

TOWN OF FALMOUTH
SELECT BOARD
REVISED AGENDA
MONDAY, JULY 12, 2021 – 6:45 P.M.
SELECT BOARD MEETING ROOM
TOWN HALL
59 TOWN HALL SQUARE, FALMOUTH, MA 02540

6:45 p.m. OPEN SESSION

6:45 p.m. EXECUTIVE SESSION

1. M.G.L. c.30A s.21(a)(3) – To consider settlement of police officer personal injury claim

7:00 p.m. OPEN SESSION

1. Call to Order
2. Pledge of Allegiance
3. Proclamation – Falmouth Historical Society – Heritage Awards
4. Recognition
5. Announcements
6. Public Comment

7:15 p.m. SUMMARY OF ACTIONS

1. Licenses
 - a. Approve application for Sunday Entertainment License – Barnstable County Agricultural Society, Inc. – Cape Cod Fairgrounds – Sunday, 7/25/21
 - b. Application for Special One-Day Wine and Malt Beverages License – Gray Matter Marketing, - Cape Cod Brewfest – Cape Cod Fairgrounds – Saturday, 9/25/21
2. Administrative Orders
 - a. Bond Refinancing
 - b. Vote to sign Preservation Restriction for 533 Woods Hole Road (the Dome)
 - c. Vote to accept donation from David’s Old Silver Swim, Inc. (Robert & Susan Catalano) in the amount of \$500.00 to the Beach Department Donation Account
 - d. Vote to accept donation from Teaticket Civic Association in the amount of \$600.00 to the Veterans Department Donation Account
 - e. Approve request to refinance affordable home mortgage, 3 St. Marks Rd.
 - f. Vote to appoint member of the Select Board to the Steamship Authority’s Woods Hole-Falmouth Noise & Traffic Mitigation Working Group
3. Special Events

Recurring - Recommended:

- a. Buzzards Bay Watershed Ride – Bike path to Swope Center, MBL, Woods Hole – Sunday, 10/3/21 – 1:00 p.m. – 6:00 p.m.
- b. Annual Summer Bazaar - Waquoit Congregational Church – Parsons Lane One-Way – Friday and Saturday, 7/16 and 7/17/2021 – 8:00 a.m. – 4:00 p.m.

New – Recommended:

- a. Blues & Views Concert – William Maurer – Bandshell – Wednesday, 8/18/21 – 6:30 p.m. – 9:00 p.m.
- b. Beach Wedding Ceremony – Falmouth Heights Beach – Jaquith – Friday, 9/10/21
- c. Beach Parking – Mill Road parking lot – Moore – Thursday, 7/29/21

7:30 p.m. PUBLIC HEARINGS

1. Application for an Alteration of the Licensed Premises of an All Alcoholic Common Victualler License – Chapoquoit Grill, Inc., located at 410 West Falmouth Highway, West Falmouth. Continued from April 26, 2021; May 24, 2021; June 7, 2021; June 21, 2021.

7:45 p.m. BUSINESS

1. Discussion/update on COVID-19 issues

7:55 p.m.

2. Fire Department Status Report

8:10 p.m.

3. Report – Bicycle and Pedestrian Committee

8:25 p.m.

4. Update on Traffic Improvements – Jones/Gifford Intersection and Route 28 Corridor from Falmouth Heights Road to Sandwich Road – Department of Public Works

8:40 p.m.

5. Sign Variance Request – Promotional Signage in excess of days permitted under Section 184-30 of the Sign Code – John Wesley United Methodist Church – Pet Stuff Sale, Rummage and Yard Sale, and Vacation Bible School

8:45 p.m.

6. Vote committee reappointments
Non-regulatory boards – incumbents with uncontested seats:
 - a. Affirmative Action Committee – Lynne Rhodes
 - b. Veterans Council Committee – Robert Foos (at-large position)
 - c. Veterans Council Committee – Carissa April (Joe Q Veterans Coffee Break, Inc. representative)

8:50 p.m.

7. Interview, vote and appoint committee members
 - a. Cable Advisory Committee – Anne Pride
 - b. Cultural Council – Stacey Wiessbock

9:00 p.m.

8. Discuss potential request for \$200,000 in construction engineering design for proposed FalmouthNet

9:15 p.m.

9. Individual Select Board Members' Reports
10. Town Manager's Report

Douglas C. Brown, Chair
Select Board

OPEN SESSION

3. Proclamations: Falmouth Historical Society – Heritage Awards



June 30, 2021

To: Falmouth Board of Selectmen
From: Mark Schmidt, Executive Director, Falmouth Historical Society
Subject: Heritage Dinner and Award

On Wednesday, September 22, 2021 at 5:00 pm, the Falmouth Historical Society will host its 21st annual Heritage Award, honoring an individual or group that has made a positive impact upon Falmouth and the region. It was our intention to have this event in 2020, but due to COVID, we were obliged to reschedule it until this fall. This year's focus is on women who have influenced various segments of Falmouth's community, and we have chosen five recipients to honor: Penelope Duby, Margaret Gifford, Barbara Kannellopoulos, Sharon Nunes and Pamela Rothstein. We would like to venerate these five remarkable individuals, and the impact that they have made upon Falmouth, by including a proclamation from the Selectmen for each of them.

Might each proclamation (one for each organization) say something like:

Be it hereby known that the Town of Falmouth offers it most sincere congratulations to <Penelope Duby/Margaret Gifford/Barbara Kannellopoulos/Sharon Nunes/Pamela Rothstein>, in receiving of the 21st annual Falmouth Historical Society Heritage Award, for your enduring commitment to the improvement and importance of our community. Your contributions to our town and to Falmouth's population have made it a better place for all of us.

Given this 22nd day of September, 2021

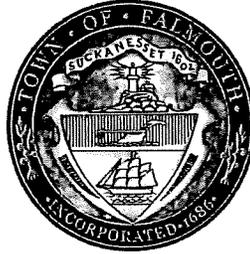
*Board of Selectmen
Town of Falmouth, MA*

Sincerely,



Mark A. Schmidt

Executive Director
Falmouth Historical Society



Certificate of Recognition

The Town of Falmouth Honors
Penelope Duby

Be it hereby known that the Town of Falmouth offers its most sincere congratulations to Penelope Duby in receiving the 21st annual Falmouth Historical Society Heritage Award, for your enduring commitment in the improvement and importance of our community. Your contributions to our town and to Falmouth's population have made it a better place for all of us.

Given this 22nd day of September, 2021

Falmouth Select Board

Douglas C. Brown, Chair

Megan English Braga

Nancy R. Taylor, Vice Chair

Onjalé Scott Price

Samuel H. Patterson



Certificate of Recognition

The Town of Falmouth Honors
Margaret Gifford

Be it hereby known that the Town of Falmouth offers its most sincere congratulations to Margaret Gifford in receiving the 21st annual Falmouth Historical Society Heritage Award, for your enduring commitment in the improvement and importance of our community. Your contributions to our town and to Falmouth's population have made it a better place for all of us.

Given this 22nd day of September, 2021

Falmouth Select Board

Douglas C. Brown, Chair

Megan English Braga

Nancy R. Taylor, Vice Chair

Onjalé Scott Price

Samuel H. Patterson



Certificate of Recognition

The Town of Falmouth Honors
Barbara Kannellopoulos

Be it hereby known that the Town of Falmouth offers its most sincere congratulations to Barbara Kannellopoulos in receiving the 21st annual Falmouth Historical Society Heritage Award, for your enduring commitment in the improvement and importance of our community. Your contributions to our town and to Falmouth's population have made it a better place for all of us.

Given this 22nd day of September, 2021

Falmouth Select Board

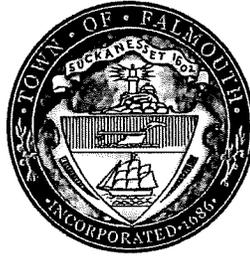
Douglas C. Brown, Chair

Megan English Braga

Nancy R. Taylor, Vice Chair

Onjalé Scott Price

Samuel H. Patterson



Certificate of Recognition

The Town of Falmouth Honors
Sharon Nunes

Be it hereby known that the Town of Falmouth offers its most sincere congratulations to Sharon Nunes in receiving the 21st annual Falmouth Historical Society Heritage Award, for your enduring commitment in the improvement and importance of our community. Your contributions to our town and to Falmouth's population have made it a better place for all of us.

Given this 22nd day of September, 2021

Falmouth Select Board

Douglas C. Brown, Chair

Megan English Braga

Nancy R. Taylor, Vice Chair

Onjalé Scott Price

Samuel H. Patterson



Certificate of Recognition

The Town of Falmouth Honors
Pamela Rothstein

Be it hereby known that the Town of Falmouth offers its most sincere congratulations to Pamela Rothstein in receiving the 21st annual Falmouth Historical Society Heritage Award, for your enduring commitment in the improvement and importance of our community. Your contributions to our town and to Falmouth's population have made it a better place for all of us.

Given this 22nd day of September, 2021

Falmouth Select Board

Douglas C. Brown, Chair

Megan English Braga

Nancy R. Taylor, Vice Chair

Onjalé Scott Price

Samuel H. Patterson

SUMMARY OF ACTIONS

1. LICENSES

- a. Approve application for Sunday Entertainment License – Barnstable County Agricultural Society, Inc. – Cape Cod Fairgrounds – Sunday, 7/25/21

State Fee, \$ 5
Municipal Fee, \$ 10

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF Falmouth



LICENSE

For

PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is BARNSTABLE COUNTY AGRICULTURAL SOCIETY in or on the property at No. 1220 Nathan Ellis Highway E. Falmouth MA 02536 (address)

The Licensee or Authorized representative, Wendy Brown in

accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

| DATE | TIME | Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion |
|---------|------|--|
| 7/25/21 | 12-9 | Bruno Mars tribute band |
| 7/25/21 | 12-9 | Petting Zoo, Cirque Equinox |
| 7/25/21 | 12-9 | Showcase Stage, Various Performers |

Hon. Douglas Brown Mayor/ Chairman of Board of Selectman, FALMOUTH (City or Town)

Fees per occurrence (Individual Sunday(s)): Regular Hours (Sunday 1:00pm – Midnight): \$2.00 Special Hours (Sunday 12:00 am- Midnight): \$5.00. Annual Fee (For Operating on every Sunday in calendar year): Regular Hours (Sunday 1:00pm – Midnight): \$50.00 Special Hours (Sunday 12:00 am- Midnight): \$100.00

This license is granted and accepted, and the entertainment approved, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times allow any person designated in writing by the Mayor, Board of Selectmen, or Commissioner of Public Safety, to enter and inspect his place of amusement and view the exhibitions and performances therein; shall permit regular police officers, detailed by the Commissioner of Public Safety or Chief of the local Police Department to enter and be about this place of amusement during performances therein; may employ to preserve order in his place of amusement only regular or special police officers designated therefore by the Chief of Police, and shall pay to said Chief of Police for the services of the regular police officers such amount as shall be fixed by him; shall permit at all times to enter and be about his place of amusement such members of the Fire Department as shall be detailed by the Chief of the Fire Department to guard against fire; shall keep in good condition, go as to be easily accessible, such standpipes, hose, axes, chemical extinguishers and other apparatus as the fire department may require; shall allow such members of the fire department in case of any fire in such place, to exercise exclusive control and direction of his employees and of the means and apparatus provided for extinguishing fire therein; shall permit no obstruction of any nature in any aisle, passageway or stairway of the licensed premises, nor allow any person therein to remain in any aisle passageway or stairway during an entertainment; and shall conform to any other rules and regulations at any time made by the Mayor or Board of Selectmen. This license shall be kept on the premise where the entertainment is to be held, and shall be surrendered to any regular police officer or authorized representative of the Department of Public Safety. This license is issued under the provisions of Chapter 136 of the General Laws, as amended, and is subject to revocation at any time by the Mayor, Board of Selectmen, or Commissioner of Public Safety.

Do not write in this box

This application and program must be signed by the licensee or authorized representative of entertainment to be held. No Change to be made in the program without permission of the authorities granting and approving the license.

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES

b. Application for Special One-Day Wine and Malt Beverages License – Gray Matter Marketing, - Cape Cod Brewfest – Cape Cod Fairgrounds – Saturday, 9/25/21

2021

License Alcoholic Beverages

21-9-WM

Fee:

25

The Licensing Board of
The Town of Falmouth
Massachusetts
Hereby Grants a

Special License For The Sale of Wine & Malt Beverages

License to Expose, Keep for Sale, and to Sell
Wines and Malt Beverages

To Be Drunk On the Premises

To Grey Matter Marketing
Matthew Gray, Manager

Cape Cod Fairgrounds
1220 Nathan Ellis Highway
East Falmouth, MA 02536

On the following described premises:

Cape Cod Fairgrounds, 1220 Nathan Ellis Highway, East Falmouth, MA 02536.

THE ABOVE NAMED PROFIT OR NON PROFIT ORGANIZATION IS HEREBY GRANTED A SPECIAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES ONLY, TO BE DRUNK ON THE PREMISES.

This license is valid from the 25th day of September 2021 until the 25th day of September 2021, unless earlier suspended, cancelled or revoked.

The hours during which Alcoholic Beverages may be sold are from:

Date: Saturday, September 25, 2021. Hours: 2:00 p.m. - 5:30 p.m.

Organizers are required to work with the detail division (Sgt. Karl & Loewen) to ensure that proper safety, security and traffic measures are in place and coordinate with Falmouth Fire Dept. 1. Alcoholic beverages must remain on the premises. 2. Rope off area where alcohol will be sold and consumed. 3. Servers-bartenders must be TIPS or equivalent certified. 4. All vendors must apply for Food Permits from the Health Department at least 30 days before the event.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 12th day of July 2021

Licensing Board

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ

**Town of Falmouth Application Special One-Day License for the Sale of Alcoholic Beverages
M.G.L.A. Chapter 138, Section 14**

Narrative describing event

Gray Matter Marketing applying for Cape Cod Brew Fest on Saturday, September 25th, 2021 at Cape Cod Fairgrounds

The Cape Cod Brew Fest was started in 2014 as a fall celebration of craft beer in Falmouth, MA at the Cape Cod Fairgrounds. Since its inception, Gray Matter Marketing has organized this event and drawn a significant crowd ranging between 1400-2000 attendees. Gray Matter Marketing donates a portion of the proceeds to a local non-profit, the Barnstable County Agricultural Society.

In 2021 we expect to host about 1000 attendees, 50 breweries, and 5-6 food trucks. We will provide all relevant certificates for both alcohol safety (TIPS) and temporary food permits from vendors, as the lineup is confirmed. Vendors will be on site pouring 3 oz samples. Gray Matter Marketing will have Zenith Security on site checking IDs, securing the premise, and providing crowd control as well as local police. This is a private, ticketed, and 21+ event. Gray Matter Marketing will provide a Certificate of Liquor Liability Insurance, as specified in the application, at the time needed before the event.

Phyllis Downey

From: Brian Reid
Sent: Tuesday, July 6, 2021 12:25 PM
To: Falmouth Licensing
Cc: Sean Doyle
Subject: RE: Reminder: New-One-Day Wine & Malt Beverages License

We have no objection.

Captain Brian L. Reid

Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
brian.reid@falmouthpolicema.gov

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From: Falmouth Licensing
Sent: Tuesday, July 6, 2021 11:01 AM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>
Subject: Reminder: New-One-Day Wine & Malt Beverages License

Good morning,

This is a reminder to please forward any recommendations or comments for this One-Day Wine & Malt Beverages License application related to the approved special event Cape Cod Brewfest to be held September 25th at the Barnstable County Fairgrounds.

Thank you,
Phyllis

Phyllis Downey

Town Administration
508-495-7325

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

From: Falmouth Licensing
Sent: Friday, June 25, 2021 2:14 PM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle (sean.doyle@falmouthpolicema.gov) <sean.doyle@falmouthpolicema.gov>; Timothy Smith (timothy.smith@falmouthfirema.gov) <timothy.smith@falmouthfirema.gov>; Scott McGann (scott.mcgann@falmouthma.gov)

Phyllis Downey

From: Boyd Demello
Sent: Tuesday, July 6, 2021 11:18 AM
To: Falmouth Licensing; Brian Reid; Sean Doyle; Timothy Smith
Cc: Boyd Demello
Subject: RE: Reminder: New-One-Day Wine & Malt Beverages License

No issues with Fire Rescue

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
508-495-2534 - Office
774-836-2436 - Cell Phone

CONFIDENTIALITY NOTICE: This message is privileged and confidential for the addressee(s) named above. If you are not the intended recipient, you are prohibited from disseminating, using, or copying the contents and should notify the sender immediately that you received this message in error.

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Phyllis Downey
Town Administration
508-495-7325

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Phyllis Downey

From: Noreen Stockman
Sent: Friday, June 25, 2021 4:44 PM
To: Falmouth Licensing
Subject: RE: New-One-Day Wine & Malt Beverages License

No concerns for ZBA,
Thank you.

Noreen H. Stockman
Zoning Administrator
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
508-495-7462

From: Falmouth Licensing <licensing@falmouthma.gov>
Sent: Friday, June 25, 2021 2:14 PM
To: Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>
Cc: Noreen Stockman <noreen.stockman@falmouthma.gov>
Subject: New-One-Day Wine & Malt Beverages License

Good afternoon,

Attached please find an application for a One-Day Wine & Malt Beverages License by Gray Matter Marketing for Cape Cod Brewfest to be held at the Barnstable County Fairgrounds at 1220 Nathan Ellis Highway, East Falmouth on Saturday, September 25, 2021.

May we please request your recommendations to the Select Board by Wednesday July 7th? The application will be reviewed by the Board at their meeting on July 12th.

Thank you,
Phyllis

Phyllis Downey
Administrative Assistant
Town Administration
508-495-7325

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

Phyllis Downey

From: Mallory Langler
Sent: Tuesday, June 29, 2021 11:46 AM
To: Falmouth Licensing
Cc: Brian Reid; Sean Doyle; Timothy Smith; Scott McGann; Noreen Stockman
Subject: Re: New-One-Day Wine & Malt Beverages License

Hi Phyllis,

Food permit applications are required to be submitted to our department no later than 30 days prior to the event date, otherwise no issues.

Thanks,
Mallory

Sent from my iPhone

On Jun 25, 2021, at 2:13 PM, Falmouth Licensing <licensing@falmouthma.gov> wrote:

Good afternoon,

Attached please find an application for a One-Day Wine & Malt Beverages License by Gray Matter Marketing for Cape Cod Brewfest to be held at the Barnstable County Fairgrounds at 1220 Nathan Ellis Highway, East Falmouth on Saturday, September 25, 2021.

May we please request your recommendations to the Select Board by Wednesday July 7th? The application will be reviewed by the Board at their meeting on July 12th.

Thank you,
Phyllis

Phyllis Downey
Administrative Assistant
Town Administration
508-495-7325

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

<Cape Cod Brewfest event 09.25.2021.pdf>

2. ADMINISTRATIVE ORDERS

a. Bond Refinancing



Town of Falmouth

JENNIFER MULLEN
DIRECTOR OF FINANCE

59 Town Hall Square, Falmouth, Massachusetts 02540
(508) 495-7364 Fax (508) 457-2511

TO: Julian M. Suso, Town Manager
Peter Johnson-Staub, Assistant Town Manager

FROM: Jennifer Mullen, Finance Director

DATE: July 9, 2021

RE: Town of Falmouth Refinancing

During its meeting on May 10, 2021 the Select Board voted to move forward with a refinancing for a portion of the Town's debt service. Immediately following, bids were issued for the refinancing of several different issues from July, 2014. As a result, the bids were extremely favorable and I recommend the Town award the following bid:

- \$10,340,000 General Obligation Bonds, 12 bids, winning bid was Janney Montgomery Scott, LLC at a .728511% true interest cost

The Town will save \$1,932,242 over the next 10 years.

I will attend the Select Board's meeting on Monday, July 12 to respectfully request a vote of the Board and signatures on all documents and answer questions they may have.

Thank you.

- b. Vote to sign Preservation Restriction for 533 Woods Hole Road (the Dome)

Please note: The entire Preservation Restriction document is 88 pages. If you would like to view the entire document: you may view the hard copy in the Town Manager/Select Board office, or the electronic copy can be emailed to you.

AMENT KLAUER LLP

Attorneys at Law
39 Town Hall Square
Falmouth, MA 02540

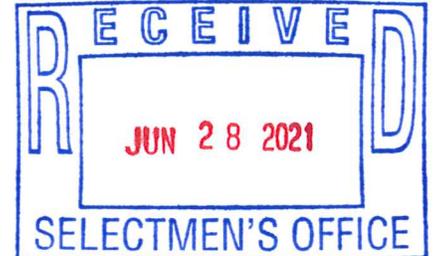
Robert H. Ament, Esq.
Kevin P. Klauer II, Esq.
Matthew M. Terry, Esq.

Telephone (508) 540-6555
Fax (508) 457-1293
Website: www.amentklauer.com

June 25, 2021

VIA HAND DELIVERY

Julian Suso, Town Manager
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540



Re: Preservation Restriction for 533 Woods Hole Road (the Dome)

Dear Julian:

On behalf of Woods Hole Partners LLC, delivered herewith (and emailed) is a copy of the Preservation Restriction (some 90 pages) for the Dome, which the Massachusetts Historical Commission has reviewed and approved for local signatures. The Falmouth Historical Commission received and approved the draft restriction at its meeting on April 6, 2021, and I am asking the Historical Commission to vote final approval and accept the Preservation Restriction at its next meeting, I believe on July 6, 2021.

If the Select Board is meeting the same night, I ask that its acceptance of the Preservation Restriction be on the agenda for that night, and otherwise, please put the matter on the agenda for the following Monday meeting.

Please let me know if there are any questions.

Very truly yours,

Handwritten signature of Robert H. Ament in blue ink.

Robert H. Ament

RHA/eeg
Enclosure

cc Doug Brown, Chair
Mark Bogosian, Manager, Woods Hole Partners LLC

PRESERVATION RESTRICTION AGREEMENT

Between

Woods Hole Partners LLC
and the

TOWN OF FALMOUTH, MASSACHUSETTS

BY AND THROUGH THE FALMOUTH HISTORICAL COMMISSION

THIS PRESERVATION RESTRICTION is made this ____ day of _____ 2021 (this "Restriction") by and between Woods Hole Partners LLC, a Massachusetts limited liability company located at 367 Main Street, Falmouth, Massachusetts, 02540 ("Grantor"), and the TOWN OF FALMOUTH ("Grantee"), a municipality duly organized under the laws of the Commonwealth of Massachusetts and located in Barnstable County, Massachusetts, acting by and through its agent, the FALMOUTH HISTORICAL COMMISSION (the "Commission"), located at Falmouth Town Hall, 59 Town Hall Square, Falmouth, Massachusetts, 02540.

WHEREAS, Grantor is owner in fee simple of a certain lot of 5.39+/- acres located at 533 Woods Hole Road, Falmouth, Massachusetts ("the Property"), the Property having been conveyed to Grantor by a deed dated December 22, 2016, recorded with the Barnstable County Registry of Deeds at Book 30197 Page 271, which deed more particularly describes the Property, a copy of said legal description being incorporated herein and attached hereto as Exhibit A. The Property is further described and depicted as Lot B2 on a plan entitled "Plan of Land of E. Gunnar Peterson Et Ux – Woods Hole, Mass.", dated November 15, 1952, compiled by Charles A. White, C.E. Falmouth, Mass., recorded with the Barnstable County Registry of Deeds in Plan Book 107, Page 129, a copy of which is incorporated herein and attached hereto as Exhibit B; and

WHEREAS, there is located on the Property a geodesic dome with two wings and proposed alterations ("the Building") having historical significance, more fully described hereinbelow, and the Building is located on the portion of the Property that contains 11,266 +/- square feet ("Restriction Area") with a description incorporated herein and attached hereto as Exhibit C and is shown as "Preservation Restriction Area" on the plan entitled "Sketch Plan of Preservation Restriction Area" prepared for Woods Hole Partners LLC by Cape & Islands Engineering, dated December 29, 2020, which is incorporated herein and attached hereto as Exhibit D. This Restriction shall not apply to any portion of the Property, nor to any improvements thereon, other than within the limits of the Restriction Area nor to the interior of the Building except where interior changes would affect the structural integrity of the exterior appearance of the Building. The Building, is described as follows:

A geodesic dome commercial building with rhombic or diamond fiberglass panels and plexi-glass windows supported by wood framing and a concrete block foundation. The Building was constructed in 1953. It has a peak height of 27 +/- feet and a diameter of 52 +/- feet. The Building presently has two ells: a kitchen wing (circa 1953 with later additions) and an entrance wing (circa 1975). Both ells are two stories with flat roofs, a concrete block first story and a T-111-sided second story. The key architectural

features of the Building are described and shown in further detail in the Baseline Documentation attached hereto and made a part hereof; and

WHEREAS, the Building and Restriction Area are listed in State Register of Historic Places as part of the Woods Hole Historic District established by the Town of Falmouth October 20, 1975, have been found to meet the criteria for listing in the National Register of Historic Places by the staff of the Massachusetts Historical Commission, are historically significant for their architecture, associations, and/or archaeology, and qualify for the protections of perpetual preservation restrictions under Massachusetts General Laws, Chapter 184, sections 31, 32 and 33; and

WHEREAS, Grantor and Grantee recognize the architectural, historic and cultural values (hereinafter "preservation values") and significance of the Building and the Restriction Area, and have the common purpose of preserving the aforesaid preservation values and significance of the Building; and

WHEREAS, the preservation values of the Building are documented in a series of photographs and documents (hereinafter, "Baseline Documentation") incorporated herein and attached hereto, which includes Exhibits A (Legal Description of the Property), B (Recorded Plan of the Property – Barnstable County Registry of Deeds, Plan Book 107, Page 29), C (Metes and Bound Description of the Preservation Restriction Area), D (Plan of the Preservation Restriction Area), E (Massachusetts Historical Commission Inventory Form B), F (Baseline Photographic Documentation), and G (Key Architectural Features) which Baseline Documentation the parties agree provides an accurate representation of the Building as of the date hereof; and

WHEREAS, the Baseline Photographic Documentation (Exhibit F) consists of the following eighteen (18) exterior photographs with five (5) historic photographs (date unknown) and thirteen (13) photographs taken between March 2018 and December 2018, more specifically:

- A set of 5 historic exterior photos date unknown
- A set of 4 exterior photos taken in March 2018;
- A set of 5 exterior photos taken in July 2018;
- A set of 4 exterior photos taken in December 2018;

Digital and archival photographic print copies of the Baseline Photographs shall be maintained by Grantee with an address of:

Town of Falmouth
c/o Falmouth Historical Commission
Falmouth Town Hall,
59 Town Hall Square
Falmouth, MA 02540

WHEREAS, the Building is in need of preservation and restoration; and will have its exterior restored in accordance with the Restoration Plan (Exhibit I) and;

WHEREAS, Grantor has received a Certificate of Appropriateness (application #19-54) incorporated herein and attached hereto as Exhibit J from the Town of Falmouth Historical Commission issued and filed with the Town of Falmouth Town Clerk on January 9, 2020, which allows the partial removal of the kitchen ell portion of the Building and the removal of the Building's entrance ell constructed circa 1975;

the restoration of the Building, construction of a new entrance structure attached to the Building and incorporating a portion of the original kitchen ell, and restoration of the northwest entrance of the Building in an original entrance location; as well as the demolition of three motel buildings and construction of a new residential condominium complex on the Property, but not within the Restriction Area; and

WHEREAS, Grantor has received a Special Permit (application #115-18) incorporated herein and attached hereto as Exhibit K from the Town of Falmouth Zoning Board of Appeals issued and filed with the Town of Falmouth Town Clerk on June 14, 2019, which allows the partial removal of the kitchen ell portion of the Building and the removal of the Building's entrance ell constructed circa 1975; the restoration of the Building, construction of a new entrance structure attached to the Building and incorporating a portion of the original kitchen ell, and restoration of the northwest entrance of the Building in an original entrance location; as well as the demolition of three motel buildings and construction of a new residential condominium complex on the Property, but not within the Restriction Area; and

WHEREAS, as a condition of said Certificate of Appropriateness and Special Permit, Grantor is required, and Grantor has agreed, to impose a preservation restriction in perpetuity on the Building and Restriction Area for the preservation and renovation of the Building, under the terms and conditions set forth herein and in such other documents as the parties may execute (the "Restriction" or "Preservation Restriction"); and

WHEREAS, Grantor agrees and desires to impose certain restrictions, obligations and duties upon itself, its successors and assigns, so as to maintain, protect and preserve the architectural and historical integrity of the Building; and

WHEREAS, the preservation of the Building is important to the public for the enjoyment and appreciation of its architectural and historical heritage and serves the public interest in a manner consistent with the purposes of Massachusetts General Laws, Chapter 184, Sections 31, 32 and 33 ("Act"); and

WHEREAS, the Commission is authorized to accept preservation restrictions in the name of the Town of Falmouth and the Commission is a governmental body duly organized under the laws of the Commonwealth of Massachusetts, including the General Laws, Chapter 40, Section 8D, authorized and directed by Grantee to administer and enforce this restriction;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does hereby irrevocably grant and convey to Grantee in gross in perpetuity this Restriction over the Building and Restriction Area, to be administered, managed and enforced by the Commission.

