

Winter 2008



The Sippewissett Association Newsletter



GREETINGS FROM President Katie Abrams

Once again we greet the New Year with an update for members of the activities of the Association. One of the significant accomplishments is the creation of a new Sippewissett Association Web Site, now available for your use. Thanks to our Secretary, Sue Cohan, for all the hard work in creating the website and to the Board Members who created the materials. Your comments will be appreciated.

I would like to ask all members for help. We would like to start communicating by email whenever possible. Our email list is not up to date. I ask each of you to send me your current email address to update our files. While sending it, I request that you specify yes or no if you would accept the Newsletter by email; yes or no if you would like meeting notices, etc. by email; or no if you would like no communication by email. My email address is ksakms@aol.com. It would help streamline things if we can do some email communication. It would also be a good opportunity to give us some feedback on the newsletter, issues, etc.

In late Summer, we discovered that the Governor and his Environment Secretary had decided to change the requirements for Wetland Hearings. The proposed change restricted the participation by abutters and interested citizens in participating in the process. We were able to react quickly in notifying SA members and sending letters, objecting to the proposed action, to the state officials and our representatives. They decided to drop the proposed change which was certainly a good thing.

Phragmites has been an important issue in Falmouth for some time. Included in this newsletter is an article by Maggie Goud Collins on local efforts to control this invasive wetlands plant, spearheaded by Dick Payne, Chairman, Wetlands Invasives Steering Committee. The problem is serious and is requiring major steps to get a hold on the problem. The Board has been looking at the problem and we will be discussing any possible actions at the next Board Meeting.

Updated Sippewissett Association Web site

On January 6th a new release of the Sippewissett Association Web site was published. On the redesigned site you'll find announcements concerning critical issues and events plus news about our latest activities. The most recent Sippewissett Association newsletter is available as well as several earlier ones. A summary of ongoing activities can be found as well as links to Web sites of other organizations whose work complements ours.

There is also information for contacting Board members about volunteer activities, issues of concern to you, membership, or general questions.

Please access the site by visiting <http://www.sippewissett.org>. We encourage you to send your comments and suggestions for expanding the value of the site to the Sippewissett Association membership to webmaster@sippewissett.org.

KUDOS for distinguished women of Sippewissett have been issued in the last few months. We all congratulate Vicky Lowell and Margaret Russell.

CAPE COD FOUNDATION HONORS VICKY LOWELL

Approximately 200 guests joined the Joshua A. Nickerson Society Dec. 4 to honor **Vicky Lowell** of Falmouth, winner of the 2007 Nickerson Society Award. .

The Nickerson Society Award acknowledges outstanding contributions of local residents to the people of Cape Cod. It is presented annually in memory of Joshua A. Nickerson, a Cape leader and philanthropist.

Vicky, a resident of Falmouth since 1966, and long time member of the Sippewissett Association, has devoted countless volunteer hours to the improvement and enhancement of the region. Among her many community achievements are helping to launch the Cape Cod Commission, serving as a County Commissioner; co-founding and serving The 300 Committee, helping with the merger of the Falmouth and Cape Cod Hospitals, and chairing the Beebe Woods Plan Committee, to name only a few.

MARGARET HOUGH RUSSELL NAMED CITIZEN OF THE YEAR BY THE FALMOUTH CHAMBER OF COMMERCE

On November 4th, the Falmouth Chamber of Commerce's annual meeting and awards banquet was held in the Cape Cod Room of the Coonamessett Inn.

A standing ovation greeted the announcement that **Margaret Hough Russell** was named the Citizen of the Year for 2007. Margaret is so deserving of this honor, as she has quietly given her time and support to many of Falmouth's worthwhile projects, including the Service Center, Emerald House Thrift Shop, Falmouth Education Foundation and the The 300 Committee, for which she currently serves as Administrator. Margaret Russell was Publisher of the Falmouth Enterprise from 1993 - 2005.

