

## **BUSINESS**

**4. Vote to affirm appointment of Veterans Council  
Committee member (5 minutes)**

**b. Falmouth Lodge No. 2380 B.P.O. Elks  
representative – Ret. Lt. Col. Elizabeth S. Sweeney**



# FALMOUTH LODGE NO. 2380 B. P. O. ELKS



140 PALMER AVENUE • FALMOUTH, MASSACHUSETTS 02540 • PHONE 548-2380

August 23, 2021

Falmouth Veterans Council  
59 Town Hall Square  
Falmouth, MA 02540

To Whom It May Concern:

The Falmouth Lodge # 2380 of the Benevolent and Protective Order of Elks would like to nominate Lieutenant Colonel Elizabeth S. Sweeney, USAF, RET, as our representative to the Falmouth Veterans Council.

In addition to membership in the Falmouth Elks, Elizabeth is also a member of the Otis Civilian Advisory Council (OCAC) serving military families in conjunction with the Massachusetts Military Support Foundation (MMSF).

She is also our contact person for the Veterans Coffee which is held at the Elks on the 2<sup>nd</sup> Saturday of every month.

Elizabeth has very close ties to the military, understanding military entitlements, veteran's benefits, official burial honors and protocols. She is the "go-to" person for many veterans.

She will continue the Elks dedication to the Wounded Warrior Soldier Ride, Memorial Day and Veteran's Day luncheons and all other Veteran's Programs.

Thank you for your consideration.

Fraternally,

Sheryl Barrett  
Exalted Ruler  
PER  
Falmouth Elks Lodge # 2380

CC: Don Lincoln, Director, Veterans Services

**Lt Col Elizabeth S. Sweeney (USAF RET)**  
**157 Air Refueling Wing**  
**Logistics Readiness Officer**  
**Pease Air National Guard Base, New Hampshire 03803**  
**(603) 799-1900**

Lt Col Elizabeth S. Sweeney served as a Logistics Readiness Officer for the 157<sup>th</sup> Air Refueling Wing, New Hampshire Air National Guard, Pease Air National Guard Base, New Hampshire. She led a dynamic unit which provides logistical readiness for 8 KC-135 Primary Assigned Aircraft supporting Operation Iraqi Freedom and Operation Enduring Freedom.

Lt Col Sweeney was commissioned in 1990 after graduating from the Academy of Military Science at McGhee Tyson Air National Guard Base, Knoxville, Tennessee. She was assigned as the Services Officer for the 235<sup>th</sup> Civil Engineering Squadron, Maryland Air National Guard. While serving in the 235<sup>th</sup> Civil Engineering Squadron, she was activated for Desert Shield/Desert Storm and served as a Mortuary Officer for the Mass Fatality Program at Dover Air Force Base, Dover, Delaware. In 1993, she transferred to the New Hampshire Air National Guard as a traditional guard Logistics Officer in the 157<sup>th</sup> Logistics Squadron. In 1998, she became a full-time technician in the 157<sup>th</sup> Air Refueling Wing. In 2001, she cross-trained from Logistics to become the Director of Personnel for the New Hampshire Air National Guard. She served as the Director of Personnel until 2005 when she accepted a position as an Administrative Officer with the National Oceanic and Atmospheric Administration (NOAA) in Woods Hole, Massachusetts. Lt Col Sweeney returned to her former passion, Logistics Readiness, as a traditional guardsman. She has served in Operation Desert Shield/Storm, Operation Iraqi Freedom and Operation Enduring Freedom. She has served in the Pacific in Hawaii, Alaska and Guam. She also served in Operations in France, Denmark, England, Iceland and the Azores.

Lt Col Sweeney has a long military heritage. She is the daughter of the late Major General Charles W. Sweeney. General Sweeney was the pilot of "Bock's Car" the B-29 that dropped the second atomic bomb on Nagasaki, Japan on August 9, 1945. Her late mother served as a First Lieutenant in World War II. She also has a brother, Colonel Joseph P. Sweeney, who recently retired as the Commander of the 102 Air Operations Group, Otis ANGB, MA. Among her father, mother, brother and herself, they have served over 100 years of military service.

**PROFESSIONAL EXPERIENCE**

July 2005 – October 2016	Administrative Officer (ZA-0341-III), National Oceanic and Atmospheric Administration, Woods Hole, Massachusetts
July 2005 – September 2009	Logistics Readiness Officer (LT Col) 157 <sup>th</sup> Air Refueling Wing, New Hampshire Air National Guard, Pease Air National Guard Base, New Hampshire
January 2001 – July 2005	Director of Personnel, (GS-12) 157 <sup>th</sup> Air Refueling Wing, New Hampshire Air National Guard, Pease Air National Guard Base, New Hampshire
August 1998 – January 2001	Chief of Supply, (GS-12) 157 <sup>th</sup> Air Refueling Wing, New Hampshire Air National Guard, Pease Air National Guard Base, New Hampshire
July 1993 - August 1998	Program Analyst, (GS-11) Headquarters, Air National Guard Readiness Center, Operating Location, Massachusetts Military Reservation, Otis Air National Guard Base, Cape Cod, Massachusetts
March 1993 - July 1993	Budget Analyst, (GS-11) United States Small Business Administration Boston Regional Office, Boston, Massachusetts

January 1990 - January 1993

Budget Analyst, (GS-9/11) Naval Intelligence Command, The Pentagon, Washington, D.C.

**EDUCATIONAL EXPERIENCE**

- 2001 United States Air Force Manpower and Personnel Course, Keesler AFB, Mississippi
- 2000 Air Command and Staff Seminar Program, Pease Air National Guard Base, New Hampshire
- 1998 Squadron Officer School, In-residence, Maxwell Air Force Base, Alabama
- 1996 Bachelor of Science in Business Management, University of the State of New York, Albany, New York, Graduated Cum Lauda
- 1995 Fuels Operations Officer Course - Phase II, Lackland Air Force Base, San Antonio, Texas
- 1994 Supply Operations Officer Course - Phase I, Lackland Air Force Base, San Antonio, Texas
- 1992 Reserve Forces Mortuary Affairs Course, Air Force Institute of Technology, Dayton, Ohio
- 1992 Reserve Forces Wartime Mission Support, Air Force Institute of Technology, Dayton, Ohio
- 1990 Commissioned in the Air National Guard, Academy of Military Science, McGhee Tyson Air National Guard Base, Knoxville, Tennessee
- 1985 Associate of Science in Business Management, Fisher Junior College, Hyannis, Massachusetts, Graduated - Highest Honors

**MAJOR AWARDS AND DECORATIONS**

- Meritorious Service Medal
- Global War on Terrorism Medal
- Air Force Commendation Medal with two oak leaf clusters
- Air Force Achievement Medal with two oak leaf clusters
- Air Reserve Forces Meritorious Service Medal with three oak leaf clusters
- National Defense Service Medal
- Armed Forces Reserve Medal with one two oak leaf clusters

## **BUSINESS**

- 5. Report – Board of Library Trustees (15 minutes)**

## **BUSINESS**

### **6. Report – Board of Health (15 minutes))**

## Diane Davidson

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**From:** Diane Davidson  
**Sent:** Friday, September 3, 2021 4:08 PM  
**To:** Diana Molloy  
**Cc:** Stephen Rafferty; George Heufelder; Kevin Kroeger; Ben VanMooy; Scott McGann  
**Subject:** RE: Reschedule/Schedule Committee Reports to the Select Board

Hi Diana,

You are scheduled to present the Board of Health report to the Select Board on Monday, September 13, 2021. The meeting begins at 7:00 p.m. in the Select Board meeting room, Town Hall. Your report is scheduled during the "Business" portion of the meeting.

If you have a report or any materials you would like included in the Select Board packet, please email it to [townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov). I will be on vacation next week, but Phyllis Downey will be preparing the agenda and packet for the meeting, and you may contact her with any questions.

Thank you,

Diane

**From:** Molloy, Diana [mailto:[dmolloy@bayada.com](mailto:dmolloy@bayada.com)]  
**Sent:** Tuesday, April 20, 2021 3:35 PM  
**To:** Diane Davidson <[diane.davidson@falmouthma.gov](mailto:diane.davidson@falmouthma.gov)>  
**Cc:** Stephen Rafferty <[raffertysd@gmail.com](mailto:raffertysd@gmail.com)>; George Heufelder <[gheufeld@capecod.net](mailto:gheufeld@capecod.net)>; Kevin Kroeger <[kdkroeger@protonmail.com](mailto:kdkroeger@protonmail.com)>; Ben VanMooy <[bvanmooy@whoi.edu](mailto:bvanmooy@whoi.edu)>; Scott McGann <[scott.mcgann@falmouthma.gov](mailto:scott.mcgann@falmouthma.gov)>  
**Subject:** Re: Reschedule/Schedule Committee Reports to the Select Board

Thank you. Diana

Sent from my iPhone

On Apr 20, 2021, at 3:27 PM, Diane Davidson <[diane.davidson@falmouthma.gov](mailto:diane.davidson@falmouthma.gov)> wrote:

**CAUTION:** This email originated from outside of BAYADA. Beware of links and attachments.

Hi Diana,

This note is to confirm that the Board of Health's report to the Select Board is scheduled for Monday, September 13, 2021.