1. Purpose: It is the purpose of this Restriction to assure that the architectural, historic, and cultural features of the Building and Restriction Area, as described and documented in the Baseline Documentation will be retained and maintained forever substantially in their historically-appropriate condition for preservation purposes and to prevent any change to the Building and Restriction Area that will significantly impair or interfere with the Building's Preservation Values (the "Purpose of this Restriction") and Restoration Plan (Exhibit I). Characteristics that contribute to the architectural and historical integrity of the Building include, but are not limited to, the setting and location of the Building; and architectural features, materials, appearance, and workmanship of the

Building. All Exhibits shall be attached to and recorded with this Restriction.

2. Preservation Restriction: Grantor grants Grantee the right to forbid or limit:
 - a. Any alteration to the appearance, materials, workmanship, condition or structural stability of the Building ("Alteration") unless (i) the Alteration is clearly of minor nature and not affecting the characteristics which contribute to the architectural or historical integrity of the Building and the Restriction Area, or (ii) Grantee has authorized such Alteration by the Certificate of Appropriateness issued January 9, 2020, or Grantee has subsequently determined that the Alteration will not impair such characteristics after reviewing plans and specifications submitted by Grantor in accordance with the requirements of paragraph 7, which determination shall not be unreasonably withheld, or (iii) the Alteration is required by casualty or other emergency promptly reported to Grantee in accordance with requirements in paragraph 9. For the purposes of this Agreement, interpretation of what constitutes alterations of a minor nature and ordinary maintenance and repair is governed by the Restriction Guidelines, which are incorporated herein and attached hereto as Exhibit H.
 - b. Any other act or use that may be harmful to the historic preservation of the Building or the Restriction Area.
 - c. Notwithstanding anything to the contrary in this section 2, in the event Grantor is required by law to make improvements to the Building or Restriction Area or is required in writing by its insurance carrier to make improvements to the Building or Restriction Area in order to avoid revocation of insurance and Grantor has exhausted all methods of variance or appeal process related to either applicable law or insurance qualifications, Grantee and Grantor agree that Grantee may not forbid or limit Grantor's ability to make the improvements. Said changes or improvements shall comply with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (36CFR 67 and 68) as they may be amended from time to time (hereinafter the "Secretary's Standards"), and shall be designed in consultation with and subject to reasonable review by Grantee.
3. Grantor's Covenants: Covenant to Maintain: Subject to paragraph 2 and the terms and conditions of this Restriction and such other terms and conditions as the Commission may reasonably impose to accomplish the purposes of this Restriction, Grantor covenants and agrees at all times to maintain the Building in the same structural condition and state of repair existing as of the date of this Restriction, and thereafter to that existing following the substantial completion of restoration work approved by Grantee by the Certificate of Appropriateness issued January 9, 2020. Grantor's obligation to maintain shall require replacement, repair, and reconstruction by Grantor whenever necessary to preserve the exterior of the Building including the exteriors of the restored northwest entry and rehabilitated kitchen ell, as well as the geodesic structural system of the Building. Subject to the casualty provisions of paragraphs 9 and 10, this obligation to maintain shall require replacement, rebuilding, repair, and reconstruction of the Building whenever necessary in accordance with the policies and procedures of the Commission and in accordance with the Secretary's Standards.

4. Grantor's Covenants: Prohibited Activities: The following acts or uses are expressly forbidden except as otherwise conditioned in this paragraph:
- a. The Building shall not be demolished, removed, or razed except as provided in Paragraphs 9 and 10;
 - b. The dumping of ashes, trash, rubbish, or any other unsightly or offensive materials is prohibited on the Restriction Area;
 - c. No above-ground utility transmission lines, except those reasonably necessary for the Building and any approved addition thereto, may be created on the Restriction Area, subject to utility easements already recorded;
 - d. No additions and/or outbuildings may be attached to the Building without prior approval of the Commission; and
 - e. Moving the Building to another location shall be forbidden without prior approval of the Commission.
5. Conditional Rights Requiring Grantee Approval: Subject to Paragraphs 3 and 4, and the terms and conditions of this Restriction and such other terms and conditions as the Commission may reasonably impose to accomplish the purposes of this Restriction, Grantor shall not alter the Building without prior express written approval of the Commission. Without said approval Grantor shall not make any changes to the Building, including the alteration, partial removal, construction, remodeling, or other physical or structural change, including permanent signs affixed to the Building, and any change in material or color or any change to the footprint, size, mass, ridge-line, and rooflines of the Building.

Activities by Grantor to maintain the Building which are intended to be performed in accordance with the provisions of paragraph 3, and which are of a minor nature, shall not require the prior approval of the Commission. For the purposes of this section, interpretation of what constitutes ordinary maintenance of a minor nature is governed by Restriction Guidelines (Exhibit H), which are attached to this Agreement and hereby incorporated by reference.

6. Grantor's Reserved Rights Not Requiring Further Approval by Grantee: Subject to the provisions of paragraphs 2 and 4, the following rights, uses and activities of or by Grantor on, over, or under the Restriction Area are permitted by this Restriction and by the Commission without further approval by the Commission:
- a. The right to engage in all those acts and uses that:
 - i. Are permitted by governmental statute, regulation or regulatory decision;
 - ii. Do not substantially impair the preservation values of the Building; and
 - iii. Are not inconsistent with the Purpose of this Restriction;
 - iv. Without further approval, conform with the Restriction Guidelines attached as Exhibit H and Restoration Plan attached as Exhibit I.
 - b. Pursuant to the provisions of paragraph 3, the right to maintain and repair the Building strictly according to the Secretary's Standards. As used in this sub-paragraph, the right

to maintain and repair shall mean the use by Grantor of in-kind materials and colors, or other materials approved by Grantee, applied with workmanship comparable to that which was used in the construction or application of those materials being repaired or maintained, for the purpose of retaining in good condition the appearance and construction of the exterior of the Building and geodesic structural system of the Building. The right to maintain and repair as used in this sub-paragraph shall not include the right to make changes in appearance, materials, workmanship from that existing prior to the maintenance and repair without the prior approval of the Commission in accordance with the provisions of paragraph 5.

7. Review of Grantor's Requests for Approval: Grantor shall submit to the Commission for the Commission's approval of those conditional rights set out at paragraphs 2 and 5 two copies of information (including plans, specifications, and designs where appropriate) identifying the proposed activity sufficient to permit the Commission to monitor such activity. Within forty-five (45) days of the Commission's receipt of any plan or written request for approval hereunder, the Commission shall certify in writing that (a) it approves the plan or request, or (b) it disapproves the plan or request as submitted, in which case the Commission shall provide Grantor with written suggestions for modification or a written explanation for the Commission's disapproval. Any failure by the Commission to act within forty-five (45) days of receipt of Grantor's submission or resubmission of plans or requests shall be deemed to constitute approval by the Commission of the plan or request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after the passage of time, provided nothing herein shall be construed to permit Grantor to undertake any of the activities prohibited hereunder.
8. Standards for Review: In exercising any authority created by this Restriction to inspect the Building; to review any construction, alteration, repair, or maintenance; or to review casualty damage or to reconstruct or approve reconstruction of the Building following casualty damage, the Commission shall apply the Secretary's Standards.
9. Casualty Damage or Destruction: In the event the Building shall be damaged or destroyed by fire, flood, windstorm, hurricane, earth movement or other casualty, Grantor shall notify the Commission in writing within fourteen (14) days of damage or destruction, such notification including what, if any, temporary emergency work has already been completed. No repairs or reconstruction of any type, other than temporary emergency work to prevent further damage to the Building and to protect public safety, shall be undertaken by Grantor without the Commission's prior written approval of the work. Within sixty (60) days of the date of damage or destruction, if required by the Commission, Grantor at its expense shall submit to the Commission a written report prepared by a qualified restoration architect and an engineer who are acceptable to the Grantor and the Commission, which Commission approval shall not be unreasonably withheld, which report shall include the following:
 - a. An assessment of the nature and extent of damage;
 - b. A determination of the feasibility of the restoration of the Building and/or reconstruction of damaged or destroyed portions of the Building; and

- c. A report of such restoration/reconstruction work necessary to return the Building to the condition existing at the date hereof or the condition subsequently approved by the Commission.

10. Review After Casualty Damage or Destruction: If, after reviewing the report provided in paragraph 9 and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission agree that the Purpose of the Restriction will be served by such restoration/reconstruction, Grantor and the Commission shall establish a schedule under which Grantor shall complete the restoration/reconstruction of the Building in accordance with plans and specifications consented to by the parties up to at least the total of the casualty insurance proceeds available to Grantor.

If, after reviewing the report and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission agree that restoration/reconstruction of the Building is impractical or impossible, or agree that the Purpose of the Restriction would not be served by such restoration/reconstruction, Grantor may, with prior written consent of the Commission, alter, demolish, remove or raze the Building, and/or construct new improvements on the Restriction Area. Grantor and Grantee may agree to seek to extinguish this Restriction in accordance with the laws of the Commonwealth of Massachusetts and paragraph 23 hereof.

If, after reviewing the report and assessing the availability of insurance proceeds after satisfaction of any mortgagee's/lender's claims under paragraph 11, Grantor and the Commission are unable to agree that the Purpose of the Restriction will or will not be served by such restoration/reconstruction, the matter may be referred by either party to binding arbitration and settled in accordance with the Commonwealth of Massachusetts arbitration statute then in effect, and all other applicable laws, rules, regulations, and ordinances. Arbitrator shall have experience in historic preservation matters.

11. Insurance: Grantor shall keep the Building insured by an insurance company rated "A" or better by Best's for the full replacement value against loss from the perils commonly insured under standard fire and extended coverage policies and comprehensive general liability insurance against claims for personal injury, death and property damage. Property damage insurance shall include change in condition and building ordinance coverage, in form and amount sufficient to replace fully the damaged Building without cost or expense to Grantor or contribution or coinsurance from Grantor, other than an insurance deductible in a customary amount. Grantor shall deliver to the Commission, within ten (10) business days of the Commission's written request thereof, certificates of such insurance coverage. Nothing contained in this Paragraph 11 shall jeopardize the prior claim, if any, of a mortgagee/lender to insurance proceeds.

12. Indemnification: Grantor hereby agrees to pay, protect, indemnify, hold harmless and defend, at its own cost and expense, Grantee, its boards, commissions, appointees, agents, directors, employees, or independent contractors from and against any and all claims, liabilities, expenses, costs, damages, losses and expenditures (including attorneys' fees and disbursements hereafter incurred) arising out of or in connection with injury to or death of any person as a result of the existence of this Restriction; physical damage to the Building; the presence or release in, on, or about the Property, at any time, of any substance now or hereafter defined, listed or otherwise classified pursuant to any law, ordinance or regulation as a hazardous, toxic, polluting or contaminating substance; or

other injury or other damage occurring on or about the Building; unless such injury, death, or damage is caused by Grantee or its boards, commission, appointees, agents, directors, employees, or its independent contractors. In the event that Grantor is required to indemnify Grantee pursuant to the terms of this paragraph, the amount of such indemnity, until discharged, shall constitute a lien on the Property with the same effect and priority as a mechanic's lien.

13. Written Notice: Any notice which either Grantor or Grantee may desire or be required to give to the other party shall be in writing;

Grantor: Woods Hole Partners LLC
c/o Mark Bogosian, Manager
367 Main Street
Falmouth, MA 02540

Grantee: Town of Falmouth
c/o Falmouth Historical Commission
Falmouth Town Hall
59 Town Hall Square
Falmouth, Massachusetts, 02540

Each party may change its address set forth herein by a notice to such effect to the other party.

14. Evidence of Compliance: Upon reasonable request by Grantor, Grantee shall promptly furnish Grantor with certification that, to the best of Grantee's knowledge, Grantor is in compliance with the obligations of Grantor contained herein, or that otherwise evidences the status of this Restriction to the extent of Grantee's knowledge thereof, and in the event of noncompliance stating with specificity why Grantor is not or may not be in compliance with such obligations.
15. Inspection: With the consent of Grantor, Grantee or its representatives shall be permitted at reasonable times to inspect the exterior of the Building and the Restriction Area on an annual basis. Grantor covenants not to withhold unreasonably its consent in determining dates and times for such inspections.
16. Grantee's Remedies: Grantor, for itself, its assigns and successors, expressly acknowledges that a violation of this Preservation Restriction Agreement may result in the Commission exercising its right to enforce the terms and conditions of the Restriction by seeking appropriate legal and equitable relief, including, but not limited to, restoration of the Building and such other legal and equitable remedies as may be available to the Commission to effectuate the purposes of this Restriction and to enforce Grantor's obligations hereunder.

In the event Grantor is found to have violated any of its obligations, Grantor shall reimburse Grantee for any costs or expenses incurred in connection with Grantee's enforcement of the terms of this Restriction, including all court costs, and attorneys', architectural, engineering, and expert-witness fees. Grantor shall, at its own expense and with approval of the Commission, reverse any actions which violated this Restriction and altered the Building.

Nothing in this Restriction shall impose upon the Commission any duty to maintain or require that the Building be maintained in any particular state or condition; notwithstanding the Commission's acceptance hereof, enforcement of the terms of this Preservation Restriction shall be at the

discretion of the Commission. Any election by the Commission as to the manner and timing of exercising of its right to enforce this Preservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights. By its acceptance of this Preservation Restriction, the Commission does not assume any liability or obligation relating to the condition of the Building or the Property, including compliance with hazardous materials or other environmental laws and regulations.

17. Notice from Government Authorities: Grantor shall deliver to Grantee copies of any notice of violation or lien relating to the Building received by Grantor from any government authority within ten (10) business days of receipt by Grantor. Upon request by Grantee, Grantor shall promptly furnish Grantee with evidence of Grantor's compliance with such notice or lien where compliance is required by law.
18. Notice of Proposed Sale: Grantor shall promptly notify Grantee in writing of any proposed sale of the Property and provide the opportunity for Grantee to explain the terms of the Restriction to any potential new Grantor prior to sale closing. As the Restriction Area is portion of the Property that will be the Land portion of the common elements of a condominium to be established, the foregoing shall not apply to a bona fide mortgage or the conveyance or sale of condominium units or any transfer of any ownership interest by Grantor to an association of condominium unit owners by the recording of a Master Deed under General Laws Chapter 183A or otherwise, provided that the instrument of conveyance refers to and is made subject to this Restriction such reference to include the book and page number of this Restriction.
19. Runs with the Land: Except as provided in paragraphs 9 and 10, the restrictions, obligations and duties set forth in this Restriction shall run with the Property and shall inure to the benefit of the Commission and all parties claiming by, through or under the Commission and shall bind Grantor and all parties claiming by, through or under the Grantor. The rights hereby granted to the Commission constitute the perpetual right of the Commission to enforce this Restriction. Grantor hereby covenants for itself to stand seized and hold title to the Property subject to the terms of respective successors in interest and all persons hereafter claiming under or through Grantor and Grantee, and the words "Grantor", "Grantee" when used herein shall include all such persons. Any right, title, or interest herein granted to Grantee also shall be deemed granted to each successor and assign of Grantee and each such following successor and assign thereof, and the word "Grantee" shall include all such successors and assigns. Anything contained herein to the contrary notwithstanding, Grantor of the Property shall have no obligation pursuant to this instrument where such Grantor shall cease to have any ownership interest in the Premises by reason of bona fide transfer. The restrictions, stipulations and covenants contained in this Restriction shall be inserted by Grantor, verbatim or by express reference, in any deed or other legal instrument by which Grantor divests itself of either the fee simple title to or any lesser estate in the Property or any part thereof, including by way of example and not limitation, a lease of all or a portion of the Property.
20. Assignment: Grantee may convey, assign, or transfer this Restriction to a unit of federal, state, or local government, or, subject to Grantor's prior written approval, to a local, state, or national charitable corporation or trust that qualifies under the Act, and whose purposes, inter alia, are to the preservation of buildings or sites of historical significance. Conveyance, assignation, or transfer of this Restriction requires that the Purpose for which the Restriction was granted will continue to be carried out.

21. Alternate Designee: With Grantor's prior written consent, Grantee may, at its discretion, remove and replace the Commission as its designee to administer, manage, and enforce this Restriction, provided that any new designee is qualified as such under the Act and other applicable law.
22. Recording and Effective Date: Grantee shall do and perform at its own cost all acts necessary to the prompt recording of this Restriction which shall become effective upon its being duly executed by Grantor, the Town of Falmouth, its being accepted and approved by the Massachusetts Historical Commission, and its being recorded with the Barnstable County Registry of Deeds.
23. Extinguishment: Grantor and Grantee hereby recognize that an unexpected change in conditions affecting the Building may make impossible the continued maintenance of the Restriction Area for the Purpose of this Restriction and necessitate extinguishment of the Restriction. Such a change in conditions may include, but is not limited to, partial or total destruction of the Building resulting from casualty. Such an extinguishment must meet all the requirements of the Act for extinguishment, including approvals by the Town of Falmouth and the Massachusetts Historical Commission following public hearings to determine that such extinguishment is in the public interest. In the event of a sale of the Restriction Area, net proceeds of sale shall be paid to Grantor.
24. Condemnation: If all or any part of the Restriction Area is taken under the power of eminent domain by public, corporate, or other authority, or otherwise acquired by such authority through a purchase in lieu of a taking, Grantor and Grantee shall join in appropriate proceedings at the time of such taking to recover the full value of those interest in the Restriction Area that are subject to the taking and all incidental and direct damages resulting from taking shall be paid out of the recovered proceeds. Such recovered proceeds shall be paid to Grantor.
25. Interpretation: The following provisions shall govern the effectiveness, interpretation, and duration of the Restriction:
 - a. Any rule of strict construction designed to limit the breadth of restrictions on alienation or use of the Property shall not apply in the construction or interpretation of this Restriction and this instrument shall be interpreted broadly to effect its Purpose and the transfer of rights and the restrictions on use contained herein.
 - b. This instrument may be executed in two counterparts, one of which is to be retained by Grantor and the other, after recording, to be retained by Grantee. In the event of any disparity between the counterparts produced, the recorded counterpart shall constitute the entire Restriction of the parties.
 - c. This instrument is made pursuant to the Act, but the invalidity of such Act or any part thereof shall not affect the validity and enforceability of this Restriction according to its terms, it being the intent of the parties to agree and to bind themselves, their successors and their assigns in perpetuity to each term of this instrument whether this instrument be enforceable by reason of any statute, common law or private Restriction either in existence now or at any time subsequent hereto.
 - d. Nothing contained herein shall be interpreted to authorize or permit Grantor to violate any ordinance or regulation relating to building materials, construction methods or use. In the event of any conflict between any such ordinance or regulation and the terms

hereof, Grantor promptly shall notify Grantee of such conflict and shall cooperate with Grantee and the applicable governmental entity to accommodate the purposes of both this Restriction and such ordinance or regulation.

If any court or other tribunal determines that any provision of this instrument is invalid or unenforceable, such provision shall be deemed to have been incorporated herein automatically to conform to the requirements for validity and enforceability as determined by such court or tribunal. In the event any provision invalidated is of such a nature that it cannot be modified, the provision shall be deemed deleted from this Preservation Restriction as though it had never been included herein. In either case, the remaining provisions of this instrument shall remain in full force and effect.

26. Amendment: If circumstances arise under which an amendment to or modification of this Restriction would be appropriate, Grantor and Grantee may by mutual written agreement jointly amend this Restriction, provided that no amendment shall be made that will adversely affect the qualification of this Restriction or the status of Grantee under any applicable law. Any such amendment shall be consistent with the protection of the preservation values of the Building and the Purpose of this Restriction; shall not affect its perpetual duration; shall not permit any private inurement to any person or entity; and shall not adversely impact the overall architectural and historic values protected by this Restriction. Any such amendment shall be effective when the requirements of the Act with respect to amendments have been met and the amendment is recorded in the Barnstable County Registry of Deeds. Nothing in this paragraph shall require Grantor or Grantee to agree to any amendment or to consult or negotiate regarding any amendment.
27. Release: This Restriction is intended to be a restriction in gross in perpetuity and may only be released, in whole or in part, by Grantee pursuant to the procedures for release established by the Act and otherwise by law, including approvals following public hearings by the Town of Falmouth and the Massachusetts Historical Commission to determine that such a release is in the public interest.
28. Archeological Activities: The conduct of archaeological activities on the Restriction Area, including without limitation survey, excavation, and artifact retrieval, may occur only following the submission of an archaeological field investigation plan prepared by Grantor approved in writing by Grantee and the State Archaeologist of the Massachusetts Historical Commission (M.G.L. C. 9, Sec. 27C, 950 C.M.R. 70.00).
29. Revised Baseline Documentation: Following completion of the approved work as specified in the Restoration Plan (Exhibit I), a new set of comprehensive Baseline photographs shall be prepared to be filed with Grantor and Grantee. Digital and archival photographic print copies of the Baseline Photographs shall be maintained by Grantee.

IN WITNESS WHEREOF, Grantor and Grantee have set their hands under seal on the days and year set forth below:

GRANTOR: Woods Hole Partners LLC

Mark Bogosian, Manager

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this 24th day of June, 2021, before me, the undersigned notary public, personally appeared Mark Bogosian, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Mark Bogosian signed it voluntarily for its stated purpose, as Manager of Woods Hole Partners LLC.



(seal)


Notary Public
My Commission Expires: 11/11/2027

ACCEPTANCE AND APPROVAL BY THE TOWN OF FALMOUTH

On _____ 2021, the Falmouth Board of Selectmen, by majority vote, voted to Approve and Accept this Agreement.

GRANTEE: TOWN OF FALMOUTH
Board of Selectmen:

Douglas C. Brown, Chair, Board of Selectmen

Nancy R. Taylor, Vice-Chair, Board of Selectmen

Megan English Braga

Onjalé Scott Price

Samuel H. Patterson

*Approved on behalf of:
Frank J. Juffs
Town Council*

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Megan English Braga, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Megan English Braga signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____

(seal)

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Douglas C. Brown, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Douglas C. Brown signed it voluntarily for its stated purpose.

(seal)

Notary Public
My Commission Expires: _____

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Onjalé Scott Price, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Onjalé Scott Price signed it voluntarily for its stated purpose.

(seal)

Notary Public
My Commission Expires: _____

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Nancy R. Taylor, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Nancy R. Taylor signed it voluntarily for its stated purpose.

(seal)

Notary Public
My Commission Expires: _____

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Samuel H. Patterson, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Samuel H. Patterson signed it voluntarily for its stated purpose.

(seal)

Notary Public
My Commission Expires: _____

ACCEPTANCE BY THE FALMOUTH HISTORICAL COMMISSION

On _____ 2021, the Falmouth Historical Commission, by majority vote, voted to Accept this Agreement.

Falmouth Historical Commission

Ed Haddad, Chairman

Christian Valle, Vice-Chair

Annie Dean

Kara Foley

Johanna Reed

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Ed Haddad, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Ed Haddad signed it voluntarily for its stated purpose.

(seal)

Notary Public

My Commission Expires: _____

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Christian Valle, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Christian Valle signed it voluntarily for its stated purpose.

(seal)

Notary Public
My Commission Expires: _____

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Annie Dean, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Annie Dean signed it voluntarily for its stated purpose.

(seal)

Notary Public
My Commission Expires: _____

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Kara Foley, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Kara Foley signed it voluntarily for its stated purpose.

(seal)

Notary Public
My Commission Expires: _____

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Johanna Reed, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Johanna Reed signed it voluntarily for its stated purpose.

(seal)

Notary Public
My Commission Expires: _____

APPROVAL BY THE MASSACHUSETTS HISTORICAL COMMISSION

COMMONWEALTH OF MASSACHUSETTS

The undersigned Executive Director and Clerk of the Massachusetts Historical Commission hereby certifies that foregoing preservation restriction has been approved pursuant to Massachusetts General Law, chapter 184, section 32.

MASSACHUSETTS HISTORICAL COMMISSION

By: _____
Brona Simon
Executive Director and Clerk

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

On this ____ day of _____, 2021, before me, the undersigned notary public, personally appeared Brona Simon, as aforesaid, proved to me through satisfactory evidence of identification, which was (a current driver's license) (a current U.S. passport) (my personal knowledge of the identity of the principal), to be the person whose name is signed above, and acknowledged to me that Brona Simon signed it voluntarily for its stated purpose, as Executive Director and Clerk of the Massachusetts Historical Commission.

(seal)

Notary Public
My Commission Expires: _____

List of Exhibits/Attachments

- Exhibit A: Legal Description of the Property
- Exhibit B: Recorded Plan of the Property – Barnstable County Registry of Deeds, Plan Book 107, Page 29
- Exhibit C: Metes and Bound Description of the Preservation Restriction Area
- Exhibit D: Plan of Preservation Restriction Area
- Exhibit E: Massachusetts Historical Commission Inventory Form B
- Exhibit F: Baseline Photographic Documentation
- Exhibit G: Key Architectural Features
- Exhibit H: Restriction Guidelines
- Exhibit I: Restoration Plan
- Exhibit J: Falmouth Historical Commission Certificate of Appropriateness
- Exhibit K: Falmouth Zoning Board of Appeals Special Permit Application and Approval

Exhibit A
Legal Description of the Property

A certain parcel of land in Falmouth (Woods Hole), Barnstable County, Massachusetts with buildings and improvements thereon, bounded and described as follows:

- Southerly by the State Highway, three hundred eleven and 83/100 (311.83) feet;
- Southwesterly by said Highway, one hundred eight-fie and 24/100 (185.24) feet;
- Northwesterly by Lot B1 the line running through a sixteen (16) foot way as shown on plan hereinafter-mentioned, three hundred twenty-one and 54/100 (321.54) feet;
- Southwesterly by said lot B1, two hundred and 49/100 (200.49) feet;
- Southerly by land now or formerly of Chambers, eighty-five (85) feet;
- Westerly by way shown on said plan two hundred sixty-five and 67/100 (265.67)
- Northeasterly by land now or formerly of Sarah B. Fay, seven hundred fifty-two and 81/100 (752.81) feet;
- Easterly by land now or formerly of Kahler et ux, one hundred seventy and 61/100 (170.61) feet;
- Southerly by land now or formerly of Kahler et ux, twenty-one and 98/100 (21.98);
- Easterly by land now or formerly of said Kahler et ux, one hundred fifteen and 98/100 (115.98) feet;
- Southwesterly by seventy-three and 24/100 (73.24) feet; and
- Southwesterly by the State Highway, thirty (30) feet;

Containing five and 39/100 (5.39) acres according to the plan hereinafter mentioned.

Said land is shown as Lot B2 on plan entitled "Plan of Land of E. Gunnar Peterson et ux Woods Hole, Mass." Dated November 15, 1952, compiled by Charles A. White, C.E. Falmouth, Mass. Recorded with Barnstable County Registry of Deeds in Plan Book 107, Page 129.

- c. Vote to accept donation from David's Old Silver Swim, Inc. (Robert & Susan Catalano) in the amount of \$500.00 to the Beach Department Donation Account

David's Old Silver Swim, Inc
52 Horseshoe Lane
North Falmouth, MA 02556



An IRS registered 501(c)(3) organization

June 7, 2021

Margaret Clayton
Superintendent Falmouth Beaches
Harbor Master's Office
180 Scranton Ave
Falmouth, MA 02540

Subject: David's 11th Annual Old Silver Swim – August 7, 2021

Dear Maggie,

Thank you very much with your past assistance to have the Old Silver Beach town lot opened early (by 7:00 AM) so that Falmouth residents could park there for the David's Old Silver Swim and for providing extra life guards for our event. We are requesting the same assistance for the 2021 event.

