

TOWN OF FALMOUTH

SELECT BOARD

AGENDA

MONDAY, DECEMBER 6, 2021 – 7:00 P.M.

SELECT BOARD MEETING ROOM

TOWN HALL

59 TOWN HALL SQUARE, FALMOUTH, MA 02540

7:00 p.m. OPEN SESSION

1. Call to Order
2. Pledge of Allegiance
3. Recognition – Grace Rogers
4. Announcements
5. Public Comment

7:15 p.m. SUMMARY OF ACTIONS

1. Licenses
 - a. Approve application for a Change of Officers of an All Alcohol Club License – Cape Verdean Club of Falmouth, Inc., located at 126 Sandwich Road, Teaticket
 - b. Approve application for a Change of Manager of a Wine & Malt Package Store License – MPG Corp. d/b/a Rapid Refill, located at 435 Palmer Avenue, Falmouth
 - c. Approve application for a Change of Manager of a Wine & Malt Package Store License – OSJL Spirits, LLC d/b/a Ocean State Job Lot, located at 50 Teaticket Highway, Falmouth
2. Administrative Orders
 - a. Vote to authorize Town Manager to execute Participation Agreements related to opioid litigation upon recommendation of national consortium counsel
 - b. Approve Allocation of America Recovery Plan Act (ARPA) funds for design of wastewater treatment plant upgrades and pandemic first responder bonuses

7:30 p.m. PUBLIC HEARINGS

1. FY2022 Tax Classification Hearing (15 minutes)
2. Wetlands/Dock Hearing – Nina’s Marina Realty Trust – Install new vinyl sheet pile bulkhead adjacent to and landward of existing licensed timber bulkheads, and removal of existing tongue and groove timber sheathing, located at 306 Scranton Avenue, in the waters of Falmouth Inner Harbor (15 minutes)

8:00 p.m. BUSINESS

1. Sandwich Road Fire Station design update (15 minutes)
 - Building Committee

8:15 p.m.

2. Report – Waterways Committee (15 minutes)

8:30 p.m.

3. Report – Solid Waste Advisory Committee (15 minutes)

8:45 p.m.

4. Report – Water Quality Management Committee (15 minutes)

9:00 p.m.

5. Wastewater Planning Update - Discharge Site Evaluation (30 minutes)

9:30 p.m.

6. Interview, vote and appoint committee members – Beach Committee (15 minutes)
 - a. Nancy Quigg
 - b. Edward Schmitt
 - c. Derek Pratt

9:45 p.m.

7. Discussion on Right of First Refusal on 31.7-acre property on Route 151 (15 minutes)

10:00 p.m.

8. Vote to set Special Town Meeting related to purchase of 31.7-acre property (as needed) (5 minutes)

10:05 p.m.

9. Determination of conditions to license encroachments at Bucatino's Restaurant, Rt. 151, North Falmouth (5 minutes)

10:10 p.m.

10. Announce April 2022 Town Meeting schedule (5 minutes)

10:15 p.m.

11. Presentation on proposed Sustainability Director position for Town of Falmouth – Falmouth Climate Action Network (FalCAN), Rosemary Dreger Carey (10 minutes)

10:25 p.m.

12. Discuss and Vote 2022 Select Board meeting calendar (10 minutes)

10:35 p.m.

13. Annual License Renewals (10 minutes)

ALL ALCOHOL RESTAURANT

Bear in Boots Burger Bar, 285 Main Street
Grumpy's Pub, 29 Locust Street
La Cucina sul Mare, 237 Main Street
The Cape Club, 125 Falmouth Woods Road

ALL ALCOHOL PACKAGE STORE

John's Liquors, 729 Main Street

ALL ALCOHOL CLUB

Falmouth Elks Lodge, 140 Palmer Avenue
Falmouth Yacht Club, 290 Clinton Avenue
Portuguese American Assn. of Falmouth, Inc., 55 Ashumet Road

ALL ALCOHOL INNHOLDER

Falmouth Holiday Inn, 291 Jones Road

WINE AND MALT RESTAURANT

Bangkok Thai Cuisine, 291 Main Street
Steve's Pizzeria, 374 Main Street

FARMER BREWERY

Bad Martha's, 876 East Falmouth Highway

WINE & MALT PACKAGE STORE

Ocean State Job Lot, 50 Teaticket Highway

COMMON VICTUALLER

Bad Martha's, 876 East Falmouth Highway
Bear in Boots Burger Bar, 285 Main Street
Coonamessett Farm, 277 Hatchville Road
Dunkin Donuts, 634 Holly Park Road
Dunkin Donuts, 363 East Falmouth Highway
Dunkin Donuts, 1184 Sandwich Road
Dunkin Donuts, 4 Sandwich Road
Dunkin Donuts, 614 Main Street
East Falmouth Subway, LLC, 236 Teaticket Highway
Eat Your Heart Out Café, 587 Main Street
Falmouth Elks Lodge, 140 Palmer Avenue
Falmouth Holiday Inn, 291 Jones Road
Falmouth Yacht Club, 290 Clinton Avenue

Grumpy's Pub, 29 Locust Street

La Cucina sul Mare, 237 Main Street
Moonakis Café, 460 Waquoit Highway
Prime Time House of Pizza, 743 County Road
Steve's Pizzeria, 374 Main Street
Supreme Pizza, 147 Teaticket Highway
The Cape Club, 125 Falmouth Woods Road

ENTERTAINMENT

Bad Martha's, 876 East Falmouth Highway
Coonamessett Farm, 277 Hatchville Road
Falmouth Yacht Club, 290 Clinton Avenue
Grumpy's Pub, 29 Locust Street
La Cucina sul Mare, 237 Main Street
Portuguese American Assn. of Falmouth, Inc., 55 Ashumet Road
The Cape Club, 125 Falmouth Woods Road

SUNDAY ENTERTAINMENT

Bad Martha's, 876 East Falmouth Highway
Coonamessett Farm, 277 Hatchville Road
Falmouth Yacht Club, 290 Clinton Avenue
Grumpy's Pub, 29 Locust Street
La Cucina sul Mare, 237 Main Street
The Cape Club, 125 Falmouth Woods Road

INNHOLDER

Falmouth Holiday Inn, 291 Jones Road

AUTOMATIC AMUSEMENT DEVICES

Falmouth Elks Lodge, 140 Palmer Avenue
Grumpy's Pub, 29 Locust Street

CLASS II USED CARS

Costa's Auto Body, 222 Carriage Shop Road
Falmouth Auto Works, Inc., 151 Worcester Court
Falmouth Motorcar, Inc., 716 Teaticket Highway
Savon Hatem, 561 Thomas Landers Road

VEHICLE FOR HIRE

AA Taxi, 90 Boxberry Hill Road
Falmouth Taxi, 424 East Falmouth Highway

10:45 p.m.

14. Review and Vote to Approve Minutes of Meetings: Public Session – November 22, 2021 (5 minutes)

10:50 p.m.

15. Individual Select Board Members' Reports (5 minutes)

10:55 p.m.

16. Town Manager's Report

Douglas C. Brown, Chair
Select Board

OPEN SESSION

3. Recognition – Grace Rogers



PROCLAMATION

In Recognition of Grace Ann (Packish) Rogers
April 19, 1945 – November 26, 2021 (age 76)

Whereas, Grace Rogers served the Town of Falmouth as a Falmouth Public Schools bus driver for 10 years, beloved by thousands of school children and their parents who entrusted her with their daily care and safety while traveling to and from school;

Whereas, for approximately 10 summers, Grace also drove buses for the Steamship Authority, ensuring the ease and safety of our visiting tourists;

Whereas, Grace has continued her legacy with the Town of Falmouth, by both supporting her husband, and raising children who became Falmouth public servants;

Whereas, Grace was the supportive wife of Falmouth Firefighter and Chief, James F. Rogers, who became an on-call Falmouth Firefighter in 1942, then full time in 1949, Deputy Chief at age 28 (1955), and Chief (1978) until his retirement in 1986. A total of 44 years of service.

Whereas, her brother, George Packish, was also a Falmouth Fire Chief;

Whereas, Grace raised 7 children and 2 stepsons, five of which have served or currently are serving the Town of Falmouth;

Whereas, through Grace, our Town has benefited from close to 150 years of service, through herself and her family. None of this would have been possible without this amazing woman!

NOW THEREFORE, We, Douglas C. Brown, Nancy R. Taylor, Samuel H. Patterson, Megan English Braga and Onjalé Scott Price as Select Board members of the Town of Falmouth, by authority vested in us, do HEREBY PROCLAIM

DECEMBER 3, 2021 AS GRACE ROGERS DAY

IN WITNESS THEREOF, We have hereunto set our hand and caused the Great Seal of the Town of Falmouth to be affixed on December 6, 2021.

Douglas C. Brown, Chair

Megan English Braga

Nancy R. Taylor, Vice Chair

Onjalé Scott Price

Samuel H. Patterson

SELECT BOARD

RECOGNITION of Grace Ann (Packish) Rogers
April 19, 1945 – November 26, 2021 (age 76)

On behalf of the Rogers Family, I respectfully request that the Town, through you, declare this Friday, December 3, 2021, *Grace Rogers Day* and that her passing is mentioned during the next Select Board Meeting (December 6, 2021) under Recognition.

Grace Rogers served the Town of Falmouth as a Falmouth Public Schools bus driver for 10 years, beloved by thousands of school children and their parents who entrusted her with their daily care and safety while traveling to and from school.

For approximately 10 summers, Grace also drove buses for the Steamship Authority, ensuring the ease and safety of our visiting tourists.

Grace has continued her legacy with the Town of Falmouth, by both supporting her husband, and raising children who became Falmouth public servants:

She was the supportive wife of Falmouth Firefighter and Chief, James F. Rogers, who became an on-call Falmouth Firefighter in 1942, Full time in 1949, Deputy Chief at age 28 (1955), and Chief (1978) till his retirement in 1986. A total of 44 years of service.

Her brother, George Packish was also a Falmouth Fire Chief.

She raised 7 children and 2 stepsons, five of which have/is currently serving the Town of Falmouth:

Glen Rogers – Falmouth Firefighter and Falmouth Deputy Chief- 32 years (went on to be the Fire Chief for Manchester-by-the-Sea and currently Fire Chief for Wrightsville Beach, N.C.)

James Rogers- currently a Patrolman with the Falmouth Police Department for the past 25 years.

Michael Rogers-Falmouth Police Department, Sergeant- 22 years (retired)

Terrance Roger-Falmouth Firefighter, Lieutenant and Head of EMS- 10 years

Richard Rogers-formerly of the DPW Parks then the Water Department- 5 years.

(continued on page 2)

Through Grace, our Town has benefited from close to 150 years of service, through herself and her family. None of this would have been possible without this amazing woman!

The link to her obituary is: <https://www.chapmanfuneral.com/obituaries/Grace-A-Rogers?obId=23219629#/obituaryInfo>

Family and friends will be gathered at the Elk's Club in Falmouth from noon'ish to 5 p.m. on this Friday, December 3, 2021.

I realize that the timeline is short, but it is my wish that you can/will declare Friday, December 3, 2021, *Grace Rogers Day* in the Town of Falmouth; and my further hope that a member of the Select Board could drop into the reception for Grace and present this declaration to her family.

I will be the contact person for this. I sincerely thank you in advance for your efforts to honor this wonderful woman of Falmouth.

Regards,

Cathi Valeriani

1409 Sandwich Road, Ashumet Valley, Hatchville

email: [REDACTED]
[REDACTED]
[REDACTED]



Grace A. Rogers

April 19, 1945 - November 26, 2021

Grace A. Rogers, 76, of Falmouth, passed away peacefully with her family by her side on November 26, 2021, after a lengthy battle with kidney disease. She was the wife of retired Falmouth Fire Chief James F. Rogers who passed away in 2013.

Grace was born in Oak Bluffs on April 19, 1945, the child of Annie Arruda (Amaral) of Oak Bluffs and Earl H. Bass of Chicago Illinois. Grace was born and raised on Martha's Vineyard and was proud to be a Vineyarder. She graduated from Martha's Vineyard Regional High School with the class of 1964 where she was a standout basketball player. After high school, she moved to Falmouth and married Jim Rogers, and started their family. Grace devoted much of her life to being at home and raising their children. She truly loved spending time with family and could never get enough of watching or hearing about her grandchildren's sporting events and other interests.

Grace drove school buses for the Falmouth Public Schools for many years and adored the children who rode her bus. Grace was honored as the bus driver of the year in 2006-2007. During the summer months, she also drove buses for the Steamship Authority where she made many lasting friendships. Grace enjoyed an occasional trip to Disney World and more recently she enjoyed taking regular trips to local casinos with family and friends. She also enjoyed the social aspect of her dialysis treatments and would often meet her fellow patients/friends to chat well before the nurses arrived to unlock the building.

Earlier this year Grace discovered who her biological father was and that she had several other siblings. Her newly discovered sister Merle was delighted to finally have a sister and insisted on traveling from the west coast to meet Grace. In addition to the meeting with Merle, they also spoke via video and Grace was able to learn about her biological father and new siblings.

Grace is survived by her seven children and two stepchildren, Dennis, Glen and his fiancé Dee Vuncannon, Ann and her fiancé Scott Lambert, James and his wife Ela, Michael and his wife Stacey, Pamela and her partner John Munroe, Richard and his wife Debbi, Terrance and his wife Megan, John and his wife Katelyn as well as 19 grandchildren and 5 great-grandchildren. She also leaves behind several loving siblings, Theresa Baptiste, George Packish, Mardell Francis, Emily Frank, Roger Bass and Merle Heineke.

In addition to her husband and parents, she was predeceased by her siblings, Robert Packish, Bernice Packish, Richard Packish, Clement Packish, Majorie Denningham, Elizabeth Blanchard and Earl M. Bass.

Visitation will be held Friday, Dec 3, 2021, from 9-11AM at Chapman's Funeral & Cremations, 475 Main St. Falmouth, followed immediately by a graveside service and burial at the Church of the Messiah, 22 Church St. Woods Hole.

Events



FUNERAL SERVICE

9:00 AM - 11:00 AM

Chapman Funerals &
Cremations - Falmouth
475 Main Street,
Falmouth, MA 02450

OPEN SESSION

5. Public Comment

**FALMOUTH BOARD OF SELECTMEN
POLICY ON PUBLIC COMMENT AND PARTICIPATION**

The Board of Selectmen values public comment and participation in matters before the board. Meetings of the Board of Selectmen are conducted in accordance with G.L. c. 30A, ss. 18 – 25 known as the Open Meeting Law (“the OML”). A **meeting** is generally defined as “a deliberation by a public body with respect to any matter within the body’s jurisdiction.” A **deliberation** is defined as “an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction.” As a general rule, members of the Board of Selectmen are permitted to deliberate and act upon matters identified as an agenda item in the Notice of Meeting posted for the meeting in accordance with the OML. If a matter is not identified as an agenda item in the Notice of Meeting, the board may not deliberate and act upon it unless there are emergency circumstances. For this reason the board has promulgated this policy on public comment and participation at its meetings.

There are two parts to the policy. The first relates to public comment and participation in a matter identified as an agenda item in the Notice of Meeting. The second relates to public comment and participation in a matter which is not identified as an agenda item in the Notice of Meeting.

**PUBLIC COMMENT AND PARTICIPATION IN A MATTER
IDENTIFIED AS AN AGENDA ITEM IN THE NOTICE OF MEETING
WITH BOARD OF SELECTMEN PARTICIPATION**

The OML grants the public the right to attend any meeting of a public body except an executive session. An individual in attendance may not address the public body without the permission of the chair. An individual may not disrupt the meeting of a public body and the audience must remain silent. It is within the discretion of the chair to issue warnings to or order the dismissal of members of the public who disrupt the meeting or fail to heed warnings.

At the beginning of any meeting of the board, the chair shall call the meeting to order and announce any relevant information pertaining to public comment and participation on a matter identified as an agenda item in the Notice of Meeting. Ordinarily public comment and participation will be permitted only when the item is reached for deliberation by the board in accordance with the agenda.

There shall be no time limit on recognized public speakers unless 1) the chair announces the limit beforehand and 2) the limit applies equally to all speakers. No speaker may yield to another speaker without the permission of the chair. All speakers will be expected to focus remarks on the matter identified as an agenda item in the Notice of Meeting and remain "on topic." There shall be no discrimination based upon the speaker's viewpoints. The chair may terminate the comments and participation of any speaker who continues to make irrelevant and extraneous remarks after warning by the chair.

Any speaker who reads from a document or displays an exhibit to the board must leave a copy with the board to be filed with the minutes of the meeting.

Any member of the public or any representative of a group may request to address the Board of Selectmen if the matter pertains to a matter within the jurisdiction of the board and the matter will likely require participation and action by members of the board. In these circumstances the person or representative of a group must inform the Town Manager who will confer with the chair to determine if and when the matter might be identified as an agenda item on the Notice of Meeting of a future meeting of the board.

**PUBLIC COMMENT AND PARTICIPATION IN A MATTER
NOT IDENTIFIED AS AN AGENDA ITEM IN THE NOTICE OF MEETING
WITHOUT BOARD OF SELECTMEN PARTICIPATION**

It is the practice of the Board of Selectmen to schedule a "PUBLIC COMMENT" period during regularly scheduled meetings of the board. The purpose of the public comment period is to allow any person or a representative of a group to briefly address the board on routine matters not identified as an agenda item on the Notice of Meeting. During the public comment period, the Board of Selectmen will not engage in discussion with the speaker or take any action on the matter.

The public comment period may be used to announce events or other matters which do not require deliberation or action by the board.

The public comment period is a discretionary matter and the board may omit the public comment period from the Notice of Meeting to prioritize available time for other matters. The public comment period is subject to such rules as the board may promulgate from time to time.

**THE PUBLIC COMMENT PERIOD IS SUBJECT TO THE FOLLOWING PROCEDURE,
SUBJECT TO CHANGE AT THE DISCRETION OF THE BOARD**

1. Early on the agenda there will be a public comment period for individuals or group representatives to address the Board of Selectmen on any issue under the jurisdiction of the board. The Chairperson will determine the duration of the public comment period depending on the number of persons who inform the chair of intent to address the board. The duration of the public comment period will ordinarily not exceed ten (10) minutes.
2. Speakers will be allowed two (2) minutes and the chair may allow a group representative more time to avoid repetitive comments from multiple speakers.
3. Speakers may address the board on any subject within the jurisdiction of the board, which is subject to reasonable determination by the chair. Speakers may not address the board on any subject that is the subject of an agenda item of the meeting. The chair will direct the speaker to wait for the agenda item to be identified and taken up by the board at that time.
4. If it is necessary for the speaker to identify a town employee or other person, the speaker may do so. Comments about job performance and decisions made are permissible, but it is not appropriate to use the public comment period to comment on any person's reputation, character, physical condition or mental health, disciplinary matters or civil or criminal charges. These matters are subject to discussion in executive session as provided in the Open Meeting Law. Any speaker in doubt about a proper purpose for executive session should confer with the Town Manager in advance of the meeting.
5. Any other subject which is a proper purpose for executive session as provided in the Open Meeting Law is not a proper subject for the public comment session. Any speaker in doubt about a proper purpose for executive session should confer with the Town Manager in advance of the meeting.
6. The use of obscenities, threats of violence or other speech likely to provoke a violent reaction is prohibited and the chair may issue a warning to or order the dismissal of the speaker.
7. All remarks or statements must be made to the chair and the speaker may not ask questions of any member of the board or the public in attendance.
8. Member of the board are not permitted to respond to any comment made during the public comment period. If any comment requires a response, the chair will direct the Town Manager to respond after the meeting or place the matter on the agenda for a subsequent board meeting for public discussion and action.



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

Speakers Policy

Adopted: November 5, 2012

This policy is to promote orderly public hearings and insure the efficient administration of business, while maintaining civility of all attendees before town boards and committees.

1. The chair shall call the meeting to order and introduce all board members present to the public in attendance and identify the voting members if there are alternate or associate members present.
2. The Board shall conduct its business in accordance with the open meeting law.
3. Only speakers recognized by the chair shall be permitted to speak. All persons wishing to speak shall be recognized by the chair in the order determined by the chair.
4. There shall be no time limit on recognized speakers unless, 1) the chair announces the limit at the beginning of the hearing, and 2) the limit applies equally to all speakers. No speaker may yield to another speaker without permission of the chair.
5. Speakers shall focus remarks on the agenda item and remain "on topic". There shall be no discrimination based upon the speaker's viewpoint. The chair may terminate extraneous and irrelevant remarks after warning the speaker to focus remarks on the subject matter.
6. Members of the public audience shall remain silent until recognized as a speaker by the chair.
7. Personal remarks about any member of the Board, any person having business before the Board or any other identified individual are not appropriate conduct. The chair may dismiss a speaker who violates this policy after warning the speaker to refrain from personal remarks.
8. Any person who interrupts the meeting or refuses to keep quiet or otherwise disrupts the proceedings of the Board shall be admonished by the chair to comply with this policy. If the interruption or disruption continues, the chair may ask the offender to leave the meeting room, and if the offender refuses, the chair may summons a police officer or constable for the purpose of removal.
9. The minutes of the meeting shall reflect any admonishment or warning given to a speaker and any other action taken with respect to enforcement of this policy.
10. Members of the Board shall conduct themselves respectfully to other board members, speakers and members of the public in attendance.

OPEN SESSION

SUMMARY OF ACTIONS

1. Licenses

- a. Approve application for a Change of Officers of an All Alcohol Club License – Cape Verdean Club of Falmouth, Inc., located at 126 Sandwich Road

LICENSE APPLICATION REVIEW

Restaurant/Business: Cape Verdean Club of Falmouth

Address: 126 Sandwich Road, Teaticket

License Type: All Alcohol Club License

New or Transfer of License _____

or

Change of License Change of Officers

Police _____

Fire _____

Building No issues

Health _____

Zoning _____

Planning _____

DPW _____

NOTES:



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth

00059-CL-0390

City/Town

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/Directors/LLC Managers
- Change of Ownership Interest (LLC Members/ LLP Partners, Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA

APPLICANT INFORMATION

Name of Licensee DBA

Street Address Zip Code

Manager

Granted under Special Legislation? Yes No

If Yes, Chapter
of the Acts of (year)

Type (i.e. restaurant, package store) Class (Annual or Seasonal) Category (i.e. Wines and Malts / All Alcohol)

DESCRIPTION OF PREMISES Complete description of the licensed premises

One Floor - Main Room, anteroom, kitchen. Storage in basement. Outside deck and patio area approximately 900 sq. ft.

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date Time

Advertised Yes No Date Published Publication

Abutters Notified: Yes No Date of Notice

Date APPROVED by LLA Decision of the LLA

Additional remarks or conditions (E.g. Days and hours)

For Transfers ONLY:
Seller License Number: Seller Name:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR MULTIPLE AMENDMENTS

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
Cape Verdean Club of Falmouth	Falmouth	00059-CL-0390

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

non-profit social club providing entertainment and cultural education to members and guest

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

Name	Title	Email	Phone
Corrie Green	Treasurer	capeverdeanclubfalmouth@gmail.com	508-241-0866

2. AMENDMENT-Change of License Classification

<input type="checkbox"/> Change of License Category All Alcohol, Wine and Malt, Wine Malt and Cordials	Last-Approved License Category	
	Requested New License Category	
<input type="checkbox"/> Change of License Class Seasonal or Annual	Last-Approved License Class	
	Requested New License Class	
<input type="checkbox"/> Change of License Type* i.e. Restaurant to Club *Certain License Types CANNOT change once issued*	Last-Approved License Type	
	Requested New License Type	

3. AMENDMENT-Change of Business Entity Information

<input type="checkbox"/> Change of Corporate Name	Last-Approved Corporate Name:	
	Requested New Corporate Name:	
<input type="checkbox"/> Change of DBA	Last-Approved DBA:	
	Requested New DBA:	
<input type="checkbox"/> Change of Corporate Structure LLC, Corporation, Sole Proprietor, etc	Last-Approved Corporate Structure	
	Requested New Corporate Structure	

4. AMENDMENT-Pledge Information

<input type="checkbox"/> Pledge of License	To whom is the pledge being made:	
<input type="checkbox"/> Pledge of Inventory		
<input type="checkbox"/> Pledge of Stock		

APPLICANT'S STATEMENT

I, Lawrence Balbuena the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory

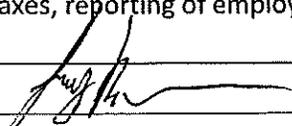
of Cape Verdean Club of Falmouth
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

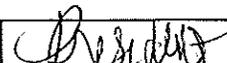
Signature:



Date:

11/4/21

Title:



Corporations Division

Business Entity Summary

ID Number: 042499113

[Request certificate](#)[New search](#)

Summary for: CAPE VERDEAN CLUB OF FALMOUTH, INC.

The exact name of the Nonprofit Corporation: CAPE VERDEAN CLUB OF FALMOUTH, INC.			
Entity type: Nonprofit Corporation			
Identification Number: 042499113		Old ID Number: 000011150	
Date of Organization in Massachusetts: 08-09-1944		Date of Revival: 5/16/1989 12:00:00 AM	
Date of Involuntary Revocation: 11-17-1986		Last date certain:	
Current Fiscal Month/Day: /		Previous Fiscal Month/Day: 00/00	
The location of the Principal Office in Massachusetts:			
Address: P. O. BOX 2298 126 SANDWICH RD.			
City or town, State, Zip code, TEATICKET, MA 02536 USA			
Country:			
The name and address of the Resident Agent:			
Name:			
Address:			
City or town, State, Zip code,			
Country:			
The Officers and Directors of the Corporation:			
Title	Individual Name	Address	Term expires
PRESIDENT	LAWRENCE BALBUENA	3 LEONARD DRIVE EAST FALMOUTH, MA 02536 USA	Until Successors are duly qualified and elected
TREASURER	CORRENIA GREEN MA	46 HIGHLAND ST MASHPEE, MA 02649 USA	Until Successors are duly qualified and elected
VICE PRESIDENT	PHILOMENA GILBERT	19 WHEELHOUSE CIRCLE EAST FALMOUTH, MA 02536 USA	Until Successors are duly qualified and elected
CLERK	CYNTHIA RODRIQUES	492 EAST FALMOUTH HIGHWAY EAST FALMOUTH, MA 02536 USA	Until Successors

			are duly qualified and elected
ASSISTANT CLERK	ROSALIND EDWARDS	100 TEATICKET HIGHWAY EAST FALMOUTH, MA 02536 USA	Until Successors are duly qualified and elected
DIRECTOR	TAHRIAH EDWARDS	4 FRANK CUTTER ROAD WAREHAM, MA 02532 USA	Until Successors are duly qualified and elected

Consent
 Confidential Data
 Merger Allowed
 Manufacturing

Note: Additional information that is not available on this system is located in the Card File.

View filings for this business entity:

ALL FILINGS ▲

Annual Report

Application For Revival

Articles of Amendment

Articles of Consolidation - Foreign and Domestic ▼

[View filings](#)

Comments or notes associated with this business entity:

[New search](#)



Cape Verdean Club of Falmouth, Inc.

126 Sandwich Road
P.O. Box 2298
Teaticket, Ma. 02536
508-548-9021
capeverdeanclubfalmouth@gmail.com

November 1, 2021

RE: ABCC requirement:

OFFICERS: No salary or compensation:

Pres: Lawrence Balbuena- 67 Homestead Lane Teaticket, MA 02536

VP: Philomena Gilbert- 19 Wheelhouse Circle East Falmouth, MA 02536

Treas: Correnia Green- 46 Highland Street Mashpee, MA 02649

Sec: Cindi Rodriques- 492 East Falmouth Highway East Falmouth MA 02536

BOARD OF DIRECTORS: No salary or compensation:

Rosalind Edwards- 100 Teaticket Highway apt 1207 Teaticket, MA 02536

Tahirah Edwards- 4 Frank Cutler Drive Wareham, MA 02571

Bruce Edwards- PO Box 660 West Hyannisport, MA 02647

Robert Gonsalves- 112 Sandwich Road Teaticket, MA 02536

Bruce Johnson- 195 Central Avenue East Falmouth, MA 02536

BARTENDERS: No salary or compensation:

Lawrence Balbuena- listed above

Tahirah Edwards- listed above

Cindi Rodriques- listed above

Norman Morse- 164 Vincent Avenue East Providence, RI 02914

Thank you,

Philomena Gilbert, President

(pmgilbert47@gmail.com)



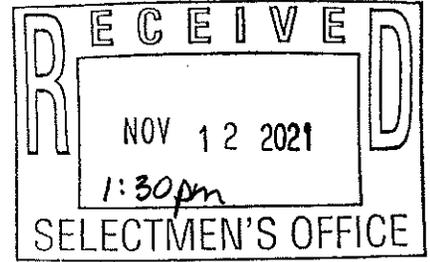
The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR MULTIPLE AMENDMENTS

Please select all of the amendments you are applying for(continued):

Non-Profit Club's ONLY

e.g. Veteran's Club



Non-Profit Club CHANGE OF OFFICERS/DIRECTORS

- ✓ DOR Certificate of Good Standing
- ✓ DUA Certificate of Compliance
- ✓ Change of Officers/Directors Application
- ✓ Vote of the club signed by an approved officer
- ✓ Business Structure Documents-Articles of Organization from the Secretary of the Commonwealth
- ✓ CORI Authorization Form This form must be *notarized with a stamp or raised seal.*
- ✓ Monetary Transmittal Form
- ✓ \$200 fee via ABCC website and Payment Receipt

Non-Profit Club CHANGE OF MANAGER

- \$200 fee via ABCC website and Payment Receipt
- Monetary Transmittal Form
- Change of Manager Application
- Vote of the club signed by an approved officer
- CORI Authorization Complete one for the proposed manager of record. This form must be *notarized with a stamp or raised seal.*
- Updated Officers and Directors*
- *Please ensure to update your officers and directors *simultaneously* or PRIOR to applying for a change of manager. It will be returned with no action taken if the officers and directors do not match ABCC records.
- Proof of Citizenship. Passport, birth certificate, voter registration, or naturalization papers will be accepted.

