

**TOWN OF FALMOUTH**  
**SELECT BOARD**  
**Revised AGENDA**  
**MONDAY, JUNE 26, 2023 – 6:00 P.M.**  
**SELECT BOARD MEETING ROOM**  
**TOWN HALL**  
**59 TOWN HALL SQUARE, FALMOUTH, MA 02540**

*The Select Board may discuss and vote appropriate action on any item listed on this Agenda unless a different disposition is noted. At the discretion of the Chair, agenda items may be taken out of order.*

**6:00 p.m. OPEN SESSION**

**6:00 p.m. EXECUTIVE SESSION**

1. M.G.L. c. 30A s. 21(a)(2) – To discuss strategy with respect to negotiation with non-union personnel – Technical Administrative Management employees
2. M.G.L. c. 30A s. 21(a)(3) – To discuss strategy with respect to potential litigation – former Emergency Communications Officer
3. M.G.L. c. 30A s. 21(a)(3) - To discuss strategy with respect to litigation - Lawrence School Pickleball courts

**6:30 p.m. OPEN SESSION**

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

**6:35 p.m. COMMITTEE INTERVIEWS AND APPOINTMENTS**

1. Regulatory Boards
  - a. Conservation Commission – Kevin O’Brien
  - b. Historical Commission – Christian Valle
  - c. EDIC – Samuel Patterson, Robert Mascali
2. Non-Regulatory Boards
  - a. Cultural Council – Sadie Inman, Caroline Inman
3. Committee Re-appointments (uncontested seats)

**6:45 p.m. PUBLIC HEARINGS**

1. Application for four (4) one-day Sunday Entertainment Licenses – Falmouth Yacht Club located at 290 Clinton Avenue, Falmouth, MA, to be executed on 7/2/2023, 7/16/2023, 8/6/2023, and 9/3/2023 **(10 minutes)**
2. Water Rate Hearing **(15 minutes)**

**7:10 p.m. BUSINESS**

1. Report – Historical Commission **(15 minutes)**
2. Presentation/Update, Report – Water Quality Management Committee **(40 minutes)**
3. Acting as Trustees of the Falmouth Affordable Housing Fund, vote to grant \$177,293.96 to Megansett Crossing, LLC to supplement funding for 10 affordable deed restricted rental units at Megansett Crossing **(10 minutes)**

4. Authorize update to the non-union wage plan for Technical Administrative and Management employees (**5 minutes**)
5. Transportation Management Committee Recommendations (**10 minutes**)
6. Embarkation Fund policy (**10 minutes**)
7. Vote to approve a request from Seacoast Shores Association, Inc. for a grant of license to allow the transport of beach sand over the Bayside Drive right-of-way (**5 minutes**)

**8:45 p.m. CONSENT AGENDA**

1. Licenses
  - a. Approve the application for an Automatic Amusement Device License – Shipwrecked, LLC d/b/a Shipwrecked located at 263 Grand Avenue, Falmouth
  - b. Approve application for a Common Victualler License – Vine Food and Restaurant, Inc. d/b/a/ The Vine located at 824 Main Street, Falmouth
  - c. Application for a Special One-Day Wine & Malt Beverages License – Silver Beach Improvement Association to be located at 6 West Avenue, North Falmouth – Saturday, 8/26/23
2. Administrative Orders
  - a. Vote to accept donation in the amount of \$892.80 from the Old Stone Dock Association to the Beach Donations Account, 28-632-5655-4830, to fund the 16 window boxes for the Ellen T. Mitchell Bathhouse at 56 Surf Drive installed on Wednesday, 5/24
  - b. Vote to expend those funds from the Beach Donations Account to pay the Soares Flower Garden Nursery invoice dated 5/15 for 48 New Guinea impatiens, 32 Scavola, and planting services
  - c. Vote to accept donation in the amount of \$500.00 from David’s Old Silver Swim, Inc. c/o Robert Catalano to the Beach Donations Account, 28-632-5655-4830, to fund the Dr. David Garber “Dare to be Great” Award given to a lifeguard during our annual banquet

**8:50 p.m. MINUTES**

1. Review and Vote to Approve Minutes of Meetings
  - a. Public Session – April 1, 2023; May 1, 2023
  - b. Executive Session – April 3, 2023

**8:55 p.m. TOWN MANAGER’S SUPPLEMENTAL REPORT**

**9:00 p.m. SELECT BOARD REPORTS**

**9:10 p.m. DISCUSSION OF FUTURE AGENDA ITEMS**

**9:20 p.m. ADJOURN**

Nancy Robbins Taylor, Chair  
Select Board

**OPEN SESSION**

**TOWN MANAGER'S PRELIMINARY REPORT**

June 26, 2023



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

TO: Select Board  
FROM: Mike Renshaw, Town Manager  
SUBJECT: Preliminary Report for June 26, 2023  
DATE: June 23, 2023

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**Committee Appointments:**

1. Regulatory Boards
  - a. Conservation Commission – There is one applicant for one full member vacancy.
  - b. Historical Commission - There is one applicant for one full member vacancy.
  - c. EDIC – There is one vacancy for a municipal government representative vacancy and one vacancy for a low-income population representative
2. Non-Regulatory Boards
  - a. Cultural Council – There are 5 vacancies and 2 applicants

**Hearings:**

1. Application for four (4) one-day Sunday Entertainment Licenses- Falmouth Yacht Club, located at 290 Clinto Avenue, Falmouth, MA, to be executed on 7/2/2023, 7/16/2023, 8/6/2023, and 9/3/2023

The applicant seeks approval to have outdoor entertainment on four Sundays. This will be the second year Falmouth Yacht Club has hosted outdoor entertainment on several Sundays throughout the summer. The application has been reviewed by staff with no concerns raised.

2. Water Rate Hearing

As provided under Chapter 119, of the Code of Falmouth, this Public Hearing is being held in order to establish and promulgate new fees. The proposed rate structure and water rates will be effective with the November 2023 billing cycle.

Department of Public Works Director Peter McConarty will be leading a presentation to further discuss the new water fees and rate structure.

**Business:**

1. Report- Historical Commission:

2. Presentation/Update, Report- Water Quality Management Committee:

The Committee's outgoing Chairman, Mr. Eric Turkington, will be providing a presentation that includes an overview of the tremendous amount of work the Committee has engaged in from its inception to the present time, followed by Mr. Steve Rafferty presenting on the work that lies ahead.

3. Acting as Trustees of the Falmouth Affordable Housing Fund, vote to grant \$177,293.96 to Megansett Crossing, LLC to supplement funding for 10 affordable deed restricted rental units at Megansett Crossing:

This item had been continued from the June 5 Select Board Meeting. This request is in addition to a subsidy of \$650,000 approved by the Select Board for this project in 2018. The developer experienced substantial cost increases since the Board approved its request in 2018. The combined subsidy per unit including this second request is \$82,729, which is reasonable for 2- and 3-bedroom town houses. I received a favorable recommendation from a majority of the members of the FAHF Working Group. The Community Preservation Committee has recommended approval. I recommend approval with the conditions provided in the enclosed memo. Should the Board decide to approve this request, we included a motion in your packet.

4. Authorize an update to the non-union wage plan for Technical Administrative and Management employees

The Select Board will be provided with materials in a confidential packet for the executive session describing a proposed adjustment to the pay plan for this group of non-union employees which includes 55 positions. We will be prepared to provide a brief overview of the proposed pay plan update in the public session in the event the Board determines in executive session that it is prepared to approve it.

5. Transportation Management Committee Recommendations:

The Transportation Management Committee, which was reformed in 2018, focused on identifying recommendations for potential improvements to the downtown area. Town Planner Jed Cornock will be presenting an update report concerning the status and progress that has been made on several recommendations.

6. Embarkation Fund Policy:

Assistant Town Manager Peter Johnson-Staub will be presenting an Embarkation Fund policy for Select Board review and approval. The Town Manager recommends that the Select Board approve this policy as presented.

## Consent Agenda:

### 1. Licenses

- a. Approve the application for an Automatic Amusement Device License- Shipwrecked, LLC d/b/a Shipwrecked located at 263 Grand Avenue, Falmouth:

At the June 5th Select Board meeting, the Board was asked by a resident to consider placing restrictions on the use of the video games for which Shipwrecked seeks a license. It was suggested that the three video games only be used by customers who pay for food or beverage, or that the unaccompanied minors be prohibited from using the video games. The Board deferred action on this item and requested that we seek guidance from Town Counsel as to the whether the Board has the authority to place such restrictions on the automatic amusement license. Maura O'Keefe has provided a memo which states in part "...the Select Board may attach conditions and impose such restrictions it considers to be in the public interest." This item has been placed on the consent agenda again without any such conditions. If the Board is inclined to place conditions, the item should again be deferred with some direction as to any proposed conditions and the public interest to be achieved by these conditions.

The remaining items on the consent agenda are routine in nature and have been reviewed by staff. I recommend approval.

**OPEN SESSION**

**COMMITTEE INTERVIEWS AND APPOINTMENTS**

June 26, 2023

**Town Committee Vacancies  
(Remaining after appointments on June 5, 2023)**

The Falmouth Select Board announces the following vacancies on Town committees:

<b>Committee</b>	<b>Term Until</b>
Affirmative Action Committee (3 positions)	6/30/26
Board of Survey (2 positions)	6/30/24
Building Code Board of Appeals (1 position)	6/30/25
Cable Advisory Committee (3 positions)	6/30/24, 6/30/25, 6/30/26
Cape Cod Regional Transit Authority (1 position)	6/30/26
Commission on Disabilities (3 positions)	6/30/25 (2), 6/30/26
Conservation Commission (1 full position) (3 alternate positions)	6/30/26 6/30/25 (2), 6/30/26
Constable (2 positions)	6/30/24 (2)
Cultural Council (5 positions)	6/30/24 (3), 6/30/26 (2)
EDIC (2 positions)	6/30/26 (2)
Edward Marks Building Advisory Committee (1 position)	12/31/24
Energy Committee (1 position)	6/30/26
Historical Commission (1 position)	6/30/26
Human Services Committee (2 positions)	6/30/25, 6/30/26
Solid Waste Advisory Committee (1 position)	6/30/26
Taskforce on Sustainable Living for Falmouth's Workforce (7 – 9 members)	5/1/23
Transportation Committee (7 positions)	6/30/24, 6/30/25, 6/30/26
Waterways Committee (1 position)	6/30/25

Applications are available on the Town website <https://ma-falmouth.civicplus.com/647/Town-Committees>. Please submit applications to the Office of the Town Manager and Select Board, or email to [townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov).

*This document was published in the Falmouth Enterprise and on the Town website on 5/12/23.*

**Town Committee Vacancies**

The Falmouth Select Board announces the following vacancies on Town committees:

Committee	Term Until
Affordable Housing Committee (1 position)	6/30/24
Bicycle & Pedestrian Committee (3 positions)	6/30/26, 6/30/26, 6/30/26
Board of Survey (2 positions)	6/30/24
Building Code Board of Appeals (1 position)	6/30/25
Cable Advisory Committee (3 positions)	6/30/24, 6/30/25, 6/30/26
Cape Cod Regional Transit Authority (1 position)	6/30/26
Commission on Disabilities (3 positions)	6/30/25, 6/30/25, 6/30/26
Commission on Substance Use (1 position)	6/30/26
Conservation Commission (3 alternate positions)	6/30/25, 6/30/25, 6/30/26
Constable (2 positions)	6/30/24, 6/30/24
Cultural Council (3 positions)	6/30/24, 6/30/24, 6/30/24
EDIC (2 positions)	6/30/26, 6/30/26
Edward Marks Building Advisory Committee (1 position)	12/31/24
Energy Committee (1 position)	6/30/26
Human Services Committee (2 positions)	6/30/23, 6/30/25
Solid Waste Advisory Committee (2 positions)	6/30/26, 6/30/26
South Cape Beach Advisory Committee (1 position)	6/30/25
Transportation Committee (3 positions)	6/30/24, 6/30/25, 6/30/25
Water Quality Management Committee (1 position)	6/30/26
Waterways Committee (2 positions)	6/30/25, 6/30/26
Zoning Board of Appeals (1 associate position)	6/30/26

The following positions have incumbents; however, applications are welcome:

**Regulatory Boards:**

Committee	Incumbent for Reappointment	Term
Board of Health (2 positions)	Amy Roth	6/30/26
	Kevin Kroeger	6/30/26
Conservation Commission (2 positions)	Kevin O'Brien	6/30/26
	Stephen Patton	6/30/26
Historical Commission (1 position)	Christian Valle	6/30/26
Zoning Board of Appeals (1 position)	Frank Duffy	6/30/28

**Non-Regulatory Boards:**

Committee	Incumbent for Reappointment	Term
Affirmative Action Committee (1 position)	Susan O'Brien	6/30/26
Affordable Housing Committee (1 position)	Pamela Harting-Barrat	6/30/26
Agricultural Commission (2 positions)	Jane Vose, Stanwood Ingram, Amy Vickers	6/30/26
Beach Committee (2 positions)	Barbara Schneider, Joseph Strazzulla	6/30/26
Bicycle & Pedestrian Committee (2 positions)	Katherine Jansen, Peter Mili	6/30/26
Commission on Disabilities (2 positions)	Kathleen Haynes, Caroline Knox	6/30/26
Commission on Substance Use (1 position)	Samantha Bauer	6/30/26
Community Preservation Committee (2 positions)	Sandra Cuny, Thomas Crane, Russell Robbins	6/30/26
Constable (1 position)	Thomas Zine	6/30/26
Council on Aging (1 position)	David Hearne	6/30/26
Cultural Council (1 position)	Cathy Rozynek	6/30/26
EDIC (1 position)	Colin Reed	6/30/26
Energy Committee (3 positions)	Alessandro Bocconcelli, Eleanor Ling, Matthew Patrick	6/30/26
Golf Advisory Committee (3 positions)	Barbara Dixon, Brian Arthur, Christopher Inoue	6/30/26

Human Services Committee (1 position)	Milene Chioatto	6/30/26
Recreation Committee (3 positions)	Sandra Cuny, Patricia Morano, Scott Ghelfi	6/30/26
Shellfish Advisory Committee (3 positions)	Daniel Ward, David Heffernan, David Bailey	6/30/26
Solid Waste Advisory Committee (2 positions)	Alan Robinson, Ruth Brazier	6/30/26
Transportation Committee (1 position)	Ralph Herbst	6/30/26
Veterans Council Committee (3 positions)	Brian Hodor, Paula Smith, Robert Foos	6/30/24
Water Quality Management Committee (2 positions)	Matthew Charette, Stephen Rafferty	6/30/26
Waterways Committee (1 position)	E. Kevin King	6/30/26

**Application deadline for these vacancies is Friday, May 26, 2023.**

Applications are available on the Town website <https://ma-falmouth.civicplus.com/647/Town-Committees>. Please submit applications to the Office of the Town Manager and Select Board, or email to [townmanager@falmouthma.gov](mailto:townmanager@falmouthma.gov).

Interviews will be conducted by the Select Board at its meeting on Monday, June 5, 2023.

*Publication date: Friday, May 12, 2023; Falmouth Enterprise.*

*Account #: 2056*

*Rev.1*

## **OPEN SESSION**

### **COMMITTEE INTERVIEWS AND APPOINTMENTS**

#### **2. Regulatory Boards**

- a. Conservation Commission – Kevin O'Brien
- b. Historical Commission – Christian Valle
- c. EDIC – Samuel Patterson, Robert Mascali

## 1. Regulatory Boards

### a. Conservation Commission

Four positions:

- One full member position with a term ending 6/30/26
- Two alternate member positions with terms ending 6/30/25
- One alternate member position with term ending 6/30/26

One applicant:

- **Kevin O'Brien:** Incumbent, full member

## Diane Davidson

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**From:** Kevin OBrien [REDACTED]  
**Sent:** Friday, May 12, 2023 5:47 PM  
**To:** Diane Davidson  
**Subject:** Re: Committee Reappointment - Conservation Commission

Dear Ms. Davidson,

Thank you for the notification. I would like to be reappointed to the Falmouth Conservation Committee for another term. I believe I have the experience to continue to be of service to the Committee. I am proud of the work the professional staff and my fellow Board members have done. In any event I appreciate the opportunity to be considered for another term.

Thank you,  
Kevin O'Brien

Sent from my iPad

On May 12, 2023, at 12:11 PM, Diane Davidson <diane.davidson@falmouthma.gov> wrote:

To: Kevin O'Brien

Dear Kevin,

Your term on the Conservation Commission expires on June 30, 2023.

Please let us know if you are interested in serving another term. The Select Board policy requires that we consider incumbents and new applicants when filling expired terms.

You may reply to this email and indicate either that you would like to be reappointed, or that you will not be seeking reappointment. Please reply by Friday, May 26, 2023.

Thank you for your interest in serving the Town.

Sincerely,

Sent on behalf of  
Peter Johnson-Staub  
Interim Town Manager

<image001.png>

## 1. Regulatory Boards

### b. Historical Commission

One position:

- One full member position with a term ending 6/30/26

One applicant:

- **Christian Valle:** Incumbent, full member

## 1. Regulatory Boards

### c. EDIC

Two positions:

- One position with a term from 7/1/23 to 6/30/26
- One position with a term from 7/1/23 to 6/30/26

Two applicants:

- **Samuel H. Patterson**: Representative for low income/affordable housing
- **Robert P. Mascali**: Representative for municipal government

Current EDIC Members:

Applicants

		Current Member	Term End
1.	At-Large	Adrian Merryman	6/30/24
2.	At-Large	Colin Reed	6/30/23 (reappointed)
3.	Finance	Kevin Holmes	6/30/24
4.	Industrial Development	Mark Lowenstein	6/30/25
5.	Affordable Housing/Low Income	Michael Galasso	6/30/23 (not renewing)
6.	Municipal Government	Sam Patterson	6/30/23 (off Select Bd.)
7.	Real Estate	Thomas Feronti	6/30/25

*Sam Patterson*  
*Bob Mascali*

## Diane Davidson

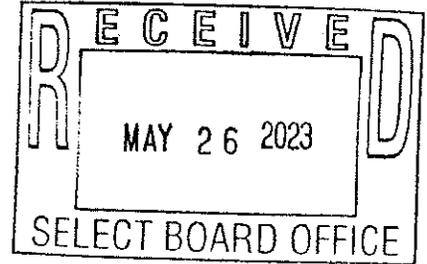
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**From:** Wayne Lingafelter <wlingafelter@falmouthedic.org>  
**Sent:** Wednesday, June 14, 2023 11:00 AM  
**To:** Nancy Taylor; Diane Davidson  
**Cc:** admin falmouthedic.org; Samuel Patterson  
**Subject:** EDIC Board Recommendation to Select Board

Good Morning Nancy and Diane – As per my conversation with Diane yesterday, I want to confirm that the EDIC Board of Directors has recommended Sam Paterson to serve on the EDIC Board of Directors for a three-year term beginning July 1, 2023. Sam will be designated to fill Michael Galasso's position as the "Low Income/Housing" representative on the EDIC Board. Sam's long tenured service on the Affordable Housing Committee along with his related work around housing in our community make him a good candidate for this designation. The EDIC Board also believes that with Michael Galasso stepping down from the Board, Sam's institutional knowledge of the Town and his long history with the EDIC will enhance his future contributions to the EDIC. We appreciate the Select Board's consideration of Sam's nomination at the June 26<sup>th</sup> Select Board meeting.