Dr. David Garber, a former Falmouth Life Guard and lifelong Falmouth resident is suffering from ALS and the swim is a benefit to raise funds for Compassionate Care ALS of Falmouth run by Ron Hoffman. Compassionate Care ALS is an incredible organization that benefits ALS patients and helps their families cope with this disease.

On behalf of David's Old Silver Swim & Compassionate Care ALS, Susan and I want to make this contribution of \$500 to the Falmouth Beach Committee General Fund for your help and support with Old Silver Beach parking lot. I am hoping that this donation can be used to fund a cash award to one of your deserving life guards from the 2021 summer season.

David's mantra is "Dare to be Great", and we are hoping that you can make the "Dare to be Great" award to a life guard that embellishes the ideals of "Dare to be Great" through their everyday enthusiasm, spirit on the job, and excellence in life guarding. We will make this a recurring award to honor David Garber for how he lives his life and the spirit of instilling "Dare to be Great" in everyone he meets.

Sincerely,

A handwritten signature in blue ink that reads "Robert A Catalano". The signature is written in a cursive style.

Robert & Susan Catalano

- d. Vote to accept donation from Teaticket Civic Association in the amount of \$600.00 to the Veterans Department Donation Account

TOWN OF FALMOUTH SCHEDULE OF DEPARTMENTAL PAYMENTS TO THE TREASURER

Dept:

Veterans' Services

6/29/2021

| FROM | SOURCE# | AMOUNT | TOTAL |
|---|-----------------|--------|--------|
| Teaticket Civic Association P.O. Box 2154 Teaticket, MA 02536 | 28543-5660-4830 | 600.00 | 600.00 |

TEATICKET CIVIC ASSOCIATION
6 NARRAGANSETT ST
E FALMOUTH, MA 02536-7337

873
53-447/113
931

Date 6/15/21

Pay to the Order of Veterans Council \$ 600 ⁰⁰

Six Hundred + ⁰⁰ Dollars 

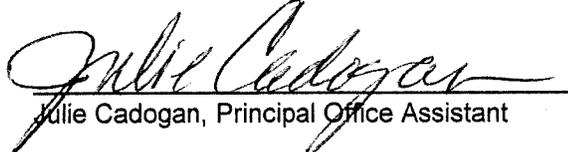
ROCKLAND TRUST

For Donation Paul Caff MP

600.00

To the Accounting Officer:

The above is a detailed list of the monies collected by me amounting in the aggregate to Six Hundred and 00/100 Dollars, Dollars, for the period ending 6/29/21, which I have paid to the Treasurer, whose receipt I hold thereof.


Julie Cadogan, Principal Office Assistant

To the Department Officer making the payment:

Received from the Veterans' Services Dept. department, the sum of Six Hundred and 00/100 Dollars, for Dollars collection as per schedule of this date, 6/29/21 filed in my office.

- e. Approve request to refinance affordable home mortgage, 3 St. Marks Rd.

Diane Davidson

From: Carla Feroni
Sent: Wednesday, July 7, 2021 2:19 PM
To: Falmouth Town Manager
Subject: Affordable Homeowner Refinance Request
Attachments: Town Consent Letter.doc

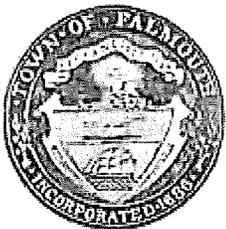
Julian,

We have received a request from a homeowner at 3 St. Marks to refinance their current affordable home mortgage. The owner purchased the home in 2015 for \$185,000. They are looking to refinance at a lower interest rate and take cash out of just under \$10,000. I have been in contact with Bertha Borin at DHCD and have just received from her a memo to her legal staff with the details. The refinance would be consistent with the current resale multiplier and Barnstable County AMI. The current Maximum Resale Price is \$205,390. The refinance would be allowed up to \$199,228. The owner is seeking a new mortgage of \$164,000. The town needs to give consent to the owner and DHCD. Considering the mentioned factors, this refinance is allowable and in compliance. The consent letter needs to be signed by an authorized town official.

Diane would you kindly put this letter on Town letterhead, with the appropriate Select Board meeting date filled in, and place on the next available Select Board meeting agenda?

Thank you,
Carla

Carla L. Feroni
Housing Coordinator
Housing Department
(508) 495-7344 Direct Phone
carla.feroni@falmouthma.gov



Town of Falmouth
59 Town Hall Square

Falmouth, Massachusetts 02540



TOWN OF FALMOUTH

Office of the Town Manager & Select Board

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

July 7, 2021

Renato V. Melo
3 St. Marks Road
Falmouth, MA 02536

Dear Mr. Melo:

At their meeting of July 12, 2021, the Falmouth Select Board voted to approve your request to refinance your home at 3 St. Marks Road, Falmouth, MA, 02536.

The vote of approval stipulated that the loan be at a fixed rate and the principal loan amount should not exceed \$164,000.

This consent is valid subject to obtaining the prior written approval of the Department of Housing and Community Development. By copy of this letter to that Agency, we are confirming that the Town of Falmouth has approved your request.

Sincerely,

Julian S. Suso
Town Manager

cc: Bertha Borin, DHCD, bertha.borin@state.ma.us

- f. Vote to appoint member of the Select Board to the Steamship Authority's Woods Hole-Falmouth Noise & Traffic Mitigation Working Group

Julian Suso

From: Steve Sayers <ssayers@steamshipauthority.com>
Sent: Tuesday, July 6, 2021 3:49 PM
To: Julian Suso; Doug Brown
Subject: The SSA's Woods Hole-Falmouth Noise & Traffic Mitigation Working Group

Dear Julian and Doug,

I wanted to let you know that we have tentatively scheduled the next meeting of the Woods Hole-Falmouth Noise & Traffic Mitigation Working Group for 4:00 p.m. on Wednesday, July 28, 2021 in the hope that, at their July 12, 2021 meeting, the Falmouth Select Board will have appointed a second representative to the Working Group to succeed Doug Jones.

I also wanted to forward you for your consideration the following suggestion of Working Group member Michael Mauro, who is the Transportation Planner for the Martha's Vineyard Commission:

“Can I suggest that Falmouth DPW Director Peter McConarty be the new replacement? He is also the Falmouth representative to the Cape Cod Commission Joint Transportation Committee. It only makes sense, for the CCC is the only avenue for the Woods Hole residents to address their concerns regarding traffic along State Highway. I'd also suggest that staff from the Falmouth Planning Department regularly attend these meetings as well. I'm still surprised that we haven't seen Town Planner Tom Bott yet to be honest. Until then we are just going to continue to spin our tires on this.”

All the best,
Steve

3. SPECIAL EVENTS

New – Recommended:

- a. Buzzards Bay Watershed Ride – Bike path to Swope Center, MBL, Woods Hole – Sunday, 10/3/21 – 1:00 p.m. – 6:00 p.m.



**TOWN OF FALMOUTH
SPECIAL EVENT PERMIT**

EVENT NAME Buzzards Bay Coalition Watershed RIDE

NAME Buzzards Bay Coalition, Jonah Guerin, Events Manager

MAILING ADDRESS 114 Front Street, New Bedford, MA 02740

EVENT DAY & DATE Sunday, October 3, 2021

RAIN DATE None.

EVENT LOCATION Bike Path (from Old Dock Road to Swope Center on MBL Street)

EVENT TYPE Cycling Fundraiser to benefit clean water

EVENT HOURS 1:00 p.m. – 6:00 p.m. **SET-UP/BREAK DOWN** 10:30 a.m./6:30 p.m.

NUMBER OF ATTENDEES 400 **# OF VEHICLES** 160

ADDITIONAL DETAILS Organizer to hire two police details: one at Water & Railroad and one at Water & MBL. Parking for 160 cars secured from MBL & WHOI lots. (All food, alcohol, tables, chairs and entertainment contained on private property at MBL Swope Center.)

CONDITIONS:

1. Please observe Shining Sea Bike Path rules, attached.
2. MBL Street to remain passable for emergency vehicles.
3. Contact Falmouth Police Department Detail Sergeant 30 days prior to event to arrange for proper safety measures.
4. Contact Health Department 30 days prior to event to ensure permits are in place.
5. Organizers to post temporary signs on bike path 48 hours in advance to alert users of the event.
6. Organizers to police the bike route to ensure that no litter or debris is left behind.

PERMIT FEE \$200.00 **FILING FEE** \$10.00
DEPOSIT \$300.00 (Refundable at conclusion of event provided that no litter or damage has occurred)

SELECT BOARD:



June 3, 2021

Board of Selectmen
Falmouth Town Hall
59 Town Hall Square
Falmouth, MA 02540

BOARD OF DIRECTORS
Laura Ryan Shachoy,
Esq., *Chair*
Samuel Gray, *Vice-Chair*
Russell Keeler, *Treasurer*
Scott Zeien, *Clerk*
Mark Rasmussen,
President
Mike Angelini, Esq.
John Bullard
Andrew Dimmick
Weatherly Dorris
Natalie Garfield
Tom Gidwitz
Mike Huguenin
Kat Jones
Hon. Lloyd Macdonald,
ret.
Kendra Medina
Chris Neill, PhD
Steve Smith
Hilary Prouty Vineyard

Dear Board of Selectmen,

Once again, we're requesting use of public roads and the Shining Sea Bikeway for the **Buzzards Bay Coalition Watershed Ride** – an annual fundraising bicycling event – on **Sunday, October 3, 2021**. This will be the 15th year of this important fundraiser to protect clean water in Falmouth, and all of Buzzards Bay. (www.savebuzzardsbay.org/ride)

We'll use the same route as in 2019 - and as always, we'll assign volunteers to the critical turns to ensure our cyclists pass smoothly through the route. Please see attached for full cue sheet for the event. We expect to have around 350 cyclists passing through town between 2-5pm.

The longest route, the 100-mile route, will begin at 8am in Sakonnet Point, RI and will end at 5pm at the Swope Center in Woods Hole. All finish line festivities (food, beverage, restrooms, tables and chairs) will be run by the Swope Center at MBL and their professional catering, security, and facilities services. Last year we had **police details at Railroad & Water Street and at Water Street and MBL** that we plan to repeat.

We also request permission to post **event signs and promotional signs**, please see attached schedule. All signs will be removed within 12 hours of the event's completion.

We appreciate the opportunity to showcase the scenic beauty of Falmouth during our Watershed Ride. Please let us know if you need additional information.

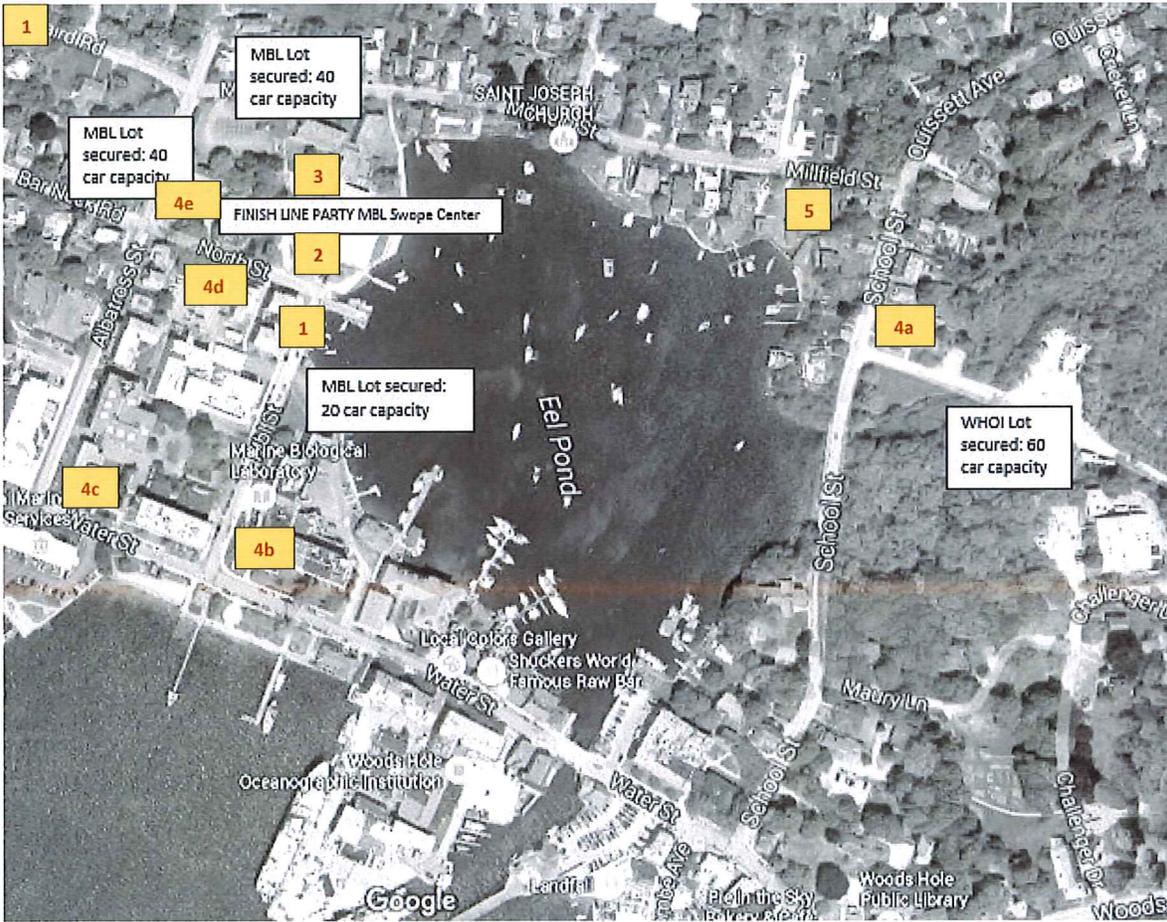
Best regards,

A handwritten signature in cursive script that reads "Jonah Guerin".

Jonah Guerin
Events Manager
guerin@savebuzzardsbay.org

cc: Edward Dunne, Chief of Police

Buzzards Bay Watershed RIDE
Site & Sign Map – Woods Hole





**Buzzards Bay Coalition Watershed RIDE
Schedule of Signs – Falmouth, MA**

1) Finish Line “Save Buzzards Bay” banner (2’ x 11.8’) at corner of MBL & North Street

- Set up day of event at 12pm, break down same day at 5pm
- Police detail at top of MBL Street (one way) alerting cars & pedestrians about sign
- Road cones and volunteers in safety green t-shirts stationed to caution cars & pedestrians
- Cyclists crossing under finish line banner between 1-5pm
- Permission to post sign from adjacent property owner, MBL, who is hosting the event



2) 10’ x 10’ pop up tent, various tables, 3 freestanding sandwich boards on Swope Center property. Set up on Sunday, day of event at 10am, removed by 6pm same day.



3) **One to three (3' x 6')** sponsor banners to be hung on Swope Building, TBD. Set up on Sunday, day of event at 10am, removed by 6pm same day.



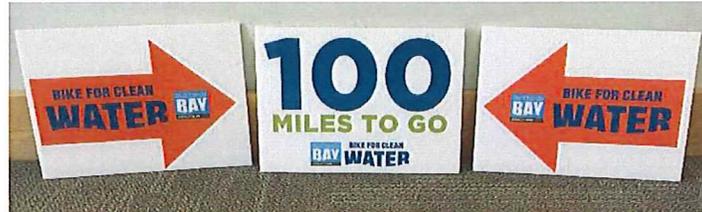
4) **24" x 36" coroplast yard signs** on wire "H" stands indicating parking at these locations. Set up on Sunday, day of event at 10am, removed by 6pm same day:

- **4a - "Volunteer Parking" yard sign** on grass at Corner of 49 School St. & WHOI School St. Parking Lot
 - Sign placed Sunday, day of event at 10am, removed by 6pm
 - Permission granted to use lot & post sign by WHOI
- **4b - "Watershed RIDE" yard sign** with right arrow on grass at corner of Water St & MBL St.
 - Sign placed Sunday, day of event at 10am, removed by 6pm
 - Permission granted to post sign by MBL
 - Police detail also stationed here 1-5pm
- **4c - "Watershed RIDE Parking" yard sign** with right arrow on grass at corner of Water St & Albatross St.
 - Sign placed Sunday, day of event at 10am, removed by 6pm
 - Permission granted to post sign by MBL
- **4d - "Shuttle Service" yard sign** on grass at entrance to MBL's Loeb Parking Lot, North St.
 - Sign placed Sunday, day of event at 6am, removed by 6pm
 - Permission granted to use lot & post sign by MBL
- **4e - "Rider Belongings" yard sign** on grass at entrance to MBL's Broderick Parking Lot, 17 North St.
 - Sign placed Sunday, day of event at 10am, removed by 6pm
 - Permission granted to use lot & post sign by MBL



6) Four (4) **10" x 14" route marking signs** on wire "H" stands directing cyclists at the following locations. Set up on Friday before event at 10am, removed on day of event by 6pm.

- "10 Miles to Go" on grass on right side of Quaker Rd south of Tricia Road before Highland
- On grass at corner of Nashawena St and Old Dock Road, arrow LEFT
- On grass at corner of Old Dock Road and Shining Sea Bikeway, arrow RIGHT
- On grass at corner of sidewalk and Railroad Ave., arrow RIGHT
- On grass at corner of Railroad Ave. and Water St., arrow LEFT (Police detail also stationed here 1-5pm)



5) Six (6) **18" x 24" coroplast yard signs** on wire "H" stands promoting the event at these locations. If allowed, signs could go up 6-8 weeks before the event, and would be removed within 12 hours of the event:

- On grass at Shining Sea Bikeway at County Road entrance
- On grass at Shining Sea Bikeway at Old Dock Road parking lot
- On grass in front of Hutker Architects: 533 Palmer Ave, Falmouth – permission granted by owner
- On grass in front of Corner Cycle, 115 Palmer Ave, Falmouth, MA – not sure who owns grass strip?
- On grass in front of Buzzards Bay Coalition office: 21 Luscombe Ave, Woods Hole – permission granted by owner
- On grass at corner of Water St & MBL St. – permission granted by owner



6) At the request of Town of Falmouth, **10" x 14" coroplast yard signs** on wire "H" stands alerting cyclists that an event is happening on Sunday, September 30, 2018. To be posted as requested by Town:

- On grass at Shining Sea Bikeway at County Road
- On grass at Shining Sea Bikeway at Old Dock Road parking lot



| | | | | |
|----------------------------|-------|---|--|---|
| 112. | 84.8 | ☐ | Metal drawbridge ahead, proceed with caution. USE SIDEWALK. <i>Volunteer, J. York 818 Shore Road, has his own sign, (774) 392-0111</i> | |
| 113. | 86.4 | ➔ | R onto Red Brook Harbor Rd. Railroad tracks proceed with caution. – <i>Volunteer, Dave Dimmick: (508) 561-6812, has his own sign: RR X-ING</i> | 1 |
| 114. | 87.4 | ↑ | Straight on Squeteague Harbor Rd | |
| 115. | 87.5 | ➔ | R onto Megansett Rd, becomes Garnet Ave. | |
| FALMOUTH/WOODS HOLE | | | | |
| 116. | 88.4 | ↑ | Straight across intersection at County Rd | |
| 117. | 88.4 | ➔ | R onto Chester St - <i>Volunteer</i> | |
| 118. | 88.6 | ← | Keep L to stay on Chester St | |
| 119. | 89.3 | ↑ | Straight onto Quaker Rd. | 10 MILES TO GO |
| 120. | 92.1 | ↑ | Merges into Nashawena Street | |
| 121. | 92.7 | ← | L onto Old Dock Rd | |
| 122. | 92.7 | ➔ | R at train tracks onto Bike Path/Shining Sea Bikeway | |
| 123. | 95.0 | ↑ | Stay on bike path all the way to end in Woods Hole | |
| 124. | 96.9 | ☐ | Slow down. Prepare to use traffic light at crosswalk at Woods Hole Rd. – <i>Volunteer @ WH Rd crosswalk hits button for riders</i> | |
| 125. | 100.2 | ➔ | R on Railroad Avenue – <i>Volunteer</i> | |
| 126. | 100.2 | ← | L onto Water St. POLICE ASSIST at crossing. | POLICE DETAIL HERE |
| 127. | 100.3 | ☐ | Metal drawbridge ahead, proceed with caution. Dismount bike and walk over if raining. – <i>Volunteer</i> | |
| 128. | 100.5 | ➔ | R onto MBL St | POLICE DETAIL HERE |
| 129. | 100.6 | ☐ | FINISH LINE. Congratulations! | Bike Valet and Bag Check on your right. |

Diane Davidson

From: Jeremiah Pearson
Sent: Thursday, June 24, 2021 3:08 PM
To: Joe Olenick; Diane Davidson; Boyd Demello; Brian Reid; Bruce Mogardo; Craig O'Malley; Gregg Fraser; Jim Grady; Julian Suso; Kristin Nickerson; Maggie Clayton; Mallory Langler; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Scott McGann; Sean Doyle; Timothy Smith; Jonathan Dickinson
Subject: RE: Special Events Applications

Parks is all set with these applications

From: Joe Olenick
Sent: Thursday, June 24, 2021 2:18 PM
To: Diane Davidson <diane.davidson@falmouthma.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Jonathan Dickinson <jonathan.dickinson@falmouthma.gov>
Subject: RE: Special Events Applications

Recreation is all set with these. Thanks Joe

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, June 23, 2021 5:26 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Jonathan Dickinson <jonathan.dickinson@falmouthma.gov>
Subject: Special Events Applications

To all,

Attached please find two new special events applications as follows:

1. Blues & Views Concert – William Maurer – Bandshell/Marina Park – Wednesday, August 18, 2021 – 6:30 p.m. to 9:00 p.m.

2. Buzzards Bay Watershed Ride – Buzzards Bay Coalition – Bike path to Swope Center (MBL) Woods Hole – Sunday, October 3, 2021 – 1:00 p.m. to 6:00 p.m.

Please review and provide your comments/recommendations by Friday, July 2.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Select Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
diane.davidson@falmouthma.gov
(508) 495-7321*

Diane Davidson

From: Joe Olenick
Sent: Thursday, June 24, 2021 2:18 PM
To: Diane Davidson; Boyd Demello; Brian Reid; Bruce Mogardo; Craig O'Malley; Gregg Fraser; Jim Grady; Jeremiah Pearson; Julian Suso; Kristin Nickerson; Maggie Clayton; Mallory Langler; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Scott McGann; Sean Doyle; Timothy Smith; Jonathan Dickinson
Subject: RE: Special Events Applications

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From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, June 23, 2021 5:26 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Jonathan Dickinson <jonathan.dickinson@falmouthma.gov>
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Please review and provide your comments/recommendations by Friday, July 2.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Select Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
diane.davidson@falmouthma.gov*

Diane Davidson

From: Brian Reid
Sent: Thursday, June 24, 2021 10:52 AM
To: Diane Davidson
Cc: Sean Doyle
Subject: RE: Special Events Applications

This department has no objection to these applications.

Captain Brian L. Reid

Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
brian.reid@falmouthpolicema.gov

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From: Diane Davidson
Sent: Wednesday, June 23, 2021 5:26 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Jonathan Dickinson <jonathan.dickinson@falmouthma.gov>
Subject: Special Events Applications

To all,

Attached please find two new special events applications as follows:

1. Blues & Views Concert – William Maurer – Bandshell/Marina Park – Wednesday, August 18, 2021 – 6:30 p.m. to 9:00 p.m.
2. Buzzards Bay Watershed Ride – Buzzards Bay Coalition – Bike path to Swope Center (MBL) Woods Hole – Sunday, October 3, 2021 – 1:00 p.m. to 6:00 p.m.

Please review and provide your comments/recommendations by Friday, July 2.

Diane Davidson

From: Boyd Demello
Sent: Thursday, June 24, 2021 9:27 AM
To: Diane Davidson; Brian Reid; Bruce Mogardo; Craig O'Malley; Gregg Fraser; Jim Grady; Jeremiah Pearson; Joe Olenick; Julian Suso; Kristin Nickerson; Maggie Clayton; Mallory Langler; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Scott McGann; Sean Doyle; Timothy Smith; Jonathan Dickinson
Cc: Boyd Demello
Subject: RE: Special Events Applications

No issues with Fire Rescue

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
508-495-2534 - Office
774-836-2436 - Cell Phone

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Please review and provide your comments/recommendations by Friday, July 2.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Select Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
diane.davidson@falmouthma.gov
(508) 495-7321*

Diane Davidson

From: Maggie Clayton
Sent: Wednesday, June 23, 2021 5:46 PM
To: Diane Davidson
Subject: RE: Special Events Applications

No concerns from Beach Dept.

Maggie Clayton
Beach Superintendent
Town of Falmouth
(774)392-6900

From: Diane Davidson
Sent: Wednesday, June 23, 2021 5:26 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Jonathan Dickinson <jonathan.dickinson@falmouthma.gov>
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Please review and provide your comments/recommendations by Friday, July 2.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Select Board
Town of Falmouth
59 Town Hall Square*

- b. Annual Summer Bazaar – Waquoit Congregational Church –
Parsons Lane One-Way – Friday and Saturday, 7/16 and 7/17/21 –
8:00 a.m. – 4:00 p.m.



TOWN OF FALMOUTH SPECIAL EVENT PERMIT

EVENT NAME Annual Summer Bazaar

NAME Waquoit Congregational Church, Rev. Nell Fields

MAILING ADDRESS 15 Parsons Lane, Waquoit, MA 02536

EVENT DAY & DATE Friday, July 16 and Saturday, July 17, 2021

RAIN DATE None.

EVENT LOCATION Waquoit Congregational Church

EVENT TYPE One-Way Traffic on Parsons Lane

EVENT HOURS 8 a.m. – 4 p.m. SET-UP / BREAK DOWN _____

NUMBER OF ATTENDEES 50+ # OF VEHICLES 20+

ADDITIONAL DETAILS Request to make Parsons Lane one-way. Traffic flowing from Rt. 28 to Studley Street to Rt. 28.

CONDITIONS:

1. Roadway should be clearly marked at both ends for safety purposes.
2. Any barricades placed in the roadway should be portable and a person assigned to remove them to allow passage of public safety equipment.
3. Event organizer to erect signage to prevent vehicles from parking along Route 28 (Waquoit Hwy.)
4. Limit food vendors to those already permitted by the Health Department.
5. Coordinate this event two weeks in advance with the Detail Sergeant at the Police Department, the Fire Department and the DPW to arrange for adequate public safety requirements.

PERMIT FEE -- FILING FEE \$10.00

DEPOSIT -- (Refundable at conclusion of event provided that no litter or damage has occurred)

SELECT BOARD:

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

WAQUOIT CONGREGATIONAL CHURCH
UNITED CHURCH OF CHRIST
15 PARSONS LANE • WAQUOIT, MA 02536 • (508) 548-5269

June 29, 2021

Select Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540

Re: Request for Waiver for Special Event Permit Fees

The Waquoit Congregational Church respectfully requests a waiver of the permit fees for our 2021 Annual Summer Bazaar. We will be conducting this event on Friday, July 16 and Saturday, July 17, 8 am -4 pm both days.

Our summer bazaar helps support our church and its many missions and outreach program to Falmouth and the wider Cape Cod community.

Thank you for your consideration.

Sincerely,



The Rev. Nell Fields
Minister, Waquoit Congregational Church

WAQUOIT CONGREGATIONAL CHURCH
UNITED CHURCH OF CHRIST
15 PARSONS LANE • WAQUOIT, MA 02536 • (508) 548-5269

June 30, 2021

Select Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540

Re: Request for to Make Parsons Lane One Way

The Waquoit Congregational Church respectfully requests that the select board approve our application to make Parsons Lane temporarily one way from Studley Street west to Route 28. This helps with the flow of traffic during our summer bazaar.

You have approved this request for the past 15 years. We have saw horses and signs to accommodate motorists. Moreover, we have volunteers monitoring traffic as well.

Thank you for your consideration.

Sincerely,

Nell Fields

The Rev. Nell Fields
Minister, Waquoit Congregational Church

Phyllis Downey

From: Maggie Clayton
Sent: Wednesday, June 30, 2021 1:45 PM
To: Falmouth Licensing
Subject: RE: Special Event/Road Closure-time sensitive-Waquoit Congregational Church JULY 16 and 17

Hi, Phyllis:

No comments/concerns about this event from the Beach Dept.