A week before the meeting, I will email a reminder and provide information on submitting any materials you may want included in the Select Board Packets, and will follow up with a copy of the agenda.

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*

**From:** Molloy, Diana [mailto:[dmolloy@bayada.com](mailto:dmolloy@bayada.com)]  
**Sent:** Saturday, March 27, 2021 10:16 AM  
**To:** Diane Davidson <[diane.davidson@falmouthma.gov](mailto:diane.davidson@falmouthma.gov)>  
**Subject:** Re: Reschedule/Schedule Committee Reports to the Select Board

Hi Diane. Either June dates or Sept is fine. We are flexible. Just let us know what works best. Thanks.  
Diana, Board of Health.

Sent from my iPhone

On Mar 26, 2021, at 4:35 PM, Diane Davidson <[diane.davidson@falmouthma.gov](mailto:diane.davidson@falmouthma.gov)> wrote:

**CAUTION:** This email originated from outside of BAYADA. Beware of links and attachments.

To: Committee Chairs

The Select Board invites you to provide a brief verbal report (plus a written report, including attendance) highlighting the activities of your committee during the past year. Below is a list of upcoming Select Board meeting dates for 2021. Please provide me with two dates: Your preferred date, and an alternate date.

April 26  
May 10  
May 24  
June 7  
June 21  
July 12  
July 26  
August 9  
August 23  
September 13  
September 27  
October 4  
October 25  
November 8

November 25  
December 6  
December 20

Please respond by Friday, April 2, 2021. Once the list is compiled, I will confirm your date.

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*

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## **BUSINESS**

- 7. Presentation on Carousel of Light Project  
(10 Minutes)**

## **BUSINESS**

- 8. Vote Articles and Execute Warrant for November 2021 Town Meeting (20 minutes)**



## NOVEMBER 2021 ANNUAL TOWN MEETING

Selectmen Announce Annual Town Meeting.....	Monday, July 26, 2021
Close Warrant.....	Friday, September 3, 2021
Selectmen Vote Articles & Execute Warrant .....	Monday, September 13, 2021
Publish Articles Only .....	Friday, September 17, 2021
Petition Article Presentations .....	Monday, September 27, 2021
Selectmen Vote Article Recommendations .....	Monday, October 4, 2021
Publish Warrant with Recommendations .....	Friday, October 29, 2021
Town Meeting .....	Monday, November 15, 2021



**Warrant for the Annual Town Meeting**  
**Monday, November 15, 2021**  
**TOWN OF FALMOUTH**  
**Select Board**

BARNSTABLE, SS. To the Constables of the Town of Falmouth

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and summons the inhabitants of the Town of Falmouth who are qualified to vote in Town Affairs to meet at Memorial Auditorium, Lawrence School, 113 Lakeview Avenue, Falmouth on Monday, November 15, 2021 at 7:00 p.m. for the purpose of acting on the Town Meeting articles of attached warrant:

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 13<sup>th</sup> day of September, 2021.

\_\_\_\_\_  
Douglas C. Brown, Chair

\_\_\_\_\_  
Nancy R. Taylor, Vice Chair

\_\_\_\_\_  
Samuel H. Patterson

\_\_\_\_\_  
Megan English Braga

\_\_\_\_\_  
Onjalé Scott Price

FALMOUTH SELECT BOARD

Barnstable, SS.

Falmouth, MA

By the virtue of this warrant, I have this day notified and summoned the inhabitants of the Town Of Falmouth qualified to vote, as said Warrant directs by posting an attested copy thereof in Town Hall and Every Precinct in the town.

\_\_\_\_\_  
Constable, Town of Falmouth

\_\_\_\_\_  
Date

## November 2021 Annual Town Meeting Index

### Article

- 1 Choose Town Officers
- 2 Reports from Committees and Town Officers
- 3 Amend Zoning Bylaw - Add Article XLVIX Mixed Residential and Commercial Overlay District
- 4 Amend Zoning Bylaw - 240-193 - Site Plan 300' Abutters
- 5 Amend Zoning Bylaw - 240-13 - Definitions for Article XLVIX Mixed Residential and Commercial Overlay District
- 6 Amend and Adopt Recodification of Zoning Bylaw
- 7 Fund Zoning Bylaw Recodification Phase 2
- 8 Fund Capital Improvements
- 9 Fund Non-Capital Improvements
- 10 Teaticket Roof Borrowing Authorization
- 11 Fund Police Department Renovation
- 12 Fund Option to Purchase Land for the NW Fire Station
- 13 Fund DPW Toters
- 14 Fund Falmouth Affordable Housing Fund
- 15 Increase Hotel/Motel Tax from 5% to 6%
- 16 Establish Community Impact Fee
- 17 AFSCME A Reclass
- 18 Remove Falmouth Police Department from Civil Service
- 19 Lease Peterson Farm
- 20 Accept M.G.L. Chapter 272 s. 73A: Gravestones
- 21 Accept Winthrop Drive as Public Way
- 22 Petition: Establish Municipal Lighting Plant (Community Broadband)
- 23 Petition: Commercial Vehicle Traffic Restrictions for Residential Zones
- 24 Petition: Fund Complete Streets Projects
- 25 Petition: LED Speed Signs - Woods Hole Road and Palmer Avenue
- 26 CRC: Amend C2-3 - Town Meeting Procedures
- 27 CRC: Amend C2-6 - Moderator
- 28 CRC: Amend C3-2 - (Select Board) General Powers
- 29 CRC: Amend C3-6 and C7-1 - (Select Board) Powers of Appointment, Appointing Authority
- 30 CRC: Amend C7-3 - Change in Composition of Appointed Governmental Bodies
- 31 CRC: Amend C8-6 - Financial Provisions and Procedures

**WARRANT FOR THE NOVEMBER ANNUAL TOWN MEETING**

**Monday, November 15, 2021 AT 7:00 p.m.**

**For action on articles in the Warrant**

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, SS To either of the constables of the Town of Falmouth, in said county:

In the name of the Commonwealth of Massachusetts you are directed to notify and summon the inhabitants of the Town of Falmouth qualified to vote in Town Affairs to meet at the Memorial Auditorium, Lawrence School, 113 Lakeview Avenue, Falmouth; Monday, November 15, 2021 at 7:00 p.m. for the purpose of acting on the articles contained in the following warrant:

**ARTICLE 1:** To choose all other necessary Town Officers for the year in accordance with nominations to be offered at Town Meeting.

**ARTICLE 2:** To Hear Reports of Committees and Town Officers and act thereon.

**ARTICLE 3:** To see if the town will vote to amend the Zoning Bylaw by adding a new Article XLVIX Mixed Residential and Commercial Overlay District and to amend the Official Zoning Map by adding a Mixed Residential and Commercial Overlay District in certain eligible locations in existing B-1, B-2, and Business Redevelopment zoning districts, as shown in a document entitled Article XLVIX Mixed Residential and Commercial Overlay District 8/25/21 and Maps entitled "B1, B2, & BR Zoning" dated June 24, 2021 showing proposed Mixed Residential and Commercial Overlay Districts, as shown below: And further to amend the Official Zoning Map's Legend for Mixed Residential and Commercial Overlay District and Falmouth Zoning Overlay Districts Map to "Refer to Article XLVIX of the Zoning Bylaws".

**Article XVIX Mixed Residential and Commercial Overlay District**

**240-256 Purpose**

- To enable the town to reach its goal of 10% of its housing on the Subsidized Housing Inventory (SHI)
- To incentivize developers and property owners to create workforce, senior, and affordable family rental and ownership housing opportunities by increasing residential density and mixed use where appropriate.
- To promote economic vitality and a greater diversity of housing opportunities in Falmouth.
- To mitigate traffic congestion by promoting housing proximate to compatible commercial uses.
- To promote consistency, quality, and flexibility in site layout and building design.
- To provide housing for people at all stages of life and all levels of income, as set forth in the town's Local Comprehensive Plan.
- To enable the creation of livable, walkable neighborhoods in the town's business districts.

**240-257 Establishment/delineation**

- A. There is hereby established a Mixed Residential and Commercial Overlay District which is an overlay district superimposed at certain eligible locations in existing B-1, B-2, and Business Redevelopment zoning districts. The underlying zoning shall remain in effect and the associated regulations for use, dimension, and all other provisions of the Zoning Bylaw governing those district(s) shall remain in full force.
- B. The aforesaid eligible locations are shown on a map entitled "Mixed Residential and Commercial Overlay District, town of Falmouth" dated xxxx xx xxxx, scale: 1" 1,500 feet. This map, as it may be amended from time to time, is hereby made part of the Town Zoning Bylaw and is on file at the office of the town Clerk.

**240-258 Uses allowed by right**

The following uses will be allowed by right as set forth under this section, provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained including Site Plan Review by the Planning Board:

- A. Mixed use development.
- B. Residential multi-family dwelling units with density up to 20 units per 40,000 square feet of upland.

