

5. Inventory of Lands of Conservation and Recreation Interest

A. Conservation & Recreation Lands

Approximately 38 percent of Mashpee's land and wetland area (5650 of 14,894 acres) has been set aside for open space and recreational uses over the years. 4255.16 acres are currently owned by public agencies or land trusts and open to public use. These are shown on Map 5-2, along with another 63.94 acres of private land which has been made subject to conservation restrictions, as well as 1330.63 acres of cluster subdivision and condominium open space which is permanently protected through the provisions of zoning special permits and, in most cases, recorded deed restrictions.

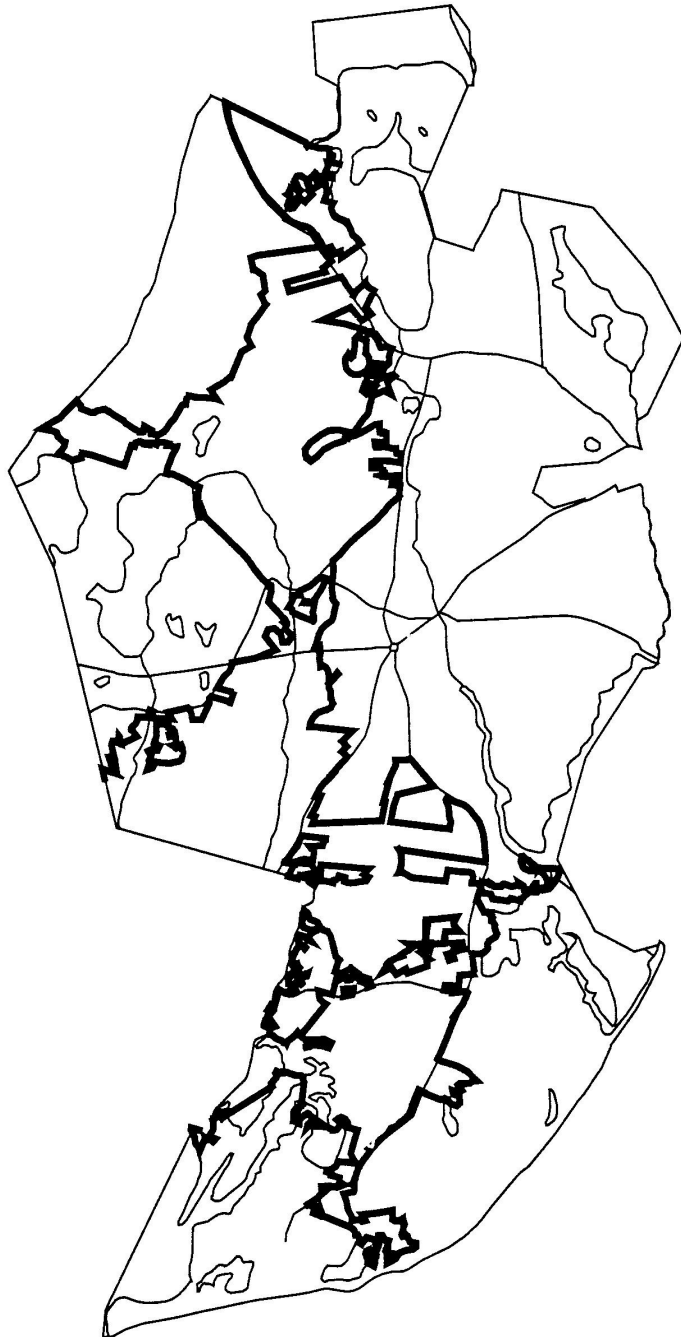
Other lands have been effectively protected for open space and recreational use, although they may not have permanent deed restrictions or other absolute legal protection. These include 102.44 acres currently subject to current use taxation under M.G.L. Chapter 61, as well as cluster subdivision open space set aside under old zoning which did not require special permits or deed restrictions. Additional subdivision open space is owned by homeowners associations and is unlikely to be sold off or developed in the future, while much has been taken by the Town for non-payment of property taxes, although not yet transferred to the Conservation Commission. The Mashpee Water District owns 183.36 acres, the vast majority of which is held as protected well sites. These additional lands are shown on Map 5-2, which also shows other non-conservation Town-owned lands. 1264.11 acres of federally-owned lands associated with the Massachusetts Military Reservation, and an additional 160.66 acres subject to avigation and safety easements held by the military are not shown on the map, as they are not held for conservation purposes.