Alden Larsen Woodland in Sippewissett Preserved

Several Sippewissett residents enjoyed a champagne toast with staff of The 300 Committee in mid- December, to celebrate the successful protection of a small woodland parcel on Haynes Ave (2). The half-acre wooded tract of rocky slopes and seasonally wet depressions is an important refuge for local wildlife and connection along a wildlife trail between Beebe Woods and the Gunning Point Pond wetland complex. The property, named in honor of long-time owner and Haynes Ave. resident Alden Larson, was purchased by the 300 Committee using funds that were donated by

neighborhood residents specifically for this purchase. The land will be held in perpetuity by The 300 Committee as protected open space. The



Sean Berlaw, Arthur Gaines, Margaret Russell(300 Comm.), Jennifer Gaines, Bob Busby, Leonard Johnson(300 Comm.), Ken Foote

arrangements that were developed with The 300 Committee's assistance will serve as a model to facilitate future neighborhood efforts to protect small environmentally-valuable parcels. We thank all the individuals involved and especially Margaret Russell and Leonard Johnson of The 300 Committee for their efforts to preserve in perpetuity this beautiful little corner of Sippewissett's woods.

SippOwisset* Update

Setback in Town's Denial Order of Sweeny project on Pond Reservation

In May of 2006 the Town of Falmouth Conservation Commission issued a Denial Order of Conditions to the application of Mr. Joseph Sweeney to build a 5-bedroom house on land (the "Pond Reservation") long classified as "undevelopable" by the Town. As he has three times in the past, Mr. Sweeney appealed the decision to both the Massachusetts Department of Environmental Protection (DEP) and to the Barnstable County Superior Court.

The DEP overrode the Conservation Commission's Denial of the project with a DEP Superseding Order of Conditions, which SippOwisset Homeowners appealed. (The DEP case is pending.) Rather than join in the DEP appeal, the Town chose to concentrate their legal efforts in the Barnstable County Superior Court and defend the Conservation Commission Denial under the Town's more stringent conservation by-laws. The Superior Court has in the past upheld the Town's authority to issue Denials based on more rigid local environmental regulations, and a hearing on the Sweeny appeal was scheduled in Superior Court in October.

Shortly before the hearing however, Mr. Sweeney's lawyers moved to dismiss the town's decision on a technical ground, citing a new decision of the Massachusetts Supreme Judicial Court (Otter Creek Preservation v Conservation Commission of Harwich). The judge in the Otter Creek case has re-interpreted the State Laws and ruled that denial orders must be postmarked within

the 21 day time limit (not merely signed and announced publicly), or the town's decision is invalidated due to lack of timeliness. The Falmouth Conservation Commission voted and signed their Denial Order at their regularly scheduled public meeting 21 days after the close of the public hearing, but did not mail the Denial on that date.

This reinterpretation of a longstanding practice of Town Boards-- which generally meet weekly in evening meetings when local post offices are closed-- threatens not only the denial of the Sweeny project but many denials and conditionings of projects that have been issued across the Commonwealth. A hearing in Superior Court in late January 2008 will be held to argue whether the Otter Creek decision is applicable to the Sweeny denial. If the decision goes against Falmouth, the SippOwisset Homeowners appeal of the DEP's Superceding Order will provide the primary remaining legal action to uphold the Town's denial.

These developments are the most recent in legal actions spanning 27 years to protect the open-space and beach access rights originally incorporated in the SippOwisset Subdivision plan in 1897.

* The term "SippOwisset" (emphasizing the "O" and one "t") is used to distinguish the specific subdivision from the larger Sippewissett ("e" and two "t"s) geographic area.

As Sippewissett residents may have noted, workers for HABITAT FOR HUMANITY have installed and capped a foundation at the newest Habitat site on the corner of Sippewissett Road and Burnham Road. Regular volunteers will be needed after mid march to begin raising walls and complete the project. More information is available at: office@habitatcapecod.org OR call 508-775-3559

Phragmites Control Efforts: Progressing in Starts and Stops

By Maggie Goud Collins

Controlling the explosive spread of *Phragmites australis*, often called the common reed, in coastal marshes is a concern in which Sippewissett residents find common cause with the rest of Falmouth, as well as with most coastal communities in New England. For several years, Dick Payne has organized a campaign to assess and fight botanical invasives, particularly the *Phragmites* and purple loosestrife that have out-competed many other native marsh plants and become locally dominant. He chairs the Falmouth Wetlands Invasives Steering Committee (WISC), and has assembled a group of volunteers to execute demonstration projects for the last two years on town-owned conservation land in several areas. Sippewissett residents have assisted in those efforts, and Dick has offered help to private groups that are trying to initiate control programs here.