Best,

Maggie Clayton
 Beach Superintendent
 Town of Falmouth
 (774)392-6900

From: Falmouth Licensing
Sent: Wednesday, June 30, 2021 12:56 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: Special Event/Road Closure-time sensitive-Waquoit Congregational Church JULY 16 and 17

Good afternoon,

Waquoit Congregational Church submitted the attached application for the 2021 Annual Summer Bazaar for July 16th and 17th and respectfully requests for your expedited recommendations. Because the event did not take place in 2020 the application was overlooked by church staff and submitted later than intended.

The application includes a request for the Falmouth Police Department to close Parsons Road to make it temporarily one-way from Studley Street west to Route 28 as in years past. May we please request your recommendations by Wednesday, July 7th. The Select Board will review the application at their meeting on July 12th.

Thank you very much,
 Phyllis Downey
 Select Board/Town Manager Office
 508-495-7325

Phyllis Downey

From: Jim Grady
Sent: Wednesday, June 30, 2021 1:09 PM
To: Falmouth Licensing
Subject: RE: Special Event/Road Closure-time sensitive-Waquoit Congregational Church JULY 16 and 17

Good Afternoon, Public works Highway has no issues with this request. I will assist with any road closure/detour signs that may be needed at the request of the PD.

Thank You,

James F Grady Jr
 Superintendent of Highways
 Town of Falmouth
 416 Gifford St
 Falmouth Ma 02540
 508-457-2543 Ext 3005
 508-548-1537 Fax
 jim.grady@falmouthma.gov

From: Falmouth Licensing
Sent: Wednesday, June 30, 2021 12:56 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
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Thank you very much,

Phyllis Downey

From: Falmouth Licensing
Sent: Wednesday, June 30, 2021 2:44 PM
To: Mallory Langler
Subject: RE: Special Event/Road Closure-time sensitive-Waquoit Congregational Church JULY 16 and 17
Attachments: Re: Health department Request- Bazaar permit application-time sensitive

Hi Mallory,

I reached out to Rev. Nell fields to ask if the bazaar could limit its vendors to those already permitted by the Health Department and she said sure, see attached.

Thank you,
Phyllis

Phyllis Downey
Town Administration
508-495-7325

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

From: Mallory Langler <mallory.langler@falmouthma.gov>
Sent: Wednesday, June 30, 2021 1:47 PM
To: Falmouth Licensing <licensing@falmouthma.gov>
Subject: RE: Special Event/Road Closure-time sensitive-Waquoit Congregational Church JULY 16 and 17

Phyllis,

Due to the late nature of the application, we will need all food permit applications in ASAP. I strongly recommend that they only invite food vendors who have existing permits to prevent any last-minute issues, as our department will be busy reviewing applications for the upcoming Barnstable County Fair.

Thanks,
Mallory

Regards,
Mallory Langler
Assistant Health Agent
Falmouth Health Department
(508)495-7485

From: Falmouth Licensing <licensing@falmouthma.gov>
Sent: Wednesday, June 30, 2021 12:56 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson

Phyllis Downey

From: Brian Reid
Sent: Thursday, July 1, 2021 3:05 PM
To: Falmouth Licensing
Cc: Edward Dunne; Sean Doyle; Christopher Campbell
Subject: RE: Special Event/Road Closure-time sensitive-Waquoit Congregational Church JULY 16 and 17

Good afternoon Phyllis,

After further consideration and reflection upon this event in recent years, we wish to amend our recommendation. We would request that the event coordinator erect signage to prevent vehicles from parking along Rt. 28-Waquoit Highway for this event. There have been complaints in recent years of people parking along Waquoit Highway creating a public safety concern.

Thank you,

Captain Brian L. Reid

Operations Division
 Falmouth Police Department
 750 Main Street
 Falmouth, MA 02540
 Office 774-255-4527 Ext. 4502
 Fax 508-457-2566
brian.reid@falmouthpolicema.gov

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From: Boyd Demello
Sent: Thursday, July 1, 2021 2:10 PM
To: Falmouth Licensing; Brian Reid; Bruce Mogardo; Craig O'Malley; Diane Davidson; Gregg Fraser; Jim Grady; Jeremiah Pearson; Joe Olenick; Julian Suso; Kristin Nickerson; Maggie Clayton; Mallory Langler; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Brian Reid; Scott McGann; Sean Doyle; Timothy Smith
Cc: Boyd Demello
Subject: RE: Special Event/Road Closure-time sensitive-Waquoit Congregational Church JULY 16 and 17

No issues with Fire Rescue, reoccurring event

Boyd W. DeMello
 Fire Prevention Inspector
 Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
 508-495-2534 - Office
 774-836-2436 - Cell Phone

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3. SPECIAL EVENTS

New – Recommended

- a. Blues & Views Concert – William Maurer – Bandshell – Wednesday, 8/18/21 – 6:30 p.m. – 9:00 p.m.



TOWN OF FALMOUTH SPECIAL EVENT PERMIT

EVENT NAME Blues & Views

APPLICANT NAME William Maurer

MAILING ADDRESS 140 Gifford St., Falmouth, MA 02540

EVENT DAY & DATE Wednesday, August 18, 2021

RAIN DATE Wednesday, August 25, 2021

EVENT LOCATION Bandshell

EVENT TYPE Free live blues music

EVENT HOURS 6:30 pm – 9:00 pm SET-UP/BREAK DOWN TIMES _____

NUMBER OF ATTENDEES 50 +/- # OF VEHICLES 25 +/-

ADDITIONAL DETAILS Family-friendly concert similar to Town Band event. Request use of public restrooms at Harbormaster Office.

CONDITIONS:

1. Contact Police Detail Sergeant 30 days prior to event to arrange for adequate public safety requirements.
2. Contact Health Department 30 days in advance of event for Temporary Food Service Permit for food vendors and to schedule inspections.
3. Contact Inspectional Services Department 30 days prior to event for tent permit, if applicable, and to schedule inspection.
4. Contact Fire Department 30 days prior to event to schedule inspections for food vendors.
5. Pick up key to access electricity to the Bandshell at the Recreation Department by the day before the event.
6. Contact Harbormaster's office prior to event to arrange for opening of restrooms.
7. Organizers to check Bandshell/Marine Park area following event to remove any litter and debris.

PERMIT FEE \$200.00 FILING FEE \$10.00

DEPOSIT \$300.00 (Refundable at conclusion of event provided that no litter or damage has occurred)

SELECT BOARD:

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Blues & Views: Overview
<https://bluesandviews.org/>
Special Event Application
June 18, 2021

This Blues & Views Concert is a pilot project for a future summer concert series concept featuring professional musicians performing predominantly American Blues music. Concerts will be free to the general public and an employment opportunity for Cape Cod and Regional musicians. This effort is inspired by a National Organization called *Keeping The Blues Alive* <https://keepingthebluesalive.org/> whose mission is to "...preserve the rich culture and history of the Blues as a true American artform."

Concerts are intended to be family friendly summer events similar in audience atmosphere to the current Town Band Summer Concert Series on Thursday nights at the same location.

William Maurer
140 Gifford Street
Falmouth, MA 02540
[REDACTED]

Diane Davidson

From: Brian Reid
Sent: Thursday, June 24, 2021 10:52 AM
To: Diane Davidson
Cc: Sean Doyle
Subject: RE: Special Events Applications

This department has no objection to these applications.

Captain Brian L. Reid

Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
brian.reid@falmouthpolicema.gov

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Subject: Special Events Applications

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Please review and provide your comments/recommendations by Friday, July 2.

Diane Davidson

From: Boyd Demello
Sent: Thursday, June 24, 2021 9:27 AM
To: Diane Davidson; Brian Reid; Bruce Mogardo; Craig O'Malley; Gregg Fraser; Jim Grady; Jeremiah Pearson; Joe Olenick; Julian Suso; Kristin Nickerson; Maggie Clayton; Mallory Langler; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Scott McGann; Sean Doyle; Timothy Smith; Jonathan Dickinson
Cc: Boyd Demello
Subject: RE: Special Events Applications

No issues with Fire Rescue

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
[508-495-2534](tel:508-495-2534) - Office
[774-836-2436](tel:774-836-2436) - Cell Phone

CONFIDENTIALITY NOTICE: This message is privileged and confidential for the addressee(s) named above. If you are not the intended recipient, you are prohibited from disseminating, using, or copying the contents and should notify the sender immediately that you received this message in error.

From: Diane Davidson
Sent: Wednesday, June 23, 2021 5:26 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Jonathan Dickinson <jonathan.dickinson@falmouthma.gov>
Subject: Special Events Applications

To all,

Attached please find two new special events applications as follows:

1. Blues & Views Concert – William Maurer – Bandshell/Marina Park – Wednesday, August 18, 2021 – 6:30 p.m. to 9:00 p.m.

Diane Davidson

From: Maggie Clayton
Sent: Wednesday, June 23, 2021 5:46 PM
To: Diane Davidson
Subject: RE: Special Events Applications

No concerns from Beach Dept.

Maggie Clayton
Beach Superintendent
Town of Falmouth
(774)392-6900

From: Diane Davidson
Sent: Wednesday, June 23, 2021 5:26 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Jonathan Dickinson <jonathan.dickinson@falmouthma.gov>
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2. Buzzards Bay Watershed Ride – Buzzards Bay Coalition – Bike path to Swope Center (MBL) Woods Hole – Sunday, October 3, 2021 – 1:00 p.m. to 6:00 p.m.

Please review and provide your comments/recommendations by Friday, July 2.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Select Board
Town of Falmouth
59 Town Hall Square*

Diane Davidson

From: Joe Olenick
Sent: Thursday, June 24, 2021 2:18 PM
To: Diane Davidson; Boyd Demello; Brian Reid; Bruce Mogardo; Craig O'Malley; Gregg Fraser; Jim Grady; Jeremiah Pearson; Julian Suso; Kristin Nickerson; Maggie Clayton; Mallory Langler; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Scott McGann; Sean Doyle; Timothy Smith; Jonathan Dickinson
Subject: RE: Special Events Applications

Recreation is all set with these. Thanks Joe

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, June 23, 2021 5:26 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Jonathan Dickinson <jonathan.dickinson@falmouthma.gov>
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Please review and provide your comments/recommendations by Friday, July 2.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Select Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
diane.davidson@falmouthma.gov*

Diane Davidson

From: Jeremiah Pearson
Sent: Thursday, June 24, 2021 3:08 PM
To: Joe Olenick; Diane Davidson; Boyd Demello; Brian Reid; Bruce Mogardo; Craig O'Malley; Gregg Fraser; Jim Grady; Julian Suso; Kristin Nickerson; Maggie Clayton; Mallory Langler; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Scott McGann; Sean Doyle; Timothy Smith; Jonathan Dickinson
Subject: RE: Special Events Applications

Parks is all set with these applications

From: Joe Olenick
Sent: Thursday, June 24, 2021 2:18 PM
To: Diane Davidson <diane.davidson@falmouthma.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Jonathan Dickinson <jonathan.dickinson@falmouthma.gov>
Subject: RE: Special Events Applications

Recreation is all set with theses. Thanks Joe

From: Diane Davidson <diane.davidson@falmouthma.gov>
Sent: Wednesday, June 23, 2021 5:26 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Jonathan Dickinson <jonathan.dickinson@falmouthma.gov>
Subject: Special Events Applications

To all,

Attached please find two new special events applications as follows:

1. Blues & Views Concert – William Maurer – Bandshell/Marina Park – Wednesday, August 18, 2021 – 6:30 p.m. to 9:00 p.m.

Diane Davidson

From: Gregg Fraser
Sent: Friday, July 9, 2021 3:26 PM
To: Diane Davidson
Subject: Re: Special Events Applications

No issues with us, thank you

Gregg

Sent from my iPhone

> On Jul 9, 2021, at 3:07 PM, Diane Davidson <diane.davidson@falmouthma.gov> wrote:

>

> Hi Gregg,

>

> I just wanted to check to be sure you didn't have any comments with regard to the Blues & Views concert request for the Bandshell on August 18.

>

> Thank you,

>

> Diane

>

> From: Diane Davidson

> Sent: Wednesday, June 23, 2021 5:26 PM

> To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid

> <brian.reid@falmouthpolicema.gov>; Bruce Mogardo

> <bruce.mogardo@falmouthma.gov>; Craig O'Malley

> <craig.omalley@falmouthfirema.gov>; Diane Davidson

> <diane.davidson@falmouthma.gov>; Gregg Fraser

> <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>;

> Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick

> <joe.olenick@falmouthma.gov>; Julian Suso

> <julian.suso@falmouthma.gov>; Kristin Nickerson

> <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton

> <maggie.clayton@falmouthma.gov>; Mallory Langler

> <mallory.langler@falmouthma.gov>; Pamela Marshall

> <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub

> <peter.johnson-staub@falmouthma.gov>; Peter McConarty

> <peter.mcconarty@falmouthma.gov>; Rod Palmer

> <rod.palmer@falmouthma.gov>; Samantha Moir

> <samantha.moir@falmouthma.gov>; Scott McGann

> <scott.mcgann@falmouthma.gov>; Sean Doyle

> <sean.doyle@falmouthpolicema.gov>; Timothy Smith

> <timothy.smith@falmouthfirema.gov>; Jonathan Dickinson

> <jonathan.dickinson@falmouthma.gov>

> Subject: Special Events Applications

>

> To all,

>

> Attached please find two new special events applications as follows:
>
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>
> Please review and provide your comments/recommendations by Friday, July 2.
>
> Thank you,
>
> Diane
>
> Diane S. Davidson
> Office Manager/Licensing
> Office of the Town Manager and Select Board Town of Falmouth
> 59 Town Hall Square
> Falmouth, MA 02540
> diane.davidson@falmouthma.gov<mailto:diane.davidson@falmouthma.gov>
> (508) 495-7321
>
> <SE-2021-Blues and Views Concert.pdf>
> <SE-2021-Buzzards Bay Watershed Ride.pdf>

b. Beach Wedding Ceremony – Falmouth Heights Beach – Jaquith –
Friday, 9/10/21



**TOWN OF FALMOUTH
WEDDING CEREMONY AND PARKING PERMIT**

NAME Sarah Jaquith

MAILING ADDRESS 107 Prince Henry Drive, East Falmouth, MA 02536

CEREMONY DAY & DATE Friday, September 10, 2021

LOCATION Falmouth Heights Beach

CEREMONY HOURS 6:00 p.m. – 7:30 p.m. **SET-UP ARRIVAL TIME** 5:30 p.m.

NUMBER OF GUESTS 4 **NUMBER OF VEHICLES** 1

TIME NEEDED FOR PARKING VEHICLES N/A

ENTERTAINMENT Group transportation. Photography.

CONDITIONS:

1. Consumption of alcoholic beverages prohibited on Town beaches and parking areas.
2. Public parking is on a first come first serve basis.

PERMIT FEE \$75.00 **FILING FEE** \$10.00

DEPOSIT \$300.00 (Deposit refundable at conclusion of event provided that no litter or damage has occurred)

SELECT BOARD:

Phyllis Downey

From: Bruce Mogardo
Sent: Wednesday, June 16, 2021 3:39 PM
To: Phyllis Downey
Cc: Brian Reid; Craig O'Malley; Diane Davidson; Gregg Fraser; Jim Grady; Jeremiah Pearson; Joe Olenick; Julian Suso; Kristin Nickerson; Maggie Clayton; Mallory Langler; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Scott McGann; Sean Doyle; Timothy Smith
Subject: Re: Beach Wedding- 9/10/2021 Falmouth Heights Beach

The Beach Department recommends approval of this wedding after conferring will the applicant

Sent from my iPhone

On Jun 15, 2021, at 3:00 PM, Boyd Demello <boyd.demello@falmouthfirema.gov> wrote:

No issues with Fire Rescue

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
508-495-2534 - Office
[774-836-2436](tel:774-836-2436) - Cell Phone

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From: Phyllis Downey
Sent: Tuesday, June 15, 2021 2:44 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>;

Timothy Smith <timothy.smith@falmouthfirema.gov>

Subject: Beach Wedding- 9/10/2021 Falmouth Heights Beach

Good afternoon all,

May we please request your recommendations/comments regarding the attached application for a wedding ceremony to be held on Falmouth Heights Beach on September 10, 2021, from 6:00 pm to 7:30 with set-up at 5:30 pm. May we please request your response by July 6th? The Select Board will review the application on July 12th.

Thank you,
Phyllis

Phyllis Downey

From: Craig O'Malley
Sent: Tuesday, June 15, 2021 2:45 PM
To: Phyllis Downey
Subject: RE: Beach Wedding- 9/10/2021 Falmouth Heights Beach

Phyllis,

The Fire Department has no issues with the wedding.

Thanks,
Craig

Lt. Craig O'Malley
Fire Prevention Officer
Falmouth Fire Rescue
508-495-2533 office
774-836-2434 cell
craig.omalley@falmouthfirema.gov (Please Note the Email Change)

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Tuesday, June 15, 2021 2:44 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
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Thank you,
Phyllis

Phyllis Downey

From: Sean Doyle
Sent: Thursday, June 17, 2021 4:42 PM
To: Phyllis Downey
Subject: RE: Beach Wedding- 9/10/2021 Falmouth Heights Beach

No objections at the PD

From: Phyllis Downey
Sent: Tuesday, June 15, 2021 2:44 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
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Thank you,
Phyllis

Phyllis Downey

From: Boyd Demello
Sent: Thursday, July 1, 2021 10:12 AM
To: Joe Olenick; Phyllis Downey; Brian Reid; Bruce Mogardo; Craig O'Malley; Diane Davidson; Gregg Fraser; Jim Grady; Jeremiah Pearson; Julian Suso; Kristin Nickerson; Maggie Clayton; Mallory Langler; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Scott McGann; Sean Doyle; Timothy Smith
Cc: Boyd Demello
Subject: RE: Beach Wedding- 9/10/2021 Falmouth Heights Beach

No Issues from Fire Rescue

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
508-495-2534 - Office
774-836-2436 - Cell Phone

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From: Joe Olenick
Sent: Thursday, July 1, 2021 9:13 AM
To: Phyllis Downey <phyllis.downey@falmouthma.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: RE: Beach Wedding- 9/10/2021 Falmouth Heights Beach

Recreation has no issues with this. Thanks Joe

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Tuesday, June 15, 2021 2:44 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson

Phyllis Downey

From: Mallory Langler
Sent: Wednesday, June 16, 2021 8:22 AM
To: Phyllis Downey
Subject: RE: Beach Wedding- 9/10/2021 Falmouth Heights Beach

No issues with Health, thanks!

Regards,
Mallory Langler
Assistant Health Agent
Falmouth Health Department
(508)495-7485

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Tuesday, June 15, 2021 2:44 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
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Thank you,
Phyllis

Phyllis Downey

From: Joe Olenick
Sent: Thursday, July 1, 2021 9:13 AM
To: Phyllis Downey; Boyd Demello; Brian Reid; Bruce Mogardó; Craig O'Malley; Diane Davidson; Gregg Fraser; Jim Grady; Jeremiah Pearson; Julian Suso; Kristin Nickerson; Maggie Clayton; Mallory Langler; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Scott McGann; Sean Doyle; Timothy Smith
Subject: RE: Beach Wedding- 9/10/2021 Falmouth Heights Beach

Recreation has no issues with this. Thanks Joe

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Tuesday, June 15, 2021 2:44 PM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: Beach Wedding- 9/10/2021 Falmouth Heights Beach

Good afternoon all,

May we please request your recommendations/comments regarding the attached application for a wedding ceremony to be held on Falmouth Heights Beach on September 10, 2021, from 6:00 pm to 7:30 with set-up at 5:30 pm. May we please request your response by July 6th? The Select Board will review the application on July 12th.

Thank you,
Phyllis

c. Beach Parking – Mill Road parking lot – Moore – Thursday, 7/29/21



**TOWN OF FALMOUTH
WEDDING CEREMONY / PARKING PERMIT**

NAME Paul Moore

MAILING ADDRESS 60 McKenna Ridge Road, East Falmouth, MA 02536

CEREMONY DAY & DATE Thursday, July 29, 2021

RAIN DATE None

LOCATION Mill Road Parking Lot

CEREMONY HOURS N/A **SET-UP ARRIVAL TIME** N/A

NUMBER OF GUESTS 35 **NUMBER OF VEHICLES** 15-20

TIME NEEDED FOR PARKING VEHICLES 5:00 p.m. – 10:00 p.m.

ADDITIONAL INFORMATION: Parking for 15-20 cars for a rehearsal dinner at 246 Surf Drive.

CONDITIONS:

- 1. Parking lot gate closes at 10:00 p.m. Cars to leave lot by 10:00 p.m. to avoid towing.**
- 2. Consumption of alcoholic beverages prohibited on Town beaches and parking areas.**
- 3. Public parking is on a first come first serve basis.**

PERMIT FEE \$75.00 **FILING FEE** \$10.00

DEPOSIT \$300.00 *(Deposit refundable at conclusion of event provided that no litter or damage has occurred)*

FALMOUTH SELECT BOARD:

Phyllis Downey

From: Falmouth Licensing
Sent: Friday, July 2, 2021 12:48 PM
To: Maggie Clayton
Subject: RE: Parking application 7/29/21 5-10 pm Mill Road

Thank you, Maggie. I appreciate your help.

Phyllis Downey
Town Administration
508-495-7325

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

From: Maggie Clayton <maggie.clayton@falmouthma.gov>
Sent: Friday, July 2, 2021 11:50 AM
To: Falmouth Licensing <licensing@falmouthma.gov>
Subject: RE: Parking application 7/29/21 5-10 pm Mill Road

Hi, Phyllis:

I don't think Bruce was supposed to contact the applicant, but what he was leading towards was correct... we don't hold spots in the lot, and stop monitoring it at 4:30 p.m. The gate gets locked for the night at 10 p.m., so cars would have to be out by then to avoid towing. The Mill Rd. Extension of Surf Drive parking lot has about 60 spaces to start.

Thanks,

Maggie Clayton
Beach Superintendent
Town of Falmouth
(774)392-6900

From: Falmouth Licensing
Sent: Friday, July 02, 2021 10:53 AM
To: Maggie Clayton <maggie.clayton@falmouthma.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>
Subject: Parking application 7/29/21 5-10 pm Mill Road

Good morning Maggie & Bruce,

Before this is forwarded to the Special Events Working Group, may I please ask if this application for party parking at Mill Road beginning at 5:00 on Friday July 29th is feasible? I notice the lot is often full on my way home close to 5pm.

May I please have your feedback?

Thank you,
Phyllis

Phyllis Downey

From: Brian Reid
Sent: Tuesday, July 6, 2021 10:57 AM
To: Phyllis Downey
Cc: Sean Doyle; Edward Dunne
Subject: RE: Special Events application parking @ Mill Road 7/29/21 5 -10 pm

We have no objection to this application.

Captain Brian L. Reid

Operations Division
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office 774-255-4527 Ext. 4502
Fax 508-457-2566
brian.reid@falmouthpolicema.gov

CONFIDENTIALITY NOTICE: This communication and any accompanying document(s) are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon the communication is strictly prohibited. If you are not the intended recipient and have received this communication in error, please contact the sender immediately and delete the original message. Thank you.

From: Phyllis Downey
Sent: Tuesday, July 6, 2021 10:47 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: Special Events application parking @ Mill Road 7/29/21 5 -10 pm

Good morning all,

Attached please find an application to use the Mill Road beach parking on Thursday, July 29th from 5:00 to 10:00 pm for guests at a rehearsal dinner in the neighborhood. The Beach Department has been advised of this request and has advised the applicant Paul Moore that the lot will be locked promptly at 10:00 pm.

If it is possible to receive your recommendations by Thursday, July 8th the application will be reviewed by the Select Board at their meeting on July 12th. If more time is needed the application will be reviewed on July 26th, which is four days before the event.

Thank you very much,

Phyllis Downey

From: Boyd Demello
Sent: Tuesday, July 6, 2021 11:18 AM
To: Phyllis Downey; Brian Reid; Bruce Mogardo; Craig O'Malley; Diane Davidson; Gregg Fraser; Jim Grady; Jeremiah Pearson; Joe Olenick; Julian Suso; Kristin Nickerson; Maggie Clayton; Mallory Langler; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Scott McGann; Sean Doyle; Timothy Smith
Cc: Boyd Demello
Subject: RE: Special Events application parking @ Mill Road 7/29/21 5 -10 pm

No Fire Rescue issues

Boyd W. DeMello
Fire Prevention Inspector
Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
508-495-2534 - Office
774-836-2436 - Cell Phone

CONFIDENTIALITY NOTICE: This message is privileged and confidential for the addressee(s) named above. If you are not the intended recipient, you are prohibited from disseminating, using, or copying the contents and should notify the sender immediately that you received this message in error.

From: Phyllis Downey
Sent: Tuesday, July 6, 2021 10:47 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: Special Events application parking @ Mill Road 7/29/21 5 -10 pm

Good morning all,

Attached please find an application to use the Mill Road beach parking on Thursday, July 29th from 5:00 to 10:00 pm for guests at a rehearsal dinner in the neighborhood. The Beach Department has been advised of this request and has advised the applicant Paul Moore that the lot will be locked promptly at 10:00 pm.

If it is possible to receive your recommendations by Thursday, July 8th the application will be reviewed by the Select Board at their meeting on July 12th. If more time is needed the application will be reviewed on July 26th, which is four days before the event.

Phyllis Downey

From: Mallory Langler
Sent: Tuesday, July 6, 2021 11:38 AM
To: Phyllis Downey
Cc: Boyd Demello; Brian Reid; Bruce Mogardo; Craig O'Malley; Diane Davidson; Gregg Fraser; Jim Grady; Jeremiah Pearson; Joe Olenick; Julian Suso; Kristin Nickerson; Maggie Clayton; Pamela Marshall; Peter Johnson-Staub; Peter McConarty; Rod Palmer; Samantha Moir; Scott McGann; Sean Doyle; Timothy Smith
Subject: Re: Special Events application parking @ Mill Road 7/29/21 5 -10 pm

Hi Phyllis,

If there's a caterer, they just need to register with us so we have their information on file.

Thanks,
Mallory

Sent from my iPhone

On Jul 6, 2021, at 10:46 AM, Phyllis Downey <phyllis.downey@falmouthma.gov> wrote:

Good morning all,

Attached please find an application to use the Mill Road beach parking on Thursday, July 29th from 5:00 to 10:00 pm for guests at a rehearsal dinner in the neighborhood. The Beach Department has been advised of this request and has advised the applicant Paul Moore that the lot will be locked promptly at 10:00 pm.

If it is possible to receive your recommendations by Thursday, July 8th the application will be reviewed by the Select Board at their meeting on July 12th. If more time is needed the application will be reviewed on July 26th, which is four days before the event.

Thank you very much,
Phyllis
Phyllis Downey
508-495-7325

<20210702103240223.pdf>

Phyllis Downey

From: Joe Olenick
Sent: Tuesday, July 6, 2021 11:57 AM
To: Phyllis Downey
Subject: RE: Special Events application parking @ Mill Road 7/29/21 5 -10 pm

Recreation is all set.

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Tuesday, July 06, 2021 10:47 AM
To: Boyd Demello <boyd.demello@falmouthfirema.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Bruce Mogardo <bruce.mogardo@falmouthma.gov>; Craig O'Malley <craig.omalley@falmouthfirema.gov>; Diane Davidson <diane.davidson@falmouthma.gov>; Gregg Fraser <gregg.fraser@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Jeremiah Pearson <jeremiah.pearson@falmouthma.gov>; Joe Olenick <joe.olenick@falmouthma.gov>; Julian Suso <julian.suso@falmouthma.gov>; Kristin Nickerson <kristin.nickerson@falmouthpolicema.gov>; Maggie Clayton <maggie.clayton@falmouthma.gov>; Mallory Langler <mallory.langler@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Samantha Moir <samantha.moir@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>
Subject: Special Events application parking @ Mill Road 7/29/21 5 -10 pm

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Thank you very much,
Phyllis
Phyllis Downey
508-495-7325

PUBLIC HEARINGS

1. Application for an alteration of the licensed premises of an all alcoholic common victualler license – Chapoquoit Grill, Inc., located at 410 West Falmouth Highway, West Falmouth. Continued from April 26, May 24, June 7 and June 21, 2021



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

LIQUOR LICENSE HEARING

Notice is hereby given under Chapter 138 of the General Laws, as amended, that Chapoquoit Grill, Inc. has applied for an Alteration of Premises of its All Alcoholic Common Victualler License located at 410 West Falmouth Highway, West Falmouth, MA.