Thank you. Wayne

Wayne Lingafelter  
Executive Director  
Falmouth EDIC  
[REDACTED]



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION  
APPLICATION FORM

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

Name: Samuel H. Patterson, Jr

Address: 24 Grosvenore Drive Village: Falmouth ZIP: 02540

Mailing Address: 24 Grosvenore Dr. Village: Falmouth ZIP: 02540

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 32y (date: 4/06/1991) Taxpayer 32y (date: 4/1991)

Amount of time you are available to give: as much as normally required

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

- Falmouth Affordable Housing
- Falm Economic Development and Industrialization Committee (EDIC)
- 

Seeking: Permanent Position  Alternate Position

Have you attended any meetings of the committee for which you are applying? yes, most over 3-9 yrs.

Relevant affiliation and work and personal experiences 16 yrs as Member of School Comm;  
9 yrs as member of Select Board; 16 yrs of public school teaching;  
18 yrs. of system engineering and engineering management/  
program management experience

Town offices held in Falmouth or elsewhere and dates of years served: Falmouth School Committee  
Member (1998-2014); Falmouth Select Board (2014-2023); FEDIC (2020-2023)  
Falmouth Town Meeting Member (1998-2001, 2002-present), multiple  
School Dept. and Town building committees, etc,

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

I hold the following college degrees: B.S. in Mechanical Engng.;  
M.S. in Physics; and an M.S. in Organization Management from  
Johns Hopkins University. I <sup>have been</sup> a respectful and  
collaborative member of <sup>the</sup> teams, committees, boards  
and organizations with which I have been a member  
or have been employed. I am an open and active listener  
of constituent perspectives, while representing what I feel  
believe is in the best interest of the community, organization,  
town, state, country and of humanity.

You may attach a resume to this application.

List three (3) references:

<u>Name</u>	<u>Title</u>	<u>Phone</u>
1. <u>Frank Duffy</u>	<u>Town Council, Retired</u>	
2. <u>Wayne Lingafelter</u>	<u>FEDIC Exec Director</u>	
3. <u>Michael Galasso</u>	<u>FEDIC Member</u>	

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

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

5/26/2023  
DATE

Samuel H. Paterson  
APPLICANT'S SIGNATURE

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

**AMENDED AND RESTATED BYLAWS  
of the  
FALMOUTH EDIC**

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of the  
FALMOUTH EDIC**

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**AMENDED AND RESTATED BYLAWS  
of the  
FALMOUTH EDIC**

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**ARTICLE I – GENERAL**

Section 1. Name

The name of this organization shall be the Falmouth Economic Development and Industrial Corporation, a public, non-profit corporation hereinafter referred to as the “Corporation.”

Section 2. Enabling Legislation

The Corporation was established in accordance with Massachusetts General Laws, Chapter 121C (the “Act”). The Corporation shall be subject to the provisions of Massachusetts General Laws, Chapter 180, except in so far as said provisions are inconsistent with or otherwise restricted or limited by the Act. The tax-exempt status of the Corporation shall be subject to Section 501(c)(3) of the Internal Revenue Code and applicable federal and state laws.

Section 3. Seal

The Corporation shall adopt and use a corporate seal, in a form determined from time to time by the Board of Directors.

Section 4. Place of Business

The principal place of business of the Corporation shall be located in the Town of Falmouth, Massachusetts (the “Town”). The Corporation, by action of its Board of Directors, may establish such offices or quarters and mailing addresses, as may be deemed necessary or convenient to the carrying out of the purposes for which the Corporation is organized. Offices or quarters and mailing addresses may be changed or discontinued by action of the Board of Directors.

Section 5. Fiscal Year

The fiscal year of the Corporation shall extend from January 1st to the ensuing December 31st, except as the same may be otherwise determined by a majority vote of the Board of Directors.

**ARTICLE II – PURPOSE AND AREA OF OPERATIONS**

Section 1. Purpose

The purpose of the Corporation is to protect the Town from the threat of future unemployment or lack of business opportunity by, in part:

- A. attracting new industry into the community;
- B. financing and implementing an economic development project to expanding existing industry in the community; and
- C. improving the living standards of its citizens by fostering the improvement of their employment opportunities.

**AMENDED AND RESTATED BYLAWS  
of the  
FALMOUTH EDIC**

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Section 2. Area of Operations

The primary area of operation of the Corporation shall be the Town of Falmouth and, as necessary or appropriate, the region of Cape Cod and the islands of Martha's Vineyard and Nantucket. The Corporation's projects and programs may also include activities in other portions of Barnstable County, insofar as they are consistent with the purpose of the Corporation as stated in Article II, Section 1, above.

**ARTICLE III – POWERS AND RESTRICTIONS OF THE CORPORATION**

Section 1. Powers

The Corporation shall have all the powers conferred by the provisions of Chapter 180 of the Massachusetts General Laws and all powers conferred by the provisions of Chapter 121C of the Massachusetts General Laws, except in so far as said provisions are inconsistent with or otherwise restricted or limited by such Acts or other applicable law, including but not limited to the power:

- A. To sue and be sued.
- B. To adopt and amend bylaws.
- C. To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers, and to employ consultants, superintendents, managers, and such other engineers, construction and accounting experts and attorneys and such other employees, agents and consultants as may be necessary in its judgment, and to fix their compensation.
- D. To receive and accept from any federal agency, the Commonwealth or the Town grants, loans or advances for or in aid of an economic development project or projects and to receive and accept contributions from any source of either money, property, labor or other things of value, to be held, used and applied for the purposes for which such grants, loans, advances and contributions may be made.
- E. To borrow money, and, from time to time, to make, accept, endorse, execute, and issue bonds, debentures, promissory notes, bills of exchange, and other obligations of the Corporation, for moneys borrowed or in payment for property acquired or for any of the other purposes of the Corporation, and to secure the payment of such obligations by mortgage, pledge, deed, indenture, agreement, or other instrument of trust, or by other lien upon, assignment of, or agreement in regard to all or any part of the property, rights, or privileges of the Corporation.
- F. To issue revenue bonds of the Corporation, payable solely from revenues, for the purpose of paying all or any part of the cost of a project or projects.

**AMENDED AND RESTATED BYLAWS**  
**of the**  
**FALMOUTH EDIC**

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- G. To invest any funds not required for immediate use or disbursement in certificates of deposit or in obligations of the government of the United States or in obligations the payment of the principal of, and interest on, which is guaranteed by the government of the United States.
- H. To provide such advisory services and technical assistance as may be necessary or desirable to carry out its purposes.
- I. To prepare or cause to be prepared and to modify plans, designs, drawings, specifications and estimates of cost for the construction, reconstruction, development, redevelopment, rehabilitation, remodeling, alteration or repair of economic development projects.
- J. To finance pollution control facilities for economic development projects.
- K. Subject to the approval of the Town to designate areas of the Town as economic development areas.
- L. To acquire and hold property, either real or personal, or any interest therein; and to acquire by purchase or otherwise, or by the exercise of the power of eminent domain such private lands, or any interests therein, as it may deem necessary for carrying out its purposes.
- M. To make relocation payments to persons and businesses displaced as a result of carrying out an economic development plan, including such payments on a pro tanto basis.
- N. To procure insurance against any loss in connection with its property and other assets and operations.
- O. To clear and improve property acquired by it, and to engage in or contract for the construction, reconstruction, development, redevelopment, rehabilitation, remodeling, alteration or repair thereof.
- P. To arrange or contract with the Town for the planning, replanning, opening, grading or closing of streets, roads, alleys or other places or for the furnishing of facilities or for the acquisition by the Town of property or property rights or for the furnishing of property or services in connection with a project or projects.
- Q. To sell, convey, mortgage, lease, transfer option, exchange or otherwise dispose of, any property, either real or personal, or any interest therein, as the objects and purposes of the Corporation may require.
- R. To loan on mortgages, including purchase money mortgages, on real estate and personal property within economic development areas, to foreclose the same when in default, and to bid for and purchase property at any foreclosure or other sale; and in such event, to deal with such property in such manner as may be necessary or desirable to protect the interests of the Corporation therein.

**AMENDED AND RESTATED BYLAWS  
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- S. To manage any project whether owned or leased by the Corporation and to enter into agreements with the Commonwealth or the Town or any agency or instrumentality thereof or with any person, firm, partnership or corporation either public or private for the purpose of causing any project to be managed.
- T. To act with respect to one or more projects as a corporation organized under Section 3 or Section 18B of MGL Ch 121A of the Massachusetts General Laws; provided that the accounts for each project shall be kept separately, and the income of one project shall not be expended upon or for the benefit of another project.
- U. To borrow money for the purposes of aiding in the construction of equipment required by the Commonwealth or United States to abate air or water pollution.
- V. To do all acts and things necessary or convenient to carry out the powers expressly granted by the Act.

**Section 2. Restrictions**

The Corporation shall not participate or intervene in any political campaign on behalf of any candidate for public office nor publish or distribute any statements with respect thereto. Nor shall the Corporation, its Directors or Officers participate in any prohibited transactions or activities as defined in Section 503 of the Internal Revenue Code.

**ARTICLE IV – BOARD OF DIRECTORS**

**Section 1. Appointment**

The Directors shall be appointed by the Board of Selectmen, following consultation with and the receipt of recommendations from the Executive Committee. The Chair and Vice Chair shall be elected by the EDIC Board for the terms set by statute.

**Section 2. Duties and Responsibilities**

The Board of Directors shall conduct and manage the business and affairs of the Corporation, including, but not limited to:

- A. establishing a fiscal year for the operation of the Corporation;
- B. appointing Officers of the Corporation, and determining their compensation and their duties;
- C. submitting an annual report to the Town, MOBD, and the Director of Housing and Community Development;
- D. creating, amending or repealing bylaws in whole or in part.

**Section 3. Number**

The Board of Directors of the Corporation shall consist of seven Directors.

**AMENDED AND RESTATED BYLAWS**  
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Section 4. Composition

The composition of the Board of Directors shall be as follows: (i) at least one Director shall be experienced in industrial development; (ii) at least one shall be experienced in financial matters; (iii) at least one shall be experienced in real estate matters; (iv) at least one shall be experienced in municipal government; (v) at least one Director shall be representative of low income people, and shall be chosen from a list of three submitted by the regional or local community action agency, or when there is no such agency, from a list of three submitted by the department of housing and community development. The Board of Selectmen shall designate one of the seven Directors as chairman and another as vice-chairman, following consultation with and the receipt of recommendations from the Executive Committee.

Robert  
Mascali

Sam  
Patterson

Section 5. Terms

Of the Directors first appointed, two shall be appointed to serve for one year from July 1st, two for two years from said date, and three for three years from said date. Upon the expiration of the term of office of any such Director, or of any subsequent Director, his successor shall be appointed in like manner for a term of three years. In the event of a vacancy in the office of a Director, his successor shall be appointed in like manner to serve for the unexpired term. Unless reappointed, no Director shall hold office after the expiration of his term; and the appointment of a successor to any person whose term has expired shall be for the remainder of the term which would have begun at such expiration if the successor had then been appointed.

Section 6. Attendance

Regular attendance at Board meetings is expected of all Directors. Three consecutive absences may indicate the need to replace the Director. A Director may request a temporary leave of absence. If approved by the Board, attendance requirements will be waived for the term of the leave.

Section 7. Resignation

Notice of resignation by a Director shall be made in writing and addressed to the Clerk of the Corporation. Said resignation shall take effect either upon acceptance by the Board or the date specified in the notice of resignation.

Section 8. Removal from Office

The Board of Selectmen is vested with the authority to remove any Director for cause in accordance with the Act.

Section 9. Vacancies

In the event of a vacancy of a Director, his or her successor shall be appointed by the Board of Selectmen to serve for the unexpired term, following consultation with and the receipt of recommendations from the Executive Committee.

**AMENDED AND RESTATED BYLAWS**  
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**FALMOUTH EDIC**

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Section 10. Compensation

No Director or Officer of the Corporation shall receive any compensation or remuneration from the Corporation, provided, however, the Board of Directors may see fit to reimburse its Directors or Officers for any reasonable and necessary expense incurred on behalf of the Corporation. Directors are prohibited from accepting gifts, monies, gratuities, or other form of compensation from persons, groups, agencies or firms receiving benefits or services under any program financed in whole or in part from local, state, or federal funds; from any person or agency performing services under contract to the Corporation, or from any persons, groups, agencies or firms who are otherwise in a position to benefit from the actions of the Board.

**ARTICLE V – OFFICERS**

Section 1. General

The Board of Directors may appoint a Clerk, a Treasurer, and such other Officers as it shall deem necessary, and may determine their duties. Duly appointed Directors are eligible to serve as Officers. Officers shall serve until their successors are appointed. The office of Treasurer and Clerk may be held by the same person.

Section 2. Duties

The duties of the Treasurer and Clerk shall be as follows:

- A. *Treasurer:* The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation. The Treasurer shall receive and give receipt of money due and payable to the Corporation from any source whatsoever, and shall deposit all such monies in the name of the Corporation in such bank, trust corporation, and/or other depositories as shall be specified in accordance with these bylaws.

The Treasurer shall prepare and present at each regular meeting of the Board a monthly financial statement.

- B. *Clerk:* The Clerk shall keep, or cause to be kept, a record of the attendance at, and minutes of, all meetings of the Corporation, including any committees of the Board of Directors.

The Clerk shall have authority to make copies of all minutes of the meetings and other records and documents of the Corporation, and to certify under the Corporate seal that such copies are true copies and all persons dealing with the Corporation may rely upon such certification. The Clerk shall provide a copy of the minutes as required by the Massachusetts Open Meetings Law and other applicable laws.

The Clerk shall be custodian of the corporate records and seal, and shall keep a register of the mailing address and street address (if different) of each Director.

**AMENDED AND RESTATED BYLAWS  
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The Clerk shall post, or cause to be posted, notification of meetings of the Corporation's Board of Directors as required by the Massachusetts Open Meetings Law and other applicable laws.

Section 3. Term of Office

The term of office for all Officers shall be one year, and they shall serve until their successors are duly appointed. Officers are eligible for reappointment for successive terms.

Section 4. Vacancies

The Board of Directors may make interim appointments to fill Officer vacancies, and such appointments will extend for the duration of the term for which the vacancy exists.

Section 5. Indemnification

The Corporation shall, to the extent legally permissible, indemnify each of its Directors and Officers, former Directors and former Officers against all liabilities and expense, including amounts paid in satisfaction of judgment, in compromise or as fines and penalties, and, counsel fees, reasonably incurred by him/her in connection with the defense or disposition of any action, suit or other proceeding, whether civil or criminal, in which he/she may be involved or with which he/she may be threatened, while in office, except with respect to any matter as to which he/she shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that his/her action was in the best interests of the Corporation; provided, however, that as to any matter disposed of by a compromise payment by such Director or Officer, pursuant to a consent decree or otherwise, or, indemnification either for said payment or for any other expenses shall not be provided unless such compromise shall be approved as in the best interests of the Corporation, after notice that it involves such indemnification, if a majority of the Directors then in office are disinterested, by two-thirds of the disinterested Directors then in office. The right of indemnification hereby provided shall not be exclusive of or affect any other rights to which the Directors or Officers may be entitled. As used in this paragraph, the terms Directors and Officers include their respective heirs, executors and administrators, and an "interested" Director or Officer is one against whom in such capacity the proceedings in question or another proceeding on the same or similar grounds is then pending.

The transactions in which the Corporation engages shall not result in private liability of any Director or Officer. No Director or Officer shall be responsible for losses of the Corporation unless the losses have been occasioned by the willful misconduct of that Director or Officer.

**ARTICLE VI – COMMITTEES**

Section 1. General

All Committees shall be advisory unless the scope of the Committee's power is specifically voted by the Board of Directors. The Board of Directors may vote to include non-Directors in its Committee appointments. All Committees shall report to the Board of Directors for action

**AMENDED AND RESTATED BYLAWS  
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on their reports. The reports of all Committees shall be filed with the minutes of the meeting at which they are presented.

Section 2. Executive Committee.

The Executive Committee will be composed of the Chairman, the Vice Chairman and the Treasurer. The duties of the Executive Committee shall be as determined by a majority vote of the Board of Directors.

Section 3. Other Committees

The Chairman may establish other standing and ad hoc committees from time to time with the approval by majority vote of the Board of Directors. The quorum for each committee shall be a majority of the membership of each committee.

**ARTICLE VII – MEETINGS**

Section 1. Operating Procedures

Roberts' Rules of Order shall govern the proceedings of the Corporation. All meetings of the corporation (including the Executive Committee and Other Committees) shall be held in accordance with the Massachusetts Open Meeting Law.

Section 2. Prior Notice of Meetings

All meetings of the Corporation shall be duly posted in accordance with the Massachusetts Open Meeting Law.

Section 3. Regular Meetings of the Board of Directors and Committees

Regular meetings of the Board of Directors shall be scheduled in advance by the Chairman and held at least monthly with notice of such meetings going to each Director not less than five calendar days prior to such meetings. Regular meetings of the Executive Committee and other Committees shall be scheduled in advance by the Chairman of such Committee with notice of such meetings going to each Committee Director not less than five calendar days prior to such meetings.

Section 4. Special Meetings of the Board of Directors

Special meetings of the Board of Directors may be called at any time by the Chairman. The meeting notice shall describe the reason for the special meeting and the business to be considered. No other business shall be transacted at the meeting. Notice of any special meeting shall be given to the public in accordance with the requirements of the Massachusetts Open Meeting Law.

Section 5. Annual Meetings

The Annual Meeting of the Corporation shall be held within the Town in the month of September at a time determined by the Board of Directors and notice of the Annual Meeting shall be given to Directors as a Regular Meeting. Notice of the Annual Meeting shall be given to

**AMENDED AND RESTATED BYLAWS**  
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the public in accordance with the requirements of the Massachusetts Open Meeting Law. The Annual Meeting shall be for the purpose of annual reports, ratification of the appointment of auditors, and other appropriate business of the Corporation.

Section 6. Meeting Records

All meetings of the Corporation shall be open to the public. Records and minutes of all meetings shall be available for public inspection at all times during normal working hours at the Corporation's regular place of business.

Section 7. Quorums

A majority of the seven Directors shall constitute a quorum for the conduct and transaction of any business of the Corporation.

Section 8. Waiver Of Notice

Whenever any written notice is required to be given to the Directors by these bylaws, a waiver of notice signed either before or after the action for which notice is required shall have the effect of written notice.

**ARTICLE VIII – BYLAWS**

Section 1. Adoption

These bylaws shall be adopted by a majority vote of the Board of Directors at a duly constituted meeting of the Board of Directors.

Section 2. Periodic Review

These bylaws shall be reviewed at least once every two years by a committee appointed by the Chairman and shall report to the Board of Directors any recommended changes.

Section 3. Amendments

Amendments to these bylaws shall be made by a majority vote of all Directors present and voting, provided that every Director has received at least five days notice of the changes being considered.

Section 4. Conflict over Bylaws

In the event of conflicts or uncertainty over interpretations or a procedural issue not specifically addressed by these bylaws, the Corporation and the Board of Directors shall be bound to adhere to Roberts' Rules of Order.