One such effort in Little Sippewissett Marsh is led by Sippewissett Place resident Nancy McDonald. In spring of 2007, she convened a committee that researched control strategies and formulated a proposal for consideration by the Sippewissett Place Homeowners Association (SPHA). Dick Payne addressed a meeting of about 30 Sippewissett residents in August, where he gave background information, showed photos of some of the demonstration projects in Falmouth, explained the procedure for getting the O.K. from the Conservation Commission, described the work involved, and answered questions. A few Sippewissett Place residents are considering filing paperwork to get the process started, and hope to begin a pilot project in late winter 2008.

The process is challenging, and WISC has assembled a

checklist of the steps involved in getting permission for and carrying out the control regimen that they have developed. The crucial administrative element is to file a complete Request for Determination of Applicability (RDA) with the ConCom, including permissions from all landowners whose *Phragmites* will be treated. With that RDA, the control program can begin – and its components are costly in time, labor, and money. *Phragmites* stalks must be cut down by hand to the level of underlying vegetation in spring, and hauled away. The following fall, the new *Phragmites* growth must be cut again, and each stalk must be injected with a prescribed herbicide, which breaks down to harmless components within a few days. The herbicide can only be applied by an individual who is licensed to do so. The spring and fall control activities must be repeated for at least two additional years.

The cost of the control has been kept down in the demonstration projects by the use of volunteers to do much of the labor, and the cooperation of the Town of Falmouth, which has assisted in the herbicide application and removal of the *Phragmites* stalks. However, a 0.4 acre pilot project in Great Sippewissett March, undertaken by a concerned household in Sacconesett Hills without volunteer or Town labor, yielded cost estimates by WISC for late winter cutting, late summer cutting and removal, and herbicide application of cost about \$67 per 100 sq ft or \$29,800 per acre. Costs may be lowered, however, by using volunteers for some of the labor and finding lower cost commercial assistance.

In a recent update, WISC Chair Dick Payne lauded the efforts by the Sacconesett Hills household and a few other private citizens who are making efforts to control the reeds. He noted that the demonstration project at Old Silver Beach appears to have been successful, but that the projects at the Breivogel and Margaret Doult

Conservation Areas will require significant work to avoid backsliding.

Many online resources are available to help understand the problem. The Massachusetts Wetlands Restoration and Banking Program of the Massachusetts Executive Office of Environmental Affairs prepared a very readable summary of the issue, including both an explanation of why *Phragmites australis* has proliferated in New England marshes and brief descriptions of methods that have been tried in controlling the invasion, including pros and cons and cautions. It is posted on the Mass Audubon website at http://www.massaudubon.org/Kids/Lively_Lessons/Saltmarsh/restoration.html.

The summary appears to be about 13 years old, so some of the conclusions may be dated. For more technical information, check the thorough description of the biology and ecology of Phragmites at <http://www.invasive.org/eastern/biocontrol/9CommonReed.html>. Perhaps the most exhaustive treatment, profiling the plant and describing the problems it poses across the U.S., is on the USDA Website at <http://plants.usda.gov/java/profile?symbol=PHAU7>; it includes links to a wide variety of other relevant sites. Finally, for more information on biological controls, check invasiveplants.net, which belongs to Bernd Blossey of Cornell University who is, according to Dick Payne, the “godfather of biological controls.”



Sound Management of the Woodneck Coastal Complex

WOODNECK PUBLIC BEACH and the contiguous Little Sippewissett Marsh are the focus of recent public concern following storm damage to the recreational beach, and swimming closures stemming from bacterial contamination. The Falmouth Conservation Commission has responded with a program of scientific studies (coordinated by Commissioners Betsy Gladfelter and Courtney Bird) so that the Town can develop the best management strategies to maintain an attractive, healthy public beach and maintain an intact coastal ecosystem. Beginning with funding from the Community Preservation Act, the Commission contracted a coastal engineer to determine a sand budget for the system and a tidal flushing study of the marsh. The results of this study are expected in Spring 2008.