A hearing will be held in the Selectmen's Meeting Room, Falmouth Town Hall on Monday, April 26, 2021 at 7:30 p.m. on the above application.

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, § 20, relating to the 2020 novel Coronavirus outbreak emergency, the April 26, 2021 public meeting of the Falmouth Select Board shall be physically closed to the public to avoid group congregation. **See Select Board NOTICE of MEETING for April 26, 2021 to be posted on the Town of Falmouth website, www.falmouthma.gov, Agenda Center, on April 22, 2021 at 4:00 PM for detailed participation information.*****

Per order of the Select Board

LICENSING BOARD

Megan E. English Braga

Douglas C. Brown

Douglas H. Jones

Samuel H. Patterson

Nancy R. Taylor

*Publication date: Friday, April 16, 2021; Falmouth Enterprise
Account #2056*

**Falmouth Zoning Board of Appeals
Notice of Public Hearing for
May 13, 2021**

Notice is hereby given of the following **Public Hearing @ 6:30pm** and Open Meeting in the Selectmen's Meeting Room * **SEE AGENDA FOR VIRTUAL PARTICIPATION***, Town Hall on **Thursday May 13, 2021**

Application #033-21 Falmouth Housing Trust, Inc. : Applied to the Zoning Board of Appeals for a Comprehensive Permit pursuant to MGL Chapter 40B to construct three (3) affordable single family dwellings. The subject property is 55 Lewis Neck Road, East Falmouth, Ma.

Files are available in the Board of Appeals Office at Town Hall for review by interested parties

April 16, 2021

**Falmouth Zoning Board of Appeals
Notice of Public Hearing for
May 6, 2021**

Notice is hereby given of the following **Public Hearing @ 6:30pm and Open Meeting** in the Selectmen's Meeting Room * **SEE AGENDA FOR VIRTUAL PARTICIPATION***, Town Hall on **Thursday May 6, 2021**

Application #021-21 Lorian LLC: Applied to the Zoning Board of Appeals for a modification of special # 075-18 pursuant to section(s) 240-3 A. and 240-68 A(8) of the Code of Falmouth to modify previously approved plans. The subject property is 108 Gansett Road, Woods Hole, Ma.
Application #022-21 Rick A. Meissner: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-68 A.(8) and 240-69 E. of the Code of Falmouth to construct an accessory structure (swimming pool) in the front yard, more than 50' from the front property line; exceeding 20% lot coverage by structures. The subject property is 12 Vernon Avenue, Falmouth, Ma.

Application #023-21 William J. and Gina C. Webber: Applied to the Zoning Board of Appeals for a special permit pursuant to section(s) 240-38 G(4)(b) of the Code of Falmouth to park a vehicle over 13,000GVW on subject property known as 47 Rockville Avenue, East Falmouth, Ma.

Files are available in the Board of Appeals Office at Town Hall for review by interested parties.

April 9, 16, 2021

Notice: Fifth Member

The Falmouth Retirement Board is seeking applicants for the position of Fifth Member to the Falmouth Retirement Board. The Falmouth Retirement Board operates in accordance with the provisions of Chapter 32 of the Massachusetts General Laws, the rules and regulations promulgated by the Public Employee Retirement Administration Commission (PERAC) as well as any rules and regulations adopted by the Falmouth Retirement Board and approved by PERAC. The Fifth Member, together with the other four members of the retirement board, are to act as fiduciaries of the Falmouth Retirement System and to perform their duties solely in the

interest of its members and their beneficiaries. The Fifth Member will be chosen by the other four members of the retirement board for a three-year term which is to begin on July 1, 2021 and will expire on June 30, 2024. The Fifth Member shall not be an employee, a retiree or an official of the Town of Falmouth or the Falmouth Housing Authority.

Interested applicants should send a letter of interest with resume, by 2:00 p.m. on **Wednesday, May 12, 2021, via email to retire@falmouthretirementma.gov**, or by mail to Falmouth Retirement System, Attn: Francis St. Germaine, Director, 80 Davis Straits, Suite 102, Falmouth, MA 02540

Thank you for your attention to this matter.

Sincerely,

Francis X. St. Germaine III
Director

April 16, 23, 2021

**Town of Falmouth
Historical Commission
Public Hearing Notice**

The Falmouth Historical Commission will hold a public hearing under Massachusetts General Law Chapter 40C section 11, and Town bylaw section 7.4 as Amended on **Monday, May 3, 2021 at 6:00PM** via Virtual Zoom Meeting. See Agenda, when posted, for Zoom instructions.

Requests for Certificates of Appropriateness:

21.13 Diarmuid T. Quinn - 122 Old Main Road, Two Story Addition

On behalf of the Falmouth Historical Commission

April 16, 2021

LIQUOR LICENSE HEARING

Notice is hereby given under Chapter 138 of the General Laws, as amended, that Chapoquoit Grill, Inc. has applied for an Alteration of Premises of its All Alcoholic Common Victualler License located at 410 West Falmouth Highway, West Falmouth, MA.

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Per order of the Select Board

LICENSING BOARD
Megan E. English Braga
Douglas C. Brown
Douglas H. Jones
Samuel H. Patterson
Nancy R. Taylor

April 16, 2021

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM**

**Notice of Chapter 91 Permit Application No. W21-5963 and
401 Water Quality Certification Application
Transmittal No. X286561**

Applicant: Timothy Leedham, R & G Realty Trust

Project Location: Childs River off 1209 East Falmouth Highway, (East) Falmouth, Barnstable County

Public Comments Deadlines: As Specified Below

NOTIFICATION DATE: April 16, 2021

Public Notice is hereby given of the Combined Chapter 91 Permit and 401 WQC Application by the Timothy Leedham (R & G Realty Trust), to dredge 1,150 cubic yards of aquatic sediments over an approximate area of 19,900 square feet, in Flowed Tidelands of the Childs River off of 1209 East Falmouth Highway in Town of Falmouth, Barnstable County. The proposed project has been determined to be Water-Dependent.

Written comments on the 401 WQC Application must be sent within twenty-one (21) days of the Notification Date to: Alice Smith, MassDEP Wetlands Program, One Winter Street, 5th Floor, Boston, MA 02108. Or via email to: alice.smith@mass.gov

Written comments on the Chapter 91 Permit Application must be sent within fifteen (15) days of the Notification Date to: Ivan Morales-Parra, MassDEP Waterways Regulation Program, One Winter Street, 5th Floor, Boston, MA 02108. Or via email to: ivan.morales@mass.gov

The Department will consider all written comments on this Combined Application received by the respective Public Comments Deadlines. Failure of any aggrieved person or group of ten (10) citizens or more to submit written comments as specified above will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c). The group of citizens must include no less than five (5) citizens who are residents of the municipality in which the proposed project is located. A Public Hearing may be held upon request by the Municipal Official.

Additional information regarding this Combined Application may be obtained by contacting the applicable Program Staff above. Project plans and documents for the Waterways Application are on file for public viewing electronically by request to either of the applicable email addresses above. If you do not have access to email, please leave a voicemail at either of the applicable phone numbers above and you will be contacted with information on alternative options.

Please be advised that the MassDEP Boston Office is currently closed to the public and the Wetlands and Waterways Program Staff are working remotely. It is recommended that documents and correspondence be filed electronically to the applicable email addresses above when possible; documents should not be hand delivered to One Winter Street, Boston, MA until further notice.

April 16, 2021

LICENSE APPLICATION REVIEW

Restaurant/Business: Chapoquoit Grill

Address: 410 W. Falmouth Highway

License Type: All Alcohol Common Victualler License

New or Transfer of License _____

or

Change of License Alteration of Premises

Police

Fire

Building

Health

Zoning

Planning

DPW

NOTES:

Chapoquoit Grill – Alteration of Premises

Please note: The abutter tenant sued the landlord and Chapoquoit Grille regarding use/control of the parking area at issue, and that matter has not been resolved (the town was dismissed out of that case after motion practice by Town Counsel).

Phyllis Downey

Subject: FW: Chapoquoit Grill - Alteration of Premises application

From: Phyllis Downey
Sent: Thursday, July 8, 2021 1:42 PM
To: Kevin Klauer <kevin@amentklauer.com>
Cc: Gabriele M. Bruce - Ament Law Firm LLC (gbruce@amentklauer.com) <gbruce@amentklauer.com>
Subject: Chapoquoit Grill - Alteration of Premises application

Good afternoon,

We have been advised that there are issues with the application as submitted. Please contact the Town Planner at your soonest convenience.

Thank you,
Phyllis

Phyllis Downey
Town Administration
508-495-7325

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

From: Phyllis Downey
Sent: Tuesday, July 6, 2021 11:17 AM
To: Kevin Klauer <kevin@amentklauer.com>
Cc: Gabriele M. Bruce - Ament Law Firm LLC (gbruce@amentklauer.com) <gbruce@amentklauer.com>; Falmouth Town Manager (townmanager@falmouthma.gov) <townmanager@falmouthma.gov>
Subject: Reminder 7/12/21 SB meeting - Chapoquoit Grill - Alteration of Premises application

Good morning Kevin,

This is a reminder that the application by Chapoquoit Grill for Alteration of Premises was continued to the Select Board meeting of July 12th. Please provide the material listed below by tomorrow, Wednesday, July 7th to allow time for review.

Thank you,
Phyllis

Phyllis Downey
Town Administration
508-495-7325

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

Phyllis Downey

From: Thomas Bott
Sent: Thursday, July 8, 2021 11:28 AM
To: Julian Suso
Cc: Frank Duffy; Irie Mullin; Phyllis Downey
Subject: RE: Update/Time Sensitive- Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf
Attachments: Chapoquoit Grill zoning.jpg

Dear Julian:

They cannot add/move parking without coming to the Planning Board. If they wish to reduce 16 seats at the restaurant the SB might consider the matter for the purpose of the liquor license.

Given the zoning, B3 in front and RB in the rear, they are unlikely to be granted the parking spaces.

I put in a call to Kevin Klauer yesterday but have not heard back. Ringing him again today after Permit Eyes meeting
TBott

From: Julian Suso
Sent: Thursday, July 8, 2021 8:19 AM
To: Thomas Bott <thomas.bott@falmouthma.gov>
Cc: Frank Duffy <frank.duffy@falmouthma.gov>; Irie Mullin <irie.mullin@falmouthma.gov>; Phyllis Downey <phyllis.downey@falmouthma.gov>
Subject: FW: Update/Time Sensitive- Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf

Tom,

I want to clarify. Does your analysis then require a formal site plan review by the Planning Board (presumably as a condition of potential SB approval) or is this an absolute prohibition – and this proposal cannot go forward to the Select Board as it exists?

Julian

From: Thomas Bott <thomas.bott@falmouthma.gov>
Sent: Wednesday, July 7, 2021 5:26 PM
To: Phyllis Downey <phyllis.downey@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Patty O'Connell <patricia.oconnell@falmouthma.gov>; Trisha Favulli <trisha.favulli@falmouthma.gov>
Cc: Brian Reid <brian.reid@falmouthpolicema.gov>; Frank Duffy <frank.duffy@falmouthma.gov>; Irie Mullin <irie.mullin@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Falmouth Town Manager <townmanager@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Michaela Shoemaker <michaela.shoemaker@falmouthma.gov>
Subject: RE: Update/Time Sensitive- Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf

The amendment for the liquor license notes “including the temporary COVID seating on a more permanent basis.” The Revisions Plan of Proposed Parking... for #410 West Falmouth Highway” dated June 28, 2021 shows seven new parking spaces which all appear to require the driver to back out onto West Falmouth Highway. Under the COVID rules compliance with local zoning was suspended but if allowing the liquor license with what I’ll call “permanent seasonal seating” those proposed new spaces would not meet Falmouth Zoning.

C. Backing. Parking areas with five or more spaces shall be designed and located so that their use does not involve vehicles backing onto a public way.

streets.

E. Prohibited parking areas. No part of any private parking area having five or more parking spaces shall be located within a front yard as defined in Article III, Definitions, nor shall any private parking area be located within five feet of any property line. The Planning Board may, by special permit, allow parking in front yards or within five feet of a ... line. Parking areas for marine and business uses shall be at least 15 feet from the property line of any existing residential district or use. No part of any private parking area serving a nonresidential use shall be located in or interfere with any area utilized for off-street loading or unloading of materials or merchandise, including but not limited to gasoline dispensing or storage facilities, loading docks or stacking areas for drive-thru windows.

I understand that some of the merchants want to have parking directly in front of their businesses but if the restaurant occupancy was reduced then the outdoor seating might be able to be accommodated absent the eight parking spaces that have been taken out of service for the outdoor dining. Restaurants require 1 spaces per two seats requiring a likely reduction of 16 seats of the current 102 noted on the application.

Memo attached
TBott

From: Phyllis Downey

Sent: Wednesday, July 7, 2021 11:55 AM

To: Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Thomas Bott <thomas.bott@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Patty O'Connell <patricia.oconnell@falmouthma.gov>; Trisha Favulli <trisha.favulli@falmouthma.gov>

Cc: Brian Reid <brian.reid@falmouthpolicema.gov>; Frank Duffy <frank.duffy@falmouthma.gov>; Irie Mullin <irie.mullin@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Falmouth Town Manager <townmanager@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Michaela Shoemaker <michaela.shoemaker@falmouthma.gov>

Subject: Update/Time Sensitive- Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf

Importance: High

Good morning,

Attached please find an updated application by the Chapoquoit Grill for Alteration of Premises which has been continued several times and ***will be reviewed by the Select Board this Monday, July 12th.***

Included are updated information on pages 1 and 2 of the application form and two new plans: one showing remaining parking spaces plus retail spaces and one showing seating plus retail spaces at 410 West Falmouth Highway.

Also included is an Amendment to the Lease in response to the Town Counsel/Town Manager's request for written clear documentation of Chapoquoit Grill's exclusive right to use the proposed expanded seating area. The entire lease and a large version of the parking plan are available for review in this office.

May we please request your recommendations by this Friday morning, July 9th so that they may be included in the Select Board's meeting packet in preparation for the Monday meeting?

Thank you very much,
Phyllis

Phyllis Downey
Town Administration

508-495-7325

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

From: Phyllis Downey

Sent: Thursday, April 1, 2021 11:57 AM

To: Thomas Bott (thomas.bott@falmouthma.gov) <thomas.bott@falmouthma.gov>; Rod Palmer (rod.palmer@falmouthma.gov) <rod.palmer@falmouthma.gov>; Noreen Stockman (noreen.stockman@falmouthma.gov) <noreen.stockman@falmouthma.gov>; Brian Reid (brian.reid@falmouthpolicema.gov) <brian.reid@falmouthpolicema.gov>; Sean Doyle (sean.doyle@falmouthpolicema.gov) <sean.doyle@falmouthpolicema.gov>; Timothy Smith (timothy.smith@falmouthfirema.gov) <timothy.smith@falmouthfirema.gov>; Peter McConarty (peter.mcconarty@falmouthma.gov) <peter.mcconarty@falmouthma.gov>; Jim McLoughlin (james.mcloughlin@falmouthma.gov) <james.mcloughlin@falmouthma.gov>; Patty O'Connell (patricia.oconnell@falmouthma.gov) <patricia.oconnell@falmouthma.gov>; Scott McGann (scott.mcgann@falmouthma.gov) <scott.mcgann@falmouthma.gov>; Jonathan Dickinson (jonathan.dickinson@falmouthma.gov) <jonathan.dickinson@falmouthma.gov>

Cc: Julian Suso (julian.suso@falmouthma.gov) <julian.suso@falmouthma.gov>; Peter Johnson-Staub (peter.johnson-staub@falmouthma.gov) <peter.johnson-staub@falmouthma.gov>; Diane Davidson (diane.davidson@falmouthma.gov) <diane.davidson@falmouthma.gov>; Pamela Marshall (pamela.marshall@falmouthma.gov) <pamela.marshall@falmouthma.gov>; Linda Kinchla (linda.kinchla@falmouthma.gov) <linda.kinchla@falmouthma.gov>; Melinda Rebelo (melinda.rebelo@falmouthpolicema.gov) <melinda.rebelo@falmouthpolicema.gov>; Katie Pierias (katie.pierias@falmouthma.gov) <katie.pierias@falmouthma.gov>; Julie Parker (julie.parker@falmouthma.gov) <julie.parker@falmouthma.gov>

Subject: Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf

Good morning,

Attached please find an application by The Chapoquoit Grill located at 410 West Falmouth Highway, West Falmouth for an Alteration of Premises to make permanent the temporary outdoor dining area approved for the duration of the COVID emergency under Governor Baker's Order #35.

The proposed total capacity of the premises will remain the originally approved 102 seats throughout the year. The interior seating will be reduced by the number of outdoor seats when in use weather permitting.

Please provide your comments/recommendations to the Select Board on this application and email them to me by Tuesday April 20th.

The lease and financial information are not included in the attachment. If you would like to review any of these documents submitted with the application, please let me know.

The hearing is scheduled on the Select Board meeting of Monday, April 26, 2021.

Thank you,

May we please request your

Phyllis Downey

From: Noreen Stockman
Sent: Wednesday, July 7, 2021 3:06 PM
To: Phyllis Downey
Subject: RE: Update/Time Sensitive- Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf

The ZBA shows no record of an existing special permit granted for the Premises; therefore no comment on proposal.

Sincerely,

Noreen H. Stockman
Zoning Administrator
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
508-495-7462

From: Phyllis Downey <phyllis.downey@falmouthma.gov>
Sent: Wednesday, July 7, 2021 11:55 AM
To: Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Thomas Bott <thomas.bott@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Patty O'Connell <patricia.oconnell@falmouthma.gov>; Trisha Favulli <trisha.favulli@falmouthma.gov>
Cc: Brian Reid <brian.reid@falmouthpolicema.gov>; Frank Duffy <frank.duffy@falmouthma.gov>; Irie Mullin <irie.mullin@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Falmouth Town Manager <townmanager@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Michaela Shoemaker <michaela.shoemaker@falmouthma.gov>
Subject: Update/Time Sensitive- Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf
Importance: High

Good morning,

Attached please find an updated application by the Chapoquoit Grill for Alteration of Premises which has been continued several times and ***will be reviewed by the Select Board this Monday, July 12th.***

Included are updated information on pages 1 and 2 of the application form and two new plans: one showing remaining parking spaces plus retail spaces and one showing seating plus retail spaces at 410 West Falmouth Highway.

Also included is an Amendment to the Lease in response to the Town Counsel/Town Manager's request for written clear documentation of Chapoquoit Grill's exclusive right to use the proposed expanded seating area. The entire lease and a large version of the parking plan are available for review in this office.

May we please request your recommendations by this Friday morning, July 9th so that they may be included in the Select Board's meeting packet in preparation for the Monday meeting?

Thank you very much,
Phyllis

Phyllis Downey

From: Brian Reid
Sent: Thursday, July 8, 2021 9:59 AM
To: Phyllis Downey
Cc: Sean Doyle; Edward Dunne
Subject: RE: Update/Time Sensitive- Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf

We have no objection to this application.

Captain Brian L. Reid

Operations Division
 Falmouth Police Department
 750 Main Street
 Falmouth, MA 02540
 Office 774-255-4527 Ext. 4502
 Fax 508-457-2566
 brian.reid@falmouthpolicema.gov

CONFIDENTIALITY NOTICE: This communication and any accompanying document(s) are confidential and privileged. They are intended for the sole use of the addressee. If you receive this transmission in error, you are advised that any disclosure, copying, distribution, or the taking of any action in reliance upon the communication is strictly prohibited. If you are not the intended recipient and have received this communication in error, please contact the sender immediately and delete the original message. Thank you.

From: Phyllis Downey
Sent: Wednesday, July 7, 2021 11:55 AM
To: Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Thomas Bott <thomas.bott@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Patty O'Connell <patricia.oconnell@falmouthma.gov>; Trisha Favulli <trisha.favulli@falmouthma.gov>
Cc: Brian Reid <brian.reid@falmouthpolicema.gov>; Frank Duffy <frank.duffy@falmouthma.gov>; Irie Mullin <irie.mullin@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Falmouth Town Manager <townmanager@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Michaela Shoemaker <michaela.shoemaker@falmouthma.gov>
Subject: Update/Time Sensitive- Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf
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Also included is an Amendment to the Lease in response to the Town Counsel/Town Manager's request for written clear documentation of Chapoquoit Grill's exclusive right to use the proposed expanded seating area. The entire lease and a large version of the parking plan are available for review in this office.

Phyllis Downey

From: Boyd Demello
Sent: Wednesday, July 7, 2021 1:40 PM
To: Phyllis Downey; Rod Palmer; Scott McGann; Thomas Bott; Noreen Stockman; Timothy Smith; Patty O'Connell; Trisha Favulli
Cc: Brian Reid; Frank Duffy; Irie Mullin; Peter McConarty; Falmouth Town Manager; Pamela Marshall; Jim Grady; Michaela Shoemaker; Boyd Demello
Subject: RE: Update/Time Sensitive- **Chapoquoit Grill application** for ALTERATION of PREMISES 03.24.2021.pdf

Phyllis,

No issues from Fire Rescue

Boyd W. DeMello
 Fire Prevention Inspector
 Falmouth Fire Rescue Department
boyd.demello@falmouthfirema.gov
 508-495-2534 - Office
 774-836-2436 - Cell Phone

CONFIDENTIALITY NOTICE: This message is privileged and confidential for the addressee(s) named above. If you are not the intended recipient, you are prohibited from disseminating, using, or copying the contents and should notify the sender immediately that you received this message in error.

From: Phyllis Downey
Sent: Wednesday, July 7, 2021 11:55 AM
To: Rod Palmer <rod.palmer@falmouthma.gov>; Scott McGann <scott.mcgann@falmouthma.gov>; Thomas Bott <thomas.bott@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Boyd Demello <boyd.demello@falmouthfirema.gov>; Patty O'Connell <patricia.oconnell@falmouthma.gov>; Trisha Favulli <trisha.favulli@falmouthma.gov>
Cc: Brian Reid <brian.reid@falmouthpolicema.gov>; Frank Duffy <frank.duffy@falmouthma.gov>; Irie Mullin <irie.mullin@falmouthma.gov>; Peter McConarty <peter.mcconarty@falmouthma.gov>; Falmouth Town Manager <townmanager@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Michaela Shoemaker <michaela.shoemaker@falmouthma.gov>
Subject: Update/Time Sensitive- Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf
Importance: High

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Attached please find an updated application by the Chapoquoit Grill for Alteration of Premises which has been continued several times and **will be reviewed by the Select Board this Monday, July 12th**.

Included are updated information on pages 1 and 2 of the application form and two new plans: one showing remaining parking spaces plus retail spaces and one showing seating plus retail spaces at 410 West Falmouth Highway.

Phyllis Downey

From: Peter McConarty
Sent: Friday, April 23, 2021 3:32 PM
To: Phyllis Downey; Thomas Bott; Noreen Stockman; Brian Reid; Sean Doyle; Timothy Smith; Peter Johnson-Staub; Rod Palmer; Jim Grady; Patty O'Connell
Cc: Melinda Maranchie; Jonathan Dickinson; Pamela Marshall
Subject: RE: Reminder - Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf

Hi Phyllis,

Public Works does not have any comments on this application.

Thank You,
 Peter

From: Phyllis Downey
Sent: Friday, April 23, 2021 2:59 PM
To: Thomas Bott <thomas.bott@falmouthma.gov>; Noreen Stockman <noreen.stockman@falmouthma.gov>; Brian Reid <brian.reid@falmouthpolicema.gov>; Sean Doyle <sean.doyle@falmouthpolicema.gov>; Timothy Smith <timothy.smith@falmouthfirema.gov>; Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>; Rod Palmer <rod.palmer@falmouthma.gov>; Jim Grady <jim.grady@falmouthma.gov>; Peter McConarty <peter.mconarty@falmouthma.gov>; Patty O'Connell <patricia.oconnell@falmouthma.gov>
Cc: Melinda Maranchie <melinda.maranchie@falmouthma.gov>; Jonathan Dickinson <jonathan.dickinson@falmouthma.gov>; Pamela Marshall <pamela.marshall@falmouthma.gov>
Subject: Reminder - Chapoquoit Grill application for ALTERATION of PREMISES 03.24.2021.pdf
Importance: High

Good afternoon,

This is a reminder to please provide the Select Board with recommendations or comments regarding this application by the Chapoquoit Grill to make permanent the temporary outdoor seating in the parking area approved under COVID Order #35.

Thank you,
 Phyllis

Phyllis Downey
 Town Administration
 508-495-7325

Be advised that most emails to, and from, municipal offices and officials are public record. Confidentiality should not be expected.

From: Phyllis Downey
Sent: Thursday, April 1, 2021 11:57 AM
To: Thomas Bott (thomas.bott@falmouthma.gov) <thomas.bott@falmouthma.gov>; Rod Palmer (rod.palmer@falmouthma.gov) <rod.palmer@falmouthma.gov>; Noreen Stockman (noreen.stockman@falmouthma.gov) <noreen.stockman@falmouthma.gov>; Brian Reid (brian.reid@falmouthpolicema.gov) <brian.reid@falmouthpolicema.gov>; Sean Doyle

AMENT KLAUER LLP

Attorneys at Law
39 Town Hall Square
Falmouth, MA 02540

Robert H. Ament, Esq.
Kevin P. Klauer II, Esq.
Matthew M. Terry, Esq.

Telephone (508) 540-6555
Fax (508) 457-1293
Website: www.amentklauer.com

July 7, 2021

VIA HAND DELIVERY

Phyllis Downey
Board of Selectmen
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540

Re: Alteration of Liquor License Premises
Chapaquoit Grill, Inc., 410 West Falmouth Highway

Dear Ms. Downey:

Per your request, enclosed please find the following with respect to the proposed alteration of the premises for the liquor license held by Chapaquoit Grill, Inc.:

- 1) Revised pages 1 and 2 of the ABCC Application for Alteration of Premises;
- 2) Revised Floor Plan;
- 3) Revised Site Plan for 410 West Falmouth Highway;
- 4) Amendment to Lease of Premises;

Please schedule this matter on the Selectmen's agenda as soon as possible. If you require additional information, please do not hesitate to contact our office.

Very truly yours,



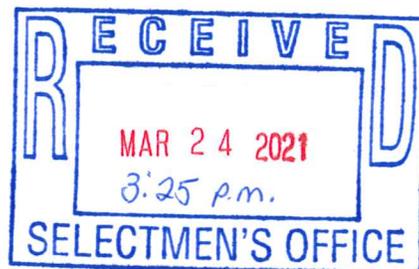
Kevin P. Klauer II, Esq.

KPK/
Enclosures

AMENT KLAUER LLP

Attorneys at Law
39 Town Hall Square
Falmouth, MA 02540

Robert H. Ament, Esq.
Kevin P. Klauer II, Esq.
Matthew M. Terry, Esq.



Telephone (508) 540-6555
Fax (508) 457-1293
Website: www.amentklauer.com

March 24, 2021

VIA HAND DELIVERY

Phyllis Downey
Board of Selectmen
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540



PAID

~~\$50.00 ck 4834~~
\$50.00 ck 4835

Re: Alteration of Liquor License Premises
Chapaquoit Grill, Inc., 410 West Falmouth Highway

Dear Ms. Downey:

Enclosed please find the following with respect to the proposed alteration of the premises for the liquor license held by Chapaquoit Grill, Inc.:

- 1) ABCC Application for Alteration of Premises;
- 2) Corporate Vote;
- 3) Floor Plan;
- 4) Lease of Premises;
- 5) Retail Alcoholic Beverages License Application Monetary Transmittal Form for Amendment-Change or Alteration of Premises and receipt;
- 6) Check for \$50.00 made payable to the Town of Falmouth representing the filing fee; and
- 7) Check for \$50.00 made payable to the Town of Falmouth representing the advertising fee;

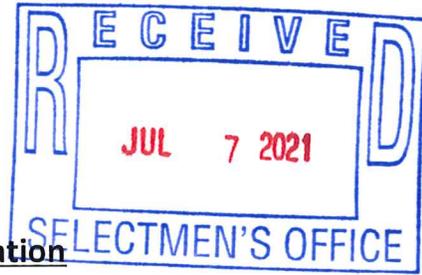
Please schedule this matter on the Selectmen's agenda as soon as possible. If you require additional information, please do not hesitate to contact our office.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Kevin P. Klauer II".