**240-259 Affordability Requirements**

The following requirements shall apply to developments in the Mixed Residential and Commercial Overlay District:

- A. Developments must be eligible for approval as Local Action Units (LAUs) through the Department of Housing and Community Development's Local Initiative Program (LIP) or otherwise shown to be eligible for inclusion in the town's Subsidized Housing Inventory (SHI).
- B. Developments must include an executed regulatory agreement in a form to be approved by the Town Select Board and by the Department of Housing and Community Development (DHCD).
- C. 25% of the rental residential dwelling units shall be Affordable Dwelling Units, occupied by Eligible Households. 100% of the rental dwelling units shall be eligible for inclusion on the town's Subsidized Housing Inventory.
- D. 50% of the ownership residential multifamily dwelling units shall be Affordable Dwelling Units, occupied by Eligible Households and eligible for inclusion on the town's Subsidized Housing Inventory (SHI).
- E. The applicant will be required to contract with a public, non-profit, or private monitoring agency qualified by the MA Department of Housing and Community Development (DHCD) or its successor, and approved by the Planning Board, to ensure that all affordable rental and ownership units initially and thereafter continue to qualify for the town's Subsidized Housing Inventory (SHI).
- F. All residential rental dwelling units leased to an Eligible Household shall be leased for a minimum of one year and shall be occupied as the principal residence of the tenant (s). Rentals for less than one year are prohibited.

#### **240-260 Procedure & Development Requirements**

- A. Any applications and plans submitted shall adhere to the requirements and procedures set forth in Chapter 240, Article XXXIX, Site Plan Review of the Zoning Bylaw and in Chapter 300-15, Site Plan Review of the Town Code.
- B. Notice to abutters is required within three hundred (300) feet of any part of land of the applicant, by regular mail, at least one week prior to the date of the Board's meeting.
- C. Developments must include a minimum of four dwelling units.
- D. Developments must have a minimum lot size of 10,000 square feet.
- E. Maximum building height shall be 35 feet and no more than 2.75 stories.
- F. Developments must provide a minimum of one parking space per dwelling unit on the property or on other property within 300 feet of the property that contains the dwelling unit. An applicant may be granted a reduction in the residential parking requirement provided that a car sharing program is provided and approved by the Board. Shared parking with commercial users of the property may be allowed by the Planning Board under Site Plan Review.
- G. Developments must provide a minimum of 1 space per 300 square feet of leasable floor area for non-residential uses. The Planning Board will refer to Chapter 240, Article XXII, Parking Requirements for any other uses not included in this bylaw.
- H. Sidewalks may be required by the Planning Board under Site Plan Review.
- I. The maximum percent of lot coverage by structures/paving/parking shall not exceed 70%.
- J. Buildings in the mixed residential and commercial overlay district shall have a maximum 20 foot front yard setback, a minimum 10 foot side yard setback, and a minimum 10 foot rear yard setback or no more nonconforming than the existing building provided that the proposed change or alteration is not substantially more detrimental than the existing nonconforming building as determined by the Planning Board. If the new mixed-use building(s) abuts residentially zoned property, then a 20' setback is required to separate mixed use from residential use.
- K. In reviewing proposed developments under Site Plan Review, the Planning Board may reduce the requirements concerning the bulk of structures and parking requirements.
- L. Developments shall meet all Title V requirements. If not connected to the town sewer and if located in a coastal pond overlay district, they may be required to install a denitrification system approved by the Board of Health.

#### **240-261 Decisions**

The Planning Board under Site Plan Review may approve a proposed Mixed-Use Development provided it makes the following findings: 1) the proposed development complies with all applicable requirements; 2) the proposed development provides affordable dwelling units as set forth in this section; 3) the proposed development avoids adverse impacts on the neighborhood.

Or do or take any other action on this matter. On behalf of the Planning Board.

**ARTICLE 4:** To see if the Town will vote to amend the Zoning Bylaw Article XXXIX – Site Plan Review - by amending § 240-193 B. by changing the notice to abutters from 100 feet to 300 feet so that the revised section will read:

**§ 240-193 Procedure.**

**B.** Before approval of a site plan review, the Planning Board shall solicit public comment at the public meeting where the plan is being discussed. Notice that the Board will be accepting public comments shall be given by advertisement in a local newspaper once at least one week prior to the date of the Board's meeting and by notice to abutters within 300 feet of any part of the land of the applicant, by regular mail, at least one week prior to the date of the Board's meeting.

Or do or take any other action on this matter. On behalf of the Planning Board.

**ARTICLE 5:** To see if the town will vote to amend the Zoning Bylaw Section 240-13 Definitions by adding new definitions related to Article XLVIX Mixed Residential and Commercial Overlay District

**240-13 Definitions**

- **Affordable housing restriction:** A deed restriction meeting statutory requirements in MA GL chapter 184, section 31, in a form consistent with MA Department of Housing and Community Development (DHCD) Local Initiative Program (LIP) guidelines or otherwise allows for inclusion of an Affordable Dwelling Unit on the Town's Subsidized Housing Inventory, which runs with the land and is recorded with the Barnstable Registry of Deeds or Land Court Registry District, and which effectively restricts the occupancy of a low or moderate income housing unit to income eligible households. The term of affordability shall be in perpetuity or for the longest term allowed by law. Said restriction shall contain terms and conditions for the resale of a home ownership unit, including definition of the maximum permissible sale price, and for the subsequent rental of a rental unit, including definition of the maximum permissible rent. Said restriction shall require that tenants of rental units and owners of homeownership units shall occupy the units as their principal residences.
- **Applicant MRCOD:** The person or persons, including a corporation or other legal entity, who applies for approval of a multiunit/mixed use development hereunder. The applicant must own or be the beneficial owner of all the land included in the development or have authority to act for the owners or hold an option or contract duly executed by the owners and the applicant giving the applicant the right to acquire or lease the land to be included in the development.
- **As of right:** development that may proceed under a zoning by-law without the need for a special permit, variance, zoning amendment, or other discretionary zoning approval.
- **Eligible household:** an individual or household whose annual income is less than or equal to 80% of the area wide median income as determined by the US Department of Housing and Urban Development (HUD) adjusted for household size for Barnstable County, with income computed using HUD rules for attribution of income to assets.
- **Eligible location:** areas that by virtue of their infrastructure, transportation access, existing underutilized facilities or location make highly suitable locations for residential or mixed-use zoning districts, including without limitation (1) areas near transit stations, bus and ferry terminals, or (2) areas of concentrated development, including town centers and other existing commercial districts.
- **Mixed use development:** a development containing a mix of residential uses and non-residential uses, including, without limitation, commercial, institutional, or other uses, including modifications to existing buildings.
- **Multi-family dwelling:** a building designed and constructed so as to contain three or more suites of one or more rooms, each suite provided with individual cooking and other facilities for independent housekeeping, used or intended to be used for the non-transient housing of three or more family units.
- **Permit Granting Authority:** The Planning Board shall be the sole permit granting authority pursuant to any provision of this bylaw.

- **Three Quarter Story:** That portion of a building under any type of sloping roof, which is potentially habitable as defined under Massachusetts Building Code and within which the number of square feet in area is never more than 3/4 of that of the story below. If the square foot area of the subject portion is greater, that portion shall be deemed a story.

Or do or take any other action on this matter. On behalf of the Planning Board.

**ARTICLE 6:** To see if the Town will vote to amend the Zoning Bylaw Chapter 240 Article I through Article XVIX by adopting the Recodification of the existing Zoning Bylaws as shown in a 155± page document entitled

"Zoning Bylaw Town Code Chapter 240 Articles 1 – 14 October 2021"

on file in the Town Clerk's Office, the Planning Office and the Town of Falmouth Website

<https://www.falmouthma.gov/DocumentCenter/View/10448/Recodification-Zoning-Bylaw-Town-Code-Chapter-240-Articles-1-thru-14-October-2021>

The recodification of the Zoning Bylaw is a reorganization and renumbering of the current 95 year old bylaw, with some deletions in order to address:

- Structure and organization
- Clarity
- Conflicts and inconsistencies
- Obsolete and/or missing terms and language
- Conformance with State statues and current case law
- Administrative issues

Or do or take any other action on this matter. On behalf of the Planning Board.

**ARTICLE 7:** To see if the Town will vote approve Funding for Phase 2 of the Recodification of the Zoning Bylaw. Or do or take any other action on this matter. On behalf of the Planning Board.

**ARTICLE 8:** To see if the Town will vote to appropriate a sum of money for the purpose of funding Capital Improvements, to determine how the same shall be raised and by whom expended. Or do or take any other action on the matter. On request of the Select Board.

**ARTICLE 9:** To see if the Town will vote to appropriate a sum of money for the purpose of funding Non-Capital projects, to determine how the same shall be raised and by whom expended. Or do or take any other action on the matter. On request of the Select Board.