Subsequently a host of other programs have taken form, typically led by a scientist and often staffed by volunteers. One of these studies, involving Sippewissett Association board member Dr. Arthur Gaines, was a three-day nutrient monitoring program, taking hourly samples at two stations at Woodneck Marsh. This study was made possible by a dozen volunteers—students and area residents—who stood watches round the clock collecting samples and data. Analyses of the samples is now complete and scientists and manager will be meeting this winter to discuss the practical implications of these observations.

A separate study of bacterial contaminants at Woodneck is being conducted by Drs. Mitch Sogin and Julie Huber of the Marine Biological Laboratory. Their study seeks to identify not only the level of contaminants but also the sources of these bacteria, using sophisticated molecular methods.

The geological history of the marsh has been researched by Dr. Jeff Donnelly, of the Woods Hole Oceanographic Institution (WHOI), with special attention to storm overwash events which, over geological time, can push the beach landward over the marsh, much as the December 2005 storm was observed to do recently. Another WHOI scientist, Dr. Dave Ralston, has recently submitted a grant proposal to prepare a three-dimensional computer model of water circulation in the marsh.

Yet another ongoing study involves weekly monitoring of water quality, conducted during summer months by the Coalition for Buzzards Bay, over the past seven years. This work, also carried out by volunteers, is coordinated by Mr. Tony Williams.

The most recent research program, a study of nutrient dynamics during mid-winter, is being conducted by Falmouth Academy student Abby Gove. Her study is based on a 24 hour sampling program conducted on December 26-27, and will focus on a comparison of winter results with those of the mid-summer nutrient study, mentioned above. Her results will be presented at the Falmouth Academy Science Fair in February 2008. Ms. Gove also collected a set of samples for Dr. Maureen Conte (of the Marine Biological Laboratory), who will analyze them for detergent residues, to be expected where contaminated groundwater enters the estuary.

The results of all of these studies will be used by the Falmouth Conservation Commission, along with input from the public, to determine the best way to manage and protect the important resources at Woodneck Beach for present and future use. Sippewissett Association members have been instrumental in these and other information-gathering efforts, to help the Town maintain healthy coastal areas.

Sippewissett “Baywatchers” Complete Eighth Year of Water Quality Monitoring

Sippewissett Association “Baywatchers” enjoyed a lively beach barbeque in September to mark the end of eight seasons of keeping tabs on Sippewissett water quality. The group, organized locally by Sam Trotz, volunteers a few mornings each week from May to September making water quality measurements at Wood Neck, Gunning Point and Flume Pond for The Coalition for Buzzards Bay Baywatchers program.

Baywatchers (<http://www.savebuzzardsbay.org/ourwork/research/baywatchers.htm#history>) was initiated by the Coalition in 1992 to document and evaluate nitrogen-related water quality and long-term ecological trends in Buzzards Bay. It is now Massachusetts’ largest volunteer-based monitoring effort (130 Baywatchers strong) and the primary source of long-term data used to assess the health of each of the Bay’s 30 major harbors and coves.

Baywatcher data (oxygen, nitrogen, chlorophyll a pigments, water clarity, and salinity) are used to calculate a Bay Health Index that measures the nutrient-related health or level of nitrogen fertilization (eutrophication) to provide an “at a glance” picture of conditions throughout Buzzards Bay. Little Sippewissett Marsh’s score (45 out of 100) is one indication of its impaired health.

Baywatchers data is also used in the Coalition’s State of the Bay Report, which synthesizes information from federal and state agencies, scientists, and land use planners on pollution, watershed health, and living resources including shellfish bed closures, eelgrass cover, and land use changes. The updated Report released in June 2007 finds a continuing decline in water quality due to increases in poorly sited coastal development, nitrogen pollution from septic systems and lawns and runoff from impervious surfaces. It signals an urgent need to improve coastal regulations and increase investment in wastewater and stormwater infrastructure to reverse the Bay’s decline.

If you would like **to become a Baywatcher for 2008 please contact Sam Trotz** (trotzsi@aol.com) or a member of the SA board. No science background is needed. Both publications can be found on the Coalition’s web site and copies will be available at the Winter Social.