**ARTICLE IX – CONFLICT OF INTEREST**

Any duality of interest or possible conflict of interest on the part of any Director, Officer, employee or consultant of the Corporation shall be disclosed to the Board of Directors and made

**AMENDED AND RESTATED BYLAWS  
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FALMOUTH EDIC**

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a matter of record through an annual procedure and also when the interest becomes a matter of Board action, such disclosure shall be reflected in the record of the proceedings of the Board of Directors.

In all cases where a Director, Officer, employee or consultant of the Corporation may have a conflict of interest because he or she or a member of his or her family has an interest in any contract or transaction with the Corporation, either directly or indirectly through an interest in or employment by any legal entity which has an interest in such contract or transaction, or otherwise, such Director, Officer, employee or consultant shall disclose such conflict of interest and refrain from taking any action to authorize, approve, ratify and/or debate such transaction or contract; provided, however, that the ownership of a non-controlling minority interest in a publicly held legal entity shall not be deemed to be an interest requiring such disclosure. Any required disclosure shall be made, in the case of an employee or consultant, to the Officer to whom such employee or consultant reports and in the case of a Director or Officer, to the Board of Directors or committee prior to its acting on such contract or transaction. Such disclosure shall include any relevant and material facts, known to such person, about the contract or the transaction which might reasonably be construed to be adverse to the Corporation's interest.

Nothing contained herein shall preclude the Corporation from entering into such transaction or contract provided such disclosure is made and the Director, Officer, employee or consultant of the Corporation involved abstains from voting on the action taken to authorize, approve or ratify such transaction or contract. The minutes of the meeting where the transaction or contract is being voted upon shall reflect the disclosure made and the abstention from voting.

**ARTICLE X – DISSOLUTION**

The Corporation may, upon the affirmative vote of two-thirds of its Directors, petition for its dissolution by order of the supreme judicial or superior court, in the manner provided in Section 50 of Chapter 155 of the General Laws. Upon dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all liabilities of the Corporation, dispose of all of the assets of the Corporation in such manner or to such organization or organizations as at the time qualify as an exempt organization or organizations under Chapter 501(c)(3) of the Internal Revenue Code.

**OPEN SESSION**

**COMMITTEE INTERVIEWS AND APPOINTMENTS**

**3. Non-Regulatory Boards**

- a. Cultural Council – Sadie Inman, Caroline Inman

## **2. Non-Regulatory Boards**

### **a. Cultural Council**

Five positions:

- One with a term ending 6/30/24
- One with an unexpired term ending 6/30/24
- One with an unexpired term ending 6/30/25
- Two with terms ending 6/30/26

Two applicants:

- **Sadie Inman**
- **Caroline Inman**



**TOWN OF FALMOUTH  
BOARD, COMMITTEE OR COMMISSION  
APPLICATION FORM**

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

Name: Sadie Inman

Address: 789 West Falmouth Highway Village: West Falmouth ZIP: 02540

Mailing Address: 789 West Falmouth Highway Village: West Falmouth ZIP: 02540

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident 17 (date: ) / Taxpayer (date: )

Amount of time you are available to give: As needed

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

1. Falmouth Cultural Council
2. \_\_\_\_\_
3. \_\_\_\_\_

Seeking: Permanent Position  Alternate Position

Have you attended any meetings of the committee for which you are applying? Not yet

Relevant affiliation and work and personal experiences Work at Evindas and West Falmouth Village Cafe, Volunteer at Falmouth Service Center in Fall/Winter once a week, Was on Student government for 2 yrs at Falmouth High School.

Town offices held in Falmouth or elsewhere and dates of years served: None yet

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

Will bring to the committee a young person's perspective on what our community needs in terms of art and culture. I feel that I am respectful, responsible, a strategic thinker, multi-tasker, highly motivated, great communicator, organized and passionate about my community.

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	<u>Ilene Karnow</u>	<u>Falmouth Cultural Committee member</u>	
2.	_____	_____	_____
3.	_____	_____	_____

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

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

6/1/23  
DATE

Sadie Bowman  
APPLICANT'S SIGNATURE

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



TOWN OF FALMOUTH

BOARD, COMMITTEE OR COMMISSION  
APPLICATION FORM

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

Name: CAROLINE INMAN

Address: 789 W. FALMOUTH HWY Village: W. FALMOUTH ZIP: 02540

Mailing Address: SAME Village: \_\_\_\_\_ ZIP: \_\_\_\_\_

Telephone: [REDACTED] Email: [REDACTED]

How long have you been a Resident  (date: 2001) / Taxpayer  (date: 2001)

Amount of time you are available to give: As much as is required and then some ;)

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

1. FALMOUTH CULTURAL COUNCIL
2. \_\_\_\_\_
3. \_\_\_\_\_

Seeking: Permanent Position  Alternate Position

Have you attended any meetings of the committee for which you are applying? Yes

Relevant affiliation and work and personal experiences I am the development officer for Nobska Light and used to work at Highfield. I have a lot of experience working with grants and supporting the arts through those two venues.

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

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

I am task oriented, out-going and a hard worker. I have been behind the scenes writing grants, some even to FCC. I am a great supporter of the local art scene and can speak knowledgeably and from the perspective of a "younger" point of view.

List three (3) references:

	<u>Name</u>	<u>Title</u>	<u>Phone</u>
1.	Heene Karnow	Treasurer of FCC	[REDACTED]
2.	KATTY WALRATH	PRESIDENT NOBSKA	[REDACTED]
3.	ANN RIVEN	PRESIDENT FITMOUTH JEWISH CONGREGATION	[REDACTED]

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

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

6.20.23  
DATE

[Signature]  
APPLICANT'S SIGNATURE

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

**OPEN SESSION**

**COMMITTEE INTERVIEWS AND APPOINTMENTS**

**4. Committee Re-appointments (uncontested seats)**

June 26, 2023

**Other Appointments**

<b>Appointment</b>	<b>Name</b>	<b>Term Ending</b>
Certified Weigmasters – Waste Management Facility	Joseph Rebelo	6/30/2024
	Carlos Rebelo	6/30/2024
	James Lewis	6/30/2024

June 26, 2023

## **OPEN SESSION**

## **PUBLIC HEARINGS**

1. Application for four (4) one-day Sunday Entertainment Licenses – Falmouth Yacht Club, located at 290 Clinton Avenue, Falmouth, MA to be executed on 7/2/23, 7/16/23, 8/6/23 and 9/3/23 **(10 minutes)**



TOWN OF FALMOUTH  
SELECT BOARD  
NOTICE OF PUBLIC HEARING

Notice is hereby given under Chapter 140 Section 183A of the General Laws as amended by Chapter 299 of the Acts of 1926 and amendments thereto, that Falmouth Yacht Club located at 290 Clinton Avenue, Falmouth, MA has applied for four (4) Sunday Entertainment Licenses to be executed on 7/2/2023, 7/16/2023, 8/6/2023, and 9/3/2023.

A hearing on the above application will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, June 26, 2023, at 6:45 p.m.

Comments may be sent to [selectboard@falmouthma.gov](mailto:selectboard@falmouthma.gov).

Per order of the Select Board

LICENSING BOARD  
Nancy Robbins Taylor  
Edwin (Scott) P. Zylinski, II  
Douglas C. Brown  
Onjalé Scott Price  
Robert P. Mascali

*Publication date: Friday, June 16, 2023; Falmouth Enterprise  
Account #2056*

**TOWN OF FALMOUTH  
SELECT BOARD  
NOTICE OF PUBLIC HEARING**

Notice is hereby given under Chapter 140 Section 183A of the General Laws as amended by Chapter 299 of the Acts of 1926 and amendments thereto, that Falmouth Yacht Club located at 290 Clinton Avenue, Falmouth, MA has applied for four (4) Sunday Entertainment Licenses to be executed on 7/2/2023, 7/16/2023, 8/6/2023, and 9/3/2023.

A hearing on the above application will be held in the Select Board Meeting Room, Falmouth Town Hall on Monday, June 26, 2023, at 6:45 p.m.

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Per order of the Select Board

LICENSING BOARD  
Nancy Robbins Taylor  
Edwin (Scott) P. Zylinski, II  
Douglas C. Brown  
Onjalé Scott Price  
Robert P. Mascali

June 16, 2023

**LICENSE APPLICATION REVIEW**

Restaurant/Business: Falmouth Yacht Club

Address: 290 Clinton Avenue, Falmouth

License Type: One-Day Sunday Entertainment Licenses

New or Transfer of License New

or

Change of License n/a

Police No objection

Fire No issues

Building No issues

Health No Issues

Zoning \_\_\_\_\_

Planning \_\_\_\_\_

DPW \_\_\_\_\_

Assessor \_\_\_\_\_

Tax Collector \_\_\_\_\_

Wastewater \_\_\_\_\_

\_\_\_\_\_

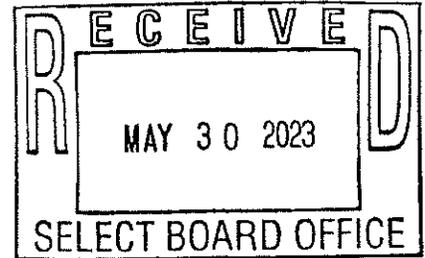
\_\_\_\_\_

**NOTES:**

This is the second year Falmouth Yacht Club has hosted outdoor entertainment on several Sundays throughout the summer. The performer(s) are staged on the ground under the Club hoist.



**Town of Falmouth**  
 Office of the Town Manager/Selectmen  
 59 Town Hall Square, Falmouth, MA 02540  
 508-495-7320



**ENTERTAINMENT LICENSE APPLICATION (per day)**

Massachusetts General Laws, Chapter 140, Section 183A as amended by Chapter 694 of 1981

NAME OF ESTABLISHMENT **Falmouth Yacht Club**

ADDRESS **290 Clinton ave**

**Falmouth**

**MA**

**02540**

NAME OF OWNER/MANAGER **Sheila Reed-Assistant Manager**

TELEPHONE #: **508-548-3865**

EMAIL: **admin-frontdesk@falmouthyachtclub.com**

**NARRATIVE DESCRIBING ENTERTAINMENT:**  
 Music will be acoustic, with volume limited to not go past our parking lot. Our goal is to provide a covid safe environment for our members to enjoy outdoors

**\*\*LOCATION OF ENTERTAINMENT** **Boatyard In back of clubhouse**

**\*\*Provide a Floor Plan showing where on the premises the entertainment will take place.**

DAY or DAYS APPLIED FOR: check all that apply MON  TUE  WED  THR  FRI  SAT

SUNDAY ENTERTAINMENT: Y/N  (if YES, also complete State application+ fee - contact the Select Board Office)

Hours entertainment will be offered **4:00pm to 6:30Pm**

PLEASE CHECK THE APPROPRIATE BOX FOR ALL TYPES OF ENTERTAINMENT:

- 1. DANCING By Patrons Y/N  Other Dancing Y/N
- 2. MUSIC Recorded Y/N  Live Y/N  No. of Musicians  Amplification Y/N

Type of Instruments **Acoustic**

I certify that this application contains a true description of the entertainment provided by this establishment and that I have complied with M.G.L. Chapter 140, Section 183A, Paragraph 3, by stating whether as part of the concert, dance exhibition, cabaret and public show any person will be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the pubic area, anus, or genitals, or any simulation thereof, or whether any female person will be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the breast below the top of the areola, or any simulation thereof.

DATE **1/30/2023**

x   
**OWNER, MANAGER OR AUTHORIZED AGENT**

Town Fees:  
 FILING FEE: \$10.00  
 PERMIT FEE: \$25.00 per day

State Fee, \$ 50.00  
Municipal Fee, \$ 75.00

THE COMMONWEALTH OF MASSACHUSETTS  
Town OF Falmouth



LICENSE

For  
PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is Falmouth Yacht Club in or on the property at  
No. 290 Clinton Ave Falmouth, MA. 02540 (address)  
The Licensee or Authorized representative, Sheila Reed in  
accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion
<del>6/25</del>	<del>4:PM</del>	Acoustic Music <i>This date withdrawn</i>
7/2	4:PM	Acoustic Music
7/16	4:PM	Acoustic Music

Hon. Nancy R. Taylor Mayor/ Chairman of Board of Selectman, Falmouth (City or Town)

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

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

Do not write in this box

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

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

State Fee, \$ 50.00  
Municipal Fee, \$ 75.00

THE COMMONWEALTH OF MASSACHUSETTS  
Town OF Falmouth



LICENSE

For  
PUBLIC ENTERTAINMENT ON SUNDAY

The Name of the Establishment is Falmouth Yacht Club in or on the property at  
No. 290 Clinton Ave Falmouth, MA. 02540 (address)  
The Licensee or Authorized representative, Sheila Reed in  
accordance with chapter 136 of the General Laws, as amended, hereby request a license for the following program or entertainment:

DATE	TIME	Proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion
<u>8/6</u>	<u>4:PM</u>	<u>Acoustic Music</u>
<u>9/3</u>	<u>4:PM</u>	<u>ACOUSTIC MUSIC</u>

Hon. Nancy R. Taylor Mayor/ Chairman of Board of Selectman, Falmouth (City or Town)

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

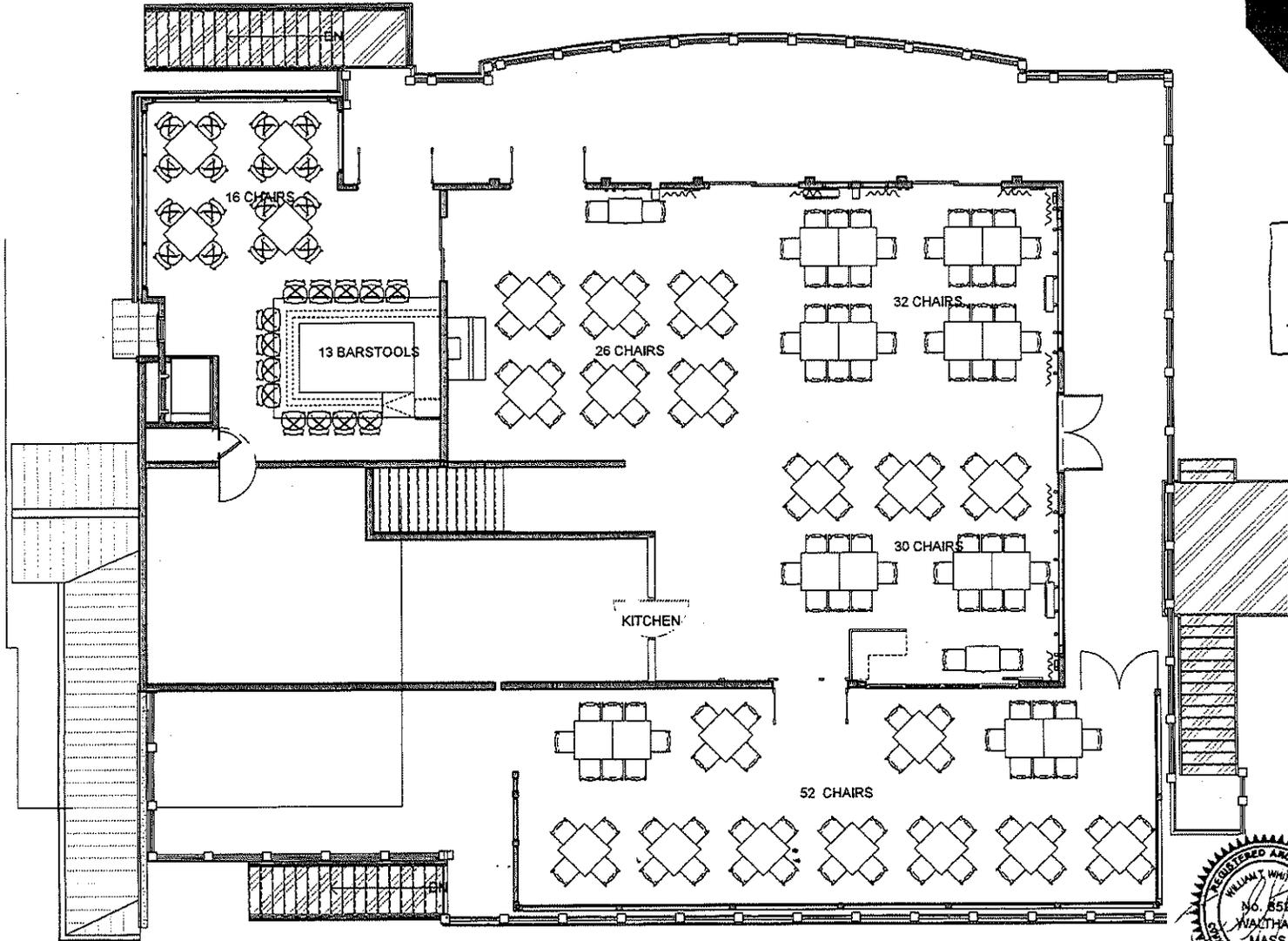
This license is granted and accepted, and the entertainment approved, upon the understanding that such entertainment that the licensee shall comply with the laws of the Commonwealth applicable to licensed entertainments, and also to the following terms and conditions: The licensee shall at all times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

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Printed: 5/2/2023 11:00:28 AM  
EXISTING PLAN EX-1



*Whitlock*  
681 Main Street, Suite 3-31  
Waltham, MA 02451  
781.647.8008  
www.whitlockdesigns.com

ISSUED  
05/02/23

PROJECT NAME  
**FALMOUTH  
YACHT  
CLUB**

ADDRESS  
290 Clinton Ave,  
Falmouth, MA 02540

SEAL

DRAWING TITLE  
EXISTING PLAN

SCALE  
1/8" = 1'-0"

SHEET NUMBER  
**EX-1**

# FYC Sunday One Day Entertainment Permit

- ~~Sunday June 25 4-6pm~~ *This date withdrawn*
- Sunday July 2 4-6pm
- Sunday July 16 4-6pm
- Sunday August 6 4-6pm
- Sunday September 3 4-6pm

Location: Outdoors in the club's boat yard. The band will be set up under the fyc hoist.(see diagram)

Member seating will be set up to accommodate social distancing guidelines/requirements.

Management and/or staff of FYC will encourage members to bring their boats and dock in the FYC marina to safely enjoy the music in their own space.

Volume of music not to exceed beyond the Falmouth Yacht Clubs main parking lot located in the front of the club facing Grand avenue.

**OPEN SESSION**

**PUBLIC HEARINGS**

**2. Water Rate Hearing (15 minutes)**

TOWN OF FALMOUTH  
SELECT BOARD  
PUBLIC HEARING NOTICE

As provided under Chapter 119, of the Code of Falmouth, a Public Hearing will be held in the Select Board Meeting Room, Town Hall, 59 Town Hall Square, Falmouth on Monday, June 26, 2023 at 6:45 p.m. to establish and promulgate fees. The proposed water rates will be effective with the November 2023 billing.