**ARTICLE 10:** To see if the Town of Falmouth (the "Town") will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Committee for the roof replacement project at Teaticket Elementary School, 45 Maravista Ave Ext, Teaticket, MA 02536, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program and for which the Town has applied for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and if the MSBA's Board of Directors votes to invite the Town to collaborate with the MSBA on this proposed repair project, any project costs the Town incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole responsibility of the Town. On request of the Select Board.

**ARTICLE 11:** To see if the Town will vote to appropriate a sum of money for the purposes of funding a renovation of the Police Station, and any other costs incidental and related thereto, and to determine how the same shall be raised and by whom expended, or do or take any other action on the matter. On request of the Select Board.

**ARTICLE 12:** To see if the Town will vote to appropriate a sum of money for purposes of acquiring an option to purchase land suitable for a new fire station in the northwestern section of town with the purchase of the land to be authorized by a future town meeting vote, said money to be expended under the jurisdiction of the Select Board on such terms and conditions as it deems prudent and proper, or do or take any other action on the matter. On request of the Select Board.

**ARTICLE 13:** To see if the Town will vote to appropriate a sum of money for the purposes of purchasing Recycling Toter Bins, and any other costs incidental and related thereto, and to determine how the same shall be raised and by whom expended, or do or take any other action on the matter. On request of the Select Board.

**ARTICLE 14:** To see if the Town will vote to appropriate a sum of money to the Affordable Housing Trust Fund, for the purposes of funding Affordable Housing, and to determine how the same shall be raised. Or do or take any other action on the matter. On request of the Select Board.

**ARTICLE 15:** To see if the Town will vote to increase the local room excise tax described in G.L. c. 64G, s. 3A from five percent (5%) to six percent (6%) and to determine the effective date of such increase, or do or take any other action on this matter. On request of the Board of Selectmen.

**ARTICLE 16:** To see if the Town will vote to accept the provisions of General Laws Chapter 64G, section 3D and impose a community impact fee of not more than 3% of the total rent upon each transfer of occupancy of a professionally managed units located within the town, or do or take any other action on the matter. On request of the Select Board.

**ARTICLE 17:** To see if the Town will vote to amend the Position Classification Plan for AFSCME Unit A positions and to appropriate a sum of money to fund payment of salary increases effective July 1, 2021, the affected positions being as follows:

	<u>Title</u>	<u>Grade</u>	<u>Min</u>	<u>Max</u>
Delete:	Parking Meter Mechanic	3	\$17.89	\$22.64
Add:	Parking Meter Mechanic/Technician	4	\$19.14	\$24.22
Delete:	Office Assistant - Building	5	\$20.48	\$25.92
Add:	Administrative Clerk - Building	7	\$23.45	\$29.67
Delete:	Senior Office Assistant	6	\$21.92	\$27.73
	Recreation			
	Police			
	Accounting			
	Health			
	Town Clerk			
Add:	Administrative Clerk	7	\$23.45	\$29.67
	Recreation			
	Police			
	Accounting			
	Health			
	Town Clerk			
Delete:	Assistant Zoning Compliance Agent*	8	\$25.09	\$31.75
Add:	Assistant Zoning Compliance Agent*	9	\$26.85	\$33.97

	<u>Title</u>	<u>Grade</u>	<u>Min</u>	<u>Max</u>
Delete:	Administrative Clerk - Conservation	7	\$23.45	\$29.67
Add:	Principal Office Assistant - Conservation	8	\$25.09	\$31.75
Delete:	Senior Office Assistant - Zoning	6	\$21.92	\$27.73
Add:	Principal Office Assistant - Zoning	8	\$25.09	\$31.75
Delete:	Data Collector/Field Appraiser**	8	\$25.09	\$31.75
Add:	Data Collector/Field Appraiser	9	\$26.85	\$33.97
Delete:	Conservation Agent	8	\$25.09	\$31.75
Add:	Conservation Agent	9	\$26.85	\$33.97
Delete:	Principal Office Assistant Human Services Veterans	8	\$25.09	\$31.75
Add:	Administrative Assistant Human Services Veterans	9	\$26.85	\$33.97
Delete:	Conservation/MES Tech	8	\$25.09	\$31.75
Add:	Conservation/MES Assistant	9	\$26.85	\$33.97
Delete:	Assistant Town Clerk	9	\$26.85	\$33.97
Add:	Assistant Town Clerk	10	\$28.73	\$36.35
Delete:	IT Computer Tech Public Safety***	M-5	\$31.03	\$40.45
Add:	IT Computer Tech Public Safety	12	\$32.89	\$41.62
Delete:	Fishery Technician	7	\$23.45	\$29.67
Add:	Marine Fisheries Tech/Biologist	9	\$26.85	\$33.97
Delete:	Assistant to Town Accountant and Finance Director	9	\$26.85	\$33.97
Add:	Assistant to Town Accountant and Finance Director	10	\$28.73	\$36.35

\*Formerly Assistant Zoning Enforcement Officer (position evolved and title was adjusted accordingly)

\*\*Formerly Assistant to the Assessor (position evolved and title was adjusted accordingly)

\*\*\*Formerly Network/Computer Technician (position evolved and title was adjusted accordingly)

Or do or take any action on the matter. On request of the Select Board.

**ARTICLE 18:** To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court for a special act to remove all personnel of the Falmouth Police Department from the provisions of Massachusetts General Laws, Ch. 31, s. 1 et seq., the Civil Service Law, or do or take any other action on the matter. On request of the Select Board.

**ARTICLE 19:** To see if the Town will vote to authorize the Select Board, with the concurrence of the Conservation Commission, to lease and provide for the management of the Peterson Farm property, or any part thereof, for a term of not more than 20 years, upon such terms and conditions as the Select Board deems prudent and proper, or do or take any other action on this matter. On request of the Select Board (with Conservation Commission).

**ARTICLE 20:** To see if the Town will vote to accept the provisions of Massachusetts General Laws Ch. 272, s. 73A for the removal of gravestones and other memorials for repair or reproduction in

accordance with rules and regulations of the Massachusetts Secretary of State by community sponsored, educationally oriented and professionally directed repair teams, or do or take any other action on the matter. On request of the Select Board.

**ARTICLE 21:** To see if the Town will vote to accept the doings of the Select Board in the laying out of Winthrop Drive (east side) from Seacoasts Shores Blvd. to Edgewater Drive East a distance of 726 ft. and width of 40 ft. according to plans on file with the Town Clerk for taking as a public way under the Betterment Act, or do or take any other action on the matter. On request of the Select Board.

**ARTICLE 22:** To see if the Town will vote to authorize the Select Board to take all necessary and appropriate action to establish and maintain, in accordance with the provisions of Chapter 164 of the General Laws and in accordance with the rules, regulations and orders of Department of Public Utilities and the Department of Telecommunications and Cable, a municipal lighting plant for all purposes allowable under the Commonwealth, including without limitation the operation of a telecommunications system and related services, or take any action relative hereto. On petition of FalmouthNet.Inc.

**ARTICLE 23:** To see if the Town will request the Board of Selectmen in the interest of public safety as allowed by the provision of General Laws Chapter 90, Section 18, and in the interest of public health, as allowed by the provision of General Laws Chapter 111 Section 31 and 122, to develop a bylaw on the use of town-owned roads bordering on residential zones by commercial vehicles from the hours of 11:00PM to 6:00AM. Such bylaw is intended to provide relief to residential neighborhoods that are plagued with early morning truck traffic and to establish quiet hours in those neighborhoods. The Town will develop a quiet hours bylaw based on sound impact data with a completion date of July 1, 2022. On petition of the Southeast Massachusetts Regional Transportation (SMART) Citizens Task Force.

**ARTICLE 24:** To see if the Town will vote to appropriate \$150,000 of free cash to be used for the design of Compete Streets projects to create a backlog of shovel ready projects eligible for state or federal construction grants. Said sum to be expended under the jurisdiction of the Select Board. On petition of Chris McGuire.

**ARTICLE 25:** To see if the Town will vote to appropriate or transfer from the Ferry Embarkation Fee Fund\* the amount of \$30,000 for the purchase and installation of up to six permanent LED speed signs (cost estimate provided by DPW Director) on Woods Hole Road and Palmer Avenue in order to encourage compliance with posted speed limits, particularly for heavily laden ferry bound truck traffic. On petition of the Southeast Massachusetts Regional Transportation (SMART) Citizens Task Force.

**ARTICLE 26:** To see if the Town will vote to adopt an amendment to Article II, Town Meeting, of the Falmouth Home Rule Charter by amending Sec. C2-3, A and B, so as to read:  
C2-3. Procedures.

- A. Town Meeting shall be held twice annually: in April, on a date chosen by the Select Board, and in the fall on a date chosen by the Select Board.
- B. Town Meeting will consider and act upon, as required, with or without amendments, all proposed operating and capital improvement budgets, appropriations, borrowings, and all other issues that may properly come before it.

Or do or take any other action on this matter. On request of the Select Board and the Charter Review Committee.

**ARTICLE 27:** To see if the Town will vote to adopt an amendment to Article II, Town Meeting, of the Falmouth Home Rule Charter by amending Sec. C2-6, Moderator, so as to read:  
C 2-6. Moderator.

