private property owners. And
		5. this particular legislation would be an allowance and
		6. that we wouldn't be making things public until it was
		7. actually the potential of a deal. And the issue is
		8. relating to the Herring River restoration property, and
		9. specifically the current property that the Rosenbergs
		10. own, they have a CSC. They have a certificate of
		11. suspension of condemnation. And if we were to do a land
		12. swap, then they would need the same protection. And as
		13. far as swapping properties and -- we have a broad
		14. authority when it comes to administrative activity with
		15. the federal land if it's in the benefit of the
		16. government. And I'm not sure that we haven't done
		17. private properties.
		18. MS. McKEAN: I am not sure either.
		19. MR. PRICE: But I know that we have done numerous
		20. -- we've done numerous property exchanges with the towns
		21. and municipalities. There's been regular activity with
		22. the towns in the Seashore boundary at the time.
		23. MS. McKEAN: Yes, we have done private land
		24. exchanges with private landowners. I don't know about
156. whether there were structures on those lands that were
157. transferred to them or not.
158. MR. PRICE: So we have done private land exchanges.
159. MR. DELANEY: Larry?
160. MR. SPAULDING: It's getting late. Why don't we
161. just put that on the next agenda. Maybe Lauren can get
162. a copy of the legislation or the report and send it to
163. us because most of us don't know anything about it.
164. MR. DELANEY: This would be just -- okay, this
165. should be on the agenda next, maybe as a generic issue
166. too about how land swaps happen or not happen, but just
167. to modify my initial reaction, my answer to your
168. question, this issue has been in front of us before. We
169. have been briefed by the superintendent about the
170. Herring River project. We've all known that there were
171. a couple of key -- two, three, a handful of key private
172. properties that historically have been stumbling blocks
173. slowing this process down and that the Park Service has
174. made numerous attempts to find ways to solve that
175. ownership to facilitate the Herring River project going
176. forward. And now I understand in that context this is
177. another -- maybe a last-ditch attempt to make that
178. happen because this is, I think we all have heard, one
179. of the -- one of the two absolute key pieces. If this
180. can't be solved, then there's a big limitation to what
181. can be achieved in the Herring Cove restoration project,
182. which this committee endorses 100 percent and
183. enthusiastic.
184. So my answer is we have -- I didn't connect
185. immediately the way you framed the question, but we are
186. aware. So it's taking a little different route, but I
187. trust the superintendent has explained it had to be a
188. little bit confidential for the time being.
189. AUDIENCE MEMBER (MR. MILLER): Thank you.
190. MR. DELANEY: So I am going to -- just at the end
191. I'm just going to say that -- before I call for a motion
192. for adjournment, that earlier Don said we have a big
193. agenda, and we just proved it again today. I want to
194. make sure the record shows the Park has the real -- this
195. agenda day to day. Superintendent Price, Kathy, Lauren,
196. and Nita about to get involved full force, and all the
197. rest of the Park Service, these are the guys that do
198. this day in and day out with a huge agenda. We just
199. come in and get the cream of the crop and the tip of the
200. iceberg, but hats off to a tremendous team that does
201. this day in and day out.
202. MS. LYONS: And can I just add to that? I
203. apologize for being late, but I did see that you must
204. have discussed the Centennial celebration.
205. MR. PRICE: Actually, that got bumped.
206. MS. LYONS: Oh, well, it really was an amazing
207. feat, and I congratulate not just George but the entire
208. staff. That was a real effort on everybody's part. I
209. mean, that was heavy lifting, and it was done
210. seamlessly. And it was a beautiful program, and it was
211. just great.

# ADJOURNMENT

1. MR. DELANEY: Okay, motion to adjourn?
2. MS. GREEN: So moved.
3. MS. LYONS: Second.
4. MR. DELANEY: All those in favor, signify by saying
5. aye.
6. BOARD MEMBERS: Aye.
7. (Whereupon, at 3:39 p.m. the proceedings were
8. adjourned.) 18

19

20

21

22

23

24

# REPORTER'S CERTIFICATE

PLYMOUTH, SS

I, Linda M. Corcoran, a Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that:

The foregoing 119 pages comprises a true, complete, and accurate transcript to the best of my knowledge, skill, and ability of the proceedings of the meeting of the Cape Cod National Seashore Advisory Commission at Marconi Station Area, Park Headquarters, South Wellfleet, Massachusetts, on Monday, September 19, 2016, commencing at 1:05 p.m.

I further certify that I am a disinterested person to these proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal this 3rd day of November, 2016.

Linda M. Corcoran - Court Reporter

My commission expires: August 28, 2020