The proposed new fee is as follows:

DEPARTMENT OF PUBLIC WORKS  
Water Department

Existing Water Rates, Effective Tuesday June 1, 2021			Proposed Water Rates FY23-FY26			
Annual Fee			Annual Fee			
Meter Size	Annual Fee	Units of Water to be Apportioned Annually	Meter Size	FY24	FY25	FY26
5/8"	\$124.00	40	5/8"	\$104	\$122	\$145
3/4"	\$148.00	48	3/4"	\$156	\$183	\$218
1"	\$236.00	76	1"	\$260	\$305	\$363
1.5"	\$412.00	124	1.5"	\$520	\$610	\$725
2"	\$590.00	176	2"	\$832	\$976	\$1,160
3"	\$976.00	292	3"	\$1,560	\$1,830	\$2,175
4"	\$1,176.00	352	4"	\$2,600	\$3,050	\$3,625
6"	\$1,766.00	528	6"	\$5,200	\$6,100	\$7,250
8"	\$2,356.00	700	8"	\$8,320	\$9,760	\$11,600
Excess Water Usage Rates (per unit)			Water Usage Rates (per unit)			
Excess per unit of water		\$3.50		FY24	FY25	FY26
1 Unit = 100 cf = 748 Gallons			Tier 1	\$2.50	\$2.95	\$3.40
			Tier 2	\$3.13	\$3.69	\$4.25
			Tier 3	\$3.75	\$4.43	\$5.10
			1 Unit = 100 cf = 748 Gallons			
Tier	Volume (Units)					
	Quarterly Billing	Semi-Annual Billing				
Tier 1	0-5	0-10				
Tier 2	>5-15	>10-30				
Tier 3	>15	>30				
Note: 1 unit = 100 cf = 748 gallons						

Nancy Robbins Taylor, Chair  
Select Board

Publication date: Friday, June 16, 2023; Falmouth Enterprise  
Account #: 2056

# WATER DEPARTMENT FUNDING



# WATER DEPARTMENT FUNDING

## Agenda:

- Recap – Two Previous Presentations
- Present Proposed Water Rate Adjustments to Fund the Water Department Operating, Capital, and Water Main Replacement
  - Proposed Annual Fee Structure and Water Rate Adjustments
  - Customer Impact – Residential and Non-Residential Customers

# PREVIOUS PRESENTATION SUMMARIES

## Capital Efficiency Plan Presentation

- Outlined Upgrades Required to Improve System Performance
- Recommended a \$3M per Year Water Main Replacement Program

## Water Department Funding Options

- Adjust the Water Rates to Move Closer to Covering all Operating, Capital, and Water Main Replacement Costs

# RECOMMENDED FUNDING OPTION

- **Increase Water Revenues Over Three Years to Fund Capital, Operating, and Water Main Replacement:**
  - Three-Year annual meter fee and water usage rate adjustment is proposed to generate additional revenue and minimize customer impact
  - Increase revenues from FY 2022 over a three-year period to provide:
    - Revenue to substantially fund Water Department expenses
    - \$1M in FY24 Funding for Water Main Replacement
    - \$2M in FY25 Funding for Water Main Replacement
    - \$3M in FY26 Funding for Water Main Replacement
  - For the initial two years use one-time funding for water main replacement – Water stabilization, account clean up / reauthorization, ARPA Funds, small amounts of Free Cash, etc.

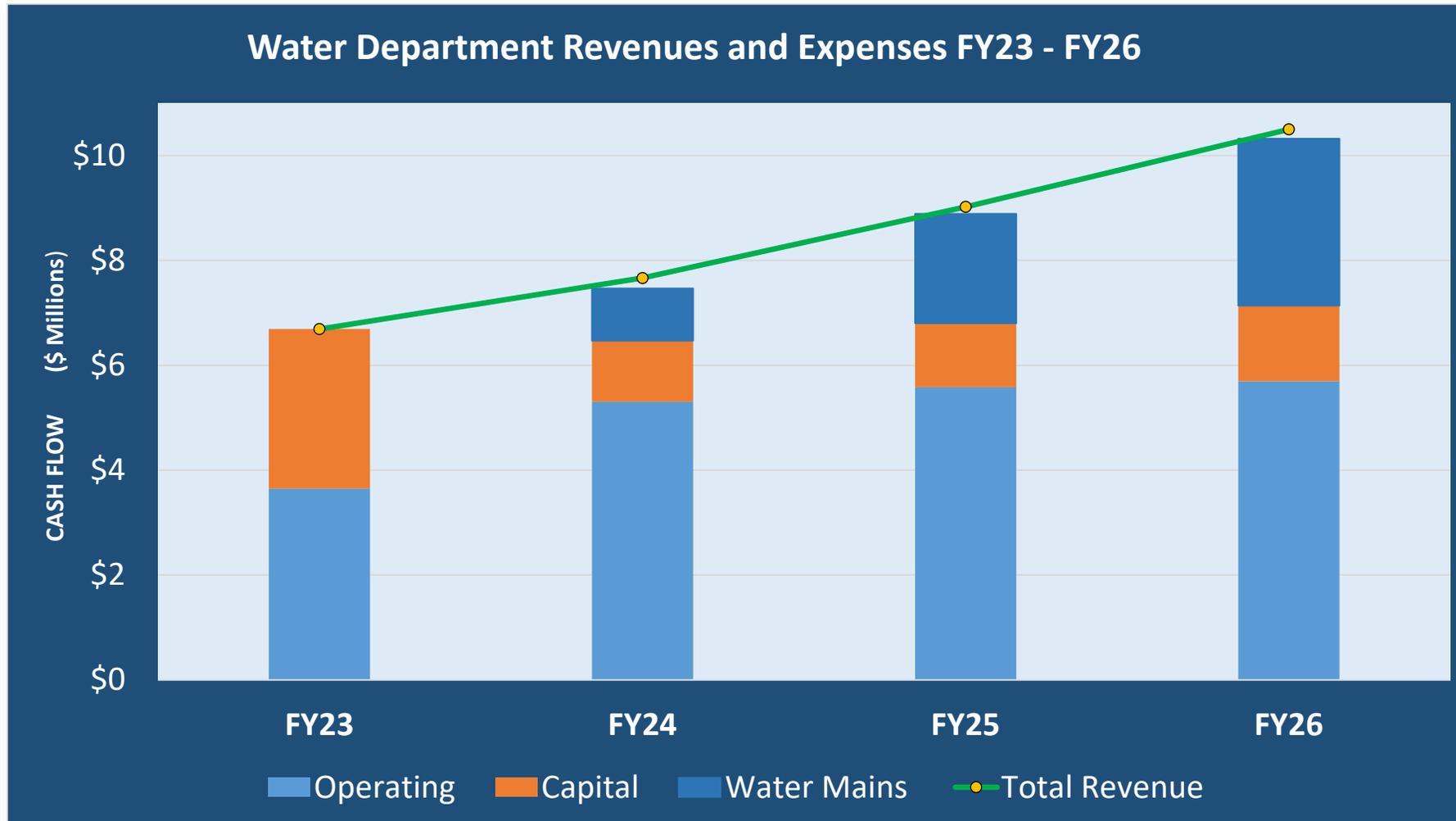
# WATER DEPARTMENT EXPENSES OVER THE NEXT THREE YEARS INCLUDING WATER MAIN REPLACEMENT FUNDING

<b>WATER DEPARTMENT EXPENSES</b>				
	<b>FY23</b>	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>
Operating	\$3,647,778	\$5,305,000	\$5,580,000	\$5,695,000
Capital	\$3,043,723	\$1,162,000	\$1,220,000	\$1,442,000
Water Mains	-----	\$1,000,000	\$2,090,000	\$3,182,700
<b>Total Expenses</b>	<b>\$6,691,501</b>	<b>\$7,467,000</b>	<b>\$8,890,000</b>	<b>\$10,319,700</b>

# WATER DEPARTMENT REVENUE REQUIRED TO MEET THE THREE -YEAR FUNDING GOAL

<b>WATER DEPARTMENT REVENUE</b>				
<b>Year</b>	<b>FY23</b>	<b>FY24</b>	<b>FY25</b>	<b>FY26</b>
<b>Rate Revenue Increase</b>	-----	14%	18%	16%
Rate Revenue	\$6,643,501	\$7,617,921	\$8,972,259	\$10,450,474
Betterments	\$25,000	\$25,000	\$25,000	\$25,000
Liens & Penalties	\$5,000	\$5,000	\$5,000	\$5,000
Non-Rate Misc.	\$18,000	\$18,000	\$18,000	\$18,000
Transfer In	-----	-----	-----	-----
<b>Total Revenue</b>	<b>\$6,691,501</b>	<b>\$7,665,921</b>	<b>\$9,020,259</b>	<b>\$10,498,474</b>
<b>Total Expenses</b>	<b>\$6,691,501</b>	<b>\$7,467,000</b>	<b>\$8,890,000</b>	<b>\$10,319,700</b>

# WATER DEPARTMENT REVENUES AND EXPENSES 2023 - 2026



# RATE STRUCTURE RECOMMENDATION

- **Change to a more understandable rate structure:**
  - Flat fee based on meter size
  - No allowance – Eliminates customers paying for water they don't use
  - Three Tier structure – Customers pay for all the water that is used with an increasing usage rate for larger water use. This promotes water conservation.
  - Potential for low-income elderly relief/Participation in the LIHWAP

# PROPOSED ANNUAL FEES AND WATER RATES

- Annual Meter Fees Are Used to Fund 35% of the Water Department Capital, Operating, and Water Main Replacement Expenses
- Annual Meter Fees Based on AWWA Base Charge Escalators
- Water Rates Based on the Tier Volume/Price Ratio Table Below

BASE CHARGE ESCALATORS	
Meter Size	Meter Equivalent Ratio
	AWWA
5/8"	1.00
3/4"	1.50
1"	2.50
1.5"	5.00
2"	8.00
3"	15.00
4"	25.00
6"	50.00

Tier Volume/Price Ratio			
Tier	Volume (Units)		Price Ratio
	Quarterly	Semi-Annual	
Tier 1	0-5	0-10	1
Tier 2	>5-15	>10-30	1.25
Tier 3	>15	>30	1.5

Note: 1 unit = 748 gallons

# PROPOSED ANNUAL METER FEES AND WATER USAGE RATES

Existing and Proposed Annual Fees and Water Usage Rates FY23-FY26							
Annual Fee							
Meter Size	Existing	FY24	Change	FY25	Change	FY26	Change
5/8"	\$124	\$104	-\$20	\$122	\$18	\$145	\$23
3/4"	\$148	\$156	\$8	\$183	\$27	\$218	\$35
1"	\$236	\$260	\$24	\$305	\$45	\$363	\$58
1.5"	\$412	\$520	\$108	\$610	\$90	\$725	\$115
2"	\$590	\$832	\$242	\$976	\$144	\$1,160	\$184
3"	\$976	\$1,560	\$584	\$1,830	\$270	\$2,175	\$345
4"	\$1,176	\$2,600	\$1,424	\$3,050	\$450	\$3,625	\$575
6"	\$1,766	\$5,200	\$3,434	\$6,100	\$900	\$7,250	\$1,150
Water Usage Rates (per unit)							
	Existing	FY24	Change	FY25	Change	FY26	Change
FY23	\$3.50						
Tier 1		\$2.50	-\$1.00	\$2.95	\$0.45	\$3.40	\$0.45
Tier 2		\$3.13	-\$0.38	\$3.69	\$0.56	\$4.25	\$0.56
Tier 3		\$3.75	\$0.25	\$4.43	\$0.68	\$5.10	\$0.67

# WATER DEPARTMENT BILLING PRACTICES

- Water Usage is billed in units
  - 1 unit is 748 gallons
- Current Billing Frequency
  - The majority of the residential customers are billed on a semi-annual basis
  - Commercial and industrial customers are billed quarterly
- Residential billing in the future will be quarterly
  - Currently have a pilot program for quarterly residential meter reading
  - The change to residential quarterly billing is projected to be made in July 2024
- Quarterly residential billing
  - Will result in lower customer payments each billing cycle
  - Will provide a more consistent revenue stream

# CUSTOMER IMPACTS – RESIDENTIAL CUSTOMERS

<b>CUSTOMER IMPACTS</b>				
<b>SEMI-ANNUAL BILL - RESIDENTIAL CUSTOMERS (5/8" METER)</b>				
	Existing	Proposed		
		FY24	FY25	FY26
<b><i>Low Usage Customer - Household Using 24 units/year (18,000 gallons per year)</i></b>				
Semi-Annual Bill	\$62.00	\$83.87	\$98.61	\$115.85
Change	-----	\$21.87	\$14.74	\$17.24
<b><i>Typical Customer - Household Using 78 units/year (61,230 gallons per year)</i></b>				
Semi-Annual Bill	\$128.50	\$173.25	\$204.08	\$237.40
Change	-----	\$44.75	\$30.83	\$33.33
<b><i>High Usage Customer - Household Using 117 units/year (91,845 gallons per year)</i></b>				
Semi-Annual Bill	\$196.75	\$246.38	\$290.36	\$336.85
Change	-----	\$49.63	\$43.99	\$46.49

# CUSTOMER IMPACTS – FOOD AND LODGING CUSTOMERS

<b>CUSTOMER IMPACTS</b>				
<b>QUARTERLY BILL - FOOD AND LODGING CUSTOMERS</b>				
	Existing	Proposed		
		FY24	FY25	FY26
<b><i>Restaurant - 1" Meter 722 Units Annual Usage (540,056 gallons per year)</i></b>				
Quarterly Bill	\$650.50	\$757.50	\$893.40	\$1,032.43
Change	-----	\$107.00	\$135.90	\$139.03
<b><i>Motel/Hotel - 1" Meter 956 Units Annual Usage (715,088 gallons per year)</i></b>				
Quarterly Bill	\$829.00	\$948.75	\$1,119.08	\$1,292.53
Change	-----	\$119.75	\$170.33	\$173.45
<b><i>Motel/Hotel - 1 1/2" Meter 2,640 Units Annual Usage (1,974,720 gallons per year)</i></b>				
Quarterly Bill	\$2,299.00	\$2,710.00	\$3,196.00	\$3,694.50
Change	-----	\$411.00	\$486.00	\$498.50
<b><i>Motel/Hotel - 2" Meter 9,478 Units Annual Usage (7,089,544 gallons per year)</i></b>				
Quarterly Bill	\$9,048.75	\$9,877.81	\$11,648.62	\$13,469.43
Change	-----	\$829.06	\$1,770.81	\$1,820.81

# CUSTOMER IMPACTS – COMMERCIAL AND INDUSTRIAL CUSTOMERS

<b>CUSTOMER IMPACTS</b>				
<b>QUARTERLY BILL - COMMERCIAL AND INDUSTRIAL CUSTOMERS</b>				
	Existing	Proposed		
		FY24	FY25	FY26
<b><i>Convenience Store - 2" Meter 849 Units Annual Usage (635,052 gallons per year)</i></b>				
Quarterly Bill	\$781.88	\$991.44	\$1,168.46	\$1,355.48
Change	-----	\$209.56	\$177.02	\$187.02
<b><i>Manufacturing - 3" Meter 1,544 Units Annual Usage (1,154,912 gallons per year)</i></b>				
Quarterly Bill	\$1,339.50	\$1,825.00	\$2,150.80	\$2,495.35
Change	-----	\$485.50	\$325.80	\$344.55
<b><i>Boating Facility - 1" Meter 287 Units Annual Usage (214,676 gallons per year)</i></b>				
Quarterly Bill	\$269.38	\$380.31	\$447.87	\$521.68
Change	-----	\$110.94	\$67.56	\$73.81

# CUSTOMER IMPACTS – MULTI-FAMILY AND LONG-TERM CARE CUSTOMERS

<b>CUSTOMER IMPACTS</b>				
<b>QUARTERLY BILL - LONG-TERM CARE AND MULTI-FAMILY CUSTOMERS</b>				
	<b>Existing</b>	<b>Proposed</b>		
		<b>FY24</b>	<b>FY25</b>	<b>FY26</b>
<b><i>80 Unit Nursing Home - 2" Meter 4,050 Units Annual Usage (3,029,400 gallons per year)</i></b>				
Quarterly Bill	\$3,656.75	\$4,225.38	\$4,983.06	\$5,760.75
Change	-----	\$568.63	\$757.69	\$777.69
<b><i>83 Unit Apartment Complex - 2" Meter 2,613 Units Annual Usage (1,954,524 gallons per year)</i></b>				
Quarterly Bill	\$2,307.00	\$2,625.50	\$3,096.65	\$3,577.80
Change	-----	\$318.50	\$471.15	\$481.15

## WATER CONSERVATION PRACTICES

- Visit the Falmouth Water Department website for tips on how to conserve water.
  - <https://www.falmouthma.gov/314/Water>
- Mass Save current has rebates for items such for items such as new washing machines.
  - <https://www.masssave.com>
- The Falmouth Water Department is exploring water conservation programs with irrigation and smart home vendors.



QUESTIONS?

## **OPEN SESSION**

## **BUSINESS**

1. Report – Historical Commission **(15 minutes)**

# Falmouth Historical Commission

JUNE 26, 2023

# Commission members

- Ed Haddad            Co-Chair
  - Christian Valle      Co- Chair
  - Annie Dean
  - Johanna Reed
  - Tamsen George
  - Lee Drescher – Alternate
  - MASON Wilcox– Alternate
- 
- Planning Dept. support: Jed Cornock and Melinda Tondera

# Historical Commission Roles

- Regulatory
  - Issue Certificates of Appropriateness for exterior changes in the historic district
  - Meetings are monthly on the first Tuesday of each month
  - Maintain a Design Guidelines
  - Regularly review new materials to add to Design Guidelines
- Advisory
  - Advise on the preservation of Falmouth's historic assets

# Regulatory Activity

- 2023 ytd 42 applications: 28 administrative approvals, 14 hearings
- 2022 100 applications: 52 administrative approvals, 48 hearings
- 2021 63 applications: 38 administrative approvals, 24 hearings, 1 withdrawn
- 2020 73 Applications: 51 administrative approvals, 20 hearings, 2 withdrawn
- 2019 87 Applications: 63 administrative approvals, 24 hearings
- 2018 92 Applications: 73 administrative approvals, 19 hearings
- 2017 80 Applications: 52 administrative approvals, 28 hearings

50 – 80% Approved administratively, 2-3 day turnaround

# Demolition Delay Bylaw

- The Demolition Delay Bylaw mandates that any request to demolish a house that is included on the List of Significant Buildings be delayed 12 months.
  - Property owner can petition the Historical Commission for a waiver of the 12 months delay.

# Preservation Restrictions

- The HC holds the Preservation Restrictions for the Falmouth CPC and MHC
  - Wicks House (Historical Society)
  - The Dome in Woods Hole
  - West Falmouth Library
  - Woods Hole Library
  - River Bend Silo
  - Conant House (Historical Society)
  - 3 Water St (WCAI/WGBH)
  - Waquoit Congregational Church

# Advisory Activity

- Tamsen George is the HC representative on the CPC
- Christian Valle is the HC representative on the Edward Marks Building Advisory Committee (EH also a member)
- Completed Phase 4 (final) of Historic Resource Inventory (Form B)
  - 1500+ historic homes (over 50 years)
  - All Form B's have been sent to MACRIS (State Historic Resource Register)
  - Pending: Update the List of Significant Building (Demolition Delay Bylaw)

# Advisory Activity

- Crown Circle Historic District effort
  - Numerous letters explaining why the HC was recommending
  - June Public meeting via Zoom
  - August Public meeting (in person)
  - October Public meeting vis Zoom
  - Included on HC agenda every month
  - November a Public Survey sent to all residents
- The survey results: 60% opposed, 40% in favor

# Advisory Activity – on going

- Edward Marks Building/Poor House restoration
  - Funds secured for exterior restoration
- Old Burying Grounds
  - Managed by DPW, new consultant hired to catalogue gravestones
- Washburn Island
  - Neil Good leading effort to get National Register status
- Book of Falmouth
  - reprint
- Historic District Markers
  - HC working with DPW to identify all 7 historic districts



## Falmouth Historical Commission

59 Town Hall Square, Falmouth, MA 02540

Telephone: 508-495-7440 Fax: 508.495.7443 email: [fhc@falmouthma.gov](mailto:fhc@falmouthma.gov)

January 17, 2023

Dear Resident of Crown Circle,

On behalf of the Falmouth Historical Commission, I am sending you this letter to provide the results of the survey for the Potential Crown Circle Historic District effort and the Commission's final determination on the matter.