- A. A Moderator shall be elected as provided in sec. C 4-2.
- B. The Moderator shall preside at all sessions of the Town Meeting and shall have no vote unless the members present and voting are equally divided.

- C. The Moderator shall establish and promulgate written procedures for the orientation of all new Town Meeting members and shall conduct an annual meeting at which time said orientation shall take place.
- D. The Moderator, in consultation with the Town Clerk, shall prepare simplified rules of parliamentary procedure, which shall be made available to all elected Town Meeting members.
- E. The Moderator shall appoint ad hoc committees of the Town Meeting as provided in sec. C 2-12B.
- F. The Moderator shall preside at any public hearings to discuss the suspension or removal of the Town Manager

Further to vote to adopt an amendment to Article IV, Other Elected Town Boards and Officers, of the Falmouth Home Rule Charter, Sec. C4-2, Moderator, by deleting subsections B, C and D which are now included in Article II, Town Meeting, in Sec. C2-6, Moderator.

Or do or take any other action on the matter. On request of the Select Board and the Charter Review Committee.

**ARTICLE 28:** To see if the Town will vote to adopt an amendment to Article III, Select Board, of the Falmouth Home Rule Charter by amending Sec. 3-2C, General Powers, so as to read:

C 3-2. General Powers.

C. Making recommendations to Town Meeting on any warrant article, especially those for which other governmental bodies have not provided recommendations.

Or do or take any other action on the matter. On request of the Select Board and the Charter Review Committee.

**ARTICLE 29:** To see if the Town will vote to adopt an amendment to Article III and VII of the Falmouth Home Rule Charter by amending Sec C3-6, B and C, and Sec C7-1 A so as to read:

C3-6. Powers of Appointment.

B. The Board shall also have the power to appoint governmental bodies as provided in Article VII.

C. The Board shall also have the power to appoint other governmental bodies, to define their duties, and to set the limits for the scope of their responsibilities and the terms of their existence. Any such governmental body having a planning function shall coordinate its activities with the Planning Board.

C7-1 Appointing Authority; General

A. The Select Board shall have authority as defined by the General Laws to appoint members to those governmental bodies specifically listed in Article VII. The Board shall also have full appointing authority for other governmental bodies as defined in C3-6C. Prior to making appointments to governmental bodies, the board shall publicize all vacancies to be filled together with information on the filing of applications by prospective members, and the deadline for receiving applications. The board shall also require all chairs of governmental bodies to file with the Town Clerk a description of the duties and responsibilities of the governmental body and the members thereof. The board shall further consult with the governmental body to which appointments are to be made to obtain the names of prospective candidates for appointment. The board shall interview all applicants and make appointments in a timely manner, but no appointments shall be made until the last day for filing applications has passed.

Or do or take any other action on the matter. On request of the Select Board and the Charter Review Committee.

**ARTICLE 30:** To see if the Town will vote to adopt an amendment to Article VII, Appointed Governmental Bodies, of the Falmouth Home Rule Charter, by deleting Sec. C7-3, Change in Composition of Appointed Governmental Bodies.

Or do or take any other action on the matter. On request of the Select Board and the Charter Review Committee.

**ARTICLE 31:** To see if the Town will vote an amendment to Article VIII, Financial Provisions and Procedures, of the Falmouth Home Rule Charter by amending Sec. C8-6A, Capital Improvements Plan, so as to read:

C8-6, Capital Improvements Plan.

- A. The Town Manager shall prepare a five year Capital Improvements Plan consistent with the Strategic Plan and the Local Comprehensive Plan which shall include a clear summary of its

contents; a list of all capital improvements proposed to be undertaken during the next five (5) fiscal years, together with supporting data; cost estimates, methods of financing and recommended time schedules; and the estimated cost of operating and maintaining the facilities or equipment to be constructed or acquired. The above information shall be revised and extended each year with regard to capital improvements pending or in the process of construction or acquisition.

Or do or take any other action on the matter. On request of the Select Board and the Charter Review Committee.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk at the time and place of holding said meeting.

Given under our hand this 13th day of September in the year of our Lord Two Thousand Twenty-One.

Douglas C. Brown, Chairman  
Nancy R. Taylor, Vice Chairman  
Samuel H. Patterson  
Megan English Braga  
Onjalé Scott Price

## **BUSINESS**

- 9. Discussion on Acquisition/Placement of Radar Feedback Signs on Woods Hole Road**

**(10 minutes)**

## **BUSINESS**

- 10. Review and Vote to Approve Minutes of Meetings:  
(5 minutes)**
  - a. Public Session – June 7, 2021; August 30, 2021**
  - b. Executive Session – Executive Session – August 30, 2021 (vote to release/not to release)**

**TOWN OF FALMOUTH**  
**Select Board**  
**Open Session**  
**Meeting Minutes**  
**MONDAY, JUNE 7, 2021**  
**Select Board MEETING ROOM**  
**TOWN HALL**  
**59 TOWN HALL SQUARE, FALMOUTH, MA 02540**

*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 June 7, 2021 public meeting of the Falmouth Select Board shall be physically closed to the public to avoid group congregation.*

*Alternative public access to this meeting shall be provided in the following manner:*

1. *The meeting will be televised via Falmouth Community Television.*
2. *Real-time public comment can be addressed to the Select Board utilizing the Zoom virtual meeting software for remote access. This application will allow users to view the meeting and send a comment or question to the Chair via the Chat function. Submitted text comments will be read into the record at the appropriate points in the meeting.*
  - a. *Zoom Login instructions:*
    - i. *Instructions and the meeting link for this specific meeting can be found at the following web address: <http://www.falmouthma.gov/BOS>.*
    - ii. *Please plan on 10-15 minutes of preparation time to log in though it may be less if you have previously used Zoom on the device you will use to access this meeting.*
3. *Additionally public comments may be sent in advance of the meeting to [selectboard@falmouthma.gov](mailto:selectboard@falmouthma.gov) at least 5 hours prior to the beginning of the meeting. Documents and audio or video files may also be submitted via email. Submitted email comments and documents will be made a part of the meeting record and may be read into the record, summarized or displayed during the meeting at the discretion of the chair.*
4. *Applicants, their representatives and individuals with enforcement matters before the Board may appear remotely and are not required to be physically present. Applicants, their representatives and individuals with enforcement matters before the Board may contact the Town Manager/Select Board's Office to arrange an alternative means of real time participation if unable to use the Zoom virtual meeting software. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to the Town Manager's Office at [townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov) so they may be displayed for remote public access viewing.*

Present: Doug Brown, Chair; Nancy Taylor, Vice Chair; Megan English Braga; Samuel Patterson; Onjale Scott Price.

Staff Present: Julian Suso, Town Manager; Peter Johnson-Staub, Assistant Town Manager; Frank Duffy, Town Counsel.

1. Call to Order MGLc30A s21(a)(6)-to consider the purchase, exchange
2. **Chair Brown called the open session to order at 6:30 p.m. and motioned to convene the executive session under 1. M.G.L. c.30A s.21(a)(6) – to consider the purchase, exchange, lease, or value of real property easements and rights of way for Mayflower Wind power lines because to not go into executive session could prejudice ongoing negotiations. Mr. Patterson seconded the motion. It was followed by a unanimous roll call vote in Open Session to go into Executive Session for the purpose of discussing the above-listed items, and to return to Open Session after discussion. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**
3. Pledge of Allegiance
4. Proclamation – Wear Orange Day  
**Ms. English Braga read the proclamation in the packet as a motion. Second Mr. Patterson. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**
5. Recognition  
**Chair Brown noted a difficult week for police and recognized their sacrifice.**

**Mr. Patterson attended Eagle Court of Honor for Zach Morris yesterday at the Scout Camp in Yarmouth.**

6. Announcements  
Woods Hole Diversity Committee has Juneteenth events planned that can be registered for online.
7. Public Comment  
Chair Brown noted the policy on public comment as advised by Atty. Duffy. School Committee personnel matters are not Select Board business.

Mr. Suso posted the policy via screen and Chair Brown reviewed the policy.

Dr. Taylor stated it is important to note that the letters from the Falmouth Educator's Association and Superintendent have been received and read.

Ms. English Braga noted the Select Board should not comment on individual personnel issues or issues that are part of litigation, these are not appropriate for a public discussion of this kind.

Mr. Patterson stated there was no name on the letter he received via mail, there was no indication that the Falmouth Educator's Association met and chose to take a position. He would like assurance this was a voted measure of the particular body.

Chair Brown said that he called the phone number in the letter and got more information.

Ms. English Braga supports this not being part of public comment, if folks want to comment, they may comment at the School Committee meeting tomorrow night, during which time public comment will be taken on this issue.

Mr. Patterson noted the policy is well stated, the School Committee is the appropriate place for these comments.

Mr. Johnson-Staub noted the text of the Select Board online chat comments are retained as part of the meeting record.

Ms. English Braga explained Select Board members are not brokers between the union and School Department; under the charter that is not the Select Board role. Concerns about the School Department belong with the School Committee.