OPEN SESSION

SUMMARY OF ACTIONS

1. Licenses

- b. Approve application for a Change of Manager of a Wine & Malt Package Store License – MPG Corp. d/b/a Rapid Refill, located at 435 Palmer Avenue, Falmouth

LICENSE APPLICATION REVIEW

Restaurant/Business: Rapid Refill

Address: 435 Palmer Avenue, Falmouth

License Type: Wine & Malt Beverages Package Store

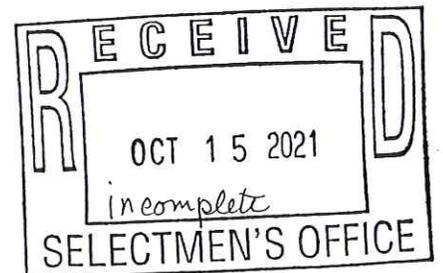
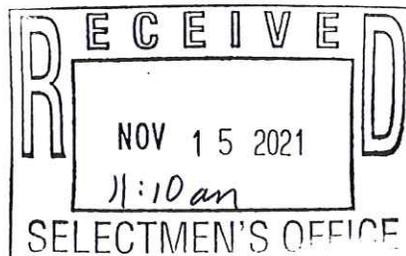
New or Transfer of License _____

or

Change of License Change of Manager

- Police _____
- Fire No issues
- Building No issues
- Health _____
- Zoning No concerns
- Planning _____
- DPW _____
- . _____
- . _____
- . _____
- . _____
- . _____

NOTES:





The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth

City/Town

00220-PK-0390

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/Directors/LLC Managers
- Change of Ownership Interest (LLC Members/ LLP Partners, Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA

APPLICANT INFORMATION

Name of Licensee DBA

Street Address Zip Code

Manager

Granted under Special Legislation? Yes No

If Yes, Chapter
of the Acts of (year)

Type (i.e. restaurant, package store) Class (Annual or Seasonal) Category (i.e. Wines and Malts / All Alcohol)

DESCRIPTION OF PREMISES Complete description of the licensed premises

The premise is a 400 square foot building with a convenience store inside. There is one access on the south side of the building and one access on the east side of the building.

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date Time

Advertised Yes No Date Published Publication

Abutters Notified: Yes No Date of Notice

Date APPROVED by LLA Decision of the LLA

Additional remarks or conditions (E.g. Days and hours)

For Transfers ONLY:
Seller License Number: Seller Name:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

AMENDMENT-Change of Manager

Change of License Manager

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
MPG Corporation	Town of Falmouth	00220-PK-0390

2. APPLICATION CONTACT

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

Name	Title	Email	Phone
Peter Garrett	President	pgarrett@voltaoil.com	774-404-7056

3A. MANAGER INFORMATION

The individual that has been appointed to manage and control of the licensed business and premises.

Proposed Manager Name	Daniel Fortunato	Date of Birth		SSN	
Residential Address	55 Guillotte Street, Acushnet, MA 02743				
Email	dfortunato@voltaoil.com	Phone			
Please indicate how many hours per week you intend to be on the licensed premises	20	Last-Approved License Manager	Ben Bolen		

3B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen? Yes No *Manager must be U.S. citizen
 If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.
 Have you ever been convicted of a state, federal, or military crime? Yes No
 If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

3C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
11/2020	Present	District Manager	Volta Oil- MPG Corporation	Peter Garrett
12/2014	11/2020	Store Training Manager	CVS Caremark Corporation	

3D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature	<i>Daniel Fortunato</i>	Date	10.5.21
---------------------	-------------------------	------	---------

CORPORATE VOTE

The Board of Directors or LLC Managers of Entity Name
duly voted to apply to the Licensing Authority of and the
City/Town
Commonwealth of Massachusetts Alcoholic Beverages Control Commission on
Date of Meeting

For the following transactions (Check all that apply):

Change of Manager

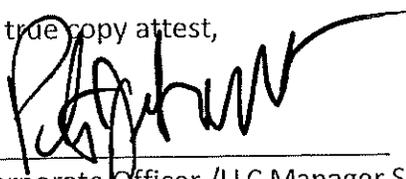
Other

"VOTED: To authorize Name of Person

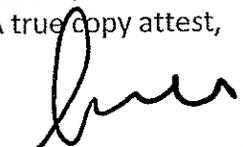
to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,


Corporate Officer /LLC Manager Signature
Peter J. Garrett
(Print Name)

For Corporations ONLY
A true copy attest,


Corporation Clerk's Signature
STEPHEN P GARRETT
(Print Name)

APPLICANT'S STATEMENT

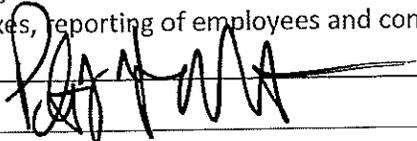
I, Peter Garrett the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory
of MPG Corporation
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:



Date:

October 5, 2021

Title:

President

This is your official TIPS certification card. Carry it with you as proof of your TIPS certification.

Congratulations!

This card certifies that you have successfully completed the TIPS (Training for Intervention Procedures) program. We value your participation and dedication to the responsible sale, service, and consumption of alcohol.

By using the techniques you have learned, you will help to provide a safer environment for your patrons, peers, and colleagues and reduce the tragedies resulting from intoxication, underage drinking, and drunk driving.

If you have any information you think would enhance the TIPS program, or if we can assist you in any way, please contact us at 800-438-8477.



Sincerely,

A handwritten signature in black ink, which appears to read "Adam Chafetz".

Adam F. Chafetz
HCI President

ID#: 5551694 Name: Daniel M Fortunato
Exam Date: 9/9/2021 Expiration Date: 9/9/2024

TIPS eTIPS Off Premise 3.1 **CERTIFIED**
Issued: 9/9/2021 Expires: 9/9/2024
ID#: 5551694

Daniel M Fortunato
M.P.G. Corp.
Volta Oil
1 Roberts Rd
Plymouth, MA 02360-5087

For service visit us online at www.gettips.com

Phyllis Downey

From: Douglas DeCosta
Sent: Friday, November 5, 2021 2:26 PM
To: Phyllis Downey
Cc: Diane Davidson
Subject: Background Check- Daniel Fortunato Garrett's Family Market

Background Check- Daniel Fortunato Garrett's Family Market Manager of Alcoholic Beverage License

A background check has been completed by the Falmouth Police Department of the municipal license applicant listed below:

Daniel Fortunato Garrett's Family Market

The department did not locate anything that may disqualify this municipal license applicant.

Sincerely,

Lieutenant Douglas DeCosta
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office: 774-255-4527
Fax: 508-457-2566
douglas.decosta@falmouthpolicema.gov
www.falmouthpolice.us



-----NOTICE-----

This email is intended for professional and business purposes of the Falmouth Police Department. The contents of this email message and any attachments are confidential and are intended solely for the addressee. If you are not the intended recipient please notify the sender and delete this message.

OPEN SESSION

SUMMARY OF ACTIONS

1. Licenses

- c. Approve application for a Change of Manager of a Wine & Malt Package Store License – OSJL Spirits, LLC d/b/a Ocean State Job Lot, located at 50 Teaticket Highway, Falmouth

LICENSE APPLICATION REVIEW

Restaurant/Business: Ocean State Job Lots

Address: 50 Teaticket Highway, Falmouth

License Type: Wine & Malt Beverages Package Store

New or Transfer of License _____

or

Change of License Change of Manager

Police

No objections, pending CORI check

Fire

No issues

Building

Health

Zoning

Planning

DPW

NOTES:



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

Falmouth

City/Town

00213-PK-0390

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

- New License
- Change of Location
- Change of Class (i.e. Annual / Seasonal)
- Change Corporate Structure (i.e. Corp / LLC)
- Transfer of License
- Alteration of Licensed Premises
- Change of License Type (i.e. club / restaurant)
- Pledge of Collateral (i.e. License/Stock)
- Change of Manager
- Change Corporate Name
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Management/Operating Agreement
- Change of Officers/Directors/LLC Managers
- Change of Ownership Interest (LLC Members/LLP Partners, Trustees)
- Issuance/Transfer of Stock/New Stockholder
- Change of Hours
- Other
- Change of DBA

APPLICANT INFORMATION

Name of Licensee DBA

Street Address Zip Code

Manager

Granted under Special Legislation? Yes No

If Yes, Chapter

of the Acts of (year)

Type (i.e. restaurant, package store) Class (Annual or Seasonal) Category (i.e. Wines and Malts / All Alcohol)

DESCRIPTION OF PREMISES Complete description of the licensed premises

LOCAL LICENSING AUTHORITY INFORMATION

Application filed with the LLA: Date Time

Advertised Yes No Date Published Publication

Abutters Notified: Yes No Date of Notice

Date APPROVED by LLA Decision of the LLA

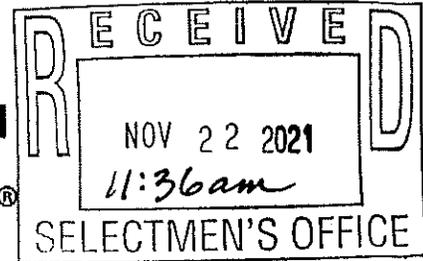
Additional remarks or conditions (E.g. Days and hours)

For Transfers ONLY:
Seller License Number: Seller Name:

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

Ocean State JOB LOT®



375 Commerce Park Road
North Kingstown, RI 02852

November 19, 2021

Town of Falmouth
Office of the Town Manager & Selectmen
59 Town Hall Square
Falmouth, MA 02540

Re: OSJL Spirits, LLC
Db a Ocean State Job Lot #205
50 Teaticket Highway
Falmouth, MA 02536

To Whom It May Concern:

Please find enclosed 2022 Retail License Renewal Application,, payment in the amount of One Thousand One hundred Ninety Dollars (\$1,190.00), Check #1414513786, and other requested documentation for the location mentioned above.

Also enclosed is an Amendment-Change of Manager application, payment in the amount of Two Hundred Dollars (\$200.00), which was paid via the MA ABCC pay portal on November 19, 2021 and payment in the amount of Eighty dollars (\$80.00), check #1006000130 for the Town of Falmouth.

Once the license has been issued, please mail to my attention at Ocean State Job Lot, 375 Commerce Park Road, North Kingstown, RI 02852. I will then make a copy for our corporate records and send the original to the store for posting.

Should you need any additional information please do not hesitate to contact me at 401-443-9775 Monday-Friday 8:00am-4:30pm or you can email me at j.fredette@osjl.com.

Thank you,


Jenn Fredette
Licensing Coordinator

Enclosures
USPS



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 239 Causeway Street, Boston, MA 02114
 www.mass.gov/abcc

AMENDMENT-Change of Manager

Change of License Manager

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
OSJL Spirits	Falmouth	02013-PK-0390

2. APPLICATION CONTACT

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

Name	Title	Email	Phone
Jennifer Fredette	Licensing Coordinator	permits@osjl.com	401-443-9775

3A. MANAGER INFORMATION

The individual that has been appointed to manage and control of the licensed business and premises.

Proposed Manager Name	Paula Leandre Rico	Date of Birth		SSN	
Residential Address	324 Cottage Street, New Bedford, MA 02740				
Email		Phone			
Please indicate how many hours per week you intend to be on the licensed premises	50	Last-Approved License Manager	Ryan Potter		

3B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen? Yes No *Manager must be U.S. citizen
 If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.
 Have you ever been convicted of a state, federal, or military crime? Yes No
 If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition

3C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
11/7/2016		Area Leader	Ocean State Job Lot	Michael Vescera
12/03/2008	10/05/2016	Assistant Manager	Walmart	Kylie Corchado

3D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature Paula Leandre Rico Date 11-5-2021

APPLICANT'S STATEMENT

I, Donna McLeod the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory
of OSJL Spirits, LLC
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature: Donna McLeod

Date: 11/18/21

Title: LLC Manager

CORPORATE VOTE

The Board of Directors or LLC Managers of Entity Name

duly voted to apply to the Licensing Authority of and the City/Town

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on Date of Meeting

For the following transactions (Check all that apply):

Change of Manager

Other

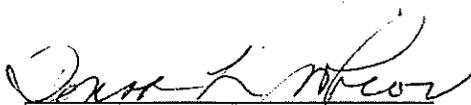
"VOTED: To authorize Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

"VOTED: To appoint Name of Liquor License Manager

as its manager of record, and hereby grant him or her with full authority and control of the premises described in the license and authority and control of the conduct of all business therein as the licensee itself could in any way have and exercise if it were a natural person residing in the Commonwealth of Massachusetts."

A true copy attest,


Corporate Officer/LLC Manager Signature

For Corporations ONLY

A true copy attest,

Corporation Clerk's Signature

Certificate of Completion

This Certificate of Completion of
eTIPS Off Premise 3.1
For coursework completed on November 4, 2021
provided by Health Communications, Inc.
is hereby granted to:

Paula Leandre-Rico

Certification to be sent to:

Ocean State Job Lot
50B Teaticket Hwy
Teaticket MA, 02536-5615 USA



HEALTH COMMUNICATIONS, INC.



This document is not proof of TIPS certification. It signifies only that you have completed the course. Valid certification documents will be forwarded to you.

Phyllis Downey

From: Douglas DeCosta
Sent: Thursday, November 18, 2021 4:42 PM
To: Phyllis Downey; Diane Davidson
Subject: Background Check- Paula Leandre-Rico of Ocean State Job Lot

Background Check- Paula Leandre-Rico of Ocean State Job Lot Manager of Alcoholic Beverage License

A background check has been completed by the Falmouth Police Department of the municipal license applicant listed below:

Paula Leandre-Rico of Ocean State Job Lot

The department did not locate anything that may disqualify this municipal license applicant.

Sincerely,

Lieutenant Douglas DeCosta
Falmouth Police Department
750 Main Street
Falmouth, MA 02540
Office: 774-255-4527
Fax: 508-457-2566
douglas.decosta@falmouthpolicema.gov
www.falmouthpolice.us



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This email is intended for professional and business purposes of the Falmouth Police Department. The contents of this email message and any attachments are confidential and are intended solely for the addressee. If you are not the intended recipient please notify the sender and delete this message.

SUMMARY OF ACTIONS

2. Administrative Orders

- a. Vote to authorize Town Manager to execute Participation Agreements related to opioid litigation upon recommendation of national consortium counsel

Vote:

The Select Board of the Town of Falmouth, Massachusetts hereby appoints Julian M. Suso, Town Manager, to execute, sign, seal and deliver to the town's counsel of the National Opioid Litigation Consortium such settlement Participation Agreements and other incidental documents as recommended by said counsel to enable the town to participate in settlements with defendant manufacturers and distributors of opioids.

Diane Davidson

From: Julian Suso
Sent: Tuesday, November 30, 2021 8:52 AM
To: Diane Davidson
Cc: Frank Duffy; Peter Johnson-Staub
Subject: Fwd: Opioid litigation

Good Morning Diane,
FYI. Please place on SB agenda for Monday under Summary of Actions. Thanks.
Julian

Sent from my iPhone

Begin forwarded message:

From: Frank Duffy <frank.duffy@falmouthma.gov>
Date: November 30, 2021 at 8:42:20 AM EST
To: Julian Suso <julian.suso@falmouthma.gov>
Cc: Peter Johnson-Staub <peter.johnson-staub@falmouthma.gov>
Subject: Opioid litigation

Julian: there is much activity in the opioid litigation and it is all focused on potential settlement. I recently received notice of settlements with certain opioid distributors and manufacturers including Johnson & Johnson. There is a Participation Agreement for each settlement. Our national counsel has recommended each municipal plaintiff execute the Participation Agreement. They provide that the proposed settlements are not effective unless 95% of the municipal plaintiffs agree to participate in the settlement. A municipality that does not elect to participate may not share in the distribution of funds from the settlement.

Details of the settlement are difficult to determine at this time. It appears the funds will be distributed initially to the states, not the municipalities, for further distribution according to a formula agreed to independently by each state and its municipalities. There is presently no agreement for Massachusetts. While this is not ideal, it now appears to be the most efficient and effective way to distribute and share the proceeds of the settlements.

Our national counsel has asked each municipality to designate an officer to execute the two Participation Agreements. This will require a Select Board vote. I submit the following for consideration by the Select Board:

The Select Board of the Town of Falmouth, Massachusetts hereby appoints Julian M. Suso, Town Manager, to execute, sign, seal and deliver to the town's counsel of the National Opioid Litigation Consortium such settlement Participation Agreements and other incidental documents as recommended by said counsel to enable the town to participate in settlements with defendant manufacturers and distributors of opioids.

This vote will permit the Town Manager to execute Participation Agreements only upon the recommendation of national counsel. If for any reason a special vote of the Select Board is required, the board will be notified and an executive session conducted for that purpose.

This is appropriate for Select Board vote on Dec. 6 as the Participation Agreements are due to be returned by the end of the year.

Frank K. Duffy, Town Counsel
Town of Falmouth
157 Locust Street
Falmouth, MA 02540
(508) 548-8800 fax (508) 540-0881

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. Moreover, any such inadvertent disclosure shall not compromise or waive the attorney-client privilege as to this communication or otherwise. 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.

SUMMARY OF ACTIONS

2. Administrative Orders

- b. Approve Allocation of America Recovery Plan Act (ARPA) funds for design of wastewater treatment plant upgrades and pandemic first responder bonuses

TOWN OF FALMOUTH
Office of the Town Manager & Select Board
59 Town Hall Square, Falmouth, Massachusetts 02540

TO: Julian M. Suso, Town Manager
FROM: Peter Johnson-Staub, Assistant Town Manager 
SUBJECT: ARPA Allocations
DATE: December 3, 2021

At the upcoming meeting, we will be seeking Select Board approval of some allocations of America Recovery Plan Act (ARPA) grant funds. The Town received \$3.2 million in ARPA funds.

The Board has previously assented to a proposed allocation of \$1.7 million for the design of upgrades to the Wastewater Treatment Plant. The ARPA specifically identifies "investments in water, sewer...infrastructure" as an allowed use of these grant funds.

"Premium pay" for "workers performing essential work during the COVID-19 public health emergency" is also identified as an allowed of ARPA funds. At an executive session on November 22nd, the Board approved collective bargaining agreements for Police Patrol and Police Lieutenant which include 'Pandemic First Responder Bonus' payments for members of these unions. These are one-time payments in the amount of \$2,500 per officer which have been negotiated with these two unions. We propose to negotiate similar payments with members of the Police Sergeants union and the Firefighters union but these payments cannot be made until an agreement has been negotiated with each union. We also propose to make payments in the same amount to the two non-union Police Captains, Chief Dunne and Chief Smith. The total cost of bonuses for all Police and Fire first responders including those not yet negotiated is anticipated to be no more than \$325,000.

Suggested Motion:

I move that the Select Board authorize allocation of \$1.7 million in ARPA grant funds for the design of Wastewater Treatment Upgrades and up to \$325,000 for Pandemic First-Responder Bonus pay for public safety officers subject to collective bargaining.

CC: Select Board
Jennifer Mullen, Finance Director
Edward Dunne, Chief of Police

//Select Board Approval of ARPA Allocations 12-6-2021

PUBLIC HEARINGS

1. FY2022 Tax Classification Hearing (15 minutes)

**Fiscal Year 2022
Tax Classification Hearing Notice**

The Falmouth Select Board will hold a public hearing on Monday, December 6, 2021 at 7:30 p.m. in the Select Board meeting room, Town Hall, 59 Town Hall Square, Falmouth, MA.

Under Chapter 40, section 56 as amended by Chapter 369 of the Acts of 1982 and Chapter 79 of the acts of 1983, the Falmouth Select Board will conduct a public hearing on whether the Town of Falmouth should implement the Classification Act. At said hearing, the Select Board will hear a presentation regarding the allocation of the Fiscal 2022 tax levy which will determine the share of taxes which each property classification shall pay. The Board of Assessors shall provide all information and data relevant to making a decision of allocating the tax burden, including the fiscal effects of the available options.

Per order of the Select Board

Publication date: Friday, November 19, 2021; Town website.



Town of Falmouth Assessing Department

59 Town Hall Square, Falmouth MA 02540

Telephone: 508-495-7380

Fax: 508-457-2511

Board of Selectmen

Cities and Towns that are certified by the Commissioner as assessing Property at full and fair cash value may elect to shift the tax burden among the major property classes within certain limits established by MGL Chapter 40, Section 56.

The Board of Selectmen must vote whether to establish different rates among classes of property or to continue to tax all classes at the same rate by adopting a factor of "1".

The adoption of different rates does not change the total property tax levy; rather it determines the share of the total levy to be carried by each class.

The options are as follows:

Split Tax Rate

Residential exemption (MGL 59:5C)

Small Business Exemption (MGL 59:51)

Open Space Exemption (MGL 59:2A)

Board of Assessors Action

Considering the analysis and fiscal impact, the Board of Assessors recommends to the Board of Selectmen a "Factor of 1" and reject the residential, open space and small business exemption.

The Board of Selectmen would vote the following motion if they decide to support the Board of Assessor's recommendation of a Factor of 1:

"Move that the Town of Falmouth continues to tax all classes at the same rate by adopting a factor of "1" and to reject the residential, commercial and open space exemption"



TOWN OF FALMOUTH ASSESSING DEPARTMENT

59 Town Hall Square, Falmouth MA 02540
Telephone: 508-495-7377
Fax: 508-495-7384

EFFECT OF THE SHIFT

EFFECT OF SHIFT AT 150%							
Class	% of Total	Value	Factor of 1		Shift	Tax Rate	
Commercial	4.8906%	702,975,407	8.05	X	150%	12.08	\$8,488,428.04
Industrial	0.6937%	99,710,000	8.05	X	150%	12.08	\$1,203,998.25
Personal Property	2.0647%	296,782,030	8.05	X	150%	12.08	\$3,583,643.01
Residential	92.3226%	13,270,394,683	8.05	X	96%	7.72	\$102,434,186.50
Open Space	0.0284%	4,082,700					
TOTAL	100.0000%	14,373,944,820					\$115,710,255.80
Total at factor of 1		14,373,944,820	8.05				\$115,710,255.80



TOWN OF FALMOUTH

ASSESSING DEPARTMENT

59 Town Hall Square, Falmouth MA 02540
 Telephone: 508-495-7377
 Fax: 508-495-7384

HISTORICAL VALUES

VALUES	2022	2021	2020	2019	2018
TAX RATE	8.05	8.50	8.59	8.56	8.60
RESIDENTIAL	13,270,394,683.00	12,101,498,842	11,418,879,547.00	11,070,546,608.00	10,660,098,706.00
OPEN SPACE	4,082,700.00	3,896,100.00	3,776,900.00	3,416,600.00	3,331,200.00
COMMERCIAL	702,975,407.00	666,341,556.00	662,261,694.00	646,700,900.00	631,222,433.00
INDUSTRIAL	99,710,000.00	96,533,500.00	94,223,900.00	92,135,700.00	87,507,900.00
PERSONAL	296,782,030.00	242,757,370.00	243,506,810.00	237,702,590.00	236,231,350.00
TOTAL	14,373,944,820.00	13,111,027,368.00	12,422,648,851.00	12,050,502,398.00	11,618,391,589.00

PUBLIC HEARINGS

2. Wetlands/Dock Hearing – Nina’s Marina Realty Trust – Install new vinyl sheet pile bulkhead adjacent to and landward of existing licensed timber bulkheads, and removal of existing tongue and groove timber sheathing, located at 306 Scranton Avenue, in the waters of Falmouth Inner Harbor (15 minutes)



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

PUBLIC HEARING NOTICE

The Falmouth Select Board will hold a public hearing under Section 240-77 (Wetland Regulations) of the Zoning Bylaws of the Town of Falmouth on Monday, December 6, 2021 at 7:30 p.m. in the Select Board Meeting Room, Falmouth Town Hall, 59 Town Hall Square on the application of Nina's Marina Realty Trust; owner, McKim Trustees, Melissa & William A., for permission to install new vinyl sheet pile bulkhead adjacent to and directly landward of the existing licensed timber bulkheads. The existing tongue and grooved timber sheathing shall be removed after the vinyl sheeting is installed. Location is 306 Scranton Avenue, Falmouth, MA. Area affected is Falmouth Inner Harbor. Interested parties may review the file on this hearing at the Office of the Select Board.

Per Order of the
Select Board

Publication dates: Friday, November 19, 2021 and Friday, November 26, 2021; Falmouth Enterprise.

NOV 23, 2021 PM 1:36
RECEIVED

TOWN OF FALMOUTH
BOARD OF SELECTMEN

APPLICATION FOR PERMIT TO DREDGE, FILL OR OTHERWISE ALTER WETLANDS
(As required under Section 240-77 (Wetland Regulations) of the Zoning Bylaw)

To the Board of Selectmen
Falmouth, Mass.

Date: October 18, 2021

The undersigned hereby applies to the Board of Selectmen as required by Section 240-77 of the Zoning Bylaws, for a permit to alter, as indicated below, the following described premises:

Owner: McKim Trustees, Melissa & William A. 306 Scranton Ave, Falmouth MA 02540
(full name) (address)

Agent: Holmes and McGrath, Inc., 205 Worcester Ct, Suite A4, Falmouth, MA 02540
(full name) (address)

Applicant: Nina's Marina Realty Trust 306 Scranton Ave, Falmouth MA 02540
(full name) (address)

1. Location of Property: Map 47C Section 06 Parcel 008 Lot 003

Street Name and House Number Scranton Ave, #306

2. Body of water, marsh or stream affected: Falmouth Inner Harbor

3. Description of property and project site: Lot 3 at #306 Scranton Avenue in Falmouth is approximately 1.21 acres in area and located within the Town of Falmouth Marine Zoning District. The property is currently developed with slips, a detached boat shed, an accessory single-family house, and landscaping. Approximately 330 linear feet of waterfront in Falmouth Inner Harbor contains stone riprap, a timber bulkhead, boardwalk, timber piers and floats and mooring pilings, all duly licensed and permitted.

a. Dimension, Acreage of total parcel: 330'+/- X 145'+/- 1.21 acres

b. Length of water marsh frontage: 330 feet +/-

c. Dimension of area to be dredged: none Depth: n/a

d. Dimensions of area to be filled: none

e. Volume of dredging spoil to be removed: none

Disposition of Spoil: N/A

APPLICATION FOR PERMIT TO DREDGE
SECTION 240-77, FILL OR OTHERWISE ALTER WETLANDS

f. Describe proposed riprap or bulk heading, if any: The work is to repair about 321 linear feet of existing failing bulkhead and the installation of new vinyl sheeting behind the existing wale beams and the removal of existing tongue and grooved timber sheeting. No alteration to the existing locations of these improvements is proposed.

g. Other (docks, piers, and etc):

h. Method (equipment to be used) for proposed work: The work will be performed using typical construction equipment for bulkhead repair.

4. Purpose of proposed work: The proposed work is to repair the failing bulkhead.

5. Zoning which governs area: Marine (M)

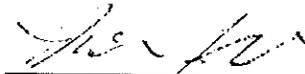
6. Date of application for permit to dredge or fill from the Commonwealth of Mass: NA
filed Army Engineers: NA

7. Has a permit ever been approved or refused for this location? By State, Federal or Local Authority: Order of Conditions DEP 25-4611 Issued 3/30/2021

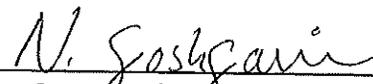
8. Remarks _____

9. Project Summary for legal notice: The proposed work includes the installation of new vinyl sheet pile bulkhead which will be adjacent to and directly landward of the existing licensed timber bulkheads. The existing tongue and grooved timber sheathing shall be removed after the vinyl sheeting (FP-575) is installed.