Three major projects have defined which lands would be of most interest to the Town for preservation. All lands within the authorized acquisition boundary of the Mashpee National Wildlife Refuge (Map 5-1) can be considered of conservation and recreation interest to the Town. The Mashpee River Corridor project, which is close to its goal of protecting all remaining open spaces along the river, is a second project which defines which parcels are of interest. The third major project is the proposed Cross-Cape Trail from Sandy Neck in Barnstable and Sandwich to South Cape Beach in Mashpee. Its Mashpee segment, of which more than half is in place, is illustrated on the Action Plan map accompanying Section 9.

All of the parcels noted above are listed in the tables which follow, which list federal lands, state lands, Town conservation lands, other Town lands, lands owned by other public agencies, lands owned by conservation trusts, chapter 61 lands, lands subject to conservation or similar development restrictions, privately-owned cluster subdivision open space, condominium open space, other lands owned by homeowners associations and other private lands of conservation interest.

Mashpee NWR Boundary

Map 5-1



What is “protected” Open Space?

In considering our inventory of “protected” conservation lands and other open spaces, and in thinking about the proposed status of future open space acquisitions, it is important to understand what we mean by “protected”. There are many levels and types of “protection” which have been, or can be, applied to our open spaces. The first is related to ownership. For the purposes of this plan, we assume that lands owned by the U.S. Fish & Wildlife Service, by the Massachusetts Dept. of Conservation & Recreation and the Massachusetts Division of Fisheries & Wildlife are “protected” as open space due to the statutory missions of those agencies and the resulting purposes for which their lands in Mashpee have been purchased. In the case of D.C.R. lands, those purposes can, however, include beach and other active recreation facilities, visitor centers and associated large parking areas, as at South Cape Beach State Park. Some lands listed to the Division of Fisheries & Wildlife were acquired by the state’s Public Access Board and are used for boat landings or fishing access on Mashpee and Johns Ponds and at Popponesset Spit.

Other federal lands, such as those owned by the United States of America in conjunction with Otis Air National Guard Base, have not been purchased specifically for open space or habitat protection and may not even be open to the public for outdoor recreation use, but they are, in a sense, protected from future development, with resulting open space / wildlife benefits, because the intent of the military is to leave them undeveloped as safety zones at the end of runways or near munitions storage areas. For similar reasons, the military has purchased “avigation” and other safety easements on large tracts of privately owned land near the military base, effectively taking those lands out of development and providing ancilliary open space / wildlife benefits.

Some state lands in Mashpee are owned by the Massachusetts Highway Department. Aside from the road layout of Route 28, these are all small parcels acquired to accommodate road drainage facilities. While they are not considered “protected” open space for our purposes, they are not likely to be developed with structures.

Large acreages in Mashpee are owned by private non-profit land conservation trusts. Chief among these are the Lowell Holly Reservation and the Mashpee River Reservation owned by The Trustees of Reservations, the world’s oldest land conservation trust, with smaller parcels owned by the Orenda Wildlife Land Trust and the Massachusetts Audubon Society. Lands previously owned by the Mashpee Land Conservation Trust were transferred to the Conservation Commission in 2002. The Friends of the Mashpee National Wildlife Refuge owned two parcels adjacent to Johns Pond Park Conservation Area, of which one has been taken for non-payment of property taxes and the other is in the taking process. As with some of the state lands, the “protection” of these lands is primarily dependent on the mission of the agencies that own them. For example, the Mashpee River Reservation is not subject to specific recorded conservation restrictions. In the past, a small portion of the land was sold off by The Trustees of Reservations to raise funds to support management of the remainder. However, given the mission of the Trustees, it is highly likely that the vast majority of their lands will be left undeveloped and are thus considered “protected”. The same can be said of the other non-profit trusts, although in some cases land donors may have placed or required recorded conservation restrictions on a parcel.