Chair Brown noted that individuals are frustrated because they are not being heard by the Select Board, they may inform the Select Board via email, however will not part of this forum.

Ms. English Braga read Terry Alves' commented via online chat that Ms. Alves filed a complaint with the OCR due to the Town's willful disregard for children of color.

Alison Leschen asked to be heard with the Transportation Management Committee item at 8:45pm. It was noted that the Chair has the right to change the order of the agenda.

## **SUMMARY OF ACTIONS**

1. Licenses
  - a. Application for three, special one-day liquor licenses – Silver Beach Improvement Association – Association Courts (corner of West Ave. and Ocean View) – Saturdays, 6/26, 8/21 and 8/28/21 – 5:30 – 10:30 p.m.  
**Ms. English Braga motion approval. Second Mr. Patterson. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**
  - b. Application for entertainment license for 2021 functions – Historic Highfield – Highfield Hall & Gardens – 56 Highfield Drive, Falmouth  
**Mr. Patterson motion approval. Second Dr. Taylor. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**
2. Administrative Orders
  - a. Vote to sign Preservation Restriction for the 1790 Dr. Francis Wicks House, 55 Palmer Avenue

Mr. Patterson motion approval. Second Dr. Taylor. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.

- b. Vote to approve waiver of building fees for rehabilitation of affordable home at 2 Esker Place on request of Falmouth Housing Trust  
Mr. Patterson motion to waive fees to extent the Select Board policy allows. Second Ms. English Braga. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.
- c. Vote to approve waiver of building fees for construction of 3 units of affordable housing at Lewis Neck Road on request of Falmouth Housing Trust  
Mr. Patterson motion to waive fees to extent the Select Board policy allows. Second Dr. Taylor. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.
- d. Vote to affirm transitional mask wearing – municipal government buildings  
Mr. Suso noted a slight adjustment to the original Select Board packet, Associate Town Counsel addressed the issue of a meeting in municipal buildings, speakers at meetings can remove their mask.  
  
Mr. Patterson motion to affirm mask wearing in municipal government buildings. Second Ms. Scott Price. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, no; Ms. Scott Price, aye.

3. Special Events

**Recurring - Recommended:**

- a. Cape Cod Marathon Weekend – Falmouth Running Club – Saturday, 10/30/21 and Sunday, 10/31/21  
Mr. Patterson motion approval. Second Dr. Taylor. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.

**New – Recommended:**

- a. 4<sup>th</sup> of July Concert – College Light Opera Company (CLOC) – Library Lawn – Sunday, 7/4/21 – 1:00 – 2:00 p.m.  
Dr. Taylor motion approval. Second Mr. Patterson. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.

**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.

Mr. Patterson motion to continue to 6/21/21 at the request of the applicant. Second Ms. English Braga. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.

- 2. Wetland/Dock Hearing – Ladyfair, LLC for permission to maintain and repair an existing licensed pier landward to regain access to the pier and to replace decking in and over the waters of Eel Pond located at 44 Jewelers Avenue, East Falmouth

Mr. Patterson motion to continue to 6/21/21 at the request of the applicant. Second Dr. Taylor. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.

- 3. Application for a New All Alcoholic Beverages Common Victualler License and a Bowling Alley License – Town Hall Partners, LLC d/b/a Timber, 23 Town Hall Square, Falmouth

Ms. English Braga read the hearing notice.

Chair Brown disclosed that he has a relative who is an employee of one of the individuals listed on the application.

Atty. Kevin Klauer, Ament Klauer Law Firm, represented the applicant. Devan Muttart is the proposed manager. This location is the former Ryan Family Amusements Building. They will maintain the bowling alley and expand food offerings. Atty. Klauer explained the plan for the building include ax throwing lanes separated by dividers with narrow opening at front of the lanes, and chain link dividers to the ceiling. Lanes are reserved in 30 minute increments, each lane is assigned a staff member to explain and enforce the rules. Participants are to read and sign the rules. Only participants are allowed in the lane at a given time. Alcohol may be consumed responsibly, but not in the throwing lines. All servers, coaches, and employees will be TIPS certified. Ax throwing is new and exciting, this is a nice addition to the Town while preserving the bowling alley and extending the restaurant use. The floorplan was reviewed via screen share and Atty. Klauer explained the dividers and chain link up to the ceiling. Every server will be TIPS certified, they would prefer to leave it to the discretion of the server rather than limiting the number of drinks.

Ms. Scott noted House of Hatchets does not serve alcohol in the building, Atty. Klauer noted they received their liquor license recently. Marlboro, Everett, Milford, and Somerville have ax throwing with liquor licenses. Atty. Klauer noted there is no separate license/permit to allow this; asking for approval for liquor license, not ax throwing.

Mr. Patterson feels a two drink limit is reasonable and supports that condition. Atty. Klauer noted it is a reserved time slot that you have, alcohol is not allow in the ax throwing area, which is what Atty. Klauer recommends service be left to the discretion of the server rather than limiting the number of drinks.

Atty. Klauer explained there will be two people in the booth throwing, the coach would have them throw and instruct all axes down so they can be retrieved. Atty. Klauer does not believe any other liquor licenses are managed in this way, we need to trust the business whose employees will be trained and assured to handle alcohol service the right way.

Ms. English Braga noted these establishments exist in a lot of different places, it is new to Falmouth, but not a completely novel industry. The applicant knows the applicant has the burden, everyone who comes in front of the Select Board is aware of their business liability and if the Select Board approves their license in the future.

Mr. Muttart stated he has eight years working in various roles at the Mezzaluna and Lobster Trap and understands his responsibility as manager.

**Mr. Patterson motion to close the hearing. Second Ms. English Braga. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**

Public Comment: none.

**Ms. English Braga motion approval of the liquor license. Second Ms. Scott Price. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**

Mr. Suso confirmed that there are three items still pending and needed following the Select Board's action.

Ms. English Braga read the hearing notice of the for the bowling alley license.

Public Comment: none.

**Mr. Patterson motion to close the hearing. Second Ms. English Braga. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**

**Mr. Patterson motion approval of bowling alley license. Second Dr. Taylor. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**

## **BUSINESS**

1. Discussion/update on COVID-19 issues  
Scott McGann, Health Agent, reviewed the MA State Dashboard. There will not be any more vaccination clinics due to lack of demand, but CVS is offering the vaccine by appointment. Falmouth has not had any cases yet in June. The Governor's guidance expired on 5/29/21, most places are not requiring masks. Municipal Town buildings still have the mask requirement.
2. Status update on Town Beaches

Bruce Mogardom Beach Department Superintendent and Maggie Clayton, Beach Superintendent provided an update.

Ms. Clayton stated the first preseason weekend at Old Silver Beach was successful. There have been 6,113 resident parking stickers sold. Moving through online ordering system, in person sales 9am-4pm Wednesday through Sunday, and mail in/drop box applications. The Beach Committee voted to recommend the Mill Rd. extension of Surf drive sticker and daily tickets for parking at their April 26, 2021 meeting. Sunset hour program has been taken on and hired parking lot attendants to manage Chapoquoit and Old Silver resident parking lot from 5pm-7:30 pm, 7 days per week. The Beach Department is fully staffed, though they have experienced challenges in hiring lifeguard positions. Certification classes were not held last year, as a result there is a delay of people being hired. If they are not fully staffed with lifeguards by the end of June, they will report back to the Select Board and post signage in those areas they are unable to staff.

Mr. Mogardo reported beach preparation going along nicely; most furniture is out and they fast tracked the park. The portable stairs at Chapoquoit are in place. Gates are being replaced or repaired, trash barrels are being placed. Swim markers will be put in place in this week. Storage boxes have been stored with rescue equipment.

Lifeguards have received the Covid-19 vaccine : as employees of the Town, all employees must be 16 years of age or older are required to be vaccinated. All Beach Department staff are eligible for the vaccine, some have shared they are vaccinated. Each beach has a bagged mask, every lifeguard is issued a pocket barrier they were on their whistle and medical kits have a barrier.

Mr. Johnson-Staub noted they are not requiring employees divulge their vaccination status.

3. Report – Historical Commission

Ed Haddad, Chair, made a PowerPoint presentation with overview of what the commission accomplished in 2020, preservation restrictions, and the 2021 agenda. They are fully staffed with 5 full time and 2 alternate members.

Two of their members are on the Marks Building Committee, one member on the Community Preservation Committee. In 2020 there were over 70 applications for modification of their property within a historic district and were approved administratively.

Five demolition delays were approved, if someone wants to do a demolition and willing to wait the 12 months, they do not need a waiver.

The Steamship Authority (SSA) new terminal design is in historical district, the Commission also had oversight on the Palmer Avenue building. The Historical Commission holds public hearings, they provide input, but have no direct authority over them; the SSA comes to them as a courtesy.

The work the Commission does with Dr. Moniz on Cape Verdean history include three properties that were in their historical inventory, one was not. This would be more architectural, including the history of the buildings, but they would not know the cultural history that Dr. Moniz would provide, including how the buildings were used.