The survey was open for nearly 60 days from November 7, 2022 to December 31, 2022. Each property owner was mailed a paper version of the survey with an accompanying cover letter on November 7th and a reminder letter on December 16th. The survey was made available in both electronic and paper form. In total, 86 properties received these letters that provided the link to the online survey, indicated that one response per property owner would be accepted, and noted the survey close date.

### Survey Results

Of the 86 properties, 45 surveys (52%) were completed – the majority of them were done online. All survey data that was received in the mail was put in the online system by Planning Department staff. Please note, the attached summary, which shows the full results of the survey, shows a total of 48 responses; however, two of them were determined to be errors (not having a valid address) and the other one was a duplicate response.

In the end, 27 of the 45 respondents (60%) indicated that they would not be in favor of the Historical Commission pursuing a historic district in the area, while 18 respondents (40%) were in favor of it.

### Conclusion

The Historical Commission has interpreted the 41 property owners who did not respond as not being interested in moving forward with this pursuit. Therefore, based on the survey results, and following a discussion at our December 2022 meeting, the Historical Commission has decided not to pursue establishing a new historic district in the Crown Circle area of Falmouth.

If you have any issues with this or questions, please either call the Planning Department at 508.495.7440 or email the Commission at [fhc@falmouthma.gov](mailto:fhc@falmouthma.gov).

Sincerely,

*Edward J Haddad*

Chairman, Falmouth Historical Commission

Enclosure

# Potential Crown Circle Historic District

**48**  
Responses

**04:50**  
Average time to complete

**Active**  
Status

## 1. First and last name

**48**  
Responses

Latest Responses

- "Alice T. Reale"
- "Courtenay Barber, III"
- "Catherine E. Kaladin"

## 2. Falmouth street address

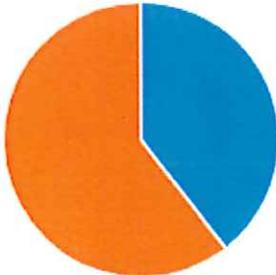
**48**  
Responses

Latest Responses

- "33 Forest Ave"
- "6 Crown Ave"
- "29 Tower House Rd"

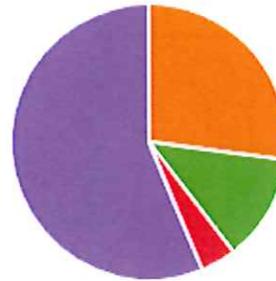
## 3. Do you...

- Live in Falmouth year-round 19
- Live in Falmouth part-time 29



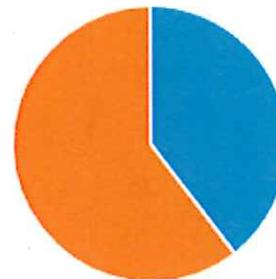
4. How long have you lived at your current Falmouth address?

● Less than 2 years	0
● 2-5 years	13
● 6-10 years	6
● 10-15 years	2
● More than 15 years	27



5. Are you in favor of the Historical Commission moving forward with a historic district for the "Crown Circle" area as shown here?

● Yes	19
● No	29



6. Are there any comments you would like to add?

32  
Responses

Latest Responses  
 "Yes. Street names are not legible."  
 "Why is the "Kite Field" not included in revised historic area?"  
 "Excellent idea"



## Falmouth Historical Commission

59 Town Hall Square, Falmouth, MA 02540

Telephone: 508-495-7440 Fax: 508.495.7443 email: fhc@falmouthma.gov

January 17, 2023

Falmouth Select Board  
59 Town Hall Square  
Falmouth, MA 02540

Dear Select Board Members,

In the Spring of 2021, the Historical Commission began discussing the possibility of establishing a new historic district in the Crown Circle area of Falmouth. This effort was initiated following a visit to the area which impressed upon me the unique historical character of the neighborhood even though a local historical district was not in place. Hoping to support the residents in their efforts to maintain this character, the Historical Commission set out to engage with the neighborhood about the concept of establishing a local historic district.

### Outreach Efforts and Timeline

The timeline below details the public outreach effort led by the Historical Commission and supported by the Planning Department staff. Notifications and invitations were distributed to each of the property owners in the area.

- 04/21/22 Letter #1 – Introducing the property owners to the concept.
- 05/16/22 Letter #2 – Invitation to a future Zoom public meeting to learn more about the concept and to ask questions.
- 05/23/22 Letter #3 – Notification of rescheduled Zoom public meeting date (initial date interfered with the Mayflower Wind public forum).
- 06/06/22 Public Meeting #1 (Zoom) – Historical Commission presented information about historical districts, the process for their establishment, the timeline for the specific effort, and answered questions and recorded comments.
- 07/11/22 Letter #4 – Notification of a future in-person public meeting at the Falmouth Public Library (main branch).
- 08/03/22 Public Meeting #2 (In-Person) – Historical Commission provided the same presentation as was done at the first public meeting, answered questions, and recorded comments.
- 09/09/22 Letter #5 – Notification of a final future Zoom public meeting to answer questions and to record comments.
- 10/01/22 Public Meeting #3 (Zoom) – Historical Commission answered questions and recorded comments in an “open house” format.

- 11/07/22 Letter #6 – Notification of the public survey (both paper and online options) to help the Commission with their determination and announcement that the potential area under consideration for a future district had been reduced based on public feedback.
- 11/22/22 Letter #7 – Notification to the property owners who were originally included at the start of the effort but were ultimately not included in the final potential historic district area.
- 12/16/22 Letter #8 – Reminder of the survey completion options and associated deadline.
- 01/03/23 Memo presented to the Historical Commission with the survey results.

### **Survey Results**

Of the 86 properties, 45 surveys (52%) were completed – the majority of them were done online. All survey data that was received in the mail was put in the online system by Planning Department staff. Please note, the attached summary, which shows the full results of the survey, shows a total of 48 responses; however, two of them were determined to be errors (not having a valid address) and the other one was a duplicate response.

In the end, 27 of the 45 respondents (60%) indicated that they would not be in favor of the Historical Commission pursuing a historic district in the area, while 18 respondents (40%) were in favor of it.

### **Conclusion**

Based on the survey results, and following a discussion at our December 2022 meeting, the Historical Commission has decided not to pursue establishing a new historic district in the Crown Circle area of Falmouth.

Sincerely,

*Edward J Haddad*

Chairman, Falmouth Historical Commission

## **OPEN SESSION**

## **BUSINESS**

2. Presentation/Update, Report – Water Quality Management Committee **(40 minutes)**

An aerial photograph of a coastal town, likely Falmouth, Massachusetts. The image shows a mix of residential buildings, green spaces, and a network of waterways including a large bay and several smaller ponds or streams. The water is a light blue color, and the land is a mix of green and brown tones. The overall scene is a wide-angle, high-altitude view of the town and its surrounding water.

**2023**

**Water Quality Management Committee  
Annual Report and Recommendations**

**Presentation to the Falmouth Select Board**

**June 26, 2023**

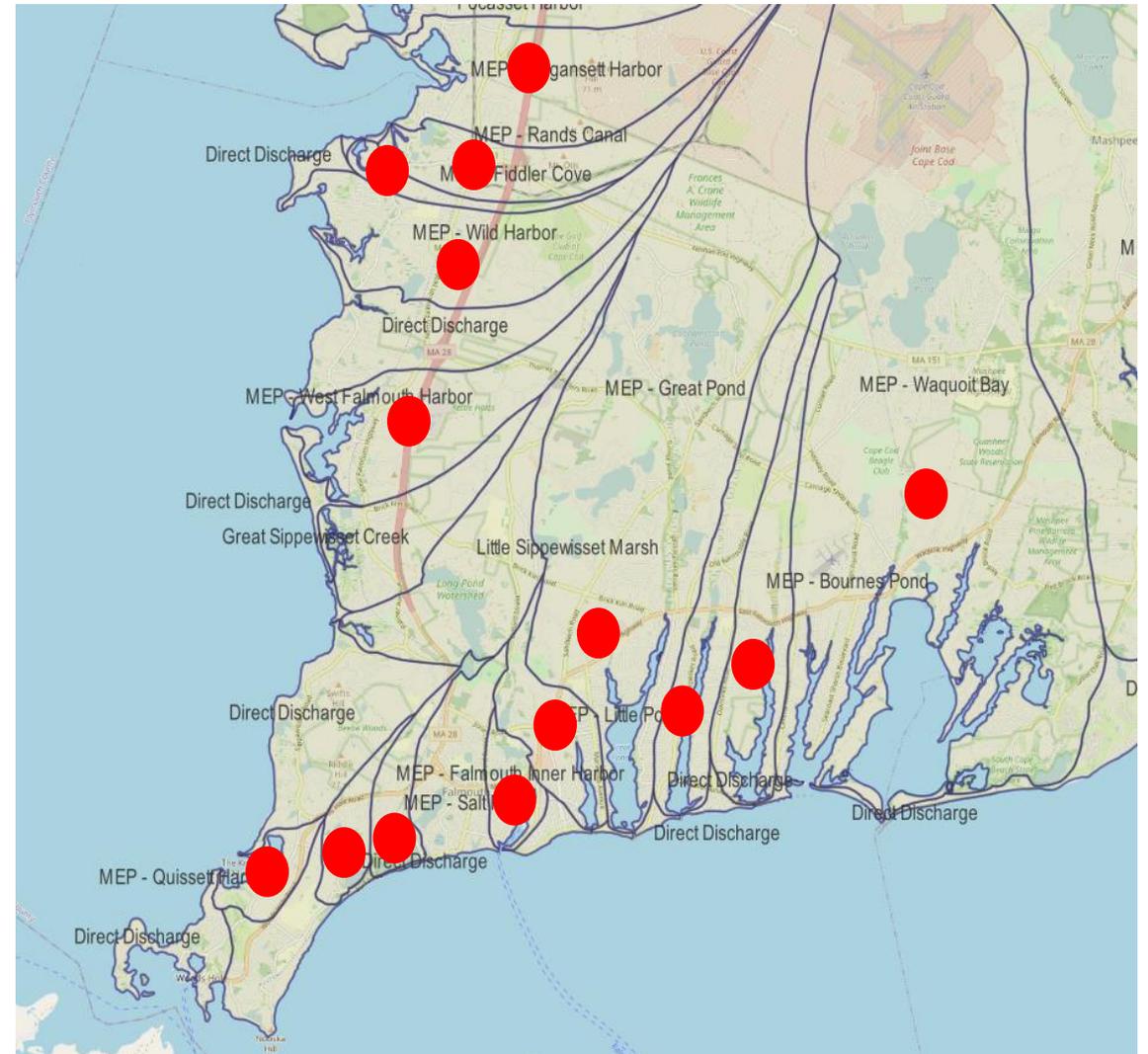
# 22 years ago

## the Massachusetts Estuaries Project began in Falmouth

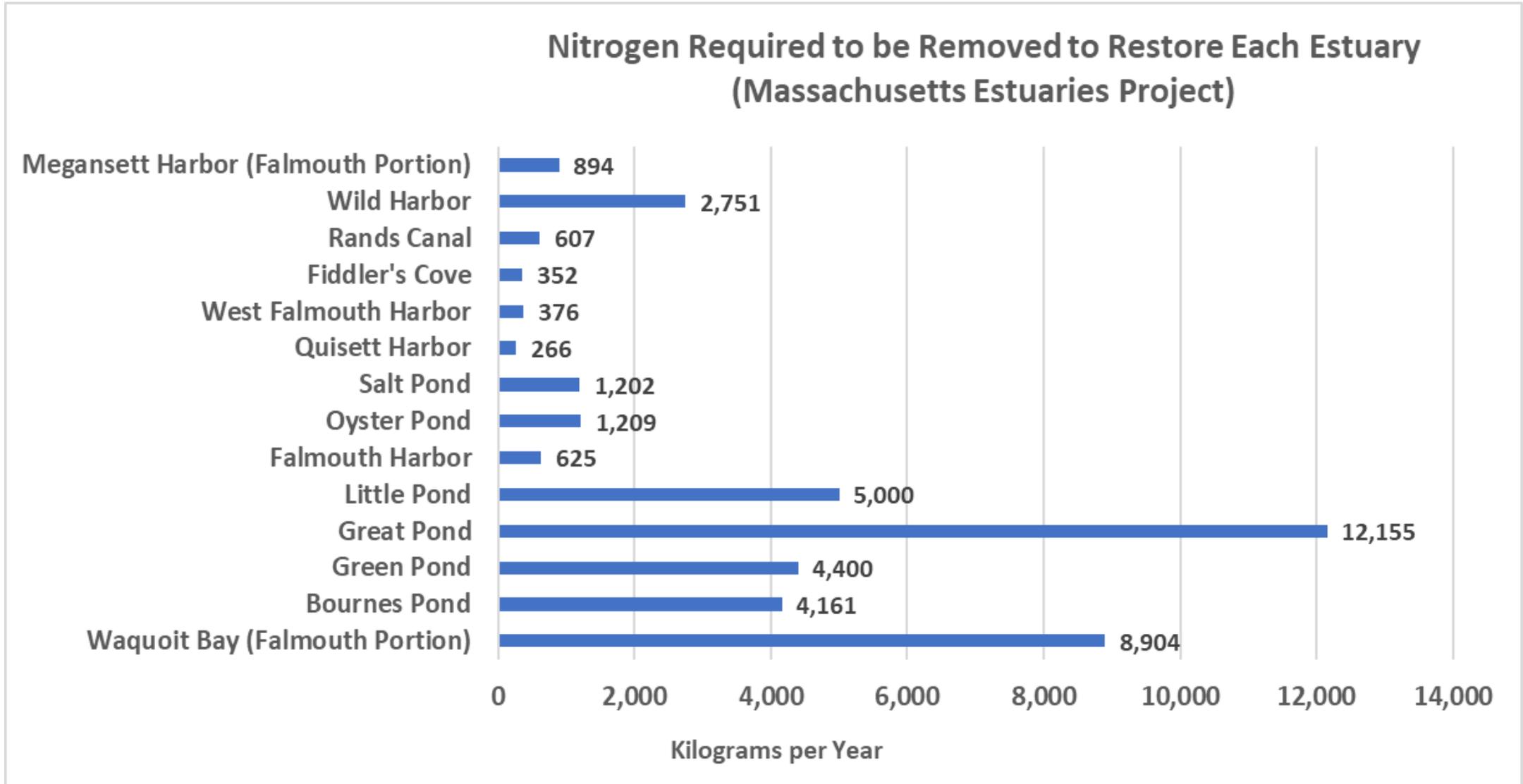
Falmouth has **14** nitrogen impacted estuaries, more than any other town in Massachusetts

**14,649** homes and businesses – 75% of the town – are in nitrogen impacted watersheds

**40%** of Cape Cod's MEP nitrogen impacted estuaries are located in Falmouth



# Falmouth's nitrogen removal targets for the town's 14 impacted estuaries (as determined by MEP/DEP/EPA)



# History

The first consultant study of the town's south coast estuaries in 2009 recommended sewerage all the homes on the peninsulas (Maravista, Teaticket, Acapesket, Davisville, Menhaunt, Antler Shores, Seacoast Shores and Seapit), and sewerage the neighborhoods north of route 28.

**TOTAL ESTIMATED COST (2009 \$\$):**

**\$600,000,000**

**(\$908,000,000 in 2023\$\$)**

# Falmouth's response to the \$600M sewerage plan

- Create and fund the Water Quality Management Committee;
- Proceed with sewerage densely developed neighborhoods on the peninsulas adjacent to the estuaries;
- Extend the sewer system only during “windows of financial opportunity” (so as to not impact the tax rate);
- Implement demonstration projects for alternatives to sewerage.

# Demonstration Project: Shellfish

Falmouth started growing oysters in Little Pond, relaying to other estuaries

Created partnerships with growers; town obtains state and local permits, supplies bags, upwellers, work platforms, overwintering storage facilities

Growers pay the town a landing fee and quantify nitrogen reduction result

195 kg N/yr removed yearly on 1.5 acres = sewerage approximately 40+ homes

~200 acres identified by MES as suitable for shellfish aquaculture in Falmouth



# Demonstration Project: PRBs

Funding from EPA's Southeast New England Program (SNEP) was used to install a 120' Permeable Reactive Barrier at the head of Great Pond to test the actual longevity of a two-year dose of emulsified vegetable oil (liquid carbon source).

PRB did not intercept as much nitrogen as anticipated due to lower measured groundwater velocities and a smaller zone of contribution than estimated.

PRB is still highly effective at nitrogen reduction three years after injection.



# Demonstration Project: Eco-toilets

Mailings were sent to **20,000+** households offering a \$5,000 incentive grant to install a composting or urine diverting toilet.

**170** interested homeowners responded;  
**50** home visits by professional installers;

Town obtained state waiver and local Board of Health permits

**9** homes installed composting or urine diverting toilets,  
**2** homes subsequently replaced them with traditional toilets.

Special act betterment waiver (estimated at \$17,000) plus a \$5,000 incentive was offered to 1,350 property owners in Little Pond Sewer Service Area to install an eco-toilet. **None did.**

Project conclusion: insufficient consumer acceptance.



# Demonstration Project: Inlet Widening

- Widening the channel into Bournes Pond from 50 to 90 feet will produce nitrogen reduction benefits equivalent to sewerage approximately 390 homes.
- Design, and local, state and federal permitting for inlet widening are completed
- Waiting for final Army Corps permit for Menauhant Road improvement project



# Restoration Project: Mill Pond

Working with the East Falmouth Village Association, WQMC contracted with UMASS-Dartmouth-SMAST to target nitrogen reduction and removal of nuisance aquatic vegetation and addressing periodic odor issues.

- Macrophyte harvesting
- Nanobubble aeration
- Built detention pond
- “Tea bags” in bog channel



# Nitrogen Control: Fertilizer

Fertilizer is responsible for 7% - 20% of the nitrogen load reaching the estuaries.

## Fertilizer Control By-Law passed in 2013

Prohibits application of fertilizer between October 16 and April 16 and within 100 feet of ponds, estuaries, wetlands. Conservation Commission includes this in its standard Order of Conditions.

Mailings reminding homeowners of the prohibition are sent to homeowners within the 100-foot boundary annually by Marine and Environmental Services.

## Further Fertilizer Reductions Being Explored

- Follow other Cape towns (Nantucket, Orleans) in proposing a ban on fertilizer?
- Limit application of all fertilizer to licensed applicators?



# Demonstration Project: I/A septic systems

Town of Falmouth, partnering with the Buzzards Bay Coalition, installed 30 nitrogen reducing innovative/alternative systems (I/A's) in homes in the West Falmouth Harbor watershed.