Owner: <u>McKim Trustee Melissa & William A.</u>	Agent: <u>Holmes and McGrath, Inc.</u>
<u>306 Scranton Ave</u>	<u>205 Worcester Ct, Suite A4</u>
<u>Falmouth, MA 02540</u>	<u>Falmouth, MA 02540</u>
(name and address)	(name and address)
Tel. # _____	Tel. # <u>508-548-3564</u>



Owner's Signature

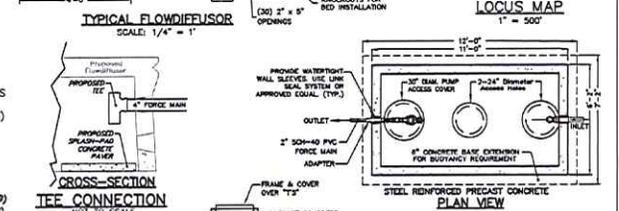
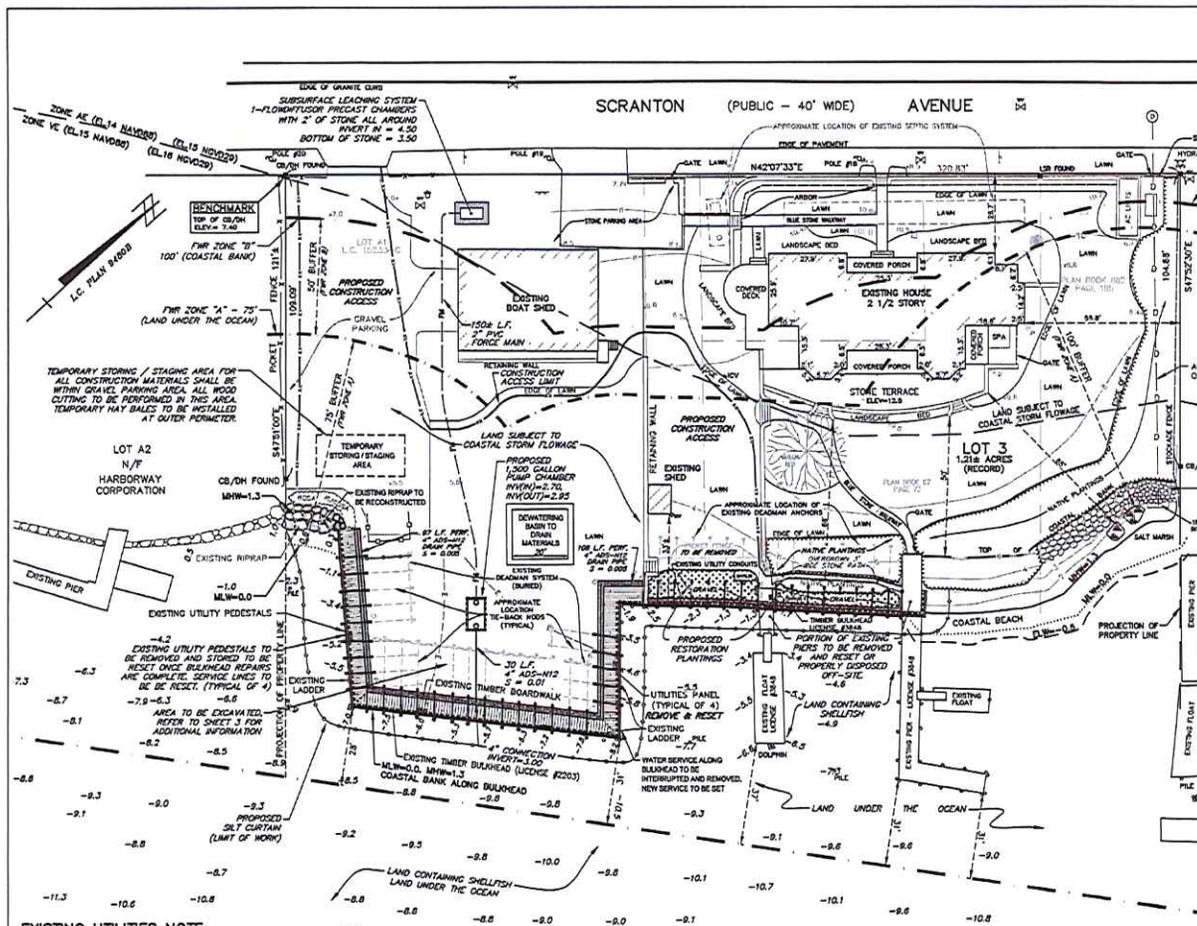
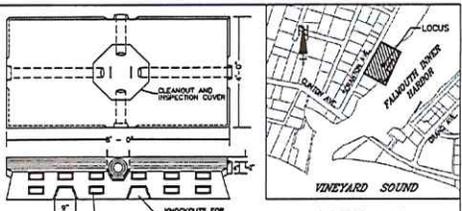
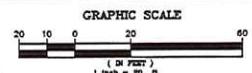


Agent's Signature

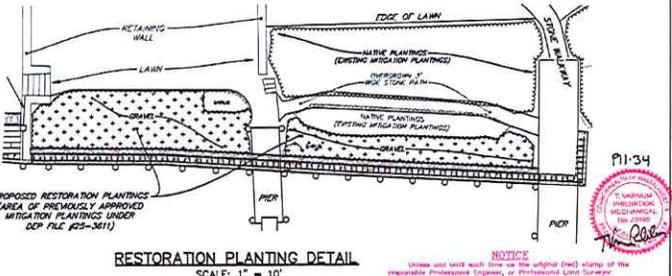
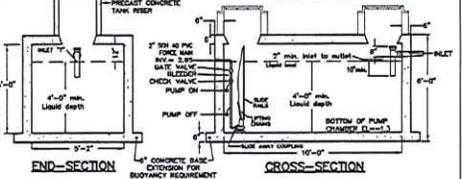
Applicant: Nina's Marina Realty Trust
306 Scranton Ave, Falmouth MA 02540
(name and address)
Tel. # _____

DO NOT WRITE BELOW THIS SPACE, FOR SELECTMEN'S USE ONLY

SCRANTON (PUBLIC - 40' WIDE) AVENUE



ITEM	DEPTH (IN FEET)
PUMP CHAMBER INVERT & REQUIREMENTS	2.70
OUTLET INVERT	2.95
PUMP ON	2.90
PUMP OFF	0.00
BOTTOM OF TANK	-1.30
GPM	50
TOW (IN FEET)	15

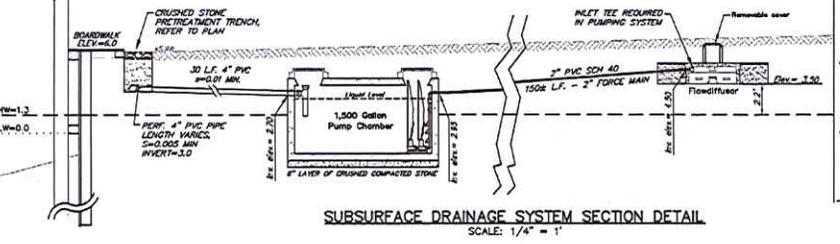


BUOYANCY CALCULATIONS

STRUCTURE	STRUCTURE WEIGHT (LBS)	SALLAST WEIGHT (LBS)	OVERBURDEN 20% (LBS)	DEAD WEIGHT FORCE (LBS)	BUOYANCY FORCE (LBS)
1,500 SEPTIC TANK	21,500 lbs	1,363 lbs	23,476 lbs	+46,427 lbs	-39,804 lbs

EXISTING UTILITIES NOTE:
 THE LOCATIONS AND ELEVATIONS SHOWN ON THIS SET OF PLAN OF ALL EXISTING UTILITIES SHALL BE CONSIDERED APPROXIMATE AND MUST BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY CONSTRUCTION. UNDERGROUND UTILITIES SHOWN ARE FROM FIELD OBSERVATIONS AND RECORD INFORMATION AND ARE NOT WARRANTED TO BE EXACT. NOR IS IT WARRANTED THAT ALL UNDERGROUND PIPES OR STRUCTURES ARE SHOWN. THE CONTRACTOR SHALL ARRANGE FOR DIG-SAFE (1-888-344-7233) AND A PRIVATE UTILITY MARKING COMPANY TO MARK UTILITIES ON ALL THE SITES. THE CONTRACTOR SHALL VERIFY THE LOCATIONS OF ANY CROSSINGS OF PROPOSED UTILITIES AND EXISTING UTILITIES.

- NOTES**
- HOUSE NUMBER: # 306
 - ASSESSOR'S NUMBER: 47C 08 008 003
 - ZONING DISTRICT: M
 OVERLAY DISTRICT: COASTAL POND OVERLAY
 MDP - FALMOUTH INNER HARBOR
 - FLOOD HAZARD ZONES: VE (EL. 15), AE (EL. 14)
 - BENCHMARK: SEE PLAN
 - TOPOGRAPHIC INFORMATION COMPILED FROM AN ON THE GROUND INSTRUMENT SURVEY.
 - ELEVATIONS SHOWN ABOVE MEAN HIGH WATER ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988. (NAVD88) ELEVATIONS SHOWN BELOW MEAN HIGH WATER ARE BASED ON MEAN LOW WATER DATUM. (MLW)
 - REFERENCE: L.C. PLAN 15233C
 - WIND EXPOSURE CATEGORY: C
 - LOT 1 IS LOCATED IN A WIND BORNE DEBRIS REGION.



RESTORATION PLANTING NOTES

TOTAL AREA OF PROPOSED RESTORATION PLANTINGS (PREVIOUSLY APPROVED MITIGATION PLANTINGS) 600± S.F.

- SHRUB PLANTINGS SHALL CONSIST OF A MIXTURE OF THE FOLLOWING SPECIES:
 A) BAYBERRY (Myrica pennsylvanica)
 B) BEACH PLUM (Prunus maritima)
- PLANTINGS SHALL BE A MINIMUM OF 3 GALLON SIZE AND SPACED A MAXIMUM OF 3 FT ON CENTER.
- ALL RESTORATION PLANTINGS SHALL BE WATERED, MAINTAINED AND ALLOWED TO GROW TO THEIR FULL AND MATURE HEIGHT AS A NATURALLY VEGETATED BUFFER. NO CUTTING OR PRUNING OF MITIGATION PLANTS SHALL BE PERFORMED WITHOUT FIRST OBTAINING PERMISSION FROM THE CONSERVATION COMMISSION.
- ANY RESTORATION PLANTINGS THAT DO NOT SURVIVE PRIOR TO THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE SHALL BE REPLACED IN KIND.

NOTICE
 These and each work shall bear the original (red) stamp of the responsible Professional Engineer, or Professional Land Surveyor registered in this State.
 (A) In no event shall this stamp be used for any other project.
 (B) This plan remains the property of Holmes & McGrath, Inc.

DATE	DESCRIPTION	Drawn	Checked
06/12/21	CHANGED PROPOSED SHEETING	WHS	WHS
07/01/21	ADD PUMP CHAMBER, SURFACE URNAGE, AND DRAINAGE SECTION DETAIL	LAC	WHS
01/29/21	ADD RESTORATION PLANTING DETAIL	TMS	WHS

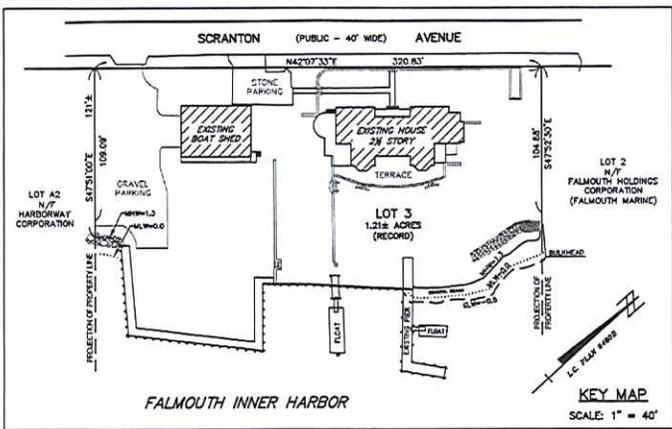
REVISIONS

SITE PLAN OF BULKHEAD REPAIRS PREPARED FOR NINA'S MARINA REALTY TRUST FOR LOT 3, #306 SCRANTON AVENUE IN FALMOUTH HEIGHTS FALMOUTH, MA

SCALE: 1" = 20' DATE: DECEMBER 18, 2020

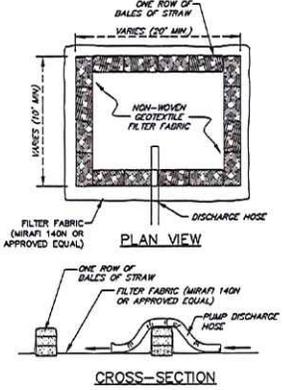
holmes and mcgrath, inc.
 civil engineers and land surveyors
 208 Worcester Court - Suite 44 - Falmouth, MA 02540
 508-548-3554 www.holmesandmcgrath.com

DRAWING: GMD, JLF, LAC CHECKED: JLF, WHS
 JOB NO: 2200335 DWG. NO: 87-1-27W SHEET 1 OF 3



DEWATERING BASIN NOTES:

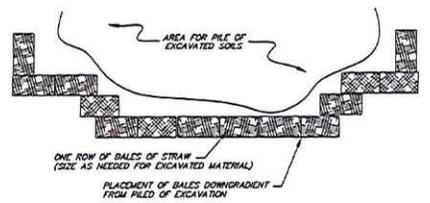
- 1) IN THE EVENT THAT CONSTRUCTION REQUIRES THE DEWATERING OF GROUNDWATER, THE DEWATERING BASIN SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DETAIL.
- 2) THE CONTRACTOR SHALL PROVIDE ALL LABOR TOOLS, EQUIPMENT AND PUMPS NECESSARY TO PUMP THE WATER INTO THE DEWATERING BASIN.
- 3) THE CONTRACTOR SHALL BE ALLOWED TO RELOCATE THE BASIN ACCORDINGLY, IN GRASS AREAS, DUE TO SPECIFIC SITE CONSTRAINTS AND PHASING STAGES OF THE PROJECT.
- 4) ALL EXCAVATED MATERIALS NOT USED AS BACK FILL SHALL BE REMOVED FROM THE SITE AND SHALL NOT BE PILED WITHIN THE DEWATERING BASIN.
- 5) NUMBER OF STRAW BALES MAY VARY DEPENDING ON SITE CONDITIONS AND BASIN ARRANGEMENT.
- 6) THE DEWATERING BASIN SHOULD BE SIZED TO PREVENT DISCHARGE WATER FROM OVERTOPPING THE BASIN.
 - A) THE CONTRACTOR SHALL CONTROL THE FLOW RATE OF THE DEWATERING PUMPS TO PREVENT OVERTOPPING THE DEWATERING BASIN.
 - B) THE CONTRACTOR MAY IMPLEMENT THE USE OF MULTIPLE BASINS IF REQUIRED TO CONTROL THE STANDING WATER LEVEL FOR WORKING CONDITIONS.
- 7) DEWATERING FLOW SHALL NOT BE ALLOWED TO DISCHARGE DIRECTLY INTO THE HARBOR WITHOUT PRIOR FILTERING THROUGH A DEWATERING BASIN.



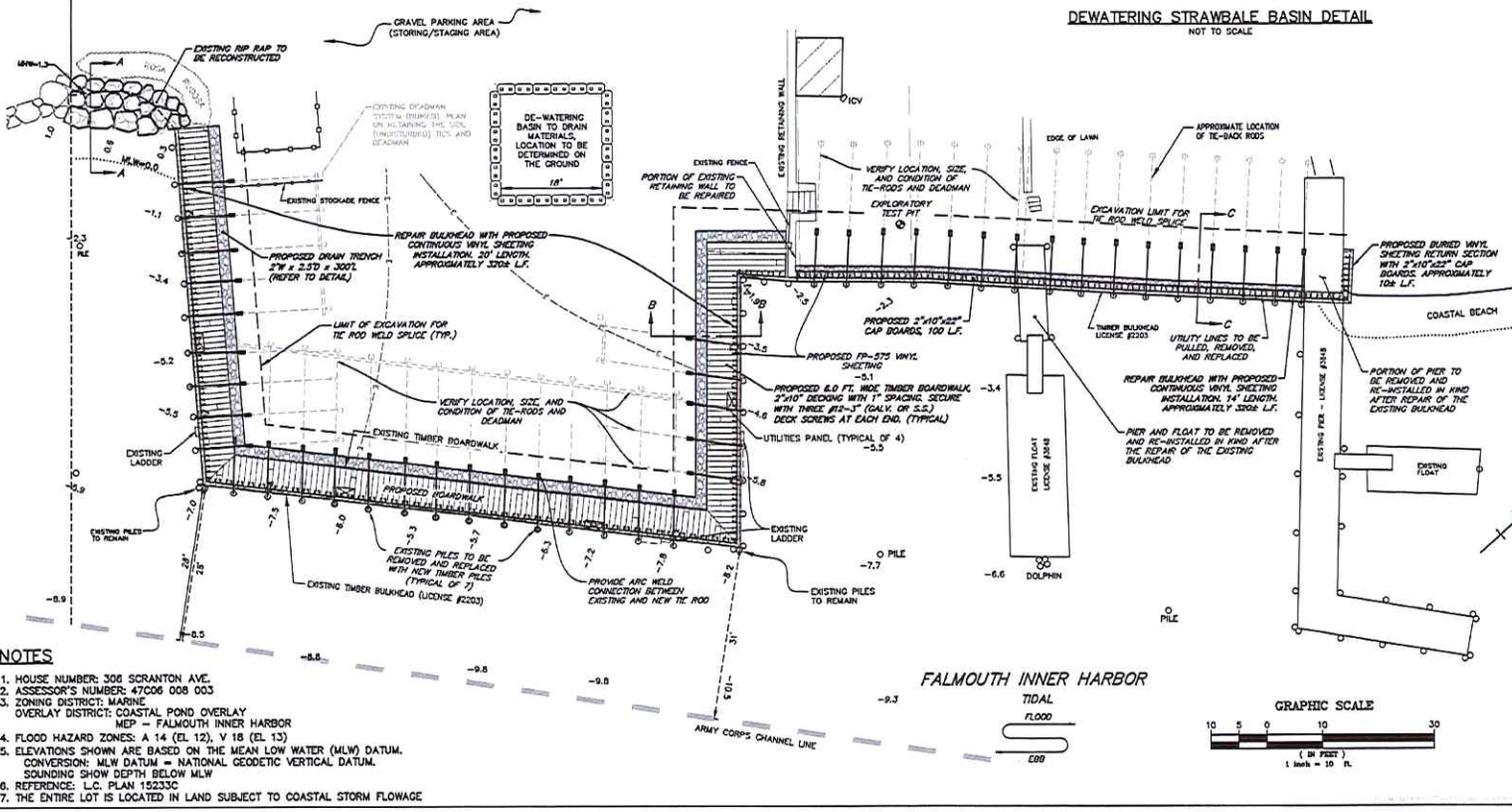
DEWATERING STRAWBALE BASIN DETAIL
NOT TO SCALE

EROSION AND SEDIMENTATION CONTROL PLAN:

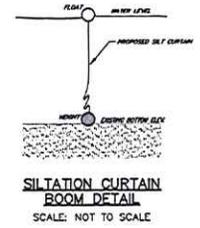
- 1 - A silt curtain boom is proposed for the construction activity. This will provide filtration of sediments carried by the water during the removal of the existing bulkhead and dredging process.
- 2 - Excavated soil material intended for reuse as backfill shall be placed or piled on the upland side of the excavations and behind a row of bales of straw. The bales of straw will provide protection from sediment washout in the event of rain events. The bales of straw shall not be used as part of backfill material within the project (see details). The bales of straw without protection is not necessary if the Contractor backfills the excavated material the same day.
- 3 - Dewatering basins shall be used during the construction/demolition work when deemed necessary. The contractor may adjust the size and/or slope of the basin to manage the required volume of water needed. (see details)
- 4 - The Contractor should use the parking lot for the staging of materials and equipment. The Owner shall approved any staging area.



SEDIMENTATION PROTECTION FOR EXCAVATED MATERIAL
NOT TO SCALE



- NOTES**
1. HOUSE NUMBER: 306 SCRANTON AVE.
 2. ASSESSOR'S NUMBER: 47C06 008 003
 3. ZONING DISTRICT: MARINE OVERLAY DISTRICT: COASTAL POND OVERLAY MEP - FALMOUTH INNER HARBOR
 4. FLOOD HAZARD ZONES: A 14 (EL. 12), V 18 (EL. 13)
 5. ELEVATIONS SHOWN ARE BASED ON THE MEAN LOW WATER (MLW) DATUM. CONVERSION: MLW DATUM = NATIONAL GEODETIC VERTICAL DATUM. SOUNDING SHOW DEPTH BELOW MLW
 6. REFERENCE: L.C. PLAN 15233C
 7. THE ENTIRE LOT IS LOCATED IN LAND SUBJECT TO COASTAL STORM FLOWAGE



SILTATION CURTAIN ROOM DETAIL
SCALE: NOT TO SCALE



NOTICE
Unless and until noted hereon the original (real) stamp of the Registered Professional Engineer, or Professional Land Surveyor, remains on this plan - drawings, including any amendments or other public utilities, may not be used without the written consent of the engineer or surveyor. This plan remains the property of Holmes & McGrath, Inc.

06/12/21	CHANGED PROPOSED SHEETING	WH	MDM
07/01/21	ADD SILTATION CURTAIN	LAC	MDM
1/29/21	ADD PILES TO BE REMOVED AND REPLACED	LAC	MDM
DATE	DESCRIPTION	Drawn	Checked

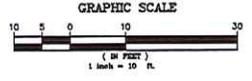
REVISIONS

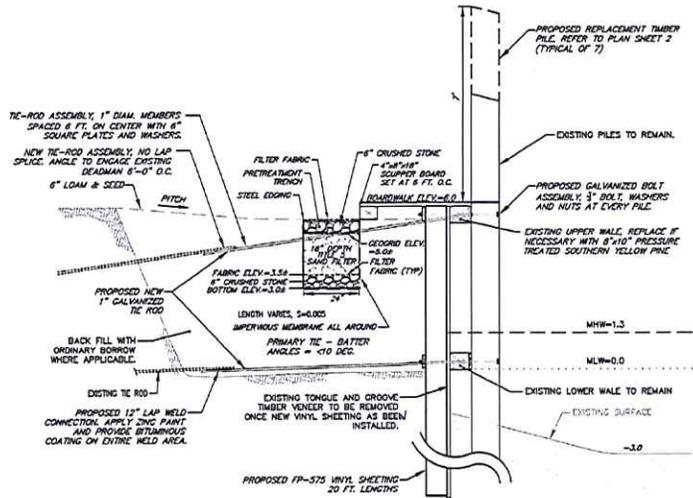
SITE PLAN OF BULKHEAD REPAIRS PREPARED FOR NINA'S MARINA REALTY TRUST FOR LOT 3, 306 SCRANTON AVENUE IN FALMOUTH HEIGHTS FALMOUTH, MA	
SCALE: 1" = 10'	DATE: DECEMBER 18, 2020

holmes and mcgrath, inc.
civil engineers and land surveyors
200 Worcester Court, Suite 404, Falmouth, MA 02540
508-448-0564 www.holmesandmcgrath.com

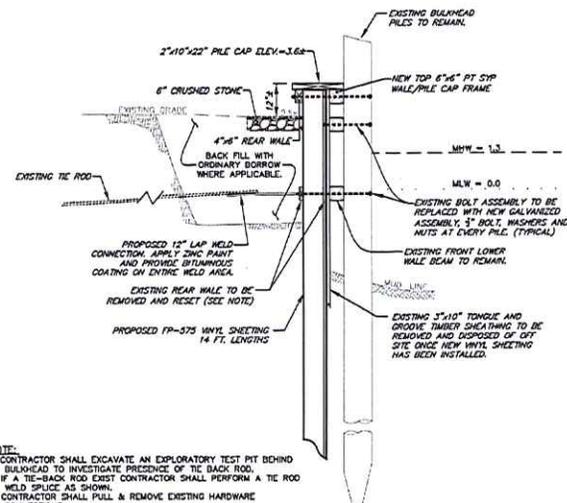
DRAWING: CWL, JLF	CHECKED: [Signature]
JOB NO: 220035	DWG. NO.: 87-1-274

SHEET 2 OF 3



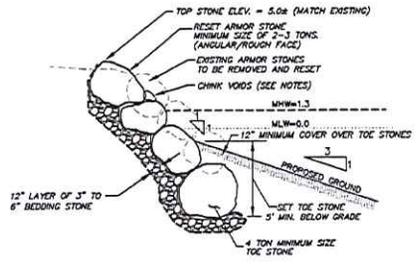


**BULKHEAD RECONSTRUCTION
DETAIL SECTION B-B**
SCALE: 1/2" = 1'



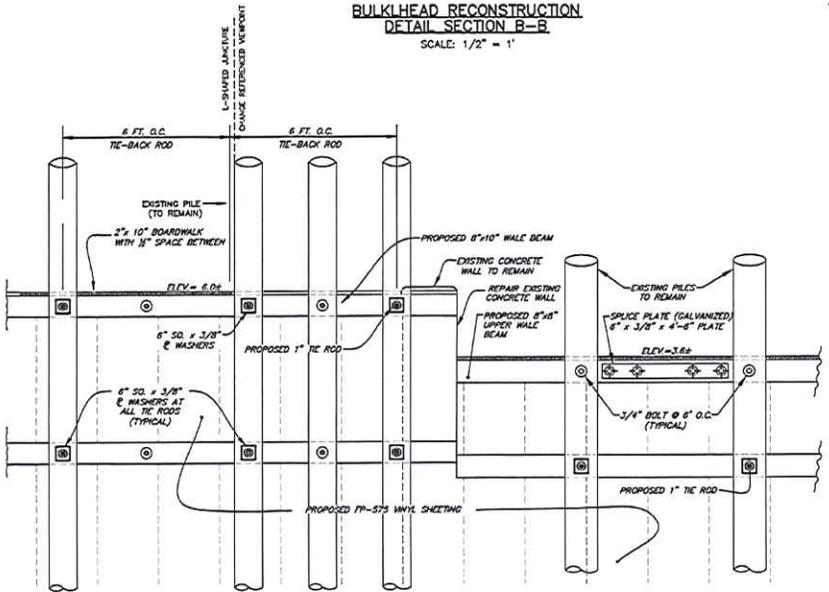
NOTE:
1. CONTRACTOR SHALL EXCAVATE AN EXPLORATORY TEST PIT BEHIND BULKHEAD TO INVESTIGATE PRESENCE OF THE BACK ROD.
2. IF A TIE-BACK ROD EXIST CONTRACTOR SHALL PERFORM A TIE ROD WELD SPICE AS SHOWN.
3. CONTRACTOR SHALL PULL & REMOVE EXISTING HARDWARE CONNECTIONS.
4. CONTRACTOR SHALL REMOVE EXISTING REAR WALE AND RESET BEHIND VINYL SHEETING IF NO REAR WALE EXIST CONTRACTOR SHALL INSTALL NEW 4\"/>

**BULKHEAD RECONSTRUCTION
DETAIL SECTION C-C**
SCALE: 1/2" = 1'



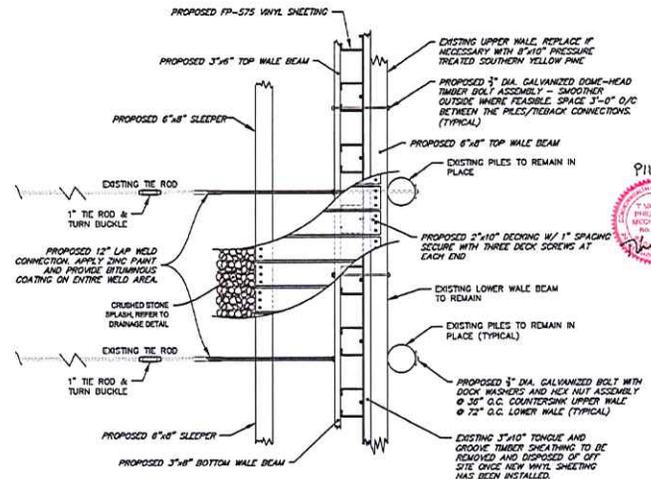
**RIPRAP RECONSTRUCTION DETAIL
SECTION A-A**
SCALE: 1/4" = 1'

- RIPRAP NOTES:**
- RIPRAP STONES SHOULD NOT DISTURB UNDERLYING MATERIALS OR DAMAGE GEO-TEXTILE FABRIC. RIPRAP PLACEMENT SHOULD BE TO FULL LAYER THICKNESS IN ONE OPERATION. RIPRAP STONES SHALL BE INSTALLED WITH NO SIGNIFICANT VOIDS AS GOOD PRACTICE REQUIRES.
 - PLACEMENT OF ARMOR STONES SHALL NOT DISPLACE THE BEDDING STONE. EACH ARMOR STONE SHALL FIRMLY CONTACT EACH SURROUNDING ARMOR STONE ON FOUR SIDES. ARMOR STONE SHALL HAVE ANGULAR/ROUGH FACE TO HELP REDUCE WAVE RUNUP.
 - FOR PROPER AND ACCEPTABLE INSTALLATION PROCEDURES, CHINK STONES SHALL BE PLACED BY MACHINE OR BY HAND TOOLS USING LEVER ACTION SO AS TO PREVENT FUTURE SHIFTING OR MOVEMENT. CHINK STONES SHALL NOT BE INSERTED INTO VOIDS BY HAND.

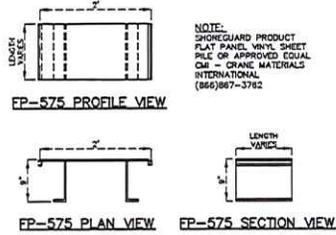


BULKHEAD ELEVATION VIEW
SCALE: 1/2" = 1'

- NOTES**
- ELEVATIONS SHOWN ARE BASED ON THE MLW DATUM
 - CONVERSION TO NGVD DATUM: NGVD = MLW + (0.00)



PROPOSED BULKHEAD PLAN VIEW
SCALE: 1/2" = 1'



FP-575 PROFILE VIEW
FP-575 PLAN VIEW **FP-575 SECTION VIEW**



VINYL SHEET PILING
SCALE: 1" = 1'

NOTICE:
I hereby certify that I am the original (and) stamp of the Registered Professional Engineer, or Professional Land Surveyor, as shown on this drawing, and that I am the author or creator of the design, drawings, calculations, specifications, and/or data shown on this drawing. I am not providing any design, drawings, calculations, specifications, and/or data on this drawing for any other project or purpose without the written consent of the client. (B) This seal remains the property of the registrant.

DATE	DESCRIPTION	Drawn	Checked
08/12/21	CHANGED PROPOSED SHEETING	MMW	JLF
01/29/21	REVISED TO SHOW 3\"/>		
01/29/21	PLAN VIEW DETAIL 8\"/>		

REVISIONS

DETAILS
OF BULKHEAD REPAIRS
PREPARED FOR
NINA'S MARINA REALTY TRUST
FOR LOT 3, 3506 CORANTON AVENUE
IN
FALMOUTH HEIGHTS FALMOUTH, MA

SCALE: AS SHOWN DATE: DECEMBER 18, 2020

holmes and mcgrath, inc.
civil engineers and land surveyors
200 worcester court suite 241-falmouth, ma 02540
603-648-2564 www.holmesandmcgrath.com

DRAWING: GMB, JLF, LAC CHECKED: JLF
JOB NO: 220035 DWG. NO: 87-1-27N SHEET 5 OF 3

Diane Davidson

From: Diane Davidson
Sent: Tuesday, November 23, 2021 1:25 PM
To: Jennifer Lincoln; Gregg Fraser - Marine & Environmental Services (gregg.fraser@falmouthma.gov); Charles Martinsen
Cc: Amy Coughlin
Subject: Wetlands/Dock Special Permit Application - 306 Scranton Ave.
Attachments: FINAL Special Permit - McKim.pdf; 87-1-27M REV 08-12-2021 Sh.1of3.pdf

To all,

The Select Board has received the attached application for a special permit to perform bulkhead repairs.

Applicant: Nina's Marina Realty Trust

Location: 306 Scranton Avenue, Falmouth

Proposed Work: Installation of new vinyl sheet pile bulkhead adjacent to and directly landward of the existing licensed timber bulkheads. The existing tongue and grooved timber sheathing shall be removed after the vinyl sheeting is installed.

Body of Water: Falmouth Inner Harbor

Please forward your comments or any additional documents for the Select Board by Wednesday, December 1, 2021. The hearing is scheduled at the Select Board meeting on Monday, December 6, 2021 at 7:30 p.m.

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*



Town of Falmouth Assessing Department

59 Town Hall Square, Falmouth MA 02540

Telephone: 508-495-7380

Fax: 508-495-7384

REQUEST OF CERTIFIED ABUTTERS LIST

Name of person requesting abutters list: Nathan Goshgarian of Holmes and Mcgrath Inc.

Address of person requesting abutters list: 205 Worcester Court, Falmouth MA 02540

Phone: _____

Abutters to (subject property):

Map 47C Section 06 Parcel 008 Lot 003 ✓
Map _____ Section _____ Parcel _____ Lot _____
Map _____ Section _____ Parcel _____ Lot _____

Lot size of subject property: 1.21 Acres

Location of subject property: 306 Scranton Ave, Falmouth MA 0254 ✓

Check one:

Direct abutters (includes properties across street)

Direct abutters in local Historic District (includes properties across the street) within 100'

Immediate abutters (includes only properties with a common property line)

Immediate abutters plus churches and schools within 500'

Properties within 300' ✓

Properties within 300' or abutters abutter to abutter whichever is closest

Properties within 100'

Other (specify) _____

Fee. \$25.00 Total 25.00 Ch # 1533 JU

EMAIL ngoshgarian@holmesandmcgrath.com

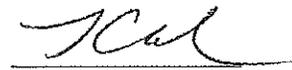
RECEIVED

OCT 04 2021

Board of Assessors, Town of Falmouth

306 SCRANTON AVE

CERTIFIED

A handwritten signature in black ink, appearing to read 'Bruce Cabral', is written over a horizontal line.