The Emerald House opening will hopefully occur in June, pulling together the historical piece that touches on buildings and the people who were utilizing the structures. It raises the importance of the treasures we have and history we may not be aware of.

4. Status update on new senior center programming

Mr. Vieira and Jill Bishop.

Ms. Bishop, Senior Center Director, explained they have been operating throughout the pandemic, delivering needs to those in the community however the new building has not been open to the public. She is looking forward to opening the new facility and will have a responsible plan in place and open to the community. Staffing and volunteers will be needed, there will be a new enrollment process. She recommends keeping the building closed through the soft opening through the four opening phases, as outlined in the Select Board packet. Phase 1: 6/7-6/18/21 they will bring in staff/instructors/group leaders, Phase 2: 6/21-7/2/21 to give residents opportunity for open enrollment and scheduled via phone. Phase 3: June 30 ribbon cutting outside to officially open. Phase 4 would allow the building to be open as of 7/6/21.

Ms. Bishop asked people to be patient with them as they get programs and services up and running. People will be required to wear masks in the building.

Dr. Taylor and Ms. Scott Price said this is a good roll out plan. Ms. English Braga noted that the work continued during the pandemic, this is opening of a building, but the work ongoing and lifeline for a lot of folks who had their needs met.

5. Stormwater discussion – Matt Patrick

Matt Patrick, President Citizens for Protection of Waquoit Bay, which is trying to get more projects done. Mr. Patrick noted his presentation is in the Select Board packet and he summarized what they are hoping to do. He has found in his research of outfalls, that Falmouth has some of the highest rated waters in the Commonwealth, specifically Quashnet River, Childs River, Red Brook River, and Waquoit Bay with their highest designation of quality and protection. These waters are important to our economy. We have a storm water management plan and some of these outfalls are not in the plan. Road runoff is bad for our ecology, all kinds of chemicals from motor vehicles are being put in these resources. Our bays and estuaries are nurseries for small fish and shell fish; they need to grow and develop in a protected area that is mixed with salt and fresh water to grow before they head out to open water. The health of our bays is based on the number of organisms that live in the muck; that has been declining, probably due to the rainwater runoff that flows into our rivers and eventually into our bays. He would like the Town to make it a priority to address these outfalls; stormwater drains can be used, best management practices are rain gardens, which remove the nitrogen.

Ms. English Braga asked DPW Director Peter McConarty how the Select Board may address this subject matter? Mr. McConarty said that we are currently in Phase 3 of the National Discharge and Elimination program. This program requires additional housekeeping on outfalls, public education, the State is in a five year program. Each year the engineers at the U.S. Environmental Protection Agency (EPA) will go to each city/town to see what they are doing. At this time they are in enforcement mode; not all outfalls were mapped. In the mid 2000's there were over 120 of them for salt water, now they are looking into the estuaries and there will be hundreds more. Solid basins are put in, in more sensitive areas we may want to look at the wetlands area; they work great until they need to be cleaned out. If we use bio tensions and wetland areas, we would look to the most sensitive areas such as the areas around Waquoit Bay. Funding is a challenge for the DPW, so they try to do the more sensitive ones first; the costs include hiring contractors. They try to schedule the work in house and do it through the year. Vegetative wetland areas need to be done by contractors because they are more skilled at that type of work. The DPW has been working on putting interceptor basins every 300 feet on the higher levels, so the lower level of the road is the only one they are dealing with. In the years ahead the EPA and NDAE will be coming down on the cities and towns. There are grants for funding however they can be challenging, it is a lot of work, would be looking at grants for design and construction, not for maintenance. The Town will need a funding source for the maintenance. Some grants have been done, he has found the grant will take care of the cost for the first flush of 15 minutes-half an hour, that holds all the contaminants; but the Town is looking to go further up the road before it becomes a problem in the lower road areas. They have been looking at Barrows Rd. and Martin Rd., the DPW will work with Mr. Patrick on those and he would like to take care of the water before it gets in that area this year and then work on design for the other sensitive areas. The DPW Engineering Division can contact Mr. Patrick to take a look at these areas. It is direct discharge in these areas, there is no area to put the pollution control structures, for a longer solution they may be able to look at that and options, but closer you get to the sensitive areas, the options decrease.

Mr. Patrick noted the Barnstable County Conservation District has a funding program they may be able to apply for, there are issues that come up after funding. If the Select Board makes this a policy to address these issues to the environment than it will be a strong message to the Town. The Conservation Commission should want this to happen and we should not have delays in permitting.

Ms. English Braga proposed the Select Board get some further input around the idea of having the program in place and think about how the Select Board can expand and support it. She would like to have further conversations at a later date about what the numbers are and funding sources available in order to make decisions down the road. Mr. Patterson would like to see a priority list of upwells.

6. Review suggestion to send a follow-up letter to MassDOT regarding truck weight regulation and existing sight lines on Woods Hole Road

Mr. Brown explained that this is a request from residents in Woods Hole who have observed the inability of heavy trucks to stop at school crossings.

The Select Board noted that this is an issue in other areas of Falmouth, including Palmer Ave., East Falmouth Highway, and Teaticket Highway; though the specific concern about the issue of site lines on Woods Hole Rd.

Mr. Patterson would like to see the speed limits reduced because of the safety and noise issues.

**Dr. Taylor motion approval for Mr. Suso to draft and send a follow up letter addressing the site lines on Woods Hole Road and weight piece of the issue throughout the Town roads. Second Ms. English Braga. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**

7. Consideration/discussion/vote on Transportation Management Committee downtown parking report and recommendations

The Transportation Management Committee downtown parking report is posted on the Town website.

Alison Leschen reviewed via PowerPoint the results of the public survey they conducted and weave that in with the recommendations they had given earlier; the survey supports their recommendations. She would like the recommendations to be voted by the Select Board and approved tonight. Making the lots official, obvious, and publicized will make a big difference.

Ms. Scott Price asked about the feasibility of Main Street being one way, would there be room for diagonal parking and/or bikeway. Ms. Leschen noted that is not a recommendation at this time because it will require more study.

Ms. English Braga believes using and creating signage to more officially use the lots for Mullen Hall and Lawrence schools may be helpful. The problem on Main Street is not that turnover is not occurring, the problem is there is not a lot of parking available. The current three hour limit was set with input from the businesses.

Mr. Suso noted there has been an operational agreement with the School Committee on the use of those school lots for parking.

Realistic for the summer, a lot of the list is able to get started. Much on the list is minor, such as the website.

Ms. Scott Price asked about authorizing additional technology to streamline parking enforcement, what is that? Ms. Leschen said that was in case there is something out there that would streamline, so they would not need to come back to the Select Board for a specific vote. Ms. English Braga said that it would need to go through Town Meeting, it would be more of looking at any other technology that would streamline parking enforcement.

Ms. Scott Price asked if people that live in downtown have designated parking. There are no permitting systems that designate parking for those living downtown and asked if should that be included in item #6. Ms. English Braga noted they would need to weigh in on how that works, are establishments going to take that on?

Dr. Taylor asked about #3, her experience is that officers are on foot and bike ticketing cars on Main Street. Ms. Leschen said that it is budget dependent where they are and where they go, last summer it was all enforcement was in Woods Hole.

Ms. English Braga in favor of signage for schools, a subcommittee to brainstorm some of the other things, and talk about employee parking. Ms. Leschen avoided that as well, the only way they handled that was in the zones having employee stickers that would allow extended time for parking. Ms. English Braga not comfortable with #4 because that item require an expenditure.

Select Board discussed what they would include in a vote: Ms. English Braga said it makes sense for Select Board to aim for some things this summer and others for next phase. The TMC recommended actions to be taken by the Select Board as soon as possible, including the following (numbers correspond to the report in the packet,)

#1 Designate parking zones consistent with the recommendations of this report to better manage and improve parking turnover in prime downtown spaces. The Select Board would like the Transportation Management Committee to return to in the fall with more information.

#2 Designate remote parking lots. Formalize the use of school parking areas when school is not in session. With the TMC facilitation, engage with churches and other private entities in an attempt to formalize parking agreements. The Select Board noted this may be done this year.

#3 Direct the DPW to begin design process for a crossing light at Katharine Lee Bates Rd... Ms. Leschen said that this goes with zones, which are phase 2.

#8: Authorize purchase of additional technology to expedite parking enforcement. Mr. Suso noted the FPD Chief has handheld parking control units and to his knowledge they are working well.

#2 Designate remote parking lots... engage with churches and other private entities in an attempt to formalize parking agreements. Mr. Suso said incentives are unclear. Ms. Scott Price noted churches expressed interest in their parking spaces being used for employees.

#20 Direct the Town Manager and Police Chief to develop an overnight parking permit system for restaurants to issue to patrons who should not be driving. Ms. English Braga cannot support this because a requirement is being created for businesses to take this on and ramifications of it; however it is worth looking at this further. According to Mr. Suso, in general if there is a vehicle parked overnight, it is ticketed and towed, including from the Peg Noonan parking lot. Ms. Scott Price suggested having the committee further investigate an overnight parking permit system for restaurants to issue to customers.