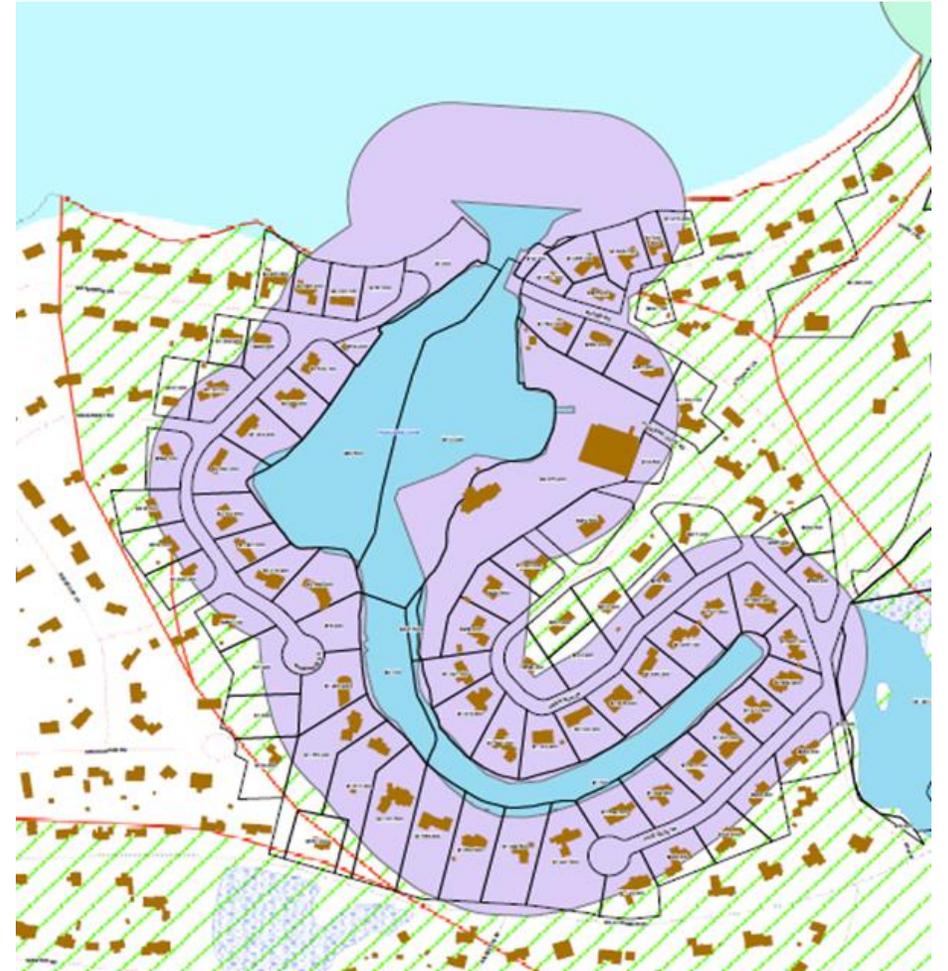
Conclusion: many I/A systems on the market today failed to remove enough nitrogen. Operation and maintenance issues, monitoring requirements, cost of installation and annual upkeep are all deterrents to widespread adoption of I/A's.



# Falmouth's proposed I/A regulation

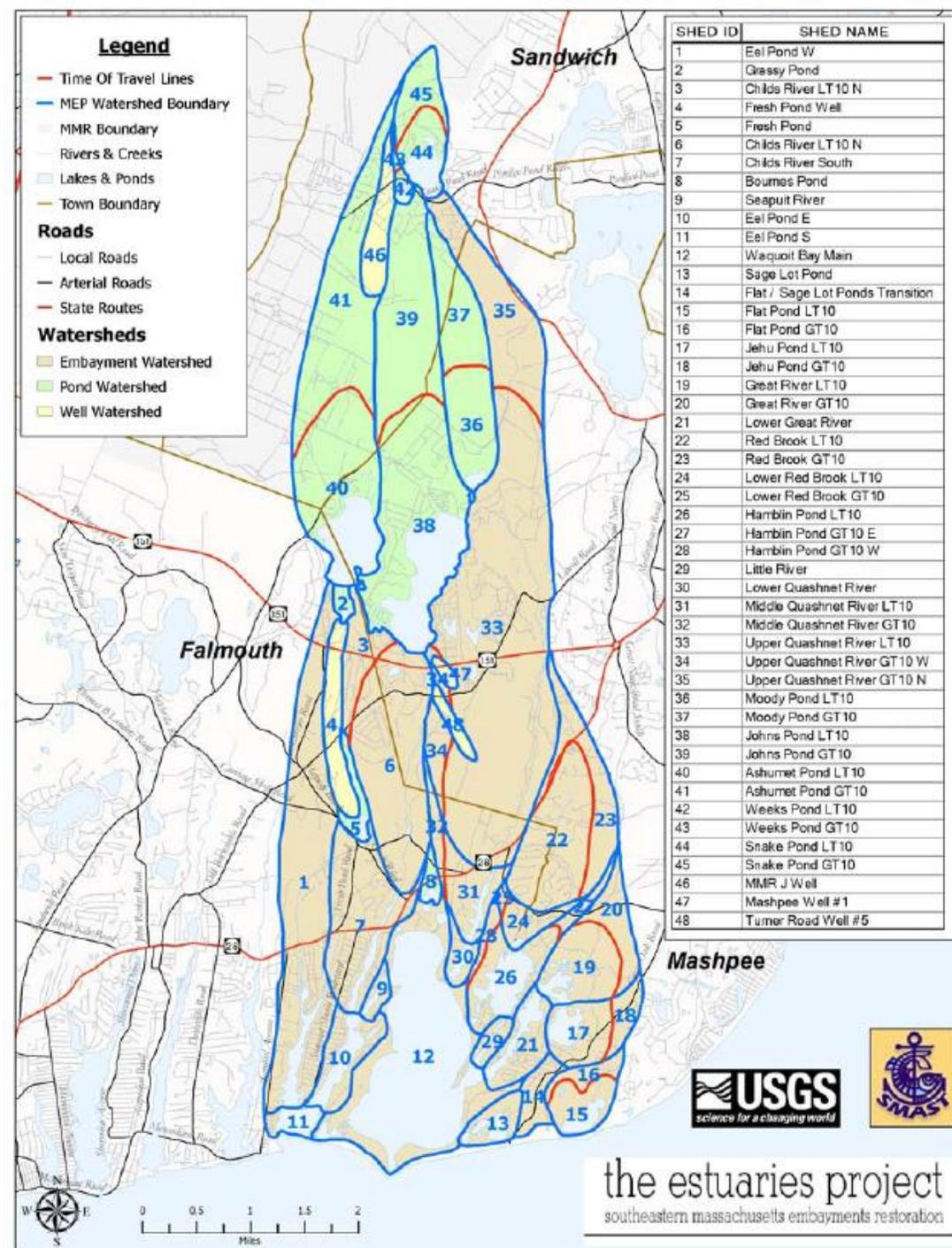
Falmouth Board of Health is currently considering a Water Quality Management Committee proposal to designate 300' zones for I/A installations around certain nitrogen impacted estuaries where sewerage is not projected for many years if at all.

- Required for new construction, transfer of title, substantial improvement or system failure
- Install enhanced I/A (12 mg TN/L or better) only



# Waquoit Bay

- 2020 GHD calculated nitrogen removal responsibility for each town that shares Waquoit Bay. Falmouth was allocated 50%.
- 2022 draft intermunicipal agreement sent to Mashpee. Shortly afterward, Mashpee sewer commission resigned. No feedback on the draft IMA with periodic inquiries from Falmouth.
- WQMC is working with Citizens for the Protection of Waquoit Bay to identify near-term initiatives ahead of planned sewerage.



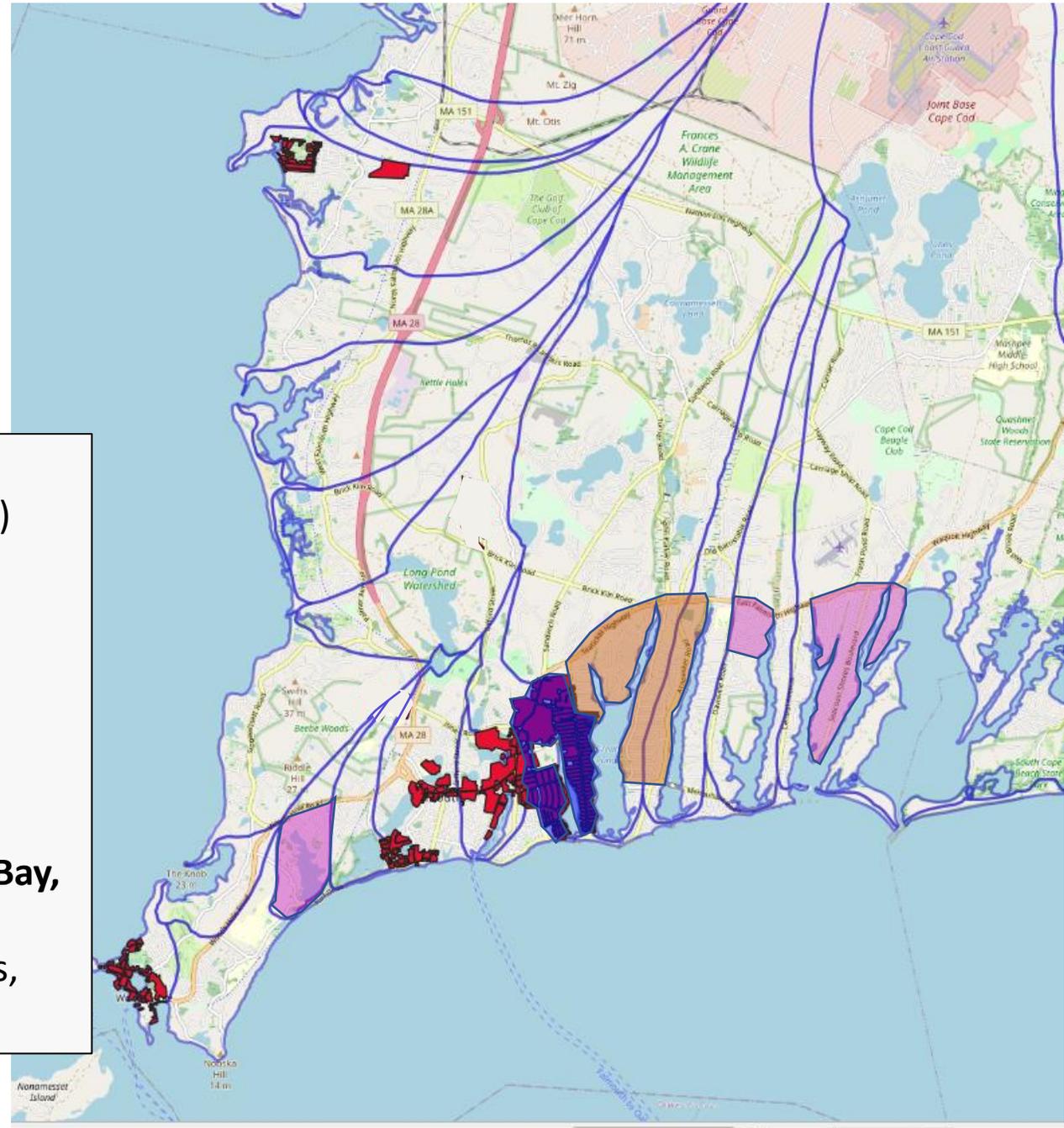
# Little Pond Sewer Service Area

- Sewered 1,600+ units at a cost of \$40M
- \$13,050 betterment
- Sewering estimated to reduce nitrogen inputs in Little Pond by 88%.
- The U.S. Geological Survey and the Marine Biological Laboratory, have seen reductions in the nitrogen concentration of the groundwater, and will continue to monitor.

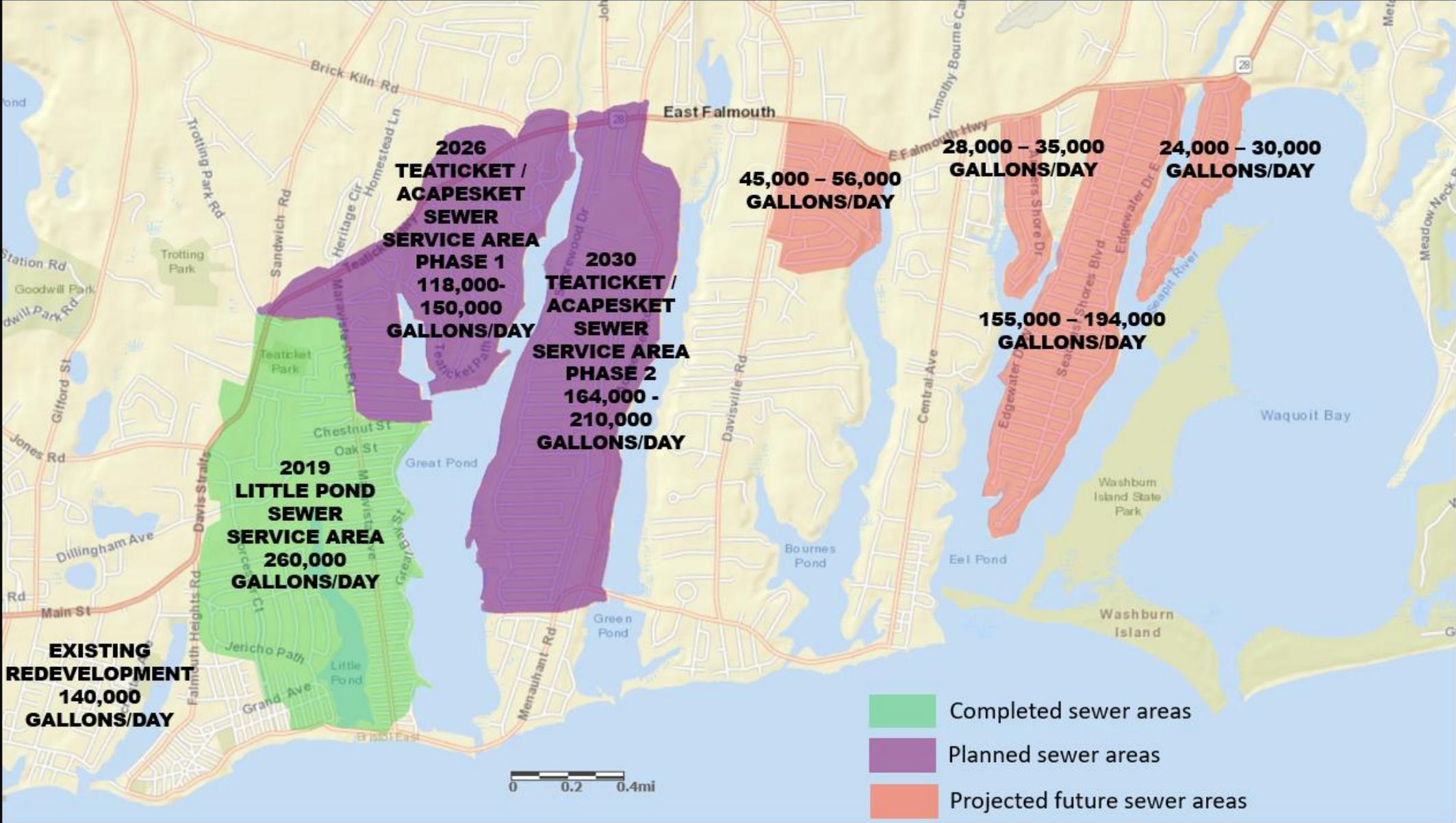


# Falmouth's sewered areas: past, present and future

-  **Past sewered areas**  
(Woods Hole, Falmouth Center, New Silver Beach)
-  **Recently sewered areas – Little Pond**  
(Falmouth Heights, Maravista)
-  **Planned sewer areas – Great Pond**  
(Teaticket, Acapesket)
-  **Projected sewer area – Bournes Pond, Waquoit Bay, Oyster Pond – no funds yet committed**  
(Fishermans Cove, Antler Shores, Seacoast Shores, Seapit, Oyster Pond)



# Completed / planned / projected sewer areas



# Where can treated effluent be discharged? A 40-year-old problem for Falmouth

## 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 process 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 sewage 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 coupon 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 that 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 troubled by occasional odors.
- 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 not near a residential area (not in anyone's backyard).
- There is room at the site for experimentation and research.
- There is a possibility that a nearby treatment plant may be advantageous for development of the industrial park.
- Spray irrigation at the site could improve its value as wildlife habitat and conservation land.
- Land application of treated wastewater could qualify Falmouth for a larger share of Federal financial assistance.

#### WHAT ARE ITS DISADVANTAGES?

- It is farther away from the service area so that transmission costs would be greater.
- 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 1979, a new search was made for possible sites. Some sites were advocated by interested parties, 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.

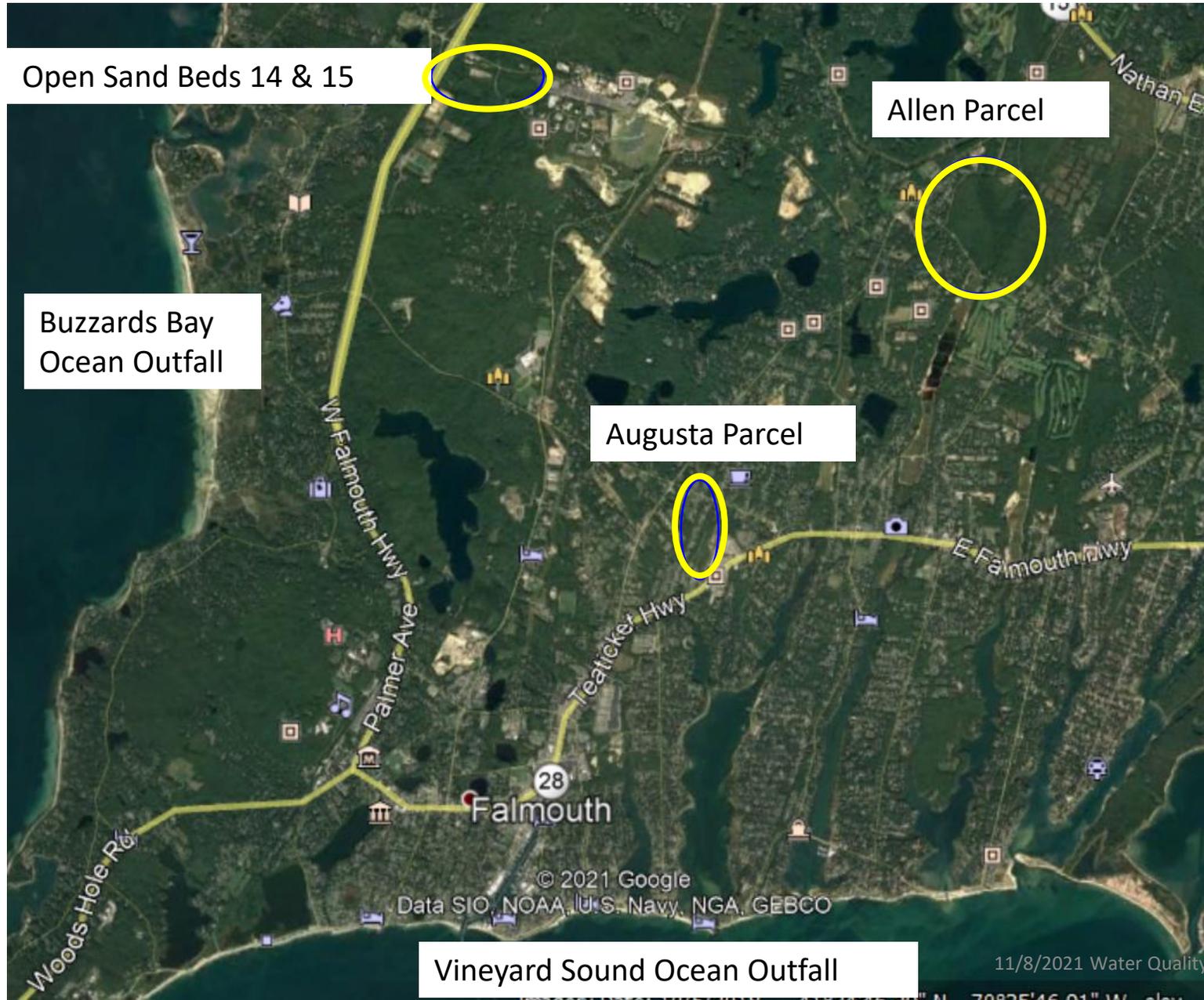
At the beginning of the study, all the

candidate sites were visited, considered in terms of neighborhood impacts, and evaluated against existing geohydrologic 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 extended discussions locally and with the State and EPA, the sites were ultimately narrowed to those described in this newsletter. See Figure 1.