**Bruce Cabral
Assistant Assessor
Town of Falmouth, MA
October 7, 2021**

352 SCRANTON AVE 352 SCRANTON LLC 30 FOSTER RD E FALMOUTH. MA 02536	47C 06 001 000 LUC: 337	45 SWING LN HARBORWAY CORPORATION 60 SWING LN FALMOUTH. MA 02540	47C 05 004 004 LUC: 101	0 SWING LN MULLINS JESSIE L 7408 JAGER CT CINCINNATI. OH 45230	47C 03 019 040 LUC: 130
65 SWING LN BARONAS TRUSTEE JANE E GOGUEN TRUSTEE JUDY A 80 SHERWOOD ST ROSLINDALE. MA 02131	47C 05 008 008 LUC: 101	57 SWING LN HARBORWAY CORPORATION 60 SWING LN FALMOUTH. MA 02540	47C 05 005 005 LUC: 106	69 SWING LN MURPHY TRUSTEE JAMES L SWING LN REALTY TR 69 SWING LN FALMOUTH. MA 02540	47C 05 008 064 LUC: 101
14 LOWRY RD BEARCE TRUSTEE DAVID W BEARCE TRUSTEE ELLEN M 13093 CASTLE HARBOR DR UNIT L 12 NAPLES. FL 34110	47C 05 009 065 LUC: 101	0 SCRANTON AVE HARBORWAY CORPORATION 60 SWING LN FALMOUTH. MA 02540	47C 05 045 000 LUC: 130	291 SCRANTON AVE OCONNOR DANIEL S OCONNOR JANE E 11 SANTUIT LN WORCESTER. MA 01609	47C 05 040 000 LUC: 101
301 SCRANTON AVE BOUCHARD TRUSTEE MADELEINE 301 SCRANTON AVE FALMOUTH. MA 02540	47C 05 042 000 LUC: 101	345 SCRANTON AVE HARBORWAY CORPORATION 80 SWING LN FALMOUTH. MA 02540	47C 05 048 000 LUC: 132	295 SCRANTON AVE PEKENIA JOHN A PEKENIA BARBARA F 295 SCRANTON AVE FALMOUTH. MA 02540-3472	47C 05 041 000 LUC: 101
305 SCRANTON AVE BOYAJIAN JOHN BOYAJIAN STACIA 121 GLAZEN LN WAYLAND. MA 01778	47C 05 043 001 LUC: 101	334 SCRANTON AVE HARBORWAY CORPORATION 60 SWING LN FALMOUTH. MA 02540	47C 06 004 000 LUC: 101	337 SCRANTON AVE ROBERTSON PHILIP S WHITTERS ELIZABETH 60 SWING LN C/O ELIZABETH WHITTERS FALMOUTH. MA 02540	47C 05 046 000 LUC: 132
357 SCRANTON AVE BRYAN TRUSTEE WENDY W WENDY W BRYAN TRUST 357 SCRANTON AVE FALMOUTH. MA 02540-3472	47C 05 049 000 LUC: 109	25 SWING LN HAWKRIDGE TRUSTEE LESLIE DEAN E HAWK NOMINEE REALTY TRUST 2795 FORD RD CLINTON. NY 13323	47C 05 002 002A LUC: 101	67 SWING LN SCARLATA STEVEN J SCARLATA ANNMARIE T 67 SWING LN FALMOUTH. MA 02540	47C 05 007 007 LUC: 101
0 SCRANTON AVE FALMOUTH HOLDINGS CORP 278 SCRANTON AVE C/O FALMOUTH MARINE FALMOUTH. MA 02540-3401	47C 05 037 000 LUC: 132	7 SWING LN HUNTER TRUSTEE LINDA E LE HUNTER FAM TRUST 122 FOX HILL ST WESTWOOD. MA 02090	47C 05 001 001 LUC: 101	0 SCRANTON AVE SCRANTON PIER LLC 230 N BRYAN ST C/O TIMOTHY R BURNS ARLINGTON. VA 22201	47C 06 002 000 LUC: 106
278 SCRANTON AVE FALMOUTH HOLDINGS CORP 278 SCRANTON AVE FALMOUTH. MA 02540-3401	47C 06 012 002 LUC: 384	287 SCRANTON AVE KENT TRUSTEE BARRY M KENT TRUSTEE VICTORIA J 287 SCRANTON AVE FALMOUTH. MA 02540	47C 05 039 000A LUC: 101	8 LOWRY RD SLOBODKIN ANDREA J 8 LOWRY RD FALMOUTH. MA 02540	47C 05 038 000B LUC: 101
0 SWING LN HARBORWAY CORPORATION 60 SWING LN FALMOUTH. MA 02540	47C 03 018 071 LUC: 132	306 SCRANTON AVE MCKIM TRUSTEE MELISSA MCKIM TRUSTEE WILLIAM A 40 TURNERS WAY NORWELL. MA 02061	47C 06 008 003 LUC: 101		
0 SWING LN HARBORWAY CORPORATION 60 SWING LN FALMOUTH. MA 02540	47C 05 003 003A LUC: 130	340 SCRANTON AVE MITCHELL JOHN D 465 WARREN ST BROOKLINE. MA 02445	47C 06 003 000 LUC: 101		



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

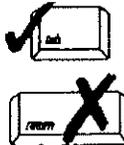
Provided by MassDEP:
25-4611
MassDEP File #
1205946
eDEP Transaction #
Falmouth
City/Town

A. General Information

Please note: this form has been modified with added space to accommodate the Registry of Deeds Requirements

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.

Doc # 1,393,706
NOTE: 1,393,706
Doc # 1,081,572
Notice Doc # 1,147,006



1. From: Falmouth
Conservation Commission

2. This issuance is for (check one):
a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:

Melissa McKim, Trustee

a. First Name William A. b. Last Name McKim, Trustee

Nina's Marina Realty Trust

c. Organization

PO Box 764

d. Mailing Address

Marshfield MA 02050

e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

5. Project Location:

306 Scranton Ave Falmouth

a. Street Address b. City/Town

47C 06 008 003

c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: d m s d m s
d. Latitude e. Longitude



Massachusetts Department of Environmental Protection
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A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Barnstable 185059 Lot B & A1 LC Plan 15233-B & C
 a. County b. Certificate Number (if registered land)
- c. Book d. Page
7. Dates: 12/23/2021 2/10/2021 3/30/2021
 a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
Site Plan of Bulkhead Repairs Prepared for Nina's Marina Realty Trust, For Lot 3 306
Scranton Ave, Falmouth
Holmes & McGrath, Inc. Michael B McGrath, PE, PLS
 b. Prepared By c. Signed and Stamped by
01/29/2021 1"=20'
 d. Final Revision Date e. Scale
- f. Additional Plan or Document Title g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:
- Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:
- a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
 d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
 g. Groundwater Supply h. Storm Damage Prevention i. Flood Control
2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
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B. Findings (cont.)

Denied because:

- b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
- 3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) _____ a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement	
4. <input type="checkbox"/> Bank	_____ a. linear feet	_____ b. linear feet	_____ c. linear feet	_____ d. linear feet	
5. <input type="checkbox"/> Bordering Vegetated Wetland	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet	
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet	
	_____ e. c/y dredged	_____ f. c/y dredged			
7. <input type="checkbox"/> Bordering Land Subject to Flooding	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet	
	Cubic Feet Flood Storage	_____ e. cubic feet	_____ f. cubic feet	_____ g. cubic feet	_____ h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	_____ a. square feet	_____ b. square feet			
	Cubic Feet Flood Storage	_____ c. cubic feet	_____ d. cubic feet	_____ e. cubic feet	_____ f. cubic feet
9. <input type="checkbox"/> Riverfront Area	_____ a. total sq. feet	_____ b. total sq. feet			
	Sq ft within 100 ft	_____ c. square feet	_____ d. square feet	_____ e. square feet	_____ f. square feet
	Sq ft between 100-200 ft	_____ g. square feet	_____ h. square feet	_____ i. square feet	_____ j. square feet



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B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. nourishment <u>cu yd</u>	d. nourishment <u>cu yd</u>
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. nourishment <u>cu yd</u>	d. nourishment <u>cu yd</u>
15. <input checked="" type="checkbox"/> Coastal Banks	340 a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	a. c/y dredged	b. c/y dredged		
21. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	1200 a. square feet	b. square feet		
22. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



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B. Findings (cont.)

* #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on _____ unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



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C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 25-4611 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- 17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
- 18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
- 19. The work associated with this Order (the "Project")
 - (1) is subject to the Massachusetts Stormwater Standards
 - (2) is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
 - i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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Provided by MassDEP:

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Falmouth

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP
25-4611
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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
2. The Falmouth hereby finds (check one that applies):
Conservation Commission
 - a. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw	2. Citation
Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.	
 - b. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

1. Municipal Ordinance or Bylaw	10.00
2. Citation	
3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.
The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):



Falmouth Conservation Commission

59 TOWN HALL SQUARE, FALMOUTH, MASSACHUSETTS 02540
(508) 495-7445

Name: Melissa McKim, Trustee
Address: 306 Scranton Ave, Falmouth, MA
DEP #: 25-4611

FINDINGS:

1. The applicant proposes to repair 330 linear feet of existing bulkhead, stone riprap, timber walkway, install a drainage trench, and replace/replant previous required mitigation plantings.
2. Proposed drainage trench discharges stormwater into Falmouth Inner Harbor after pretreatment through sand filter system.
3. Existing mitigation plantings on site are being pruned in violation of the Order of Conditions (25-3611):
4. Resource Area onsite or within 100 feet of the proposed project include Land Under Ocean, Coastal Bank, Salt Marsh, Land Subject to Coastal Storm Flowage (LSCSF), Coastal Beach, Land Containing Shellfish and Resource Area Buffer.

INTERESTS

1. Storm Damage Prevention
2. Flood Control
3. Pollution Prevention
4. Protection of private and public water supply
5. Protection of groundwater
6. Protection of fisheries
7. Protection of land containing shellfish
8. Protection of wildlife habitat

STANDARD CONDITIONS

1. Permission is granted to Nina's Marine Realty Trust, 306 Scranton Ave, Falmouth, MA, to repair 330 linear feet of existing bulkhead, stone riprap, timber walkway, install a drainage trench, and replace/replant previous required mitigation plantings according to the narrative and plan prepared by Holmes and McGrath, Inc., dated December 18, 2020 and revised January 29, 2021 and entitled "Site Plan of Bulkhead Repairs" and subject to the following Standard and Special Conditions.

2. This Order is issued pursuant to Mass. General Laws, Chapter 131, sec. 40, the Wetlands Protection Act and Chapter 235 of the Code of Falmouth the Wetlands Bylaw. The Wetlands By-law is more stringent than the Wetlands Protection Act as permitted by that Act. The Conservation Commission reserves the right to impose additional or other conditions to protect the Interests of the Massachusetts Wetlands Protection Act and Falmouth Wetlands Bylaw.
3. The determinations of the Falmouth Conservation Commission are made solely to determine issues arising under the Massachusetts Wetlands Protection Act and the Town of Falmouth Wetlands By-Law, and are therefore concerned exclusively with the question whether any proposed activity will have an adverse effect on the wetlands resource interests listed in the applicable statutes, regulations, by-laws and rules. Nothing contained in this determination is intended in any way to grant to any person any title, easement or other interest in lands, public or private, and the Falmouth Conservation Commission is without legal authority to make any grant of title, easement or other property interest, or to make any determination of property interests. See Tindley v. D.E.Q.E. 10 Mass. App. Ct. 623 (1980).
4. Any work taking place prior to all administrative and legal appeal periods expiring or during the pendency of any such appeal is at the risk of the applicant and/or owner of the property. At the risk of means that should an administrative agency or court find this order and permit were granted in error, all work will have to be restored to its original condition (at the time work was instituted) at the expense of the applicant and/or owner.
5. Issuance of the Order of Conditions does not relieve the permittee from obtaining all other necessary municipal, county, state or federal permits, permission or other approvals required.
6. By the acceptance and recording of this Order, the applicant hereby grants the commission and its duly authorized agents the right to enter onto the land governed by this Order to examine the project and ensure Compliance. Such visits shall be made in a reasonable manner. The Conservation Commission as well as its staff and agents have the authority to issue an Enforcement Order if work does not comply with the terms or intent of the conditions contained herein or the plans herein referenced.
7. The Order of Conditions expires three (3) years from the original date of issuance. Any Amendments to the Order of Conditions **do not** extend the Original Order. You may request an Extension to the original Order of Conditions, in writing, at least 30 days prior to the expiration. Unless otherwise specified, all Conditions cited herein will apply to any and all Amendments to this Order of Conditions.
8. Prior to any work commencing:
 - a. Proof of recording of this Order of Conditions at the Barnstable County Registry of Deeds must be received by the Conservation Commission.
 - b. At least 10 days advance **written** notification shall be provided to the Conservation Commission.
 - c. Copies of any other permits and licenses including building permit, special permit, variances, and Chapter 91 license shall be submitted to Conservation Commission.
 - d. The DEP File Number shall be posted on a sign on the street side of the lot and maintained in a visible condition throughout the project. A copy of this Order of Conditions is to be posted

onsite, to be maintained in a visible location and condition throughout the project. Copies of this Order of Conditions are also to be provided to all outside contractors, to be kept onsite during work at all times.

- e. The Limit of Work must be installed prior to any work, excavation, construction or clearing of vegetation, in order to prevent damage to the Interests of the Act and Bylaw. The Limit of Work shall consist of a single row of staked strawbale/silt fencing.

- i. **Please be advised that the use of a straw/mulch waddle/sock is not allowed unless approved in writing by the Conservation Administrator. The Conservation Administrator reserves the right to revoke any approval if this method is determined to be ineffective or is not maintained.**

- 9. The Limit of Work strawbales/silt fencing shall be replaced as necessary and should to be maintained in good condition throughout the entire construction period. Upon completion of all construction and stabilization of the site, strawbales/silt fencing is to be removed and properly disposed of. No fill is allowed to be placed against or outside the Limit of Work at any time. There shall be no work or storage of materials outside the Limit of Work.
- 10. The construction site is to be cleaned daily to remove any loose debris and permitted cuttings offsite. Any fill or excavated material not required to backfill and grade to the approved plan of reference shall be immediately removed offsite or to an appropriate upland location noted on the plans.
- 11. The applicant shall use all means to effectively prevent erosion into the wetland or other Resource Area and to encourage the growth of protective vegetation.
- 12. Any other proposed activities (alteration, fill, excavation or removal of vegetation) within any Resource Area or within 100 feet of any Resource Area will require that the applicant obtain all necessary permits from the Conservation Commission.
- 13. Applicant is put on notice of the requirement to adhere to the performance standards set forth in the Town's Nitrogen Control Bylaw (Chapter 237 of the Code of Falmouth; full text available at <https://ecode360.com/27443489>), which applies to all areas throughout the Town of Falmouth. These performance standards stipulate that: (1) the application of nitrogen is prohibited between October 16 and April 14; (2) residents/property owners may not allow nitrogen to be applied to any impervious surface on their property, including parking lot, driveway, roadway, sidewalk, or ice; and must immediately and completely remove and contain any nitrogen that may be applied, spilled, or deposited, whether intentionally or accidentally, on any impervious surface; (3) residents/property owners may not apply nitrogen directly to any surface before or during a heavy rain event; and (4) the application of nitrogen is at all times prohibited within 100 feet of Resource Areas as defined in Falmouth's Wetlands Regulations FWR 10.02(1)(a) through (d) (<https://ecode360.com/12120136>), namely: any bank, freshwater wetland, coastal wetland, beach, dune, flat, marsh, swamp, wet meadow, bog, or vernal pool; any creek, estuary, stream, pond, or lake; the ocean; and land under water bodies.
- 14. The application of nitrogen is at all times prohibited within 100 feet of the following additional areas under Conservation Commission jurisdiction: land subject to tidal action; land subject to flooding or inundation by groundwater or surface water; land subject to coastal storm flowage; land subject to

flooding; lands and waters within the Black Beach Great Sippewissett Marsh District of Critical Planning Concern; and lands and waters within the Waquoit Bay Area of Critical Environmental Concern.

15. Before work can begin (i.e. clearing or construction) the Town of Falmouth Conservation Commission Form(s) 1 and 2 are to be submitted to the Conservation Department, identifying the General Contractor (GC) and other responsible parties and signed by the GC and all other responsible parties confirming that the signatories thereto have read and understand the Order of Conditions and that they jointly and severally take responsibility for compliance with the OOC on site during the life of the project. These documents shall be submitted with the ten (10) day start work notification required by Standard Condition #8(b).
16. Any changes to the plan of record noted in Standard Condition 1 above, no matter how minor in scope, including, but not restricted to, changes in the building footprint and appendages such as decks, addition and/or modification of accessory structures, changes in landscape features such as patios, retaining walls, plantings, removal of vegetation, the modification of finished grades, etc. require that the applicant obtain the permission of the Conservation Commission *before* undertaking the modified work. Depending on the scope of the change, said permission may be obtained by filing for an Administrative Approval, an amended Order of Conditions, or entirely new Notice of Intent. Failure to comply with this condition may subject the applicant to an enforcement order and/or fines.
17. This Order of Conditions will not be fully complied with unless and until a duly executed Certificate of Compliance is recorded or registered, as appropriate, in Barnstable Registry of Deeds. If this Order is based on a professionally rendered drawing then a letter must be submitted from an engineer or architect certifying full compliance and any deviation from the approved plans, as well as, an "Existing Conditions" plan. This plan shall include ALL structure and landscape features including patios, retaining walls, ornamental plantings, native plantings, AC units, steps, outdoor showers, walkways, etc. Any mitigation trees for the project shall be located and identified to species. Any mitigation shrubs for the project shall be delineated on the plan, labeled as "native buffer shrubs" and the final square footage noted. A request for a Certificate of Compliance shall be made in writing immediately following completion of all work including permanently stabilizing the site with vegetation.

SPECIAL CONDITIONS:

1. Prior to the start of work an onsite meeting shall be held to review construction sequencing, access and methodology in the field.
2. Prior to the start of work the applicant shall redesign the stormwater management system so there is no discharge into Falmouth Inner Harbor. The stormwater shall be redirected into a drywell located closer to Scranton Ave. A revised plan shall be submitted to the Conservation Department prior to the start of work.

3. The applicant shall cease cutting the previously install mitigation plantings immediately and allow the vegetation to grow into its full and mature form.
4. In the area of the proposed restoration plantings and Commission is giving the applicant the choice to plant what was proposed (beach plum (*Prunus maritima*) or bayberry (*Myrica pensylvanica*)) or create a dune habitat planted with American beachgrass (*Ammophila breviligulata*).
5. Prior to conducting any work on the property, pre-construction photos shall be taken and submitted to the Conservation department for review. Photos shall be submitted with the 10 day start work notification required by Standard Condition #8(b).
6. All plantings shall be from 2-gallon or 3-gallon containers and spaced 3 feet on center if plantings beach plum or bayberry. Tags depicting the plant species and variety shall be left on the plants until established. If creating a dune habitat, the American beach grass shall be planted in staggered rows, 2 culms per hole, 12" on center, to a depth of 8 ½ inches. The beach grass shall be planted between November 15th and April 1st.
7. All plantings shall be maintained in good health and shall be allowed to grow into their full and mature form. These plantings shall not be altered in any way (pruned, removed, etc.) without first obtaining a permit from the Conservation Commission for such work. This condition shall be ongoing with the deed.
8. All cuttings/debris, etc. are to be kept out of the Resource Areas.
9. The construction site is to be cleaned daily to remove any loose debris.
10. No Certificate of Compliance will be issued until the entire project, including landscaping, is completed and the site is permanently stabilized with vegetation.
11. Special Condition 7 shall be written into the Certificate of Compliance and shall be registered with and ongoing with the deed.

VOTE AUTHORIZING SIGNATURES OF COMMISSIONERS

In accordance with the unanimous vote of the Falmouth Conservation Commission, Jennifer L. Lincoln, Conservation Administrator is authorized to sign on behalf of each individual Commissioner as reflected in the recorded Land Court Document: 1,393,706 dated 04-03-2020 9:24 Barnstable Land Court Registry



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
25-4611
MassDEP File #
1205946
eDEP Transaction #
Falmouth
City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

3/30/2021

1. Date of Issuance

4

2. Number of Signers

[Handwritten Signature]
Signature
[Handwritten Signature]
Signature
[Handwritten Signature]
Signature
[Handwritten Signature]
Signature
[Handwritten Signature]
Signature

Printed Name
Jamie Mathews, Chair
Printed Name
Courtney Bird
Printed Name
Kevin O'Brien
Printed Name
Elizabeth Gladfelter

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

by hand delivery on

by certified mail, return receipt requested, on

Date

3/30/2021
Date # 7012 0470 0001 3617 8047



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for: Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

BUSINESS

1. Sandwich Road Fire Station design update (15 minutes)
- Building Committee

FALMOUTH SANDWICH ROAD FIRE STATION SPACE NEEDS STUDY

FALMOUTH, MA

NOVEMBER 15, 2021

context
ARCHITECTURE

65 FRANKLIN STREET BOSTON, MA 02110
TEL 617 423 1400 WEB CONTEXTARC.COM

STAFFING & PARKING NEEDS/APPARATUS ASSIGNMENTS

DESCRIPTION	CURRENT		FUTURE	
	Staff / Shift	Current Total	Staff / Shift	New Station

Line Personal / Shift

New Station	Officer	0	0	1	1
	F.T. Firefighters / EMTs	0	0	3	3
	Future Firefighters	0	0	2	2
TOTAL STAFF		0	0	6	6

Fire Department Parking - New Station only

Staff	6
Shift Change - share w/ public	6
Public	2
TOTAL PARKING	14

Garaged

Engine	0	1
Ambulance	0	1
Boat on Trailer / Utility Vehicle	0	1
TOTAL PARKING	0	3

Site Requirements

Concrete pad for trash dumpster	10' x 10'
Concrete pad for patio usage	15' x 20'
Concrete pad w / bollards for emergency generator	10' x 12'
Concrete pad w / bollards for electric transformer	6' x 6'
Concrete pad for hose training, layout and staging	100' x 100'
All pads shall have clear access for service vehicles	

Site Features

- Trash Enclosure
- Solar Panels
- Lighted Flaggpole
- Ice Melt System at Apron
- Training Hydrant

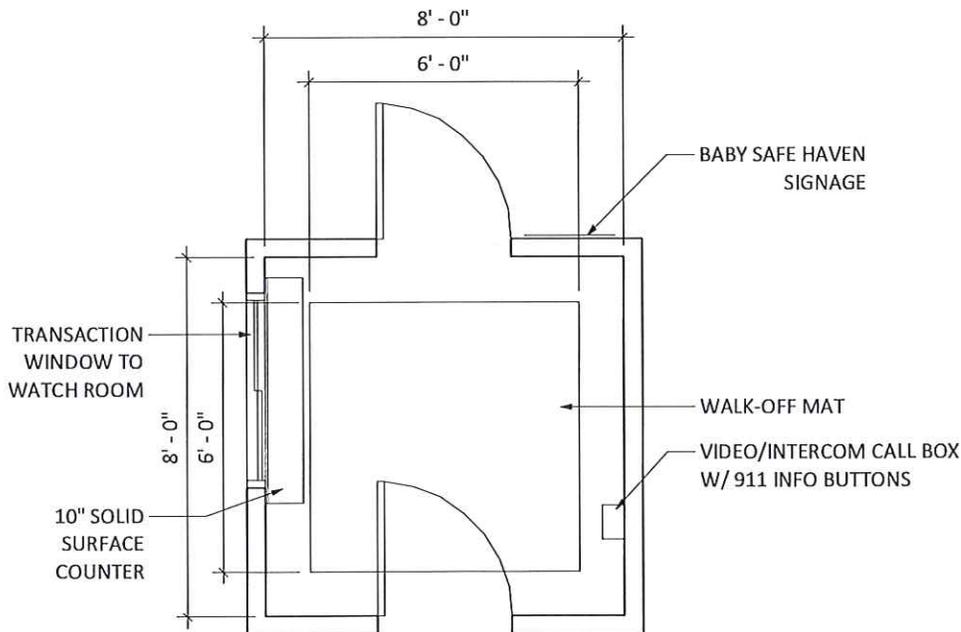
SPACE NEEDS SUMMARY

Item No.	Space Type Description	Needed Space Size			Tot. Needed NASF
		Qty	Length	Width	
1.0 Public					
1.1	Public Vestibule	1	8	8	64
1.2	Public Lobby	1	10	6	60
1.3	Public Toilets	1	7.5	7	53
2.0 Administration					
2.1	Station Officer	1	10	10	100
2.2	Watch Room /Report Writing	1	10	14	140
3.0 Apparatus & Support					
3.1	Apparatus Room (3 Bay)	1	75	60	4,500
3.2	Turnout Gear	1	16	14.5	232
3.3	Decontamination (Decon) Room	1	12	22	264
3.4	Decon Showers	2	6	8	96
3.5	Decon Lockers & Stationware washing	1	8.5	12	102
3.6	EMS Supplies	1	9	8	72
3.7	Firefighter Toilet	1	6	5	30
3.8	Equipment Storage	1	10	8	80
4.0 Firefighter Quarters					
4.1	Kitchen / Dining / Day Room	1	18	32	576
4.2	Shower Rooms	2	6	10	120
4.3	Firefighter Dorm Rooms	6	8	10	480
4.4	Locker Room	1	10	18	180
4.5	Wellness Room	1	18	18	324
5.0 Building Support					
5.1	Outdoor Equipment	1	10	8	80
5.2	Mechanical Room	1	14	10	140
5.3	Electrical Room	1	10	11	110
5.4	Emergency Generator Transfer Switch	1	5	4	20
5.5	Server / IT Room	1	10	11	110
Subtotal					7,933
Grossing Factor 35% (walls, corridors, chases, etc.)					2,776
TOTAL SQUARE FOOTAGE					10,709

PUBLIC SPACES

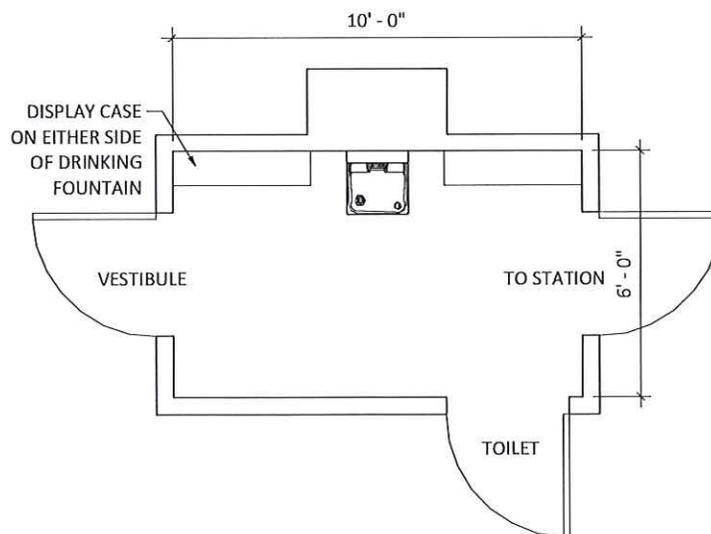
1.1 PUBLIC VESTIBULE

Adjacency Requirement	Adjacent to Public Lobby & Exterior
Public Access	High
Security Requirements	Interior door should have card access control
Contract Millwork / Equipment	Transaction Window, 10" solid surface counter
Floor	Rubber tile, QVT, Linoleum or Epoxy
Walls	GWB, painted & glazing
Ceiling	GWB, painted
Lighting / Electrical	Bright, direct, video intercom, 911 panic buttons
HVAC / Plumbing	Heat only
Special Needs	N/A
Owner supplied Furn. / Equip.	Walk-off mat (Roll-out)



1.2 PUBLIC LOBBY

Adjacency Requirement	Adjacent to Watch Room/ Report Writing
Public Access	High
Security Requirements	Moderate; controlled entrance from vestibule
Contract Millwork / Equipment	Display case on either side of drinking fountain/bottle filler
Floor	Rubber tile, QVT, Linoleum or Epoxy
Walls	GWB, painted & glazing
Ceiling	GWB, painted / ACT
Lighting / Electrical	Bright, indirect, LED lighting
HVAC / Plumbing	A/C, drinking fountain with bottle filler
Special Needs	N/A
Owner supplied Furn. / Equip.	N/A

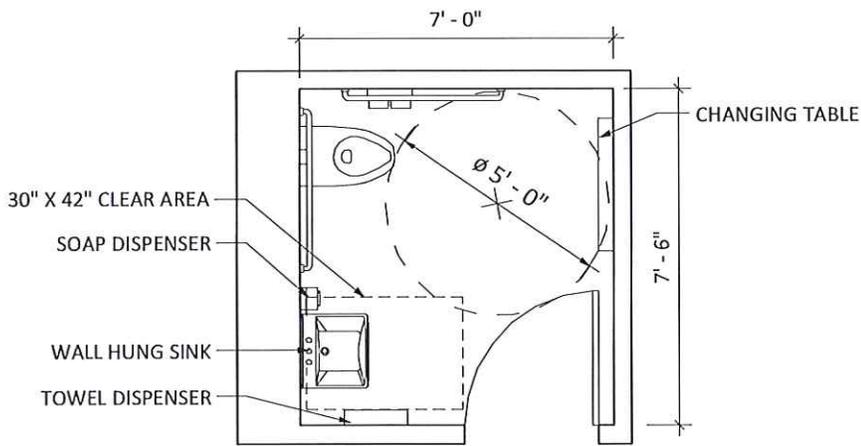


○ PUBLIC LOBBY
 1/4" = 1'-0"