#### Improve Connectivity:

#1 Crossing light at Katharine Lee Bates Rd. to enable safer crossing. Mr. Suso commented that DPW is working with MADOT on a crossing north of that location, they are trying to get approval and construct it. Mr. Suso suggested waiting to see the design near Goodwill Park before working on the design by Katharine Lee Bates Rd., if this is voted it sets the work program for the DPW. Ms. Leschen would rather not wait until the other one is constructed.

Language was discussed to direct the DPW to begin investigating enhanced safety measures for the Katharine Lee Bates Rd. crossing.

Peter McConarty, DPW Director, #1 and #2 public works and he have been working with Bikeways Chair, Scott Lindell, and their liaison on doing these projects. Met on site a couple times, talked about the project across the pond, from the pond they will create a separate project from the pond to Palmer Ave. and include the Palmer Ave. crossing. He would prefer to do it as one project, this is not something they have funding for right now, they can look at it, but it is not a Town project, it is through MA DOT. It was to create a wide multi use path to the intersection and cross to the other side of the street. If there is another round of Chapter 90 funding, they could look into using some of those funds to get the design process going. They are working towards it, have not heard about Chapter 90 funds for 2021. Crossing at Gifford St. near park, learned a lot from MA DOT, need a process where vehicles will stop when people want to cross the street. This would need to go to Town Meeting, the DPW is waiting to see if Chapter 90 funds come through, if not through by August when the warrant is due, then they can look at putting it in as Transportation services as a warrant.

Mr. Brown said that he would like to keep it as an idea, but does not want to make more work for the DPW.

Ms. English Braga noted that Mr. McConarty made it clear on what they are working on, Mr. Johnson-Staub can continue to update the Select Board recognizing the importance of it.

Ms. Leschen said if they can get the signs out now, then the other things can fall under jurisdiction of others, such as bikeways committee take care of the bike racks. She suggested taking #1 and 2.

**Ms. English Braga motion taking connectivity items 1 and 2. Second Ms. Scott Price. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**

**Ms. Taylor motion approval of #2 as edited. Second Ms. Scott Price. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**

**Ms. Scott Price motion approval of #5 as edited. Second Ms. English Braga. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, no; Ms. Scott Price, aye.**

Ms. English Braga asked that if the Transportation Management Committee feels strongly about item #6 she would ask them to do more investigatory work and bring it back to the Select Board in the Fall.

Ed Haddad, commented on the wayfinding signage; he would like the Historical Commission markers, at a meeting Mr. Jack said that he had consultants doing a wayfinding study and already was going on several years ago. He is interesting in accessing that study.

8. Inquiry into waiver of residency requirement for a constable

Ms. English Braga thought they would have a discussion, recognizing Bill Dalton's renewal is up, when/if the Select Board reappoints him they also need to vote a waiver. Mr. Dalton has been a constable for many years in Town, never received complaints about him, and Ms. English Braga would not have a problem issuing a waiver.

Mr. Brown suggested reviewing the constable policy because the Select Board is not consistent with their policy, there is a requirement constables pay a fee to the Town and applied equally to all constables. Constables are process servers/legal paperwork for all different proceedings, they can take people into custody for court cases where the court issues a capias to have the individual brought into the court.

**Ms. English Braga motion to waive the residency requirement for Mr. Dalton. Second Dr. Taylor. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**

9. Review committee liaison assignments

**Ms. English Braga motion to continue this item to the next Select Board meeting. Second Mr. Patterson. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**

10. Vote to affirm FY22 2% COLA for non-union employees

**Mr. Patterson motion to affirm. Second Dr. Taylor. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye; Ms. Scott Price, aye.**

11. Review and vote to approve minutes of meetings: Public session – March 22, 2021

**Mr. Patterson motion approval as edited, and release for public access. Second Dr. Taylor. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye. Abstain: Ms. Scott Price.**

12. Individual Select Board members' reports

Dr. Taylor:

5/26 attended the Cape Cod mediation training with affirmative action committee.

5/27 attended Council on Aging meeting re: opening.

Visited with Peter McConarty at the DPW.

Human Services she met 6/1/21 and listened to speakers from Housing Assistance Corporation regarding the housing crisis in Falmouth.

Attended a meeting for the Cable Advisory Board, they need more members and are looking for guidance from Select Board regarding their long term goals and activities.

Mr. Brown:

Assembly of Delegates implemented new dredging rates for the next year.

Waterways Committee put forth new projects and requests for new projects. The line item request for the budget will increase significantly each year.

Beach Committee is addressing beach nourishment and will take it up at their next meeting.

Ms. Scott Price:

Revenue Working Group for Affordable Housing, which she previously chaired, has disseminated their report to the Select Board, Town Manager, and Assistant Town Manager. It will go to others who are interested. It will also be on a future Select Board agenda for discussion.

13. Town Manager's report

Mr. Suso confirmed the search process under way for successor to retired Building Commissioner Rod Palmer, including the New England region.

The Select Board next regular business meeting will be in person meeting 7pm 6/21/21 barring any legislative action on the Governors orders.

Town Diversity Officer position update: Mr. Suso noted a Zoom meeting today reviewing the process that identified candidates that a working group will be interviewing and the interview questions. Dr. Taylor has been a part of that process.

Dr. Taylor said that a timeline was created for when they will be screening applicants and bringing them in.

The Assistant Town Planner position is continuing to be advertised; made offers to several candidates, but all declined the opportunity. In the interview process for the latest round of applicants.

**Dr. Taylor motion to adjourn at 11:11pm. Second Ms. English Braga. Roll Call Vote: Ms. English Braga aye; Mr. Brown, aye; Mr. Patterson, aye; Dr. Taylor, aye. Abstain: Ms. Scott Price.**

Respectfully Submitted,

Jennifer Chaves  
Recording Secretary

DRAFT

# **BUSINESS**

## **11. Individual Select Board Members' Reports**

# **BUSINESS**

## **12. Town Manager's Report**

## REPORT

TO: Falmouth Select Board

FROM: Julian M. Suso

JMSuso

DATE: September 10, 2021

- The Board will be convening at 6:15PM on Monday, September 13 at the Ellen Mitchell Bathhouse for a Recognition of Beach Superintendent Bruce Mogardo. From this, the Board will then temporarily adjourn to continue your regular business meeting at 7PM in the Select Board Meeting Room at Town Hall.
- Under "Summary of Actions," the Board is asked to authorize/approve a letter of support for the Falmouth Housing Corporation's proposed Scranton/Main Project. A draft letter is not yet completed to include in your Friday Board packet, but will be forthcoming.
- You have a Public Hearing under the Flow Neutral Bylaw. Under the Board's adopted "Guidelines for Waiver Consideration" per the Town Flow Neutral Bylaw, you are being asked to approve a wastewater variance for a proposed new restaurant to be included in the existing Woods Hole Market Building at 87 Water Street. A copy of your adopted Guidelines is included in your Board packet. Be advised that this request FAILS TO MEET your Guidelines, which require that the Health Department confirms that the proposal CAN BE ACCOMMODATED with an on-site Title 5 septic system. Health Agent Scott McGann has confirmed that this proposal CANNOT meet this requirement.
- Town Counsel Frank Duffy will be joining us for a discussion and potential vote on a proposed Remote Participation Policy for Boards/Committees which he has transmitted. A copy is included in your Board packet.
- Select Board members will be voting to approve proposed Articles for the November Town Meeting and to execute this Warrant. The draft in your Board packet involves 31 Articles and includes four petition articles and six carryover articles from the Charter Review Committee. Be aware that the proposed venue for this November 15 Town Meeting is the Lawrence School Auditorium. School Facilities Director of Operations Patrick Murphy has confirmed that the Lawrence School has an HVAC system that meets all ASHRAE standards and also has MERV 13 enhanced air filtration per health/safety recommendations (as is the case with all other school

buildings). I have had a brief communication with Moderator David Vieira on this and David is supportive of a return to the Lawrence venue.

- We will have a brief discussion on the planned acquisition of Electronic Radar Feedback Signs for the Woods Hole corridor. I have been working with Chief Dunne and DPW Director Peter McConarty in this public safety-driven process. We understand that it will potentially involve a challenging timeframe, as MassDOT must review and approve all involved here. We have also received a petition Warrant Article which would appropriate \$30,000 from the Embarkation Fund for this purpose.
- My compliments to our colleagues in the School Department for a fairly quiet and seamless start to the new school year. We understand the challenges presented by the return to in-person classes during the continuation of this pandemic.
- The Annual Arts Alive Festival is underway this evening through Sunday downtown. Another welcome sign of a return to more normal events.
- The planned pedestrian/bicycle access improvements to Katherine Lee Bates Road between Mullen Hall School and just beyond the Post Office Lane are continuing. This enhancement will significantly improve the safety of students and all others moving between Mullen Hall School and Lawrence School along Shivericks Pond while making this attractive “viewshed” much more available.
- We are anticipating the twentieth anniversary 9/11 Memorial Ceremony, to be held beginning at 9:45AM tomorrow in the Memorial Circle at Falmouth Fire/Rescue Headquarters.