Continued on Page 2



# Effluent Discharge Site Alternatives



# Allen Parcel

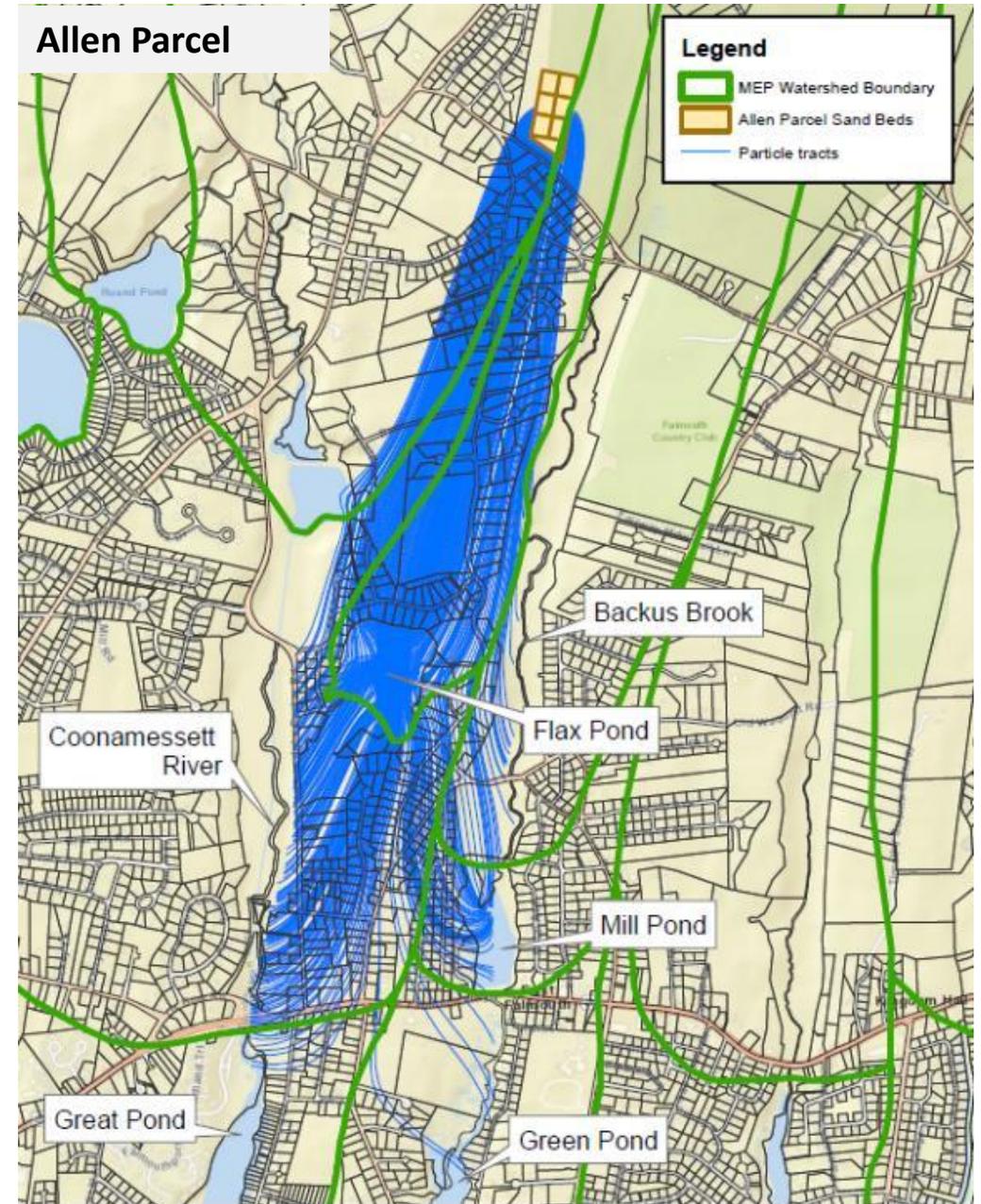
## Pro:

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

## Con:

- Four miles from WWTF
- Some nitrogen returns to Great and Green Ponds
- Upgradient of freshwater systems
- Undeveloped woodlands
- Near some residences
- Assumes continued use of beds 1-15

**Cost: \$29.5 million (2026 \$\$)**



# Augusta Parcel

## Pro:

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

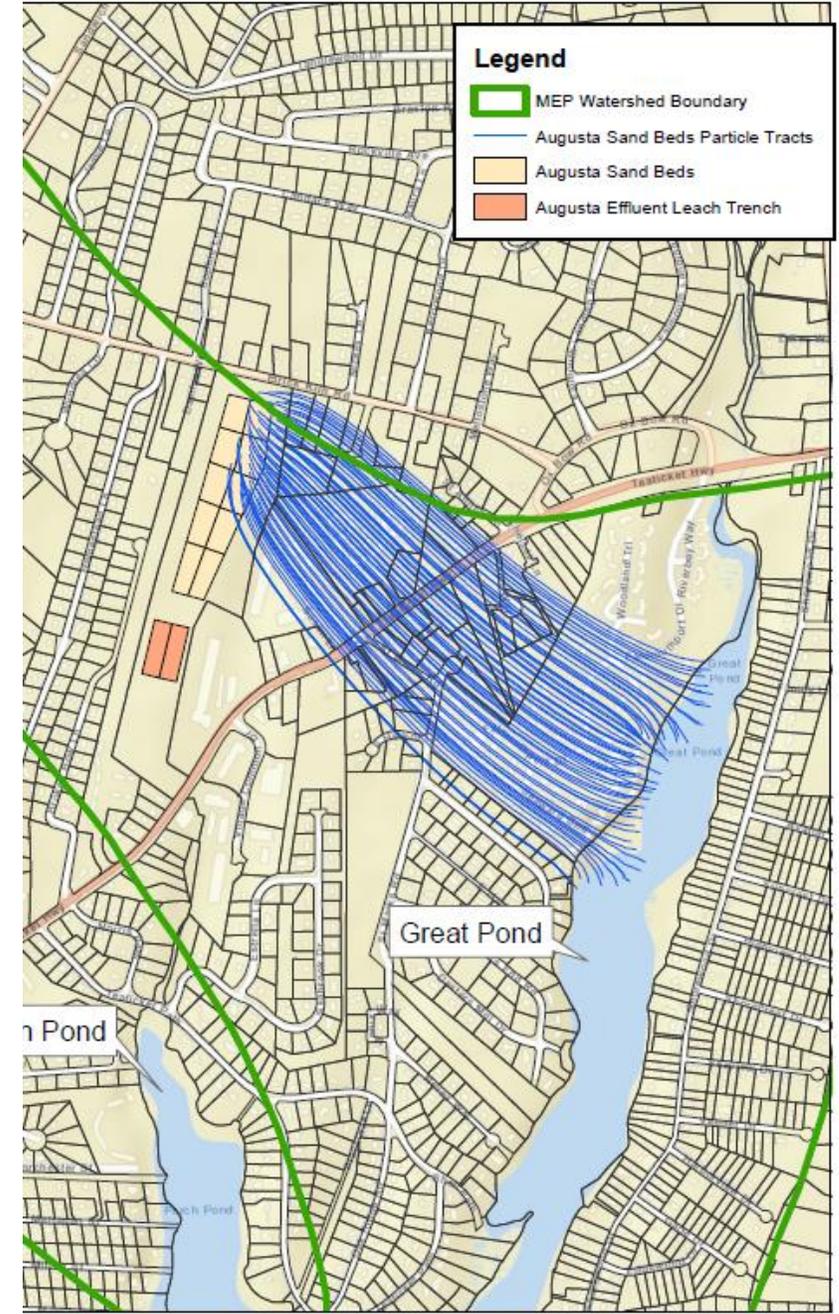
Not upgradient from freshwater systems  
Short permitting process  
Potential recreational fields

## Con:

Four miles from WWTF  
Some nitrogen returns to Great Pond  
No nitrogen attenuation potential  
Near some residences

Assumes continued use of beds 1-15

**Cost: \$27.4 million (2026 \$\$)**



# Sand beds 14 & 15

## Pro:

Town-owned municipal use

Purchased & zoned for wastewater

Zero miles from plant, no pump station needed

Less land clearing needed

Additional capacity 500,000 gpd

Short permitting process

Phosphorus limited mobility (over 100 years sequestration capacity)

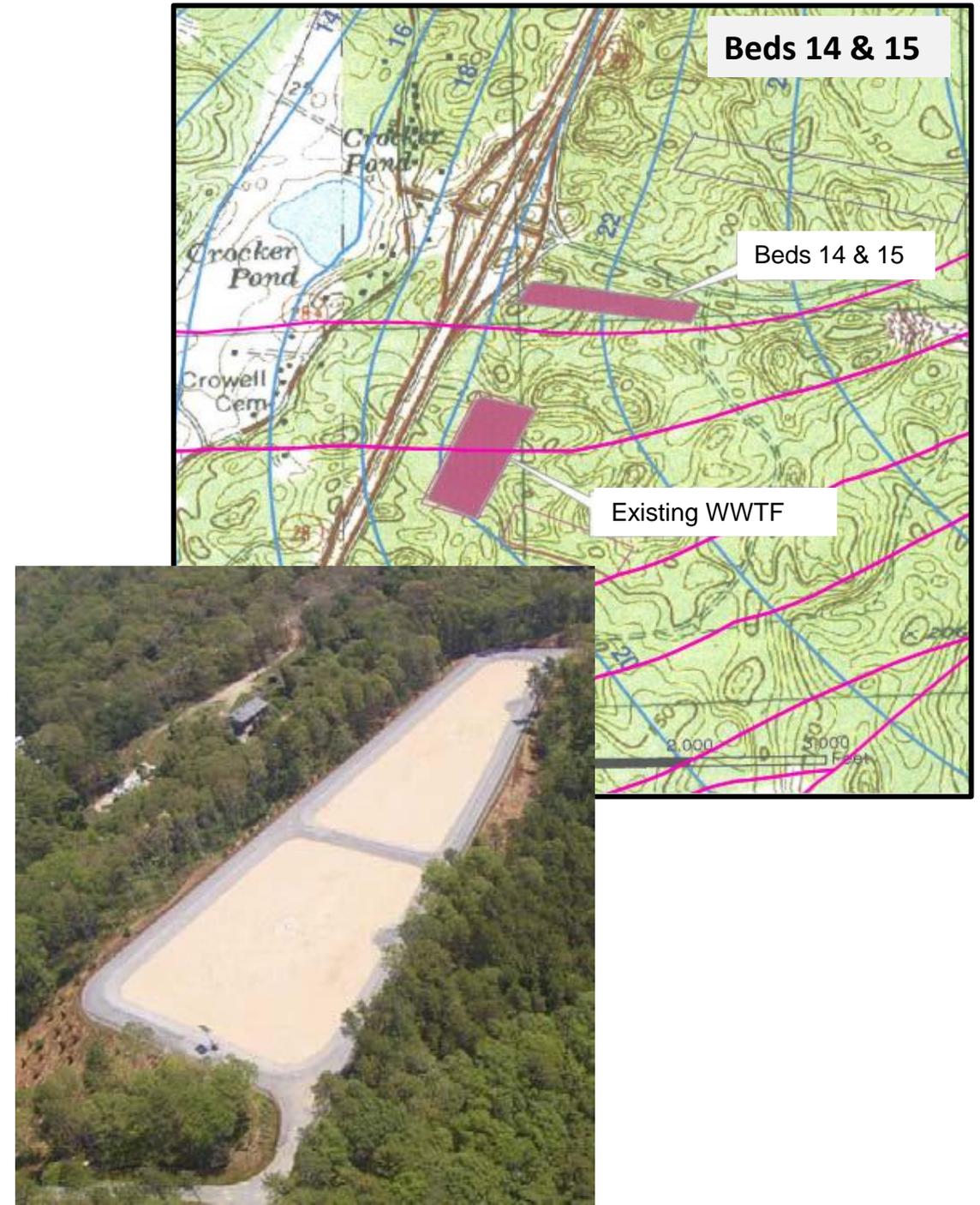
Herring Brook SMAST completed

**Cost: \$1.4 million (2026 \$\$)**

## Con:

Upgradient of freshwater systems

Additional 3% nitrogen to Herring Brook



# Herring Brook SMAST study conclusions

- Herring Brook is a healthy salt marsh and can accept higher nitrogen inputs than estuaries
- Based on prior MEP assessments and reviews of >20 Cape Cod salt marshes, a threshold concentration for Herring Brook of 1 mg/L TN at the sentinel station has been established
- Modeling of municipal discharge up to 0.76 MGD at sand beds 14 – 15 resulted in a 3% increase of TN concentrations to 0.52 mg TN/L - still well below the 1 mg/L TN threshold



# Outfall: Vineyard Sound or Buzzards Bay

## Pro:

Removes all treated discharge  
Virtually unlimited capacity

## Cons:

Lengthy permitting process  
Unknown underwater soil conditions  
Land distance from WWTF 2 – 7 miles  
Unknown public acceptance

**Cost: unknown**



## Select Board policy (adopted December 6, 2021)

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. Allocate \$98,000 from AFCEE Mitigation Funds for the purposes of hydrodynamic modeling of outfall alternatives.

# Some good news to report

- A study by the Marine Biological Laboratory's Ecosystems Center said estuarine water quality in the Buzzards Bay watersheds has improved as a response to the decrease in nitrogen inputs from atmospheric deposition.
- Quissett and Megansett Harbor watersheds have been meeting their threshold nitrogen concentrations at the sentinel stations. Both estuaries could be eligible for reclassification to healthy systems.

# Thank you

to the all the members of the Water Quality Management Committee who have served since its inception in 2011

Virginia Valiela  
Steve Rafferty  
Winthrop Munro  
George Heufelder  
Ron Zweig  
Matt Patrick



Steve Leighton  
John Waterbury  
Matt Charette  
Tom Duncan  
Ken Foreman  
Jordan Mora

An additional thank you to  
Science Wares: Sia and Eric Karplus, Kristen Rathjen  
GHD: Jeff Gregg and Anastasia Rudenko

# Recommendations: the next phase

- Great Pond Targeted Watershed Management Plan
  - Vineyard Sound ocean outfall
  - November 2023 Town Meeting

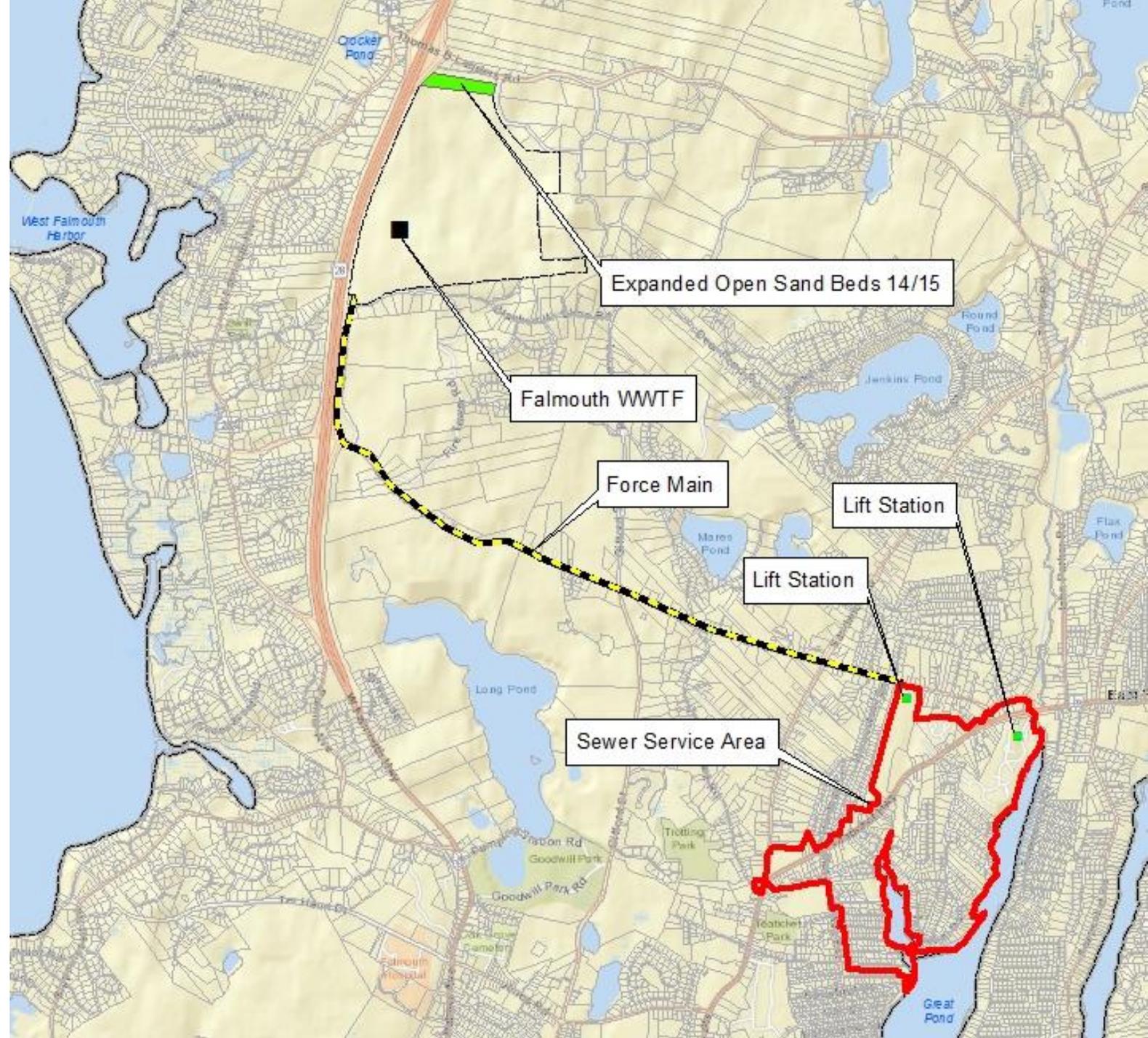
Presented by Steve Rafferty, Vice Chair  
Water Quality Management Committee

# Great Pond Targeted Watershed Management Plan

- Result of 5 years of data collection, evaluation and public meetings.
- Approved by the state in January 2023. Includes:
  - Major wastewater treatment facility improvements - *now out to bid*
  - Wastewater collection system expansion to 1,800 parcels (2,000 units) in lower watershed to Great Pond, in 2 phases
  - Using and potentially expanding the town's existing recharge beds north of the treatment plant to accommodate additional wastewater flow
  - Alternative nitrogen removal technologies including aquaculture, a potential permeable reactive barrier, fertilizer reduction and stormwater management.