PUBLIC SPACES

1.3 PUBLIC TOILETS

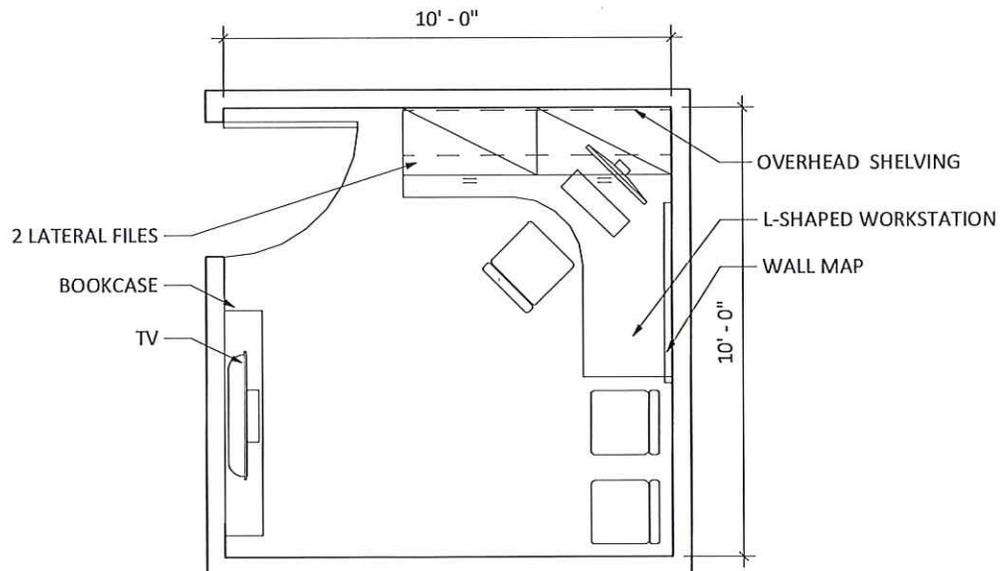
Adjacency Requirement	Access from Public Lobby
Public Access	High
Security Requirements	Privacy
Contract Millwork / Equipment	Toilet and sink
Floor	Rubber tile, QVT, Linoleum or Epoxy
Walls	GWB, painted
Ceiling	GWB, painted
Lighting / Electrical	LED
HVAC / Plumbing	Heat only, good exhaust tied to light switch
Special Needs	Handicapped accessible, floor drain
Owner supplied Furn. / Equip.	N/A



PUBLIC TOILET
 1/4" = 1'-0"

2.1 STATION OFFICER

Adjacency Requirement	Adjacent to Watch Room/Report Writing
Public Access	Moderate
Security Requirements	Lockable office, controlled
Contract Millwork / Equipment	N/A
Floor	Rubber tile, QVT, Linoleum or Epoxy
Walls	GWB, painted
Ceiling	ACT
Lighting / Electrical	LED
HVAC / Plumbing	A/C only
Special Needs	N/A
Owner supplied Furn. / Equip.	U shaped workstation with overhead shelving and two lateral files; desk chair; two guest chairs; one bookcase; wall map

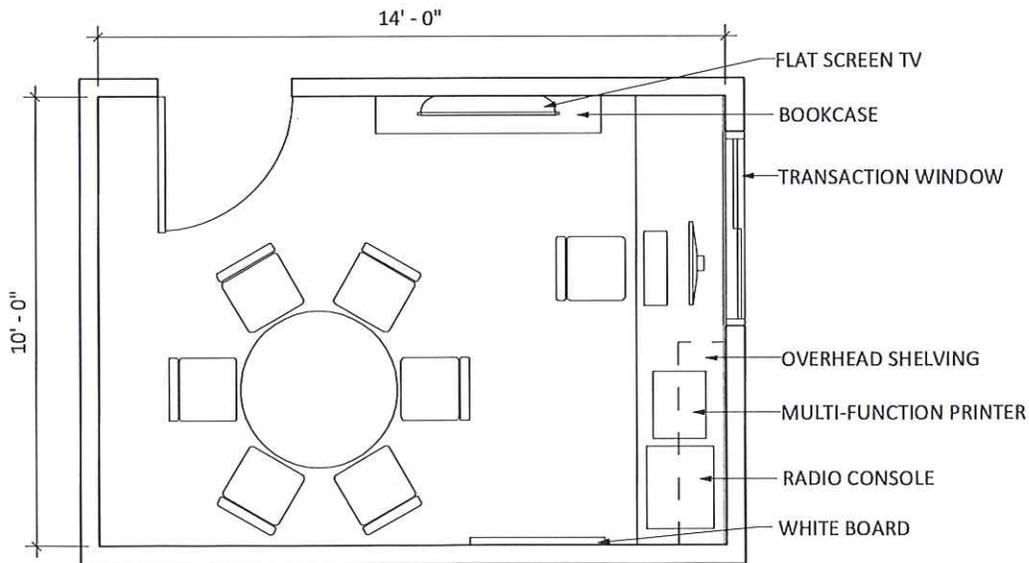


○ STATION OFFICER
 1/4" = 1'-0"

ADMINISTRATION

2.2 WATCH ROOM/REPORT WRITING

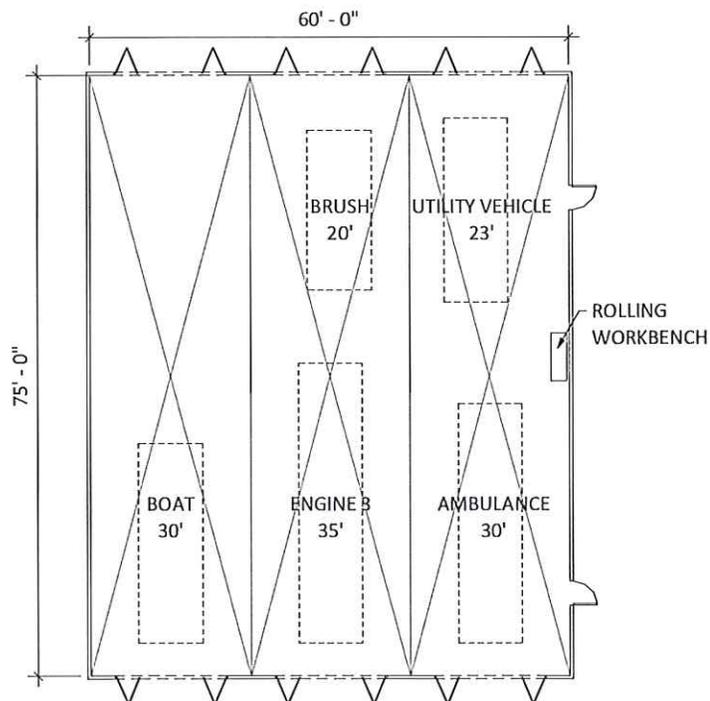
Adjacency Requirement	Adjacent to Vestibule
Public Access	Limited, controlled
Security Requirements	None
Contract Millwork / Equipment	Wall-mounted TV, bookcase, white board, solid surface counter, wall shelving, transaction window
Floor	Rubber tile, QVT, Linoleum or Epoxy
Walls	GWB, painted
Ceiling	ACT
Lighting / Electrical	LED with parabolic reflector, 2-level lighting, task lighting.
HVAC / Plumbing	Heat, A/C
Special Needs	Controls for VOC-ALARM or Zetron, station alerting, radio console, room darkening shade, control for overhead door.
Owner supplied Furn. / Equip.	(6) Sitting chairs, table, (1) task chair, wall space for maps, shelving, cable TV, printer, radio console



○ WATCH ROOM / REPORT WRITING
 1/4" = 1'-0"

3.1 APPARATUS ROOM

Adjacency Requirement	Adjacent to Firefighter's Quarters and support spaces.
Public Access	None
Security Requirements	Moderate
Contract Millwork / Equipment	N/A
Floor	Epoxy traffic coated concrete slab with line striping and radiant tubing, fully insulated
Walls	CMU with epoxy paint
Ceiling	Painted exposed structure (19'-0" floor to deck structure)
Lighting / Electrical	LED; Low level night lighting; overhead power; wall-mounted screens for station alerting
HVAC / Plumbing	Heat only, provide vehicle exhaust system; wall-mounted 1-1/2" water fill; compressed air; sand/oil separator; radiant heated slab & Ice melt systems; heated and cold water
Special Needs	Four-fold doors (14' x 14') at front, Sectional overhead doors (14' x 14') in rear; overhead door operators at door jamb, watch room, and on apparatus vehicles; wide trench drains; bollards at each side of all overhead doors; rolling workbench.

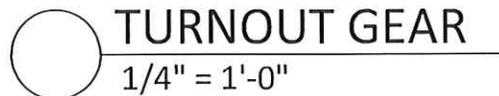
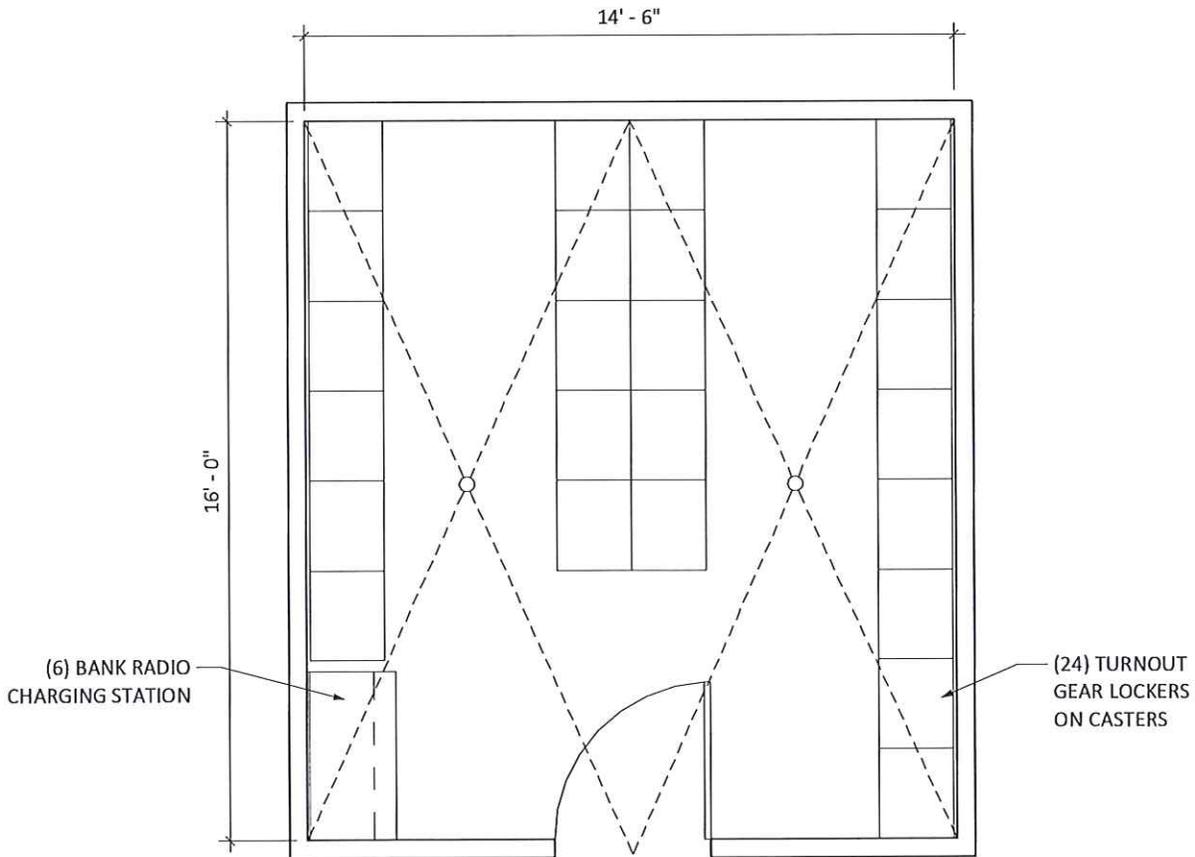


APPARATUS ROOM
3/64" = 1'-0"

APPARATUS & SUPPORT

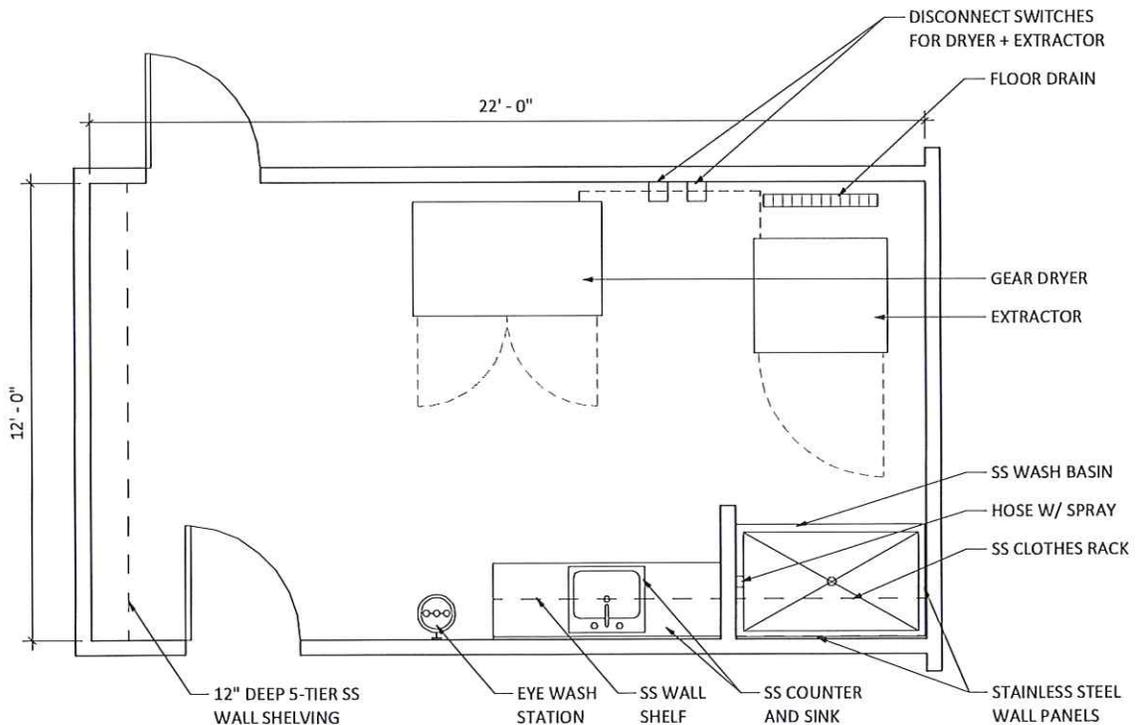
3.2 TURNOUT GEAR

Adjacency Requirement	Adjacent to Apparatus Room
Public Access	None
Security Requirements	Lockable doors at cubicles
Contract Millwork / Equipment	(24) steel mesh cubicles (24"W x 20"D) with top and bottom shelves
Floor	Hardened concrete
Walls	CMU with epoxy paint
Ceiling	GWB, painted
Lighting / Electrical	LED; electrical wiremold at charging station
HVAC / Plumbing	Radiant floor slab heating; floor drains
Special Needs	No UV Exposure, 42" door
Owner supplied Furn. / Equip.	Zetron speakers



3.3 DECON ROOM

Adjacency Requirement	Off Apparatus Room, next to Turn- out Gear Room. Provides access to decon showers.
Public Access	None
Security Requirements	None
Contract Millwork / Equipment	SS wall shelving
Floor	Hardened concrete
Walls	CMU w/ epoxy paint
Ceiling	GWB, painted
Lighting / Electrical	LED power for appliances
HVAC / Plumbing	No A/C, Exhaust, eye wash, floor drain, SS wash tub with hand spray, SS utility sink w/ integral wash board, negative pressure
Special Needs	None
Owner supplied Furn. / Equip.	Extractor & gear dryer

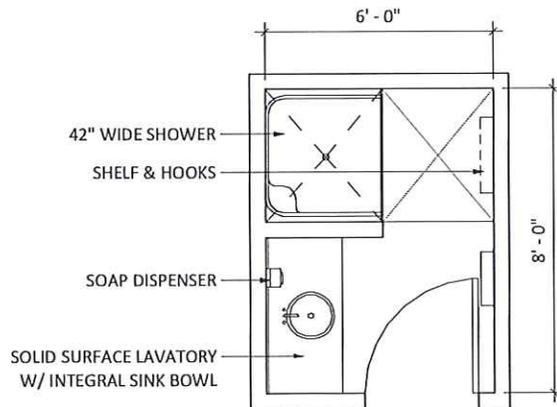


○ DECON ROOM
 1/4" = 1'-0"

APPARATUS & SUPPORT

3.4 DECON SHOWERS

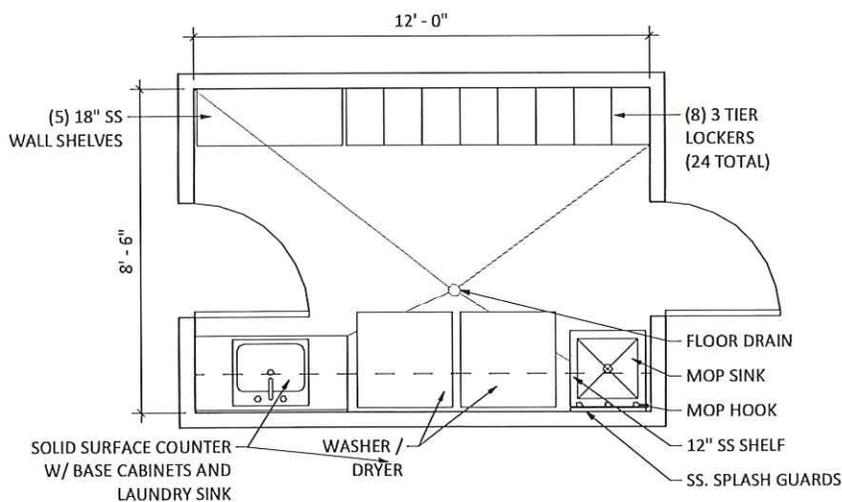
Adjacency Requirement	Next to lockers and clean side entrance, access from Decon Room
Public Access	None
Security Requirements	None
Contract Millwork / Equipment	None
Floor	Rubber tile, QVT, Linoleum or Epoxy
Walls	GWB, painted
Ceiling	GWB, painted
Lighting / Electrical	LED
HVAC / Plumbing	No A/C, Exhaust, floor drain, urinal, toilet, shower
Special Needs	None
Owner supplied Furn. / Equip.	None



○ DECON SHOWERS
 1/4" = 1'-0"

3.5 DECON LOCKERS & STATIONWARE WASHING

Adjacency Requirement	Adjacent to clean side, access from Decon and Decon Showers
Public Access	None
Security Requirements	None
Contract Millwork / Equipment	(24) 12" wide x 24" deep (2 tier) lockers, washer / dryer, stainless steel shelf over laundry, solid surface counter w/ base cabinet and mop hook and shelf, SS splash guards
Floor	Rubber tile, QVT, Linoleum or Epoxy
Walls	GWB w/ FRP
Ceiling	ACT
Lighting / Electrical	LED; power for appliances, gas for dryer
HVAC / Plumbing	No A/C, Exhaust for dryer, floor drains, mop sink, counter sink, cold and hot water for washer
Special Needs	None
Owner supplied Furn. / Equip.	None

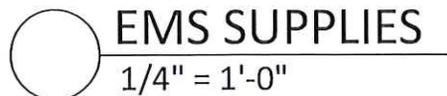
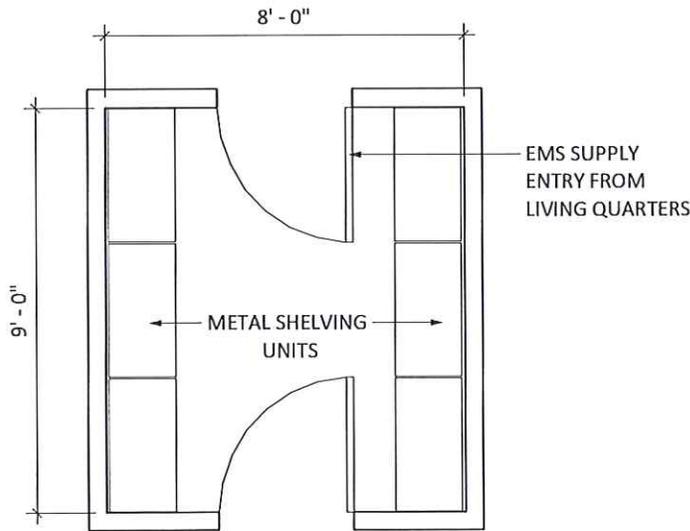


○ DECON LOCKERS & STATIONWARE WASHING
 1/4" = 1'-0"

APPARATUS & SUPPORT

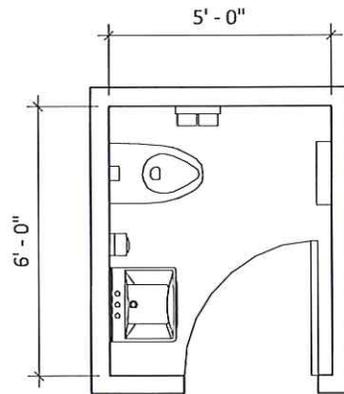
3.6 EMS SUPPLIES

Adjacency Requirement	Adjacent to Apparatus Room
Public Access	None
Security Requirements	High
Contract Millwork / Equipment	Metal Wall shelving units in closet
Floor	Hardened, sealed concrete
Walls	CMU, painted
Ceiling	GWB, painted
Lighting / Electrical	LED
HVAC / Plumbing	Heat, A/C, good ventilation
Special Needs	N/A
Owner supplied Furn. / Equip.	Metal shelving units.



3.7 FIREFIGHTER TOILET

Adjacency Requirement	Adjacent to Apparatus Room and Turnout Gear
Public Access	None
Security Requirements	Privacy
Contract Millwork / Equipment	(1) Toilet, (1) Sink
Floor	Epoxy
Walls	CMU, painted
Ceiling	GWB, painted
Lighting / Electrical	LED
HVAC / Plumbing	Good ventilation
Special Needs	Zetron speakers
Owner supplied Furn. / Equip.	N/A

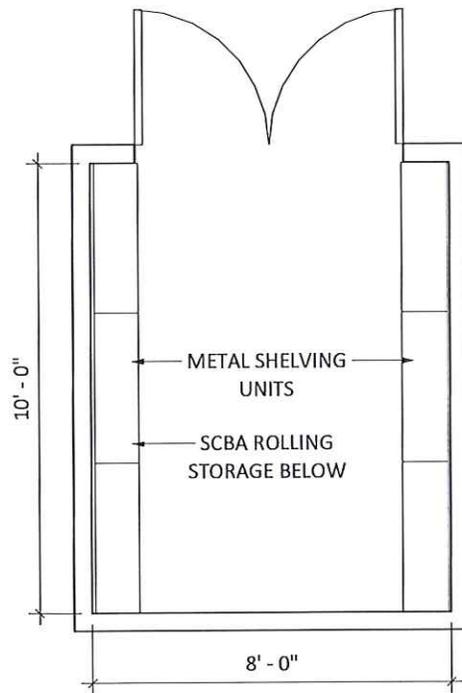


 **FIREFIGHTER TOILET**
1/4" = 1'-0"

APPARATUS & SUPPORT

3.8 EQUIPMENT STORAGE

Adjacency Requirement	Adjacent to Apparatus Room, good access to exterior
Public Access	None
Security Requirements	Lockable room
Contract Millwork / Equipment	N/A
Floor	Hardened, sealed concrete
Walls	CMU, painted
Ceiling	Painted exposed structure
Lighting / Electrical	LED
HVAC / Plumbing	N/A
Special Needs	N/A
Owner supplied Furn. / Equip.	Storage shelving units, SCBA rolling storage rack

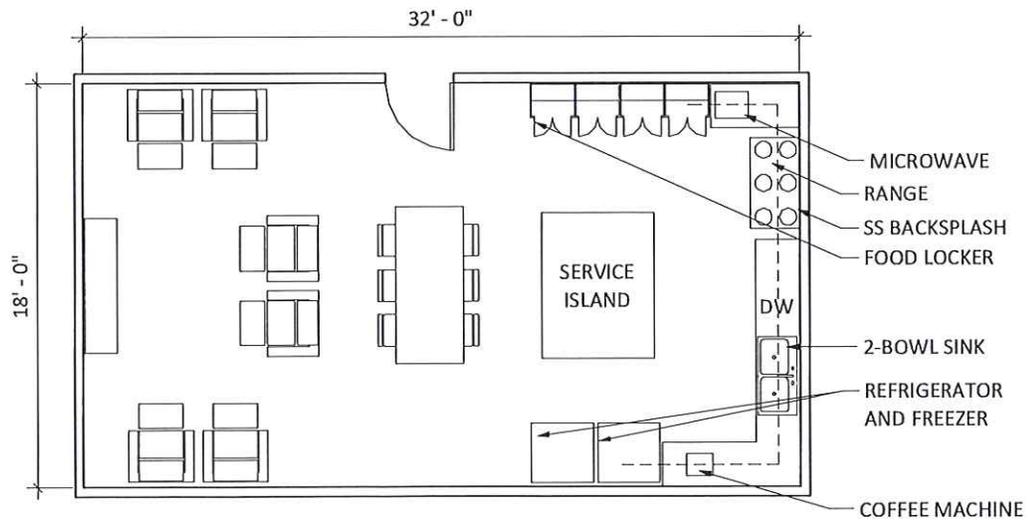


 **EQUIPMENT STORAGE**
1/4" = 1'-0"

FIREFIGHTER QUARTERS

4.1 KITCHEN / DINING / DAY ROOM

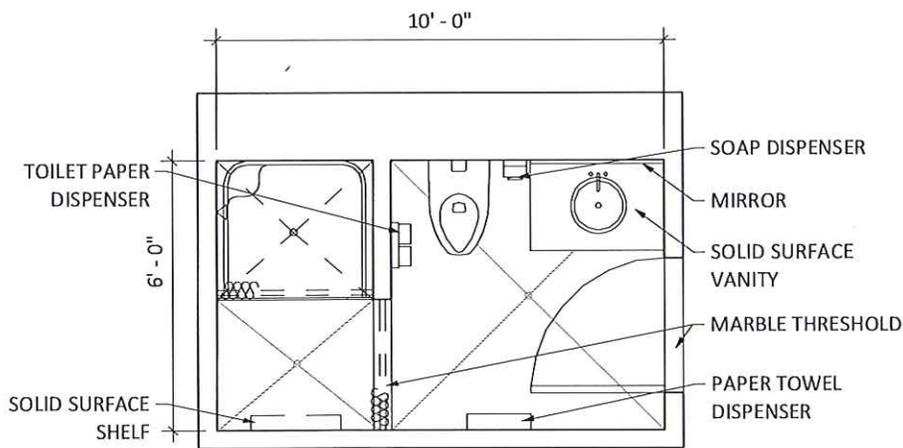
Adjacency Requirement	Good access to Apparatus Room
Public Access	None
Security Requirements	Moderate
Contract Millwork / Equipment	Commercial appliances; 6-burner range with oven and exhaust hood - no griddle or grill, wall oven, built-in microwave, large, double sink, dishwasher, garbage disposal, grease trap, (2) 36" freezer/refrigerators, solid-surface countertop w/ base and upper cabinets, (4) shared food pantry, work areas for food prep, plumbed coffeemaker, service island.
Floor	Rubber tile, QVT, Linoleum or Epoxy
Walls	GWB, painted
Ceiling	ACT
Lighting / Electrical	LED, CATV, task lighting, power outlets w/ USB on all walls; Power at kitchen island
HVAC / Plumbing	Heat, A/C, range exhaust, no Ansul required
Special Needs	Zetron speakers
Owner supplied Furn. / Equip.	Kitchen table to accommodate entire shift, (6) chairs, Day Room recliners or couch seating for (6), TV



FIREFIGHTER QUARTERS

4.2 SHOWER ROOMS

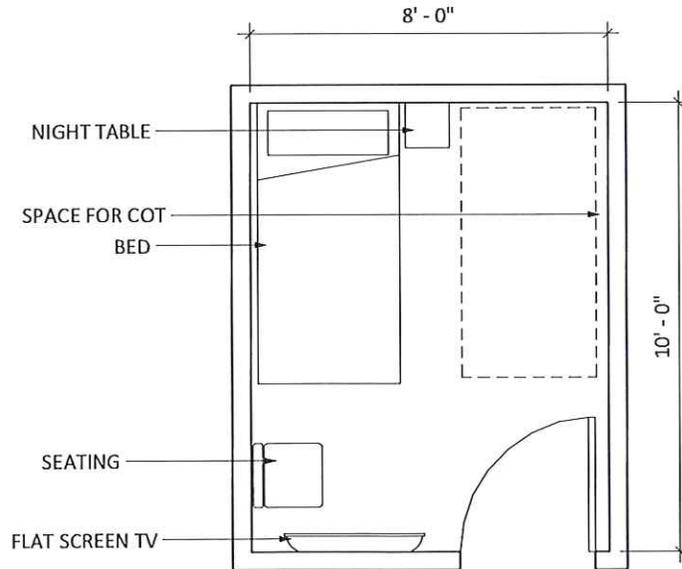
Adjacency Requirement	Near Firefighter Dorm Rooms
Public Access	None
Security Requirements	Privacy
Contract Millwork / Equipment	Solid Surface, lavatory w/ integral bowl, toilet accessories continuous mirrors above counter; full length mirror
Floor	Epoxy
Walls	GWB, ceramic tile wainscot typ., full height at showers, painted GWB above tile wainscot
Ceiling	GWB, painted
Lighting / Electrical	LED lighting
HVAC / Plumbing	Heat, A/C, exhaust; prefab shower unit with drying area, toilet, sink, floor drains
Special Needs	Mirror over the sink; toilet accessories
Owner supplied Furn. / Equip.	N/A



SHOWER ROOMS
 1/4" = 1'-0"

4.3 FIREFIGHTER DORM ROOMS

Adjacency Requirement	Good access to Apparatus Room. Adjacent to Toilet Rooms and Locker Rooms
Public Access	None
Security Requirements	Privacy
Contract Millwork / Equipment	None
Floor	Rubber tile, QVT, Linoleum or Epoxy
Walls	GWB, painted
Ceiling	ACT
Lighting / Electrical	LED, 2 light levels, task lighting, provide (2) power outlets w/ USB, (2) data,
HVAC / Plumbing	Heat, A/C
Special Needs	Alerting system speaker in ceiling; darkening shades
Owner supplied Furn. / Equip.	Each room to have a chair, extra long twin bed, night table, chair, TV

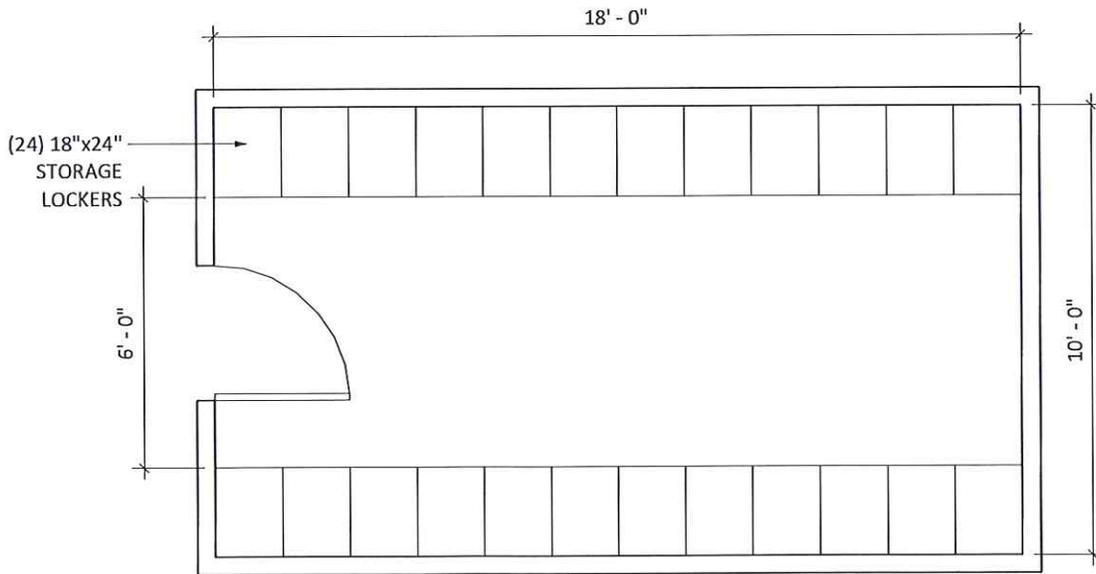


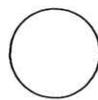
FIREFIGHTER DORM ROOMS
 1/4" = 1'-0"

FIREFIGHTER QUARTERS

4.4 LOCKER ROOM

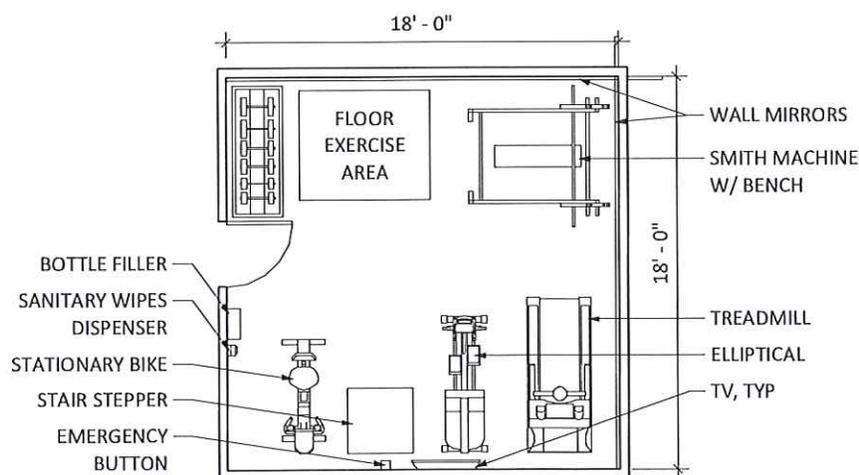
Adjacency Requirement	Adjacent to Dorms
Public Access	None
Security Requirements	None
Contract Millwork / Equipment	(24) 18"x24" Lockable storage units with (2) benches, fillers
Floor	Rubber tile, QVT, Linoleum or Epoxy
Walls	GWB, painted
Ceiling	ACT
Lighting / Electrical	LED; power for locker plugs
HVAC / Plumbing	Good ventilation
Special Needs	None
Owner supplied Furn. / Equip.	None



 **LOCKER ROOM**
1/4" = 1'-0"

4.5 WELLNESS ROOM

Adjacency Requirement	Access to living quarters
Public Access	None
Security Requirements	None
Contract Millwork / Equipment	None
Floor	Rubber Sport flooring, sound insulation
Walls	GWB painted, 5'x6' wall mirrors
Ceiling	ACT or Exposed
Lighting / Electrical	LED direct, CATV for wall mounted TV, ceiling speakers; emergency button on (3) walls
HVAC / Plumbing	Heat, A/C, good ventilation, separate control
Special Needs	Clock, wall-mounted TV, cable mirrored wall
Owner supplied Furn. / Equip.	(1) treadmill, (1) stair stepper, (1) elliptical, (1) bike, squat rack, cable rig, removable heavy bag, dumbbell rack and bench area, floor mats, TV, (2) sanitary wipe dispensers, free weights, smith machine, zetron speakers. Equipment will be furnished with FF&E.