Mashpee Open Space Acreage – December 2006 Estimates

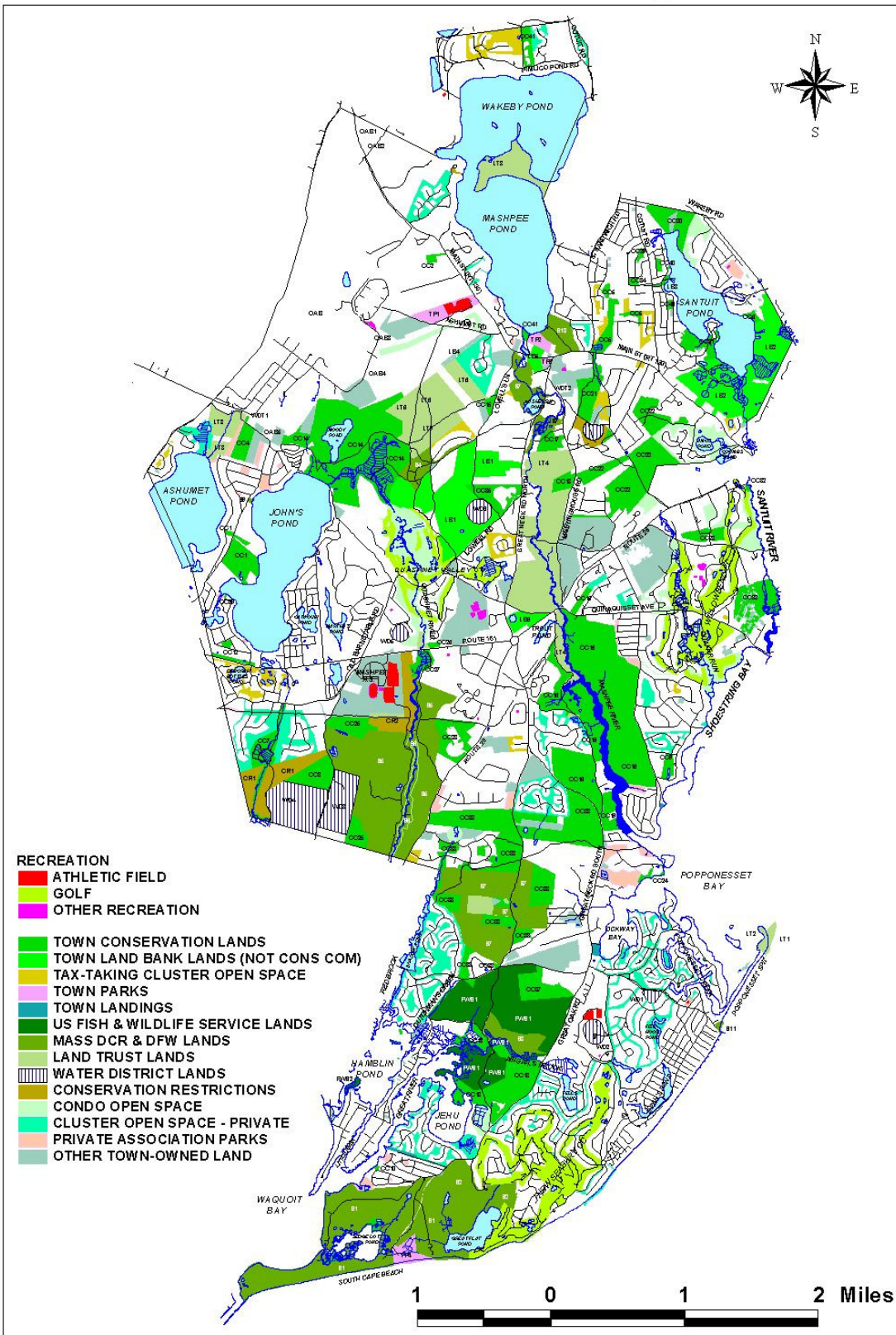
Total Land Area 14,894 acres

Owner	Acres	% of Land Area
Town Conservation Commission Lands	1731.70	11.62
Selectmen-Controlled Land Bank Open Space	405.18	2.72
Town-owned Subdivision & Condo Open Space	115.49	0.78
USF&WS Cons. Restriction at High School	43.96	0.30
Town Parks & Beaches	58.10	0.39
Town Landings	9.38	0.06
Town Subtotal	2363.81	15.87
U.S. Fish & Wildlife Service	265.93	1.79
State DEM and DFW	1169.90	7.85
Public Subtotal	3799.64	25.51
Non-Profit Land Trust Open Space	455.52	3.06
Conservation Restrictions	63.94	0.43
TOTAL PROTECTED OPEN SPACE	4319.10	29.00
Condo / Homeowners Assoc. Open Space	1330.63	8.93
TOTAL OPEN SPACE	5649.73	37.93
Mashpee Water District Well Sites	177.13	1.19
Mashpee Water District Water Tower Sites	6.23	0.04
Water District Total	183.36	1.23
Chapter 61 Current Use Taxation Lands (non-cluster) (Total including cluster OS counted above is 482.40 ac.)	102.44	0.69
Mass. Military Reservation (Otis ANGB)	1197.02	8.04
Otis ANGB off-base safety zones	67.09	0.45
Total Owned by Military	1264.11	8.49
Otis ANGB Avigation and Safety Easements (Total including protected OS counted above is 270.06 ac.)	160.66	1.08

Mashpee Protected Open Space

JUNE 2008

Map 5-2



Back of 11"x17" Map 5-2