Next step in implementing the plan is to fund design and permitting (\$4.5M) for:

- First phase of sewer system expansion for Teaticket Path peninsula and remainder of Maravista
- Force main to plant
- Use and possible expansion of existing northernmost discharge beds



# Why this next step must be funded at November Town Meeting

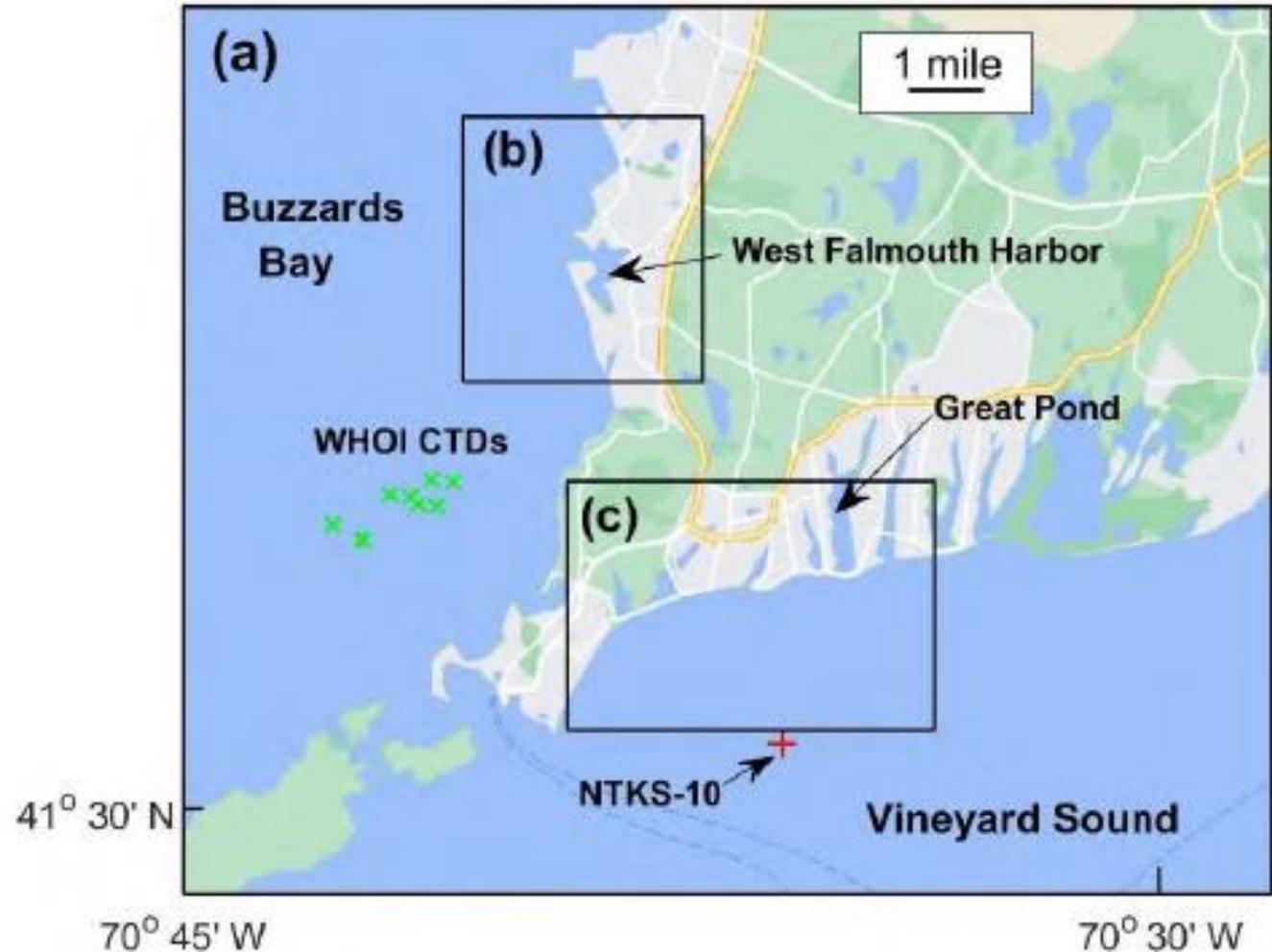
- Great Pond is significantly impacted by nutrients; has the largest nitrogen load removal requirement of any of Falmouth's coastal ponds (12,154 kilograms/year).
- Sewering is the only strategy that will remove 100% of the septic nitrogen load in the Great Pond lower watershed.
- New title 5 regulations: If the Town does not move forward with wastewater planning and executing its approved plans, the state will require I/A septic systems on all properties in impaired watersheds (75% of town).
- There is an available funding opportunity now for this project: debt drop off, and 0% loans.

# Ocean Outfall Evaluations

- The Town selected expanded beds 14 and 15 for discharge of treated wastewater from the next phases of wastewater collection.
- However, because of the limitations of land-based discharge, the Select Board and Town Meeting have expressed support for evaluating a potential ocean outfall for future, long-term discharge
- A significant amount of ocean outfall evaluation has been completed and can be presented at a future meeting

# Ocean Outfall Evaluations

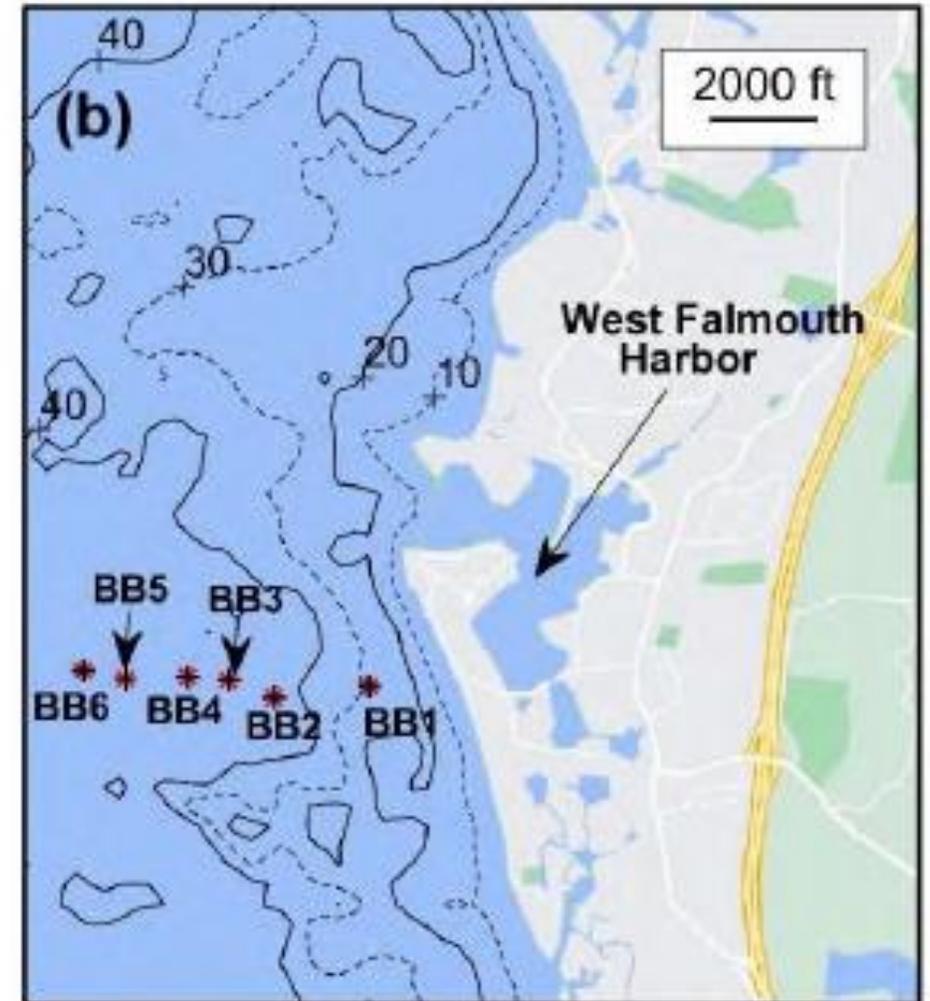
- Hydrodynamic modeling conducted by Jim Churchill, WHOI
  - Using established, peer-reviewed model developed at WHOI
- Modeling Goals
  - Assess and compare the mixing environments in Vineyard Sound and Buzzards Bay
  - Identify optimal areas for potential ocean outfall location based on the modeled distribution of effluent nitrogen



# Buzzards Bay Locations

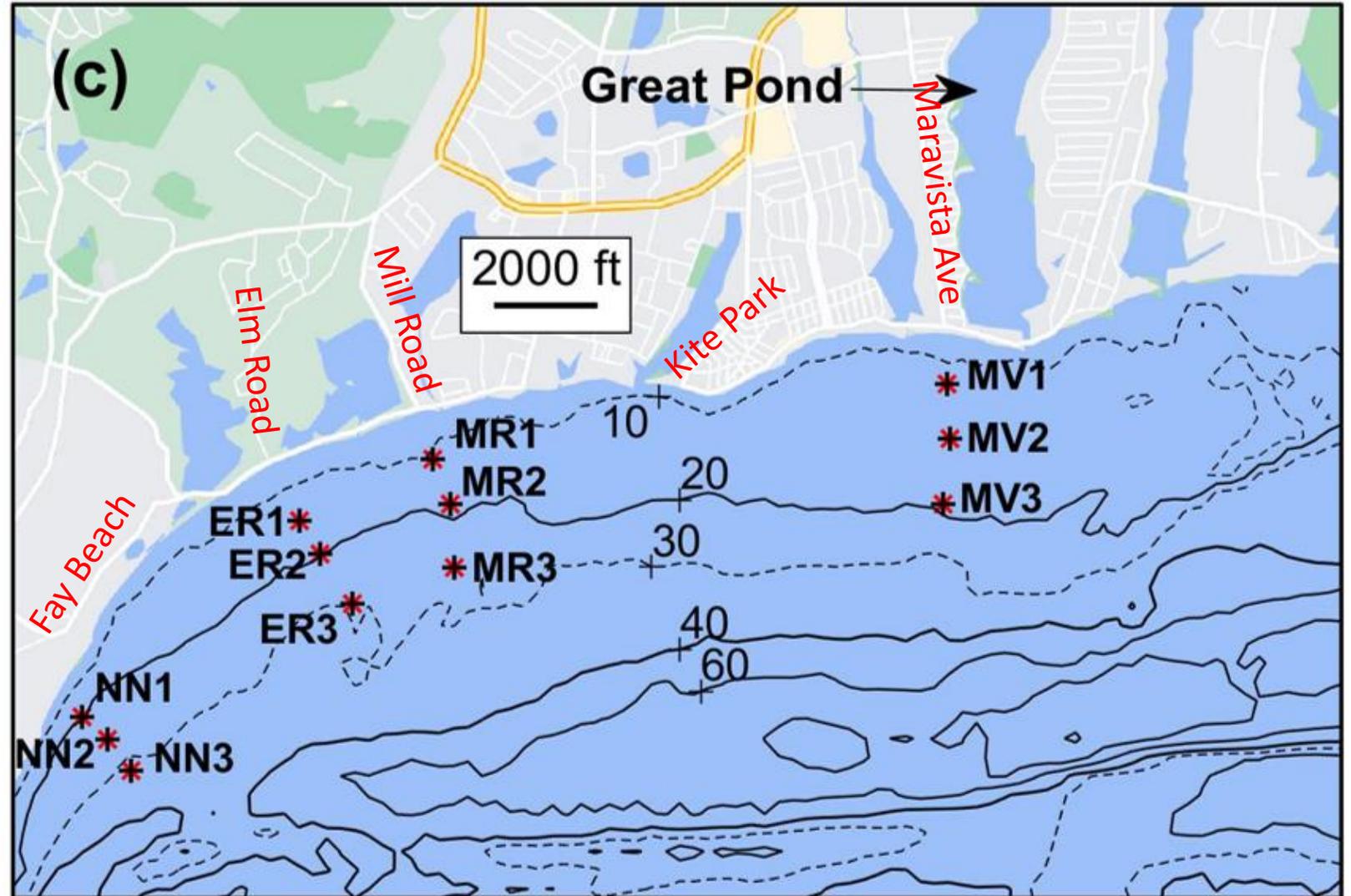
- Modeled discharge at 6 distances from shore, offshore from Black Beach

Discharge Line	Name	Distance from Shore - ft	Depth -ft
Buzzards Bay	BB1	1590	29
	BB2	3546	47
	BB3	4148	50
	BB4	4981	49
	BB5	6101	48
	BB6	6888	49



# Vineyard Sound Locations

- Modeled discharge at 3 distances from shore for 4 initial locations
- A 5<sup>th</sup> location offshore from Kite Park in Falmouth Heights is being modeled next.



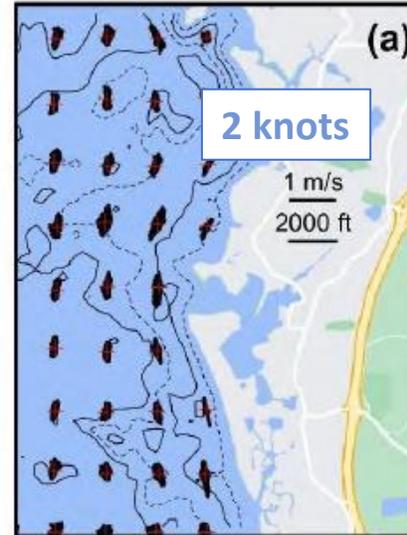
# Introduction to Report Findings

- Flow in Vineyard Sound is far more vigorous than in eastern Buzzards Bay:
  - Better mixing
  - Low seasonal variation
  - Predominant east-west flow, not on-shore
- Effluent discharge from modeled Vineyard Sound sites would have a negligible effect on TN concentrations in the surrounding environment (higher dilution)
- Buzzards Bay would require longer outfall to avoid any flow back to the shoreline or to nitrogen sensitive coastal estuaries
- For Vineyard Sound sites, eelgrass becomes an important driver in establishing outfall length

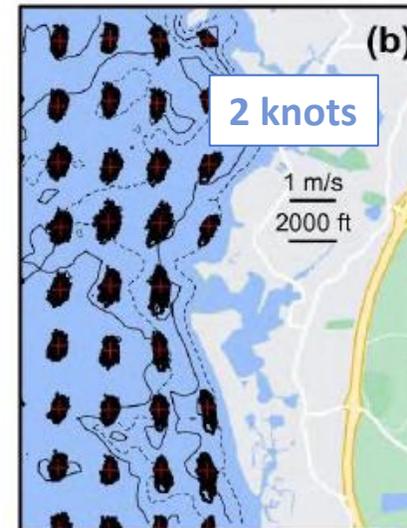
# Water Velocity, Direction

- **Buzzards Bay**
  - Lower velocity
  - On-shore flow component
- **Vineyard Sound**
  - Higher velocity
  - Predominately east-west flow

## Buzzards Bay

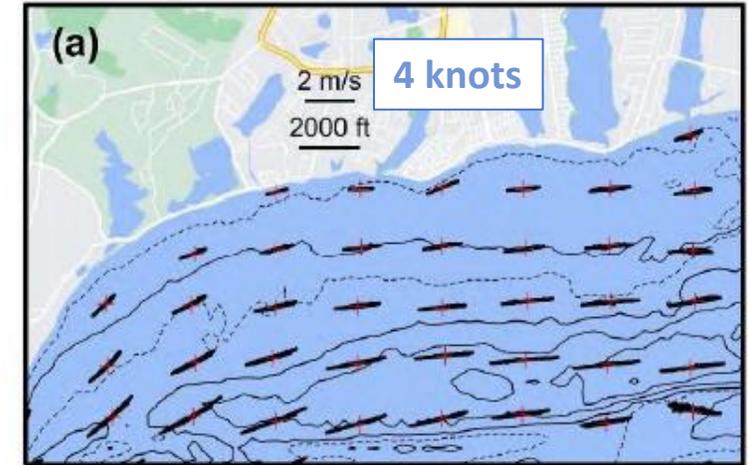


(a) Vertically Average Velocity

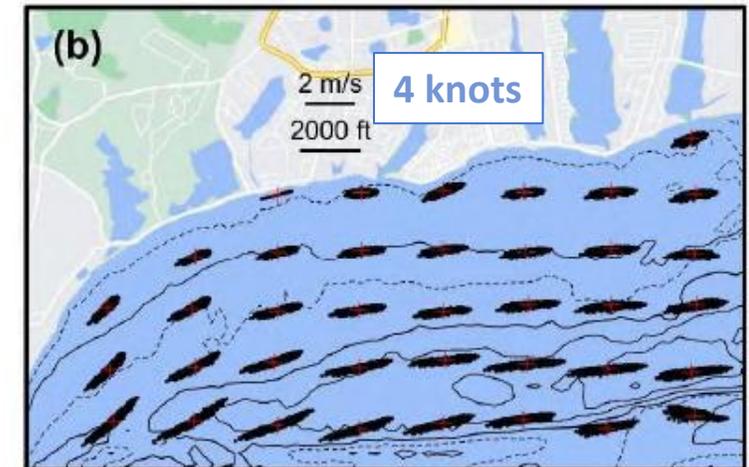


(b) Surface Velocity

## Vineyard Sound



(a) Vertically Average Velocity



(b) Surface Velocity

# Updated Effluent Discharge Plan

## Voted by WQMC 4/3/23

- In order to continue to make progress in cleaning up our estuaries, designate expanded 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
- The Town's preferred option for mid and long-term discharge of all treated wastewater is an outfall in Vineyard Sound, and the Town will proceed with permitting and implementing an ocean outfall.

# Urine diverting pilot project



- Met with representatives of the Massachusetts Alternative Septic System Test Center in May, requested a proposal for a urine diverting pilot project.
- Concept is that a minimum of ~ 50 properties would participate, data would be collected regarding urine volume, nitrogen and phosphorous content, “grey water” characteristics, etc.
- Plan to seek funding for pilot at November Town Meeting

# Anticipated Requests at November Town Meeting

- Fund design and permitting of the first phase of the Great Pond Targeted Watershed Management Plan
  - Teaticket Path peninsula and northeast Maravista sewers and increased discharge at beds 14/15
- Fund data collection and permitting for a Vineyard Sound outfall for “long term” effluent discharge
- Fund a urine diverting pilot project