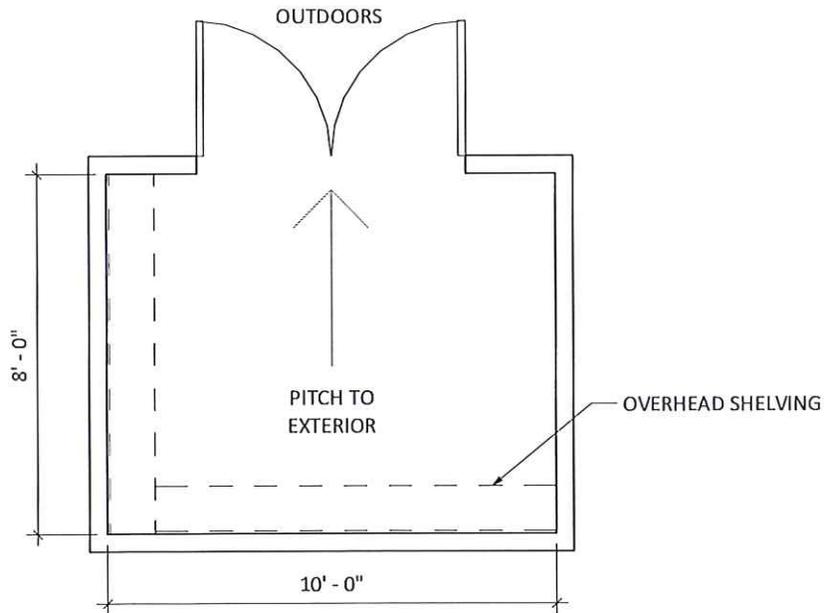


WELLNESS ROOM
1/8" = 1'-0"

FIREFIGHTER QUARTERS

5.1 OUTDOOR EQUIPMENT

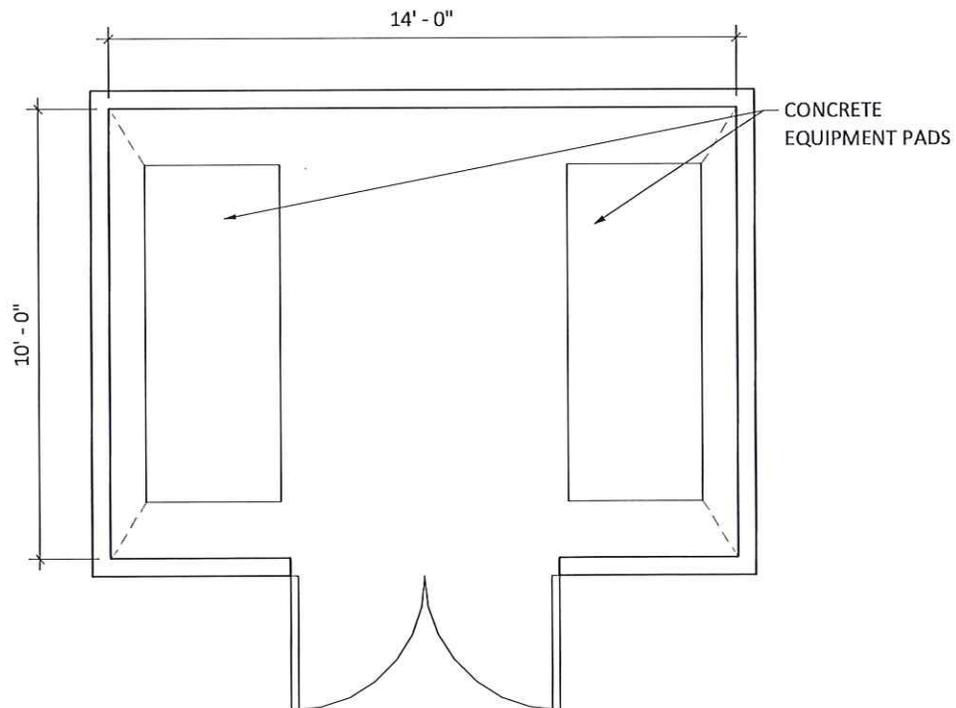
Adjacency Requirement	Adjacent to Apparatus Room and good access to exterior
Public Access	None
Security Requirements	Moderate
Contract Millwork / Equipment	Overhead shelving
Floor	Hardened, sealed concrete
Walls	CMU, painted
Ceiling	Painted exposed structure
Lighting / Electrical	LED
HVAC / Plumbing	Heat only
Special Needs	N/A
Owner supplied Furn. / Equip.	N/A



OUTDOOR EQUIPMENT
 1/4" = 1'-0"

5.2 MECHANICAL ROOM

Adjacency Requirement	N/A
Public Access	None
Security Requirements	Lockable room
Contract Millwork / Equipment	N/A
Floor	Hardened, sealed concrete
Walls	GWB, painted
Ceiling	Exposed
Lighting / Electrical	LED lighting
HVAC / Plumbing	Exhaust, Sprinkler System
Special Needs	N/A
Owner supplied Furn. / Equip.	N/A

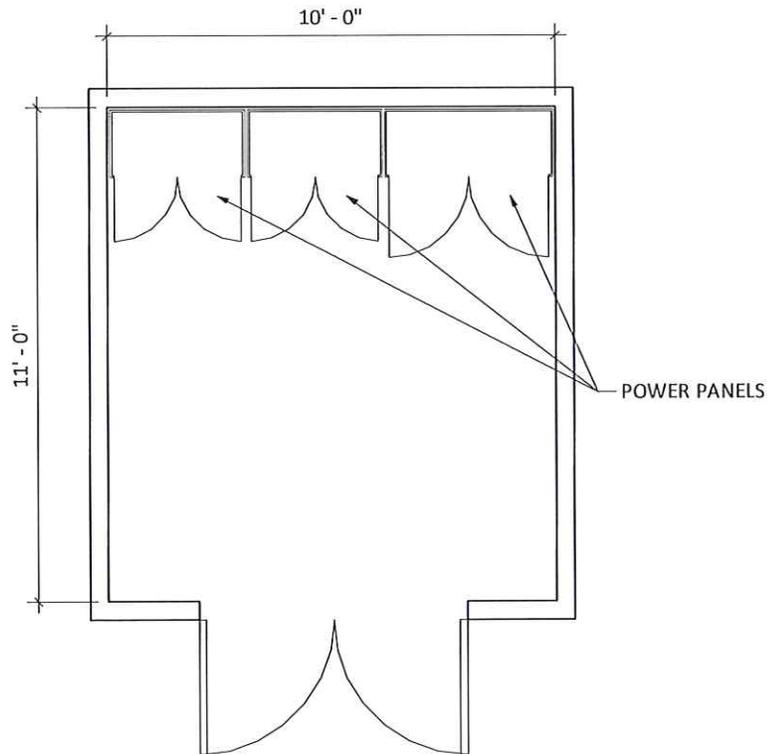


 **MECHANICAL ROOM**
1/4" = 1'-0"

BUILDING MAINTENANCE & SUPPLIES

5.3 ELECTRICAL ROOM

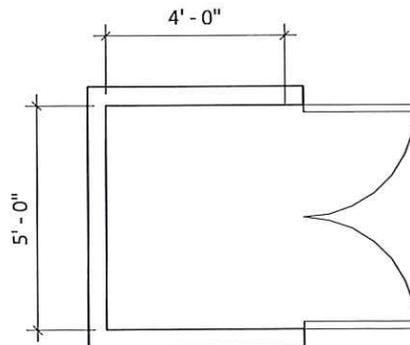
Adjacency Requirement	Locate near Server Room
Public Access	None
Security Requirements	None
Contract Millwork / Equipment	N/A
Floor	Hardened, sealed concrete
Walls	GWB, painted with plywood backboards on each wall
Ceiling	Exposed
Lighting / Electrical	LED lighting, power for equipment, FACP
HVAC / Plumbing	A/C only
Special Needs	N/A
Owner supplied Furn. / Equip.	N/A



○ ELECTRICAL ROOM
 1/4" = 1'-0"

5.4 EMERGENCY TRANSFER SWITCH

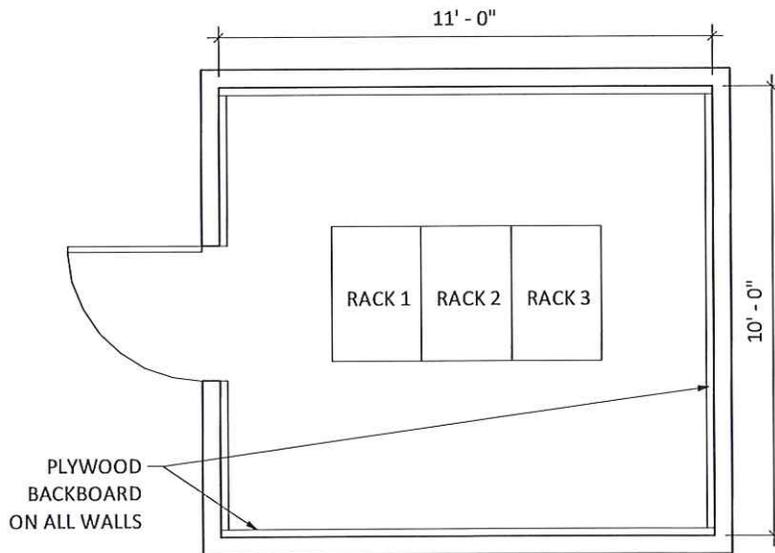
Adjacency Requirement	Locate next to Electrical Room
Public Access	None
Security Requirements	None
Contract Millwork / Equipment	N/A
Floor	Hardened, sealed concrete
Walls	GWB, painted
Ceiling	Exposed painted structure
Lighting / Electrical	LED lighting
HVAC / Plumbing	N/A
Special Needs	Two hour fire rating; painted 3/4" FR plywood panels fixed to walls for mounting of electrical equipment
Owner supplied Furn. / Equip.	N/A



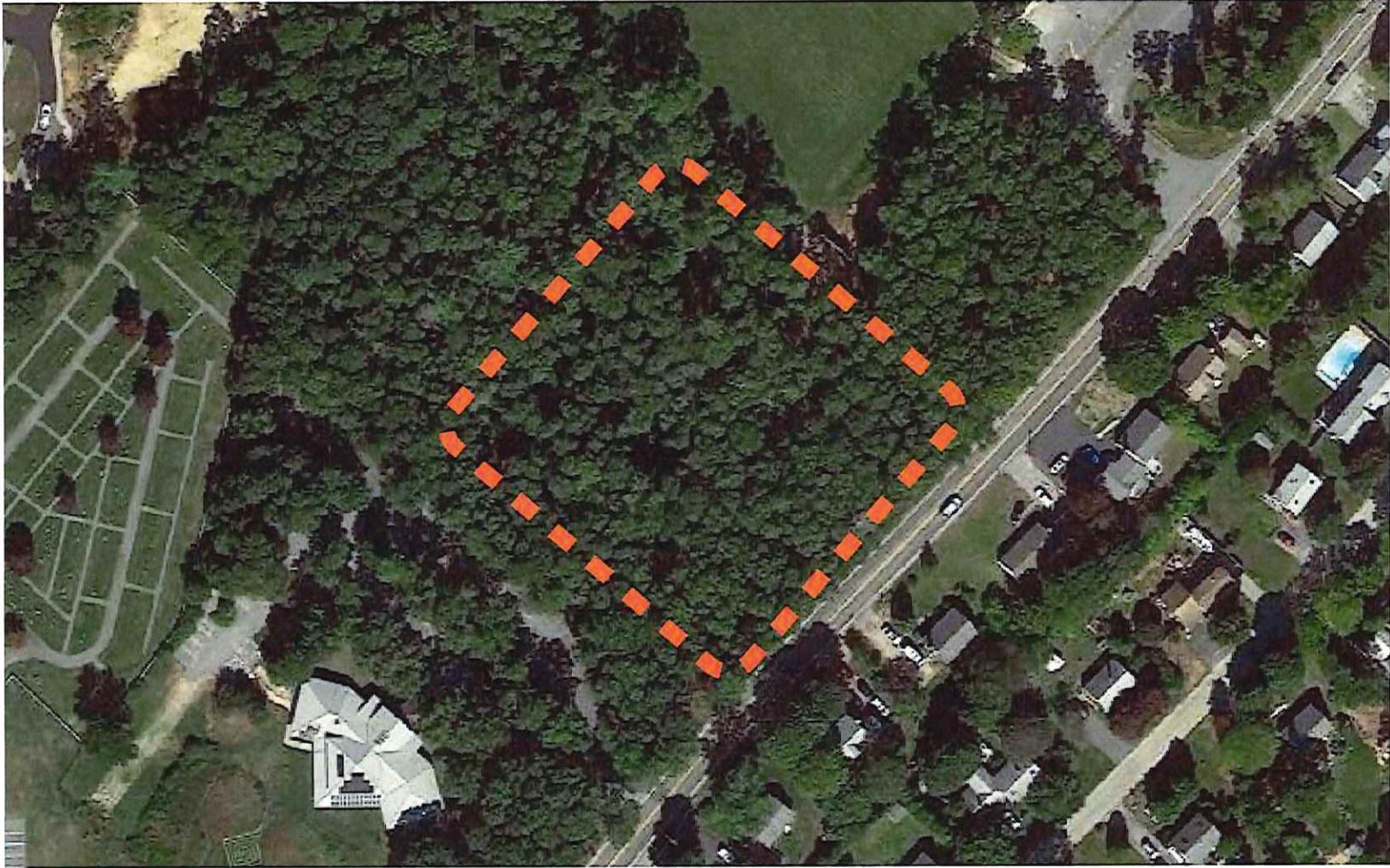
BUILDING SUPPORT

5.5 SERVER ROOM

Adjacency Requirement	Locate near Electrical Room. Accessed by Town IT Department staff
Public Access	None
Security Requirements	High
Contract Millwork / Equipment	N/A
Floor	Rubber tile, QVT, Linoleum, Epoxy or hardened, sealed concrete
Walls	GWB, painted, plywood equipment panels
Ceiling	ACT
Lighting / Electrical	LED
HVAC / Plumbing	A/C only
Special Needs	N/A
Owner supplied Furn. / Equip.	2 Computer racks, server equipment

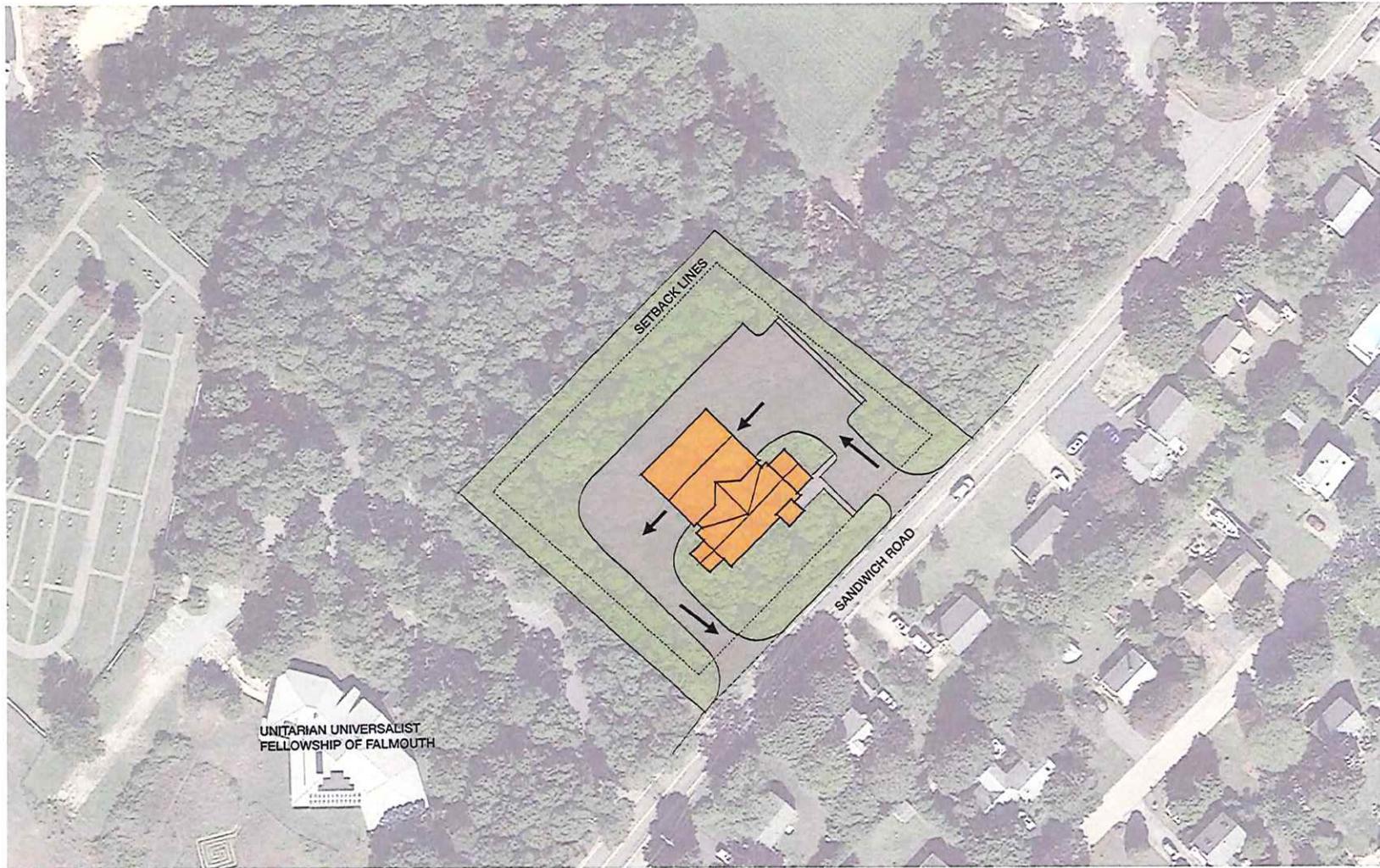


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FALMOUTH SANDWICH ROAD FIRE STATION STUDY - FALMOUTH, MA





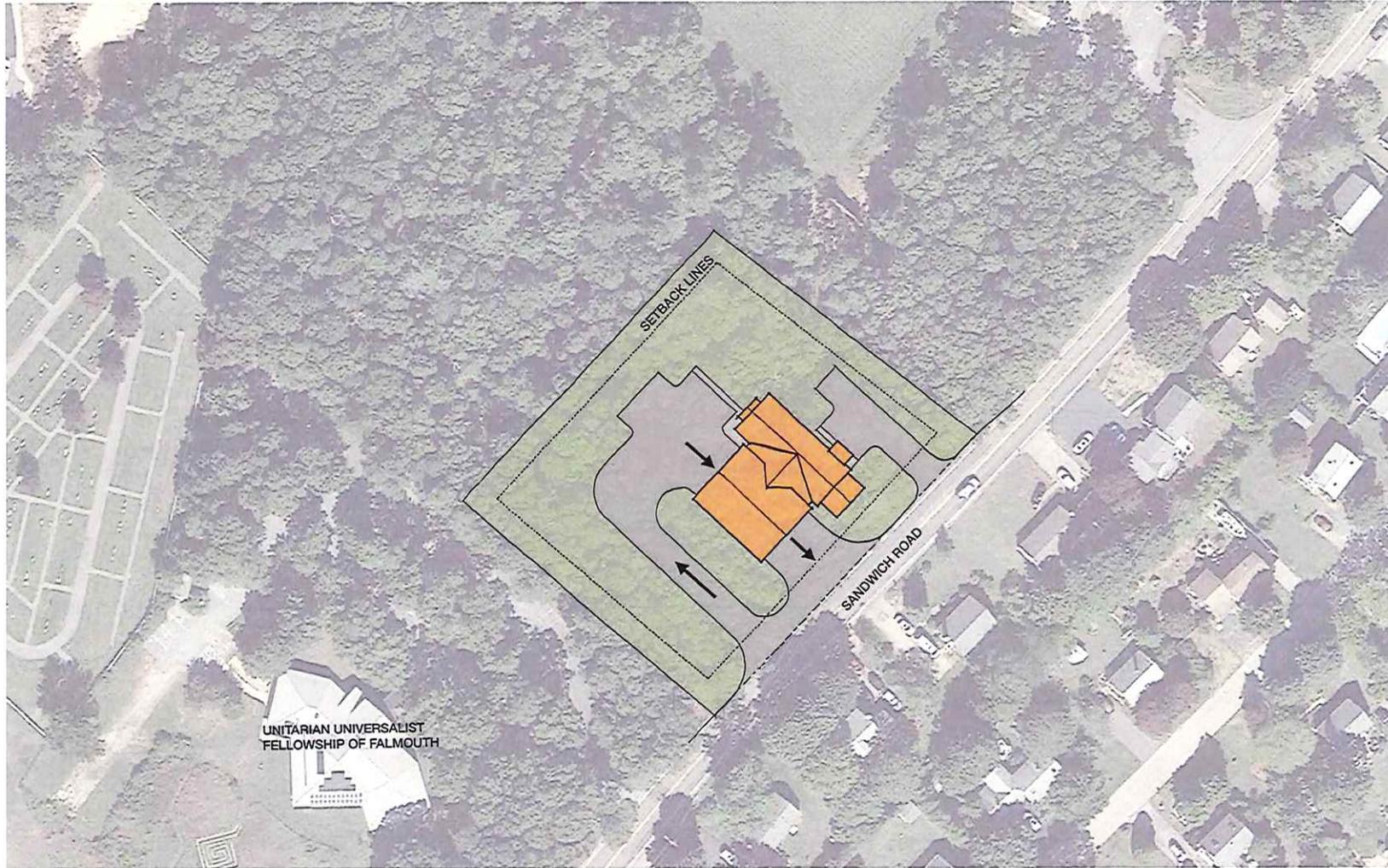
FALMOUTH SANDWICH ROAD FIRE STATION STUDY - FALMOUTH, MA

OPTION A



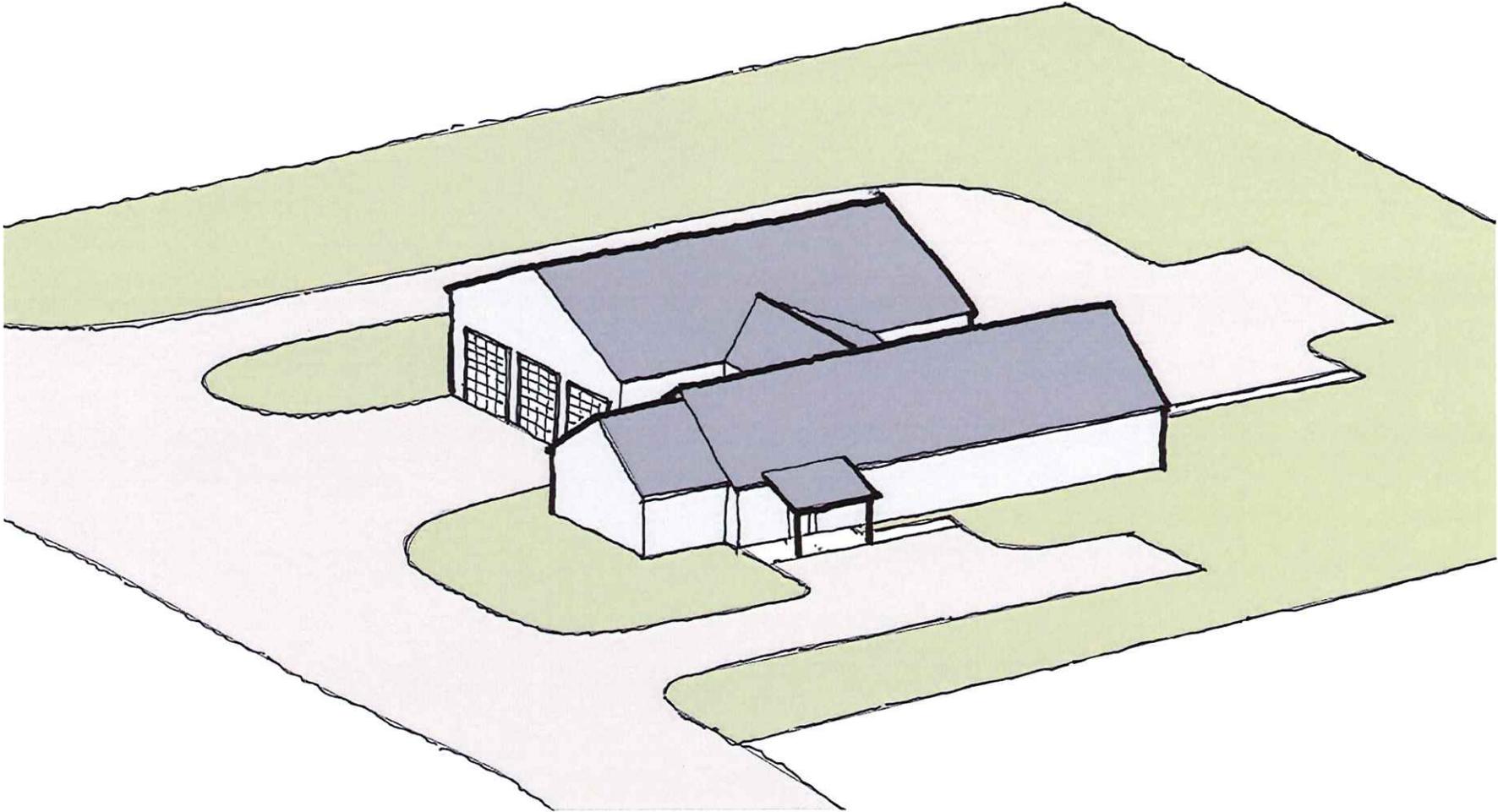
FALMOUTH SANDWICH ROAD FIRE STATION STUDY - FALMOUTH, MA

OPTION B



FALMOUTH SANDWICH ROAD FIRE STATION STUDY - FALMOUTH, MA

OPTION C



FALMOUTH SANDWICH ROAD FIRE STATION STUDY - FALMOUTH, MA

OPTION C

BUSINESS

2. Report – Waterways Committee (15 minutes)

Falmouth Waterways Committee

2021 Yearly Report to Select Board

Jeff Thomas, Chair
Falmouth Waterways Committee

Dec 6, 2021

Rev 1



2021 Committee Activity Summary

- General Activity
- Waquoit Bay Embayment Dredging Project
- Eel River River West Area Inlet Study
- Megansett Harbor Dredging Project(s)
- Boat Ramp Parking Initiative
- Misc Projects

2021 General Dredging Activity

2022 Non capital Budget Increase requested

- Non Capital Budget requested increase **approved** in November Town Mtg.
- Recent yearly requests of \$100K not adequate going forward for dredging costs.
- Committee asked for the following increases:
 - \$150K for yearly maintenance going forward
 - Approx \$150K for Engineering and Permitting for Waquoit Bay Embayment Dredging Project, and \$50K for Megansett Approach Eng & Permitting

CY 2021 Spring inlet maintenance dredging accomplished for:

- Falmouth Inner Harbor, Great Pond, Green Pond, and Bournes Pond
- Expect same list plus Eel River Approach in 2022

10 Year Comprehensive Permit - Expires Feb 2022.

- Covers areas that are dredged on a frequent basis, and due to their relatively simple nature (from a perspective of no conservation or environmental concerns) , plus beaches used for dredge spoils nourishment.
- Renewal in process with Woods Hole Group.
- Added Great Pond Embayment channel to this permit.
 - Needs dredging, targeted for fall of CY2022.
 - Funds included in recent Non-capital Budget approved in Town Mtg Nov 2021.