Kevin P. Klauer II, Esq.

KPK/
Enclosures



AMENDMENT-Change or Alteration of Premises Information

Change of Location

- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

Alteration of Premises

- Chg of Location/Alteration of Premises Application
- Financial Statement
- Vote of the Entity
- Supporting financial records
- Legal Right to Occupy
- Floor Plan
- Abutter's Notification
- Advertisement

1. BUSINESS ENTITY INFORMATION

| | | |
|------------------------|--------------|---------------------|
| Entity Name | Municipality | ABCC License Number |
| Chapaquoit Grill, Inc. | Falmouth | 00102-RS-0390 |

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

The applicant seeks to amend the existing license to include the outdoor seating that has been temporarily allowed due to COVID on a more permanent basis. More specifically, he has proposed relocating 30 of the existing interior seats to outdoor dining during the warmer months.

APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

| | | | |
|--------------------------|----------|-----------------------|--------------|
| Name | Title | Email | Phone |
| Kevin P. Klauer II, Esq. | Attorney | kevin@amentklauer.com | 508-540-6555 |

2. ALTERATION OF PREMISES

2A. DESCRIPTION OF ALTERATIONS

Please summarize the details of the alterations and highlight any specific changes from the last-approved premises.

The applicant seeks to expand the area of the license to include an area of outdoor seating that had been temporarily allowed due to COVID. The applicant will maintain the current seat count of 102 seats, with the ability to move up to 24 seats for outdoor dining, as weather permits. At no point shall more than 102 seats be present.

2B. PROPOSED DESCRIPTION OF PREMISES

Please provide a complete description of the proposed premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

The licensed area will include the existing layout of the restaurant as well as the delineated outdoor space, all as shown on the attached seating plan and site plan.

| | | | | | |
|---------------------|------|------------------|-----|------------------|-----|
| Total Sq. Footage | 6280 | Seating Capacity | 102 | Occupancy Number | 102 |
| Number of Entrances | 5 | Number of Exits | 5 | Number of Floors | 1 |

AMENDMENT-Change or Alteration of Premises Information

3. CHANGE OF LOCATION

3A. PREMISES LOCATION

Last-Approved Street Address

Proposed Street Address

3B. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

The licensed area will include the existing layout of the restaurant as well as the delineated outdoor space, all as shown on the attached seating plan and site plan.

Total Sq. Footage

Seating Capacity

Occupancy Number

Number of Entrances

Number of Exits

Number of Floors

3C. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises. (E.g. Deed, lease, letter of intent)

Please indicate by what means the applicant has to occupy the premises

Landlord Name

Landlord Phone

Landlord Email

Landlord Address

Lease Beginning Date

Rent per Month

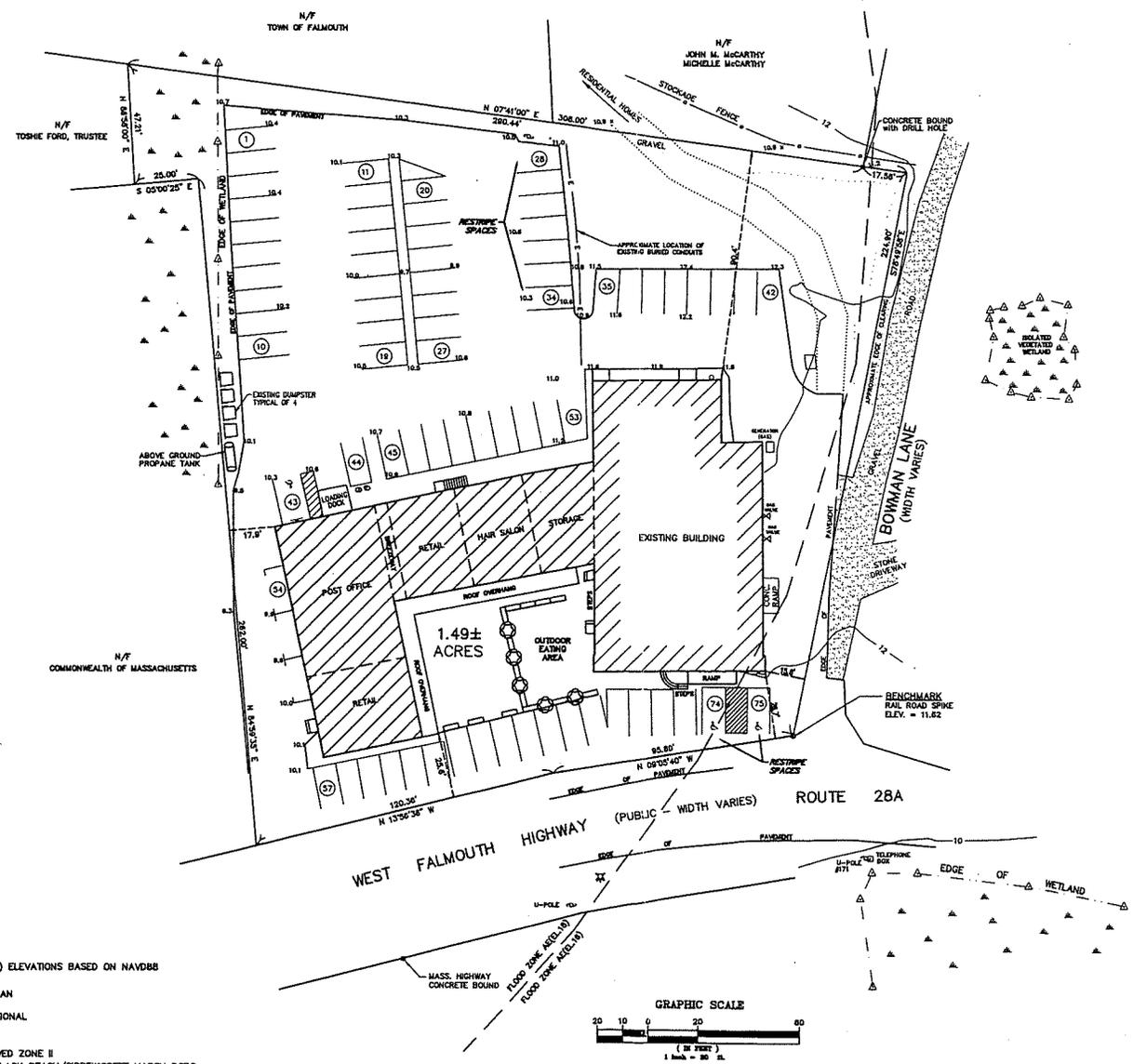
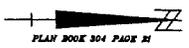
Lease Ending Date

Rent per Year

Will the Landlord receive revenue based on percentage of alcohol sales?

Yes No

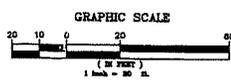




R E C E I V E D
 JUL 7 2021
 SELECTMEN'S OFFICE

LEGEND:
 10.8 ADVISE EXISTING SPOT GRADE

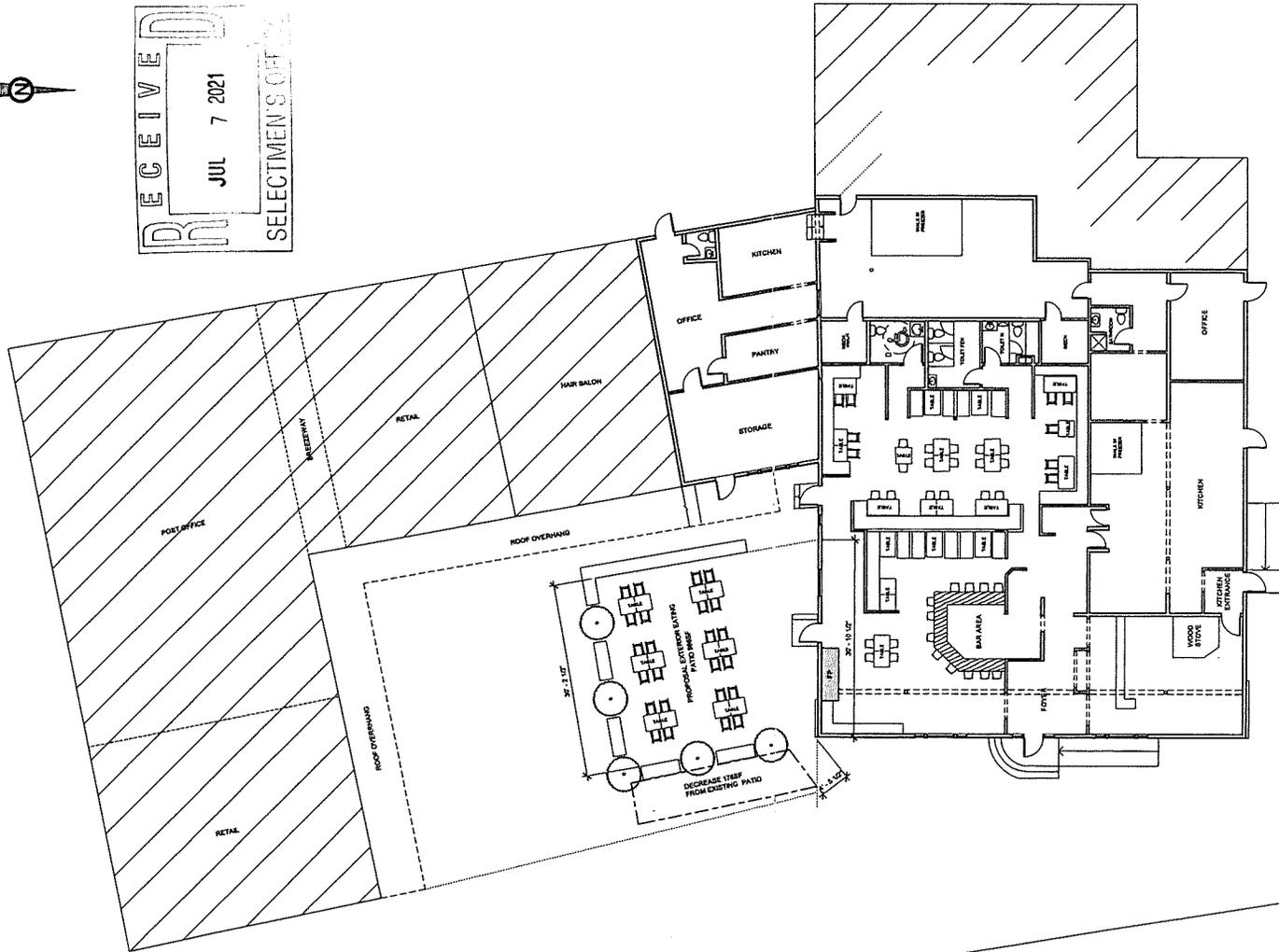
- NOTES:**
1. ASSESSOR'S NUMBER: 25 02 007 000
 2. ZONING DISTRICT: SU
 3. FLOOD HAZARD ZONE: AE(EL-10) & AE(EL-10) ELEVATIONS BASED ON NAVD83
 4. BENCHMARK: SEE PLAN
 5. TOPOGRAPHIC INFORMATION COMPILED FROM AN ON THE GROUND INSTRUMENT SURVEY
 6. ELEVATIONS SHOWN ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM.
 7. REFERENCE: PLAN BOOK 304 PAGE 21
 8. THIS LOT IS NOT LOCATED IN A DEP APPROVED ZONE II
 9. THE ENTIRE PROPERTY IS LOCATED IN THE BLACK BEACH/SIPPEWISSETT MARSH DCP



| DATE | DESCRIPTION | Drawn/Checked |
|--|--------------------|---------------|
| | REVISIONS | |
| PLAN OF PROPOSED PARKING PREPARED FOR GERALD M. LEONE FOR #410 WEST FALMOUTH HIGHWAY IN FALMOUTH, MA | | |
| SCALE: 1"=20' DATE: JUNE 28, 2021 holmes and mcgarth, inc. civil engineers and land surveyors 205 Worcester Court, Suite A4 (508) 548-3584 (PHONE) Falmouth, MA 02540 (508) 548-8672 (FAX) | | |
| DRAWN: J.F. | CHECKED: MBM | <i>MBM</i> |
| JOB NO: 221130 | DWG. NO.: 68-1-240 | SHEET 1 OF 1 |



RECEIVED
 JUL 7 2021
 SELECTMEN'S OFFICE



① - ALL FIRST FLOOR EXISTING
 1/8" = 1'-0"

WEST FALMOUTH HIGHWAY

| RESTAURANT SEATS | |
|------------------|-----|
| INDOOR | 78 |
| OUTDOOR | 24 |
| TOTAL | 102 |

LONGFELLOW
 DESIGN • BUILD



CONSULTANT
 ADDRESS
 # BUCKLEUP MI1

**CHAPOQUOIT
 GRILL**

410 W FALMOUTH HWY,
 FALMOUTH, MA 0240

FIRST FLOOR PLAN PROPOSAL
 EXTERIOR SEATS

PROJECT DATE: 06/20/21
 SCALE: 1/8" = 1'-0"
 DRAWN BY: JLM

A1.1

AMENDMENT TO LEASE
Between
G.M. Leone Corp., as Lessor
AND
John Reid, Jr., as Lessee
Dated: June 30, 2017 (the "Lease")



For all good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned parties agree that:

1. Paragraph 5 of the Lease shall be deleted and the following Paragraph 5 shall be inserted in its stead:

5. Use of Leased Premises. The Lessee shall use the leased Premises only for the following purposes:

a. Areas 1 and 2 shall be used only for the conduct of a restaurant/lounge business, and access to Area 2 shall only be through Area 1. Lessee shall not serve breakfast or any other meal before 11:00 a.m.

b. Area 3 shall be used only for office purposes and any change of that space to retail or other use must be approved by the Lessor in writing in advance.

c. Area 4 shall be used for outdoor seating of the restaurant/lounge business.

d. The Lessor shall not suffer or permit any third party to use, or consent to the use or occupancy of any part of the Shopping Center as a restaurant or lounge; except that Lessor may permit the use and occupation of one (1) store within the Shopping Center as a breakfast, sandwich, dairy and ice cream shop.

2. Exhibit A of the Lease shall be deleted and the following Exhibit A shall be inserted in its stead:

A. LEASED PREMISES

Area 1 is defined as a portion of the one-story building which is known and numbered as 410 West Falmouth Highway, Unit No. 6 (State Highway Route 28A), West Falmouth, Barnstable County, Massachusetts (hereinafter "Building"), a portion of which Building is located on a plot of land recorded at the Barnstable Registry of Deeds in Plan Book 251, Page 33 and as further described in a deed to Lessor recorded at said Registry in Book 3633, Page 281 (hereinafter the "Shopping Center"), being that portion of the Building now occupied by the Lessee doing business as Chapaquoit Grill.

Area 2 is defined as the rear of Chapaquoit Grill, adjacent to Units 7 and 8,

Area 3 is defined as the part of the Building formerly used as the Sunshine Café, now occupied and used by the Lessee as an office.

Area 4 is defined as that portion of the exterior courtyard, formerly used as parking, being less than 1,000 s.f. as shown on a plan of land prepared by Holmes and McGrath entitled "Plan of Proposed Parking Prepared for Gerald M. Leone for #410 West Falmouth Highway, in Chapaquoit Falmouth, MA" and dated June 28, 2021.

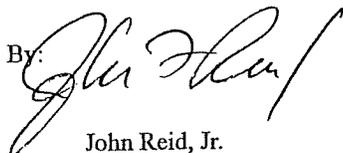
3. All other terms and conditions of the said Lease are hereby ratified and confirmed, and, except as modified herein.

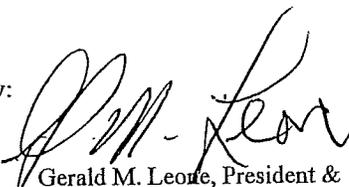
Executed this 29th day of June, 2021.

LESSEE

LESSOR

G.M. Leone Corp.

By: 
John Reid, Jr.

By: 
Gerald M. Leone, President &
Treasurer

BUSINESS

1. Discussion/update on COVID-19 issues

BUSINESS

2. Fire Department status report



Falmouth Fire Rescue Department

Quarterly Report

April 1st through June 30th, 2021

Staffing

We have had a better response to requests for coverage in recent weeks in West Falmouth. Call volume has remained unchanged and we still see 1 call per day on average for that district. The West Falmouth Station, when staffed, does respond to other districts in support of our operations, but that fact remains that the West Falmouth area does not generate the activity that we see in the other districts.

Staffing at West Falmouth presented a challenge during certain periods of time between April and June, where we saw increased daily approved time off requests, personnel on Injury leave and Military Leave. As noted in my recent update to the BOS, our shift strength has increased with the new recruits completing their Department training follow graduation from the Massachusetts Fire Academy. We have two recruits who are completing their training and will be added to available shift staffing in the coming week.

Hiring

All vacancies in our Department have been filled. Six of our recent hires will be starting the Massachusetts Fire Academy on July 26th 2021. They will then undergo a 10 week training program. We anticipate, upon successful completion of the recruit training, they will return to the Department for training the 1st week of October. Following that we have the six remaining hires who will start the Academy on October 21st 2021, and are scheduled to graduate in December of 2021.

Line of Duty Injury Personnel

We currently have 2 personnel that are on injury on duty (IOD) leave. One FF recently had long awaited knee replacement surgery following discussion with Cabot to approve a job related injury. It is yet to be seen whether the surgery will ensure a total recovery to return this member to full duty, but we are ways off following extensive rehab that is needed following the procedure. Our 2nd member is out for a cancer related issue. Our recent update from the individual's MD reports that a return to duty cannot be approved until further evaluation in 2022 due to ongoing treatment and recovery. We have spoken to him and he is weighing his options since his age and service time should be considered in making a decision in the near future.

Equipment

Our Mechanic Division continues to focus on routine and annual service of our vehicles and apparatus. Unforeseen issues such as mechanical or vehicle damage are immediately evaluated to see if repairs can be made in house, or needs to be seen by our Fire Service repair vendor. As you know, the Department has contingency plans in place to address the relocation of apparatus and personnel if necessary when apparatus is out of service.

The new Aerial Ladder, has been in service since April and has been utilized at many incidents since that time. This Ladder functions as a Rescue/Ladder platform and is a welcome resource for our Department.

We continue to work with our Fire Apparatus vendor (Allegiance Fire) to review our specifications and go ahead with a contract for the new fire engine approved through our CIP at the 2020 November Town Meeting and hope to have this finalized in the coming weeks. We are scheduled to travel to Vermont and evaluate a leased fire engine that will be available for sale in the next month or so. The size of this apparatus would allow being assigned to West Falmouth because of the size limitations imposed by the age of the Station. Available used engines, of the size limitations noted, are not readily available and we are hopeful that this find will be suitable for purchase by our Department.

Stations (Infrastructure)

The process of re-evaluating the current living spaces at each our 5 stations continues. A recent inspection was conducted as part our annual review of needs for each. This includes evaluating each building for any needed upgrades or repairs. We will continue to work with the Facilities Maintenance Director to draft a plan. We have provided on-site station visits so Greg has a clearer understanding of each of our stations and their current and future needs. Greg Endicott is working with Peter Johnson-Staub to obtain grant funding to replace an aging heating system at the East Falmouth Station that is fuel oil dependent. A plan to convert it to gas and add a new HVAC system for heating and cooling is being actively pursued.

The vehicle exhaust ventilation system at the East Falmouth Station is being upgrade as well to ensure all fire apparatus bays have newer exhaust equipment for this purpose.

Ambulance Receipts:

| |
|-------------------------------------|
| Total at end of 1st QUARTER 2021 |
| \$1,709,438 |

Total Incidents:

| INCIDENTS | 1st QUARTER 2021 |
|------------------|------------------|
| RESCUE (Medical) | 1341 |
| FIRE | 417 |

Falmouth Fire Rescue
West Falmouth Station #4
 JUNE (21)
 Voluntary Staffing

| | Staffed Y/N | Staffed Y/N | Sta. #3 w/3 (15) | Sta. #3 w/4 (16) | Incidents |
|----|---------------|-------------|------------------|------------------|-----------|
| | Day 0800 | Night 1800 | | | EMS/Fire |
| 1 | Y | Y | | | 1 |
| 2 | | Y | | | 1 |
| 3 | Y | Y | | | 1 |
| 4 | N | Y | | | 1 |
| 5 | N | N | | | 0 |
| 6 | N | N | | | 1 |
| 7 | Y (0800-1100) | N | Y (1100-1600) | | 1 |
| 8 | N | N | Y (1800-0800) | | 1 |
| 9 | Y | Y | | | 2 |
| 10 | Y | Y | | | 1 |
| 11 | N | Y | | | 2 |
| 12 | N | Y | | | 0 |
| 13 | Y | Y | | | 0 |
| 14 | Y | Y | | | 1 |
| 15 | Y | Y | | | 2 |
| 16 | Y | Y | | | 4 |
| 17 | Y | Y | | | 0 |
| 18 | Y | Y | | | 2 |
| 19 | Y | Y | | | 0 |
| 20 | N | N | | | 0 |
| 21 | N | Y | | | 0 |
| 22 | Y | Y | | | 2 |
| 23 | N | Y | | | 2 |
| 24 | N | Y | | | 1 |
| 25 | N | N | | | 1 |
| 26 | N | N | | | 2 |
| 27 | N | N | | | 0 |
| 28 | N | Y | | | 3 |
| 29 | Y | Y | | | 3 |
| 30 | N | Y | | | 4 |
| | (14) | (22) | | | 39 |

$14/30 = 47\%$ $22/30 = 73\%$
 \swarrow \searrow
 $36/60 = 60\%$
 Composite
 both day & evening shifts
 for June, 2021

BUSINESS

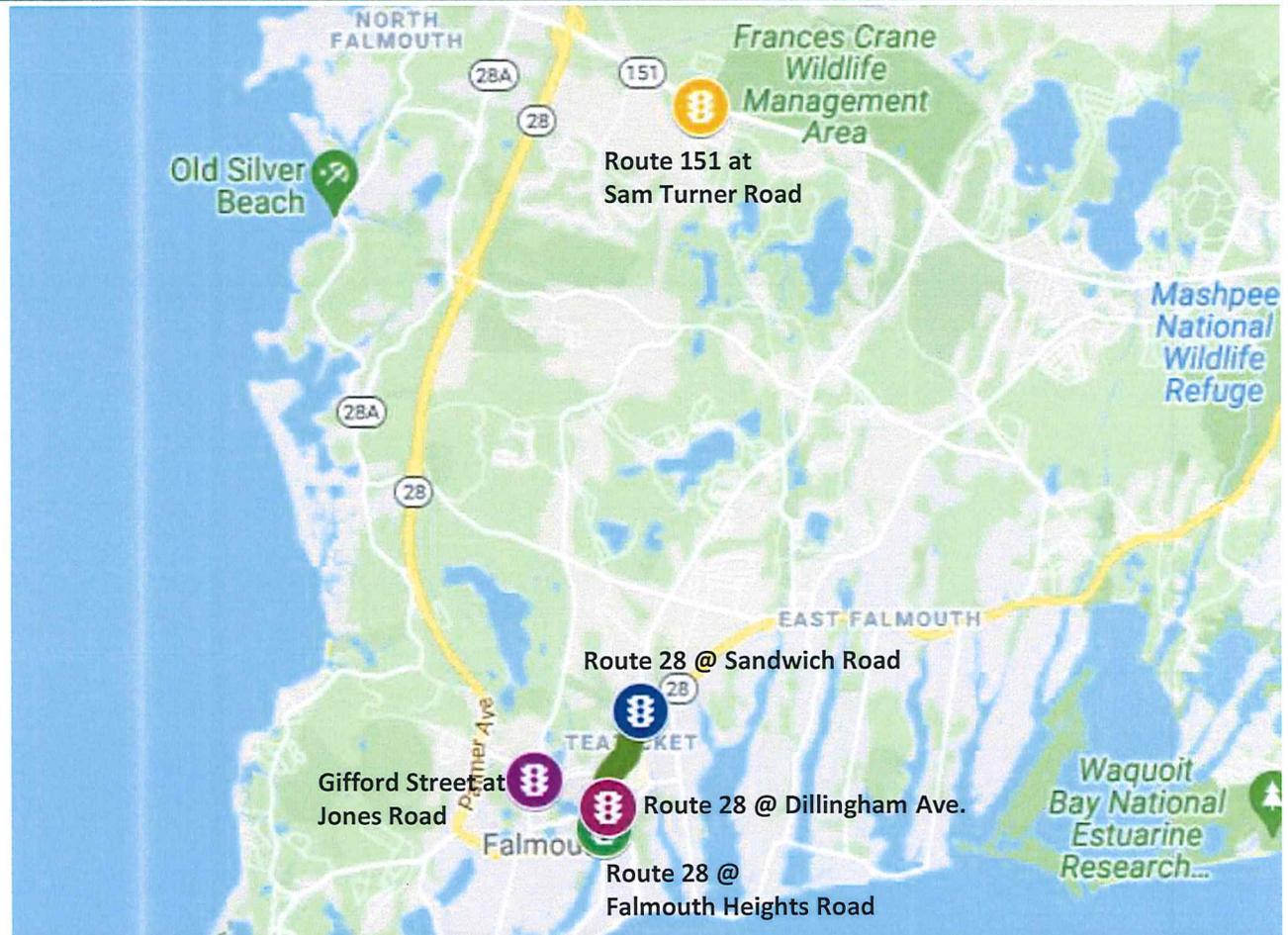
3. Report – Bicycle and Pedestrian Committee

BUSINESS

4. Update on Traffic Improvements – Jones/Gifford Intersection and Route 28 corridor from Falmouth Heights Road to Sandwich Road – Department of Public Works

Current GPI Projects

- Route 28 Corridor (Falmouth Heights Road)
- Route 28 at Falmouth Heights Road
- Route 28 at Dillingham Ave.
- Route 28 at Sandwich Road
- Gifford Street at Jones Road
- Route 151 at Sam Turner Road



Falmouth Projects - Summary Overview

Presented to: Falmouth Select Board

Date: July 12, 2021



Engineering | Design | Planning | Construction Management

Route 28 Corridor: Between Falmouth Heights and Sandwich Road

STATUS

- Concept Development in Progress
- Typical Section being Developed
- Traffic Analysis being Conducted
- RSA Completed Spring 2021



Route 28 Corridor: Between Falmouth Heights and Sandwich Road

PROPOSED TYPICAL SECTION



Sidewalk
5'

Shoulder
5'

Travel Lane
11'

Travel Lane
11'

Shoulder
5'

Buffer
5'

Shared Use Path
10'

