

## **ATM 16F – CPC – Ship Pond Marsh**

*draft minutes from 3/3/16 A&F meeting*

Bill Keohan, CPC Chair, presented Article 16F. CPC would like to appropriate \$140,000 to purchase 9.98 acres located off Fisherman's Lane, Ship Pond Marsh, Surfside and Bayside Beaches. The intention is to preserve the 1,200 feet of frontage on Ship Pond Marsh and 1,000 feet of frontage on Cape Cod Bay (south of Surfside Beach and north of Bayside Beach). The 90 feet of frontage on Fisherman's Lane will allow access and accommodation for a trailhead. The property will have pedestrian access from 180 feet of frontage on Bayberry Road and Douglas Avenue. The property possesses considerable natural resource values. It is within areas designated by the Commonwealth of Massachusetts as "Barrier Beach" and "Hurricane Surge Inundation Zone" and is directly adjacent to areas just offshore that are designated "Lobster Harvest Zone" and "Approved Shellfish Growing Area". It contains the entirety of Ship Pond's eastern shoreline as well as a barrier beach that includes extensive frontage on Cape Cod Bay.

Questions:

- Any plans to add parking? (P O'Brien) No, the lot is too small. Maybe have an area to pull up and make a three point turn but that is all. It will provide pedestrian access to those that live in the area. Maybe in the future we can find an area to add a few parking spaces.
- So this would be a town owned beach with no parking? (H Helm) There are lots of people that live in that area that can walk there.
- There is already an easement on this property at the southern edge of the pond correct? (M McGraw) There is an easement for maintaining a culvert. The current owners do allow public access to the beach but if they sell the lot the new owners may deny access.
- It looks like in 5 years the owners have doubled their money comparing what they paid for the lot to what they are selling it for? (S Joyce) We are paying the appraised value. We do appraisals jointly where the seller pays half and CPC pays half.
- What is the 61B reference? (S Joyce) It is a tax break because the town has an easement to manage the culvert.
- How long has this lot been receiving the tax break? (S Joyce) 61B is offered in 7 year cycles, not sure how long it has been receiving that.
- Has this plan been discussed with the neighbors? I am worried it may turn into a parking nightmare like White Horse Beach. (H Salerno) Not yet. Typically we get Town Meeting approval first then have meetings with the neighbors. This will be a neighborhood enhancing feature which will increase their property values. It is small and will not attract the interest that White Horse receives.
- Lot is non-buildable? (K Canty) Yes.
- Have there been studies on the erosion and elevation and how long the property may exist since it is in the Hurricane Surge Inundation Zone? (J Moody) The beach will exist well into the future, it is quite substantial and rugged.
- Why are there are different acreages listed? (S Joyce) It is because of the tides. It is approximately 6 acres at high tide, 10 acres at low tide.
- Every stretch of beach is unique, how is a property like this appraised? (H Salerno) Surprisingly, there are a lot of comps available for unbuildable lots with beach frontage or beach rights. People buy the lots for recreational amenities and access. The appraisal showing the comps is available for viewing in the Town Clerk's office.

Public Comment

Steve Striar commented that this land is in a multiple resource area with certain protections, that it is undevelopable and would be better served by a private owner denying access to the public. Similarly to the dunes at White Horse Beach and the plovers at Long Beach, it is better protected without the public accessing it. The Town has been offered first right of refusal because that is a condition of Chapter 61 status. Someone may offer to buy this land for significantly less money.

Bill Keohan said that there are different approaches with Chapter 61. Some offer to sell it to the town and others pull out of Chapter 61, pay back the rollback taxes and sell the property.

Steve Striar said it may be best for the seller to pay the rollback taxes and keep the beach in pristine condition for everyone's benefit. All of the roads leading to this lot are private and there may be an issue with public access on the private roads.

Bill Keohan said that owners have rights through two access points that many roads in Plymouth are private.

Questions/Comments:

- If there is a hurricane this parcel would most likely incur minimal damage because there is no seawall or cliff to slide into the ocean, it is at grade with the ocean. (S Stephenson)
- What if after the purchase the neighbors are concerned with traffic? What if they don't agree with this purchase? (H Helm) The public currently drives down there but there is limited desirability. With improved safe and reliable access and signage, there may be slightly more interest.
- What if there is a plover issue that arises? (S Joyce) That would be handled similarly to how it is handled at every other public beach. We don't want that to be a reason to not buy the land.

**Patrick O'Brien made a motion to recommend ATM Article 16F to Town Meeting. Scott Stephenson second. The motion carries (7-3-1). Kevin Canty, Shelagh Joyce, Robert Cote, opposed. The Chair voted in opposition which would only count in the event of a tie.**