Waquoit Bay Embayment Channel

Waquoit Bay Embayment navigational channel maintenance dredging

- Project to address channel depths
 - Last time embayment was dredged was post WWII



Waquoit Bay Embayment Channel

Waquoit Bay Embayment navigational channel maintenance dredging

- Total scope is approximately 11-13K yards of materials
- Waquoit Bay Yacht Club did the initial core sampling to estimate spoil content
 - Most sediment is organic silt and mud
 - Contents not useable for beach nourishment due to little sand content
 - Nav channel is not a shellfish concern as no evidence found in this area.
- Woods Hole Group contracted to form detailed core sampling.
 - Sampling done and qualitative analysis matches previous WBYC results.
 - Lab is proceeding with the chemistry analysis following requirements in 314 CMR 9.07(2)(b)6. Not due until mid January.
- Big questions open to proceed are:
 - Chemical composition of spoils ?
 - What a disposal plan (and associated costs would be) for the large amount of materials ?

Waquoit Bay Embayment Channel

Waterways Committee has formed a working group specifically to focus on potential spoils disposition plan.

- Current on hiatus waiting for lab results.
- Membership: Joe Voci -(WWC) , Gregg Fraser - Fal Harbormaster, WEBNERR, WBYC

Best Case Timeline

Task	Target	Status
Initial Planning	Aug 2021	Complete
Budget and Approvals for Engineering and Permitting*	Nov 2021	Complete
Core Sampling and Analysis	Jan 15, 2022	On track
Eng and Permitting with WHG	April 2022	
All permits approved	Aug 2022	
Budgets developed/funding sources defined	Sept 2022	
Contractor Selection/Disposal Plan Defined	Dec 2022	
Dredging Execution	Sept – Dec 2023	
Completion	Jan 15 2024	

Eel River West

- Falmouth Received a grant from the state for a coastal resiliency project in Aug 2021
 - *Feasibility Assessment for Addressing Increased Erosion along the Eel River Inlet Shoreline Due to Barrier Beach Migration*
 - \$64,170 paid from the state for 75% of the total feasibility Study, the remaining 25% from the MES dredging budget
 - Study is targeted to be done by mid CY2022.
- Applied Coastal Research and Eng is the company contracted for this.
 - They did a similar study for Barnstable.
 - Cotuit 3 Bays Sampson's Island/Deadneck

Washburn Island



Samson's Island



Eel River West

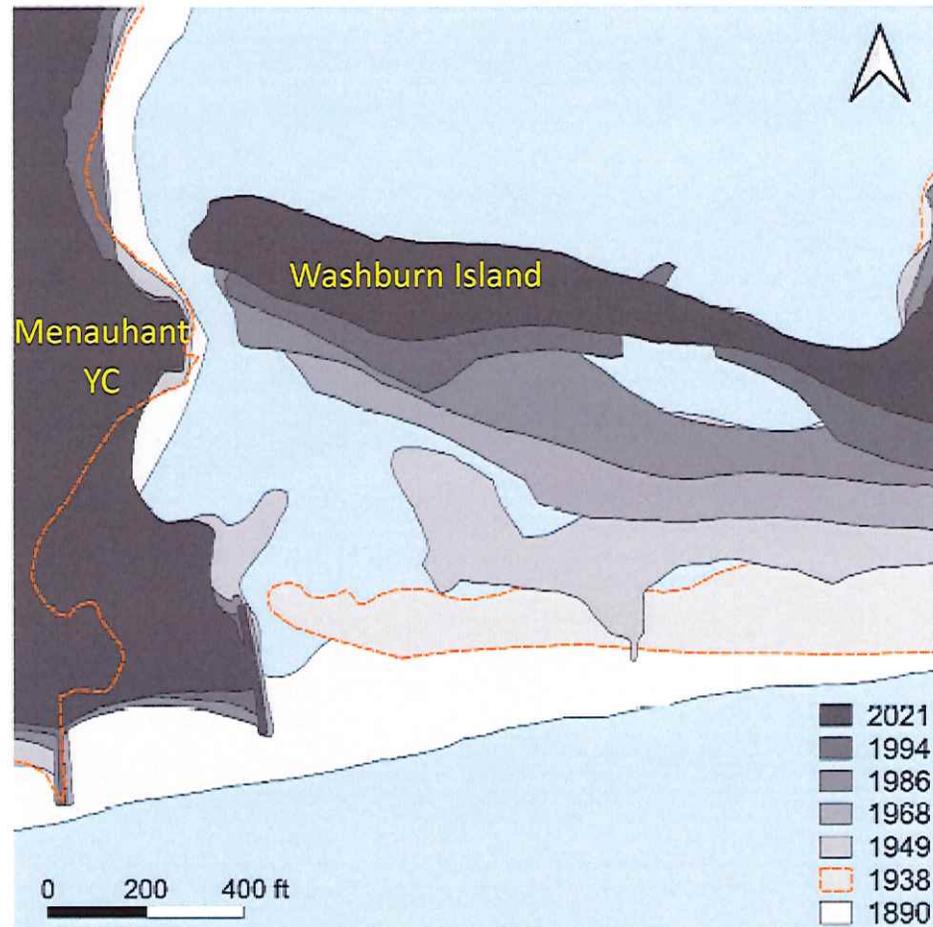
Timeline

Task	Due	Completed
Task 1. Kick-off Meeting	09/01/2021	100%
Task 2. Assess Available Coastal Processes Environmental Information	11/15/2021	100%
Task 3. Contemporary Shoreline Change Analysis	12/15/2021	100%
Task 4. Coastal Processes Analysis	03/01/2022	30%
Task 5. Engineering Analysis of Alternatives	05/15/2022	10%
Task 6. Develop Alternatives Report and Public Presentation	06/15/2022	0%
Task 7. Case Study	06/30/2022	0%

Hydrodynamic Model Developed



Eel River West



Historical shoreline change in the vicinity of the Eel River inlet channel between 1890 and 2021. During this time period, the barrier beach has receded more than 1000 feet northward into the bay with an average rate of migration of approximately 7.8 feet per year.

Eel River West

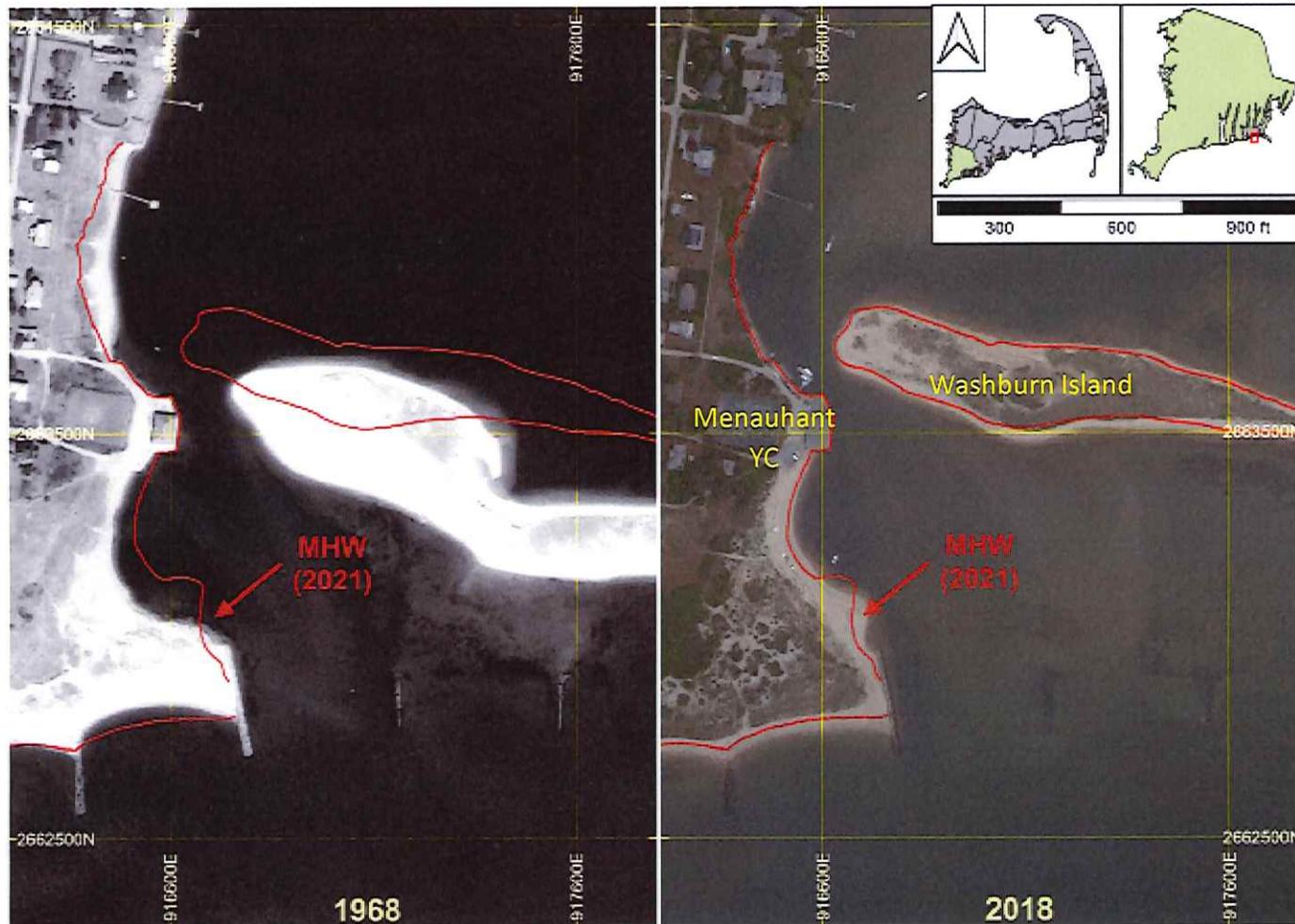
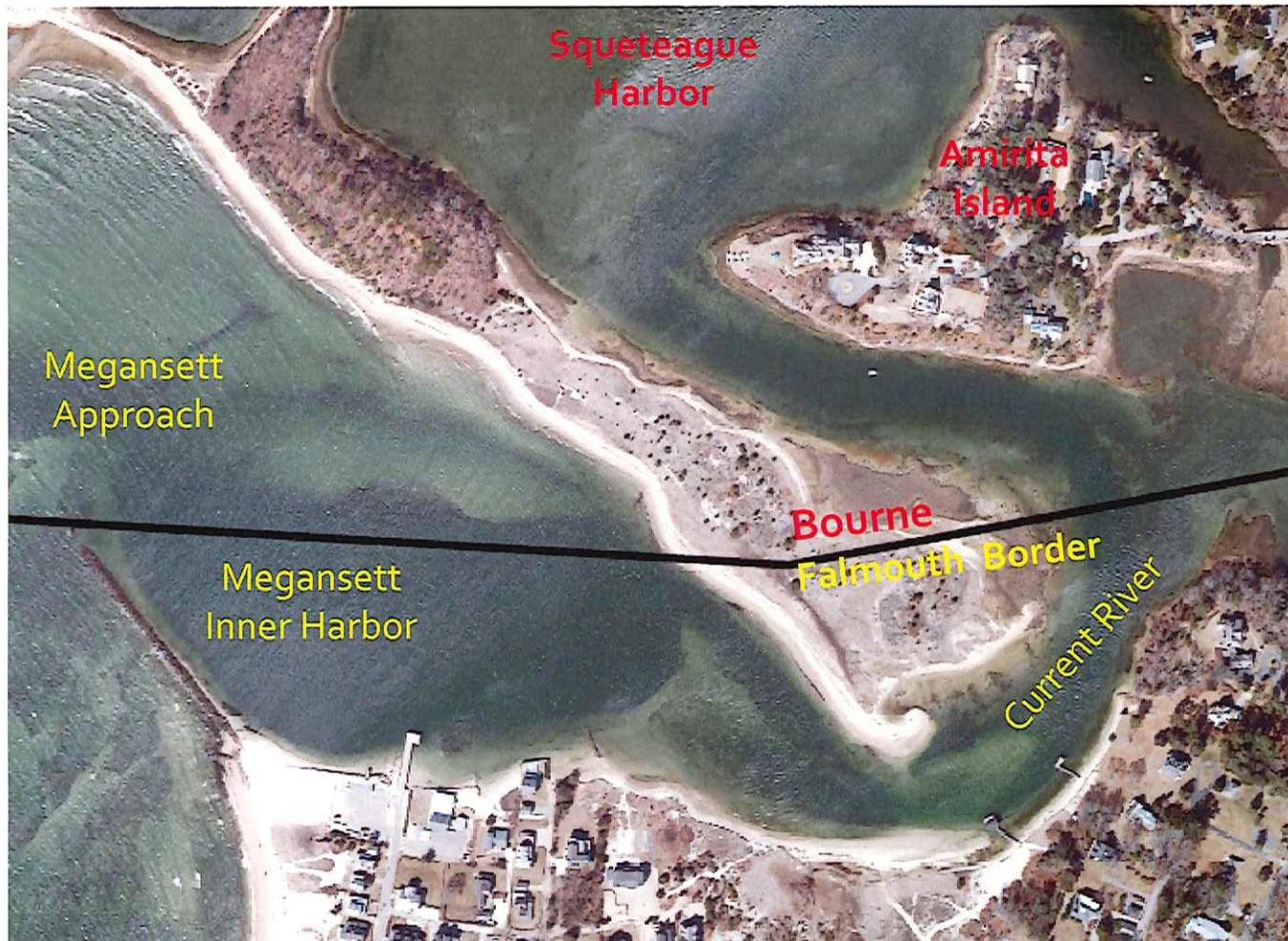


Figure 2 Aerial photographic comparison of the Washburn Island spit in 1968 and 2018. The erosion of the shoreline north of Menauhant Yacht Club and accretion to the south is evident by the Mean High Water (MHW) line surveyed in September 2021 (denoted by the red line).

Megansett Harbor

- Megansett Harbor is the only access to Buzzards Bay from Squeteague.
- The last time inner harbor and Current River was dredged was 1938.
- Falmouth dredges Megansett Approach on a semi regular basis.
- Planning and permitting must be a joint effort with Bourne.



Megansett Harbor

Megansett Harbor has 3 different areas subject to potential dredging

- Approach into the harbor, the inner harbor area, and Current River area that runs from the inner harbor basin to Squeteague Harbor in Bourne.
- The approach dredging has been prioritized, budgeted, and in the planning in the WWC with a dredging implementation for a fall 2022.
- The WWC has acknowledged the need for dredging in some of the inner harbor area, plus the Current River area, but has not placed a priority on these areas primarily due to the volume of marine traffic impacted and large scope and potential costs of these 2 areas.

A collaborative effort with WWC was put in place this year between the homeowners and boaters in the Megansett Harbor area to attempt to expedite a dredging solution for the 2 areas not in the WWC priority.

- The Megansett and Squeteague Association has been established, operating under the auspices of the Buzzard's Bay Coalition.
- The Megansett and Squeteague Dredging Fund is raising enough private funding to cover all costs for the engineering and permitting of the 2 inner areas.
- Their goal is turnover to the Town of Falmouth a permitted and shovel ready project, that the town could fund and execute.
- Volumes, timeframes, and costs still TBD.

Megansett Harbor

The Megansett and Squeteague Association Project Status

- Their fundraising is now over 100k, which will get them through the engineering and into the permitting phase.
- The field work for the topographic and wetlands surveys was completed this week.
- The Woods Hole Group just last week submitted an updated Squeteague & Megansett Harbor Sediment Sampling & Analysis Plan based on comments from their initial application with MassDEP and the USACE.
- Once that is approved, sediment sampling can begin.

Boat Ramp Parking Initiative

The Waterways Committee responded to multiple complaints and comments regarding the parking areas considered part of the town boat ramps.

- Resulted in review of all associated areas.

Boat Ramp	Status	Concerns/Issues	Committee Actions
Great Harbor Ramp		None	None
Falmouth Harbor Ramp		None	None
LeFerve Boat Ramp (Great Pond)		None	None
Megansett Harbor Landing		None	None
Green Pond Landing		Lot small, chaotic. Trailers and cars inefficiently parked given today's vehicle and trailer lengths.	Lot is maxed out in terms of space. Trailer and vehicle parking constrained by painted layout. Harbormaster to discuss with Mass OFBA on any potential layout changes to improve flow.
White's Landing/Childs River Ramp		Lot unpaved, unmarked and chaotic. Vehicles parking illegally.	DPW agreed to work on a plot plan/storm water runoff for a layout for paving this. OFBA to assist layout for parking. WWC to follow up to get this plan into implementation. Outside of any Conservation setback concerns
Waquoit Bay Landing		No current issues. Coded amber for any potential improvement opportunities.	State OFBA attempting to fund redesign of ramp. Project is fully permitted.
West Falmouth Harbor Landing		Unpaved lot, trailer and vehicle parking in conflict. Bike path parking adds to conflict.	Committee to learn from White's Landing paving initiative before recommending any immediate actions here. This area is also within Conservation area so paving plan may be a factor.

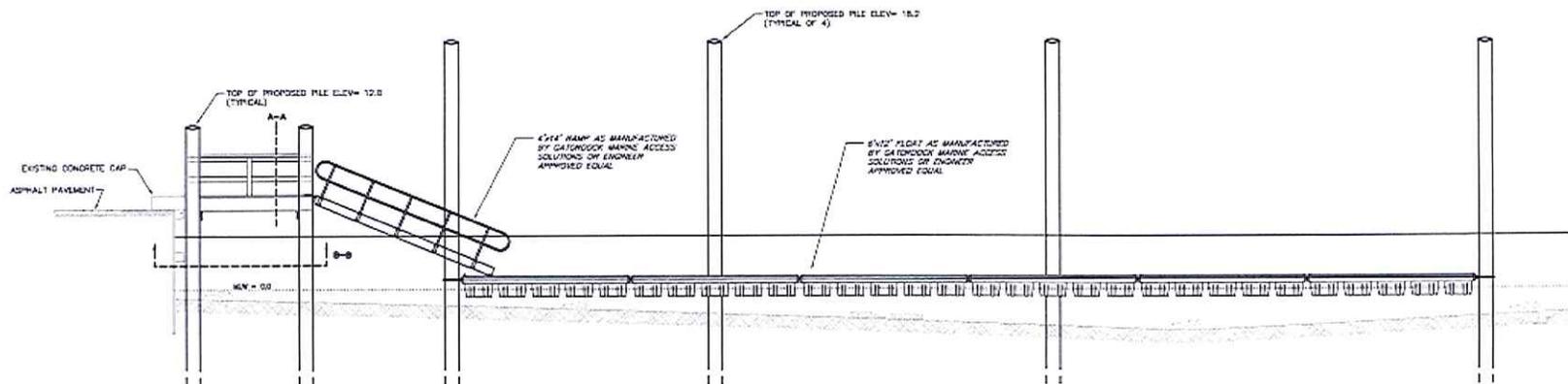
2021 Misc Projects Underway

West Falmouth Harbor Town Boat Ramp Redesign – Timeframe TBD

- Long needed boat ramp redesign
- Project scope is redesigned ramp, plus added floats
- Holmes and McGrath completed all Eng, and only need Army Corp to issue permits
- Delays in Army Corp responding and additional discussions/mitigation anticipated due to the nature this ramp location and water depths under floats

Wild Harbor Bulkhead/Floating Docks – Timeframe TBD

- Wild Harbor Bulkhead rebuilt 5 years ago.
- Design of hard concrete has multiple issues with the boats accessing the Bulkhead
- Committee agreed with residents to pursue adding floats and pilings to make this better accessible
- Conservation Commission on Dec 1 closed hearing, issued order of conditions.



Documents Referenced

Web Links to referenced and related documents.

Title: **Falmouth Boat Ramp Parking Overview - Oct 7, 2021**

[https://www.falmouthma.gov/DocumentCenter/View/10594/falmouth boat ramp parking rev2](https://www.falmouthma.gov/DocumentCenter/View/10594/falmouth%20boat%20ramp%20parking%20rev2)

Title: **Progress Update for Eel River, Falmouth MCZM Grant - Nov 9, 2021**

embedded file:

EelRiver_progress_oct2021.pdf



Eel River Status

Title: **Primer of Dredging Activity in Falmouth Ma- Dec 2, 2020**

<https://www.falmouthma.gov/DocumentCenter/View/8932/Primer-of-Dredging-Activity-in-Falmouth-MA>

2021 Waterways Committee

	Title	Term
Jeffrey Thomas	Chair	June 30, 2023
Michael Kinney	Vice Chair	June 30, 2024
Charles Eastman		June 30, 2022
Kevin King		June 30, 2023
Daniel Shearer		June 30, 2022
Joseph Vocci		June 30, 2022
R. Charles Martinsen	Board of Health Rep	Permanent
*Gregg Fraser	Director Marine & Environmental Services	Permanent
* <i>Paula Cushman</i>	<i>Recording Secretary</i>	

*Non Voting Member

BUSINESS

3. Report – Solid Waste Advisory Committee (15 minutes)

Diane Davidson

From: Alan Robinson <amrobinson101@gmail.com>
Sent: Friday, October 22, 2021 11:46 AM
To: Diane Davidson
Cc: Amy Roth; Mary Ryther; Peter McConarty
Subject: Solid Waste Advisory Committee Update to Select Board - October 25, 2021
Attachments: SWAC Recs 2019-2021 Progress Table - Final.docx; Tabular Summary SWAC 10.22.21.pdf

Hi Diane. Please include this email and attachments in the Select Board members packets.

To the Select Board

Thank you for the opportunity to provide you with an annual update on the Solid Waste Advisory Committee's activities, initiatives and goals.

Members of the board will recall the high degree of frustration voiced on our behalf by our then chair Linda Davis when we last reported to you in September 2021. That frustration was generated by absence of action and/or communication by the administration on several solid waste/recycling issues.

Monday night, we look forward to describing to you how much has changed in the past year. Two factors, the hiring of Falmouth's first Recycling and Solid Waste Coordinator and the Department of Public Works' leadership's interest in collaboration and messaging to the community, are generating this change.

We also will be pleased to report that after partnering with the Board of Health over the past several months, the BOH will be conducting a second hearing on November 1st on the rules and regulations for Mandatory Recycling in Falmouth, to be followed (we hope) by voting that same night to approve.

Two documents are attached. The first takes the nine requests the SWAC made of the Board in September 2019 and provides a status update. The second is a tabular presentation of the Solid Waste/ Recycling issues and elements in which we and the Town are engaged and associated goals, responsibilities, status, and requests for support. Our PowerPoint presentation Monday night will include the "requests" document, albeit an edited version for brevity. We will draw from the tabular presentation, but not present the table due the necessary limits on time.

While progress has been made, the Town faces significant challenges - financial, participatory, sustainability - with respect to solid waste and recycling management. Internal to our committee we face a significant challenge. Two of our most dedicated and hard working members - Linda Davis and Marc Finneran - will drop off the committee July 1 due to term limits. While we trust that both Linda and Marc will remain engaged, we ask that the Board and Administration effectively message to the community about the upcoming vacancies and the opportunity to provide an important service for the greater good.

We look forward to your questions and suggestions and partnering with you over the next twelve months.

For the Solid Waste Advisory Committee
Alan Robinson, Chair

Solid Waste Advisory Committee 59 Town Hall Square Falmouth, MA 02540
Abbreviated Version of September 2019 Requests and Progress Update – October 2021

The Solid Waste Advisory Committee respectfully requests that the Board of Selectmen consider the following recommendations for solid municipal waste and respond accordingly. Thank you. (September 2019)

	September 2019 Requests	October 2021 Status
1.	Appoint a Solid Waste Manager as voted by Town Meeting.	1. Complete! Welcome Mary Ryther.
2.	Move forward with drafting a recycling bylaw.	2. Revised to Recycling “Regulation”. Drafted and reviewed with BOH. BOH has scheduled a November 1st hearing and vote to approve the draft regulations.
3.	Address issues and make necessary short-term improvements at the WMF.	3. Limited Swap Shop upgrades complete (electricity pending). Computer system upgraded and entry process improved. Several facility upgrades underway.
4.	Improve the Town’s communication with its residents and visitors on trash and recycling.	4. Tangible progress has been made. Other initiatives in the works- more needed.
5.	Prepare for the 2022 Contract for Municipal Solid Waste Pick-up (Residential Curbside and Municipal Buildings).	5. DPW has gotten off to a good, early start. This includes 2021 Fall Town Meeting Article 13 request for funds to purchase large, wheeled, curbside recycling carts.
6.	Encourage more Town personnel to attend MA DEP Workshops on Zero Waste.	6. Recycling & Solid Waste Coordinator actively participating in DEP and Barnstable County. Encourage other town representatives to participate.
7.	Move forward with the MA DEP Recycling IQ Kit for implementation in Spring of 2020 pending additional discussion of readiness.	7. DPW/SWAC decided not to pursue full IQ Kit at this time. In 2020 SWAC performed a curbside recycling survey. Suggest expanding Recycling and Solid Waste Coordinator position.
8.	Require a waste and recycling plan as part of application to use public spaces for events (beach weddings, road races, etc.).	8. A requirement of the new Recycling Regulations. Recycling at the WMF must be available to implement this requirement. Recycling will be returned to the WMF in the new contract. Plan for June 2022.
9.	Move forward in cooperation with the Falmouth School Department to develop a system-wide program for “Doing Trash Right” and reducing solid waste in the schools.	9. Good progress made in 2019. Currently on hold due to COVID.

SOLID WASTE ADVISORY COMMITTEE UPDATE TO SELECT BOARD - OCTOBER 2021

Element	SWAC Goals and/or Activities	Responsibility	Status	Needed from Select Board
Contracts, Regulation and Compliance	Recycling and Solid Waste Coordinator Position	DPW, Select Board	Created and filled	Extend to full-time position (32-40 hours)
	Mandatory Recycling Rules & Regs	SWAC, BOH	Drafted. BOH hearing and vote to approve on 11/01/21	
	2022 Solid Waste Contracts - Support	DPW, SWAC	In process	Support DPW as needed
	Curbside Recycling Surveys	SWAC, DPW	Performed 2020, to be repeated	
	Achieve 100% Curbside Recycling Performance	Entire Community	In process	Support as needed
	Revision of Event Application Form to include SW and Recycling Requirements	Town Admin, SWAC	Develop and Implement upon approval of Recycling Regulations	Recycling collection must return to WMF for this to be feasible.
	Reduce litter on town-owned properties	DPW, SWAC, Beach Committee, and others	Ongoing effort	Support collaboration
Infrastructure	<u>Waste Management Facility</u>			
	SWAP Shop Building Upgrades and Drainage	DPW, SWAC	Complete	
	SWAP Shop Electricity	DPW	To be installed	
	Additional Storage unit	DPW, SWAC	Shed obtained- inadequate	
	Relocation of textile/books containers	DPW	Complete	
	Return to full Swap Shop operation	SWAC	Complete	
	Formalization of volunteer scheduling	SWAC	Pending	
	Recruit additional volunteers	SWAC	Pending	
	Rebuild Retaining Wall at upper level	DPW	Pending	
	Streamlined Entry & Computer System Upgrades	DPW	Complete	
Office Trailer Repairs	DPW	Pending		
Reestablish Recyclables Drop-off at WMF	DPW	Pending		
Update WMF Plan	DPW, SWAC	To be discussed in 2022	Support will be requested at a later date.	
Standardized Curbside Recycling Bins (with RFID)	DPW, SWAC Support	Article 13 at Town Mtg (\$1.3M)	Continued support of this initiative is essential.	
Additional Food Waste Drop-Off Sites	DPW, SWAC	Planned for 2022	Support expansion.	
Messaging and Education	<u>Message and education on waste and recycling.</u>	Town Admin, Select Board, All	Ongoing	Town must commit to improve messaging and establish a budget.
	Sandwich Boards	SWAC	In use	
	Informational Flyers in Water Bill	SWAC, DPW	1st Annual sent November 2020	
	Website Upgrades	DPW, SWAC	Ongoing	Continued IT support for this
	Talking Trash Monthly Column	SWAC	Ongoing	
	Social Media Presence (Facebook)	DPW, SWAC	Request to be made. Approval required.	Modify Town policy and allow establishment of DPW/SWAC FB page
Participation in local/regional SW meetings	DPW, SWAC	Ongoing	Expand Town participation	
Recycling IQ Kit	DPW, SWAC	On hold.		

Initiatives & Collaboration	Reduce use of disposables in schools	SWAC	On hold due to COVID	
	Waste Reduction at Events	SWAC, DPW	Planned for 2022	
	Increase Backyard and Drop-off Food Waste Composting	SWAC, DPW	Ongoing	
	Support County initiative to develop a Cape-wide or Upper-Cape regional food waste composting facility	SWAC, DPW	2022 Initiation	Support will be requested at a later date
	Reduce Plastic Take-Out Container Use	SeaGrant / SWAC	On hold pending compost options	
	County Hazardous Waste Collection Events	Barnstable Cty, SWAC, BOH	Ongoing	
	Increased collaboration across committees	All committees	Planned for 2022	Support and encourage collaboration across Boards and Committees
	Host a Town-wide Re-Use Summit to include non-profit and for-profit organizations & businesses.	SWAC to initiate	Planned for 2022	
Committee	SWAC-DPW working relationship	DPW, SWAC	Excellent	
	Committee Membership- Replace two term-limited members by July 1.	Select Board	Pending	Facilitate the process

BUSINESS

4. Report – Water Quality Management Committee (15 minutes)

BUSINESS

5. Wastewater Planning Update – Discharge Site Evaluation (30 minutes)

An aerial photograph of a coastal town, likely Falmouth, Massachusetts, showing a mix of residential buildings, green spaces, and waterways. The image is used as a background for the report cover.

Report and recommended future treated effluent discharge plan

*by the Water Quality Management Committee
and Wastewater Superintendent Amy Lowell
to the Falmouth Select Board*

December 6, 2021

**Dedicated
to an
extraordinary
woman...**



**Virginia Valiela
March 22, 1942 - May 15, 2021**

First...