Cape Cod Route 28 Corridor Study, September 2020

Route 28 at Falmouth Heights Road

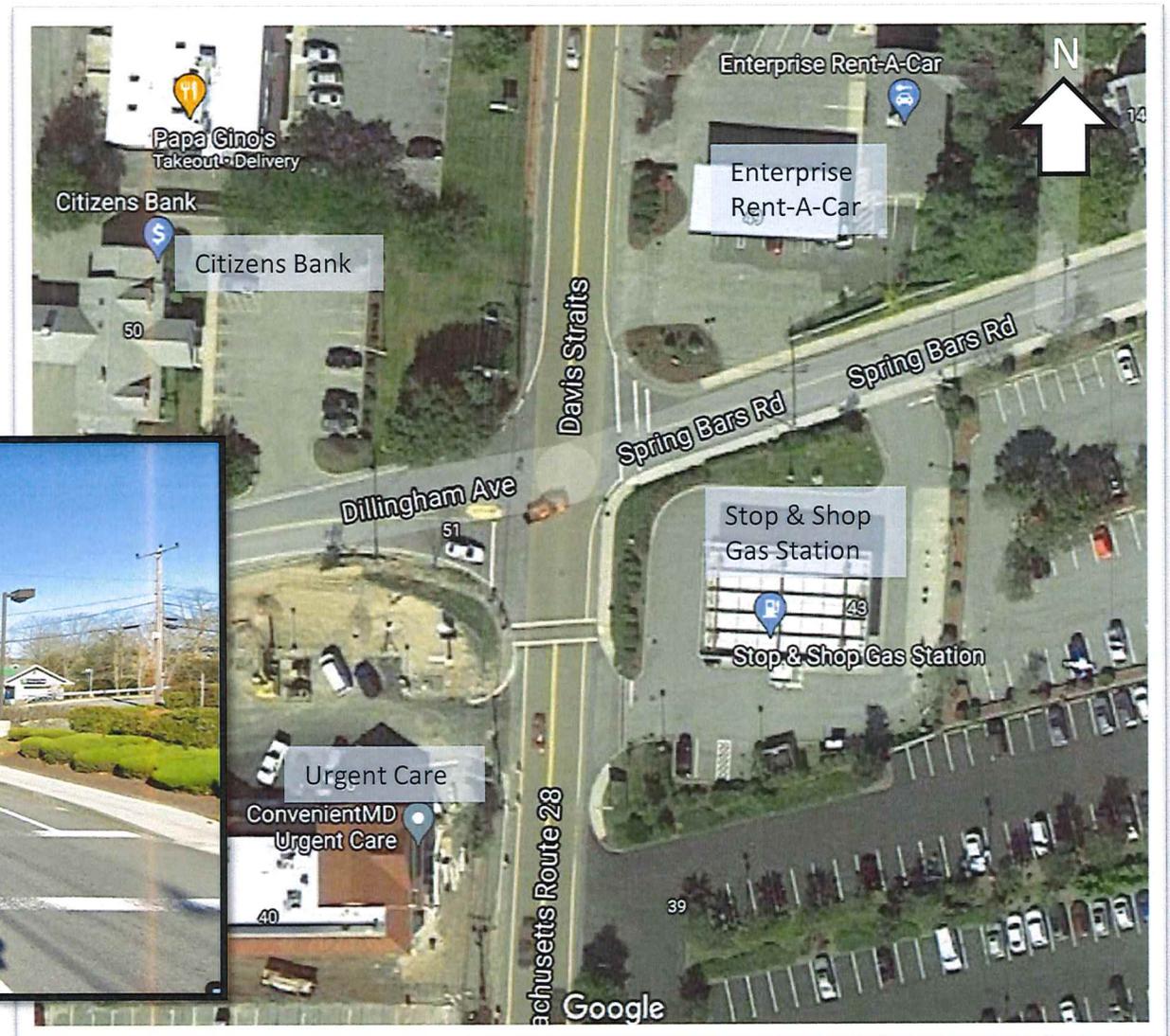


STATUS

- Traffic Analysis in Progress
- Roundabout Concept developed
- Improved Safety/Traffic Operations

Route 28 at Dillingham Avenue

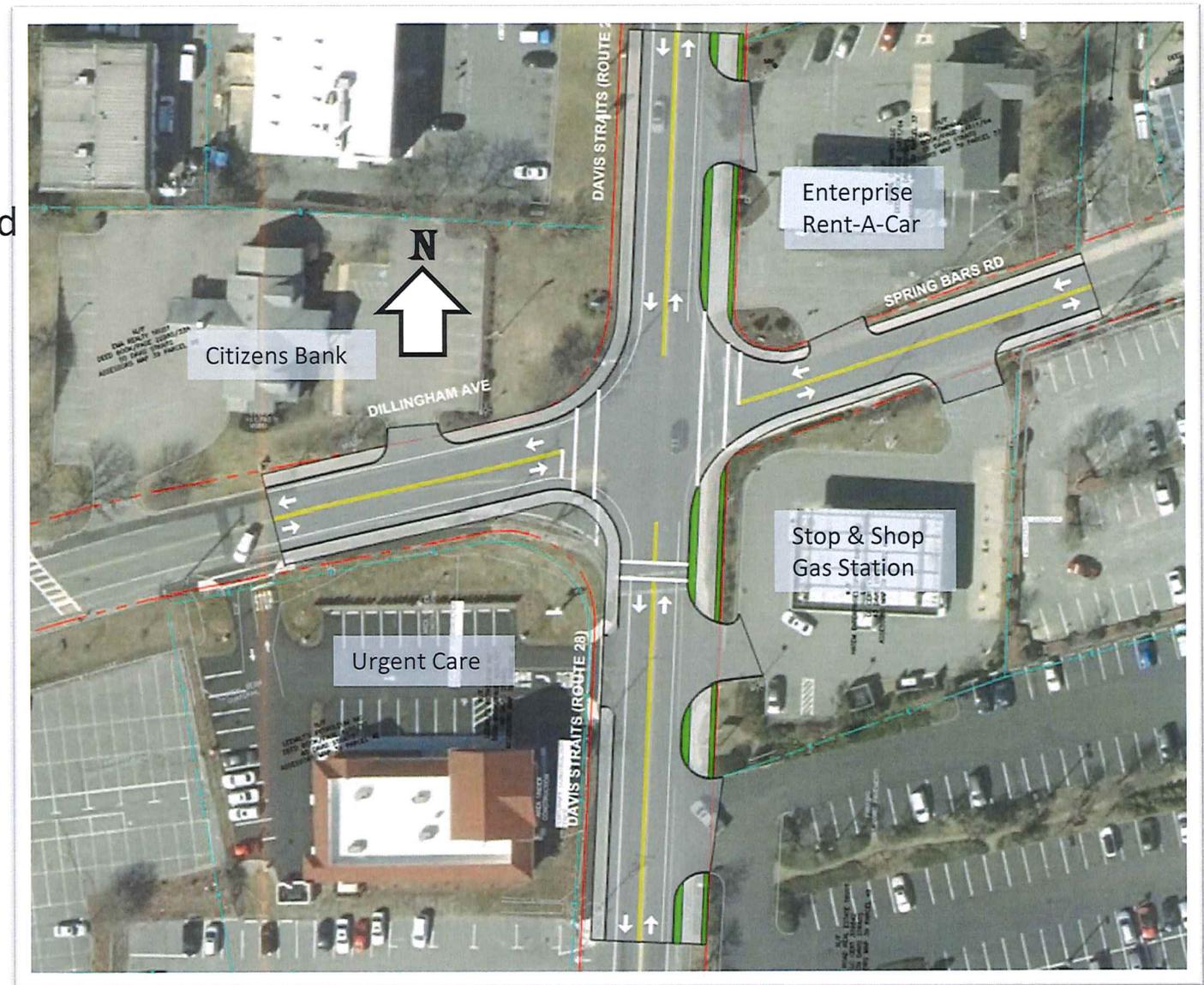
- Within recent RSA Limits
- Traffic Study in Progress
- Signal Warrant Analysis in progress
- Intersection Concepts in Progress
- Three Alternatives



Route 28 at Dillingham Avenue: Alt. 1

ALTERNATIVE 1

- Side Streets Aligned
- Nearby Driveway Closed
- Similar Traffic Operations as Today



Route 28 at Dillingham Avenue: Alt. 2

ALTERNATIVE 2

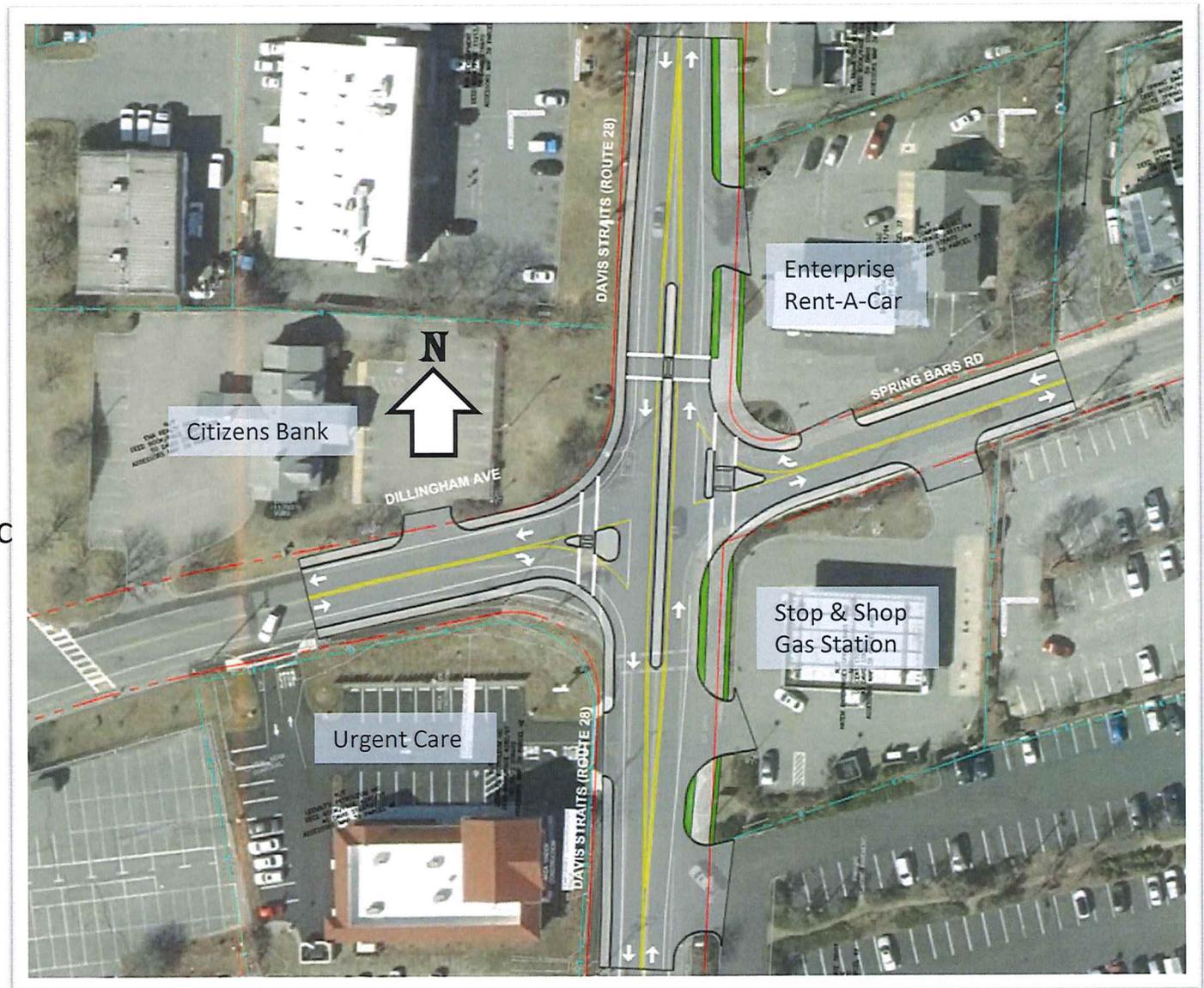
- Turn Lanes Provided
- Side Streets Aligned
- Mid-block Pedestrian Crossing Relocated North & Two-Staged
- Nearby Driveway Closed
- Side Street Traffic Operations Improved



Route 28 at Dillingham Avenue: Alt. 3

ALTERNATIVE 3

- Restrict Turn Movements to Right In/Right Out
- Use Falmouth Heights & Jones Rd Intersections for Rerouted Traffic
- Improved Safety/Traffic Operations
- Mid-block Pedestrian Crossing Relocated & Two-staged



Route 28 at Sandwich Road

STATUS

- Traffic Study in Progress
- Two Concepts Prepared
- Next Step: Preliminary Design



Route 28 at Sandwich Road: Alt. 1

ALTERNATIVE 1

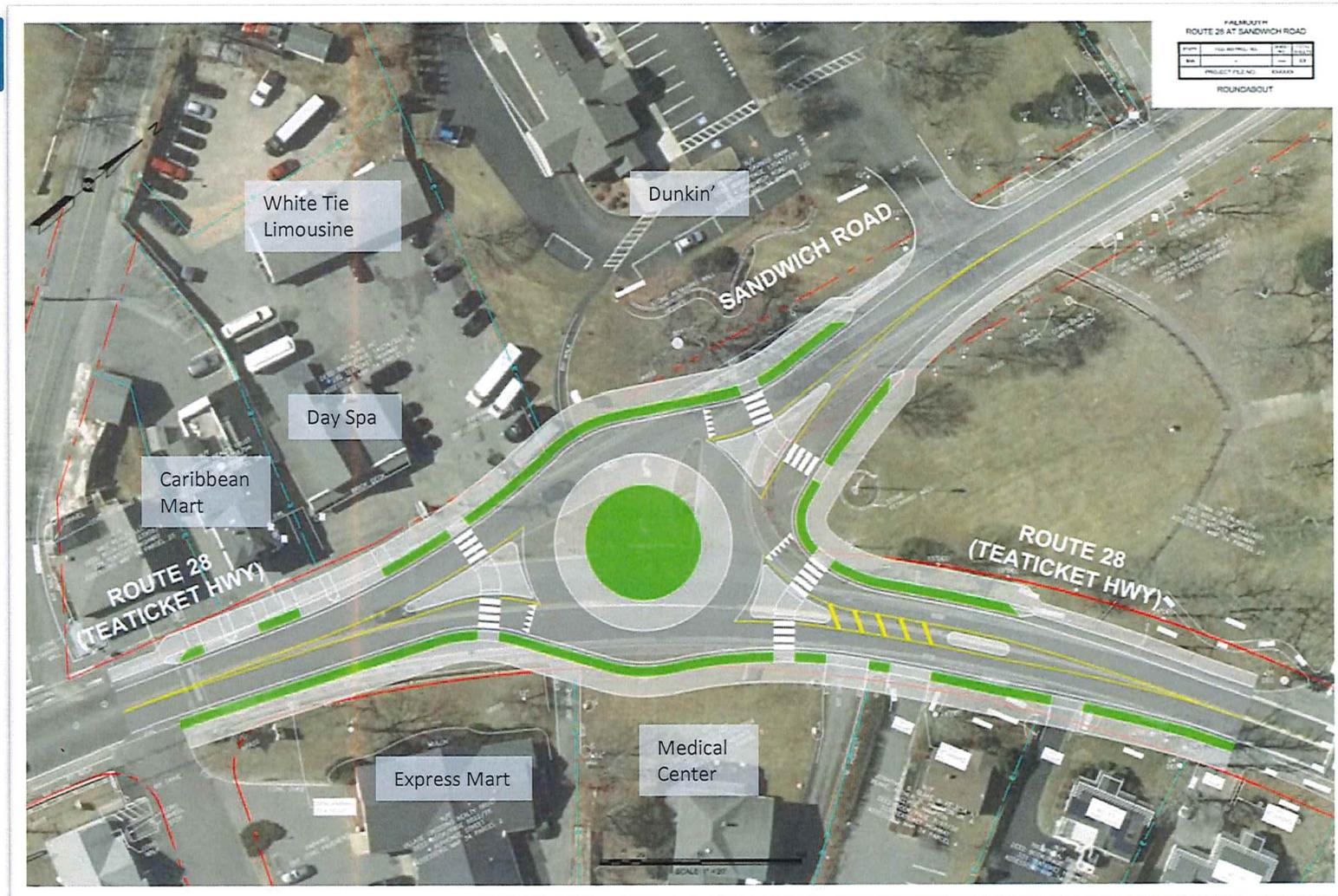
- Intersection Geometry Improvements
- Turn Lanes Provided
- Similar Traffic Operations as Today
- Minor R.O.W. Impacts



Route 28 at Sandwich Road: Alt. 2

ALTERNATIVE 2

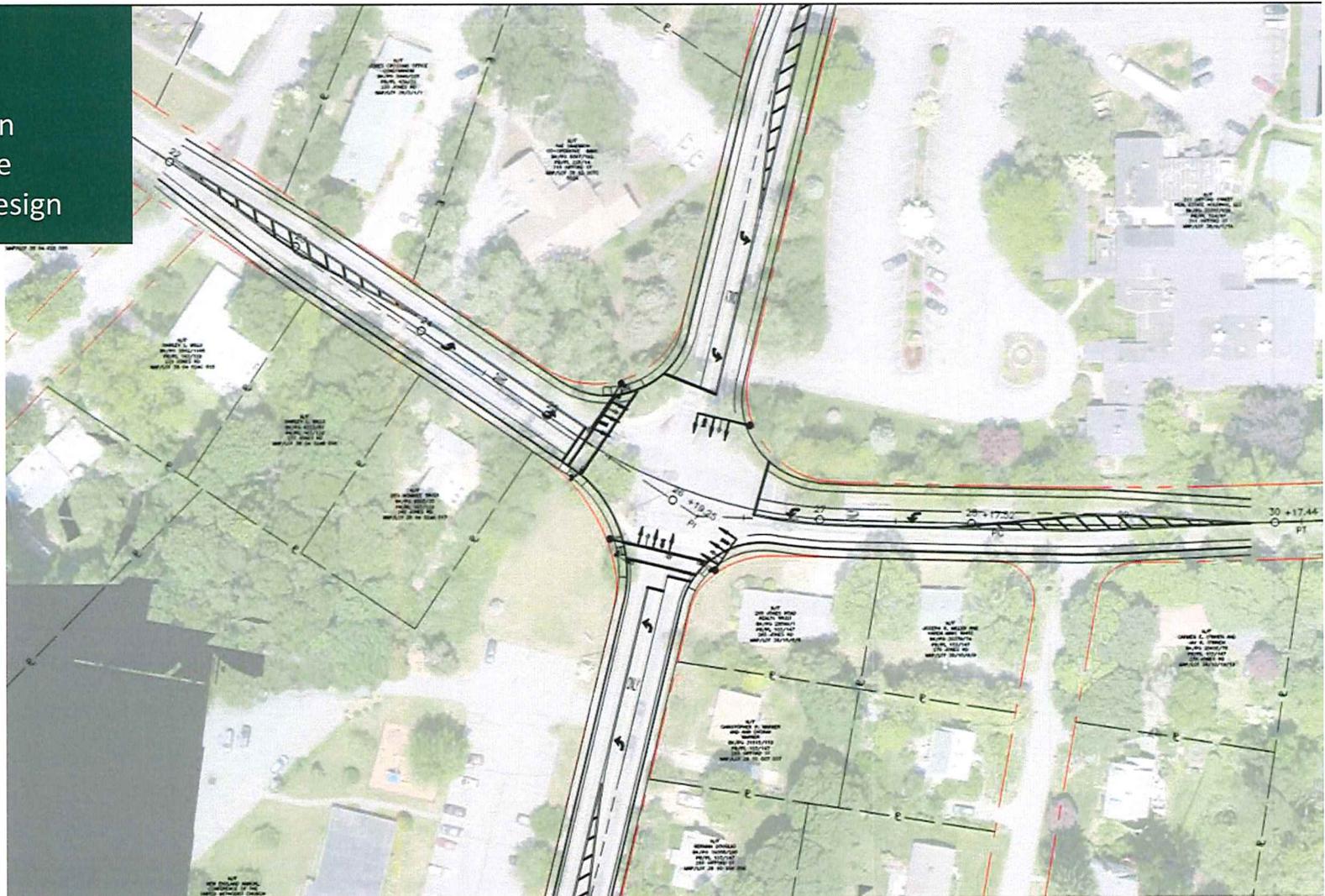
- Roundabout
- Improved Safety/Traffic Operations
- Traffic Calming
- Multiple R.O.W. Impacts



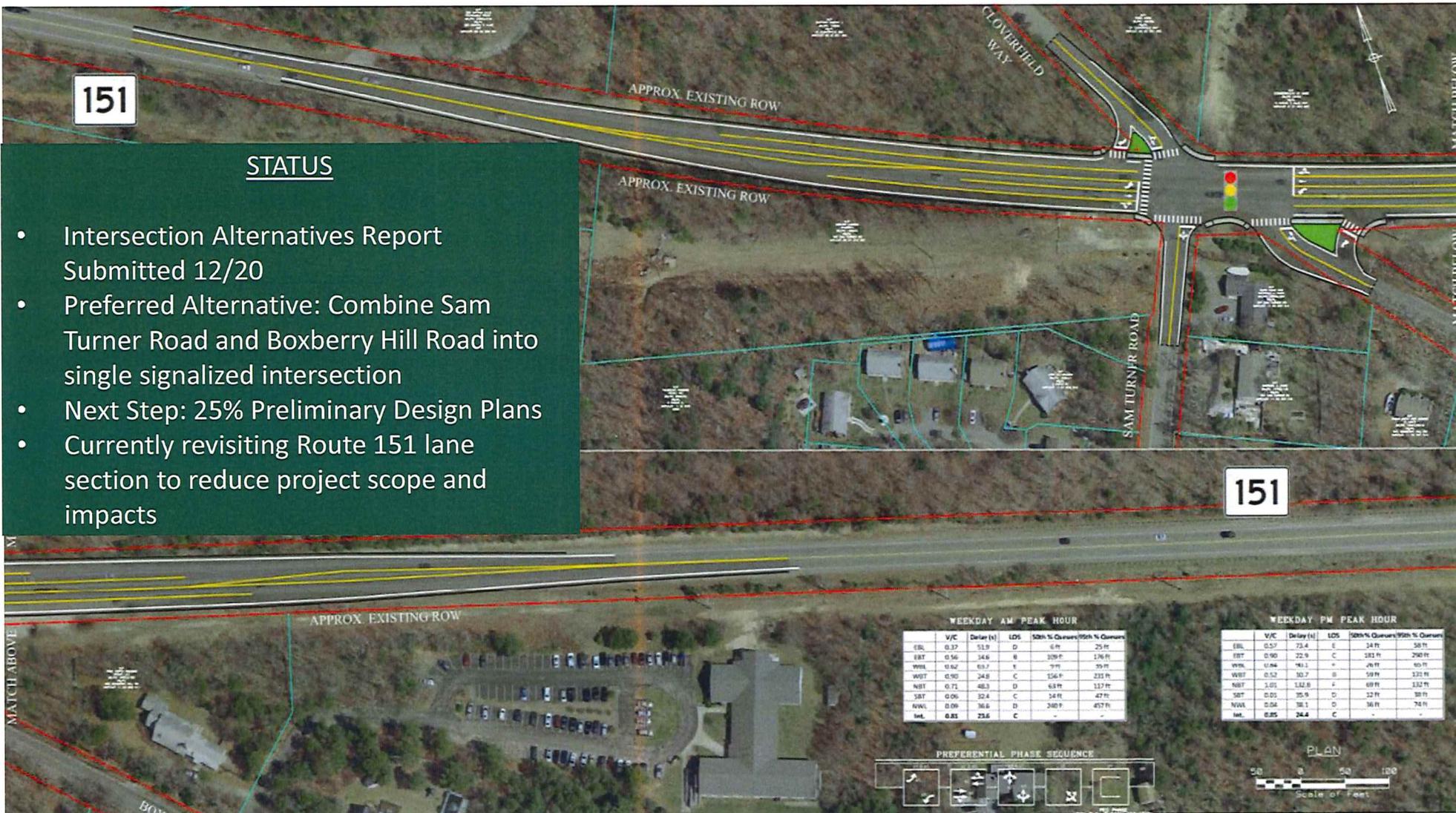
Gifford Street at Jones Road

STATUS

- Preliminary Design Concept Complete
- Complete Final Design



Route 151 at Sam Turner Road



STATUS

- Intersection Alternatives Report Submitted 12/20
- Preferred Alternative: Combine Sam Turner Road and Boxberry Hill Road into single signalized intersection
- Next Step: 25% Preliminary Design Plans
- Currently revisiting Route 151 lane section to reduce project scope and impacts

| WEEKDAY AM PEAK HOUR | | | | | |
|----------------------|------|-----------|-----|--------------|--------------|
| | V/C | Delay (s) | LOS | 50th % Queue | 95th % Queue |
| EBL | 0.37 | 51.9 | D | 6 ft | 25 ft |
| EBT | 0.56 | 34.6 | B | 109 ft | 176 ft |
| WBL | 0.62 | 63.7 | Y | 9 ft | 39 ft |
| WBT | 0.90 | 24.8 | C | 124 ft | 233 ft |
| NBT | 0.71 | 48.3 | D | 63 ft | 137 ft |
| SBT | 0.09 | 32.4 | C | 34 ft | 47 ft |
| NWL | 0.09 | 36.6 | D | 380 ft | 457 ft |
| Int. | 0.85 | 23.6 | C | - | - |

| WEEKDAY PM PEAK HOUR | | | | | |
|----------------------|------|-----------|-----|--------------|--------------|
| | V/C | Delay (s) | LOS | 50th % Queue | 95th % Queue |
| EBL | 0.57 | 73.4 | E | 34 ft | 58 ft |
| EBT | 0.90 | 22.9 | C | 183 ft | 290 ft |
| WBL | 0.94 | 40.1 | E | 46 ft | 60 ft |
| WBT | 0.52 | 60.7 | B | 59 ft | 121 ft |
| NBT | 3.05 | 132.8 | F | 69 ft | 132 ft |
| SBT | 0.05 | 35.9 | D | 32 ft | 38 ft |
| NWL | 0.64 | 38.1 | D | 36 ft | 74 ft |
| Int. | 0.85 | 24.4 | C | - | - |



BUSINESS

5. Sign Variance Request – Promotional signage in excess of days permitted under Section 184-30 of the Sign Code – John Wesley United Methodist Church – Pet Stuff Sale, Rummage and Yard Sale, and Vacation Bible School

John Wesley United Methodist Church:

Request for promotional sign in excess of days permitted under Section 184-30 of the Sign Code.

Location: John Wesley United Methodist Church, 270 Gifford Street

1. Falmouth Service Center's Pet Stuff Sale (event dates July 9 and July 10) (retroactively approve)
 - Display Dates: 7/6/21 – 7/10/21
 - Location: Corner of Jones Rd. and Gifford St.
 - Dimensions: 7' x 2'

2. Rummage & Yard Sale (event date July 30)
 - Display Dates: 7/25/21 – 7/30/21
 - Location: Corner of Jones Rd. Gifford Street
 - Dimensions: 7' x 2'

3. Vacation Bible School (event dates August 23 – August 27)
 - Display Dates: 8/16/21 – 8/22/21
 - Location: Corner of Jones Rd. and Gifford St.
 - Dimensions: 7' x 2'



John Wesley United Methodist Church

270 Gifford Street, Falmouth, MA 02540

Rev. Rebecca Mincieli
Cell: (508) 776-1374
Email: PastorRebecca@comcast.net

Office: (508) 548-3050
Email: jwumcfalmouth@comcast.net
Website: www.johnwesleyumc.org

July 2, 2021



Diane Davidson
Town of Falmouth
Office of the Town Manager & Selectmen

Dear Diane,

I just spoke to Jonathan from the Building Department and learned that we are only allowed two sign permits per year without a variance. We have received four per year in the past. I am asking for a variance for two of our sign displays because there is a Selectman's meeting before the event.

The Falmouth Service Center's Pet Stuff Sale is scheduled for Friday the 9th and Saturday the 10th (weather permitting). Would it be possible to ask for an administrative approval to display their sign? I have enclosed a copy of the application for the permit.

If you have any questions, please contact me at 508-548-3050.

Best Regards,

Ruth Moulton
Parish Administrator



The above Pet Stuff Sale Banner will be displayed July 6th – 10th, 2021. It is a 7 x 2 = 14 square foot vinyl sign.

It will be located at the corner of Jones and Gifford St. at the location seen below. The church building is visible in the background.



Above you can see one of the two signs on the property now. The other sign is seen below and is on Gifford St. John Wesley United Methodist Church 270 Gifford Street, Falmouth, MA.





John Wesley United Methodist Church

270 Gifford Street, Falmouth, MA 02540

Rev. Rebecca Mincieli
Cell: (508) 776-1374
Email: PastorRebecca@comcast.net

Office: (508) 548-3050
Email: jwumcfalmouth@comcast.net
Website: www.johnwesleyumc.org



To: Board of Selectmen

From: John Wesley United Methodist Church

Date: July 2, 2021

We are seeking a variance for permission to place signs at the following locations for the following dates:

Rummage & Yard Sale (Event date: July 30th)

Sign Display Dates: July 25 -30th on the corner of Jones Rd. & Gifford St. The size is 7' x 2'.