**A brief report on the WQMC's
alternatives research and
demonstration projects in 2021**

I/A Nitrogen Reducing Septic Systems

- Participated in Barnstable County Responsible Management working group
- Drafted proposed updated bylaw for installations in Buzzards Bay estuaries
- Discussed with MaDEP General Use approval for promising technologies



Little Pond Sewer Service Area

- Sewering estimated to reduce nitrogen inputs in Little Pond by 88%.
- The U.S. Geological Survey, Marine Biological Laboratory, and UMass Dartmouth School of Marine Science and Technology all continue to monitor the results of sewerage.
- Updated benthic infaunal baseline study by SMAST initiated in 2021 - ahead of potential sewerage impacts.



Mill Pond Restoration Project

- Permitted and constructed detention pond recommended by SMAST
- Pilot project installed modular permeable reactive barrier in bog channels
- WQMC partnered with East Falmouth Village Association



Permeable Reactive Barrier (PRB)

- Monitored the PRB demonstration project installed near Great Pond
- Results show almost complete nitrogen removal from groundwater plume
- WHOI partnered with Town WQMC



Bournes Pond Inlet Widening

- Design, State and Federal permitting for inlet widening are completed
- Project will be combined with Menauhant road/beach preservation plan
- Construction initiation projected for 2022

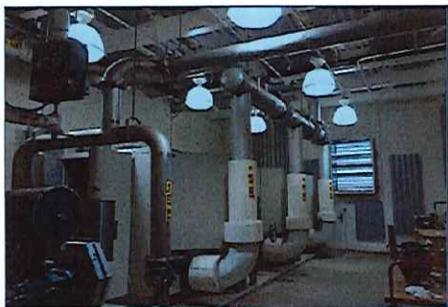
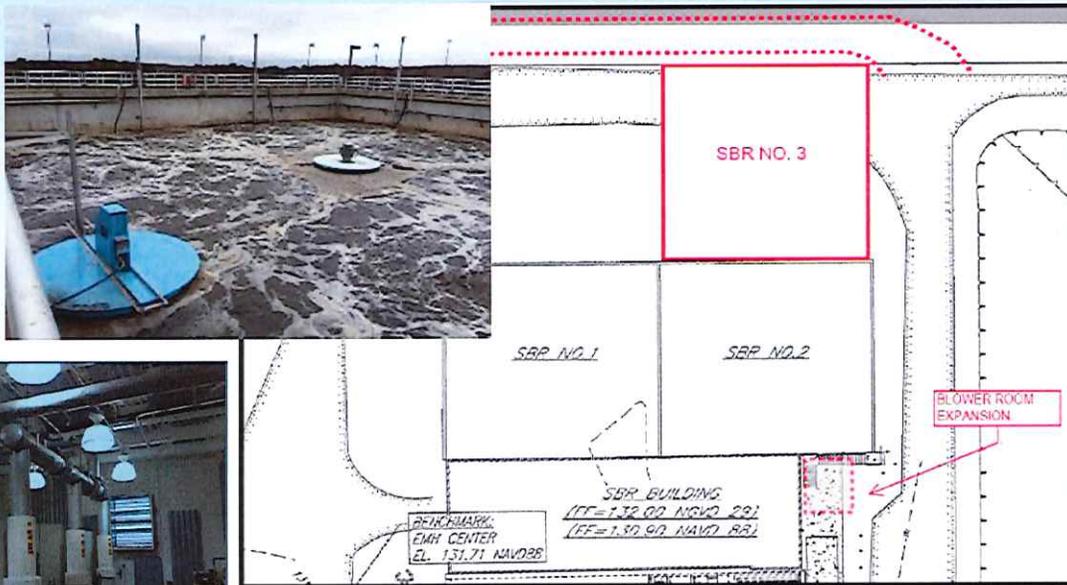


Eel River Shellfish Demonstration Project

- WQMC & MES partnered with local oyster growers for a second year
- All three farms used their full permitted areas and met or exceeded their target for commercial sales
- Estimate of 180 kg N/yr removed = sewerage approximately 40 homes



Cape Cod and Islands water protection fund awards \$4.75 towards Falmouth \$20 million wastewater treatment facility improvements.



**WQMC and wastewater superintendent
report and recommendation on future
treated wastewater discharge options**

Falmouth's sewerage areas and discharge sites

**Sewered area in Woods Hole center (1946)
Surf Drive, Main Street, Davis Straits (1983)**

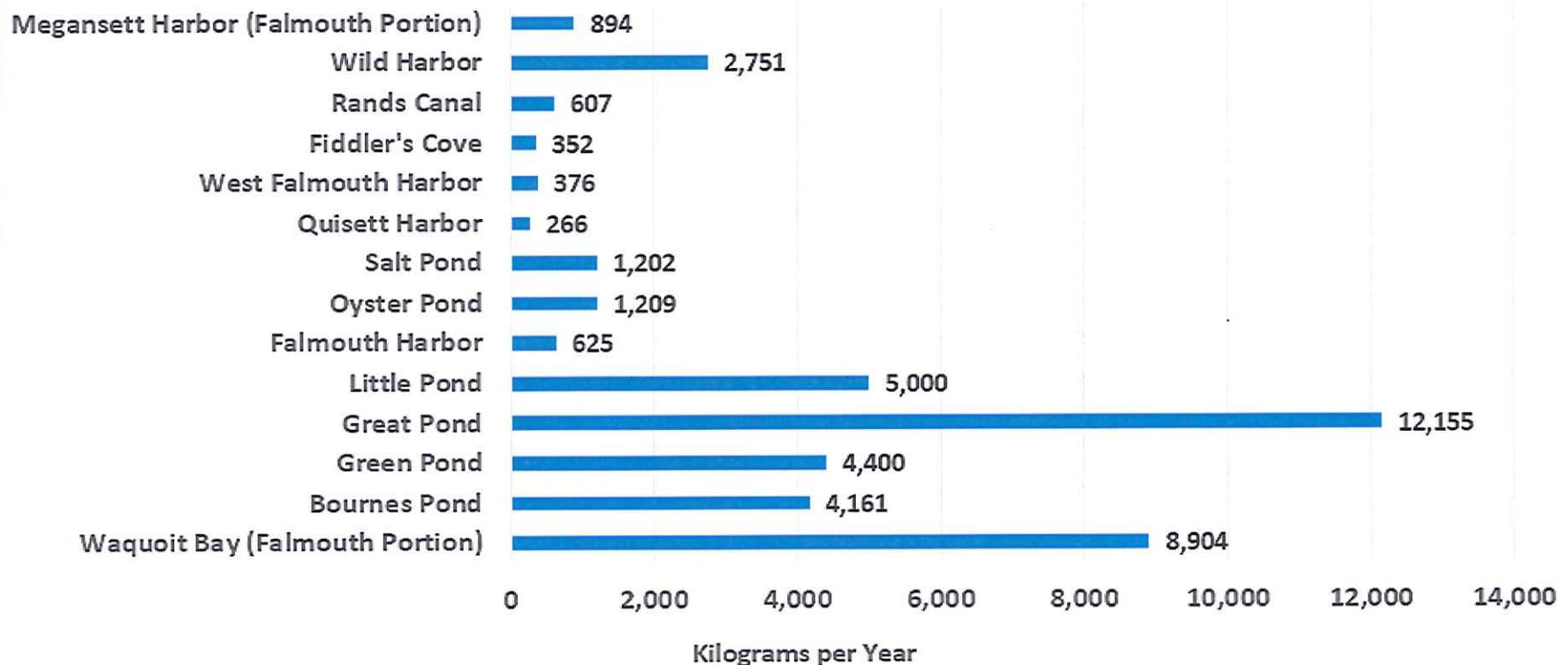
*Treated effluent discharged at open sand beds
1-13 located at treatment plant site
currently permitted for 450,000 gallons per day*

Maravista, Falmouth Heights (2017)

*Treated effluent discharged at open sand beds 14 / 15
(formerly Site 7) located at the treatment plant site
currently permitted for 260,000 gallons per day*

Priority estuaries for future sewerage projects

Nitrogen Required to be Removed to Restore Each Estuary
(Massachusetts Estuaries Project)



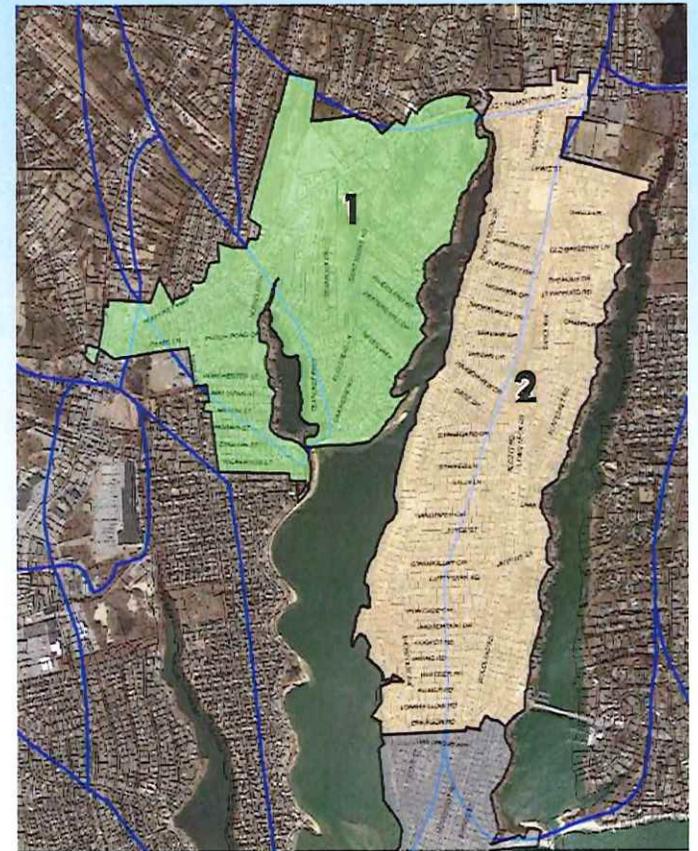
Projected future treated effluent discharge needs

Short term needs

Teaticket Sewer Service sub-area #1
Estimated flow 150,000 gallons per day

Acapesket Sewer Service sub-area #2
Estimated flow 210,000 gallons per day

Existing Sewer Redevelopment Area (ESRA)
Estimated flow 140,000 gallons per day



Projected future treated effluent discharge needs

Mid-term needs:

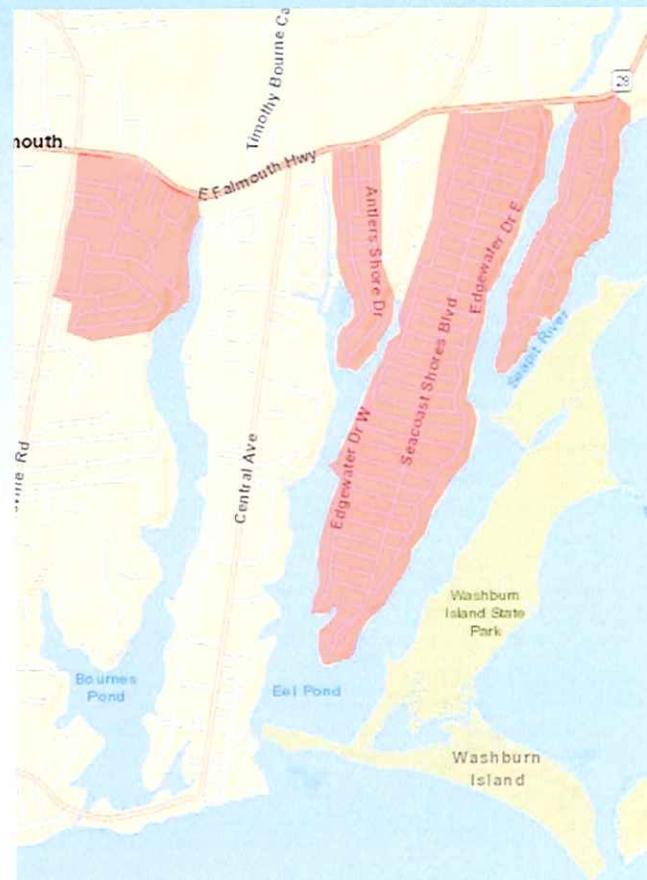
Fisherman's Cove, Seacoast Shores, Seapit,
Antler Shores, Oyster Pond

Estimated flow 340,000 gallons per day

Long-term needs:

Contingency for Great Pond and other
watersheds as needed

Estimated flow 190,000 gallons per day



Where can the treated effluent be discharged?

A 40-year-old problem

WHERE AND HOW SHOULD FALMOUTH'S SEWAGE BE TREATED AND DISCHARGED?

PUBLIC PARTICIPATION INVITED . . .

This is the third and last newsletter published and circulated as part of the Environmental Impact Study of Falmouth's sewer problems. It has three purposes:

1. To summarize previous progress of the Falmouth sewer studies.
2. To familiarize you with recent developments on the project.
3. To request general public participation in the decision about how to treat Falmouth sewage and what to do with it after it has been treated.

Four main topics are discussed in this advertisement:

The Collection system is the network of pumps and pipes used to take the sewage from your house to the treatment plant. This newsletter summarizes the progress which led to the current plan for this system.

The Treatment and disposal system includes the plant where the sewage is treated as well as the means of final disposal of the

treated water.

The management plan is a plan developed by the Board of Health to help ensure the best operation and maintenance of the septic systems which will continue to be used by most of the households in town.

Costs are presented for each of the treatment and disposal options so that you may compare the costs with the environmental impacts of each of these alternatives and decide which one will give you the best value for your money.

Although the Federal and State Governments will pick up a large share of the cost of the Falmouth sewer system, the Town will still be required to pay a share of these costs. The money for this will be raised principally in two ways, through a bond issue which will be paid back with tax funds, and through betterment charges. This report explains how much you can expect your taxes to increase and how much the typical house in a sewer service area can expect to pay in betterment costs.

THE FIRE STATION OR THE INDUSTRIAL PARK?

Following the workshop, on February 22, 1981, a decision will be made about which site should be used for treating and disposing of Falmouth wastewater. Your views on the matter can be influential in the decision making process if you make them known by attending the workshop and speaking out, by filling out the copies at the end of this newsletter, or both. So that you might better understand the advantages and disadvantages of both alternatives, they are listed below.

WHAT ARE THE ADVANTAGES OF THE FIRE STATION SITE?

- It is closer to the service area, so the transmission costs are less.
- Ocean discharge will not cause degradation of groundwater quality.

WHAT ARE ITS DISADVANTAGES?

- Locating a wastewater treatment plant there would affect local property values.
- Surrounding residences would be crowded by commercial traffic.
- The legal limit on the ocean discharge is less than the amount of flow which

would result from the proposed sewer service area.

WHAT ARE THE ADVANTAGES OF THE INDUSTRIAL PARK SITE?

- It is near a residential area (not in anyone's back yard).
- There is room at the site for expansion and research.
- There is a possibility that a nearby treatment plant may be advantageous for development of the industrial park.
- Spry irrigation at the site could improve its value as wildlife habitat and recreation land.
- Land application of treated wastewater could greatly Falmouth for a larger share of Federal financial assistance.

WHAT ARE ITS DISADVANTAGES?

- It is further away from the service area so that transmission costs would be higher.
- All of the alternatives under consideration for this site will result in some degradation of groundwater quality.

TREATMENT & DISPOSAL, THE BASIS OF CHOICE

Falmouth has searched for suitable sites for the treatment and disposal of wastewater for many years, and a great variety of sites have been proposed, evaluated and, for one reason or another, discarded. At the initiation of the current study in the summer of 1978, a new search was made for possible sites. Some sites were advocated by interested persons, both within and outside of the government, others were proposed by the planners based on mapped data, and some sites that had been proposed earlier were discarded because of changes in surrounding land use or in wastewater disposal standards and technology.

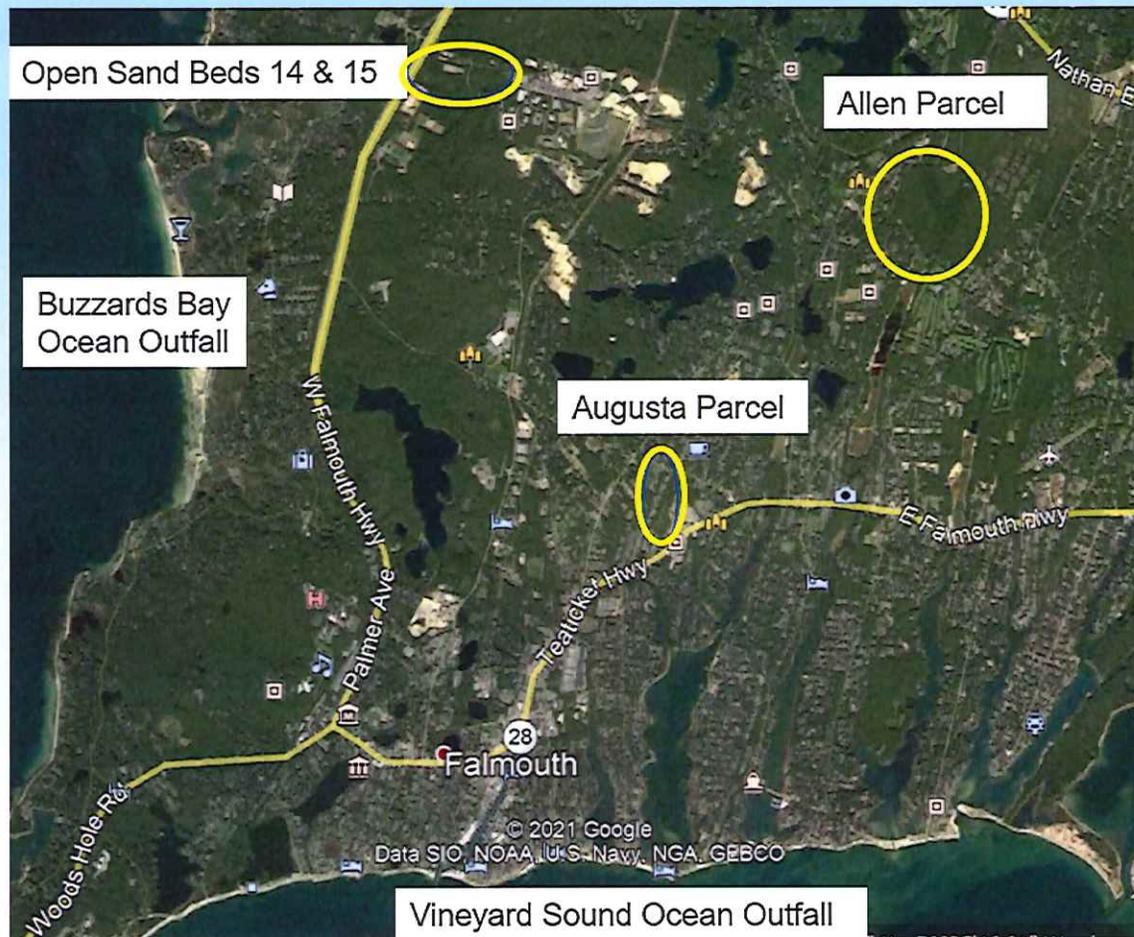
At the beginning of the study, all the candidate sites were visited, considered in terms of neighborhood impacts, and evaluated against existing hydrographic information for water quality impacts. A newsletter was published in November of 1979 and a public workshop was held in Falmouth on December 4, 1979 to receive public comment on all the then candidate sites. As a result of the comments, of subsequent technical studies including some exploratory well drilling, and of watershed discussions locally and with the State and EPA, the sites were ultimately approved to those described in this newsletter. See Figure 1.

Continued on Page 2



Fig. 1

Potential future treated effluent discharge sites



GHD and the Great Pond TWMP Working Group analyzed and reviewed the follow factors:

Parcel size

Location

Distance to the WWTF

Nitrogen receptors

Legal restrictions

Energy use

Odor/noise

Existing land use

Soil borings

Mounding models

Hydraulic capacity

Ownership

Phosphorus receptors

Zoning

Permitting

Discharge method

Adjacent land use

Potential other uses

Topography

Public acceptance

Allen Parcel

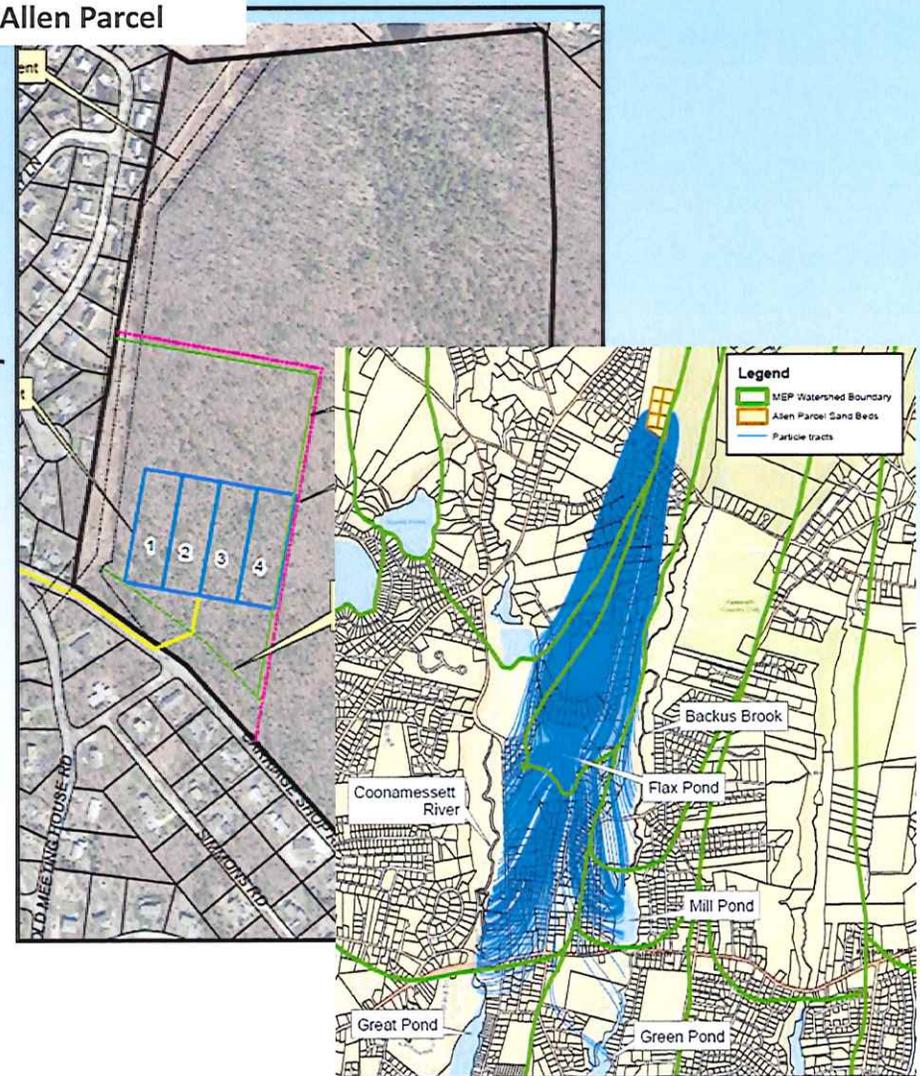
Pro:

- Town-owned municipal use
- Large capacity 1,600,000 gpd
- N attenuation via downgradient freshwater
- Phosphorus limited mobility
(over 50 years sequestration capacity)
- Short permitting process

Con:

- Four miles from WWTF
- Some N returns to Great and Green Ponds
- Upgradient of freshwater systems
- Undeveloped woodlands
- Near some residences
- Cost: \$29.5 million**

Allen Parcel



Augusta Parcel

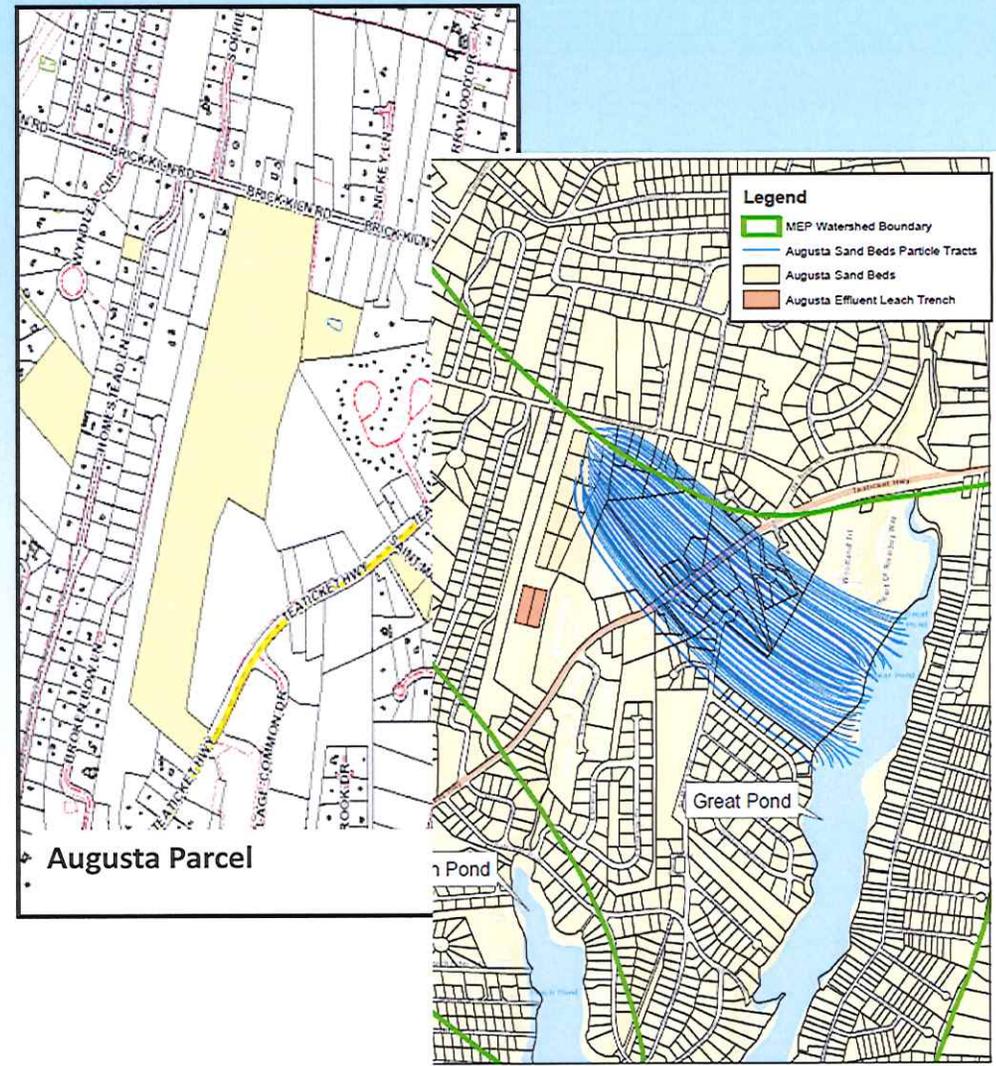
Pro:

Town-owned municipal use
Purchased for wastewater
Capacity 1,030,000 gpd
Ideal soils

Not upgradient from freshwater systems
Short permitting process
Potential recreational fields

Con:

Four miles from WWTF
Some nitrogen returns to Great Pond
No nitrogen attenuation potential
Near some residences
Cost: \$27.4 million



Sand beds 14 & 15

Pro:

- Town-owned municipal use
 - Purchased & zoned for wastewater
 - 0 miles from plant, no lift station needed
 - Less land disturbance needed
 - Additional capacity 500,000 gpd
 - Short permitting process
 - Phosphorus limited mobility
(over 100 years sequestration capacity)
 - Herring Brook SMAST study underway
- Cost: \$1.4 million**

Con:

- Upgradient of freshwater systems
- Some nitrogen goes to Herring Brook
- Buzzards Bay Coalition opposed



Outfalls: Vineyard Sound or Buzzards Bay

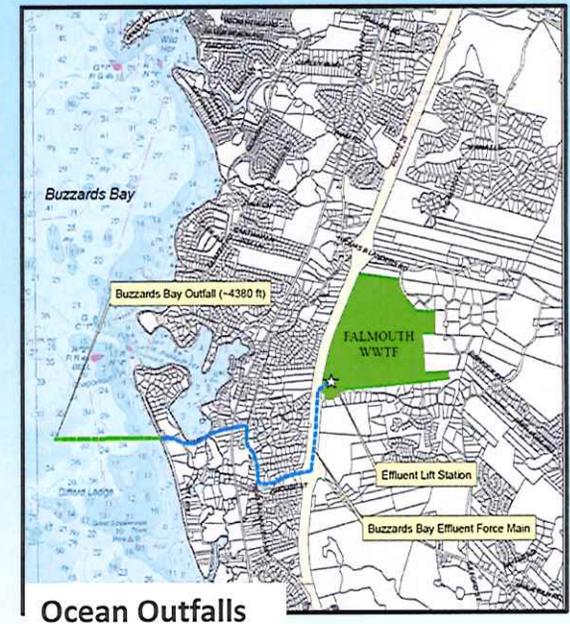
Pro:

State-owned waterbodies
Removes all treated discharge from watersheds
Unlimited capacity

Con:

Lengthy permitting process
Unknown length from shore
Unknown underwater soil conditions
Potential impact - marine flora and fauna
Land distance from WWTF 2 – 7 miles
Unknown public acceptance

Cost: unknown



Ocean Outfalls



Recommendation

1. Designate existing open sand beds 14 & 15 as the treated effluent discharge site for the projected ESRA/TASA flows in the short-term contingent on the MEP report results for Herring Brook;
2. Consider ocean outfall options in Buzzards Bay and Vineyard Sound, along with land-based options at the Allen and Augusta parcels, for projected mid-term and long-term wastewater flows;
3. That the Select Board allocate \$98,000 from AFCEE Mitigation Funds for the purposes of hydrodynamic modeling of outfall alternatives.

Recommendation: Benefits to the Town

Utilizes existing Town infrastructure

Gives time to evaluate outfall options

Doesn't commit the Town to a new
land site

Short-term cost savings



Next Steps

2022 April Town Meeting – requesting funding for:

- WWTF upgrade
- Ocean outfall – field investigations / cost estimates
- Sewer easements

2022 December - Great Pond Targeted Watershed Management Plan submitted to the state

2023 April Town Meeting – requesting funding for:

- Design of collection system and short-term effluent disposal site

2024 April Town Meeting – requesting funding for:

- Construction of collection system and short-term effluent disposal site

An aerial photograph of a river winding through a landscape with green fields and some buildings. The text is overlaid on the image in a bold, italicized font.

***Water Quality Management Committee
Eric Turkington - Chair, John Waterbury - Vice Chair
Tom Duncan, Steve Rafferty, Matt Charette
Ken Foreman, Jordan Mora***

Amy Lowell, Wastewater Superintendent

Anastasia Rudenko and Jeff Gregg, GHD