Vacation Bible School (Event dates August 23rd through Aug 27th)

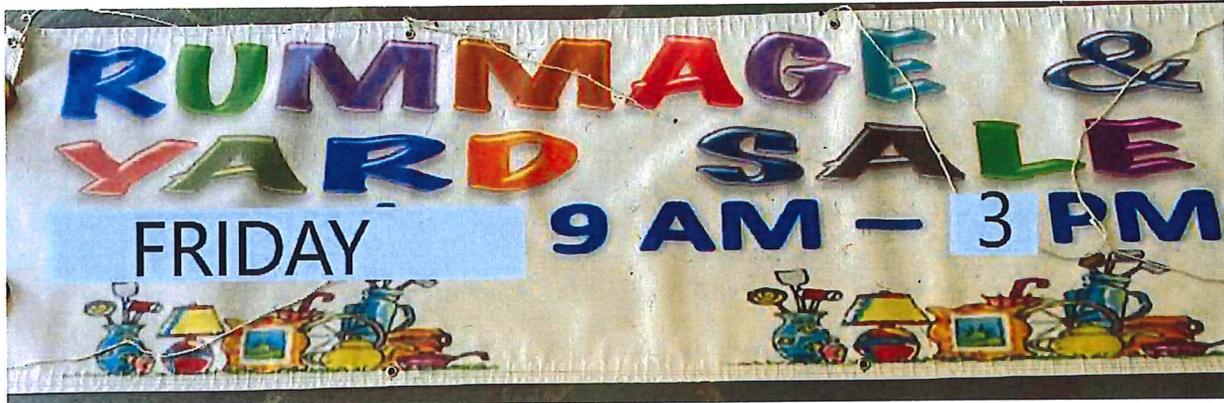
Sign Display Dates – August 16th through August 22nd on the corner of Jones Rd. & Gifford St. The size is 7' x 2'.

We are advised that we need to obtain a variance as our promotional sign allowance of two per year has been used in full for the calendar year 2021. Attached please find a picture of the Vacation Bible School, and Rummage & Yard sale banners. Please add us to the agenda on for the July 12th meeting.

We will obtain permits if the Selectmen approve this application.

Thank you.

Ruth Moulton
Parish Administrator



We plan to display the above sign from July 25th to July 30th , 2021 It is a 7 x 2 = 14 square foot vinyl sign. It will be located at the corner of Jones and Gifford St. at the location seen below. The church building is visible in the background.



Above you can see one of the two signs on the property now. The other sign is seen below and is on Gifford St. John Wesley United Methodist Church 270 Gifford Street, Falmouth, MA.



Town of Falmouth Sign Permit Application (rev. 12/20)

(508) 495-7470 Fax (508) 548-4290

For office use only:

BD Permit#: _____ Fee*: _____ HDC App. #: _____ DRC App. #: _____
*\$8 per \$1000/ Min. \$100 (per sign)

DATE: _____
 STREET ADDRESS FOR PROPOSED SIGN(S): 270 Gifford St. Falmouth MA
 BUSINESS NAME: John Wesley United Methodist Church
 BUSINESS OWNER: same ADDRESS/PHONE: 508-548-3050
 PROPERTY OWNER: same ADDRESS/PHONE: _____
 CONTRACTOR / SIGN COMPANY: none
 APPLICANT E-MAIL: juwmc.falmouth@comcast.net

Please Provide Two Copies of the Following:

- *Finished sign design.
- *Storefront elevations and plan to show sign location.
- *Documentation (including dimensions) of all existing signs on site.
- *Pictures of the building and all signs on property.
- *Structural Design for Freestanding Signs
- *Attachment Details for Wall Mounted Signs

IS THE PROPOSED SIGN LOCATED WITHIN A LOCAL HISTORIC DISTRICT? Y/(N) (N)

IF YES, the applicant must first submit this application to the Historic District Commission (HDC) for their approval (§184-13).

| <u>Type of Sign</u> | <u>Check</u> |
|--|-------------------------------------|
| FREESTANDING SIGN(s) § 184-25; Projecting sign(s) § 184-35 | <input type="checkbox"/> |
| WALL SIGN(s) § 184-37; Awning(s) § 184-22 | <input type="checkbox"/> |
| ROOF SIGN(s) § 184-37 | <input type="checkbox"/> |
| PROMOTIONAL/SPECIAL EVENT SIGN(s) § 184-30 | <input checked="" type="checkbox"/> |
| OFF-PREMISES SIGN(s) § 184-32; VARIANCE § 184-20 | <input type="checkbox"/> |

The Select Board must approve all off-premise signs.
 Proposed location: _____ Size: _____
 Please Attach Approval Letter

| | | | |
|------------------------|----------------|------------------------|----------------|
| <u>Ruth Moulton</u> | <u>6/30/21</u> | <u>Rebecca Muncali</u> | <u>6/30/21</u> |
| Signature of Applicant | Date | Signature of Owner | Date |

 Historic District Commission Date
 With the following conditions: _____

 Sign Review Committee Date
 With the following conditions: _____

 Building Commissioner/Inspector Date
 With the following conditions: _____



The above Vacation Bible School Banner will be displayed August 16-22, 2021. It is a 7 x 2 = 14 square foot vinyl sign.

It will be located at the corner of Jones and Gifford St. at the location seen below. The church building is visible in the background.



Above you can see one of the two signs on the property now. The other sign is seen below and is on Gifford St. John Wesley United Methodist Church 270 Gifford Street, Falmouth, MA.



Town of Falmouth Sign Permit Application (rev. 12/20)

(508) 495-7470 Fax (508) 548-4290

| | | | |
|---------------------------------------|-------|-------------|-------------|
| For office use only: | | | |
| BD Permit#: | Fee*: | HDC App. #: | DRC App. #: |
| *\$8 per \$1000/Min. \$100 (per sign) | | | |

DATE: _____
 STREET ADDRESS FOR PROPOSED SIGN(S): 270 Gifford St. Falmouth MA
 BUSINESS NAME: John Wesley United Methodist Church
 BUSINESS OWNER: same ADDRESS/PHONE: 508-548-3050
 PROPERTY OWNER: same ADDRESS/PHONE: _____
 CONTRACTOR / SIGN COMPANY: none
 APPLICANT E-MAIL: jwumc.falmouth@comcast.net

- Please Provide Two Copies of the Following:**
- *Finished sign design.
 - *Storefront elevations and plan to show sign location.
 - *Documentation (including dimensions) of all existing signs on site.
 - *Pictures of the building and all signs on property.
 - *Structural Design for Freestanding Signs
 - *Attachment Details for Wall Mounted Signs

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 If YES, the applicant must first submit this application to the Historic District Commission (HDC) for their approval (§184-13).

| <u>Type of Sign</u> | <u>Check</u> |
|--|-------------------------------------|
| FREESTANDING SIGN(s) § 184-25; Projecting sign(s) § 184-35 | <input type="checkbox"/> |
| WALL SIGN(s) § 184-37; Awning(s) § 184-22 | <input type="checkbox"/> |
| ROOF SIGN(s) § 184-37 | <input type="checkbox"/> |
| PROMOTIONAL/SPECIAL EVENT SIGN(s) § 184-30 | <input checked="" type="checkbox"/> |
| OFF-PREMISES SIGN(s) § 184-32; VARIANCE § 184-20 | <input type="checkbox"/> |

The Select Board must approve all off-premise signs.
 Proposed location: _____ Size: _____
 Please Attach Approval Letter

| | | | |
|------------------------|----------------|------------------------|----------------|
| <u>Ruth Moulton</u> | <u>6/30/21</u> | <u>Rebecca Meneoli</u> | <u>6/30/21</u> |
| Signature of Applicant | Date | Signature of Owner | Date |

 Historic District Commission Date
 With the following conditions: _____

 Sign Review Committee Date
 With the following conditions: _____

 Building Commissioner/Inspector Date
 With the following conditions: _____

BUSINESS

6. Vote committee reappointments

Non-regulatory boards – incumbents with uncontested seats:

- a. Affirmative Action Committee – Lynne Rhodes
- b. Veterans Council Committee – Robert Foos (at-large position)
- c. Veterans Council Committee – Carissa April (Joe Q Veterans Coffee Break, Inc. representative)

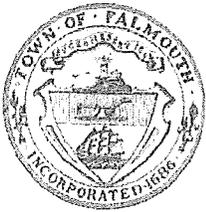
Town Committee Reappointments

Non-Regulatory Boards – Uncontested Seats:

| Committee | Applicant | Incumbent or New | Term Ending |
|------------------------------|--------------|------------------|-------------|
| Affirmative Action Committee | Lynne Rhodes | Incumbent | 6/30/24 |
| Veterans Council Committee | Robert Foos | Incumbent | 6/30/22 |

Other Appointments:

| Committee or Appointment | Name | Term Ending |
|--|---------------|-------------|
| Veterans Council Committee Designee: Joe Q Veteran Coffee Break, Inc. | Carissa April | 6/30/22 |



TOWN OF FALMOUTH

Office of the Town Manager & Selectmen

59 Town Hall Square, Falmouth, Massachusetts 02540

Telephone (508) 495-7320

Fax (508) 457-2573

THE COMMONWEALTH OF MASSACHUSETTS

The Town of Falmouth

May 24, 2021

Lynne Rhodes
157 Hayway Road
East Falmouth, MA 02536

Affirmative Action Committee

The Select Board has decided on this format for inquiring about the status of Committee and Board members wishing to be considered for reappointment. Our records indicate that your term is about to expire. Under the terms of the Falmouth Charter an incumbent will continue to serve until reappointment or a successor is appointed.

Please indicate if you are interested in being considered for reappointment by completing the form, below, and return this letter to the office of the Select Board, 59 Town Hall Square, Falmouth, MA 02540 or email this letter to diane.davidson@falmouthma.gov no later than **Friday, June 4, 2021**.

Thank you for your cooperation and interest in serving the Town. If you have any questions please call this office at (508) 495-7320.

Sincerely,

Julian M. Suso
Town Manager

I am interested in reappointment to the Affirmative Action Committee.

Please check one:

YES

NO

SIGNATURE

DATE

7/6/2021

EMAIL

[REDACTED]

TEL. #

[REDACTED]

Diane Davidson

From: Robert Foos [REDACTED]
Sent: Monday, June 21, 2021 10:22 AM
To: Diane Davidson
Subject: Re: Committee Reappointment Request Letter

Hi Diane,

Good morning and thank you for the follow up. Yes, I am still interested in reappointment to the Veterans Council. Please note my address has changed.

Thanks,
Rob

Robert Foos
272 N Falmouth Hwy
North Falmouth, MA 02556

Sent from my iPhone

On Jun 8, 2021, at 12:19 PM, Diane Davidson <diane.davidson@falmouthma.gov> wrote:

To: Robert Foos

Attached please find a copy of a letter asking if you would like to be reappointed to the Veterans Council Committee. You may reply to this email to indicate whether or not you would like to be reappointed.

The Select Board will be conducting committee interviews and reappointments during its meeting on Monday, June 21, 2021.

Thank you,

Diane

*Diane S. Davidson
Office Manager/Licensing
Office of the Town Manager and Select Board
Town of Falmouth
59 Town Hall Square
Falmouth, MA 02540
diane.davidson@falmouthma.gov
(508) 495-7321*

<Committee Letters 2021 Follow Up 22-Foos.pdf>



June 23, 2021

Mr. Julian Suso
Town Manager
C/O Diane Davidson
Office Manager
59 Town Hall Square
Falmouth, MA 02540

Dear Mr. Julian Suso,

On behalf of the Board of Directors and Advisory Council of the Joe Q Veteran Coffee Break Inc., I would like to highly recommend that Carissa April continue to be the Joe Q Veteran Coffee Break Inc. representative on the 2021 – 2022 Falmouth Veterans Council.

Carissa has served in the role of the representative of Joe Q Veteran Coffee Break since January of 2021 and has done an outstanding job providing input and direction.

Carissa has had outstanding career in the United States Coast Guard retiring as a Commander after 23 years of service to her country. She is a leader in the community serving as the Vice President and member of the Joe Q Veteran Coffee Break Inc. board of directors. Carissa is also on the board of Friends of Nobska Light and serves as a volunteer with the Scout Troop 40 in Falmouth and Falmouth Public Schools.

Carissa has been a leader in the effort for Joe Q Veteran Coffee Break Inc. to become a registered nonprofit with the IRS and with the Massachusetts Attorney General's Office. She has excellent personal communication and social media skills.

The entire board of directors and advisory council endorses Carissa to be the Joe Q Veteran Coffee Break Inc. representative for the 2021 – 2022 term.

Do not hesitate to contact me for any additional information about Carissa.

Sincerely,

Allan Wilson

President

Joe Q Veteran Coffee Break Inc.



BUSINESS

7. Acting Interview, vote and appoint committee members:

- a. Cable Advisory Committee – Anne Pride
- b. Cultural Council – Stacey Wiessbock

Cable Advisory Committee (5-member committee)

Three positions

1. 1 position with a term until 6/30/2023
2. 2 positions with terms until 6/30/2024

One applicant

1. Anne Pride



TOWN OF FALMOUTH
BOARD, COMMITTEE OR COMMISSION
APPLICATION FORM

If you are interested in serving the Town of Falmouth in any capacity, please fill out this form and mail it to the Select Board, Falmouth Town Hall, 59 Town Hall Square, Falmouth, MA 02540. Information received will be available to all Town Boards and Officials, although the filling out of this form does not assure appointment. If selected for an interview, you may wish to submit a resume or additional information. This form and a listing of all boards and committees can be found on the Falmouth website: www.falmouthma.gov.

Name: Anne Pride

Address: 94 Bournes Pond Road Village: East Fal ZIP: 02536

Mailing Address: PO Box 835 Village: East Fal ZIP: 02536

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident X (date: 1983) / Taxpayer X (date: 1983)

Amount of time you are available to give: 3-5 hours per week

Town Committee, Board or Commission you are interested in serving on:

1. Cable Advisory Committe
2. _____
3. _____

Seeking: Permanent Position Alternate Position

Have you attended any meetings of the committee for which you are applying? no

Relevant affiliation and work and personal experiences: Comcast customer for 20 years;
I call them every other month to "negotiate" my payments;
last year, I worked with Boston Globe writer Sean Murphy and
successfully got Comcast to refund the regional sports fee to all customers

Town offices held in Falmouth or elsewhere and dates of years served: _____

Briefly describe the particular skills you feel you will add to the committee or board: _____

**strong organizational skills and desire to keep
the Comcast monopoly in check**

You may attach a resume to this application.

List three (3) references:

| | <u>Name</u> | <u>Title</u> | <u>Phone</u> |
|----|---------------------|-------------------------------|-------------------|
| 1. | <u>Wendy Murphy</u> | <u>long time Fal resident</u> | <u>[REDACTED]</u> |
| 2. | <u>Jack Valle</u> | <u>Pres The Valle Co</u> | <u>[REDACTED]</u> |
| 3. | <u>Stacie Peugh</u> | <u>CEO YMCA Cape Cod</u> | <u>[REDACTED]</u> |

I hereby certify that I have been provided a summary of Massachusetts General Law 268A, the Conflict of Interest of Law, I have read the material provided, and to the best of my understanding have no potential or actual conflict of interest.

I have received a copy of the Select Board's Appointment Policy and read the material provided.

5/8/21

DATE

Anne S. Ride
APPLICANT'S SIGNATURE

In the event the applicant cannot sign this statement, you should provide an explanation of the reason (s) why if you still wish consideration for appointment.

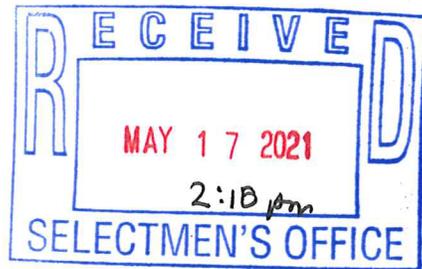
Cultural Council (12-member committee)

7 positions

1. 1 position with a term until 6/30/2022
2. 6 positions with terms until 6/30/2024

One applicant

1. Stacey Wiessbock



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION APPLICATION FORM

If you are interested in serving the Town of Falmouth in any capacity, please fill out this form and mail it to: The Board of Selectmen, Falmouth Town Hall, 59 Town Hall Square, Falmouth, MA 02540. Information received will be available to all Town Boards and Officials, although the filling out of this form does not assure appointment. If selected for an interview, you may wish to submit a resume or additional information. This form and a listing of all boards and committees can be found on the Falmouth website: www.falmouthmass.us.

Name: Stacey Wiessbock

Address: 224 N Falmouth Hwy, #3 Village: _____ ZIP: 02556

Mailing Address: 224 N Falmouth Hwy, #3 Village: _____ ZIP: 02556

Telephone: [redacted] Email: [redacted]

How long have you been a Resident 8 mths (date: 10/8/20) / Taxpayer 8 mths (date: _____)

Amount of time you are available to give: TBD - depends upon assignments given but can range from 3 hrs to 1 day a wk.

Town Committee, Board or Commission you are interested in serving on:

1. Cultural Council
2. _____
3. _____

Seeking: Permanent Position Alternate Position

Relevant affiliation & work & personal experiences currently a board member of the Duplessy Foundation supporting Artisans & Women Immigrant & Minority founders) and I view this as an extension and possible

Town offices held in Falmouth or elsewhere and dates of years served: (N/A) collaborative connections.

Briefly describe the particular skills you feel you will add to the committee or board: _____

Expert in communications, technology optimization & organizational change, consulting in DEI solutions and improvement of hiring practices

Three (3) References:

| Name | Title | Phone |
|-------------------|-----------------------------|------------|
| 1. Chris O'Brien | Premier Wealth Advisor | [REDACTED] |
| 2. Betsy West | Falmouth Chamber Membership | [REDACTED] |
| 3. Ellen Costello | retired teacher | [REDACTED] |

I hereby certify that I have been provided a summary of Massachusetts General Law 268A, the Conflict of Interest of Law, I have read the material provided, and to the best of my understanding have no potential or actual conflict of interest.

I have received a copy of the Board of Selectmen's Appointment Policy and read the material provided.

May 17, 2021
DATE


APPLICANT'S SIGNATURE

In the event the applicant cannot sign this statement, you should provide an explanation of the reason (s) why if you still wish consideration for appointment.

BUSINESS

8. Discuss potential request for \$200,000 in construction engineering design for proposed FalmouthNet

Diane Davidson

From: Courtney Bird [REDACTED]
Sent: Sunday, July 4, 2021 1:24 PM
To: Falmouth Selectboard
Subject: FalmouthNet's Letter RE use of ARPA funds for the Engineering Design Study for the proposed fiber optic network
Attachments: Select Board Letter Re ARPA Funds .pdf

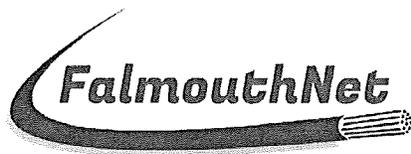
To the Falmouth Select Board,

Attached is our letter outlining FalmouthNet's position on the use of a portion of Falmouth's share of funds from ARPA for a detailed engineering design study for the proposed fiber optic network.

FalmouthNet has researched the language of the Act, the Interim Final Rules, and the most recent guidance issued by the Treasury on 6/27/21, and we conclude that the allocation of \$200k from the town's share of the ARPA funds is both allowable and encouraged.

We hope, therefore, that the Select Board will act favorably to FalmouthNet's request in its letter of 3/29/21 that funds be made available for this purpose. Moreover, we request that the Working Group, authorized by the Select Board at its last meeting, be formally constituted so that it can help to facilitate the process of making the network a reality.

Courtney Bird
President, FalmouthNet, Inc.



FalmouthNet, Inc.
43 Sippewissett Rd.
Falmouth, MA 02540
info@falmouthnet.org
https://falmouthnet.org

July 6, 2021

Douglas C. Brown, Chair
Nancy R. Taylor, Vice Chair
Megan English-Braga
Samuel H. Patterson
Onjalé Scott-Price
Julian M. Suso
Peter Johnson-Staub

Subject: Use of Coronavirus Recovery Funds for pre-project network engineering.

At the Falmouth Select Board meeting of on June 21, 2021, the Board discussed the use of Falmouth's \$3+ million allotment of federal Coronavirus State and Local Fiscal Recovery Funds, including FalmouthNet's suggestion¹ that a modest portion of these funds be used for pre-project engineering work to prepare for construction of a town-wide fiber optic network. FalmouthNet appreciates the support of the Select Board members for this suggestion and respects the cautious approach taken by members of the town's administration. The key question is how to use these funds most productively while following federal guidance.

FalmouthNet agrees that careful attention to the rules is critical. We have read the Treasury Department Interim Final Rule [IFR]² and accompanying guidance³ on the use of these funds (most recently updated June 24), as clearly supporting the use of the Coronavirus Fiscal Recovery Funds for our proposed engineering design work. We also note that IFR guidance is that the funds be used in a manner *"that foster[s] a strong, inclusive, and equitable recovery, especially uses with long-term benefits for health and economic outcomes."*⁴

Our analysis hinges on whether Falmouth's existing Internet services *"reliably deliver"* 25 Megabits per second (Mbps) downloads and 3 Mbps uploads (25/3), which is the FCC's official definition of broadband service, and a criterion stressed by the federal guidance.

The guidance asks if, to use the funds, *"... must every house or business in the service area be unserved or underserved?"* And it answers, *"No. It suffices that an objective of the project is to provide service to*

¹ <http://isen.com/FalmouthNet/Select%20Board%20Letter%20Covid%20Relief.pdf>, March 29, 2021.

² <https://home.treasury.gov/system/files/136/FRF-Interim-Final-Rule.pdf>

³ <https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf> (original issued on May 27, 2021 and revised several times, most recently on June 24, 2021).

⁴ <https://home.treasury.gov/system/files/136/FRF-Interim-Final-Rule.pdf>, Page 41.

*unserved or underserved households or businesses. Doing so may involve a holistic approach that provides service to a wider area in order, for example, to make the ongoing service ... economical.*⁵

Importantly, the guidance says, "*Whether there is a provider serving the area that advertises or otherwise claims to offer speeds that meet the 25 Mbps download and 3 Mbps upload speed thresholds is not dispositive.*"⁶

The guidance goes on to say, "*The use of 'reliably' in the IFR provides recipients with significant discretion to assess whether the households and ... can actually and consistently meet the specified thresholds of at least 25Mbps/3Mbps—i.e., to consider the actual experience of current wireline broadband customers ... recipients may choose to consider any available data, including but not limited to documentation of existing service performance, federal and/or state-collected broadband data, user speed test results, interviews with residents and business owners, and any other information they deem relevant. In evaluating such data, recipients may take into account a variety of factors, including whether users actually receive service at or above the speed thresholds at all hours of the day ...*"

This language directly qualifies the EDIC-funded Feasibility Report for a Community Network⁷ to speak to the issue of reliable delivery of 25/3.

The study's survey of registered Falmouth voters, done before the pandemic's additional stress on Falmouth's Internet services, found that 85% of Comcast customers had experienced Internet outages of at least one day in the preceding 12 months.

In addition, the study conducted 114 actual speed tests with Falmouth Comcast customers. Of these, 14 (12%) failed to achieve 20 Mbps downloads and 15 (13%) failed to achieve uploads of 5 Mbps. Furthermore, the study found that 8% of survey respondents use Verizon DSL to connect to the Internet and none these reliably meet the 25/3 standard.

The Feasibility Report provides additional evidence of unreliable 25/3 broadband service, but one need only look at the Select Board's own virtual Zoom meetings over the last 18 months to find evidence of Zoom freeze-ups and other interruptions. Furthermore, there are many reliable reports of time-of-day slowdowns during the pandemic, especially at 9:00 AM at the start of virtual work and school.

Another criterion of the federal rule requires that the Coronavirus Fiscal Recovery Funds must support a network project designed to, "*reliably deliver minimum speeds of 100 Mbps download and 100 Mbps upload.*"⁸

Currently available fiber optic technology provides speeds 10 to 100 times higher than these minimum speeds. The network may offer 100/100 service as a deeply discounted economic alternative, but our planning assumptions center on gigabit and 10-gigabit service. We are confident that the envisioned network would "*reliably deliver*" this service to every home, at the specified speed, in every season and

⁵ *ibid.* Page 25.

⁶ <https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf> Page 26.

⁷ <http://tinyurl.com/falmouthnetstudy>

⁸ <https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf>, Page 25 and throughout. There are several exceptions to the 100/100 requirement, but these do not apply to FalmouthNet, because we anticipate 100/100 service or better to every customer in Falmouth.

at all times of day, because fiber optic networks are known for their reliability, capacity, strength, simplicity, redundancy and robustness.

A third criterion in the federal rule addresses what kind of organization may benefit from use of the Coronavirus Local Fiscal Recovery Funds. The guidance, ". . . encourages recipients to prioritize support for broadband networks owned, operated by, or affiliated with local governments, non-profits, and co-operatives and providers with less pressure to turn profits and with a commitment to serving entire communities."⁹

The guidance asks, "May recipients use Funds for pre-project development for eligible ... broadband projects?" and it answers, "Yes ... pre-project development uses and costs for broadband projects should be tied to an eligible broadband project or reasonably expected to lead to such a project. For example, pre-project costs associated with planning and engineering for an eligible broadband infrastructure build-out is considered an eligible use of funds, as well as technical assistance and evaluations that would reasonably be expected to lead to commencement of an eligible project ..."

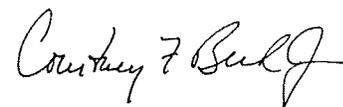
The proposed engineering design, then, is clearly in support of a qualified project. The goal is most assuredly that the network be, "... owned, operated by, or affiliated with local governments, non-profits, and co-operatives ... with a commitment to serving entire communities."¹⁰

We note that FalmouthNet need not be the recipient of the funds for the proposed engineering design work. The town, or a town entity such as the working group commissioned at the June 21, 2021 Select Board meeting, or another appropriate entity, could disburse the funds directly to the firm selected.

We close by noting that the proposed engineering work is a critical-path item. It will serve to refine our estimates, provide construction parameters, launch an RFP for construction, and prepare for federal construction funds, municipal bonds and private financing.

FalmouthNet requests that the Select Board, acting through the Town Manager, issue an RFP for the engineering design services as soon as possible, given the critical nature of this item. We are ready to assist in the process as appropriate.

Yours truly,



Courtney F. Bird, President
Marilois Snowman, VP
David S. Isenberg, Clerk
Arthur Gaylord, Director
Daniel Gessen, Director
Peter Zeeb, Director

⁹ <https://home.treasury.gov/system/files/136/FRF-Interim-Final-Rule.pdf> Question 21, Page 76-77.

¹⁰ *ibid.*

BUSINESS

10. Town Manager's Report

REPORT

TO: Falmouth Select Board

FROM: Julian M. Suso



DATE: July 9, 2021

- The Board will convene in brief executive session at 6:45PM on Monday, July 12 to deliberate on a proposed personal injury settlement. Town Counsel Frank Duffy will join us.
- Jennifer Mullen will join us for a report on the results of the SB-authorized bond refinancing. Congratulations! This action represents savings of over \$1.9 Million to Falmouth taxpayers over the coming ten years!
- The Board may recall that, at the request of the Steamship Authority a couple years ago, the Board assigned representatives to the SSA's "Woods Hole-Falmouth Noise & Traffic Mitigation Working Group." Select Board member Doug Jones was assigned and had been serving. With Doug's retirement from the SB position, we have been asked to appoint a successor representative. In the Board's packet, we include an email from Steve Sayers of the SSA with further information on this.
- The Board has the "continued" public hearing regarding the ongoing matter involving an All Alcoholic Common Victualler License at the Chapoquoit Grill. I am now advised that there remains a Planning Board site planning matter yet unresolved. You may wish to table this item and reschedule the hearing when this and any other related actions are finally concluded.
- Fire Chief Tim Smith will join us for a requested status report. This has been provided in summary, narrative form with your Board packet. The positive trending continues, as had been represented and anticipated. In addition, I note that Tim's summary for the immediate past month of June confirms that the West Falmouth Station was staffed for 47% of the day shifts and 73% of the night shifts, for a composite of 60% of all shifts staffed. You may also note that of the 30 days in June, eight of those 30 (27%) included "zero" incident calls in the West Falmouth District.
- Peter McConarty and Jim McLoughlin will be presenting an update on traffic improvements.
- We are awaiting confirmation of a potential public meeting date to host JBCC for a discussion of the proposed machine gun range.
- Thank you for the excellent discussion and guidance provided by members of the Board at your Annual Strategic Plan Retreat last Wednesday evening.